



**THE CORPORATION OF THE TOWN OF LASALLE
REGULAR MEETING OF COUNCIL
AGENDA**

Tuesday, March 26, 2019, 7:00 PM
Council Chambers, LaSalle Civic Centre, 5950 Malden Road

Pages

A. OPENING BUSINESS

1. Call to Order and Moment of Silent Reflection
2. Disclosures of Pecuniary Interest and the General Nature Thereof
3. Adoption of Minutes

RECOMMENDATION

That the minutes of the regular meeting of Council held March 12, 2019
BE ADOPTED as presented.

4. Mayors Comments

B. PRESENTATIONS

1. Vaping Advertisements 5

Petar Bratic, student and Town of LaSalle resident, appears before
Council to present his position on Vaping (e-cigarettes) advertisements.

RECOMMENDATION

That the presentation made by Petar Bratic, Town of LaSalle Student ,
regarding Vaping (e-cigarettes) advertisement BE RECEIVED.

2. Administration Report - Vaping Products - Advertising 58

RECOMMENDATION

That the report of the Director of Council Services/Clerk dated March 18,
2019 (CL-10-19) regarding Vaping Products – Advertising BE
RECEIVED for information.

C. DELEGATIONS

1. Vaping Advertisements

Delegate: Eric Nadaline, Manager, Chronic Disease and Injury Prevention, Windsor-Essex County Health Unit

D. PUBLIC MEETINGS AND/OR HEARINGS

E. REPORTS / CORRESPONDENCE FOR COUNCIL ACTION

1. Social Media Policy Update

69

RECOMMENDATION

That the report of the Corporate Communication and Promotions Officer dated March 18, 2019 (CAO-C&P-08-19) regarding revised Social Media Policy for the Town of LaSalle BE APPROVED.

2. Heritage Park Playground

77

RECOMMENDATION

That the report from the Director of Culture and Recreation dated March 22, 2019 (C&R 2019-04) regarding a Request for Quotation (RFQ) for a new accessible playground including rubber surface at Heritage Park BE RECEIVED; and that the RFQ BE AWARDED TO Park n' Play in the amount of \$297,289 +HST; and that the successful playground design BE PRESENTED to the LaSalle Accessibility Advisory Committee; and further that staff coordinate the playground project install in conjunction with the drainage project works at Heritage Park in a timeline that minimizes the disruption of access to the park for residents.

3. Code of Conduct for Chief Building Official and all Inspectors appointed by the Town of LaSalle under the Ontario Building Code Act

79

RECOMMENDATION

That the report of the Director of Development & Strategic Initiatives dated March 19, 2019 regarding a Code of Conduct for Chief Building Official and all Inspectors appointed by the Town of LaSalle under the Ontario Building Code Act BE APPROVED.

F. INFORMATION ITEMS TO BE RECEIVED

1. Summary of Reports to Council 84

RECOMMENDATION

That the report of the Chief Administrative Officer dated March 26, 2019 being a summary of reports to Council BE RECEIVED.

G. BY-LAWS 85

RECOMMENDATION

That the following By-Laws BE GIVEN first reading:

8289 - By-Law to establish a system of administrative penalties in the Town of LaSalle

8290 - A By-law for the appointment of screening officers and hearing officers to adjudicate reviews and appeals of administrative penalties

RECOMMENDATION

That By-Law numbers 8289 and 8290 BE GIVEN second reading.

RECOMMENDATION

That By-Law numbers 8289 and 8290 BE GIVEN third reading and finally passed.

H. COUNCIL QUESTIONS

I. STATEMENTS BY COUNCIL MEMBERS

J. REPORTS FROM COMMITTEES

K. NOTICES OF MOTION

L. MOTION TO MOVE INTO CLOSED SESSION

M. CONFIRMATORY BY-LAW

RECOMMENDATION

That Confirmatory By-Law #8291 BE GIVEN first reading.

RECOMMENDATION

That Confirmatory By-Law #8291 BE GIVEN second reading.

RECOMMENDATION

That Confirmatory By-Law #8291 BE GIVEN third reading and finally passed.

N. SCHEDULE OF MEETINGS

Accessibility Advisory Committee - April 2, 2019 @ 4:00 p.m.

Strategic Planning Environmental Meeting - April 2, 2019 @ 5:00 p.m.

Regular Council Meeting - April 9, 2019 @ 7:00 p.m.

Police Services Board Meeting - April 15, 2019 @ 5:00 p.m.

Strategic Planning Assessment Meeting - April 16, 2019 @ 3:30 p.m.

By-Law Committee - April 16, 2019 @ 4:30 p.m.

Planning Advisory Committee - April 16, 2019 @ 5:30 p.m.

Committee of Adjustment - April 17, 2019 @ 5:30 p.m.

Regular Council Meeting - April 23, 2019 @ 7:00 p.m.

O. ADJOURNMENT

March 18, 2019

Re: E-Cigarette Advertisements (Presentation to Council)

Mr. Mayor and Members of Town Council,

I am a secondary school student that has been vocal about the lack of response to the epidemic of e-cigarette use among adolescents. I am pleased to have been informed by the Town Clerk that I will be placed on the agenda for the meeting of Town Council occurring on March 26, 2019. I look forward to appearing before Council. As I expect my presentation to be limited in time, I have prepared this correspondence for your review, in anticipation of my presentation.

As I hope most of you are already aware, adolescent e-cigarette use, commonly referred to as ‘vaping’ has reached crisis proportions. The U.S. Surgeon General has declared youth ‘vaping’ an epidemic, and with good reason. While Health Canada’s statistics on adolescent e-cigarette use are not as current as those of the U.S. C.D.C., a 78% increase in e-cigarette use among U.S. high school students has been observed between 2017 and 2018. I have submitted a copy of the relevant CDC report in this correspondence package.

