

Authority: Board of Health Report No. 2, Clause No. 1, adopted as amended, by City of Toronto Council on April 14, 15 and 16, 2003  
Enacted by Council: April 16, 2003

**CITY OF TORONTO**

**BY-LAW No. 344-2003**

**To amend Municipal Code Chapter 709, Smoking, respecting the definition of designated smoking room.**

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

1. Chapter 709 Smoking, of The City of Toronto Municipal Code is amended as follows:

A. The definition of “designated smoking room” in § 709-1 is amended as follows:

(1) By amending Subsection A by:

- (a) Amending Subsection A(1) by inserting “food preparation, liquor dispensing or” before “public thoroughfare”.
- (b) Deleting “and” at the end of Subsection A(4).
- (c) Deleting the period at the end of Subsection A(5) and substituting a semicolon.
- (d) Adding the following:
  - “(6) All doors to the room are not kept open and are equipped with an automatic self closing mechanism that is maintained in good working order so that it is fully operational and will function safely and effectively;
  - (7) Admittance of any patron under the age of 19 to the room is prohibited; and
  - (8) An employee may refuse to enter the room”.

(2) By amending Subsection B by:

- (a) Amending Subsection B(1) by inserting “food preparation, liquor dispensing or” before “public thoroughfare”.
- (b) Deleting “and” at the end of Subsection B(3).
- (c) Deleting the period at the end of Subsection B(4) and substituting a semicolon.

(d) Adding the following:

- “(5) All doors to the room are not kept open and are equipped with an automatic self closing mechanism that is maintained in good working order so that it is fully operational and will function safely and effectively;
- (6) Admittance of any patron under the age of 19 to the room is prohibited; and
- (7) An employee may refuse to enter the room”.

B. Section 709-12 is amended by adding the following:

- “D. Despite Subsections A(1) and B(1) of the definition of “designated smoking room” in § 709-1, a designated smoking room may include a food preparation area, a liquor dispensing area or both, if a permit to erect the designated smoking room has been issued under the *Building Code Act, 1992* on or before April 16, 2003”.

ENACTED AND PASSED this 16th day of April, A.D. 2003.

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)