

**A By-law of the City of Vancouver Board of Parks and Recreation  
to regulate smoking in parks**

WHEREAS it has been determined that second-hand smoke is a health hazard and nuisance for people in parks in the City of Vancouver;

AND WHEREAS it is desirable for the care, promotion and protection of the health of people in parks to regulate smoking in parks;

AND WHEREAS Council has authorized the City of Vancouver Board of Parks and Recreation to enact by-laws to regulate smoking in parks for the care, promotion and protection of the health of people in parks;

THE CITY OF VANCOUVER BOARD OF PARKS AND RECREATION, in public meeting, enacts as follows:

**SECTION 1  
INTERPRETATION**

**Name of By-law**

1.1 The name of this By-law, for citation, is the “Park Board Smoking Regulation By-law”.

**Definitions**

1.2 In this By-law:

“building” includes a structure;

“business” means a business, trade, profession, or other occupation for which a person must obtain a license under the City of Vancouver License By-law;

“customer service area” means a partially enclosed or unenclosed area, including a balcony, patio, yard or sidewalk, that is part of or connected to or associated with a business or use in a building or premises that includes the service of food or alcoholic drinks to customers or other persons for consumption on site;

“premises” means a portion of a building in respect of which a person has exclusive possession;

“responsible person” means a person who owns, controls, manages, supervises, or operates:

- (a) a business or other use which occupies all or substantially all of a building,
- (b) a business or other use which occupies premises, or
- (c) a customer service area,

and also means a person who drives a vehicle for hire;

“smoke” or “smoking” means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, hookah pipe, or other lighted smoking equipment that burns tobacco or other weed or substance; and

“vehicle for hire” means a vehicle for which a person must obtain a vehicle for hire licence under the City of Vancouver Vehicles for Hire By-law.

## **Schedules**

1.3 The schedule attached to this By-law forms part of this By-law.

## **Severability**

1.4 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

## **SECTION 2 APPLICATION**

2. The By-law applies to all parks listed in Schedule A attached to this By-law.

## **SECTION 3 HEALTH REGULATIONS**

3.1 A person must not smoke:

- (a) in a park;
- (b) on a seawall or beach in a park;
- (c) in a building in a park, except in a caretaker’s residence;
- (d) in a customer service area in a park;

- (e) in a vehicle for hire in a park;
- (f) on public transit in a park; or
- (g) in an enclosed or partially enclosed shelter in a park where people wait to board a vehicle for hire or public transit.

3.2 Except as permitted by section 3.1, a responsible person must not suffer or allow a person to smoke in:

- (a) a building in a park;
- (b) a customer service area in a park; or
- (c) a vehicle for hire in a park.

## **SECTION 4 OFFENCES AND PENALTIES**

### **Offences under By-law**

4.1 A person who:

- (a) violates any provision of this By-law, or does any act or thing which violates any provision of this By-law, or suffers or allows any other person to do any act or thing which violates any provision of this By-law;
- (b) neglects to do or refrains from doing anything required to be done by any provision of this By-law; or
- (c) fails to comply, or suffers or allows any other person to fail to comply, with an order, direction, or notice given under any provision of this By-law;

is guilty of an offence against this By-law, and liable to the penalties imposed under this Section 4.

### **Fine for offence**

4.2 Every person who commits an offence against this By-law is punishable on conviction by a fine of not less than \$250.00 and not more than \$2,000.00 for each offence, except that a person who commits an offence under section 3.2(a), 3.2(b) or 3.2(c) of this By-law is liable to a fine of not less than \$500.00 for each offence.

**SECTION 5  
ENACTMENT**

**Force and effect**

5. This By-law is to come into force and take effect on September 1st, 2010.

ENACTED by the Board of Parks and Recreation this                    day of                    , 2010

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Chair  
Board of Parks and Recreation

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General Manager  
Board of Parks and Recreation

## Schedule A

### Park name

Aberdeen Park  
Adanac Park  
Alexandra Park  
Alice Townley Park  
Almond Park  
Andy Livingstone Park  
Angus Park  
Arbutus Greenway Park  
Arbutus Park  
Arbutus Village Park  
Ash Park  
Balaclava Park  
Barclay Heritage Square  
Bates Park  
Beaconsfield Park  
Bobolink Park  
Braemar Park  
Brewers Park  
Burrard View Park  
Callister Park  
Cambie Park  
Cambridge Park  
Captain Cook Park  
Cardero Park  
Cariboo Park  
Carleton Park  
Carnarvon Park  
Carolina Park  
Cartier Park  
Cathedral Square  
Cedar Cottage Park  
Chaldecott Park  
Champlain Heights Park  
Charles Park  
Charleson Park  
China Creek North Park  
China Creek South Park  
Choklit Park  
Clark Park  
Clinton Park  
Coal Harbour Park  
Collingwood Park  
Columbia Park  
Connaught Park