The trend observed is a startling one. As you may read in the CDC report, the substances of choice for adolescents contain nicotine, which we all know to be a highly addictive substance. You may refer to the included fact sheet provided by the Middlesex-London Health Unit, entitled “Vapour Products,” which outlines just some of the most basic consequences of nicotine use by teens. Even more troubling, however, is the CBC article enclosed, which appears to link the alarming rise in e-cigarette use among teens to an increase in cigarette smoking, which according to the article was the first such rise in three decades.

As a student of a LaSalle secondary school, I can assure you that I have personally witnessed e-cigarette use by my peers in school classrooms, hallways and washrooms. The fact that *smoking in class* is an issue in 2019 requires serious reflection. Given the epidemic that we are all faced with, I urge you to realize that every single level of government needs to play a role in combatting teen e-cigarette use, as it truly is a public health concern. We are watching as e-cigarette companies (which are often owned by tobacco companies) are addicting an entire new generation to nicotine and increasing its rate of smoking cigarettes. I submit that as local officials, you have a moral obligation to take every action in your power to attempt to prevent or mitigate the damage e-cigarettes are doing to our youth.

I quote Dr. Andrew Pipe, who is referred to as a Canadian expert on smoking cessation in the Canadian Press article included for your benefit, in saying that “we’re seeing a public health disaster unfold in front of our eyes” and that “Health Canada has been asleep at the switch” in relation to the issue. In particular, Dr. Pipe calls for more stringent regulations on advertising.

I emphasize the need for more controls on advertising in that one cannot even go to a local gas station and pump gas without being bombarded by pushy e-cigarette advertising that is *publicly displayed right on the pump*. I have enclosed a photograph I took while pumping gas locally, with a very obvious sign pushing e-cigarette use on the hose I was using. Also enclosed are some photographs and pamphlets from my various visits at convenience stores within LaSalle. It is

quite obvious that e-cigarettes, nicotine and flavours are well promoted within publicly accessible spaces in the town. Most of the locations in question are well-frequented by children, including one that elementary school students visit during their lunchtime.

I further submit that it is within your power to prevent this sort of advertising from occurring within public spaces, including within stores that are open to the public. Section 128 of the *Municipal Act, 2001*, gives you the ability to declare these publicly displayed e-cigarette advertisements as a public nuisance:

Public nuisances

128 (1) Without limiting sections 9, 10 and 11, a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances. 2001, c. 25, s. 128 (1); 2006, c. 32, Sched. A, s. 68.

Not subject to review

(2) The opinion of council under this section, if arrived at in good faith, is not subject to review by any court. 2001, c. 25, s. 128 (2).

Clearly, e-cigarette advertisements are contributing to and causing a massive public nuisance. These advertisements create public nuisances at an individual and societal level, and encourage youth to use e-cigarettes; furthermore, as mentioned previously, youth have no way to avoid this sort of advertising when it is *right on the pump* at the gas station, as well as right next to the check-out counter (or in the case of pamphlets, on the customer's side of the counter). I would also like to point out that Vype, the brand of e-cigarette advertised in the photograph, is owned by Imperial Tobacco Canada, which is a subsidiary of British American Tobacco.

I urge Council to take the right action, with care for the community it serves and with integrity, by proceeding to prohibit the type of nuisance advertising I have identified in this package. I further urge you to consider limiting the public display of e-cigarettes and their advertising on store counter tops or in general (excluding specialty stores), through the same mechanism in the *Municipal Act*, or a similar one. Any further action would of course be a step in the right direction, but at a minimum, I urge you to proceed in prohibiting the nuisance advertising mentioned. As I emphasized in this correspondence, every level of government and every individual must play a role in combatting this public health epidemic, and LaSalle Town Council is no exception.

Other enclosures include articles relating to my advocacy efforts at the school board level, and a petition to the Legislative Assembly of Ontario which has received over 80 signatures from students across Ontario within a mere 3-day period. I urge you to sign on to the position, calling for more severe action at the provincial level. Ms. Tracy Ramsey, M.P., has also advised me that her office will be submitting a request for research on Health Canada's action relating to e-cigarette regulations from the Library of Parliament, and she has encouraged me to share that news with you. I look forward to hearing more from her on the issue.

Lastly, I urge you to please contact me prior to the meeting of Town Council if you would like me to mention anything specifically in my presentation. I will attempt to include the most pertinent information due to my time constraints. Please do not hold back on your questions following my presentation either, as I am more than willing to answer any and all questions you could have for me. My email address is [REDACTED]

I trust that this correspondence will be of assistance to you, and I look forward to appearing before you on March 26.

Sincerely,

A handwritten signature in black ink, appearing to read 'Petar Bratic', with a stylized flourish at the end.

Petar Bratic

Enclosures

Notes from the Field

Use of Electronic Cigarettes and Any Tobacco Product Among Middle and High School Students — United States, 2011–2018

Karen A. Cullen, PhD¹; Bridget K. Ambrose, PhD¹;
 Andrea S. Gentzke, PhD²; Benjamin J. Apelberg, PhD¹;
 Ahmed Jamal, MBBS²; Brian A. King, PhD²

