

Town of Yarmouth
SMOKING BYLAW

Effective: March 27th, 2007 – Amended: November 10, 2011
TOY 66



BE IT ENACTED by the Council of the Town of Yarmouth as follows:

- 1.0** This Bylaw shall be known as Bylaw #66 and may be cited as the “Smoking Bylaw.”
- 2.0** In this bylaw,
 - a. “smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;
 - b. “no-smoking area” means any portion of any sidewalk or any portion of land within the street right of way, on the following streets of the Town of Yarmouth:
 - i. both sides of Parade Street between the West side of Brunswick Street and the West side of Pleasant Street;
 - ii. both sides of Brunswick Street between the North side of Parade Street and the South side of Grand Street;
 - iii. both sides of Grand Street between the East side of Brunswick Street and the Eastern end of Grand Street;
 - iv. both sides of Seminary Street between the South side of Parade Street and the North side of Collins Street;
 - v. both sides of Collins Street between the West side of Seminary Street and the West side of School Street;
 - vi. both sides of School Street between the South side of Parade Street and the North side of Collins Street;
 - vii. including any portion of Forest Street from Haley Road to Clements Avenue.
- 3.0** Subject to Section 4 of this Bylaw, no person shall smoke in a No-Smoking Area.
- 4.0** The prohibition against smoking in Section 3 of this Bylaw shall apply between the hours of 8 o’clock in the forenoon and 4 o’clock on the same afternoon, Local Time, on days that Yarmouth Consolidated Memorial High School, Yarmouth Junior High School, or Central Elementary School are in regular session.
- 5.0** Any person who violates this By-law is guilty of an offence punishable on summary conviction.
- 6.0** Nothing in this Bylaw shall be construed as:
 - a. authorizing smoking in places where smoking is otherwise lawfully prohibited by a proprietor or by any law, regulation, by-law, lawful order or directive pursuant to any statute, regulation or statutory or regulatory authority; or

- b. authorizing non-compliance with any laws, regulations, lawful orders or directives pursuant to any statute, regulation or statutory or regulatory authority that may require additional signage to be posted or other steps to be taken by proprietors of premises in connection with smoking.

Clerk's Annotation for Official Bylaw Book	
Date of Approval: March 8, 2007	
Date of Amended Bylaw: November 10, 2011 (Section 2b)	
I certify that this 'Smoking Bylaw' was adopted by Council as indicated above.	
Town Clerk:	Date:

Amended

Date of First Reading	February 8, 2007
Notice of Intent to Consider	March 6, 2007
Date of Second Reading	March 8, 2007
Date of Publication	March 27, 2007

Amended

Date of First Reading	October 13 th , 2011
Notice of Intent to Consider	October 25 th & November 1 st , 2011
Date of Second Reading	November 10 th , 2011
Date of Publication	November 22 nd , 2011