

BYLAW 40-18 – SMOKING BYLAW AMENDMENT

Purpose

The purpose of Bylaw 40-18 is to amend Smoking Bylaw 34-18, to provide the Chief Administrative Officer the authority to designate smoking areas in the Town of Okotoks.

Readings

This Bylaw is ready for three readings.

Report, Analysis and Financial Implications

During Administration's efforts to implement our new Smoking Bylaw 34-18, the need to allow for designated smoking areas has been identified. Due to physical and geographical locations for some businesses and public buildings, the current restrictions of 10 metres from any public sidewalk or pathway may create challenges deemed to be too restrictive.

Administration is recommending that the Chief Administrative Officer have the authority to designate a smoking area where;

- a) the restrictions of this bylaw reasonably create an undue hardship for any designated public place (includes businesses);
- b) the presence of multiple public sidewalks or public pathways leading to a municipal building, public building, or workplace creates unreasonable restrictions;
- c) there are no reasonable alternatives to establishing a designated smoking area;
- d) the presence of a designated smoking area would not reasonably create a risk to the health and wellbeing of the general public; and
- e) the designated smoking area does not exceed a 6-metre diameter.

If the proposed amendments are approved by Council, Administration would establish a permitting process to accommodate applications for designated smoking areas.

Research has confirmed smoking bylaws used in most Alberta municipalities include provisions to designate areas where smoking can occur. Additionally, Bylaw 34-18 could be at risk to challenges of undue hardship and or being unreasonably restrictive.

Strategic Plan Goals

<input type="checkbox"/>	Manage Community Growth
<input type="checkbox"/>	Provide Quality Community Infrastructure
<input type="checkbox"/>	Enhance Organizational Excellence

<input checked="" type="checkbox"/>	Provide Strong Governance
<input checked="" type="checkbox"/>	Healthy and Safe Community
<input checked="" type="checkbox"/>	Foster Economic Vitality
<input type="checkbox"/>	Promote Environmental Excellence

Public Participation Strategy

n/a

Alternatives for Consideration

n/a

Deputy CAO Comments

I support the proposed amendments to accommodate the buildings that would have challenges adhering to the current bylaw restrictions.

Attachment(s)

1. Draft Bylaw 40-18
2. Schedule "C"
3. Bylaw 34-18 Smoking Bylaw redline version

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