

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 32

BY-LAW NO. A-0285(a)-2002-034

A By-law to Amend By-law No. A-0285-2000-105  
Regulating the Smoking of Tobacco in Public Places and  
Workplaces within The Regional Municipality of York

WHEREAS subsection 213(14) of the *Municipal Act*, R.S.O. 1990, c. M.45, as amended, authorizes the council of a regional municipality to pass a by-law regulating the smoking of tobacco in public places and workplaces within the municipality and designating public places or workplaces or classes or parts of such places as places in which smoking tobacco or holding lighted tobacco is prohibited provided that the majority of the councils of the area municipalities within the regional municipality approve the exercise of such powers;

AND WHEREAS a majority of the councils of the area municipalities in The Regional Municipality of York requested by resolution that Regional Council exercise its powers under subsection 213(14) of the *Municipal Act* and Regional Council responded by enacting By-law No. A-0285-2000-105 (the "By-law") on October 26, 2000;

AND WHEREAS Regional Council wishes to amend the By-law in order to increase the size of the Designated Smoking Room permitted in a bingo hall.

NOW, THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF YORK HEREBY ENACTS as follows:

1. The definition of "Designated Smoking Room" or "DSR" as it appears in Section 1 of the By-law is hereby repealed and replaced as follows:

“Designated Smoking Room” or “DSR” means a room within a building or structure or part thereof in which Smoking is permitted and that,

- (a) is completely enclosed on all sides and not required by any person for a thoroughfare;
- (b) is equipped with a separate ventilation system that maintains a minimum ventilation rate of thirty (30) litres per second per person, based on maximum occupancy load, that is ventilated directly to the outside air and exhausted at a rate of at least one hundred and ten percent (110%) of supply. Such exhaust must be no less than three (3) metres from any air intake or building opening; and
- (c) does not occupy more than twenty-five percent (25%) of the occupiable public space within the building or structure or part thereof or, in the sole instance of a Public Place where the principal business is the operation of a bingo hall, does not occupy more than fifty percent (50%) of the occupiable public space within the building or structure or part thereof.

2. This By-law comes into force upon its adoption by Regional Council.

ENACTED AND PASSED this 16<sup>th</sup> day of May, 2002.

Denis Kelly  
Regional Clerk

Bill Fisch  
Regional Chair