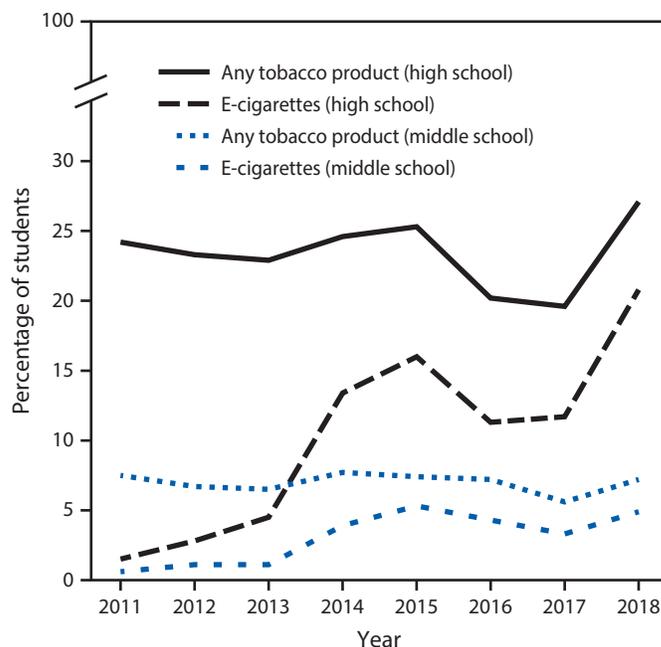
Electronic cigarettes (e-cigarettes) are battery-powered devices that provide nicotine and other additives to the user in the form of an aerosol (1). E-cigarettes entered the U.S. marketplace in 2007 (1), and by 2014, e-cigarettes were the most commonly used tobacco product among U.S. youths (2). Data from the 2011–2018 National Youth Tobacco Survey (NYTS), a cross-sectional, voluntary, school-based, self-administered, pencil-and-paper survey of U.S. middle and high school students, were analyzed to determine the prevalence of current use (≥ 1 day in past 30 days) of e-cigarettes,* current use of any tobacco product,[†] frequency of (number of days during the preceding 30 days) e-cigarette use, and current use (any time during preceding 30 days) of any flavored e-cigarettes among U.S. middle school (grades 6–8) and high school (grades 9–12) students. Logistic regression (2011–2018) and t-tests (2017–2018) were performed to determine statistically significant differences ($p < 0.05$).

Among high school students, current e-cigarette use increased from 1.5% (220,000 students) in 2011 to 20.8% (3.05 million students) in 2018 ($p < 0.001$) (Figure). During 2017–2018, current e-cigarette use increased by 78% (from 11.7% to 20.8%, $p < 0.001$). The proportion of current e-cigarette users who reported use on ≥ 20 of the past 30 days increased from 20.0% in 2017 to 27.7% in 2018 ($p = 0.008$). Among high school students, during 2017–2018, current use of any flavored e-cigarettes increased among current e-cigarette users (from 60.9% to 67.8%, $p = 0.02$); current use of menthol- or mint-flavored e-cigarettes increased among all current e-cigarette users (from 42.3% to 51.2%, $p = 0.04$) and current exclusive e-cigarette users (from 21.4% to 38.1%, $p = 0.002$).

* Current e-cigarette use was defined as a response greater than “0 days” to the question, “During the past 30 days, on how many days did you use e-cigarettes?” The e-cigarette questions were preceded by the following information: “The next 11 questions are about electronic cigarettes or e-cigarettes. E-cigarettes are battery powered devices that usually contain a nicotine-based liquid that is vaporized and inhaled. You may know them as e-cigs, vape-pens, hookah-pens, e-hookahs, e-cigars, e-pipes, personal vaporizers, or mods. Some brand examples include NJOY, blu, Vuse, MarkTen, Logic, Vapin Plus, eGo, and Halo.”

[†] Any tobacco product use was defined as use of one or more of the following tobacco products on ≥ 1 day in the past 30 days: cigarettes, cigars (defined as cigars, cigarillos, or little cigars), smokeless tobacco (defined as chewing tobacco, snuff, or dip), e-cigarettes, hookahs, tobacco pipes, snus, dissolvable tobacco, and bidis.

FIGURE. Percentage of middle and high school students who currently use e-cigarettes* and any tobacco product[†] — National Youth Tobacco Survey, United States, 2011–2018



* Current e-cigarette use was assessed by responses to these questions during the indicated survey years: “In the past 30 days, which of the following products have you used on at least one day?” and the response option, “Electronic cigarettes or e-cigarettes such as Ruyan or NJOY” (2011–2013); “During the past 30 days, on how many days did you use e-cigarettes such as Blu, 21st Century Smoke, or NJOY?” (2014); “During the past 30 days, on how many days did you use electronic cigarettes or e-cigarettes?” (2015); and “During the past 30 days, on how many days did you use e-cigarettes?” (2016–2018). During 2015–2018, e-cigarette questions were preceded by an introductory paragraph defining the product.

[†] Any tobacco product was defined as use of one or more of the following tobacco products on ≥ 1 day in the past 30 days: cigarettes, cigars (defined as cigars, cigarillos, or little cigars), smokeless tobacco (defined as chewing tobacco, snuff, or dip), e-cigarettes, hookahs, tobacco pipes, snus, dissolvable tobacco, and bidis.

Among middle school students, current e-cigarette use increased from 0.6% in 2011 (60,000 students) to 4.9% (570,000 students) in 2018 ($p < 0.001$) (Figure). During 2017–2018, current e-cigarette use increased by 48% (from 3.3% to 4.9%, $p = 0.001$); the proportion of current e-cigarette users who reported use on ≥ 20 days of the past 30 days did not significantly change (from 12.9% to 16.2%, $p = 0.26$).

Current use of any tobacco product among high school students was 24.2% (3.69 million students) in 2011 and 27.1% (4.04 million students) in 2018 ($p > 0.05$) (Figure). Current use of any tobacco product among middle school students was 7.5% (870,000 students) in 2011 and 7.2% (840,000 students) in 2018 ($p > 0.05$). During 2017–2018, overall tobacco

product use increased by 38% among high school students (from 19.6% to 27.1%, $p < 0.001$) and by 29% among middle school students (from 5.6% to 7.2%, $p = 0.008$).

Current e-cigarette use increased considerably among U.S. middle and high school students during 2017–2018, reversing a decline observed in recent years and increasing overall tobacco product use (3). Moreover, during 2017–2018, frequent e-cigarette use increased among high school students. Although e-cigarettes have the potential to benefit adult smokers if used as a complete substitute for combustible tobacco smoking, the use of any form of tobacco product among youths, including e-cigarettes, is unsafe (1). The Surgeon General has concluded that e-cigarette use among youths and young adults is of public health concern; exposure to nicotine during adolescence can cause addiction and can harm the developing adolescent brain (1).

