

**TOWN OF HAMPSTEAD
PROVINCE OF QUEBEC**

BY-LAW NUMBER 1019

**BY-LAW RESPECTING THE USE OF
TOBACCO PRODUCTS AND OTHER
SUBSTANCES IN THE TERRITORY OF THE
TOWN OF HAMPSTEAD**

WHEREAS a Notice of Motion of the present By-law was given at the Council Meeting held on March 5th, 2018;

WHEREAS a Draft By-Law was adopted at the Council meeting held on March 5th, 2018;

WHEREAS all members of the Council have received a copy of By-law no. 1019 and declare having read it;

WHEREAS powers are granted to a local municipality by the Municipal Powers Act (CQLR, c. C-47.1) in the fields of the environment , nuisances, peace, order, good government, the general welfare of its citizens and exercising a regulatory power to prescribe prohibitions;

WHEREAS it is in the interest of the Town of Hampstead to control the use of tobacco products or other substances in all public places of the municipality and to adopt a regulation accordingly;

WHEREAS the dangers of second hand smoke, especially to minors, the elderly and those with lung diseases are well documented;

ON March 19th 2018, THE COUNCIL DECREES AS FOLLOWS:

It is ordained and enacted by By-law no. 1019 as follows:

SECTION 1

Tobacco use on all municipal properties including parks, streets, sidewalks, municipal vehicles, municipal buildings and land adjacent to such buildings is prohibited;

SECTION 2

It is forbidden to smoke any tobacco products such as cigarettes, cigars, pipes and all other products or substances, vegetable or chemical, that can be smoked by any instrument;

SECTION 3

For the purposes of this By-Law, the electronic cigarette is not considered a tobacco product and is exempt from this prohibition; however, provincial regulations continue to apply with respect to restrictions on the use of this product;

SECTION 4

Members of the Public Security Department of the Town of Hampstead will be responsible for the enforcement of this by-law;

SECTION 5

Every person who infringes any provision of this By-law commits an infraction and is liable to a fine. In the event of a first infraction, this fine shall not be less than \$250.00 (minimum fine) nor exceed \$750.00. In the case of a second or subsequent infraction, the fine shall not be less than \$500.00 (minimum fine) nor exceed \$1,500.00.

SECTION 6

This by-law comes into force in accordance with the law.

(s) William Steinberg
Dr. William Steinberg, Mayor

(s) Pierre Tapp
Me Pierre Tapp, Town Clerk