

## BYLAW NO. 4557, 2016

A Bylaw to amend Smoking Control Bylaw No. 3037, 1996

### WHEREAS:

- A. Council of the City of Coquitlam ("Council") has previously adopted Smoking Control Bylaw No. 3037, 1996 (the "Smoking Control Bylaw");
- B. On September 1, 2016 the *Provincial Tobacco Control Act*, R.S.B.C. 1996, c.451 will be renamed the *Tobacco and Vapour Products Control Act* and amended to treat the sale, display, promotion and use of vapour products and e-cigarettes the same as the sale, display, promotion and use of tobacco products;
- C. Council now considers it advisable to regulate the use of e-cigarettes the same way as the City regulates the use of tobacco products under the Smoking Control Bylaw,

NOW THEREFORE, the Council of the City of Coquitlam, in open meeting lawfully assembled, ENACTS AS FOLLOWS:

### 1. Name of Bylaw

This Bylaw may be cited for all purposes as the "Smoking Control Amendment (E-Cigarette) Bylaw No. 4557, 2016."

### 2. Amendments

- 2.1 Section 2 of the Smoking Control Bylaw is amended by adding the following definitions:

**"Activated E-Cigarette"** means an E-Cigarette in which an E-Substance is being vaporized;

**"E-Cigarette"** means a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an E-Substance for inhalation or release into the air;

**"E-Substance"** means a solid, liquid or gas that, on being heated, produces a vapour for use in an E-Cigarette, regardless of whether the solid, liquid or gas contains nicotine;

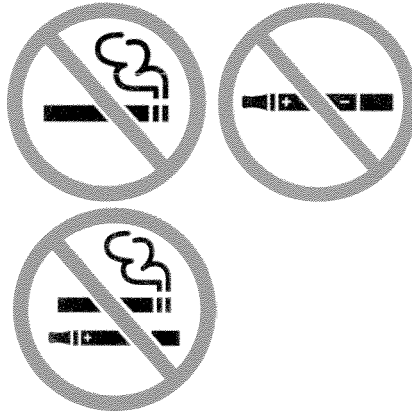
- 2.2 Section 3.1 of the Smoking Control Bylaw is amended by deleting "smoke" and substituting "Smoke, use an E-Cigarette, or hold an activated E-Cigarette".
- 2.3 Section 3.2.1 of the Smoking Control Bylaw is amended by deleting "smoke" and substituting "Smoke, use an E-Cigarette, or hold an activated E-Cigarette".

2.4 Section 4.1 of the Smoking Control Bylaw is deleted and replaced with the following:

- 4.1.1. A Responsible Person must display or cause to be displayed at all times a sign at each entrance to a Building (except where Smoking and use of E-Cigarettes are expressly permitted in that Building by this Bylaw) that communicates, through the use of one of the following phrases or icons or a combination of both, that Smoking and use of E-Cigarettes are prohibited in the Building:

**“NO SMOKING, INCLUDES E-CIGARETTES”**

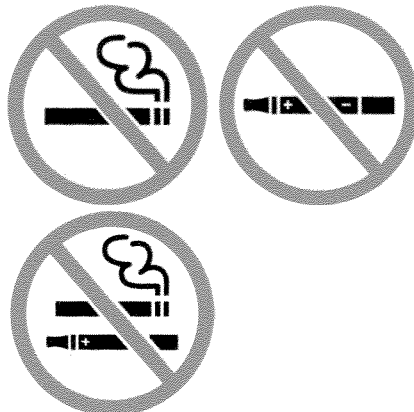
**“NO SMOKING OR VAPING”**



- 4.1.2 A Responsible Person must display or cause to be displayed at all times a sign in a Customer Service Area, a Common Area, and in a Vehicle for Hire, that communicates, through the use of one of the following phrases or icons or a combination of both, that Smoking and use of E-Cigarettes are prohibited in that area:

**“NO SMOKING, INCLUDES E-CIGARETTES”**

**“NO SMOKING OR VAPING”**



2.5 Sections 2.1, 2.2 and 2.3 of this Bylaw come into force upon adoption of this Bylaw.

2.6. Section 2.4 of this Bylaw comes into force on January 1, 2017.


READ A FIRST TIME this 18<sup>th</sup> day of July, 2016.

READ A SECOND TIME this 18<sup>th</sup> day of July, 2016.

READ A THIRD TIME this 18<sup>th</sup> day of July, 2016.

GIVEN FOURTH AND FINAL READING and the Seal of the Corporation affixed this 6<sup>th</sup> day of September, 2016.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

DEPOSITED WITH THE MINISTER OF HEALTH on the 11<sup>th</sup> day of October, 2016