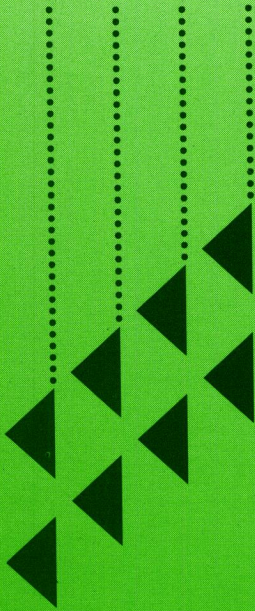


Health and Welfare  
Canada

Santé et Bien-être social  
Canada

# Smoking By-laws in Canada 1991



Canada

# **Smoking By-laws in Canada 1991**

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Health Protection Branch

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## **Executive Summary**

This report deals with smoking by-laws in Canadian municipalities for 1991 and mentions provincial legislation regulating tobacco use in public places, and federal legislation on smoking in the workplace. It is a continuation of the work done by the Calgary Health Services until 1988.

Important factors and new trends in smoking legislation are shown in tables 1 to 14, permitting the reader a better understanding of municipal by-laws on smoking. The tables include smoking by-law regulations governing the following: Canadian Centres for each province; banks, financial institutions and municipal offices; bars, beverage rooms, canteens, lounges, night clubs and taverns; elevators, escalators and stairways; hospitals; places of public assembly; reception areas; restaurants; retail stores; service counters and service lines; transportation-related areas; the workplace; by-law regulations found infrequently in Canadian by-laws; smoking by-law enforcement officers; penalties and offences.

The number of smoking by-laws has been increasing rapidly since 1988 and most municipalities with a population over 10,000 now have such a by-law. Quebec and Manitoba are the only provinces with provincial legislation.

The other provinces, except Newfoundland, have legislation enabling municipalities to pass their own smoking by-laws, giving them the task of regulating smoking in public places. With respect to tobacco sales to minors, Saskatchewan, Manitoba, Ontario, New Brunswick, Newfoundland and Prince Edward Island all have laws prohibiting such sales.

New areas of smoking prohibition since 1988 include shopping malls and the workplace.

## INTRODUCTION

A by-law is a law or ordinance, dealing with matters of local or internal regulation, passed by a local authority. In order to facilitate a clear understanding of the by-law regulations, most municipal smoking by-laws begin with definitions of key words; some areas, however, may not be defined. In addition, wide variations in wording present further inconsistencies. The authors would like to caution the reader in interpreting the tables by noting that, with conflicting definitions, it was often difficult to categorize the different by-laws within the various sections. The present report serves as a general guide and, to obtain more specific details, a list of provincial contacts is provided at the end of this report.

The format of this report provides a quick review of Canadian municipal smoking by-laws, and examines each area of restriction to present the extent of smoking by-laws across Canada.

In 1984, the Calgary Health Services carried out an informal survey of Canadian Census Metropolitan Areas to determine centres with smoking legislation. The report was updated annually until 1988 and, in 1991, the Tobacco Products Section of the Department of National Health and Welfare took over the project and began to update the 1988 version of "Smoking By-laws in Canada". Over 800 municipalities were surveyed, of which 280, included in this report, were found to have smoking by-laws.

In 1988, 114 municipalities had smoking by-laws. This number more than doubled to reach 280 in 1991, showing that, as the knowledge of the health risk of smoking and second-hand smoke grows, there has been an increased response by Canadian municipalities to pass by-laws restricting smoking.

In general, smoking legislation is enacted at the municipal rather than provincial level. Quebec and Manitoba are the only two provinces with a provincial law in that respect. In most provinces, provincial legislation provides for the enactment of by-laws by municipalities, provincial approval of municipal smoking by-laws, adoption of bills that control sales of tobacco to minors, and requirements for licensing of tobacco retailers.

At the federal level, the implementation of the *Tobacco Products Control Act*, the *Tobacco Restraint Act* and the *Non-Smokers' Health Act* have shown the level of commitment towards a smoke-free society, and have encouraged municipalities to follow suit.

## **1. Canadian Centres with Smoking By-laws**

Table 1 covers Canadian Centres with smoking by-laws in each province. The year of the first smoking by-law for each municipality is given as well as the date of the latest amendment, if any.

Our survey indicates that Quebec, Ontario and British Columbia have the largest number of municipalities with by-laws restricting smoking, with 59, 118 and 54, respectively. In comparison, the prairie provinces have a moderate amount, the maritime provinces have very few, and Newfoundland and the Yukon have none.

The first municipal by-law restricting smoking was enacted by the District of Burnaby, British Columbia, in 1968. In the 1970s a few other municipalities followed suit, and it was not until the mid- to late 1980s that the move was on to impose more restrictions on smoking. As the health risks, such as heart disease and lung cancer, associated with direct smoking and second-hand smoke were becoming more widely known, the anti-smoking era began to gain momentum.

As a result, the number of municipalities with smoking by-laws increased by 146 percent, from 114 in 1988 to 280 in 1991. Of the municipalities with existing smoking by-laws in 1988, 58 added amendments as of 1991, thus imposing further restrictions on smoking areas.

## **2. Banks, Financial Institutions and Municipal Offices**

Table 2 covers the non-smoking areas found in banks, financial institutions and municipal offices. The major prohibition areas in these institutions are the service counters, service lines and municipal offices. For a greater understanding of this section, the reader should relate the information in Table 2 with the information in Table 10, which gives greater detail of regulations on service counters and service lines.

In most municipalities, the smoking by-law stipulates that signs must be clearly visible. This would seem to be the greatest burden placed on proprietors. Very few by-laws stipulate that proprietors have to make a reasonable effort to enforce the by-law or to familiarize their staff with it.

In the past three years, the number of by-laws which entirely prohibit smoking in buildings, unless the proprietor designates a smoking area, has increased.

The *Non-Smokers' Health Act* regulates smoking in the workplace for employees under federal jurisdiction, including banks and financial institutions. In light of this, municipal by-laws in this area may seem redundant. However, rules at each government level serve to strengthen smoking regulations and provide a common front.



### **3. Bars, Beverage Rooms, Canteens, Lounges, Night Clubs and Taverns**

Table 3 covers smoking by-law regulations governing bars, beverage rooms, canteens, lounges, night clubs and taverns. Although these facilities are not included in the majority of municipal smoking by-laws, there appears to be a trend in recent years towards their inclusion. In 1991, by-laws in 25 municipalities stipulated that proprietors could designate non-smoking areas in bars and similar establishments.

Of the 25 municipalities with by-laws for these facilities, only six require the proprietor to familiarize staff with the by-law. This fact, and the very low number of by-laws covering bars, lounges, etc., indicate that these facilities are the slowest to become non-smoking areas. With increased anti-smoking legislation in areas such as the workplace, retail shops and banks, bars are becoming the last bastion of the Canadian smoker. An increase in the number of municipalities with smoking by-laws covering bars and taverns is highly unlikely at the present time.

A number of by-laws exempt taverns under the heading of "Retail Stores" (see Table 9).

### **4. Elevators, Escalators and Stairways**

Table 4 covers smoking by-law regulations governing elevators, escalators and stairways. In 1988, just under 100 municipalities had smoking by-law regulations governing these areas. By 1991, this number had increased to approximately 150 municipalities. Smoking is prohibited almost entirely on elevators, nearly three quarters of the time on escalators, and almost two thirds of the time on stairways. This high level of prohibition is most likely due to the fact that since elevators are small enclosed areas, the level of irritation from second-hand smoke is very high.

Most by-laws, the majority in Quebec, also maintain that no-smoking signs be conspicuously posted and only six municipalities legislate that the proprietor must familiarize staff with the by-law or try to prevent violations.

It is also interesting to note that 11 Quebec municipal by-laws prohibit smoking on stairways that are annexed to a retail store (see Table 9).

### **5. Hospitals and/or Health Care Facilities**

Table 5 covers the very sensitive issue of smoking by-law regulations governing hospitals and health care facilities. From the perspective of anti-smokers, it is outrageous

to allow a practice such as smoking, that is deleterious to health, in a health care facility. However, from the perspective of a terminal live-in patient who smokes, prohibition has entered his home.

This section refers, in general, only to hospitals; however, an increasing number of by-laws have expanded their coverage under this heading to include one or more of the following facilities: health clinic, medical care facility, medical office, dental office, public health unit, nursing home, convalescents' home, senior citizens' home, home for the aged, community care facility, mental health facility, chiropractic office, optometrists' office, counselling centre or office, auxiliary or general hospital, and sanatorium. At least three municipalities, Calgary, Fort McMurray and Grande Prairie, exclude nursing homes and senior citizens' homes.

It should be noted that there have been significant increases across Canada in the number of hospitals with formal (written) smoking policies, i.e., institutional policies. Some have complete bans while others allow smoking in very limited designated areas.

All by-laws prohibit smoking in the entire facility or in patient care areas, although smoking areas may be designated (see Table 5). When specified, the smoking area is most frequently restricted to 50 percent of the public access area of the hospital. Scarborough is the only municipality which requires admission records to include patients' smoking preferences.

Thirty-one municipal by-laws require that patient smoking be permitted only with the written permission of the physician and, in eight of these cases, permission must be obtained in writing from the other patient in the room. Less frequent but interesting criteria permitting smoking include: written permission to single occupancy rooms (London); being non-ambulatory (Peterborough); being confined to bed, with permission to smoke authorized by the nurse in charge, and being supervised while smoking, and with consideration of wishes of other patients (Scarborough). Hearst is also unique in allowing patients affected by second-hand smoke to request non-smoking accommodations.

Only four municipal by-laws require hospital administrations to make a reasonable effort to prevent violations and familiarize staff with the by-law, showing once again the lack of concern for enforcement in regards to smoking by-laws.

## **6. Places of Public Assembly**

Table 6 covers smoking by-law regulations governing places of public assembly. The number of municipalities with this type of smoking by-law has doubled since 1988, and smoking in these locations is prohibited unless areas are designated.

In the majority of by-laws, designated smoking areas are limited to 50 percent of the total area. Frequently, this calculation excludes such areas as seating areas in theatres, classrooms and/or display areas. The percentage for designated smoking areas ranges from 25 percent to 80 percent, indicating the wide range of requirements for by-laws in different municipalities.

Care should be taken in interpreting the exceptions to the public assembly restrictions, both in the definition and in the section content. In many cases, locations such as pool halls, bowling alleys, billiard halls, dance halls, cocktail lounges, cabarets, public houses and bars are excluded, unless the proprietor elects to designate a portion or all of the location as non-smoking.

Table 6 clearly indicates that permissive and prohibitory signs are required in most municipal by-laws. However, as stated previously, few jurisdictions make demands on the proprietor to support or encourage by-law compliance. It is interesting to note that, in the "theatre" section of 12 by-laws, there is a requirement that a notice or sign be shown on the screen and/or a verbal announcement be made at the beginning of each show indicating the non-smoking and smoking areas.

## **7. Reception Areas**

Table 7 covers smoking by-law regulations governing reception areas. This section contains considerable variations in degree of restrictive legislation. They range from giving the proprietor full discretion with respect to designating a non-smoking area, to clearly structured requirements for smoking areas.

In most municipalities smoking is prohibited, except where designated.

Thirteen municipalities have by-laws which ban smoking completely in reception areas. Others have percentage requirements for non-smoking areas which range from 50 to 60 percent, and square metre requirements from 9 to 13.1 square metres. Not all by-laws, however, specify these requirements.

Only twelve jurisdictions require the proprietor to make some effort to enforce and/or to ensure that staff are knowledgeable of the by-law.

Some municipal by-laws include reception areas under the "public assembly" section, and a number of municipalities (not included in Table 7) do not mention reception areas specifically, but appear to cover the area under another heading such as Red Deer's "health care facility".

## **8. Restaurants**

Table 8 covers smoking by-law regulations governing restaurants. Since 1988, the number of municipalities with smoking by-laws for restaurants have increased by over 30 percent. This indicates that more and more municipalities are adopting greater acceptance of smoking regulation. However, Table 8 demonstrates that wide variation remains in restaurant smoking regulations. For example, some municipalities permit proprietors to designate a non-smoking section if they wish, while other municipalities designate restaurants as non-smoking, and then allow proprietors to designate all or a portion of the premises as smoking areas.

For most municipalities with a smoking by-law, the non-smoking area must be greater than 20 percent of the seating capacity of the restaurant. Signs identifying these designated areas are required by all by-laws while only 38 require signs to be posted at the entrance to the restaurants.

All Quebec municipal by-laws that have a "restaurant" section require that the non-smoking section increase proportionally over time to 50 percent. It is expected that this will be the norm in Quebec by 1993.

A few municipal by-laws state interesting requirements that are not common in most restaurant regulations. For example, Red Deer and the County of Strathcona both forbid ashtrays on tables in non-smoking areas. Scarborough requires proprietors to increase their non-smoking or smoking sections if the number of customers requesting either section exceed the seating capacity of that section, and Sainte-Foy forbids smoking of cigars or pipes.

## **9. Retail Stores**

Table 9 covers smoking by-law regulations governing retail stores. Since 1988, the number of municipalities with this type of smoking by-law increased by over 30 percent. While the majority of these by-laws prohibit smoking in retail stores, a few by-laws stipulate that the designation of no-smoking areas is left to the discretion of the proprietor.

Both the definition of retail stores (or in Quebec, commercial establishments) and the section's content which describes their restrictions contain numerous within-store exemptions to smoking prohibitions which vary from one municipality to another. It should be noted that Table 9 only includes the exemptions to prohibition and, when a by-law states the inclusion of a location, it is not shown on the table. Most by-laws are consistent in exempting stores in which the major business involves tobacco; the exceptions being Regina's and Weyburn's by-laws which allow the proprietor of a tobacco store to designate non-smoking areas, if so desired.

A number of municipal by-laws do not specify retail stores (and are not listed in Table 9) but infer its coverage for restricting smoking by defining "business place" as "any premises or part thereof to which the public has access for the purpose of purchasing goods or services." While all by-laws require restrictive/permissive signs, very few require any action by the proprietor towards enforcement and staff education.

Service lines and counters are covered under a separate section and, consequently, smoking may be prohibited in these locations in retail stores, although the respective by-laws do not carry a "retail store" section.

A good example of ethics was shown in Quebec, where the Code of Ethics of Pharmacists was amended in April 1991, by the insertion of the following paragraph:

"The sale of tobacco being incompatible with the practice of their profession, pharmacists shall not sell, directly or indirectly, including through third parties or by way of an artificial person, tobacco in a pharmacy or in premises adjacent to a pharmacy."

A further example of tougher restrictions on smoking came with Ottawa's 1991 by-law amendment concerning shopping malls. As more and more municipal by-laws include a "workplace" section and a "shopping mall" section, the need for retail store coverage may diminish.

## **10. Service Counters and Service Lines**

Table 10 covers smoking by-law regulations governing service counters and service lines (some Quebec by-laws use the term "waiting line"). Municipalities with smoking by-laws governing these areas increased by over 40 percent since 1988. This may be an indication of municipalities becoming more aware of the dangers of environmental tobacco smoke, and taking action to that effect.

Most municipal smoking by-laws prohibit smoking in service counters and service lines, the latter usually being defined as an "indoor line of two or more persons". The wording "in or in proximity" to a service line is also found frequently.

Kitimat includes a private social function service line and decreed that "private social function":

"shall mean a special social event for which an entire room or hall has been specifically invited or designated by the sponsor, but does not include events which are held privately for the purpose of business, sales or education."

Quebec municipal by-laws prohibit smoking in “public areas”. Broad terms such as this one may be interpreted to include both service lines and counters. It is expected that those by-laws which include a “workplace” section, need not regulate service counters and service lines separately.

In most municipalities, the proprietor must ensure that no-smoking signs are clearly visible. Once again the proprietor rarely has the responsibility to familiarize staff with the by-law or to prevent violations.

## **11. Transportation—School and Public Buses, Bus Shelters and Taxis**

Table 11 covers smoking by-laws governing transportation-related areas. Municipal smoking by-laws governing these areas have increased by over 25 percent since 1988.

School buses continue to be the most frequently regulated transportation area in smoking by-laws. In 1991, 90 municipalities had by-laws prohibiting smoking on school buses, although these may also be covered under separate school legislation.

Similarly, public transit and transit shelters/stations may be covered by separate by-laws not included in this report. Still, 68 municipalities with smoking by-laws (including Fredericton’s which covers only buses) prohibit smoking in public buses. This category often includes other public transportation vehicles as well. A few municipalities, such as Oshawa and London, include vehicles used to transport the handicapped people in their prohibition. Only 26 out of 112 jurisdictions prohibit smoking in transit shelters.

Seventy-six municipal by-laws deal with taxicabs. Edmonton, Langley and Windsor completely prohibit smoking in taxicabs whereas Saskatoon permits owners or operators to designate their taxis as non-smoking, if they so desire. There is a definite trend in taxi legislation towards the requirement of mutual consent to smoke among occupants rather than prohibition upon request. This trend suggests non-smoking as the norm, and it places the onus on the smoker to ask permission to smoke.

Very few municipalities with smoking by-laws require enforcement efforts from drivers. In Grande Prairie, the taxi proprietor must take “all reasonable steps to ensure that no person smokes except with the mutual consent of all occupants of the taxi.” Fort McMurray requires drivers of school buses and city buses to “request passengers to desist from smoking while on the bus.” Finally, in London, drivers of buses, school buses, taxis and transit vehicles for handicapped people must not allow anyone to smoke unless all occupants consent.

It is interesting to note that Lloydminster is the only municipality that regulates smoking in limousines.

