



CITY OF PRINCE GEORGE

City of Prince George Smoke and Vape Free Places

Bylaw No. 8591, 2016

CONSOLIDATED VERSION

Revised: July 20, 2026

City of Prince George Smoke and Vape Free Places Bylaw No. 8591, 2016 List of Amendments		
AMENDING BYLAW NO.	EFFECTIVE DATE	SECTION(S)
9624, 2026	July 20, 2026	Sections 1.3, 2.2, 4.1.5 and 4.1.6

CITY OF PRINCE GEORGE
BYLAW NO. 8591

**Amending
Bylaw**

WHEREAS it is desirable for the protection, promotion, and preservation of the health of inhabitants of the City of Prince George to regulate and prohibit smoking in the City;

AND WHEREAS pursuant to the provisions of Section 8(3)(i) of the *Community Charter* the Council of the City of Prince George has the authority to regulate, prohibit and impose requirements in relation to public health;

AND WHEREAS pursuant to the provisions of the Public Health Bylaws Regulation 42/2004, the City of Prince George has consulted with the Medical Health Officer regarding this bylaw and deposited a copy of this Bylaw with the Minister of Health;

NOW THEREFORE, Council of the City of Prince George, in an open meeting assembled, ENACTS AS FOLLOWS:

Section 1 – INTRODUCTION

1.1 Title

This bylaw may be cited as the "City of Prince George Smoke and Vape Free Places Bylaw No. 8591, 2016".

1.3 General Provisions

Unless otherwise defined herein, all words and phrases in this Bylaw shall have the meaning given to them in the *Local Government Act* and the *Community Charter*.

1.3 Definitions

In this bylaw;

"building" has the same meaning as in the "City of Prince George Zoning Bylaw No. 7850, 2007", as amended or replaced from time to time;

"business" means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal, or other service for the purpose of gain or profit, whether in or from premises within the City;

"City" means the City of Prince George;

"customer service area" means a partially enclosed or unenclosed area, including a balcony, patio, yard, or sidewalk, that is part of, connected to or associated with a licensed establishment or other business that serves food, beverages, or both food and beverages, to customers for consumption on or off-site;

"dwelling" has the same meaning as in the "City of Prince George Zoning Bylaw No. 7850, 2007", as amended or replaced from time to time;

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"letter height" means the actual height of the letter, regardless of whether it is a capital or lower case letter;

"operator" means any person who, as a proprietor, lessee, manager, employee, or otherwise, carries on the operating of a facility or business, and includes any person managing or supervising such facility or business;

"outdoor sport facility" means City owned outdoor facilities used for sports including but not limited to natural or synthetic turf sports fields, soccer fields, ball diamonds, stadiums, track and field facilities, lawn bowling greens, golf courses, horseshoe pitching pits, lacrosse boxes, tennis courts, water parks, skate parks, and includes all associated public viewing areas and bleachers;

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"open space area" has the same meaning as in section 1.1 of the "Parks and Open Space Bylaw No. 7370, 2002", as amended or replaced from time to time;

"place of public assembly" means a building or portion of such building used for gathering together of persons for the purpose of education, worship, entertainment, recreation, business or amusement, including a shopping mall and a bingo hall, but does not include a private residential dwelling;

"playground" means City owned playground equipment, including the surrounding playground safety surfacing;

"premises" means a portion of a building in respect of which a person or business has exclusive possession;

"prominent location" means a place where the text of a sign or a graphic symbol is clearly visible to a person in a vehicle for hire, customer service area, place of public assembly, or hospital or health clinic;

"responsible person" means a person who owns, controls, manages, or supervises a business, building, premises, common area, customer service area, place of public assembly, or a vehicle for hire, and without limitation, includes an operator, and also includes the driver of a vehicle for hire;

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"smoke" or "smoking" means to inhale, exhale, or release vapour into the air, from a vapour product or electronic device that vapourizes and delivers nicotine or other substances to the user, but does not include the ceremonial use of vaping in relation to a traditional Indigenous cultural activity;

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"vapourize" or "vapourizing" or "vaping" means to inhale, exhale, or release vapour into the air, from a vapour product or electronic device that vapourizes and delivers nicotine or other substances to the user, but does not include the ceremonial use of vaping in relation to a traditional Indigenous cultural activity;

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"vehicle for hire" means a motor vehicle used to transport passengers for compensation, including a taxicab, limousine, shuttle service, or similar passenger transportation vehicle.

