

## Document 4

### Amendments to By-law No. 2008-448, as amended to prohibit the use of water pipes in market stands in the Parkdale Market

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

1. Section 1 of By-law No. 2008-448 entitled “A by-law of the City of Ottawa respecting licensing, regulating and governing of vending in the Parkdale Market” is amended by adding the following definitions thereto:

“charcoal” means a combustible substance whose primary purpose is to burn or heat a smoking product;

“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 non-tobacco herbal shisha, and other plant material or oils intended for inhalation;

“use”, with respect to a water pipe, includes the carrying of any lighted or heated water pipe as well as inhaling or exhaling vapour, smoke, or gas associated with or resulting from water pipe use;

“water pipe” means a device, whether called a water pipe, hookah or any other name, that burns or heats a tobacco or non-tobacco substance or a combination thereof, with which the vapor, smoke or gases may pass through liquid prior to being inhaled.

2. Section 62 of the said By-law No. 2008-448 is amended by:
  - (a) striking out the word “and” where it occurs at the end of paragraph (i);
  - (b) striking out the punctuation “.” where it occurs at the end of paragraph (j) and substituting the punctuation “;”  
therefore; and
  - (c) adding the following paragraphs immediately after paragraph (j):
    - (k) Ensure that use of a water pipe is not permitted in the stand;and

- (l) Ensure that there is no display of a water pipe or component of a water pipe in the stand that contains or has on it a smoking product, residue of a smoking product, charcoal, or liquid that smoke or gases may pass through prior to being inhaled.

**Amendments to By-law No. 2008-449, as amended to prohibit the use of water pipes in market stands in the ByWard Market**

THEREFORE the Council of the City of Ottawa enacts as follows

1. Section 1 of By-law No. 2008-449 entitled “A by-law of the City of Ottawa respecting licensing, regulating and governing of vending and performance activities, and the provision of tourist services, in the ByWard Market and the establishment of a designated space program for the ByWard Market” is amended by adding the following definitions thereto:

“charcoal” means a combustible substance whose primary purpose is to burn or heat a smoking product;

“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 non-tobacco herbal shisha, and other plant material or oils intended for inhalation;

“use”, with respect to a water pipe, includes the carrying of any lighted or heated water pipe as well as inhaling or exhaling vapour, smoke, or gas associated with or resulting from water pipe use;

“water pipe” means a device, whether called a water pipe, hookah or any other name, that burns or heats a tobacco or non-tobacco substance or a combination thereof, with which the vapor, smoke or gases may pass through liquid prior to being inhaled.

2. Section 60 of the said By-law No. 2008-449 is amended by:
  - (a) striking out the word “and” where it occurs at the end of paragraph (i);
  - (b) striking out the punctuation “.” where it occurs at the end of paragraph (j) and substituting the punctuation “;” therefore; and
  - (c) adding the following paragraphs immediately after paragraph (j):

(k) Ensure that use of a water pipe is not permitted in the stand;  
and

(l) Ensure that there is no display of a water pipe or component of a water pipe in the stand that contains or has on it a smoking product, residue of a smoking product, charcoal, or liquid that smoke or gases may pass through prior to being inhaled.