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Adopted by Council: March 6, 1998

CITY OF TORONTO

BY-LAW No. 62-1998

A By-law to amend City of North York By-law 32931, as amended.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The title of City of North York By-law 32931, as amended, is hereby deleted and the following substituted in its place:

“A by-law to regulate or prohibit smoking in public places and in workplaces.”

2. Clause (c) of s.1 of By-law 32931 as amended, is hereby amended by adding the following subclause:

“(ix) all parts of North York City Hall (municipally known as 5100 Yonge Street) including its underground parking garage;”

3. Clause (h) of s.1 of By-law 32931, as amended, is hereby deleted and the following substituted in its place:

“(h) ‘restaurant’ means an establishment engaged in the sale and service of food or beverage or both food and beverage to the public for consumption on the premises and includes those portions of a hotel, bar or tavern where such sale and service is carried on but excludes those areas of food and beverage consumption in common areas of shopping malls or other enclosed public places commonly known as food courts;”

4. Section 1 of By-law 32931, as amended, is hereby amended by adding the following clause thereto:

“(k) ‘workplace’ means an enclosed building or structure in which an employee, including a person whose services are contracted for by an employer, works, but excludes a fully enclosed, separately ventilated space within which no employee works that is set aside for smoking only and excludes an enclosed public place.”

5. Section 2 of By-law 32931, as amended, is hereby deleted and the following substituted in its place:

“2. Subject to Sections 3,4 and 5 of this by-law no person shall smoke in any enclosed public place or in any workplace within the City;”

6. Section 3A of By-law 32931, is hereby deleted.
7. Section 9 of By-law 32931, is hereby deleted and the following substituted in its place:

“9. This By-law shall not apply to workplaces of Rothmans, Benson & Hedges Inc. or to other tobacco research and testing facilities of manufacturers of tobacco products.”

ENACTED AND PASSED this 6th day of March, A.D. 1998.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)