## **12. Workplace**

Table 12 covers smoking by-law regulations governing the workplace. The number of municipalities with smoking by-laws governing the workplace did not increase substantially since 1988. This is perhaps due to the fact that other areas of smoking prohibition inherently cover the "workplace". This particular by-law could also be met with more resistance from smokers, thereby making municipalities somewhat reluctant to adopt this type of smoking by-law. Municipalities also remain concerned over the legal aspects of this type of legislation.

In 1986, Victoria and Vancouver were the first two Canadian cities to legislate smoking restrictions in the workplace. Vancouver amended their health by-law, and Victoria legislated a new by-law specifically for the workplace.

In 1991, 36 municipalities required workplaces to have written smoking policies which "attempt to accommodate the preferences of smokers and non-smokers in the workplace".

Workplace legislation varies widely from a simple "No person shall smoke in a workplace" as a section in the general smoking by-law to specific workplace by-laws, such as Toronto's No. 23-88 which carefully defines all terms and stipulates precise requirements for the workplace setting only. In most municipalities with a smoking by-law governing the workplace, the employer must post appropriate signs.

Perhaps the most stringent and interesting aspect of workplace smoking regulation in some municipalities is that, if a mutually acceptable compromise between smoker(s) and non-smoker(s) cannot be negotiated, then smoking must be banned.

As with much of the content of the various by-laws, "workplace" is not only defined under different headings, such as "office workplace" and "place of employment", but the definition also leads to various interpretations of the area covered. The reader should contact the municipality of interest for specific details.

## **13. Other Restricted Areas**

Table 13 covers infrequently legislated areas with examples of municipalities where unique restrictions can be found (the information is not all-inclusive). Municipal by-laws from the same province tend to show similar area restrictions, thus British Columbia municipalities include personal service establishments such as barber shops and beauty parlours, whereas Quebec municipalities include nursing homes and daycare centres.

A number of municipalities, Brandon for example, provide coverage for “voluntary designation”:

“Any proprietor or managing body of a business or institution not covered by the mandatory provisions of this by-law may nevertheless designate any part or all of such business or institution as a non-smoking area, and, if such area is appropriately signed, will enjoy the force and authority of this by-law.”

Schools are rarely included in smoking by-laws due to self governing policies. However, an increasing number of Canadian school boards have adopted non-smoking policies for the schools under their jurisdiction, and most have a complete ban on smoking.

#### **14. Enforcement Officers, Penalties and Offences**

Table 14 covers smoking by-law enforcement officers, penalties and offences. The enforcement of smoking by-laws is mainly self-regulating by individual citizens, i.e., the existence of the by-law and the required signs act as a deterrent for the smoker and provide legal support for the non-smoker to request non-smoking areas. Official enforcers are not always named in the by-laws, and sign requirements seem to be more frequently enforced than smoking offences, probably because it is easier to do so. Most municipalities report that compliance to by-law regulations is high.

Some municipal by-laws specify only smokers as offenders, but most use wording similar to Belleville's:

“Any person contravening any of the provisions of this by-law shall be guilty of an offence liable upon conviction to a fine of not more than ..., exclusive of costs, for each offence,”

thereby covering both proprietors and smokers. Others contain both the above section and one which specifically deals with the proprietor; Coquitlam for example:

“Any proprietor who fails or neglects to perform the duty imposed upon him by section 13(a) hereof shall be guilty of an offence and liable to a penalty of ...”

Côte-Saint-Luc's by-law states that the proprietor:

“shall be in contravention of the present by-law if such person refuses or neglects, upon a complaint received from a person to request someone smoking to cease or else leave the area where smoking is prohibited”.



A number of municipal by-laws include an inspection of premises clause with a penalty for interfering or obstructing inspections (for example, Kelowna, Mission, City of North Vancouver). Some include a clause specifically forbidding anyone from defacing or removing signs (for example, Kamloops, Prince Rupert).

Winnipeg's by-law provides a severability clause:

“A decision of a Court that one or more of the provisions of this by-law are invalid in whole or part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this by-law.”

Many municipalities with by-laws set out maximum and minimum fines (for example, Saskatoon, Coquitlam), some only a maximum fine (for example, Peterborough, Prince Rupert) and some only a minimum fine (for example, Red Deer). A number of by-laws provide increasing fines for second, third and subsequent offences. A few by-laws state that offenders in default of payments are subject to imprisonment.

Although most municipal by-laws do not include an enforcement process, some do, Strathcona for example.

The following are two examples of methods of enforcement:

In Toronto, offences are handled in two ways:

- (1) Issuing a ticket similar to a traffic ticket and the offender has three ways of handling it:
  - out-of-court payment;
  - plead guilty with an explanation which may result in a lower fine;
  - dispute the charge and request a trial.

This is based on the *Provincial Offences Act* for minor offences;

or

- (2) Formal information charge which requires the individual to appear in Court.

In Vancouver, procedures differ for workplace complaints and for public area complaints. The following is the “workplace complaint procedure only”:

- (1) Suggest that complainants discuss complaint with company officials;

- (2) If not resolved, a letter from the Environmental Health District, Public Health Inspector is sent to company officials pointing out the possible infraction. A copy of the letter is sent to the complainants' home address, suggesting a two to four week resolution period;
- (3) If not resolved, an on-site inspection of the workplace is carried out by the District Health Inspector and Air Quality Supervisor. An evaluation of the situation and orders are issued if necessary;
- (4) If not resolved, a meeting with the City Prosecutor is organized and legal action is taken accordingly.

London's by-law explicitly gives responsibility to individual citizens:

"In lieu of the Corporation (of the City of London) instituting and conducting prosecutions for offences under this by-law, the institution and conduct of such prosecution, including the employment of private prosecutors, shall be left entirely to private individuals without expense to the Corporation."

The number of complaints received by the City of Montreal have increased from 799 in 1989 to 3,077 in 1990, representing an increase of 285 percent.

A number of municipalities provide a lead time allowing a number of months after a by-law is passed before enforcement is carried out. Fines range from \$25 to \$2,500.

## **Promotion, Education and Licences**

In the past, very little was done to publicize smoking by-laws. Local area media usually generated some awareness, educational campaigns took advantage of advertising on buses, billboards, and newspapers, and written notices were distributed outlining specific requirements of the by-law. This attitude, however, is changing and greater promotion and education is now evident.

In all provinces, promotion, education and advocacy are provided by provincial chapters of the Canadian Council on Smoking and Health, and major voluntary agencies. This is usually an indirect type of service and not a campaign. Also facilitating the success of smoking by-laws is the educational work and lobbying done by organizations such as Action on Smoking and Health and the Non-Smokers' Rights Association.

A number of cities provide information and interpretive guides to businesses and/or the public in the form of flyers and pamphlets as well as promotional items such as no-smoking stickers and signs.

In terms of licensing, 23 municipalities across Canada have incorporated licensing schemes into their restrictions on smoking. The purpose is to authorize a city to license and regulate persons who own or operate stores, shops and places where tobacco products are sold to the public.

## **Provincial Legislation**

At the provincial level, British Columbia, Ontario and Quebec have shown a substantial increase in municipalities with smoking by-laws since 1988. Manitoba, with Bill 16, and Quebec, with Bill 84, are the only two provinces with a provincial law limiting the use of tobacco, other than those restricting access to minors. In 1988, the Quebec Ministry of the Environment provided municipalities a "model" by-law which created consistency in municipal by-laws for this province.

### *Alberta*

In Alberta a private member's bill, Bill 214 *Tobacco Control Act*, has received first reading and has not yet been assented to. It is hoped that this piece of smoking legislation will become law in 1992.

### *British Columbia*

Section 692 of British Columbia's Municipal Act stipulates that municipal by-laws regarding "the care, protection, promotion and preservation of the health of the inhabitants of the municipality" are "not valid until approved by the Minister of Health". Each

municipality enacting a smoking by-law must, therefore, receive Ministerial approval. British Columbia has a *Provincial Tobacco Product Act* similar to the *Federal Tobacco Products Control Act*.

### *Manitoba*

Manitoba is the second province to enact provincial smoking legislation. Bill 16, an Act to Protect the Health of Non-Smokers, was introduced by the NDP and came into force in April 1991. This law limits the use of tobacco in enclosed public places, although a proprietor may designate a smoking area within the enclosed public place. Excluded from the possibility of a designated smoking area are banking institutions, retail stores or shopping malls, institutional facilities (other than post-secondary educational institutions), daycare centres or nursery schools, and elementary schools or high schools. The law also enables municipalities to pass by-laws to limit or ban smoking in any enclosed public place in the municipality. Bill 16 also states that no retailer “shall knowingly sell or give” any tobacco products to a person who is under the age of 18.

### *New Brunswick*

Unlike some provinces (where general clauses are interpreted as giving municipalities the authority to enact smoking by-laws, e.g., Alberta and British Columbia), the New Brunswick government added a specific clause to their *Municipal Act* (Section 3.1). Municipalities are now specifically able to both enact smoking by-laws in “indoor public places” and to define “indoor public places” in those by-laws. The latter point is interpreted as giving municipalities the ability to enact workplace smoking by-laws since indoor public places can be defined to include workplaces. The “Act Respecting the Use of Tobacco by Minors” regulates minors’ access to tobacco.

### *Newfoundland*

No provincial legislation is interpreted as allowing municipalities to enact smoking by-laws in this province. Consequently, no such by-laws exist in Newfoundland municipalities. Section 37 of the *Child Welfare Act* regulates minors’ access to tobacco.

### *Northwest Territories*

The *Hamlet Act*, the *Cities, Towns, Villages Act*, and the *Charter Communities Act* permit municipalities to make by-laws to “prohibit or regulate smoking in public places”. The territorial government has a policy with respect to smoking in the workplace, which applies to all government offices and buildings owned or leased by the government.

### *Nova Scotia*

Nova Scotia does not have any provincial legislation concerning tobacco. The Nova Scotia Council on Smoking and Health has recommended legislative restriction on tobacco sales to minors. The essential component of the required legislation is that tobacco

must become more difficult for minors to obtain. Therefore, the age for purchasing or otherwise obtaining tobacco must be raised to 19, and vending machines selling tobacco must not be accessible to minors.

*Ontario*

The purpose of Bill 194, "Workplace Smoking Legislation", that came into effect in July, 1989, was to provide a framework upon which individual workplaces can work out a smoking policy which meets the employees' needs. The Bill applies to all workplaces that are subject to Ontario labour legislation. This means that it applies to most Ontario workplaces, including retail, commercial offices, hospitals, educational institutions, social service agencies, and manufacturing and mining operations. The major exceptions are those employers subject to federal jurisdiction. The regulation of smoking in public places remains a matter for municipal regulation. The *Minors' Protection Act* regulates minors' access to tobacco.

*Prince Edward Island*

P.E.I. has proposed a "Smoking and Tobacco Products Act" which carries suggestions for legislation concerning tobacco use in the workplace, public places, sales to minors, and access to vending machines.

The P.E.I. government has presented, and passed in 1991, a piece of legislation known as Bill 44 "Tobacco Sales to Minors Act." This Bill was proclaimed in January 1992. Under this law, it is an offence for a vendor to sell tobacco to a person under the age of eighteen years. In addition, any individual purchasing tobacco on behalf of, or "for the purpose of resale to," a person under the age of 18 years will be charged with violating the Act. The law also states that it is not a defence for a vendor to declare that the person appeared to be above 18 years old.

*Quebec*

On January 1, 1987, the Province of Quebec passed Bill 84, Canada's first provincial law respecting the protection of non-smokers in certain public places. This law limits the use of tobacco in public bodies (provincial and municipal offices, transportation, schools, health and social services establishments), public transportation, daycare centres, stop-over centres, nursery schools, waiting rooms of private health professionals, and premises used for religious, athletic, judicial, cultural, and artistic activities. Posting of signs, inspections, penalties, and the handling of offenses are also legislated.

Public bodies are responsible for enforcement on their own premises, and municipalities (in addition to their own premises) are specifically responsible for enforcement in the remaining restricted areas. The law also enables municipalities to "prohibit smoking in any other class of premises situated in its territory".

The provincial Ministry of the Environment is responsible for the Act and, in early 1988, distributed a model municipal by-law to all municipalities. This model regulates service areas, service areas in commercial establishments, elevators, stairways, waiting lines, public gatherings, restaurants, posting of signs, and penalties.

#### *Saskatchewan*

Unlike some provinces (where enabling legislation does not deal specifically with smoking) Saskatchewan's *Urban Municipality Act* of 1984, specifically allows municipalities to regulate smoking in "any enclosed public place, including any public transit vehicle or any building or part of a building that is open to the public". The Health Promotion Branch of Saskatchewan Health can provide a sample by-law to municipalities wanting to enact their own smoking by-laws. The *Minors' Tobacco Act* regulates minors' access to tobacco.

#### *Yukon*

The Yukon Territory does not have legislation that controls use of tobacco in the territory. The Health Branch of the Government of Yukon, the Yukon Medical Association, and other interest groups are developing a position on this issue.

### **Federal Legislation**

There are three pieces of federal legislation that restrict the use and sale of tobacco products in Canada. These are the *Non-Smokers' Health Act*, the *Tobacco Products Control Act*, and the *Tobacco Restraint Act*.

The *Non-Smokers' Health Act*, passed in 1988, regulates smoking in the federal workplace, and on common carriers such as planes, trains, ships, and buses. In the federal workplace, every employer shall now provide a smoke-free environment for its employees, and a designated smoking room if a complete ban does not exist. On common carriers, no person shall smoke in an enclosed space, other than a designated smoking room.

The *Tobacco Products Control Act*, passed in 1988, prohibits the advertising and promotion of tobacco products in Canada, and regulates the labelling and monitoring of these products.

The *Tobacco Restraint Act*, passed in 1908, restrains the use of tobacco by minors. It is an offence to sell tobacco products to a person under the age of 16 years.

**LEGAL DEPARTMENT  
City Hall, Ottawa**

**OFFICE CONSOLIDATION**

**BY-LAW NUMBER 144-79**

A by-law of The Corporation of the City  
of Ottawa respecting smoking.

December 15, 1989

**THIS EDITION IS FOR YOUR  
CONVENIENCE. FOR ACCURATE  
REFERENCE, PLEASE REFER  
TO THE OFFICIAL BY-LAWS.**

Amending By-laws: 298-79  
84-81  
314-89

**NOTE:** *Restaurants*—With respect to compliance and enforcement, there will be a phase-in period of six months from December 6, 1989 to give the restaurant industry sufficient time to implement mandatory non-smoking areas.

**BY-LAW NUMBER 144-79**

A by-law of The Corporation of the City of Ottawa respecting smoking.

WHEREAS it has been determined that second-hand tobacco smoke (exhaled smoke and the smoke from idling cigarettes, cigars and pipes) is a health hazard or discomfort for many inhabitants of the City of Ottawa;

AND WHEREAS it is desirable for the health, safety and welfare of the inhabitants of the City of Ottawa to prohibit or regulate smoking, or both, in the City of Ottawa as in this by-law more particularly set out;

THEREFORE the Council of The Corporation of the City of Ottawa enacts as follows:

1. In this by-law,
  - (a) “*City*” means the City of Ottawa;
  - (b) “*Corporation*” means The Corporation of the City of Ottawa;
  - (c) “*dwelling unit*” means one or more rooms connected together as a separate unit in the same structure and constituting an independent housekeeping unit for residential occupancy by humans with facilities for persons to sleep, cook and eat;
  - (d) “*restaurant*” means an establishment engaged in the sale and service of food or drink or both food and drink to the public for consumption on the premises and includes those portions of a hotel, bar or tavern where such sale and service is carried on (By-law 314-89);
  - (e) “*retail shop*” means a building or part of a building, booth, stall or place where goods are exposed or offered for sale by retail, but does not include a place where the only trade or business carried on is that of a licensed hotel or tavern, victualing house or refreshment house;
  - (f) “*service line*” means an indoor line of two (2) or more persons awaiting service of any kind, regardless of whether or not such service involves the exchange of money, including but not limited to sales, provision of information, transactions or advice and transfers of money or goods; and
  - (g) “*smoke*” or “*smoking*” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

***Retail Shops***

2. No person shall smoke in any retail shop except in a part thereof used as a restaurant, lunch counter, hairdressing parlour, barber shop, rest room or a part used as offices by members of the staff.
3. In every retail shop referred to in section 2 hereof, a sufficient number of signs as prescribed by section 27 shall be prominently displayed so as to be clearly visible from all parts of each floor to which section 2 applies.



***Patient Care Areas***

4. No person shall smoke in any patient care area in a hospital.
5. Smoking areas may be designated by hospital authorities except in places in which smoking is prohibited by the Fire Marshal or by other law, by-law or regulations.
6. The hospital authorities shall ensure that signs, which designate smoking or non-smoking areas, as prescribed by section 27 shall be clearly, sufficiently and conspicuously posted in every area regulated herein.
7. (a) Notwithstanding the provisions of section 4 hereof, a patient may be permitted to smoke with written permission of his or her personal physician.  
(b) Patients in hospitals or other institutions are entitled to accommodations in a smoke-free area if they request such accommodations (By-law 298-79).

***Banks, Financial Institutions and Municipal Offices***

8. No person shall smoke at any service counter in a bank, financial institution or municipal office.
9. In every bank, financial institution and municipal office referred to in section 8 hereof, a sufficient number of signs as prescribed by section 27 shall be clearly, sufficiently and conspicuously posted in all areas regulated by section 8 hereof.

***Reception Areas***

10. No person shall smoke in any reception area in an establishment or an office.
11. In every establishment or office having a reception area as referred to in section 10 hereof, a sufficient number of signs as prescribed by section 27 shall be clearly, sufficiently and conspicuously posted in all areas regulated by section 10 hereof.

