



PROVINCE OF QUEBEC
CITY OF BEACONSFIELD

**BY-LAW BEAC-095
BY-LAW CONCERNING ELECTRONIC CIGARETTES
CONSOLIDATED**

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(BEAC-095-1) - 2018-11-19

Adopted at regular meeting of Council
held on Monday, May 25, 2015



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At a regular meeting of the City of Beaconsfield's Council, held at the Council Chamber, 303 Beaconsfield Boulevard, Beaconsfield, Quebec, on Monday, May 25, 2015, at 8 p.m.;

WERE PRESENT: His Honour the Mayor Georges Bourelle and Councillors David Pelletier, Karen Messier, Wade Staddon, Pierre Demers, Roger Moss and Peggy Alexopoulos

WHEREAS notice of motion of the presentation of this by-law was given at the Council's regular meeting held on Monday, April 27, 2015;

CONSIDERING the public health advisory on electronic cigarette usage issued by Québec's National Director of Public Health, Health Canada and the World Health Organisation;

CONSIDERING the current lack of applicable legal normative framework restricting the use of electronic cigarettes;

GIVEN section 6 of the *Municipal Powers Act* (R.S.Q. Chapter C-47.1);

On motion of Councillor W. Staddon, seconded by Councillor K. Messier, and UNANIMOUSLY RESOLVED:

THE COUNCIL OF THE CITY OF BEACONSFIELD ENACTS THE FOLLOWING:

SECTION 1 DEFINITIONS

1.1 For purposes of interpreting this by-law and unless the context indicates otherwise, the following terms or words have the meaning and application given to them herein:

City (Ville): designates the City of Beaconsfield;

Competent authority (autorité compétente): the person occupying the position, fulfilling the duties or acting as director of one of the City's departments, his representative or employee authorized to act in his name in accordance with the specific powers, orders and duties delegated to him, as well as any person mandated by Council resolution, to apply this by-law, in part or in whole;

Council (conseil): designates the Municipal Council of the City of Beaconsfield;

Electronic cigarette (cigarette électronique): electronic or electromechanical device intended to simulate the action of smoking tobacco, which produces artificial smoke or vapour, flavoured or not, containing nicotine or not;

Public building (édifice public): designates all administrative buildings, sports facilities, cultural or community buildings or other under the City's authority.

SECTION 2 APPLICATION

2.1 The present by-law applies to the entire territory of the City.

2.2 For the purpose of this by-law, the competent authority is responsible for the application of the present by-law and has the authority to use necessary power.

SECTION 3 PROHIBITION

3.1 It is strictly prohibited for any person to use an electronic cigarette in the public buildings of the City.



SECTION 4 INFRACTIONS AND PENALTIES

4.1 Every person who contravenes a provision of the present by-law commits an infraction and shall be liable to a minimum fine of five hundred dollars (\$500) and a maximum fine of one thousand five hundred dollars (\$1,500), with costs. In the case of a subsequent offense, the offender shall be liable to a minimum fine of one thousand dollars (\$1,000) and a maximum fine of three thousand dollars (\$3,000), with costs.

(BEAC-095-1, Section 1)

SECTION 5 REPEALING OF BY-LAW

5.1 The by-law of the City of Beaconsfield no. 665, entitled "By-law respecting the protection of non-smokers in certain public places" has been repealed de facto on December 17, 1999, when its enabling law was repealed by the coming into force of section 76 of the *Tobacco Act* (S.Q., 1998, ch. 33).

MAYOR

CITY CLERK