SECTION 2 - SMOKING AND VAPING CONTROL AND REGULATION

2.1 AREAS OF SMOKING AND VAPING PROHIBITION

2.1.1 A person must not smoke or vapourize:

- a. in a vehicle for hire;
- b. in, or within six (6) metres of, an enclosed or partially enclosed shelter where persons wait to board a vehicle for hire or public transit;
- c. within six (6) metres of a sign post or sign designating a place where persons wait to board a vehicle for hire or public transit;
- d. within six (6) metres measured on the ground from a point directly below any point of any opening into any building including any door or window that opens or any air intake;
- e. in a customer service area;
- f. within six (6) metres of the perimeter of a customer service area;
- g. on, or within twenty-five (25) metres of, any outdoor sport facility or playground;
- h. within an open space area;
- i. in a place of public assembly;
- j. in a building, premises or facility that is owned or leased by the City, other than a rented dwelling; or
- k. a hospital or health clinic.

2.1.2 A responsible person for any of the following:

- a) a vehicle for hire;
- b) a customer service area;
- c) a place of public assembly; or
- d) a hospital or health clinic,

must not permit, suffer, or allow a person to smoke or vapourize while the person is:

- e) within such vehicle for hire, customer service area, place of public assembly, or hospital or health clinic; or
- f) within any area described in subsections 2.1.1(b), 2.1.1(c), 2.1.1(d) and 2.1.1(f), except to the extent that all or part of such

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area is not part of the parcel of land on which the customer service area, place of public assembly, or hospital or health clinic is situated and is not an area over which the responsible person has control.

BL9624	2.2 EXEMPTIONS
BL9624	2.2.1 Despite Section 2.1, the following exemptions apply with the prior written approval of the Manager of Bylaw Services. A person may:
BL9624	a. Smoke or permit Smoking or Vaping during a movie production or theatrical or other artistic performance.
BL9624	2.2.2 An application for approval under subsection 2.2.1 must:
BL9624	a. be submitted in writing to the Manager of Bylaw Services;
BL9624	b. include details of the production and justification for Smoking or Vaping;
BL9624	c. provide a safety plan addressing ventilation, performer safety, and compliance with applicable health regulations, and prior notice to attendees.
BL9624	2.2.3 An exemption provided under Section 2.2 does not relieve a person from compliance with applicable provincial legislation.
BL9624	2.1.4 For certainty, a Responsible Person does not contravene section 2.1.2 where Smoking or Vaping occurs in accordance with a valid approval under Section 2.2.

SECTION 3 - SIGN REQUIREMENTS

- 3.1.1** A responsible person for a vehicle for hire, customer service area, place of public assembly, or hospital or health clinic must post and maintain a sign in strict accordance with sections 3.1.2 to 3.1.4 of this Bylaw indicating that smoking and vaping are prohibited within that vehicle for hire, customer service area, place of public assembly, or hospital or health clinic.
- 3.1.2** A responsible person who is required to post and maintain a sign pursuant to section 3.1.1 must ensure that the sign:
- b) is displayed and maintained in a prominent location within the vehicle for hire, customer service area, place of public assembly, or hospital or health clinic where the sign is required;
 - b) carries the text "No Smoking or Vapourizing", or "Smoke and Vape Free", or both, in either capital or lower case letters or a combination of both;
 - b) consists of two contrasting colours, or if the lettering is to be

applied directly to a surface or to be mounted on a clear panel, the lettering must contrast with the background colour;

- b) has not less than the following letter height, based upon the following maximum viewing distances, in direct line of sight:

<u>Viewing Distances</u>	<u>Letter Height</u>
3 metres (10 feet) or less	2.5 centimetres (1 inch)
6.1 metres (20 feet) or less	5.1 centimetres (2 inches)
12.2 metres (40 feet) or less	7.6 centimetres (3 inches)
24.4 metres (80 feet) or less	10.2 centimetres (4 inches)
48.8 metres (160 feet) or less	15.2 centimetres (6 inches)
73.1 metres (240 feet) or less	20.3 centimetres (8 inches);
	and

- b) includes at the bottom of each sign the following words:

"City of Prince George Smoke and Vape Free Places Bylaw No. 8591, 2016, Maximum fine \$2000.00"

in letters not less than 1.3 centimetres (1/2 inch) in height for signs with letter height of 2.5 centimetres (1 inch), and not less than one-quarter of the height of the letters on all other sizes of letters.

