

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2013-172**

**BEING A BY-LAW TO AMEND BY-LAW NO. 2012-97  
(BEING A BY-LAW TO REGULATE SMOKING  
IN PUBLIC PLACES AND WORKPLACES)**

**WHEREAS** section 115 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (as amended), authorizes the Council of a local municipality to pass a by-law to prohibit or regulate the smoking of tobacco in public places and workplaces within the municipality;

**AND WHEREAS** section 10(2) of the *Municipal Act* authorizes a municipality to pass by-laws respecting health, safety, and well-being of persons;

**AND WHEREAS** section 12 of the *Smoke-Free Ontario Act* permits municipalities to enact smoking by-laws that are more restrictive than sections 9 and 10 of the Act;

**AND WHEREAS** Council has been asked by the North Bay Regional Health Centre (NBRHC) to amend the Smoking By-Law 2012-97;

**AND WHEREAS** Council passed Resolution No. 2013-399 at its Regular Meeting held Tuesday, July 2, 2013 to authorize an amendment to the Smoking By-Law 2012-97 definition of "*Inspector*";

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACT AS FOLLOWS:**

1. That Section 1.7 of By-Law 2012-97 is hereby deleted and the following inserted in lieu of:

1.7 "*inspector*" means:

- (a) any employee or class of employee of the North Bay Parry Sound District Health Unit authorized by the Medical Officer of Health to carry out an inspection under and to enforce the provisions of this by-law, or
- (b) a person or class of person appointed by Council of the City as a by-law enforcement officer to enforce this by-law, or
- (c) a security guard designated by the North Bay Regional Health Centre (NBRHC), and authorized by the City, to act as an agent of the City for the purpose of enforcing the Smoking By-Law 2012-97 on NBRHC property, as listed in Schedule "B"

2. This By-Law comes into force and effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THIS 15<sup>TH</sup> DAY OF JULY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 15<sup>TH</sup> DAY OF JULY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15<sup>TH</sup> DAY OF JULY, 2013.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD