

BY-LAW NO. 2020 – XX

A by-law of the City of Ottawa to amend By-law No. 2019-241 respecting property owners of public places and workplaces.

The Council of the City of Ottawa enacts as follows:

1. Section 1 of By-law No. 2019-241, entitled “A by-law of the City of Ottawa prohibiting the smoking and vaping of tobacco, cannabis, and any other substance in public places and workplaces”, is amended by inserting the following definition:

“property owner” includes,

- (a) the registered owner on title of the property;
- (b) the person, for the time being, managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person’s own account or as agent or trustee of any other person, or who would receive the rent if the land and premises were let; and,
- (c) the lessee or occupant of the property;

2. The said By-law No. 2019-241 is further amended by repealing Section 4, and substituting the following Section therefor:

4. No employer, proprietor, property owner, or other person in charge of an enclosed public place, enclosed workplace, outdoor restaurant or bar patio, a ByWard Market stand, or a Parkdale Market stand, shall permit smoking or vaping in the enclosed public place, enclosed workplace, outdoor restaurant or bar patio, or stand.

3. The said By-law No. 2019-241 is further amended by repealing Section 5, and substituting the following Section therefor:

5. No employer, proprietor, property owner, or other person in charge of an enclosed public place, enclosed workplace, outdoor restaurant or bar patio, a ByWard Market stand, or a Parkdale Market stand shall display or permit the display of a water pipe or component of a water pipe that contains or has on it any of the following:

- (a) a smoking product;
- (b) residue of a smoking product;
- (c) charcoal; or
- (d) liquid that smoke or gases may pass through prior to being inhaled.

4. The said By-law No. 2019-241 is further amended by repealing Section 6, and substituting the following Section therefor:

6. No employer, proprietor, property owner, or other person in charge of an enclosed public place, enclosed workplace, outdoor restaurant or bar patio, a ByWard Market stand, or a Parkdale Market stand shall place an ashtray, or allow an ashtray to remain, in any place where smoking and vaping are prohibited pursuant to this by-law.
5. The said By-law No. 2019-241 is further amended by repealing Section 7(1), and substituting the following Section therefor:
 7. (1) Every employer, proprietor, property owner, or other person in charge of an enclosed public place, enclosed workplace, or outdoor restaurant or bar patio shall post signs as required by the Smoke-Free Ontario Act, 2017, indicating that smoking and vaping are not permitted.

ENACTED AND PASSED this XX day of XX, 2020.

CITY CLERK

MAYOR

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Enacted by City Council at its meeting of XX, 2020.

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By-law and Regulatory Services:
KW/CIH

COUNCIL AUTHORITY:
City Council XX 2020
Agenda Item X (CPSC Report X)