The rise in e-cigarette use during 2017–2018 is likely because of the recent popularity of e-cigarettes shaped like a USB flash drive, such as JUUL; these products can be used discreetly, have a high nicotine content, and come in flavors that appeal to youths (4). In September 2018, the Food and Drug Administration (FDA) issued more than 1,300 warning letters and civil money penalty fines to retailers who illegally sold e-cigarette products to minors, the majority of which were blu, JUUL, Logic, MarkTen XL, and Vuse; this was the largest coordinated enforcement effort in FDA's history (5). Sustained implementation of proven population-based strategies, in coordination with the regulation of tobacco products by FDA, is key to reducing all forms of tobacco product use and initiation, including e-cigarettes, among U.S. youths (1).

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¹Center for Tobacco Products, Food and Drug Administration, Silver Spring, Maryland; ²Office on Smoking and Health, National Center for Chronic Disease Prevention and Health Promotion, CDC.

All authors have completed and submitted the ICMJE form for disclosure of potential conflicts of interest. No potential conflicts of interest were disclosed.

References

1. US Department of Health and Human Services. E-cigarette use among youth and young adults: a report of the Surgeon General. Atlanta, GA: US Department of Health and Human Services, CDC, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health; 2016. https://e-cigarettes.surgeongeneral.gov/documents/2016_SGR_Full_Report_non-508.pdf
2. Arrazola RA, Singh T, Corey CG, et al. Tobacco use among middle and high school students—United States, 2011–2014. *MMWR Morb Mortal Wkly Rep* 2015;64:381–5.
3. Wang TW, Gentzke A, Sharapova S, Cullen KA, Ambrose BK, Jamal A. Tobacco product use among middle and high school students—United States, 2011–2017. *MMWR Morb Mortal Wkly Rep* 2018;67:629–33. PubMed <https://doi.org/10.15585/mmwr.mm6722a3>
4. King BA, Gammon DG, Marynak KL, Rogers T. Electronic cigarettes sales in the United States, 2013–2017. *JAMA* 2018;320:1379–80. PubMed <https://doi.org/10.1001/jama.2018.10488>
5. Food and Drug Administration. FDA takes new steps to address epidemic of youth e-cigarette use, including a historic action against more than 1,300 retailers and 5 major manufacturers for their roles perpetuating youth access [press release]. Silver Spring, Maryland: US Department of Health and Human Services, Food and Drug Administration; 2018. <https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm620184.htm>

Vapour Products (Electronic Cigarettes)

What are vapour products?

- Vapour products (also known as e-cigarettes, e-cigs, mods, tank systems, vaporizers or vapes) are battery operated devices that are designed to heat a solution into a vapour when activated. Vapour products can also be used to vapourize cannabis or tobacco.
- E-cigarettes generally have three parts: an atomizer (contains the heating element); a battery; a chamber or “tank” containing the solution to be heated. Sometimes they may only have a cartomizer and a battery.
- The solution (also known as e-liquid, juice, e-juice or vape juice) can consist of nicotine, water, added flavours, and propylene glycol or vegetable glycerin.
- Vaping devices can be made from plastic or steel. Sometimes they resemble a real cigarette, but they are constantly being revamped and can even resemble pens or USB sticks.
- E-cigarette companies are being bought by tobacco companies and promoting to youth with sleek packaging and savvy marketing strategies (media, slogans, advertising etc.).

What is vaping?

“Vaping” is the act of using an e-cigarette:

- An individual sucks on the mouthpiece or pushes a button to activate the heating element.
- The solution in the cartridge heats up, turning it into a vapour to be inhaled.
- Vapour is **only** released when the e-cigarette is activated.

Is vaping legal?

- In Canada, it is now legal for an e-cigarette to contain nicotine, unless the vaping product makes a health claim.
- In Ontario, under the *Smoke-Free Ontario Act, 2017* it is illegal to:
 - Use an e-cigarette to vape any substance anywhere that smoking tobacco is not allowed
 - Sell or supply e-cigarettes to anyone under the age of 19

OVER →

Are vapour products safer than cigarettes?

While e-cigarettes may be safer than regular cigarettes, less harmful doesn't mean safe.

- E-cigarettes have not been completely tested for safety and the short and long-term risks of use are currently unknown.
- Vapour produced from an e-cigarette can contain toxic chemicals and heavy metals. Even without nicotine or cannabis it is not harmless water vapour. The health effects of the second-hand vapour are also unknown.
- At this time, standards do not exist for how and where e-cigarettes (and the solutions) are made, packaged or labelled. This means that there may be no consistency in how devices are made or the chemicals that get added.
- The solution may not be properly packaged or even childproofed. Nicotine in solutions, even in small amounts, can be harmful if swallowed or if it comes into contact with the skin.
- Flavours added to e-cigarettes may not be safe for breathing into your lungs.
- E-cigarettes have not been proven to help people quit smoking. Those wanting to quit should use methods approved by Health Canada such as nicotine replacement therapy (NRT) or medications like Champix or Zyban.

What if you don't smoke, should you vape?

- E-cigarettes and solutions could contain nicotine even if not labelled and it could expose others to harmful chemicals. Those who do not smoke especially youth, young adults, pregnant women and those planning to become pregnant should not use an e-cigarette and avoid exposure to second-hand vapour.
- Studies are showing that youth who use e-cigarettes may be more likely to start smoking cigarettes or use other tobacco products
- Nicotine and cannabis in vapes can change the way to young brains develop, making it harder to quit.
- Nicotine and cannabis in vapes can harm the parts of the brain that help people focus and learn.

If you don't smoke, don't vape.

www.healthunit.com/e-cigarettes

For more information, contact the Middlesex-London Health Unit's Smoke-Free Information Line at 519-663-5317 ext. 2673 or smokefreeinfo@mlhu.on.ca.

October 24, 2018

SECOND OPINION

Teen vaping in Canada has taken a 'worrisome' turn



New data suggests **teen smoking rates in Canada are also rising**

Kelly Crowe · CBC News · Posted: Dec 08, 2018 4:00 AM ET | Last Updated: December 8, 2018



Using data gathered in the last six months, University of Waterloo professor David Hammond found a disturbing trend in Canadian teen vaping rates. (Craig Chivers/CBC)

As he tallied his latest data on vaping rates among Canadian teens, University of Waterloo Prof. David Hammond tried to find reasons not to believe his own research.

That's because the results were troubling.

According to his numbers, **Canadian teenage vaping rates have increased substantially, similar to the dramatic increase in the U.S. where rates shot up by 80 per cent in one year, a trend the FDA called "epidemic."**

“We all want these findings not to be true.”

— David Hammond, University of Waterloo

"We have been trying to find ways why this data isn't robust. We have not been able to find any reason," said Hammond, a public health professor.

"All signs are very worrisome."

And even more disturbing — cigarette smoking in teenagers appeared to be rising for the first time in 30 years.

"There are also troubling findings on smoking rates and signs that progress in reducing youth smoking may have stalled," he said, adding that there's a need for more research to confirm his results.

"We all want these findings not to be true."

First snapshot since Juul came to Canada

Hammond's data is the first evidence of what has happened since Canada's vaping landscape changed dramatically in May. That's when the new federal law made it legal to sell nicotine vaping products.

A second major change happened a few months later when the vape juggernaut **Juul** officially entered the Canadian market. The slick Juul vaping device is designed to deliver a rapid nicotine hit to the brain just the way a cigarette would. **And teenagers love it.**





Students outside West Carleton Secondary School in Ontario hold e-cigarettes. (Hallie Cotnam/CBC)

Once Hammond saw the disturbing trends from the last six months he decided he couldn't hold the data until it was published in a scientific journal months from now.

Instead, he presented his findings at a meeting of the federal [Scientific Advisory Board on Vaping Products](#) when it met on Nov. 19. There were six or seven Health Canada officials in the room.

"Part of my job as an expert is to speak to the evidence that I know and as I understand it, and we have that evidence."

- [Vaping 'guinea pigs': E-cigarette health risks you may not be aware of](#)
- [SECOND OPINION: What exactly are you inhaling when you vape?](#)

He knew Health Canada would not see any new data emerging from the ongoing [Canadian Tobacco, Alcohol and Drugs Survey](#) for another year. He wanted the policy experts to be aware of the new and potentially alarming trend.

"If your job is to regulate vaping, I don't know how someone wouldn't be concerned about some of the market trends we've seen."

Yet when Health Minister Ginette Petitpas Taylor was asked Wednesday about teen vaping rates, she said Canadian rates did not match the U.S. trends.

"The numbers that are coming out of the States are not the same numbers as Canada," Petitpas Taylor told reporters.

- [Health Canada to review strategy as smoking rate spikes](#)

Citing data gathered a year and a half ago, she said, "At this point in time we don't see an alarming increase. However, we continue to look at the situation. If anything happens we certainly will address it."

Health Canada officials told CBC News in an email that the minister hadn't seen Hammond's research when she made those comments.

On Thursday Hammond sent his entire paper to Health Canada, at the same time as he submitted it for publication.

"Any new and emerging data that suggests an increase in youth vaping or tobacco use would be a concern to the minister," said Sean Burgess, Health Canada media relations officer, in an email.

Health Canada will 'assess' actions

"Upon review of the recently provided data, Health Canada will assess what additional actions are warranted, and leverage additional authorities in the [Tobacco and Vaping Products Act](#)."

But Hammond's data is not the only sign that teenage vaping has taken off in Canada.

[Last week](#) a North Vancouver high school shut down almost all of its student bathrooms to stop kids vaping at school.

In Ontario, the Durham Region Health Department said local data from the area around Oshawa, Ont., shows 17 per cent of high school students are vaping. "That's five students in

every class of 30!" the department [tweeted](#) this week.



Dante Caloia risked the wrath of his classmates by publishing an article warning about teen vaping at his Ottawa high school. (Hallie Cotnam/CBC)

On Nov. 27, Dante Caloia risked the wrath of his high school classmates by publishing a dispatch from the vaping front lines, in a column [published](#) by CBC News Ottawa.

"I found many many times I've walked into bathrooms and seen tons of kids vaping," Caloia said. "I actually have a few friends who literally can't go a few minutes without having to hit their Juul or their Vape."

So far Health Canada's primary method of controlling teen vaping is through restrictions on how vape products are promoted. As of Nov. 19, there can be no candy labels and no commercials appealing to youth by using celebrities or animal characters. Candy flavours can still be sold, just not advertised.

In the meantime vape fans are advertising to each other on [YouTube](#) and social media, posting videos blowing vaping rings and performing other dazzling tricks.

- [U.S. officials call teen vaping 'epidemic'](#)

- [The product is ahead of the science': Doctor fears future 'epidemic'](#)
- [SECOND OPINION: The effects of Big Vape won't be known for decades](#)

All of that as health officials repeat their mantra — if you don't already smoke, don't vape.

"What we don't want to see is a new generation of people who were not going to be smokers become long-term vapers or worse yet, moving through into tobacco," said James Van Loon, director general of the Tobacco Control Directorate at Health Canada.

"We really think that no young people should be using electronic cigarettes because of the health risks that we know and possibly more important the health risks that we don't know."

Limited evidence that vaping helps smokers quit

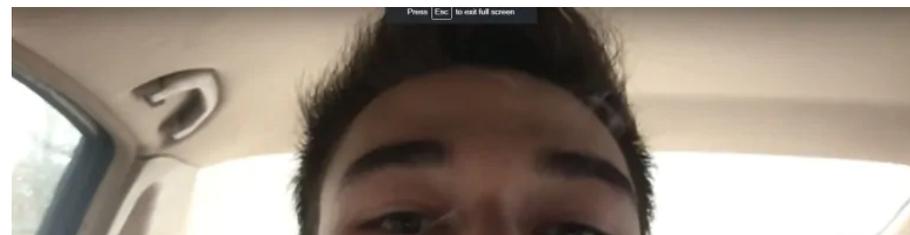
The underlying vaping philosophy is based on the theory that smokers will give up cigarettes for vaping, and then eventually stop vaping and shake their nicotine addiction altogether.

But there's little good evidence of that.

"By far most smokers who try vaping don't succeed in quitting, and they either become dual users or they revert to smoking cigarettes exclusively," said Robert Schwartz, executive director of the Ontario Tobacco Research Unit.

While they wait for adult smokers to switch, health officials appear prepared to risk exposing an entire generation to a nicotine addiction.

That's because, unlike other smoking cessation products, vaping did not sit quietly on the shelf beside the nicotine gum and the patches.





A vape trick video has over eight million views on YouTube. (Posted to youtube by vAustinL)

Instead, a powerful vaping industry is amassing as the world's tobacco companies introduce new vape products and invest in successful startups.

This week there were reports that tobacco giant Altria, the parent company of Marlboro cigarette maker Philip Morris, is considering buying a piece of Juul, which dominates the multibillion-dollar e-cigarette market.

“The product is nicotine.”

— Tobacco industry scientist William Dunn in 1972

It's a product revolution that tobacco industry tried, and failed, to launch decades ago.

Stanford University historian Stephan Risi discovered documents revealing how tobacco companies began secret research programs aimed at designing a smoke-free cigarette in the 1960s.

"It was also the moment when a lot of tobacco companies began to come around to the idea that what they're selling is not so much tobacco, it's really individual doses of nicotine," Risi said, pointing to evidence from industry archives.

"The cigarette should be conceived not as a product but as a package. The product is nicotine," Philip Morris scientist William Dunn, wrote in a confidential memo in 1972.

The same year, R.J. Reynolds research executive Claude Teague wrote in a confidential planning report "A tobacco product is, in essence, a vehicle for delivery of nicotine, designed to deliver nicotine in a generally acceptable and attractive form."

Now that Juul and others have solved that problem, the tobacco industry is on the front lines, marketing a new device that, when used as intended, will create a nicotine dependence in the user.

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A top Canadian doctor says Health Canada is 'asleep at the switch' when it comes to the teen vaping epidemic

The Canadian Press

Published Wednesday, January 9, 2019 5:27PM EST

Last Updated Wednesday, January 9, 2019 5:32PM EST

An Ottawa doctor who is a Canadian expert on smoking cessation says Health Canada is doing little to stop the teen vaping epidemic.

"This is an issue that's screaming for attention," says Dr. Andrew Pipe, "we're seeing a public health disaster unfold in front of our eyes. And quite frankly Health Canada has been asleep at the switch."

Dr. Pipe has spent decades in the smoking cessation field, through his work at the Ottawa Heart Institute, has helped Canadians kick their cigarette smoking habit. He calls the new teen vaping trend in Canada "disturbing".

"I talk to my colleagues across the country they're telling me about entire teenage hockey teams vaping between periods in the dressing rooms." Dr. Pipe adds, "These devices are the most sophisticated and concentrated form of nicotine on the market so within 48 to 72-hours teenagers become addicted. And thereafter, their brain is hard-wired to crave nicotine in a variety of forms throughout the course of their days. So we're spawning a whole new generation of smokers which is sadly ironic."

In November 2018, Health Canada added [new restrictions to Canada's Tobacco and Vaping Products Act \(TVPA\)](#) in hopes of cracking down on e-cigarette advertising appealing to youth. The bans include:

- the sale and promotion of vaping products that make the product appealing to youth, such as interesting shapes or sounds;
- the promotion of certain flavours—like candy, desserts, or soft drinks—that may be appealing to youth; and
- product promotion by testimonials or endorsements.

Dr. Pipe calls those restrictions "naïve" going on to say, "Health Canada is standing by and as far as I'm concerned doing nothing about an issue that mandates immediate action on the part of the minister and Health Canada."

"I want to see them regulate the product; I want to see them regulate the marketing, the advertising, and the displays, all of the same kind of principals that we use to regulate the marketing of tobacco products."

In a statement to CTV Ottawa, a Health Canada spokesperson says:

"The Minister of Health and Health Canada are deeply concerned about youth vaping in Canada as increasing rates have been observed in the United States. The vaping market is rapidly evolving, with the regular introduction of new products into Canada. We are aware of both anecdotal information and unpublished research showing increases in the rate at which Canadian youth are trying and using vaping products.

Health Canada has the authority to implement further measures to address the potential harms of vaping. The Department will not hesitate to propose further restrictions, should they prove necessary in light of the emerging data on youth vaping.

Canada has already established a strong regulatory framework for vaping products, with a focus on preventing uptake by youth and non-smokers. The Act includes significant restrictions to prevent uptake of vaping products by youth, including prohibiting the sale of non-prescription vaping products to persons under 18, whether or not these products contain nicotine. Online sales to youth are also prohibited. The Tobacco and Vaping Products Act (TVPA) has comprehensive restrictions in place on the promotion of vaping products, especially advertising appealing to youth. Some information and brand-preference advertising is permitted, as long as it is not contravention of the TVPA.

Health Canada is developing proposals for further protection measures, which would be set out in regulations. The Department also continues to work with its provincial and territorial counterparts in areas of shared jurisdiction, such as sales to youth and controls on the retail environment.

Additionally, the Government of Canada is in the early stages of launching a youth-oriented public education campaign to increase awareness about the harms and risks associated with vaping product use for youth aged 13-18. The campaign will also equip parents and other trusted adults with tools and resources to support conversations and discussions about the health risks of vaping products for this age group.

If you are a smoker, vaping is a much less harmful source of nicotine than smoking, but the Government of Canada's position is clear: if you don't smoke, don't vape."

Dr. Pipe's greatest concern, these teens who are now vaping will be so addicted to nicotine their bodies will crave more, and eventually evolve into smoking cigarettes. An addiction he says, Health Canada must stop before it starts, "47,000 Canadians die every year as a consequence of tobacco addiction and if 47,000 Canadians died in air crashes every year we'd be doing something about it."

MOST WATCHED

VYPE ePEN 3



Hits the Spot.