***Elevators, Escalators or Stairways***

12. No person shall smoke in an elevator or on an escalator or stairway, in any building or part thereof, except in a dwelling unit.
13. On any premises having an elevator, escalator or stairway as referred to in section 12 hereof, a sufficient number of signs as prescribed by section 27 shall be clearly, sufficiently and conspicuously posted in all areas regulated by section 12 hereof.

***Service Line***

14. No person shall smoke in any service line on any premises.
15. In any premises referred to in section 14 hereof, a sufficient number of signs as prescribed by section 27 shall be prominently displayed so as to be clearly visible from all parts of each floor to which section 14 applies.

### **School Buses**

16. No person shall smoke in a school bus.
17. In every school bus as referred to in section 16 hereof, a sufficient number of signs as prescribed by section 27 shall be prominently displayed so as to be clearly visible from all parts of the school bus to which section 16 applies.

### **Restaurants**

#### **Restaurants with Seating Capacity of More than 40 Persons**

18. (1) Except as provided in subsection (2), no person shall smoke in a restaurant which has seating capacity of more than 40 persons (By-law 314-89).
- (2) Subject to the *Fire Marshals Act* or other applicable provincial statute or regulations, the proprietor or other person in charge of a restaurant in which smoking is prohibited under subsection (1) hereof may designate not more than 50 per cent of the seating area of a restaurant for the purpose of smoking (By-law 314-89).
- (3) Despite subsection (2) hereof, the proprietor or other person in charge of a restaurant in which smoking is prohibited under subsection (1) hereof shall ensure that at least 50 per cent of the seating area which is not designated under subsection (2) hereof is (By-law 314-89),
  - (a) indoors (By-law 314-89), and
  - (b) not located in an area temporarily closed for the service of food or drink (By-law 314-89).
- (4) In calculating the seating capacity of a restaurant for the purposes of subsection (1) hereof or subsection (1) of section 20 (By-law 314-89),
  - (a) one seat shall be allotted for each 1.12 square metres of usable seating area and such calculation shall be made in the same manner as the calculation of seats is made under section 70 of Ontario Regulations 243/84, or any provision substituted therefor (By-law 314-89), and
  - (b) usable outdoor seating areas shall not be included in the calculation (By-law 314-89).
- (5) The area which is not designated under subsection (2) hereof for the purposes of smoking shall form a contiguous unit separate from any area designated under that subsection for the purposes of smoking except that (By-law 314-89),
  - (a) a proprietor or other person in charge of a restaurant is not required, in complying with this provision, to make structural alterations or to install barriers or partitions so as to separate an area which is not designated for purposes of smoking from an area which is designated for purposes of smoking and (By-law 314-89),

- (b) where barriers or partitions do exist, a proprietor or other person in charge of a restaurant may have more than one contiguous unit separate from any area designated under subsection (2) for the purposes of smoking (By-law 314-89).
19. (1) Where part of the seating area is designated under subsection (2) of section 18, smoking shall be permitted in the area so designated (By-law 314-89).
- (2) Where smoking is prohibited in the seating area of a restaurant or part of the seating area of a restaurant, the proprietor or other person in charge of a restaurant shall (By-law 314-89):
- (a) place or cause to be placed one or more tent signs or stand-up signs as prescribed by section 27 hereof on the table or other surface on which food or drink is served for consumption therefrom (By-law 314-89), or
  - (b) post signs as prescribed by section 27 hereof which designate the “no smoking” area (By-law 314-89).
- (3) The sign or signs referred to in paragraph (a) of subsection (2) shall be conspicuously placed (By-law 314-89),
- (a) so as to be clearly visible on the table or other surface (By-law 314-89), and
  - (b) so as to clearly identify the table or other surface as being in the area in which smoking is prohibited (By-law 314-89).
- (4) The sign or signs referred to in paragraph (b) of subsection (2) shall be posted in a conspicuous location in the area so designated (By-law 314-89).

Restaurants with Seating Capacity of 40 Persons or Less

20. (1) “No smoking” areas may be designated by the proprietor or other person in charge of a restaurant which has a seating capacity of 40 persons or less, and shall be designated in places in which smoking is prohibited by the Fire Marshal, by other law, by-law or regulations (By-law 314-89).
- (2) Where smoking is prohibited in the seating area of a restaurant or part of the seating area of a restaurant, the proprietor or other person in charge of a restaurant shall (By-law 314-89):
- (a) place or cause to be placed one or more tent signs or stand-up signs as prescribed by section 27 hereof on the table or other surface on which food or drink is served for consumption therefrom (By-law 314-89), or
  - (b) post signs as prescribed by section 27 hereof which designate the “no smoking” area, and arrange seating to provide a smoke-free area (By-law 314-89).
- (3) The sign or signs referred to in paragraph (a) of subsection (2) shall be conspicuously placed (By-law 314-89),
- (a) so as to be clearly visible on the table or other surface (By-law 314-89), and

- (b) so as to clearly identify the table or other surface as being in the area of which smoking is prohibited (By-law 314-89).
- (4) The sign or signs referred to in paragraph (b) of subsection (2) shall be posted in a conspicuous location in the area so designated (By-law 314-89).
- (5) Every proprietor or other person in charge of a restaurant which has a seating capacity of 40 persons or less shall post a sign visible from the outside of the restaurant indicating whether or not the restaurant provides a “no smoking” area (By-law 314-89).
- (6) No person shall smoke in an area designated as “no smoking” pursuant to this section (By-law 314-89).

***Public Assembly***

- 21. No person shall smoke in any enclosed indoor area being used as a place of public assembly except in an area designated as an area in which smoking is permitted.
- 22. The proprietor or other person in charge of a place of public assembly may designate an area as a smoking area.
- 23. In every place of public assembly as referred to in section 21 hereof, a sufficient number of signs as prescribed by section 27 shall be prominently displayed so as to be clearly visible from all parts of each floor to which section 21 applies.
- 24. The proprietor, operator or person in charge of the place of public assembly shall ensure that, in the portion thereof where smoking is permitted, sufficient ashtrays or stands of non-combustible materials are placed so as to be of convenient access.

***Taxicabs***

- 25. A taxicab driver shall refrain from smoking upon the request of a passenger.
- 26. The passenger in a taxicab shall refrain from smoking on the request of the taxicab driver, or a passenger.

***Signs***

- 27. (1) For the purpose of subsection (2) hereof, the letter height means the actual height of the letter regardless of whether it is a capital or lower case letter.
- (2) The signs referred to in this by-law shall:
  - (a) carry the text “No Smoking”, “Défense de fumer”, in capital or lower case letters, or a combination thereof,
  - (b) consist of two (2) contrasting colours, or if the lettering is to be applied directly to a surface or to be mounted on a clear panel, the lettering shall contrast to the background colour,
  - (c) with respect to size of lettering, be not less than the following height based upon the maximum viewing distance in direct line of sight:

- (i) ten feet (10') or less—letter height of three-eighths inch (3/8"),
  - (ii) twenty feet (20') or less—letter height of five-eighths inch (5/8"),
  - (iii) forty feet (40') or less—letter height of one and one-half inch (1 1/2"),
  - (iv) eighty feet (80') or less—letter height of two inches (2"),
  - (v) one hundred and sixty feet (160') or less—letter height of four inches (4"), and
  - (vi) two hundred and forty feet (240') or less—letter height of six inches (6"), and
- (d) include in the text at the bottom of each sign "Ottawa By-law/Arrêté-municipal 144-79" in letters not less than one-eighth of an inch (1/8") in height for signs with letter size of one inch (1") or less, and not less than one-eighth (1/8) of the height of the letters on all other sizes of signs (By-law 314-89),
- (e) despite paragraph (c), the lettering on tent signs or stand-up signs referred to in sections 19 or 20 to be placed or caused to be placed on the table or other surface on which food or drink is served for consumption therefrom shall be a minimum of one-fifth of an inch (1/5"), other than for the words required by paragraph (d) to be included in such signs (By-law 314-89),
- (f) despite clause (d), the words required by clause (d) to be included on signs to be placed on the table or other surface on which food or drink is served for consumption therefrom shall be in letter of not less than one-tenth of an inch (1/10") (By-law 314-89).
28. (1) Notwithstanding the provisions of section 27 hereof, the signs referred to in this by-law may consist of graphic symbols that comply with the provisions of this section.
- (2) The following graphic symbol may be used to indicate the areas where smoking is permitted: on a white background with the circle in green.
- (3) The following graphic symbol may be used to indicate "non-smoking" areas: on a white background with the circle and the interdictory stroke in red.
- (4) To the symbols referred to in subsections (2) and (3) hereof, there may be added additional appropriate symbols such as directional arrows.
- (5) With respect to size of the graphic symbol, the diameter of the circle in the symbol referred to in subsections (2) or (3) hereof shall be not less than the number of inches prescribed below, based upon the maximum viewing distance in direct line of sight, as follows:
- (a) ten feet (10') or less—four inches (4"),
  - (b) twenty feet (20') or less—six inches (6"),
  - (c) forty feet (40') or less—eight inches (8"),
  - (d) eighty feet (80') or less—twelve inches (12"),

- (e) one hundred and sixty feet (160') or less—sixteen inches (16"), and
  - (f) two hundred and forty feet (240') or less—twenty-four inches (24").
- (6) Notwithstanding that the symbol in subsections (2) and (3) is a cigarette, it shall include a lighted cigar, cigarette, pipe or any other lighted smoking equipment.
- (7) Despite subsection (5), the diameter of the circle in the symbol referred to in subsections (2) or (3) used pursuant to sections 19 or 20 to be placed or caused to be placed on the table or other surface on which food or drink is served for consumption therefrom shall be a minimum of one and three-eighths inch (1 3/8") other than the words required by paragraph (d) of section 27 to be included on such sign (By-law 314-89).

### ***Offence***

29. Any person who contravenes the provisions of this by-law is guilty of an offence and, on conviction, is liable to a fine of not less than twenty-five dollars (\$25) and not more than two thousand dollars (\$2,000) for the first offence, and not less than seventy-five dollars (\$75) and not more than two thousand dollars (\$2,000) for a second offence, and not less than one hundred and fifty dollars (\$150) and not more than two thousand dollars (\$2,000) for a third or subsequent offence, exclusive of costs (By-law 84-81).

### ***Enforcement***

30. (1) Subject to subsection (2) hereof, this by-law shall be enforced by the Chief of Police of the City of Ottawa or his authorized subordinates or assistants.
- (2) The provisions of this by-law respecting signs shall be enforced by the Chief License Inspector or his authorized subordinates or assistants with respect to any premise or vehicle licensed pursuant to By-law Number L-6 entitled *A By-law of The Corporation of the City of Ottawa respecting licensing*, as amended, or any by-law enacted in substitution therefor.

### ***Repeal***

31. By-law Number 320-76 entitled *A By-law of The Corporation of the City of Ottawa respecting smoking* as amended by By-laws Numbers 358-76, 359-76 and 30-77 is hereby repealed.

GIVEN under the corporate seal of the City of Ottawa this 6th day of June, 1979.

**PROVINCIAL CONTACTS**

**Federation of Canadian Municipalities**

**Affiliate Members**

**PRESIDENT**

**EXECUTIVE DIRECTOR**

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*YUKON*

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**TABLE 1**

**Canadian Centres with Smoking By-laws by Province**

<b>CENTRE</b>	<b>YEAR OF FIRST BY-LAW</b>	<b>AMENDMENTS</b>	<b>YEAR OF LATEST AMENDMENT</b>
<b>ALBERTA</b>			
Calgary	1985	yes	1989
Canmore	1988	no	
Cochrane	1991	no	
Edmonton	1981	yes	1991
Edson*	1990	no	
Fort McMurray	1986	no	
Grande Prairie	1987	no	
Lac La Biche	1986	no	
Lethbridge	1983	yes	1986
Medicine Hat	1991	no	
Red Deer	1987	no	
Strathcona (county)	1987	no	
St. Albert	1990	no	
<b>BRITISH COLUMBIA</b>			
Abbotsford	1988	no	
Anmore	1988	no	
Ashcroft*	1986	yes	1987
Burnaby (district)	1968	yes	1987
Castlegar	1988	no	
Chilliwack	1991	no	
Coquitlam (district)	1987	yes	1991
Cranbrook	1991	no	
Dawson Creek	1989	no	
Delta (Cap. Reg. dist.)**	1987	yes	1988
Fraser Lake	1991	no	
Gibsons	1990	no	
Hudson's Hope (district)	1987	no	
Hundred Mile House	1990	no	
Kamloops	1987	no	
Kelowna	1986	no	
Kitimat (district)	1987	yes	1988
Langley (township)	1987	yes	1991
Langley (city)	1991	no	
Maple Ridge (district)***	1984	no	
Matsqui (district)	1988	no	
Mission (district)	1986	yes	1991
Nanaimo	1987	yes	1991
Nelson	1989	yes	1990
New Westminster	1987	no	
Peachland (district)	1988	no	
Penticton	1987	no	
Port Alberni	1988	no	
Port Coquitlam	1987	no	
Port Edward	1991	no	
Port Moody	1987	no	
Powell River (district)	1987	no	
Prince George	1986	yes	1991
Prince Rupert	1987	no	
Princeton	1990		
Quesnel	1988	yes	1988
Richmond (township)	1) 1985	yes	1988
	2) 1987	no	
Salmon Arm	1989	no	
Sayward	1991	no	

\* A centre currently regulating less than three locations.

\*\* Included in Table 1 only. By-law was not received in time for inclusion in area sections.

\*\*\* Data is from 1988. By-law was not received in time to update this report.

Note: Municipalities with more than one "year of 1st by-law" have more than one smoking by-law.

**TABLE 1 (continued)**

Canadian Centres with Smoking By-laws by Province

MUNICIPALITY	YEAR OF FIRST BY-LAW	AMENDMENTS	YEAR OF LATEST AMENDMENT
<b>BRITISH COLUMBIA (continued)</b>			
Squamish (district)	1987	yes	1988
Summerland	1991	no	
Surrey (district)	1988	yes	1991
Sydney (Cap. Reg. dist.)	1) 1984	yes	1991
	2) 1986	yes	1991
Terrace	1988	no	
Vancouver	1986	no	
Vancouver North (city)	1987	no	
Vancouver North (district)	1985	yes	1989
Vancouver West (district)	1984	yes	1990
Vernon	1987	no	
Victoria (Cap. Reg. dist.)	1) 1984	yes	1991
	2) 1986	yes	1991
View Royal (Cap. Reg. dist.)	1) 1984	yes	1991
	2) 1986	yes	1991
Whistler	1985	yes	1987
White Rock	1989	no	
Williams Lake	1987	no	
<b>MANITOBA</b>			
Brandon	1984	yes	1986
Flin Flon	1989	no	
Morden*	1987	no	
Portage la Prairie	1991	no	
Snow Lake*	1985	no	
Spruce Grove	1991	no	
Thompson	1988	yes	1990
Thorold	1987	no	
Winkler	1) 1986	no	
	2) 1990	no	
Winnipeg	1983	yes	1991
Winnipeg Beach*	1987	no	
<b>NEW BRUNSWICK</b>			
Fredericton*	1975	no	
<b>NEWFOUNDLAND</b>			
No By-laws			
<b>NORTHWEST TERRITORIES</b>			
Iqaluit	1989	no	
<b>NOVA SCOTIA</b>			
Bedford	1990	no	
Dartmouth	1985	no	
Halifax	1980	yes	1988
Sydney	1986	no	
<b>ONTARIO</b>			
Ajax*	1988	yes	1989
Alliston	1989	no	
Almonte	1989	yes	1991
Ancaster	1986	yes	1989
Aylmer	1990	no	
Barrie	1981	no	

\* A centre currently regulating less than three locations.

\*\* Included in Table 1 only. By-law was not received in time for inclusion in area sections.

\*\*\* Data is from 1988. By-law was not received in time to update this report.

Note: Municipalities with more than one "year of 1st by-law" have more than one smoking by-law.

**TABLE 1 (continued)**

Canadian Centres with Smoking By-laws by Province

MUNICIPALITY	YEAR OF FIRST BY-LAW	AMENDMENTS	YEAR OF LATEST AMENDMENT
<b>ONTARIO (continued)</b>			
Belleville	1987	no	
Blind River*	1991	yes	1991
Bradford*	1989	no	
Brampton	1981	yes	1987
Brantford	1986	no	
Burlington	1) 1982	no	
	2) 1987	yes	1989
	3) 1987	yes	1989
Caledon	1989	no	
Cambridge	1987	no	
Carleton Place	1990	no	
Chatham	1987	no	
Cobourg	1983	yes	1991
Collingwood	1983	no	
Cornwall	1984	yes	1986
Deep River*	1989	no	
Dryden*	1988	no	
Dundas	1984	no	
Dunnville*	1980	no	
East Gwillimbury	1990	no	
East York (borough)***	1981	yes	1986
Elliot Lake*	1990	no	
Essex*	1987	no	
Etobicoke (borough)***	1977	no	
Etobicoke (city)	1987	yes	1990
Exeter	1988	no	
Flamborough	1989	no	
Forest*	1991	no	
Fort Erie	1989	no	
Fort Frances	1990	yes	1991
Gananoque	1989	no	
Gloucester	1) 1975	yes	1991
	2) 1990	no	
Goderich	1989	no	
Gravenhurst	1991	no	
Grimsby	1989	yes	1990
Guelph	1) 1977	no	
	2) 1987	no	
Haldimand*	1990	no	
Halton Hills	1989	no	
Hamilton	1) 1980	yes	1982
	2) 1989	no	
Hawkesbury*	1) 1989	no	
	2) 1990	no	
Hearst	1982	yes	1983
Huntsville	1987	yes	1989
Iroquois Falls*	1990	no	
Kanata	1983	yes	1989
Kapuskasing	1986	no	
Keewatin	1990	no	
Kingston	1979	yes	1990
Kirkland Lake	1988	no	
Kitchener	1981	yes	1988
Lincoln	1991	no	
Lindsay	1984	yes	1991

\* A centre currently regulating less than three locations.

