

TOWN OF SHELLBROOK
BYLAW NO. 5 - 1996

A BYLAW OF THE TOWN OF SHELLBROOK RESPECTING SMOKING IN CERTAIN LOCATIONS

WHEREAS it is deemed desirable for the health and welfare of inhabitants of the Town of Shellbrook to prohibit or regulate smoking that portion of the building known as the Shellbrook Recreation Centre occupied as the Skating Rink, located on Parcel "H", Plan 77PA21517;

NOW THEREFORE THE COUNCIL OF THE TOWN OF SHELLBROOK IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. In this Bylaw, the expression:
 - (a) "smoke" or "smoking" means and includes a carrying of a lighted cigar, cigarette, pipe, or any other lighted smoking equipment.
 - (b) "town" means the Town of Shellbrook.
2. Smoking shall only be permitted in that portion of the Recreation Centre designated as a "Smoking" area.
3. The town administration is hereby authorized to have signs posted at the Skating Rink as is deemed appropriate, and only as a courtesy to inform members of the public of any of the provisions of this Bylaw.
4. The town administration is hereby authorized to appoint "Commissionaires" who shall be empowered to remove anyone violating this Bylaw from the premises.
5. The town may appoint, by resolution of Council, a person to issue a "Notice of Violation" in regard to contravention of this Bylaw.
6. The said "Notice of Violation" shall be in the format as set out in the attached Schedule "B".
7. Every person who contravenes any of the provisions of this Bylaw shall be liable to comply therewith, or with any Notice or Order of the Peace hereunder, shall be guilty of an offence and liable to the penalties herein provided.
 - (a) Any person convicted of a breach of this Bylaw shall be liable for and pay, at the discretion of the Provincial Magistrate or Justice of the Peace having jurisdiction, the penalties provided in Schedule "A" to this Bylaw, and upon default of payment thereof, the person convicted may be committed to jail for a time determined by the Provincial Magistrate or Justice of the Peace, not exceeding seven(7) days, unless the person and the costs of committal and conveyance of the person convicted to jail, are sooner paid.
 - (b)
 - (i) A violator of Section 2, upon being served with a Notice of Violation, may voluntarily pay the prescribed penalty in Schedule "A" to this Bylaw at the office of the administrator.
 - (ii) Where the administrator received voluntary payment of the prescribed amount, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
 - (iii) Nothing in this section shall be construed to prevent any person from exercising his right to defend a charge of contravention of the Bylaw.
9. This Bylaw shall come into effect on the date of final approval by the Council of the Town of Shellbrook.

CERTIFIED A TRUE AND ACCURATE
COPY OF BYLAW NO. 5-1996,
PASSED BY RESOLUTION OF COUNCIL
THIS 23RD DAY OF DECEMBER, 1996.

MAYOR



ADMINISTRATOR

ADMINISTRATOR



TOWN OF SHELLBROOK
BYLAW NO. 5 - 1996

SCHEDULE "A"

VOLUNTARY PAYMENT (as provided for in Section 8 (b))

1. The voluntary payment for Section 2 of the Bylaw shall be Hundred Dollars (\$100.00) or Fifty Dollars (\$50.00) if paid within 10 calendar days of receiving a "Notice of Violation".

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SCHEDULE "B"

NOTICE OF VIOLATION

RE: SMOKING IN SKATING RINK

THIS OFFICIAL NOTICE IS ISSUED FOR BREACH OF
BYLAW NO. 5 - 1996.

You may avoid prosecution for this offence by paying to the office of administrator, during regular office hours, the penalty stated herein: within ten (10) calendar days. Failure to do so will result prosecution in Provincial Court. Penalty may be remitted by mail Town of Shellbrook, Box 40, SHELLBROOK, Sask. S0J 2E0, but must accompanied by this notice.

NAME OF VIOLATOR: _____

ADDRESS: _____

NATURE OF VIOLATION:

Smoking in the Skating Rink contrary to Bylaw No. 5-1996 Section
- penalty of \$100.00, or \$50.00 if paid within 10 calendar days of this Notice.

DATE OF VIOLATION: _____

DATE OF NOTICE: _____

ISSUED BY: _____