

Authority: Parks and Environment Committee Item 23.3,
as adopted by City of Toronto Council on November 13, 14, 15 and 18, 2013

CITY OF TORONTO

BY-LAW No. 1643-2013

To amend City of Toronto Municipal Code Chapter 608, Parks, to prohibit smoking in and around certain facilities within City parks.

Whereas under sections 7 and 8 of the *City of Toronto Act, 2006*, the City may pass by-laws respecting the use of its parks system; and

Whereas Council has prohibited smoking in and around sports fields, ski hills, outdoor theatre spaces and other areas within the City's parks; and

Whereas Municipal Code Chapter 608, Parks, must be amended to include the prohibition against smoking in these areas of the City's parks;

The Council of the City of Toronto enacts:

1. Chapter 608, Parks, is amended as follows:

A. Section 608-1. Definitions is amended by adding the following in alphabetical order:

"OUTDOOR THEATRE SPACE - An area in a park, including any audience seating area, being used for a theatre performance under a permit, whether or not there is temporary or permanent audience seating, a stage or theatre equipment.

PASSENGER CONVEYANCE - Includes a chair lift, gondola lift, T-bar lift, rope tow or any other conveyor or similar device used to transport persons uphill.

SERVICE LINE - A queue or sequence of people waiting to purchase a ski ticket or ferry ticket, or to board a ferry operated by the City.

SKI HILL - Includes a ski run, passenger conveyance, service line, ski chalet or ski rental shop.

SMOKE OR SMOKING - Includes the carrying of a lighted cigar or cigarette, pipe or any other lighted smoking material.

SPORTS FIELD - Any area, whether or not delineated by lines, that is designated and being used as a sports field or playing surface, under a program run by the City or by any other person or group under a permit, and includes, without limitation, a soccer field, football field, baseball diamond, basketball court, tennis court, volleyball court, cricket pitch, lawn bowling area, bocce court, outdoor artificial ice rink pad at all times of the year, and an outdoor running track and adjacent seating areas and stands.

WAITING AREA - An area, whether or not enclosed by a fence or other barrier, intended for use by persons waiting to board a ferry operated by the City or to access a passenger conveyance."

B. Section 608-8.1. Smoking is deleted and the following substituted:

"§ 608-8.1. Smoking.

A. While in a park no person shall smoke within the boundaries of and a nine-metre radius surrounding the following amenities or areas in a park:

- (1) A sports field;
- (2) A playground safety surface or playground equipment;
- (3) A wading pool basin or splash pad safety zone;
- (4) A skateboard or BMX park;
- (5) A ski hill;
- (6) An outdoor swimming pool or deck;
- (7) A covered picnic shelter or gazebo;
- (8) An outdoor theatre space; or
- (9) A public washroom.

B. While in a park no person shall smoke:

- (1) Within any zoo or farm area;
- (2) On a swimming beach; or
- (3) In a service line or waiting area."

Enacted and passed on December 17, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)