3.1.3 Despite subsections 3.1.2 (d) and (e), the international symbol for "no smoking" may be used to indicate an area in which smoking is prohibited, in accordance with subsection 3.1.4.

3.1.4 Each sign using an international symbol referred to in section 3.1.3 must:

- a) include the text at the bottom of each sign "City of Prince George Smoke and Vape Free Places Bylaw No. 8591, 2016, Maximum Fine \$2000.00" in a letter height which is at least 5% of the diameter of the circle in the symbol, and appropriate symbols such as directional arrows may be added; and
- b) have a circle diameter of not less than the following dimensions, based upon the following maximum viewing distances, in a direct line of sight:

<u>Viewing Distances</u>	<u>Letter Height</u>
3 metres (10 feet) or less	10.2 centimetres (4 inches)
6.1 metres (20 feet) or less	15.2 centimetres (6 inches)
12.2 metres (40 feet) or less	20.3 centimetres (8 inches)
24.4 metres (80 feet) or less	30.4 centimetres (12 inches)
48.8 metres (160 feet) or less	40.6 centimetres (16 inches)
73.1 metres (240 feet) or less	60.8 centimetres (24 inches)

3.1.5 or the purposes of this Bylaw, an international symbol described in subsections 3.1.3 and 3.1.4, while depicting a cigarette, means that any form of smoking, as defined in this Bylaw, is prohibited in relation to that area.

3.1.6 A person must not remove, alter, conceal, deface or destroy any sign posted in accordance with this Bylaw.

SECTION 4 - VIOLATIONS AND PENALTIES

4.1.1 Any operator, responsible person or person who:

- a) violates or who causes or allows any of the provisions of this Bylaw to be violated; or
- b) fails to comply with any of the provisions of this Bylaw; or
- c) neglects or refrains from doing anything required under the provisions of this Bylaw;

is deemed to have committed an infraction of, or an offence against this Bylaw and is subject to a fine of not less than \$100.00 for each offence, up to a maximum of \$2,000.

4.1.2 Each day during which any violation, contravention or breach of this Bylaw continues shall be deemed a separate offence.

4.1.3 This Bylaw may be enforced by means of a municipal ticket information under the the *Community Charter* or a bylaw notice under the *Local Government Bylaw Notice Enforcement Act*.

4.1.4 Pursuant to section 264(1)(b) of the *Community Charter*, Bylaw Enforcement Officers and the Royal Canadian Mounted Police are designated to enforce this Bylaw.

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4.1.5 Council hereby delegates the authority to refer any disputed tickets to the Provincial Court by Bylaw Enforcement Officers and the Royal Canadian Mounted Police.

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4.1.6 Bylaw Enforcement Officers are authorized to enter on property at any reasonable time in accordance with section 16 of the *Community Charter* for the purpose of inspecting and determining whether the regulations under this Bylaw are being complied with.

4.1.7 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court, the section, subsection, sentence, clause or phrase may be severed from the remaining portion of this Bylaw.

SECTION 5 - EFFECTIVE DATE

5.1.1 This Bylaw shall come into force and take effect on the 1st day of May, 2017.

READ A FIRST TIME THIS 17th DAY OF OCTOBER, 2016.
First reading passed by a **UNANIMOUS** decision of Members of City Council present and eligible to vote.

READ A SECOND TIME THIS 17th DAY OF OCTOBER, 2016.
Second reading passed by a **UNANIMOUS** decision of Members of City Council present and eligible to vote.

READ A THIRD TIME THIS 5th DAY OF DECEMBER, 2016.
Third reading passed by a **UNANIMOUS** decision of Members of City Council present and eligible to vote.

ADOPTED THIS 19th DAY OF DECEMBER, 2016,
BY A **UNANIMOUS** DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.


MAYOR


CORPORATE OFFICER