

Authority: Board of Health Item HL4.1 and Licensing and Standards Committee Item LS7.2, adopted as amended, by City of Toronto Council on November 3 and 4, 2015.

CITY OF TORONTO

BY-LAW No. 1331-2015

To amend City of Toronto Municipal Code Chapter 545, Licensing, to prohibit the use of hookah devices at licensed businesses in the City of Toronto.

Whereas authority is given to Council by the *City of Toronto Act, 2006* to pass by-laws related to business licensing and to protect the health, safety, and well-being of persons; and

Whereas Council has determined that hookah smoking is harmful to the health of the users of hookah devices and individuals exposed to second-hand smoke produced by them and that the use of hookah devices can normalize the activity of smoking tobacco or other substances; and

Whereas Council has determined that the majority of hookah smoking establishments in the City of Toronto are publicly-accessible businesses that are licensed or required to be licensed by the City of Toronto for various reasons; and

Whereas Council wishes to prohibit the use of hookah devices in establishments that are licensed or required to be licensed by the City of Toronto to protect the health, safety, and well-being of patrons of those business establishments and other members of the public who may enter them;

The Council of the City of Toronto enacts:

1. Section 545-1, Definitions, of Chapter 545 is amended to add the following definition:

HOOKAH:

- A. A device, whether called a hookah or any other name, designed to heat or burn a substance and produce smoke intended to be inhaled by a user or users of the device.
- B. "Use", with respect to a hookah, includes any of the following:
 - (1) Inhaling smoke from a hookah.
 - (2) Exhaling smoke from a hookah.
 - (3) Holding an activated hookah.

2. Section 545-5, General Provisions, of Chapter 545 is amended by adding the following subsection:

- F. No person licensed or required to be licensed under this chapter shall permit any person to use a hookah in or upon any premises, vehicle, or thing to which the licence relates, and this section shall come into effect on April 1, 2016.

Enacted and passed on December 10, 2015.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)