\*\* Included in Table 1 only. By-law was not received in time for inclusion in area sections.

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Note: Municipalities with more than one "year of 1st by-law" have more than one smoking by-law.

**TABLE 1 (continued)**

**Canadian Centres with Smoking By-laws by Province**

<b>MUNICIPALITY</b>	<b>YEAR OF FIRST BY-LAW</b>	<b>AMENDMENTS</b>	<b>YEAR OF LATEST AMENDMENT</b>
<b>ONTARIO (continued)</b>			
London	1986	no	
Longlac*	1989	yes	1990
Marathon	1990	no	
Markham	1986	yes	1988
Mattawa	1989	no	
Midland	1984	yes	1989
Milton	1989	no	
Mississauga	1979	yes	1988
Nepean	1975	yes	1991
Newcastle	1980	no	
New Liskeard*	1990	no	
Newmarket	1987	no	
Niagara Falls	1987	no	
Nickel Centre*	1990	no	
North Bay	1988	no	
North York	1973	yes	1988
Oakville	1987	no	
Onaping Falls	1991	no	
Orillia	1987	no	
Oshawa	1987	no	
Ottawa	1977	yes	1989
Owen Sound	1986	yes	1990
Paipoonge (municipality)***	1987	no	
Pelham	1991	no	
Pembroke	1978	yes	1989
Penetanguishene*	1) 1988	no	
	2) 1989	no	
Perth	1989	no	
Peterborough	1976	yes	1990
Petrolia	1983	yes	1990
Pickering***	1974	no	
Pittsburg (township)	1981	yes	1989
Port Colborne	1) 1987	no	
	2) 1987	no	
	3) 1990	no	
Port Hope	1989	yes	1991
Prescott	1990	no	
Rayside-Balfour	1990	no	
Renfrew	1989	yes	1989
Richmond Hill	1) 1986	yes	1991
	2) 1987	yes	1991
Sarnia	1980	yes	1988
Sault Ste. Marie	1983	no	
Scarborough (borough)	1974	yes	1987
Smooth Rock Falls*	1978	no	
Stoney Creek	1982	yes	1983
Stratford	1) 1984	yes	1988
	2) 1986	no	
Sturgeon Falls*	1986	no	
St. Catharines	1) 1977	yes	1985
	2) 1985	yes	1987
	3) 1990	no	
Sudbury	1988	no	
Thorold*	1987	no	
Tillbury*	1990	no	

\* A centre currently regulating less than three locations.

\*\* Included in Table 1 only. By-law was not received in time for inclusion in area sections.

\*\*\* Data is from 1988. By-law was not received in time to update this report.

**TABLE 1 (continued)**

Canadian Centres with Smoking By-laws by Province

MUNICIPALITY	YEAR OF FIRST BY-LAW	AMENDMENTS	YEAR OF LATEST AMENDMENT
<b>ONTARIO (continued)</b>			
Timmins	1982	no	
Toronto	1) 1979	no	
	2) 1987	yes	1989
Trenton*	1989	no	
Valley East	1990	yes	1990
Vanier	1986	yes	1987
Vaughan	1987	yes	1990
Wallaceburg	1987	no	
Waterloo	1978	no	
Welland*	1989	no	
Whitchurch-Stouffville	1991	no	
Windsor	1985	yes	1990
Wingham	1988	no	
Woodstock	1988	no	
York (borough)***	1978	no	1991
York (city)	1991	no	
<b>PRINCE EDWARD ISLAND</b>			
Charlottetown*	1987	no	
<b>QUEBEC</b>			
Aylmer	1988	no	
Baie-Comeau	1987	no	
Beaconsfield	1988	no	
Beauharnois	1991	no	
Beauport	1987	no	
Beloil	1988	no	
Boisbriand	1988	no	
Boucherville	1979	yes	1980
Brossard	1988	no	
Cap-de-la-Madeleine	1988	no	
Cap-Rouge	1987	no	
Chambly	1988	no	
Charlesbourg**			
Chicoutimi	1978	no	
Côte-Saint-Luc	1985	no	
Deux-Montagnes	1988	no	
Dollard-des-Ormeaux	1988	no	
Dorval	1988	no	
Granby	1990	no	
Greenfield-Park	1987	yes	1991
Hull	1987	no	
Hull	1988	no	
Jonquière	1988	no	
Kirkland	1988	no	
Lachenaie	1988	no	
Lachine	1987	yes	1990
Lachute	1988	no	
LaSalle	1990	yes	1990
Laval	1989	no	
Le Gardeur	1988	no	
Lennoxville	1989	no	
Lévis	1988	no	
Magog*	1991	no	
Marieville	1988	no	

\* A centre currently regulating less than three locations.

\*\* Included in Table 1 only. By-law was not received in time for inclusion in area sections.

\*\*\* Data is from 1988. By-law was not received in time to update this report.

Note: Municipalities with more than one "year of 1st by-law" have more than one smoking by-law.

**TABLE 1 (continued)**

Canadian Centres with Smoking By-laws by Province

MUNICIPALITY	YEAR OF FIRST BY-LAW	AMENDEMENTS	YEAR OF LATEST AMENDMENT
<b>QUEBEC (continued)</b>			
Masson	1988	yes	1988
Matagami	1988	no	
Matane	1988	no	
Mercier	1990	no	
Montmagny	1988	no	
Montréal	1990	no	
Mont-Laurier	1988	no	
Mont-Royal	1986	no	
Outremont	1987	yes	1988
Pierrefonds	1988	no	
Pohénégamook	1987	no	
Pointe-Claire	1988	no	
Québec	1988	yes	1991
Rouyn-Noranda	1989	no	
Shawinigan*	1985	no	
Sorel	1988	no	
Sainte-Anne-de-Bellevue	1988	no	
Sainte-Foy	1988	yes	1989
Sainte-Geneviève**	1988	no	
Sainte-Marthe-sur-le-Lac	1988	no	
Saint-Lambert	1987	no	
Terrebonne	1988	no	
Theftord-Mines	1988	no	
Thurso	1989	no	
Westmount	1985	no	
<b>SASKATCHEWAN</b>			
Assiniboia*		no	
Battleford	1988	no	
Esterhazy*	1977	no	
Hudson Bay	1984	no	
Humboldt	1990	no	
Kindersley*	1986	no	
Langham*	1990	no	
Lloydminster	1987	no	
Moose Jaw	1985	yes	1987
North Battleford	1987	yes	1990
Pilot Butte*	1989	no	
Prince Albert	1986	yes	1990
Regina	1980	yes	1991
Saskatoon	1981	yes	1987
Swift Current	1985	no	
Warman	1989	no	
Weyburn	1985	no	
Yorkton	1986	no	
<b>YUKON</b>			
No By-laws			

\* A centre currently regulating less than three locations.

\*\* Included in Table 1 only. By-law was not received in time for inclusion in area sections.

\*\*\* Data is from 1988. By-law was not received in time to update this report.

Note: Municipalities with more than one "year of 1st by-law" have more than one smoking by-law.



**TABLE 2**

Smoking By-law Regulations Governing Banks, Financial Institutions and Municipal Offices

	SMOKING PROHIBITED								NON-SMOKING AREA		PROPRIETOR MUST	
	Except in Designated Areas	Service Counters	Service Lines	Public Service Areas	Municipal Offices Only	Customer Areas Only	Public Utility Offices	Business Offices	50% of Total Area	60% of Total Area	Signs Must Be Clearly Visible	Make Reasonable Effort to Enforce By-law
Ajax	•				•					•		
Alliston	•				•							
Almonte	•				•							
Ancaster	•				•			•		•		
Ashcroft	•				•							
Assiniboia					•							
Aylmer (Que.)	•	•	•							•	•	
Aylmer (Ont.)					•							
Barrie		•	•							•	•	•
Battleford	•									•		
Beaconsfield			•	•						•		
Beauharnois	•									•		
Bedford		•	•									
Belleville		•	•							•		
Beloil		•	•	•						•		
Blind River					•					•		
Boisbriand	•	•		•						•		
Bradford					•					•		
Brampton	•		•						•	•		
Brandon			•							•		
Brantford	•	•	•							•		
Brossard		•	•	•								
Burlington	•				•					•		
Calgary		•	•			•				•	•	
Cambridge		•	•							•		
Camrose					•							
Canmore	•				•							
Cap-de-la-Madeleine		•	•	•								
Cap-Rouge	•	•		•								
Carleton Place	•											
Castlegar		•	•									
Chambly		•	•							•		
Chatham		•	•									
Chilliwack	•				•							
Cobourg					•							
Cochrane (Alta.)					•							
Collingwood		•	•							•	•	•
Cornwall			•		•					•		
Côte-Saint-Luc	•			•		•				•		
Cranbrook	•				•					•		
Dawson Creek	•	•								•		
Deep River		•	•	•	•							
Deux-Montagnes		•			•							
Dollard-des-Ormeaux		•*	•	•						•		
Dorval		•*	•			•				•		
Dundas	•		•	•				•		•		
East Gwillimbury	•				•					•		
East York		•	•		•					•		
Edmonton		•								•		
Etobicoke	•		•					•		•		
Exeter	•	•	•	•	•							

\* Banks and financial institutions only. \*\* 75% of public access area must be non-smoking.

**TABLE 2 (continued)**

Smoking By-law  
Regulations  
Governing Banks,  
Financial Institutions  
and  
Municipal  
Offices

	SMOKING PROHIBITED							NON-SMOKING AREA		PROPRIETOR MUST		
	Except in Designated Areas	Service Counters	Service Lines	Public Service Areas	Municipal Offices Only	Customer Areas Only	Public Utility Offices	Business Offices	50% of Total Area	60% of Total Area	Signs Must Be Clearly Visible	Make Reasonable Effort to Enforce By-law
Flamborough		•	•	•						•		
Flin Flon	•	•	•	•	•					•		
Forest	•	•	•	•	•							
Fort Frances	•				•							
Fort McMurray		•	•							•	•	
Fort Saskatchewan		•	•		•					•		
Gananoque		•	•							•		
Gibsons		•	•							•		
Gloucester		•	•							•		
Goderich	•	•	•	•	•					•		
Granby	•	•			•					•		
Grande Prairie	•									•		
Gravenhurst					•							
Greenfield-Park	•	•	•	•	•	•				•		
Grimsby	•	•	•	•	•	•						
Haldimand	•	•	•	•	•					•		
Halifax		•	•							•		
Halston Hills	•			•								
Hamilton	•		•					•		•		
Hawkesbury	•				•							
Hearst		•	•							•	•	•
Hudson Bay	•						•					
Hull	•	•	•									
Humboldt	•				•					•		
Huntsville					•							
Iqaluit	•				•							
Jonquière		•			•					•		
Kanata		•	•		•					•		
Kapuskasing		•	•							•		
Keewatin	•	•			•				•**			
Kelowna		•	•							•		
Kindersley	•				•							
Kingston	•	•	•							•		
Kirkland			•	•						•		
Kitchener		•	•							•		
Kitimat			•	•	•					•		
Lac La Biche	•	•	•	•				•		•		
Lachine			•	•						•		
Langley (township)		•	•	•						•		
Langley (city)	•	•										
LaSalle	•			•	•					•		
Le Gardeur		•			•							
Lennoxville					•					•		
Lethbridge		•	•							•		
Lévis		•	•							•		
Lindsay					•							
Lloydminster		•	•	•						•		
London	•	•	•						•			
Longlac	•				•							
Maple Ridge		•	•							•		
Marathon					•							

\* Banks and financial institutions only. \*\* 75% of public access area must be non-smoking.

TABLE 2 (continued)

Smoking By-law  
Regulations  
Governing Banks,  
Financial Institutions  
and  
Municipal  
Offices

	SMOKING PROHIBITED								NON-SMOKING AREA		PROPRIETOR MUST	
	Except in Designated Areas	Service Counters	Service Lines	Public Service Areas	Municipal Offices Only	Customer Areas Only	Public Utility Offices	Business Offices	50% of Total Area	60% of Total Area	Signs Must Be Clearly Visible	Make Reasonable Effort to Enforce By-law
Marieville		•	•							•		
Markham	•		•						•			
Masson			•							•		
Matane		•	•							•		
Matsqui	•			•*	•	•		•				
Mattawa	•				•							
Midland	•				•					•		
Milton	•	•			•					•		
Mission		•	•							•		
Mississauga	•	•	•							•		
Mont-Royal	•			•	•					•		
Montmagny	•	•	•							•		
Montréal		•										
Morden					•							
Nanaimo	•				•							
Nelson		•	•									
Nepean			•							•		
Newcastle		•	•							•		
Newmarket					•					•		
North Battleford	•				•							
North Bay	•							•		•		
North Vancouver		•	•									
North York	•	•								•		
Oakville		•	•							•		
Onaping Falls					•							
Orillia		•									•	•
Oshawa		•	•	•					•			
Ottawa		•	•							•		
Outremont	•			•	•	•				•		
Owen Sound	•	•	•							•		
Peachland	•											
Pelham	•	•	•	•	•					•		
Pembroke			•							•		
Penetanguishene					•							
Perth	•				•							
Peterborough	•		•	•	•				•**	•		
Petrolia					•							
Pierrefonds		•*	•	•						•		
Pittsburg					•					•	•	•
Pohénegamook					•							
Pointe-Claire		•*	•							•		
Port Alberni		•	•									
Port Colborne	•				•							
Port Coquitlam		•	•							•		
Port Hope	•				•							
Port Moody	•									•		
Portage la Prairie	•				•							
Powell River		•	•							•		
Prescott	•			•						•		
Prince Albert	•				•							
Prince George	•											

\* Banks and financial institutions only. \*\* 75% of public access area must be non-smoking.

**TABLE 2 (continued)**

Smoking By-law  
Regulations  
Governing Banks,  
Financial Institutions  
and  
Municipal  
Offices

	SMOKING PROHIBITED							NON-SMOKING AREA	PROPRIETOR MUST				
	Except in Designated Areas	Service Counters	Service Lines	Public Service Areas	Municipal Offices Only	Customer Areas Only	Public Utility Offices	Business Offices	50% of Total Area	60% of Total Area	Signs Must Be Clearly Visible	Make Reasonable Effort to Enforce By-law	Familiarize Staff with By-law
Princeton		•									•		
Quesnel	•							•					
Rayside-Balfour					•								
Regina		•	•								•		
Renfrew			•		•								
Richmond (B.C.)		•	•										
Richmond Hill	•	•	•	•	•						•		
Sarnia	•		•	•				•			•		
Saskatoon		•	•								•		
Sault Ste. Marie	•		•					•			•		
Scarborough		•	•		•						•		
Sorel		•	•										
Spruce Grove	•				•								
Squamish	•	•	•		•						•		
Sainte-Anne-de-Bellevue				•									
Sainte-Foy		•	•										
Stoney Creek	•	•	•								•		
Stratford	•				•						•		
Strathcona		•	•								•		
Sturgeon Falls	•				•								
St. Albert	•	•	•										
Saint-Lambert				•	•								
Sudbury		•									•		
Swift Current		•	•								•		
Terrace			•	•							•		
Thetford-Mines	•				•								
Thompson					•						•		
Timmins		•	•								•		•
Toronto		•	•								•		
Vancouver		•	•								•		
Vanier	•	•	•		•						•		
Vaughan	•		•*		•						•		
Vernon		•	•		•						•		
Victoria		•									•		
View Royal		•									•		
Wallaceburg	•	•		•	•						•		
Warman		•	•										
Waterloo		•									•		
Westmount	•			•	•	•					•		
West Vancouver		•	•										
Weyburn		•	•								•		
Whistler				•									
Whitchurch-Stouffville					•			•			•		
Windsor (Ont.)		•	•								•		
Wingham	•				•						•		
Winkler					•								
Winnipeg		•	•								•		
Winnipeg Beach					•								
Woodstock	•		•						•	•			

\* Banks and financial institutions only. \*\* 75% of public access area must be non-smoking.

**TABLE 3**

Smoking By-law Regulations Governing Bars, Beverage Rooms, Canteens, Lounges, Night Clubs and Taverns

	NON-SMOKING AREA MUST BE DESIGNATED					NON-SMOKING AREA MUST BE			SIGNS MUST		PROPRIETOR MUST	
	Proprietor MAY Designate Non-Smoking Area(s)					Decided by Proprietor			Identify Designated Areas Be Posted at Entrance		Familiarize Staff with By-law to Enforce By-law Determine Patron's Preference in Advance Arrange Smoke-free Seating Area	
	In All Bars, etc.	Seating = 10 - 29	Seating = 30 - 39	Seating = 40 - 49	Seating ≥ 50	≥ 15% of Seating	≥ 20 - 25% of Seating	≥ 30 - 50% of Seating				
Aylmer (Que.)	•								•			
Bedford	•									•		
Calgary				•				•	•		•	
Cambridge	•								•	•		•
Cranbrook	•							•	•		•	
Dartmouth	•								•	•		•
Dawson Creek		•										
Edmonton						•			•			•
Fort McMurray	•							•	•		•	
Grande Prairie	•								•	•		
Halifax	•		•			•				•		•
Hudson Bay		•							•			
Hudson's Hope	•								•			
Kamloops	•											
Langley (township)	•			•			•					
Langley (city)			•									
Lethbridge		•				•			•			
Lloydminster	•								•	•		
Maple Ridge	•								•	•		
Mission							•				•	
Nanaimo	•											
North Vancouver (city)		•							•	•		•
North Vancouver (dist.)						•			•			
Oakville		•							•			•
Oshawa			•		•				•		•	
Ottawa	•		•					•	•	•		•
Pincher Creek	•							•				
Princeton	•											
Richmond Hill						•			•			•
Squamish	•											
St. Albert							•				•	•
Strathcona	•											
Surrey	•											
Swift Current	•							•	•	•		•
Sydney (N.S.)	•								•	•		•
Sydney (B.C.)							•			•		
Toronto			•			•			•			•
Victoria						•				•		
View Royal						•				•		
Weyburn	•								•	•		•
White Rock			•			•						•
Williams Lake		•							•	•		
Windsor	•								•			
Winnipeg			•						•			•
Yorkton	•								•	•		•

\* Proprietor may designate all or portion as a smoking area.

**TABLE 4**

Smoking By-law Regulations Governing Elevators, Escalators and Stairways<sup>1</sup>

	SMOKING PROHIBITED				NON-SMOKING SIGNS		PROPRIETOR MUST	
	In Elevators	On Escalators	On Stairways	Conspicuously Posted	Posted on Interior Wall Facing Door	Posted on Outside Wall	Familiarize Staff with By-law	Try to Prevent Violations
Aylmer (Que.)	•			•				•
Barrie	•	•		•			•	•
Beaconsfield	•	•	•					
Beauharnois	•		•					
Bedford	•	•	•					
Belleville	•	•	•	•				
Beloeil	•		•					
Boisbriand	•							
Brampton	•	•	•	•	•			
Brandon	•	•	•	•				
Brantford	•	•	•	•				
Brossard	•		•					
Burlington	•			•	•			
Burnaby	•	•	•	•				
Caledon	•	•	•	•	•			
Calgary	•	•		•				
Cambridge	•	•		•				
Cap-Rouge	•							
Cap-de-la-Madeleine	•		•					
Castlegar	•	•	•					
Chambly	•	•	•					
Collingwood	•	•		•				
Coquitlam	•	•	•	•			•	•
Cornwall	•	•	•	•				
Côte-Saint-Luc	•			•				
Cranbrook	•	•	•	*				
Dartmouth	•	•	•	•				
Dawson Creek	•	•	•					
Delta	•	•		•				
Dollard-des-Ormeaux	•	•	•	•				
Dorval	•	•	•	•				
Dundas	•	•	•	•	•			
East York	•	•		•				
Edmonton	•	•	•	•				
Etobicoke	•	•	•	•	•			
Exeter	•	•	•	•				
Flin Flon	•	•						
Fort McMurray	•	•		•				
Fort Saskatchewan	•		•	•				
Gibsons	•	•	•	•				
Gloucester	•	•	•	•				
Granby	•		•					
Grande Prairie	•		•	•				
Greenfield-Park	•							
Guelph	•			•				
Halifax	•	•	•	•				
Halton Hills	•							
Hamilton	•	•	•	•	•			
Hearst	•	•		•			•	•
Hull	•							
Jonquière	•			•				

<sup>1</sup> Does not apply to elevators and escalators covered under other specific acts.

\* Washrooms.

\*\* Pedestrian walkway and tunnel.

**TABLE 4 (continued)**

Smoking By-law  
Regulations  
Governing  
Elevators,  
Escalators  
and  
Stairways<sup>1</sup>

	SMOKING PROHIBITED				NON-SMOKING SIGNS			PROPRIETOR MUST
	<i>In Elevators</i>	<i>On Escalators</i>	<i>On Stairways</i>	<i>Conspicuously Posted</i>	<i>Posted on Interior Wall Facing Door</i>	<i>Posted on Outside Wall</i>	<i>Familiarize Staff with By-law</i>	<i>Try to Prevent Violations</i>
Kamloops	•	•	•					
Kanata	•	•	•	•				
Kapuskasing	•	•		•				
Kelowna	•	•	•	•				
Kingston	•	•		•				
Kirkland	•	•	•	•				
Kitchener	•	•		•				
Kitimat	•	•	•	•				
Lac La Biche	•			•				
Lachenale			•					
Lachine	•	•	•					
Lachute	•		•					
Langley (city)	•	•	•	•				
Langley (township)	•	•	•					
LaSalle	•	•	•					
Lethbridge	•	•		•				
Lévis	•							
Lloydminster	•	•		•				
London	•	•	•	•				
Maple Ridge	•	•		•				
Marathon	•		•					
Marieville	•		•					
Markham	•	•	•					
Masson	•		•					
Matagami	•		•					
Matane	•		•					
Matsqui	•	•	•	•				
Mercler	•		•					
Milton	•	•		•				
Mission	•	•	•*					
Mississauga	•	•		•				
Montmagny	•		•					
Mont-Royal	•							
Moose Jaw	•	•	•	•				
Nanaimo	•	•	•*					
Nepean	•	•		•	•			
New Westminster	•	•	•	•				
Newcastle	•	•		•				
Newmarket	•	•	•	•	•			
Niagara Falls	•	•		•	•			
North Bay	•	•	•	•	•			
North Vancouver (city)	•	•	•					
North Vancouver (dist.)	•	•	•	•				
North York	•	•	•	•	•	•		
Oakville	•	•		•				
Orillia	•	•		•		•	•	
Oshawa	•	•	•	•	•	•		
Ottawa	•	•	•	•				
Outremont	•							
Owen Sound	•	•	•	•				
Penticton	•	•	•	•				

<sup>1</sup> Does not apply to elevators and escalators covered under other specific acts.

\* Washrooms.

\*\* Pedestrian walkway and tunnel.

**TABLE 4 (continued)**

Smoking By-law  
Regulations  
Governing  
Elevators,  
Escalators  
and  
Stairways<sup>1</sup>

	SMOKING PROHIBITED				NON-SMOKING SIGNS		PROPRIETOR MUST	
	<i>In Elevators</i>	<i>On Escalators</i>	<i>On Stairways</i>	<i>Conspicuously Posted</i>	<i>Posted on Interior Wall Facing Door</i>	<i>Posted on Outside Wall</i>	<i>Familiarize Staff with By-law</i>	<i>Try to Prevent Violations</i>
Peterborough	●	●	●	●	●			
Pierrefonds	●	●	●	●				
Pincher Creek	●	●	●	●				
Pointe-Claire	●	●	●	●				
Port Alberni	●	●	●	●				
Port Coquitlam	●	●	●	●				
Port Moody	●	●	●	●				
Powell River	●	●	●	●				
Princeton	●	●	●	●				
Red Deer	●	●	●	●				
Regina	●	●	●	●				
Richmond (B.C.)	●	●	●	●				
Richmond Hill	●	●	●	●	●			
Sarnia	●	●	●	●				
Saskatoon	●	●	●	●				
Sault Ste. Marie		●	●	●				
Scarborough	●	●	●	●				
Sorel	●		●	●				
Squamish	●	●	●	●				
Sainte-Anne-de-Bellevue	●	●	●	●				
St. Catharines	●	●		●				
Sainte-Foy	●		●	●				
Saint-Lambert	●			●				
Sainte-Marthe-sur-le-Lac	●		●	●				
Stoney Creek	●	●		●				
Strathcona	●	●	●*	●				
Sudbury	●	●		●				
Surrey	●	●	●*	●				
Swift Current	●			●				
Sydney (N.S.)	●	●	●	●				
Terrace	●		●	●				
Thompson	●	●	●	●				
Thurso	●		●	●				
Timmins	●	●		●				
Toronto	●	●		●				
Trenton	●			●				
Vancouver	●	●	●*	●				
Vanier	●	●	●	●				
Vaughan	●			●	●			
Vernon	●	●	●	●				
Wallaceburg	●	●		●				
Waterloo	●	●		●		●	●	
Westmount	●			●				
West Vancouver	●	●	●*	●				
Weyburn	●	●		●				
Whistler	●	●		●				
Whitchurch-Stouffville	●	●	●	●	●			
Windsor (Ont.)	●	●		●				
Winnipeg**	●	●		●				
Woodstock	●	●	●	●	●			
York	●	●	●	●				
Yorkton	●			●				

<sup>1</sup> Does not apply to elevators and escalators covered under other specific acts.

\* Washrooms.

\*\* Pedestrian walkway and tunnel.



**TABLE 5**

**Smoking By-law Regulations Governing Hospitals**

	SMOKING PROHIBITED			SMOKING AREAS				SMOKING ALLOWED WITH WRITTEN CONSENT		SMOKE-FREE ROOMS	SIGNS	HOSPITAL ADMIN.		
	In Facility	In Patient Care Area	In Area of Public Access	May Be Designated	40% of Floor Area	50% of Floor Area	Private Rooms	Private Offices	Of Personal Physician				Of Other Patients	Of Hospital Authorities
												*Smoking in this Area Only*	Reasonable Effort to Enforce By-law	Familiarize Staff with By-law
Aylmer (Que.)		•	•					•				•		
Barrie		•	•	•		•		•			•	•	•	
Bedford	•													
Brampton			•	•		•						•		
Brandon	•			•		•								
Brantford		•	•			•		•	•			•	•	
Burnaby				•									•	
Caledon		•	•	•		•						•		
Calgary	•			•								•	•	
Cambridge		•	•			•		•				•		
Castlegar	•			•										
Chatham	•			•										
Collingwood		•	•			•		•				•		
Coquitlam		•	•			•						•	•	
Cornwall		•	•	•		•		•				•	•	
Côte-Saint-Luc				•				•	•				•	
Cranbrook	•			•										•
Dartmouth		•		•		•				•		•	•	
Dawson Creek		•	•	•										
Delta		•	•			•							•	
East York		•	•			•		•				•	•	
Edmonton		•	•	•		•	•					•	•	
Etobicoke		•	•	•	•			•	•			•		
Flin Flon		•		•										
Fort McMurray	•			•									•	•
Gibsons	•			•										
Gloucester		•		•						•		•	•	
Grande Prairie	•			•									•	
Greenfield-Park	•			•										
Guelph		•	•			•		•	•				•	
Halifax		•	•	•		•				•		•		
Hamilton		•	•	•		•		•	•			•		
Hearst		•	•			•		•**					•	•
Hudson Bay	•			•								•	•	
Hudson Hope	•			•								•	•	
Kamloops	•			•		•						•	•	
Kapuskasing		•				•						•	•	
Kelowna	•			•				•				•	•	
Kingston	•			•				•	•	•		•	•	
Kirkland Lake	•	•		•		•						•	•	
Kitchener		•	•	•		•		•				•	•	
Kitimat	•			•										
Lac La Biche		•	•	•		•	•			•				
Langley (township)	•			•										
Langley (city)		•		•		•								
LaSalle	•			•										
Lethbridge	•			•		•				•		•	•	
Lloydminster			•	•		•		•						
London		•	•		•			•*				•	•	
Maple Ridge		•	•	•		•	•					•	•	
Markham	•			•										
Matsqui	•			•									•	
Milton		•	•	•				•						
Mission	•			•										
Mississauga		•	•	•		•				•		•	•	
Mont-Royal	•			•			•							

\* Restricted to single occupancy room.

\*\* Patients affected by permitted smoking may request non-smoking accommodation.

TABLE 5 (continued)

Smoking By-law  
Regulations  
Governing  
Hospitals

	SMOKING PROHIBITED		SMOKING AREAS				SMOKING ALLOWED WITH WRITTEN CONSENT		SMOKE-FREE ROOMS	SIGNS	HOSPITAL ADMIN.					
	In Facility	In Patient Care Area	In Area of Public Access	May Be Designated	40% of Floor Area	50% of Floor Area	Private Rooms	Private Offices	Of Personal Physician	Of Other Patients	Of Hospital Authorities	Upon Request	Upon Request— If Available	Smoking in this Area Only*	No Smoking*	Reasonable Effort to Enforce By-law
Moose Jaw	•			•					•				•	•		
Nanaimo	•															
Nelson	•															
New Westminster	•	•	•	•		•	•						•	•		
Newmarket		•	•			•			•				•			
North Bay		•		•	•								•			
North Vancouver (city)	•			•									•	•		
North Vancouver (dist.)		•	•	•		•							•	•		
North York		•	•	•		•		•	•				•			
Orillia		•	•	•	•			•				•		•		
Oshawa	•		•	•										•		
Ottawa		•		•				•			•					
Outremont	•			•												
Owen Sound		•	•			•						•		•		
Pembroke		•		•				•								
Penticton	•			•												•
Peterborough		•	•	•		•			•	•						
Pincher Creek				•												
Port Moody		•	•			•								•		
Powell River	•			•		•							•			
Prince George	•			•												
Princeton	•			•												
Red Deer				•									•	•		
Regina		•		•				•					•	•		
Richmond (B.C.)	•															
Richmond Hill		•	•	•		•			•				•			
Sarnia	•			•		•								•		
Saskatoon	•			•			•	•								
Scarborough		•	•			•			•	•			•			
Squamish	•			•									•			
Stoney Creek		•	•	•		•			•							
Strathcona	•			•										•		
St. Albert	•			•												
Saint-Lambert	•			•												
Sudbury		•	•	•												
Surrey	•	•		•						•						
Swift Current		•		•												
Sydney (N.S.)		•	•	•		•				•			•	•		
Terrace	•			•												
Timmins		•	•			•			•				•	•	•	•
Toronto		•	•	•		•		•	•				•			
Vancouver	•			•		•							•			
Vaughan			•			•								•		
Vernon	•			•									•	•		
Victoria																
Wallaceburg		•	•	•	•			•	•							
Westmount	•			•										•		
West Vancouver	•			•												
Weyburn			•	•									•	•		
Whitchurch-Stouffville	•															
White Rock		•	•	•		•										
Williams Lake	•			•									•	•		
Windsor		•	•	•		•			•				•	•		
Winnipeg		•		•									•			
Woodstock			•			•							•			
York		•						•	•							
Yorkton		•		•									•	•		

\* Restricted to single occupancy room.

\*\* Patients affected by permitted smoking may request non-smoking accommodation.

**TABLE 6**

Smoking By-law  
Regulations  
Governing  
Places of  
Public  
Assembly

	SMOKING PROHIBITED EXCEPT IN DESIGNATED AREAS IN			NON-SMOKING AREA MUST BE			SIGNS		PROPRIETOR MUST					
	Proprietor MAY Designate Non-Smoking Areas	Any Place of Public Assembly	Theatres	Specified Buildings or Areas	≥ 20% of Total Area	≥ 50% of Total Area	≥ 60% of Total Area	No Smoking*	Smoking in this Area Only*	Familiarize Staff with By-law	Make Reasonable Effort to Enforce By-law	Provide Ashtrays, etc.	Construct Smoke-free Area	Theatre Must Make Visual and/or Verbal Announcement
Ashcroft				•				•						
Aylmer (Que.)		•						•		•	•			
Barrie		•	•		•			•	•	•	•			
Bedford														
Belleville		•						•			•			
Beloil		•						•						
Blind River	•			•										
Boisbriand		•												
Brampton		•	•			•		•						•
Brandon	•	•												
Brantford		•	•		•			•	•					
Brossard		•												
Burlington					•			•						
Burnaby		•	•		•*			•						
Caledon	•	•	•			•		•						•
Calgary	•							•		•				
Cambridge		•	•		•			•						
Cap-Rouge		•												
Carleton Place				•										
Castlegar		•			•									
Chambly		•												
Chatham		•			•									
Chicoutimi				•										
Cobourg				•										
Cochrane				•										
Collingwood		•	•		•			•	•	•				
Coquitlam		•	•		•*			•						
Cornwall				•				•						
Côte-St-Luc		•						•						
Cranbrook	•	•						•		•				
Dartmouth		•	•	•	•*			•	•					
Dawson Creek	•	•	•	•										
Delta		•	•		•			•						
Dryden				•										
Dundas		•	•			•		•						•
Dunnville				•										
East York		•			•			•						
Edmonton		•			•			•	•					
Edson	•			•										
Esterhazy				•										
Etobicoke	•	•	•	•		•		•						•
Exeter				•										
Flin Flon				•										
Fort McMurray	•				•*			•		•				
Fort Saskatchewan	•													
Gananoque	•	•	•			•				•				
Gibsons	•	•	•	•	•									
Gloucester		•						•	•		•			
Grande Prairie	•							•						

\* Calculation cannot include certain areas, e.g. seating.

\*\* Percentages differ in areas. Column heading is maximum.

TABLE 6 (continued)

Smoking By-law  
Regulations  
Governing  
Places of  
Public  
Assembly

	SMOKING PROHIBITED EXCEPT IN DESIGNATED AREAS IN						NON-SMOKING AREA MUST BE		SIGNS		PROPRIETOR MUST		
	Proprietor MAY Designate Non-Smoking Areas	Any Place of Public Assembly	Theatres	Specified Buildings or Areas	≥ 20% of Total Area	≥ 50% of Total Area	≥ 60% of Total Area	No Smoking*	*Smoking in this Area Only*	Familiarize Staff with By-law to Enforce	Provide Ashtrays, etc.	Construct Smoke-free Area	Theatre Must Make Visual and/or Verbal Announcement
Greenfield-Park	•		•	•									
Guelph		•				•		•					
Halifax	•	•	•	•		•			•				
Halton Hills				•									
Hamilton	•	•					•		•				•
Hearst		•	•			•			•	•			
Hudson Bay		•	•					•	•				
Hudson Hope		•						•	•				
Hull		•											
Humbolt				•									
Huntsville				•									
Iqaluit	•			•									
Iroquois Falls	•			•									
Jonquière		•		•									
Kamloops		•				•							
Kanata	•	•				•		•					
Kapuskasing		•	•						•				
Kelowna		•				•		•	•				
Kingston	•	•				•							
Kitchener		•	•			•		•	•				
Kitimat	•	•	•			•							
Lac La Biche	•	•				•							
Lachenaie		•											
Lachute		•											
Langham				•									
Langley (township)	•	•	•	•		•							
Langley (city)	•	•	•			•							
LaSalle		•		•									
Le Gardeur				•									
Lethbridge		•				•		•	•				
Lévis		•											
Lincoln	•			•									
Lloydminster	•	•	•	•		•							
London		•	•	•				•**					•
Magog				•									
Maple Ridge		•	•			•		•	•				
Marathon		•											
Marieville		•											
Markham	•	•						•					
Masson		•											
Matagami		•											
Matane		•											
Matsqui		•	•	•				•	•				
Mercier		•											
Midland				•									
Milton	•	•	•			•							
Mission	•	•				•							
Mississauga		•	•			•		•	•				
Mont-Laurier				•									

\* Calculation cannot include certain areas, e.g. seating.  
\*\* Percentages differ in areas. Column heading is maximum.

TABLE 6 (continued)

Smoking By-law  
Regulations  
Governing  
Places of  
Public  
Assembly

	SMOKING PROHIBITED EXCEPT IN DESIGNATED AREAS IN				NON-SMOKING AREA MUST BE			SIGNS		PROPRIETOR MUST				
	Proprietor MAY Designate Non-Smoking Areas	Any Place of Public Assembly	Theatres	Specified Buildings or Areas	≥ 20% of Total Area	≥ 50% of Total Area	≥ 60% of Total Area	No Smoking*	Smoking in this Area Only*	Familiarize Staff with By-law	Make Reasonable Effort to Enforce By-law	Provide Ashtrays, etc.	Construct Smoke-free Area	Theatre Must Make Visual and/or Verbal Announcement
Montmagny		•												
Montréal		•												
Mont-Royal				•										
Moose Jaw		•	•				•	•						
Morinville				•										
Nanaimo					•									
Nelson		•												
Nepean	•	•	•	•	•			•						•
New Liskeard				•				•	•					
New Westminster		•	•				•*	•	•					
Newcastle		•	•		•				•					
Newmarket		•	•	•					•					•
Niagara Falls		•	•			•*			•					
Nickel Centre				•										
North Bay		•	•		•				•					•
North Vancouver (city)		•	•	•	•			•						
North Vancouver (dist.)		•			•									
North York	•	•	•				•**	•	•					
North Battleford				•				•						
Oakville		•	•		•				•					
Orillia	•	•	•	•	•				•	•				
Oshawa		•	•	•		•			•					•
Ottawa	•	•									•			
Outremont			•	•										
Owen Sound	•	•	•		•			•						
Peachland				•				•						
Pembroke				•										
Penetanguishene				•										
Penticton		•						•						
Peterborough	•	•	•	•		•			•					
Pilot Butte	•			•										
Pincher Creek	•	•						•						
Pohénégamook				•										
Port Alberni	•													
Port Coquitlam		•			•*				•					
Port Moody		•			•									
Powell River		•			•				•					
Prince George	•	•											•	
Prince Rupert		•						•	•				•	
Princeton		•	•		•									
Red Deer		•	•	•	•			•						
Regina		•			•			•	•		•			
Richmond (B.C.)		•			•									
Richmond Hill			•	•					•					
Sarnia		•	•	•	•			•						
Saskatoon	•	•	•		•									
Sault Ste. Marie		•	•			•	•	•						•
Scarborough	•	•				•		•						
Shawinigan	•			•										

\* Calculation cannot include certain areas, e.g. seating.

\*\* Percentages differ in areas. Column heading is maximum.

TABLE 6 (continued)

Smoking By-law  
Regulations  
Governing  
Places of  
Public  
Assembly

	SMOKING PROHIBITED EXCEPT IN DESIGNATED AREAS IN				NON-SMOKING AREA MUST BE			SIGNS		PROPRIETOR MUST				
	Proprietor MAY Designate Non Smoking Areas	Any Place of Public Assembly	Theatres	Specified Buildings or Areas	≥ 20% of Total Area	≥ 50% of Total Area	≥ 60% of Total Area	No Smoking*	Smoking in this Area Only*	Familiarize Staff with By-law	Make Reasonable Effort to Enforce By-law	Provide Ashtrays, etc.	Construct Smoke-free Area	Theatre Must Make Visual and/or Verbal Announcement
Smooth Rock Falls	•			•										
Snow Lake	•			•										
Sorel		•												
Squamish		•	•			•*							•	
Sainte-Foy		•												
Sainte-Marthe-sur-le-Lac		•												
Stoney Creek	•	•	•			•			•					
Stratford				•										
Strathcona		•				•								
St. Albert		•												
Saint-Lambert			•											
St. Catharines				•										
Sudbury	•	•	•			•			•					
Surrey		•				•								
Swift Current		•				•		•			•			
Sydney (N.S.)		•	•	•		•		•	•					
Terrace		•				•*		•						
Thetford-Mines				•										
Thompson	•	•				•								
Thorold	•			•										
Thurso		•												
Timmins		•	•			•			•	•	•			
Toronto	•	•				•			•				•	
Valley East				•										
Vancouver	•	•				•								
Vanier	•	•				•		•						
Vaughan		•	•	•		•		•						
Vernon		•				•*		•	•					
Victoria		•				•*		•	•					
Wallaceburg	•	•	•	•		•	•							
Warman	•	•												
Waterloo		•	•			•		•	•	•	•			
Welland	•			•				•						
Westmount		•	•	•				•						
West Vancouver						•								
Weyburn		•				•		•	•			•		
Whistler	•				•				•					
Whitchurch-Stouffville			•											
White Rock	•	•	•	•		•								
Williams Lake		•	•					•	•					
Windsor (Ont.)		•	•			•		•						
Winkler				•										
Winnipeg						•		•				•		
Woodstock		•	•			•		•					•	
York		•	•			•		•				•		
Yorkton			•			•					•			

\* Calculation cannot include certain areas, e.g. seating.

\*\* Percentages differ in areas. Column heading is maximum.

**TABLE 7**

Smoking By-law Regulations Governing Reception Areas\*

	SMOKING PROHIBITED		NON-SMOKING AREA REQUIREMENTS		SIGNS		PROPRIETOR MUST				
	Proprietor MAY Designate Non-Smoking Areas	Smoking Prohibited Except Where Designated	Health Care Areas	Doctors'/Dentists' Offices	Public/Customer Areas	% of Total Area	Square Meter	"No Smoking"	"Smoking in this Area Only"	Familiarize Staff with By-law	Make Reasonable Effort to Enforce
Ancaster		•						•			
Aylmer (Que.)		•	•	•				•			•
Barrie		•	•		•			•	•	•	•
Bedford*	•										
Belleville		•	•	•	•			•			
Bradford		•									
Brampton		•			•	•		•			
Brandon		•			•			•			
Brantford		•	•		•	•		•	•		
Burnaby		•			•			•			
Caledon		•	•		•	•					
Calgary	•							•			•
Cambridge		•			•	•		•			
Castlegar		•			•	•					
Chatham		•			•						
Collingwood		•			•				•	•	
Coquitlam		•			•	•		•			
Cornwall		•	•		•	•		•	•		
Côte-Saint-Luc		•			•						
Cranbrook		•						•			•
Dartmouth		•			•			•	•		
Dawson Creek	•							•			
Dorval		•						•			
Dundas		•			•	•		•			
East York		•			•			•			
Edmonton		•						•	•		
Etobicoke		•			•	•		•	•		
Exeter		•									
Flin Flon*		•									
Fort McMurray	•							•			•
Fort Saskatchewan	•										•
Gananoque	•		•		•			•			
Gibsons	•				•	•					
Gloucester		•						•			
Grande Prairie					•						•
Guelph		•			•	•		•			
Halifax		•			•			•	•		
Hamilton		•	•		•	•		•	•		
Hearst		•			•			•	•	•	•
Hudson Bay		•									
Hull			•								
Kamloops		•			•						
Kanata								•			

\* Complete ban.

\*\* Definition only, no regulations.

**TABLE 7 (continued)**

Smoking By-law  
Regulations  
Governing  
Reception  
Areas\*

	SMOKING PROHIBITED		NON-SMOKING AREA REQUIREMENTS		SIGNS		PROPRIETOR MUST				
	Proprietor MAY Designate Non-Smoking Areas	Smoking Prohibited Except Where Designated	Health Care Areas	Doctors'/Dentists' Offices	Public/Customer Areas	% of Total Area	Square Meter	No Smoking	Smoking in this Area Only	Familiarize Staff with By-law	Make Reasonable Effort to Enforce
Kapuskasing		•						•			
Kelowna						•					
Kingston		•	•			•		•			
Kitchener		•	•				•	•	•		
Kitimat						•	•	•	•		
Langley (township)*											
Langley (city)	•					•					
LaSalle				•							
Lethbridge		•	•					•	•		
Lloydminster											
London		•	•			•		•	•		
Markham	•					•					
Matsqui		•*									
Milton	•		•			•	•				
Mission	•					•					
Mississauga		•	•			•		•			
Montréal				•		•					
Moose Jaw		•						•			
Nanaimo		•				•	•				
Nelson*											
Nepean		•	•			•	•	•	•		
New Westminster		•				•	•	•	•		
Newcastle		•				•			•		
Newmarket						•	•		•		
Niagara Falls		•	•			•	•		•		
North Bay		•	•			•	•		•		
North Vancouver (city)		•				•	•	•	•		
North Vancouver (dist.)		•				•					
North York		•	•			•	•	•	•		
Oakville		•				•	•	•	•		
Orillia	•	•	•			•				•	•
Oshawa		•	•			•	•	•			
Ottawa		•						•			
Owen Sound		•	•			•	•	•	•		
Pembroke				•				•			
Penticton		•				•		•			
Peterborough		•						•			
Pierrefonds*		•									
Pincher Creek	•							•			
Pointe-Claire*		•									
Port Coquitlam		•				•	•	•			
Port Moody		•				•	•				
Powell River		•				•	•		•		

\* Complete ban.

\*\* Definition only, no regulations.



**TABLE 7 (continued)**

Smoking By-law  
Regulations  
Governing  
Reception  
Areas\*

	SMOKING PROHIBITED		NON-SMOKING AREA REQUIREMENTS		SIGNS		PROPRIETOR MUST	
	Proprietor MAY Designate Non-Smoking Areas	Smoking Prohibited Except Where Designated	Health Care Areas	Doctors'/Dentists' Offices Public/Customer Areas	% of Total Area Square Meter	*No Smoking*	*Smoking in this Area Only*	Familiarize Staff with By-law Make Reasonable Effort to Enforce
Prince George*		•						
Prince Rupert		•				•	•	
Princeton		•		•	•			
Regina		•				•		
Richmond (B.C.)		•		•	•			
Richmond Hill	•		•	•	•		•	
Sarnia				•		•		
Saskatoon	•*							
Sault Ste. Marie**								
Scarborough	•		•	•	•		•	
Squamish*								
Stoney Creek	•			•				
Strathcona		•		•	•	•		
Sudbury	•		•	•	•		•	
Surrey*								
Swift Current		•				•		
Sydney (B.C.)		•						
Sydney (N.S.)		•		•		•	•	
Terrace		•		•	•	•		
Thompson		•		•				
Timmins		•		•		•	•	•
Toronto		•	•	•	•	•	•	
Vancouver		•		•	•	•	•	
Vanier*						•		
Vernon		•		•	•	•		
Victoria		•						
Warman	•							
Waterloo		•	•	•		•	•	•
Westmount				•		•		
West Vancouver		•		•	•			
Weyburn		•				•		
Whitchurch-Stouffville*		•						
White Rock*	•		•	•				
Williams Lake		•				•	•	
Windsor		•		•		•	•	
Winnipeg*		•						
Woodstock		•	•	•	•		•	
York			•	•	•		•	
Yorkton		•				•		

\* Complete ban.  
\*\* Definition only, no regulations.

**TABLE 8**

Smoking By-law  
Regulations  
Governing  
Restaurants

	NON-SMOKING AREA MUST BE DESIGNATED					NON-SMOKING AREA MUST BE		SIGNS MUST	PROPRIETOR MUST	
	Proprietor MAY Designate Non-Smoking Areas	In All Restaurants	Seating = 10 - 29	Seating = 30 - 39	Seating = 40 - 49	≥ 15% of Seating	≥ 20 - 25% of Seating	Decided by Proprietor	Identify Designated Areas Be Posted at Entrance	Familiarize Staff with By-law Make Reasonable Effort to Enforce By-law Determine Patron's Preference in Advance Arrange Smoke-free Seating Area
Aylmer (Que.)			•			•				
Barrie	•							•	•	•
Beaconsfield				•		•*				
Bedford	•						•			
Belleville	•							•	•	•
Beloil		•								
Brampton		•					•	•		•
Brandon	•			•				•		
Brantford		•					•			•
Brossard		•					•			•
Burlington		•					•			•
Burnaby	•					•		•		
Caledon	•						•	•		•
Calgary			•				•		•	•
Cambridge	•							•	•	•
Castlegar	•					•				•
Chambly		•					•			•
Chatham			•			•				•
Collingwood	•							•	•	•
Coquitlam			•				•			•
Cornwall		•				•				•
Côte-Saint-Luc			•			•				•
Cranbrook	•						•		•	
Dartmouth	•							•	•	•
Dawson Creek			•					•		
Delta		•								•
Dollard-des-Ormeaux				•		•**				
Dorval			•							
Dundas		•				•				•
East York			•				•			•
Edmonton		•					•			
Etobicoke		•				•				•
Fort McMurray				•			•		•	
Gananoque	•							•	•	
Gibsons	•							•		
Gloucester	•							•	•	•
Grande Prairie	•						•		•	
Greenfield-Park						•				
Guelph			•				•			
Halifax	•		•			•		•		•
Hamilton	•	•				•				•
Hearst	•							•	•	•
Hudson Bay		•						•		
Hudsons Hope	•*							•		
Kamloops		•				•				•
Kapuskasing	•							•		•
Kelowna	•					•		•		•
Kingston	•	•				•			•	•
Kirkland				•		•*				
Kitimat	•					•		•		
Lac La Biche						•		•		•

\* Proprietor may designate all or portion as a smoking area.

\*\* Percentage increases proportionally over time to 50%.

**TABLE 8 (continued)**

Smoking By-law  
Regulations  
Governing  
Restaurants

	NON-SMOKING AREA MUST BE DESIGNATED				NON-SMOKING AREA MUST BE		SIGNS MUST		PROPRIETOR MUST					
	Proprietor MAY Designate Non-Smoking Areas	In All Restaurants	Seating = 10 - 29	Seating = 30 - 39	Seating = 40 - 49	Seating ≥ 50	≥ 15% of Seating	≥ 20 - 25% of Seating	≥ 30 - 50% of Seating	Decided by Proprietor	Identify Designated Areas Be Posted At Entrance	Familiarize Staff with By-law Make Reasonable Effort to Enforce By-law	Determine Patron's Preference in Advance	Arrange Smoke-free Seating Area
Lachine						●	●*							
Lachute			●					●						
Langley (township)	●			●				●						
Langley (city)	●		●				●							
LaSalle					●			●						●
Lethbridge		●						●	●					
Lévis			●					●						●
Lloydminster	●								●	●				
London		●						●	●			●		
Maple Ridge									●					
Marleville			●					●						●
Markham	●	●						●						
Masson			●					●						●
Matagami			●					●						●
Matane			●					●						●
Matsqui		●						●	●					
Mercier			●					●						●
Milton	●		●					●	●					●
Mission								●				●		
Mississauga	●								●					
Montmagny			●					●						●
Montréal			●				●		●					
Mont-Royal			●				●		●					●
Moose Jaw	●								●					
Nanaimo							●*(75%)							
Nelson			●					●						
Nepean	●		●						●	●				●
New Westminster			●				●		●	●				
Newmarket			●						●					
Niagara Falls			●					●	●				●	
North Bay							●		●				●	
North Vancouver (city)			●				●		●			●		●
North Vancouver (dist.)			●				●		●					
North York					●			●	●				●	
Oakville		●						●	●					
Orillia	●								●		●	●		●
Oshawa				●			●		●				●	
Ottawa	●		●	●			●	●	●	●				●
Outremont								●	●					●
Owen Sound	●			●			●		●	●				●
Pembroke	●								●	●				●
Penticton	●						●		●	●				
Peterborough				●			●		●				●	●
Pierrefonds					●		●**		●					
Pincher Creek	●	●							●	●				
Pointe-Claire					●		●*		●					
Port Coquitlam		●					●		●	●				
Port Moody			●				●		●	●				
Powell River			●				●		●	●				●
Prince George														
Princeton							●			●			●	

\* Proprietor may designate all or portion as a smoking area.

\*\* Percentage increases proportionally over time to 50%.

**TABLE 8 (continued)**

Smoking By-law  
Regulations  
Governing  
Restaurants

	NON-SMOKING AREA MUST BE DESIGNATED				NON-SMOKING AREA MUST BE		SIGNS MUST		PROPRIETOR MUST	
	<i>Proprietor MAY Designate Non-Smoking Areas</i>				<i>Decided by Proprietor</i>		<i>Identify Designated Areas Be Posted At Entrance</i>		<i>Familiarize Staff with By-law Make Reasonable Effort to Enforce By-law Determine Patron's Preference in Advance Arrange Smoke-free Seating Area</i>	
	<i>In All Restaurants</i>	<i>Seating = 10 - 29</i>	<i>Seating = 30 - 39</i>	<i>Seating = 40 - 49</i>	<i>Seating ≥ 50</i>	<i>≥ 15% of Seating</i>	<i>≥ 20 - 25% of Seating</i>	<i>≥ 30 - 50% of Seating</i>		
Red Deer										
Regina	•	•			•				•	•
Richmond (B.C.)							•			
Richmond Hill		•				•				
Sarnia	•	•					•			
Saskatoon	•	•								•
Scarborough			•			•			•	
Sorel		•					•			•
Squamish		•						•		•
Sainte-Anne-de-Bellevue				•		•*				•
Sainte-Foy						•*				•
Saint-Lambert		•				•				
Sainte-Marthe-sur-le-Lac		•				•		•		
Stoney Creek	•									
Strathcona			•					•	•	
St. Albert							•			•
Sudbury			•			•		•		
Surrey							•			•
Swift Current	•							•	•	
Sydney (N.S.)	•							•	•	
Sydney (B.C.)							•		•	
Terrace		•				•		•	•	
Thurso		•								•
Timmins	•							•		•
Toronto			•				•			•
Vancouver		•				•		•	•	
Vaughan		•						•		
Vernon	•					•		•		
Victoria							•		•	
View Royal	•						•		•	
Warman	•									
Waterloo	•							•	•	•
Westmount		•						•		•
West Vancouver		•					•			
Weyburn	•							•		
Whistler						•		•	•	
Whitchurch-Stouffville							•			
White Rock			•				•			•
Williams Lake	•*							•	•	
Windsor	•							•		
Winnipeg							•			•
Woodstock		•					•		•	
York			•				•		•	
Yorkton	•							•	•	•

\* Proprietor may designate all or portion as a smoking area.

