

CITY OF HAMILTON

NOTICE OF MOTION

BOARD OF HEALTH DATE: January 14, 2019

MOVED BY COUNCILLOR S. MERULLA

Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties

WHEREAS, the Province of Ontario has, through their constitutional authority under the federation of Canada, pursued the legalization of recreational cannabis use in Ontario;

WHEREAS, the Province of Ontario has amended the provincial Smoke-Free Ontario Act 2017 and introduced new regulations prohibiting the smoking of recreational cannabis and vaping in prescribed public places and workplaces;

WHEREAS, the Province of Ontario is in the process of amending the *Municipal Act, 2001*, to allow municipalities to develop and install local by-laws restricting the smoking of recreational cannabis and vaping beyond the provincial regulations; and

WHEREAS, the City of Hamilton has had one of the most comprehensive outdoor smoke-free by-laws in Ontario since 2011;

THEREFORE, BE IT RESOLVED:

That Public Health Services staff, in consultation with City of Hamilton Legal Services, be directed to report back to the Board of Health on the feasibility of amending City of Hamilton By-law #11-080 Prohibiting Smoking Within City Parks and Recreation Property to include additional prohibitions on the smoking of recreational cannabis and vaping within City-owned parks and recreation properties.