

VILLAGE OF GOLD RIVER

CLEAN INDOOR AIR QUALITY BYLAW

BYLAW NO. 435, 1991

WHEREAS Part 1, Health and Welfare, Division (1) - Health Section 692 of the Municipal Act R. S. B. C. 1979 Chapter 290, provides that Council may regulate persons, their premises, and their activities, to further the care, protection, promotion and preservation of the health of the inhabitants of the Municipality;

AND WHEREAS the Council of the Village of Gold River has deemed it necessary to regulate persons, their premises and their activities to provide for a clean indoor air environment;

AND WHEREAS second hand smoke is a health hazard and discomfort for many inhabitants of the Village of Gold River;

AND WHEREAS the approval of the Minister of Health is necessary for any bylaw adopted pursuant to Section 692 of the Municipal Act;

NOW THEREFORE the Council of the Village of Gold River in open meeting assembled enacts as follows:

1. DEFINITIONS

"Council" means the Council of the Village of Gold River.

"Designated Smoking Area" means an area designated by Council in which smoking is permitted.

"Municipal Facilities" means any building, structure, vehicle or facility that is operated, governed or under control of the Village of Gold River.

"Municipal Vehicle" means any vehicle owned or operated by the Municipality, when occupied by more than one person.

"No Smoking Sign" means a No Smoking Sign as prescribed by this bylaw.

"Post" means to keep on continuous display.

2. MUNICIPAL FACILITIES

- 2.1 No person shall smoke in any municipal facilities except as permitted by Municipal Council.
- 2.2 Municipal Council may designate smoking areas within any municipal facility.
- 2.3 Smoking shall only be permitted in designated smoking areas.

3. DESIGNATED SMOKING AREAS

- 3.1 Council shall designate the entire facility as no smoking or may provide for designated smoking areas.
- 3.2 Designated smoking areas shall be enclosed in a room:
 - 3.2.1 Where non-smoking persons do not require access
 - 3.2.2 Adequately ventilated, away from the remainder of the facility to the exterior of the building.
 - 3.2.3 Not jointly used as a lunchroom, coffee room, lounge, or rest area unless an equivalent area is provided for non-smoking persons.

4. DUTY OF THE PROPRIETOR

- 4.1 Council or other person in charge of an enclosed public place shall make reasonable efforts to prevent persons from smoking in the place by;
 - 4.1.1 Posting a sign in the prescribed form and manner to notify persons that smoking is prohibited.
 - 4.1.2 Asking smokers to refrain from smoking if a client who is suffering discomfort so requests.
 - 4.1.3 Taking any other appropriate action.

5. SIGNS

5.1 Council or other person in charge of an enclosed public place shall have signs posted in a prominent location and at all entrances to indicate that the facility is either a no smoking premise or that designated smoking areas are provided.

5.2 A "No Smoking" sign shall state;

5.2.1 The phrase "No Smoking" or'

5.2.2 A graphic symbol substantially in the form of Schedule "A" hereto attached.

5.2.3 Words or graphics of a similar meaning.

5.3 A "Designated Smoking Area" sign shall state;

5.3.1 The phrase "Designated Smoking Area" , or

5.3.2 A graphic symbol substantially in the form of Schedule "B" hereto attached;

5.3.3 Words or graphics of a similar meaning.

6. OFFENCE AND PENALTIES

6.1 A person who contravenes a provision of this bylaw commits an offence and, on summary conviction, is liable to a fine not less than \$25.00 and not more than \$2000.00.

7. ENFORCEMENT

7.1 The Public Safety Officer, Bylaw Enforcement Officer, Officers of the Village of Gold River and any class of person appointed by the Council of the Village of Gold River shall be responsible for the administration of this bylaw.

7.2 Persons listed in Section 7.1 may enter any premises in the Village of Gold River at any reasonable time for the purpose of determining compliance with and enforcing this bylaw.

7.3 Investigation of non-compliance of this bylaw will be made solely on the basis of written complaints received from affected persons.

8. TITLE

8.1 This bylaw may be cited for all purposes as "The Village of Gold River Clean Indoor Air Quality Bylaw No. 435, 1991."

READ a first time this 1st day of MAY, 1991.

READ a second time this 1st day of MAY, 1991.

READ a third time this 15th day of MAY, 1991.

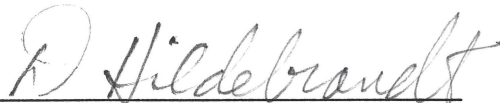
RECEIVED APPROVAL of the Minister of Health on the 11th day of MARCH, 1992.

RECONSIDERED, PASSED AND FINALLY ADOPTED by Council, signed by the Mayor and the Clerk, and SEALED with the Corporate seal all on this 1st day of APRIL, 1992.



M.A. Fiddick

MAYOR



D. Hildebrandt

CLERK

A true copy of By-Law No. 435
registered in the office of the Inspector
of Municipalities this 1st day of
MAY 1992.


Deputy Inspector of Municipalities



March 11, 1992

RECEIVED

13 MAR 1992

VILLAGE OF
GOLD RIVER

Her Worship Mayor Anne Fiddick
Village of Gold River
P.O. Box 610
Gold River, British Columbia
V0P 1G0

Dear Mayor Fiddick:

I am in receipt of a letter dated January 13, 1992, from Mr. Bruce L. Oliphant, Public Safety Officer, addressed to Ms. Linda Brigden, Office of Health Promotion, regarding approval of your community smoking control bylaw. This bylaw indicates a decisive step on the part of the Village of Gold River to control Environmental Tobacco Smoke within its boundaries.

As stipulated under Section 692(4) of the Municipal Act, I hereby endorse and approve the enclosed copy of the "Village of Gold River Clean Indoor Air Quality Bylaw No. 435, 1991".

As Minister of Health and Minister Responsible for Seniors, I would like to congratulate you and your Council for implementing this bylaw. Controlling tobacco use in municipal facilities and vehicles indicates to the community the concern felt by its elected officials toward smoking in the workplace. Public policy initiatives such as this are an important means of ensuring the health of our citizens.

... 2

I would also like to take this opportunity to say how much I enjoyed our discussion on the potential role that Union Boards of Health can play in the future. As our detailed review of the British Columbia Royal Commission on Health Care and Costs' recommendations are undertaken, I will bear in mind the discussion we had.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Elizabeth Cull'.

Elizabeth Cull
Minister of Health and
Minister Responsible for Seniors

Enclosure

c.c. Mr. Bruce L. Oliphant
Public Safety Officer

NO SMOKING



Village of Gold River

BYLAW NO. 435

**DESIGNATED
SMOKING AREA**



Village of Gold River

BYLAW NO. 435