

# PROPOSED

CD2022-0399  
ATTACHMENT 2

## BYLAW NUMBER 24M2022

### BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 23M2018, THE SMOKING AND VAPING BYLAW

\*\*\*\*\*

**WHEREAS** Council has considered CD2022-0399 and deems it necessary to amend Bylaw 23M2018, the Smoking and Vaping Bylaw;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

1. Bylaw 23M2018, the Smoking and Vaping Bylaw, as amended, is hereby further amended.
2. In section 2:
  - (a) the following is added after subsection 2(1)(c) as subsection 2(1)(c.1) and (c.2):
    - “(c.1) *“City Manager”* means the Chief Administrative Officer of The City of Calgary or the employee of The City of Calgary who has been delegated the authority to exercise the powers, duties, and functions of the Chief Administrative Officer under this Bylaw;
    - (c.2) *“Director, Parks and Open Spaces”* or *“Director”* means the *City Manager*;”;

and

- (b) the following is added after subsection 2(1)(j) as subsections 2(1)(j.1) and (j.2):
  - “(j.1) *“park”* means a public space controlled by the *City* and set aside as a park to be used for rest, recreation, exercise, pleasure, amusement, cultural heritage, education, appreciation of nature, and enjoyment and includes:
    - (i) playgrounds;
    - (ii) cemeteries;
    - (iii) natural areas;
    - (v) *sports fields*;
    - (vi) *pathways*;
    - (vii) trails; and

# PROPOSED

BYLAW NUMBER 24M2022

(viii) park roadways;

but does not include golf courses;

(j.2) "*pathway*" means a multi-purpose thoroughfare controlled by the *City* that is set aside for use by pedestrians, cyclists and persons using wheeled conveyances, which is improved by asphalt, concrete, brick or any other surface, whether or not it is located in a *park*, and includes any bridge or structure with which it is contiguous, but does not include a sidewalk adjacent to a street;"

3. The following is added after subsection 3(b) as subsection 3(b.1):

"(b.1) in a *park* or on a *pathway*;"

4. The following is added after section 5 as sections 5.1 and 5.2:

## **EVENTS**

- 5.1 (1) Despite subsection 3(b.1), a person may *smoke* or *vape* a substance, other than *cannabis*, in a *park* at an event for which a permit has been granted by the *Director, Parks and Open Spaces*.
- (2) The *Director* may impose conditions on a permit granted pursuant to subsection (1).
- (3) The *Director* may suspend or revoke a permit issued pursuant to subsection (1) if the *Director* determines that a permit holder or any person at an event for which a permit has been issued has contravened any federal or provincial legislation or a City bylaw.
- (4) The holder of a permit issued pursuant to subsection (1) must ensure that:
- (a) the *smoking* or *vaping* is only permitted in a designated area, separate and fenced off from the remainder of the event;
- (b) alcohol is not consumed in the area designated for the *smoking* or *vaping*.

## **DESIGNATED SMOKING AND VAPING AREA**

- 5.2 (1) The *Director, Parks and Open Spaces* may designate areas in *parks* where the *smoking* or *vaping* of substances, other than *cannabis*, is permitted.
- (2) Despite section 3(b.1), a person may *smoke* or *vape* in a *park* in an area designated by the *Director* pursuant to subsection (1)."

# PROPOSED

BYLAW NUMBER 24M2022

5. This bylaw comes into force on August 1, 2022.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_