

# Memo



**Date:** October 1, 2010  
**File:** 6130-00  
**To:** City Manager  
**From:** Ian Wilson, Park Services Manager  
**Subject:** Smoking amendments to the Parks and Public Spaces Bylaw

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## **Recommendation:**

THAT Council give reading consideration to Bylaw No. 10426, Amendments No. 16 to "City of Kelowna Parks and Public Spaces Bylaw No. 6819-91".

## **Purpose:**

At the September 20, 2010 Council meeting, Council approved a report recommending amendments to the Parks and Public Spaces Bylaw, to prohibit smoking in all public parks except in designated areas. Proposed changes are now being brought forward for Council consideration.

## **Background:**

Previously, the Parks and Public Spaces Bylaw prohibited smoking in all "natural areas". Under the newly amended bylaw, the definition of "natural area" is no longer needed and will be removed. The smoking prohibition has been extended to all areas defined as a "park", except in a designated area. The definition for Parks Manager has also been updated.

At this time, staff suggest that only developed parks that are larger than 15 hectares in size would be considered for designated smoking areas. This would exclude natural area parks such as Knox or Dilworth Mountain, but City Park, Parkinson Recreation Park, and Mission Recreation Park would be considered. Staff also recommend including a designated smoking area at Guisachan Heritage Park, as this site already has an existing smoking area outside the restaurant and is used for weddings and events. Staff do not recommend including a list of all designated smoking areas in the bylaw itself, in order to allow additional flexibility. The bylaw implementation will be monitored as well as public feedback, and the need for any designated smoking areas can be evaluated on a case by case basis.

A budget item for additional park signage and public education, as well as additional cigarette butt receptacles at park entrances will be included in the 2011 budget submission. The final resolution approved by Council at the September 20 meeting, "THAT City bylaw staff report back on the feasibility of amending City bylaws further to meet the recommendations of Interior Health, specifically with regards to smoking in outdoor patios or within six metres of building doors, air intakes or windows," will be led by Bylaw staff, with support from Park Services.

**Internal Circulation:**

Al Dixon, Bylaw Services  
Stephen Fleming, City Clerk  
Carla Stephens, Community and Media Relations  
Joe Creron, Civic Operations  
Jim Gabriel, Recreation and Cultural Services  
Terry Barton, Infrastructure Planning

**Considerations not applicable to this report:**

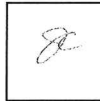
**Financial/Budgetary Considerations:**  
**Alternate Recommendation:**  
**Community & Media Relations Comments:**  
**Legal/Statutory Authority:**  
**Legal/Statutory Procedural Requirements:**  
**Personnel Implications:**  
**Existing Policy:**  
**External Agency/Public Comments:**

Submitted by:



Ian Wilson, Park Services Manager

Approved for inclusion:



(Joe Creron, Director, Civic Operations)

CC: John Vos, General Manager Community Services