Coopers' Park  
CRAB Park @ Portside  
Creekside Park  
David Lam Park  
Deering Island Park  
Delamont Park  
Devonian Harbour Park  
Devonshire Park  
Discovery Square  
Douglas Park  
Downtown Skateboard Plaza  
Dusty Greenwell Park  
Earles Park  
Ebisu Park  
Eburne Park  
Elm Park  
Emery Barnes Park  
English Bay Beach Park  
Everett Crowley Park  
Falaise Park  
Foster Park  
Fraser River Park  
Fraserview Golf Course  
Fraserview Park  
Garden Park  
Gaston Park  
General Brock Park  
George Park  
George Wainborn Park  
Gladstone-Riverside Park  
Glen Park  
Gordon Park  
Grandview Park  
Granville Loop Park  
Grays Park  
Grimmett Park  
Guelph Park  
Hadden Park  
Harbour Green Park  
Hastings Community Park  
Heather Park  
Helmcken Park  
Hillcrest Park (incl. Nat Bailey)  
Hinge Park (Located in Southeast False Creek. Has not been officially named as of June 28, 2010.)  
Humm Park  
Jean Beaty Park  
Jericho Beach Park  
John Hendry (Trout Lake) Park

Johnathan Rogers Park  
Jones Park  
Kaslo Park  
Kensington Park  
Kerrisdale Centennial Park  
Kerrisdale Park  
Killarney Park  
Kingscrest Park  
Kinross Ravine Park  
Kitsilano Beach Park  
Langara Golf Course  
Langara Park  
Locarno Park  
MacDonald Park  
MacLean Park  
Major Matthews Park  
Malkin Park  
Maple Grove Park  
Margaret Pigott Park  
Marina Square  
Marpole Park  
May & Lorne Brown Park  
McBride Park  
McCleery Golf Course  
McCleery Park  
McGill Park  
McSpadden Park  
Melbourne Park  
Memorial South Park  
Memorial West Park  
Moberley Park  
Montgomery Park  
Morton Park  
Mosaic Creek Park  
Mount Pleasant Park  
Musqueam Park  
Nanaimo Park  
Nelson Park  
New Brighton Park  
Norquay Park  
Oak Meadows Park  
Oak Park  
Oppenheimer Park  
Oxford Park  
Pandora Park  
Pigeon Park (Pioneer Place)  
Point Grey Road Waterfront Park  
Portal Park  
Price Park

Prince Edward Park  
Prince of Wales Park  
Puget Mini-park  
Quadra West Park  
Queen Elizabeth Park  
Quesnel Mini-park  
Quilchena Park  
Ravine Park  
Renfrew Community Park  
Renfrew Ravine Park  
Riley Park  
Riverfront Park  
Riverview Park  
Robson Park  
Rosemary Brown Park  
Rosemont Park  
Ross Park  
Roundhouse Park  
Rupert Park  
Sahalli Park  
Salsbury Park  
Seaforth Peace Park  
Shannon Park  
Shaughnessy Park  
Slocan Park  
Spanish Bank Beach Park  
Sparwood Park  
Sparwood Park Extension  
Stanley Park  
Strathcona Linear Park  
Strathcona Park  
Sun Yat-Sen Garden  
Sunnyside Park  
Sunrise Park  
Sunset Beach Park  
Sunset Park  
Sutcliffe Park  
Tatlow Park  
Teaswamp Park  
Tecumseh Park  
Templeton Park  
Thornton Park  
Thunderbird Park  
Tisdall Park  
Trafalgar Park  
Trillium Park (Scheduled to open by spring of 2011.)  
Un-named Park at Blenheim Street and West 19<sup>th</sup> Avenue  
Un-named Park at Shaughnessy Street and Fraser River  
Un-named Park at Stephens Street and Point Grey Road



Un-named Park at Trafalgar Street and West 31<sup>st</sup> Avenue  
Un-named Park at Trinity Street and Wall Street  
Valdez Park  
VanDusen Botanical Gardens  
Vanier Park  
Victoria Park  
Victory Square  
Volunteer Park  
W.C. Shelley Park  
Wendy Poole Park  
West End Mini-parks (9 sites)  
West Point Grey Park  
Westmount Park  
William Mackie Park  
Willow Park  
Winona Park  
Woodland Park  
Yaletown Park