\*\* Percentage increases proportionally over time to 50%.

**TABLE 9**  
Smoking By-law  
Regulations  
Governing  
Retail Stores

	NO SMOKING		EXEMPTED LOCATIONS										SIGNS		PRO-PRIETOR MUST		
	Proprietor MAY Designate Non Smoking Areas	Except for Exempted Locations 25% of Total Area	Hotel/Tavern	Restaurant	Lunch Counter	Rest-room	Staff Offices/Rest Areas	Hairdressing Parlours	Barber Shop	Employee Lounges	Enclosed Area with Public Access	Refreshment Stand/Drive-in Area with No Public Access	Staff of 10 or Less	No Smoking*	Smoking in this Area Only* At Entrance	Make Reasonable Effort to Enforce By-Law	Familiarize Staff with By-law
Aylmer (Que.)	•		•										•		•		
Barrie		•	•	•	•	•	•	•							•	•	•
Bedford		•	•				•		•								
Belleville		•	•	•	•	•	•	•							•		
Beloell*		•															
Brampton		•	•	•	•		•			•					•		
Brantford		•	•	•		•	•	•							•		
Brossard*		•															
Burlington		•												•	•		
Burnaby		•	•	•	•	•	•	•							•	•	
Caledon		•		•			•			•							
Calgary	•														•	•	
Cambridge		•				•	•								•		
Castlegar		•									•						
Collingwood		•	•	•	•	•	•	•							•	•	•
Coquitlam		•		•											•		
Cornwall		•			•	•	•	•							•		
Cranbrook	•															•	
Côte-Saint-Luc		•					•	•	•								
Dartmouth		•		•			•	•	•		•				•		
Dawson Creek	•														•		
Dorval		•									•						
Dundas		•	•	•	•	•	•	•							•		
East York		•	•	•	•	•	•	•		•					•		
Edmonton		•				•	•	•	•						•		
Etobicoke		•			•		•			•							
Flin Flon	•	•		•	•	•	•										
Fort McMurray	•														•		•
Fort Saskatchewan	•																
Gananoque		•		•		•	•										
Gibsons		•		•	•	•	•										
Grande Prairie	•			•			•			•							
Guelph		•		•	•	•		•						•	•		•
Halifax		•		•			•		•	•							
Hamilton		•		•	•	•	•	•		•							
Hearst		•	•	•	•	•	•	•							•	•	•
Hudson Bay		•					•								•	•	
Kamloops		•		•											•	•	
Kapuskasing		•	•	•		•	•	•	•						•		
Kelowna		•		•	•	•	•	•							•		
Kingston	•	•	•														
Kitchener		•		•	•	•	•	•	•						•		•
Kitimat		•		•	•		•										

\* Includes stairways and hallways leading to the establishment.

**TABLE 9 (continued)**

Smoking By-law  
Regulations  
Governing  
Retail Stores

	NO SMOKING		EXEMPTED LOCATIONS										SIGNS		PRO-PRIETOR MUST					
	Proprietor MAY Designate Non Smoking Areas	Except for Exempted Locations 25% of Total Area	Hotel/Tavern	Restaurant	Lunch Counter	Restroom	Staff Offices/Rest Areas	Hairdressing Parlours	Barber Shop	Employee Lounges	Enclosed Area with Public Access	Refreshment Stand/Drive-in	Area with No Public Access	Staff of 10 or Less	No Smoking*	Smoking in this Area Only*	At Entrance	Make Reasonable Effort to Enforce By-law	Familiarize Staff with By-law	
Lac La Biche		•				•	•							•						
Lachute*		•																		
Langley (township)		•					•							•						
Langley (city)		•					•		•					•						
Lethbridge		•				•	•	•	•									•		
Lloydminster		•		•										•						
London		•		•	•													•	•	
Lévis*		•																		
Maple Ridge		•												•					•	
Marieville*		•																		
Markham		•				•	•													
Masson*		•																		
Matagami*		•																		
Matsqui		•		•															•	
Mercier*		•																		
Milton		•					•													
Mission														•						
Mississauga		•				•	•	•	•										•	
Montmagny*		•																		
Moose Jaw		•		•	•														•	
Nanaimo		•																		
Nelson														•						
Nepean		•			•	•	•	•	•					•						
New Westminster		•		•															•	•
Newcastle		•		•	•	•	•	•	•										•	
Newmarket		•		•	•	•	•	•		•									•	
Niagara Falls		•		•	•	•	•	•						•					•	
North Vancouver (city)		•		•															•	•
North Vancouver (dist.)		•						•											•	
North York		•						•		•										
Oakville		•		•				•											•	
Oshawa		•		•	•	•	•	•	•					•					•	
Ottawa		•		•	•	•	•	•	•											
Owen Sound		•				•	•													
Pembroke	•	•		•	•	•	•	•	•										•	•
Penticton		•		•	•	•	•												•	
Peterborough		•			•	•	•							•						
Pickering		•		•	•	•	•												•	•
Pierrefonds		•		•	•														•	
Pincher Creek	•																			
Pointe-Claire		•												•					•	
Port Coquitlam		•		•		•	•												•	
Port Moody		•		•															•	

\* Includes stairways and hallways leading to the establishment.

**TABLE 9 (continued)**

Smoking By-law  
Regulations  
Governing  
Retail Stores

	NO SMOKING		EXEMPTED LOCATIONS										SIGNS	PRO-PRIETOR MUST			
	Proprietor MAY Designate Non Smoking Areas	Except for Exempted Locations 25% of Total Area	Hotel/Tavern	Restaurant	Lunch Counter	Rest-room	Staff Offices/Rest Areas	Hairdressing Parlours	Barber Shop	Employee Lounges	Enclosed Area with Public Access	Refreshment Stand/Drive-in Area with No Public Access Staff of 10 or Less			No Smoking*	Smoking in this Area Only*	At Entrance
Powell River		•		•								•		•	•		
Prince George		•												•			
Prince Rupert		•												•	•		
Princeton				•	•	•	•										
Regina		•		•	•	•	•							•			
Richmond (B.C.)		•			•	•	•										
Richmond Hill	•	•	•			•	•								•		
Sarnia	•											•		•			
Saskatoon		•				•	•	•	•								
Sault Ste. Marie		•				•	•	•	•					•			
Scarborough		•		•	•	•	•						•	•	•		
Sorel*		•															
Squamish		•		•								•		•			
Sainte-Foy		•															
Sainte-Marthe-sur-le-Lac*		•															
Stoney Creek		•				•	•	•	•								
Strathcona		•		•	•							•		•			
St. Catharines		•		•	•	•	•	•	•				•	•			
Sudbury		•				•											
Surrey		•										•					
Swift Current		•		•	•	•	•							•			
Sydney		•		•		•			•					•			
Terrace		•		•	•	•								•			
Thompson		•												•			
Thurso*		•															
Timmins		•		•	•	•	•	•	•					•			
Toronto		•				•	•										
Vancouver		•										•		•			
Vaughan		•		•	•	•	•							•			
Vernon		•		•	•	•	•							•			
Warman	•																
Waterloo		•		•	•	•	•	•	•					•		•	•
Westmount		•					•							•			
West Vancouver												•					
Weyburn		•		•	•	•	•							•			
Whistler		•										•					
White Rock												•					
Windsor		•	•	•	•	•	•	•	•					•			
Winnipeg		•	•	•	•	•	•	•	•					•			
Woodstock		•		•	•	•	•	•	•		•			•			
York		•				•							•	•			
Yorkton		•		•	•									•			

\* Includes stairways and hallways leading to the establishment.

**TABLE 10**

Smoking By-law  
Regulations  
Governing  
Service Counters  
and  
Service Lines

	SMOKING PROHIBITED AT SERVICE COUNTER IN						PROPRIETOR MUST	
	Smoking Prohibited in Any Service Line	All Facilities	Banks	Financial Institutions	Municipal/Government Offices	Public Utility Offices	No Smoking Signs Clearly Visible	Familiarize Staff with By-law Try to Prevent Violations
Aylmer (Que.)	•	•						
Barrie	•						•	•
Bedford	•	•						
Belleville	•						•	
Beloeil	•	•						
Boisbriand		•						
Brampton	•						•	
Brandon	•							
Brantford	•						•	
Brossard	•	•						
Burnaby	•						•	
Caledon	•						•	
Calgary	•	•	•	•	•	•		
Cambridge	•						•	
Cap-Rouge		•						
Cap-de-la-Madeleine	•							
Castlegar	•			•	•			
Chambly	•	•						
Chatham	•		•	•	•			
Collingwood	•						•	•
Coquitlam	•	•					•	
Cornwall	•						•	
Côte-Saint-Luc			•	•	•	•	•	
Dartmouth	•	•	•	•	•	•	•	
Dawson Creek				•	•			
Delta	•	•					•	
Dollard-des-Ormeaux	•	•					•	
Dorval	•							
Dundas	•						•	
East York	•		•	•	•		•	
Edmonton	•		•	•			•	
Etobicoke	•						•	
Exeter	•							
Flin Flon	•							
Fort McMurray	•	•	•	•	•	•	•	
Fort Saskatchewan	•	•					•	
Gananoque	•						•	
Gibsons	•							
Gloucester	•		•	•	•		•	
Granby		•						
Grande Prairie	•						•	
Guelph	•	•						
Halifax	•	•					•	
Hamilton	•						•	
Hearst	•		•	•	•		•	•
Hudson Bay	•							
Hull		•						
Jonquière		•						
Kamloops	•	•	•	•	•	•	•	



**TABLE 10 (continued)**

Smoking By-law  
Regulations  
Governing  
Service Counters  
and  
Service Lines

	SMOKING PROHIBITED AT SERVICE COUNTER IN						PROPRIETOR MUST	
	Smoking Prohibited in Any Service Line	All Facilities	Banks	Financial Institutions	Municipal/Government Offices	Public Utility Offices	"No Smoking" Signs Clearly Visible	Familiarize Staff with By-law Try to Prevent Violations
Kanata	•	•					•	
Kapuskasing	•		•	•	•		•	
Kelowna	•							
Kingston	•						•	
Kirkland	•							
Kitchener	•						•	
Kitimat	•							
Lac La Biche	•						•	
Lachenaie	•				•			
Lachine	•							
Lachute	•	•						
Langley (city)	•			•	•			
Langley (township)	•	•						
Lethbridge	•		•	•			•	
Lévis	•	•					•	
Lloydminster	•	•					•	
London	•		•	•	•		•	
Maple Ridge	•		•	•	•	•	•	
Marieville	•	•						
Markham	•							
Masson	•	•						
Matagami	•	•						
Matane	•	•						
Matsqui	•	•					•	
Mercier	•	•						
Milton	•	•					•	
Mission	•	•						
Mississauga	•						•	
Mont-Laurier	•	•			•			
Montmagny	•	•						
Montréal	•	•						
Moose Jaw	•	•	•	•	•	•	•	
Nanaimo	•							
Nelson	•	•						
Nepean	•						•	
New Westminster	•	•	•	•	•	•	•	
Newcastle	•		•	•	•		•	
Newmarket	•						•	
Niagara Falls	•	•					•	
North Bay	•						•	
North Vancouver (city)	•		•	•	•			
North Vancouver (dist.)	•		•	•	•		•	
North York	•						•	
Oakville	•		•	•	•		•	
Oshawa	•		•	•	•		•	
Ottawa	•						•	
Owen Sound	•						•	
Pembroke	•						•	
Penticton	•							

**TABLE 10 (continued)**

Smoking By-law  
Regulations  
Governing  
Service Counters  
and  
Service Lines

	SMOKING PROHIBITED AT SERVICE COUNTER IN						PROPRIETOR MUST	
	Smoking Prohibited in Any Service Line	All Facilities	Banks	Financial Institutions	Municipal/Government Offices	Public Utility Offices	"No Smoking" Signs Clearly Visible	Familiarize Staff with By-law Try to Prevent Violations
Peterborough	•						•	
Pierrefonds	•	•	•	•			•	
Pointe-Claire	•							
Port Alberni	•	•						
Port Coquitlam	•		•	•	•		•	
Port Moody	•	•					•	
Powell River	•		•	•	•			
Princeton	•		•		•			
Red Deer	•							
Regina	•		•	•	•		•	
Richmond (B.C.)	•		•		•			
Richmond Hill	•	•					•	•
Sarnia	•	•					•	
Saskatoon	•	•						
Sault Ste. Marie	•						•	
Scarborough	•		•	•	•		•	
Sorel	•	•						
Squamish	•	•	•	•	•		•	
Sainte-Anne-de-Bellevue	•							
Sainte-Foy	•	•						
Sainte-Marthe-sur-le-Lac	•	•						
Stoney Creek	•						•	
Strathcona	•		•	•	•		•	
Sudbury	•		•	•	•		•	
Surrey	•	•						
Swift Current	•						•	
Sydney	•	•					•	
Terrace	•						•	
Thurso	•	•						
Timmins	•		•	•	•		•	•
Toronto	•						•	
Vancouver	•		•	•	•			
Vanier	•	•					•	
Vaughan	•							
Vernon	•		•	•	•		•	
Warman	•	•						
Waterloo	•		•	•	•		•	•
West Vancouver	•			•	•			
Weyburn	•		•	•	•		•	
White Rock	•	•						
Windsor (Ont.)	•							
Winnipeg	•							
Woodstock	•						•	
York	•	•					•	
Yorkton	•		•	•	•		•	

**TABLE 11**

Smoking By-law  
Regulations  
Governing  
Transportation  
Related Areas

	SCHOOL BUS		PUBLIC BUS		BUS SHELTER		TAXI		
	Smoking Prohibited	*No Smoking* Signs Clearly Visible	Smoking Prohibited	*No Smoking* Signs Clearly Visible	Smoking Prohibited	*No Smoking* Signs Clearly Visible	DRIVER PROHIBITED	PASSENGER PROHIBITED	SIGNS
Aylmer (Que.)	•	•					•		
Bedford	•	•	•	•					
Belleville							•		
Brampton	•	•					•	•	•
Brandon	•		•		•		•	•	
Brantford	•	•					•	•	•
Burnaby	•		•		•		•	•	
Caledon	•	•							
Calgary			•	•				•	•
Cambridge	•	•						•	
Castlegar	•		•					•	
Chatham	•		•		•		•	•	
Coquitlam	•	•	•	•			•	•	•
Cornwall	•	•						•	
Cranbrook **	•	•	•	•				•	•
Dartmouth	•	•	•	•	•				
Dawson Creek	•		•						
Delta	•	•	•	•					
Dundas	•	•					•	•	•
East York	•	•						•	
Edmonton	•	•	•		•			•	
Etobicoke	•	•							
Flin Flon	•		•		•		•		
Fort McMurray	•	•	•	•	•	•	•	•	•
Fredericton			•	•					
Gananoque	•	•							
Gibbons							•	•	•
Gibsons	•		•				•	•	
Gloucester					•		•		
Grande Prairie			•				•**	•**	•
Guelph	•	•							
Halifax	•	•	•	•					
Hamilton	•	•					•	•	•
Hudson's Hope							•	•	
Kamloops	•	•	•	•			•	•	
Kelowna	•		•						
Kingston	•	•	•		•	•		•	
Kitchener	•	•							•
Kitimat	•		•				•	•	
Lac La Biche	•	•					•	•	
Langley (township)	•		•						
Langley (city)	•		•						
LaSalle	•								
Lethbridge	•	•							
Lloydminster	•	•	•	•	•	•	•+	•+	•
London	•	•	•	•	•	•	•	•	•
Maple Ridge	•	•	•	•					•
Markham	•		•				•	•	
Matsqui	•	•	•	•			•	•	•
Milton	•	•					•	•	•
Mission	•		•				•	•	
Mississauga	•	•	•	•	•				
Moose Jaw	•	•	•	•		•			•
Nanaimo	•								
Nelson	•		•				•^	•^	
Nepean							•	•	•

+ Includes limousines. ^ Prohibited if passenger is a minor.

\* Includes Handi Transit bus. \*\* Owner or operator may designate taxi as non-smoking area.