GOVYPE.CA

Vype products may be harmful to health and contain nicotine which is addictive. VYPE PRODUCTS ARE NOT SUITABLE FOR USE BY: persons who are not adults; persons who are under the legal age to purchase vaping products; persons who are allergic/sensitive to nicotine; pregnant or breast-feeding women; persons who have been advised to avoid using tobacco or nicotine products for medical reasons; persons with reduced physical, sensory, mental capabilities or lack of experience/knowledge unless they are under supervision or have been given instructions concerning the use of the product by a person responsible for their safety; and persons with an unstable heart condition, severe hypertension or diabetes. Keep Vype products out of reach of children.



ASP1-7B



WARNING: This product contains nicotine. Nicotine is an addictive chemical.

JUUL

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STLTH NICOTINE DELIVERY SYSTEM

RECHARGEABLE BATTERY | DISPOSABLE CARTRIDGES | CHARGING CASE

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HITS BIG

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MAKE THE SWITCH

1% AND 5% NICOTINE STRENGTHS NOW AVAILABLE

Nicotine is addictive.

NOT FOR SALE TO MINORS.

MONOPOLY

5





VYPE ePEN 3

The click and
vape system with
flavours that hit
the spot.



BLUE GOLD RED BLACK WHITE SILVER

 INFUSED VANILLA 0 mg/ml 12 mg/ml 18 mg/ml	 CRISP MINT 0 mg/ml 12 mg/ml 18 mg/ml	 DARK CHERRY 0 mg/ml 12 mg/ml 18 mg/ml
 SCARLET KICK 0 mg/ml 12 mg/ml	 GREEN SNAP 0 mg/ml 12 mg/ml	 INDIGO DIVE 0 mg/ml 12 mg/ml

 BLENDED TOBACCO 0 mg/ml 12 mg/ml 18 mg/ml	 FRESH APPLE 0 mg/ml 12 mg/ml 18 mg/ml	 GOLDEN TOBACCO 0 mg/ml 6 mg/ml 12 mg/ml 18 mg/ml
 STRAWBERRY SMASH 0 mg/ml 12 mg/ml	 MASTER BLEND TOBACCO 0 mg/ml 12 mg/ml 18 mg/ml Vpro nicotine salts	 CRUSH MINT 0 mg/ml 12 mg/ml 18 mg/ml

VYPE eTANK PRO 2

The open vape
system that's flexible.

 STRAWBERRY SMASH 0 mg/ml 6 mg/ml 12 mg/ml	 BLENDED TOBACCO 0 mg/ml 6 mg/ml 12 mg/ml 18 mg/ml	 DARK CHERRY 0 mg/ml 6 mg/ml 12 mg/ml
 GOLDEN TOBACCO 0 mg/ml 6 mg/ml 12 mg/ml 18 mg/ml	 CRISP MINT 0 mg/ml 6 mg/ml 12 mg/ml	 INFUSED VANILLA 0 mg/ml 6 mg/ml 12 mg/ml

Vype products may be harmful to health and contain nicotine which is addictive. **VYPE PRODUCTS ARE NOT SUITABLE FOR USE BY:** persons who are not adults; persons who are under the legal age to purchase tobacco products; persons who are allergic/sensitive to nicotine; pregnant or breast-feeding women; persons with reduced physical, sensory, mental capabilities or lack of experience/knowledge unless they are under supervision or have been given instructions concerning the use of the product by a person responsible for their safety; and persons with an unstable heart condition, severe hypertension or diabetes. Keep Vype products away from children.



VYPE eSTICK

Sleek.
Familiar.
On-The-Go.

Easy-to-use device.
Compact and lightweight.

TOASTED
TOBACCO



18

COOL
SPEARMINT



18

MORE CHOICE. AUTHENTIC TASTE. HIGH QUALITY.

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NEWEST
MEMBER**
OF THE VYPE FAMILY.

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CLOSED SYSTEM WITH CARTRIDGES

ePEN 3

DEVICE AND
CARTRIDGES



CONVENIENT

CHOOSE AND INSERT - READY TO VAPE



INSERT
CARTRIDGE

CLICK 3 TIMES
TO TURN ON

PRESS BUTTON
WHILE INHALING

OPEN SYSTEM WITH BOTTLES

eTANK PRO 2

DEVICE AND
eLIQUIDS

10ML BOTTLES



FLEXIBLE

ADD A FLAVOUR OR MIX TO MAKE YOUR OWN



FILL WITH
eLIQUID



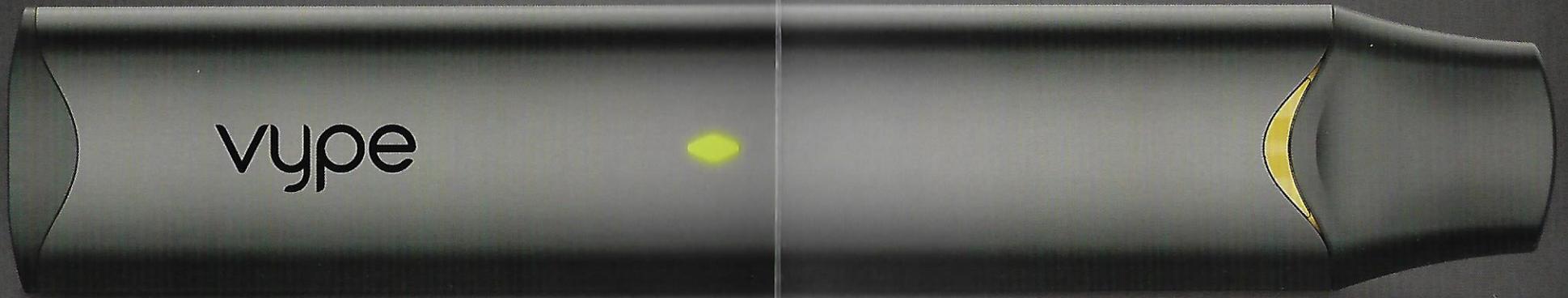
CLICK 3 TIMES
TO TURN ON



PRESS BUTTON
WHILE INHALING

THE PERFECT PUFF IS HERE.

