

ITEM	28
MANAGER'S REPORT NO.	52
COUNCIL MEETING	Aug. 16/76

Re: PROPOSED BAN ON SMOKING IN STORES  
BY-LAW NO. 6904 - "BURNABY FIRE PREVENTION BY-LAW 1968,  
AMENDMENT BY-LAW NO. 3, 1976"  
(ITEM 16, REPORT NO. 41, MAY 27, 1974)  
(ITEM 21, REPORT NO. 31, MAY 10, 1976)  
(ITEM 10, REPORT NO. 10, JUNE 14, 1976)

Appearing on the agenda for first, second and third readings is an amendment to the Burnaby Fire Prevention By-Law which would have the effect of prohibiting smoking in retail establishments. Attached is a copy of the amendment by-law that has been prepared by the Municipal Solicitor.

The City of Vancouver's By-Law No. 4906, A by-law to amend By-Law No. 4387 being the health by-law, reads as follows:

"69. Tobacco shall not be used in any form in any room of a food establishment where food is cooked, prepared or displayed."

The Medical Health Officer has been requested to comment on Vancouver's By-Law No. 4387, and more specifically, on whether such by-law legislation should be considered for application within Burnaby. A report on this matter will be submitted to Council on August 30, 1976.

RECOMMENDATION:

1. THAT "Burnaby Fire Prevention By-Law 1968, Amendment By-Law No. 3, 1976" be brought forward.

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THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 6904

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A BY-LAW to amend By-Law No. 5096, being the "Burnaby Fire Prevention By-Law 1968".

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The Council of The Corporation of the District of Burnaby ENACTS as follows:

1. This By-law may be cited as "BURNABY FIRE PREVENTION BY-LAW 1968, AMENDMENT BY-LAW NO. 3, 1976".

2. By-Law No. 5096 is amended by adding thereto the following as Section 2.1.4.14A.:

"2.1.4.14A. (1) Notwithstanding anything in this by-law contained, no person shall smoke or have in his possession any lighted pipe, cigarette, or cigar, in any retail store except in a part thereof used as a restaurant, lunch counter, hairdressing parlour, barber shop, restroom, or staff offices.

(2) In this section, retail store shall mean any business premises used for selling commodities directly to the public and in which twenty-five or more persons are employed.

(3) In every retail store as defined in this section, the owner or occupier thereof shall display prominently a sufficient number of "No Smoking" signs in letters not less than 6 inches in height so that the said signs shall be clearly visible from all parts of the said retail store to which this section applies."

Read a first time this            day of            1976.  
Read a second time this        day of            1976.  
Read a third time this        day of            1976.  
Reconsidered and adopted this    day of            1976.

M A Y O R

C L E R K

CERTIFIED A TRUE COPY THIS  
DAY OF            1976.

CLERK