TABLE 11 (continued)

Smoking By-law  
Regulations  
Governing  
Transportation  
Related Areas

	SCHOOL BUS		PUBLIC BUS		BUS SHELTER		TAXI				
	Smoking Prohibited	No Smoking * Signs Clearly Visible	Smoking Prohibited	No Smoking * Signs Clearly Visible	Smoking Prohibited	No Smoking * Signs Clearly Visible	DRIVER PROHIBITED	PASSENGER PROHIBITED	SIGNS		
							Upon REQUEST of Passenger	Upon CONSENT of Driver/Passenger	Upon REQUEST of Driver	No Smoking * Signs Clearly Visible	Drivers Must Enforce By-law
New Westminster	•	•	•	•	•	•	•	•	•	•	
Newcastle	•	•									
Niagara Falls	•		•				•	•		•	
North Bay	•	•					•	•		•	
North Vancouver (city)	•	•	•	•			•	•		•	
North Vancouver (dist.)	•		•				•	•			
North York	•	•			•	•	•		•		
Oakville	•	•									
Orillia	•	•	•	•							
Oshawa	•	•	•	•	•	•	•	•		•	
Ottawa						•		•			
Owen Sound	•	•	•	•			•	•			
Pembroke		•	•	•				•		•	
Penticton	•		•	•							
Peterborough	•		•	•	•						
Pincher Creek								•		•	
Port Alberni	•		•								
Port Coquitlam	•		•				•	•		•	
Port Moody	•	•	•	•			•	•		•	
Powell River	•	•	•	•	•	•	•	•		•	
Prince George							•	•			
Prince Rupert	•	•	•	•			•	•			
Princeton	•		•								
Red Deer	•		•				•	•		•	
Regina	•	•	•	•	•	•	•	•		•	
Richmond (B.C.)	•		•				•	•		•	
Richmond Hill			•	•	•						
Sarnia	•		•								
Saskatoon	•		•				•••	•••			
Sault Ste. Marie							•	•		•	
Scarborough	•	•			•	•					
Squamish	•	•	•	•			•	•			
Stoney Creek	•	•									
Strathcona	•		•		•		•	•			
Sudbury	•	•			•	•	•		•		
Surrey	•		•				•	•			
Swift Current	•		•	•						•	
Sydney (N.S.)	•	•	•	•	•	•					
Sydney (B.C.)							•	•			
Terrace	•	•	•	•			•	•		•	
Toronto	•	•			•	•	•	•			
Vancouver	•	•	•	•			•	•			
Vernon	•	•	•	•							
Victoria							•	•			
View Royal							•	•			
Wallaceburg							•	•			
Warman	•										
West Vancouver	•		•				•	•			
Weyburn						•	•				
White Rock	•		•				•	•			
Williams Lake	•		•				•	•			
Windsor (Ont.)	•	•			•	•				•	
Winnipeg	•		•		•	•	•	•			
Woodstock	•	•	•				•	•		•	
York	•	•	•	•	•	•	•	•		•	
Yorkton	•		•			•	•	•		•	

+ Includes limousines. ^ Prohibited if passenger is a minor.

\* Includes Handi Transit bus. \*\* Owner or operator may designate taxi as non-smoking area.

**TABLE 12**

Smoking By-law  
Regulations  
Governing the  
Workplace

	POLICY CHOICES				EXCEPTIONS				EMPLOYER MUST				
	Not Specified	No Smoking	Designated Areas	Smoking Only	Private Homes	Reception Room	Smokers Only Workplace	Private Social Function Independent Contractory/ Partners in Partnership	Provide Signage	Give Prior Notification to Employees	Ensure Compliance	If Mutually Acceptable Compromise Cannot Be Negotiated, Ban Smoking **	No Requirement for Expenditures or Structural Changes
Burnaby	•				•	•	•	•		•	•	•	•
Castlegar			•							•			
Coquitlam			•		•		•	•		•	•		
East Gwillimbury										•	•	•	•
Edmonton		•	•							•	•		•
Etobicoke										•	•	•	•
Grande Prairie			•							•			
Hamilton			•							•	•	•	
Hudson's Hope		•	•	•						•			
Kamloops		•	•	•							•	•	•
Kitimat			•								•		
Langley (township)			•									•	•
Langley (city)			•							•		•	•
Markham		•	•							•	•	•	•
Mission			•								•	•	•
Nanaimo		•	•							•		•	
Nelson		•	•							•		•	•
New Westminster					•	•	•	•		•	•		•
North Vancouver (city)			•	•	•			•	•			•	
North Vancouver (dist.)		•	•	•	•			•	•	•	•	•	
Port Moody			•		•			•	•		•	•	
Prince George	•												
Prince Rupert		•	•	•						•			
Red Deer		•	•	•	•	•		•	•		•	•	
Richmond (B.C.)	•				•					•			
Richmond Hill			•							•			
Squamish		•	•		•			•	•				
Strathcona		•	•	•	•			•	•				
Surrey			•		•			•			•	•	•
Terrace	•				•			•	•	•	•		
Toronto		•	•					•	•	•	•	•	•
Vancouver		•	•	•	•			•	•			•	
Victoria			•				•					•	
White Rock			•		•		•		•	•			
Williams Lake		•	•	•				•					
West Vancouver			•										

\*\* Provide designated areas which minimize smoke by means of size, ventilation, or physical barriers.

**TABLE 13**

## Other Restricted Areas

<b>RESTRICTED AREAS</b>	<b>EXAMPLES OF MUNICIPALITIES WITH THESE BY-LAWS</b>
Barber Shop	Côte-Saint-Luc, Kamloops, Kelowna
Billiard/Pool Halls	Bedford, Williams Lake, London
Bingo Hall	Prince George, Brantford
Bowling Alleys	Bedford, York, Etobicoke, Dartmouth, Halifax
Business Offices	Hudson Bay, Langley
Chiropractor Office	New Westminster, Red Deer
Consulting Offices	London
Convalescent Homes	Côte-Saint-Luc, Westmount
Dance Hall	London
Daycare	Orillia, Owen Sound
Dentist Office	Brandon, Kamloops
Fast Food Centre	North York
Fitness Centre	Williams Lake
Hairdressing/Beauty Parlour	Richmond Hill, North York
Health Spa	New Westminster, Richmond (B.C.)
Laundromats	Nelson, Peterborough
Libraries	Kanata, North Vancouver
Massage Parlour	Kamloops, Kelowna
Medical Office	Kamloops, North Vancouver (city)
Nurseries	Côte-Saint-Luc, Westmount
Nursing Homes	Côte-Saint-Luc, Lethbridge, Langley
Optometrists Office	Brandon, Red Deer
Personnel Services Establishment	Nanaimo, Surrey, Richmond (B.C.), Gibsons, White Rock, Castlegar
Physiotherapist Office	Brandon
Post Offices	Côte-Saint-Luc
Professional Office	Côte-Saint-Luc, Westmount
Public Health Unit	North Vancouver (city)
Public Washrooms	Cranbrook, Calgary, Pincher Creek, Lloydminster, Fort Saskatchewan
Sauna	Richmond (B.C.), Kamloops
Senior Citizens' Residence	Gloucester, Westmount
Shopping Mall	Nanaimo, Surrey, Nelson, Mission
Steam Bath	Kelowna, New Westminster
Tanning Parlour	New Westminster, Williams Lake
Tattoo Shop	Kamloops, Kelowna, New Westminster, Richmond (B.C.)

**TABLE 14**

Smoking By-law Enforcement Officers, Penalties and Offences

	ENFORCEMENT OFFICERS						PENALTIES	OFFENCES		
	Police	City Legal Department	By-law Enforcement Officer	Building/Planning/ License Inspectors	Public Health Officials	Fire Prevention Officer	Maximum Fine	Additional fine with Each Offence	Prosecutions	Convictions
Ajax							2,000			
Ancaster			•				2,000			
Ashcroft							500	•		
Assiniboia							100			
Aylmer (Ont.)							100			
Aylmer (Qué.)	•			•		•	1,000			
Bale-Comeau							300	•		
Barrie	•						50			
Battleford							500			
Beaconsfield	•		•				1,000			
Beauharnois	•		•				1,000			
Beauport		•					300	•		
Bedford										
Belleville	•			•			1,000			
Bellevue	•		•							
Beloil							300			
Blind River			•				2,000		1	1
Boisbriand	•		•				1,000			
Boucherville							300			
Bradford	•		•				2,000			
Brampton	•		•		•		2,000			
Brandon	•						100			
Brantford							2,000			
Brossard							1,000		1	1
Burlington			•				2,000		1	
Burnaby (dist.)					•		2,000			
Caledon	•		•		•		2,000			
Calgary				•	•		500		3	3
Cambridge			•				1,000		2	1
Camrose			•				500			
Canmore							500			
Cap-Rouge			•				1,000			
Cap-de-la-Madeleine							1,000			
Carleton Place							500			
Castlegar							500			
Chambly							1,000			
Charlottetown	•						500			
Chatham							100			
Chicoutimi							300			
Chilliwack							**200	•		
Clearbrook										
Cobourg							2,000			
Cochrane (Alta.)										
Collingwood			•				50			
Coquitlam			•		•		2,000			
Cornwall							1,000			
Côte-Saint-Luc			•	•			500			
Cranbrook							*50/2,000			
Dartmouth							*200/500			
Dawson Creek	•		•	•			500			
Deep River	•						25			
Delta							500			
Deux-Montagnes	•						1,000			
Dollard-des-Ormeaux	•		•				1,000			
Dorval	•		•				1,000			

\* Amounts differ. Individual listed first; corporation second. \*\* Only minimum fine specified.

\*\*\* If person found to be in contravention, person shall be ejected from the Council Chambers.

**TABLE 14 (continued)**

Smoking By-law Enforcement Officers, Penalties and Offences

	ENFORCEMENT OFFICERS						PENALTIES		OFFENCES
	Police	City Legal Department	By-law Enforcement Officer	Building/Planning/ License Inspectors	Public Health Officials	Fire Prevention Officer	Maximum Fine	Additional Fine with Each Offence	Prosecutions Convictions
Dryden							2,000		
Dundas			•				2,000		
Dunnville							1,000		
East Gwillimbury	•		•				1,000		
East York			•				1,000		
Edmonton			•				*500/1,000	**	4
Edson			•				500	•	
Elliot Lake							2,000		
Essex ***									
Esterhazy							*25/1,000		
Etobicoke				•			2,000	8	8
Exeter							1,000		
Flamborough			•				2,000		
Flin Flon							500		
Forest			•				2,000		
Fort Erie							1,000		
Fort Frances							300		
Fort McMurray							500		
Fort St. John's									
Fort Saskatchewan	•		•				2,500		
Fredericton		•					100		
Gananoque							2,000		
Gibbons									
Gibsons							500	•	
Gloucester	•						2,000	•	
Goderich							1,000		
Granby	•		•				1,000		
Grande Prairie	•		•		•		2,500		
Gravenhurst	•						2,000		
Greenfield-Park	•						300		
Greenwood									
Grimsby									
Guelph	•						2,000		
Haldimand							2,000		
Halifax	•						*200/500	3	3
Halton Hills							2,000		
Hamilton				•			2,000	7	7
Hawkesbury			•	•			2,000	•	
Hearst							50		
Hudson Bay							100		
Hudson's Hope							500		
Hull	•		•				300	•	
Humboldt							2,000		
Huntsville							500		
Iqaluit							100		
Iroquois Falls							50		
Jonquière							1,000		
Kamloops				•			500		
Kanata			•				2,000		
Kapuskasing	•						50		
Kewatin			•				500		
Kelowna				•	•		500	•	
Kindersley			•				100		
Kingston		•					5,000		
Kirkland	•		•				1,000		

\* Amounts differ. Individual listed first; corporation second. \*\* Only minimum fine specified.

\*\*\* If person found to be in contravention, person shall be ejected from the Council Chambers.



**TABLE 14 (continued)**

Smoking By-law  
Enforcement  
Officers,  
Penalties  
and Offences

	ENFORCEMENT OFFICERS						PENALTIES	OFFENCES		
	Police	City Legal Department	By-law Enforcement Officer	Building/Planning/ License Inspectors	Public Health Officials	Fire Prevention Officer		Maximum Fine	Additional Fine with Each Offence	Prosecutions
Kirkland Lake							1,000			
Kitchener		•		•			2,000			
Kitimat (dist.)			•				500	•		
Lac La Biche	•						500	•		
Lachenaie	•						1,000			
Lachine	•						1,000			
Lachute							*50/100			
Langham										
Langley (city)	•						500			
Langley (township)				•	•		500			
LaSalle	•		•			•	1,000			
Le Gardeur							300			
Lennoxville	•						300			
Lethbridge			•				100		1	
Lincoln	•		•				2,000			
Lindsay							1,000			
Lloydminster							500	•		
London							2,000			
Longlac										
Lévis	•						1,000			
Magog							200			
Maple Ridge			•				500			
Marathon							2,000			
Marieville							1,000			
Markham							2,000			
Masson							1,000			
Matagami							1,000			
Matane	•		•				1,000		2	2
Matsqui							*50/500			
Mattawa										
Medicine Hat	•						100			
Mercier							1,000			
Merritt										
Midland	•		•				1,000			
Milton							2,000			
Mission (district)			•	•			1,000			
Mississauga			•		•		2,000		1	1
Mont-Laurier	•		•				20			
Mont-Royal	•			•			50			
Montmagny							1,000			
Montréal						•	1,000	•		
Moose Jaw	•						500			
Morden							500			
Morinville						•	50	•		
Nanaimo			•				2,000		1	1
Nelson	•		•	•			2,000	•		
Nepean							1,000			
New Liskeard	•		•				500			
New Westminster						•	2,000	•		
Newcastle			•				1,000			
Newmarket	•		•				1,000			
Niagara Falls			•				1,000			
Nickel Centre							2,000			
North Battleford							500			
North Bay	•				•		500			

\* Amounts differ. Individual listed first; corporation second. \*\* Only minimum fine specified.  
\*\*\* If person found to be in contravention, person shall be ejected from the Council Chambers.

**TABLE 14 (continued)**

Smoking By-law  
Enforcement  
Officers,  
Penalties  
and Offences

	ENFORCEMENT OFFICERS					PENALTIES		OFFENCES		
	Police	City Legal Department	By-law Enforcement Officer	Building/Planning/ License Inspectors	Public Health Officials	Fire Prevention Officer	Maximum Fine	Additional Fine with Each Offence	Prosecutions	Convictions
North Vancouver			•				2,000			
North York							1,000			
Oakville			•					2	2	
Onaping Falls							2,000			
Orillia							500			
Oshawa							2,000			
Ottawa	•			•			2,000	•	**	**
Outremont	•		•			•	300			
Owen Sound			•				1,000			
Palpoonge							2,000			
Peachland							150	•		
Pelham	•		•				1,000			
Pembroke	•						25			
Penetanguishene							100			
Penticton				•	•		500	•		
Perth										
Peterborough							2,000		2	2
Petrolia	•						2,000			
Pickering							50			
Pierrefonds			•				1,000			
Pincher Creek	•						2,500			
Pittsburg			•				2,000			
Pohénégamook							25			
Pointe-Claire	•		•				1,000			
Port Alberni							2,000			
Port Colborne							1,000			
Port Coquitlam			•				2,000	•		
Port Hope										
Port Moody			•		•		2,000	•		
Portage la Prairie							1,000	•		
Powell River			•	•			2,000			
Prescott			•		•		500			
Prince Albert	•						2,000			
Prince George			•				500			
Prince Rupert			•				500			
Princeton				•	•		*25/500	•		
Quesnel	•						500			
Québec							500	•	2	2
Rayside-Balfour							2,000			
Red Deer			•				**20/90			
Regina	•						500	•	2	1
Renfrew	•						300			
Richmond (B.C.)							500	•		
Richmond Hill							2,000			
Rosland			•							
Rouyn-Noranda	•						200			
Sarnia	•				•		1,000			
Saskatoon							500			
Sault Ste. Marie							2,000			
Scarborough				•			2,000		1	
Shawinigan	•						25			
Smooth Rock Falls							50			
Snow Lake							1,000			
Sorel	•		•				1,000			
Spruce Grove	•		•				*100/2,500			

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**TABLE 14 (continued)**

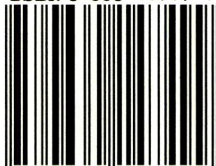
Smoking By-law  
Enforcement  
Officers,  
Penalties  
and Offences

	ENFORCEMENT OFFICERS						PENALTIES	OFFENCES		
	Police	City Legal Department	By-law Enforcement Officer	Building/Planning/ License Inspectors	Public Health Officials	Fire Prevention Officer	Maximum Fine	Additional Fine with Each Offence	Prosecutions	Convictions
Squamish										
St. Catharines							2,000			
St. Albert	●						**100/200			
Saint-Lambert	●			●			*50/300			
Sainte-Anne-de-Bellevue	●		●				1,000			
Sainte-Foy							1,000			
Sainte-Geneviève										
Sainte-Marthe-sur-le-Lac							1,000			
Stoney Creek			●				2,000			
Stratford			●				1,000			
Strathcona	●		●				**100/250*			
Sturgeon Falls							*50/2,000			
Sudbury							2,000			
Surrey (district)	●						2,000			
Swift Current			●				500	●		
Sydney (B.C.)							2,000	●		
Sydney (N.S.)							*200/500			
Terrace							500	●		
Terrebonne							*25/100			
Thetford-Mines	●						1,000			
Thompson				●			1,000	●		
Thurso							1,000			
Tilbury										
Timmins							50			
Toronto					●		2,000		**	**
Trenton	●						1,000			
Valley East							2,000			
Vancouver					●		2,000			
Vanier			●				2,000			
Vaughan							2,000			
Vernon				●	●		500	●		
Victoria							2,000	●		
View Royal							2,000	●		
Wallaceburg							2,000			
Warman							*25/500			
Waterloo	●						25			
Welland							1,000			
Westmount	●						300	●	1	1
West Vancouver					●		2,000			
Weyburn	●						500	●		
Whistler			●				2,000			
Whitchurch-Stouffville							5,000			
White Rock			●		●		2,000	●		
Williams Lake	●						5,000			
Windsor (N.S.)	●		●							
Windsor (Ont.)							5,000		1	1
Wingham							1,000			
Winkler							*10/500			
Winnipeg							*100/500		2	2
Woodstock							2,000			
York		●	●		●		2,000			
Yorkton							*25/500			

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