

BY-LAW NO.

A by-law of the City of Ottawa to amend By-law No. 2007-268 to address cannabis and vaping on transit property.

The Council of the City of Ottawa enacts as follows:

1. Section 1 of By-law No. 2007-268 entitled “A by-law of the City of Ottawa respecting public transit”, as amended, is amended by inserting the following new definitions:

“cannabis” has the same meaning as in subsection 2 (1) of the *Cannabis Act*, S.C. 2018, c.16, as amended;

“electronic cigarette” means a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, that contains a power source and heating element designed to heat tobacco, nicotine, cannabis or any other substance, and produces a vapour intended to be inhaled by the user of the device;

“smoke” means to hold, or otherwise have control over any lighted tobacco, lighted cannabis, or any other lighted substance that produces vapour, smoke, or gases that may be inhaled or exhaled, and includes use of a cigarette, pipe, water pipe, or any other smoking equipment;

“smoking product” means any substance whose primary purpose is to be burned or heated to produce vapours, gases, or smoke, which may be inhaled, and shall include but is not limited to tobacco, non-tobacco herbal shisha, cannabis or any other substance;

“vape” means any of the following:

- (a) inhaling vapour from an electronic cigarette;
- (b) exhaling vapour from an electronic cigarette; or
- (c) holding or otherwise having control of an activated electronic cigarette;

“water pipe” means a device, whether called a water pipe, hookah or any other name, that burns or heats a smoking product with which the vapour, smoke or gases may pass through liquid prior to being inhaled, and excludes an electronic cigarette as defined under the *Smoke-Free Ontario Act, 2017*, S.O. 2017, c. 26, Sch. 3, as amended, and any regulation passed under it, or any successor legislation thereto.

2. Clause (n) of Subsection 19 (2) of said By-law No. 2007-268 is repealed and the following clause is substituted in its place:

(n) smoke or vape, or ignite a cigarette lighter or match;

EFFECTIVE DATE

3. This by-law shall come into effect November 1, 2019.