REAL TASTE. REAL DRAW. REAL SATISFACTION.



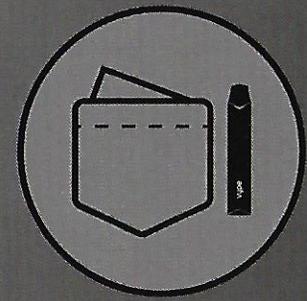
PUFF ACTIVATED



APPROXIMATELY 300 PUFFS
PER CARTRIDGE



STYLISH & COMPACT



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ePOD CARTRIDGES
FLAVOURS WITH A TWIST



WITH VYPE'S CLOSED SYSTEMS YOU'RE READY TO VAPE

ePOD



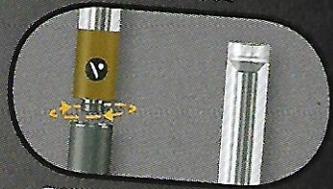
INSERT CARTRIDGE **PUFF ACTIVATED, THEY ARE READY TO VAPE**

ePEN 3



INSERT CARTRIDGE **CLICK 3 TIMES TO TURN ON** **PRESS THE BUTTON WHILE INHALING**

eSTICK



TWIST ON CARTRIDGE **PUFF ACTIVATED, THEY ARE READY TO VAPE**

Vype products may be harmful to health and contain nicotine which is addictive. VYPE PRODUCTS ARE NOT SUITABLE FOR USE BY: persons who are not adults, persons who are under the legal age to purchase vaping products, persons who are allergic/sensitive to nicotine, pregnant or breast-feeding women, persons who have been advised to avoid using tobacco or nicotine products for medical reasons; persons with reduced physical, sensory, mental capabilities or lack of experience/knowledge unless they are under supervision or have been given instructions concerning the use of the product by a person responsible for their safety; and persons with an unstable heart condition, severe hypertension or diabetes. Keep Vype products out of reach of children.

WITH VYPE'S OPEN SYSTEM MIX AND MATCH YOUR FAVORITE FLAVOURS

eTANK PRO 2



DISASSEMBLE
CLEAROMIZER &
REMOVE ATOMIZER



INSERT NEW ATOMIZER
&
REASSEMBLE



TWIST OFF
MOUTH-PIECE



FILL RESERVOIR
WITH eLIQUID



CLICK 3 TIMES TO TURN
ON & HOLD BUTTON
WHILE INHALING

If you require further information please visit govype.ca or contact one of our Vype Care Agents:
Phone: **1-8447GO-VYPE** (1-844-746-8973) | Email: support@govype.ca

FEATURED



With a name like Precious Angel Baby, who wouldn't want to take this 1-year-old friendly cat home?



Fiery council meetings easily shrugged off thanks to old hobby for former Essex mayor Ron McDermott



Area fliers share their heightened anxiety of flights on Boeing 737 Max aircraft



Local Mediterranean restaurant owner pushes back against an angry review

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Concerns over more students vaping at high schools



In this April 11, 2018, file photo, an unidentified 15-year-old high school student uses a vaping device near the school's campus in Cambridge, Mass. (AP Photo/Steven Senne, File)

CTV Windsor

Published Thursday, January 17, 2019 4:52PM EST

Last Updated Friday, January 18, 2019 11:03AM EST

A drastic increase in the number of students vaping is causing concern at high schools across Windsor-Essex.

Trustees of the Greater Essex County District School Board were made aware of a student research project this week that reveals one in five teenagers are vaping.

Trustee Ron LeClair claims vaping is happening in bathrooms, hallways and even classrooms.

RELATED STORIES

[Health Canada launches campaign to educate teens on the health risks of vaping](#)

[Health groups warn against vaping advertising in Ontario convenience stores](#)

LeClair tells CTV Windsor the vapour is nearly odourless, and other than the physical evidence, it is hard for teachers to catch students in the act.

He hopes parents talk to their children about vaping.

“My hope is the parents will help be vigilant and engage their children regarding the concerns about vaping, not only in school, but at all,” says LeClair. “It’s a health hazard.”

Vaping in school is still a prohibited activity, and health officials say while vaping is less harmful than smoking, it is still bad for your health and highly addictive.

MOST WATCHED



'Bomb cyclone' leads to 100-vehicle pileup

MORE STORIES FROM WINDSOR



Grounded Boeing 737 MAX planes showing up in Windsor

Windsor International Airport is serving as a parking lot for grounded Boeing 737 MAX aircraft.



Windsor man sentenced to life, ineligible for parole for 15 years in 'brutal killing'



Windsor cannabis dispensary attracts police presence again



Ontario education announcement expected, could include class size update

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Concerned Ontario high schooler wants stricter consequences for students who vape



In Chatham-Kent, seven students are facing fines for vaping on school property

Flora Pan · CBC News · Posted: Jan 25, 2019 6:00 AM ET | Last Updated: January 25



Health units in Windsor-Essex and Chatham-Kent have reported a higher volume of calls from schools in the area about students vaping. (CBC)



A LaSalle 12th Grader is applauding the Chatham-Kent Public Health Unit for issuing tickets to seven students caught vaping on school properties.

Petar Bratic, who goes to Sandwich Secondary School, said the use of e-cigarettes have become increasingly common over the last year.

"Every type of student does it, even the good students," said Bratic, like his friend who "has a 98 in calculus."

His observations led him to make a presentation at the last Board of Trustees meeting at the school board, about the issue of vaping among students.

- [7 students fined for vaping on school property in Chatham-Kent](#)

Some places students use e-cigarettes include washrooms and even in classrooms with the teacher present, according to Bratic.

Superintendent of education with the Greater Essex County District School Board Sharon Pyke said it's becoming "more and more difficult to detect" who's vaping and who isn't, and the devices have become much smaller and more easily concealable.

"And well, if you asked me that a year ago, I'd say we don't have a problem with it. But this year looks different," she said.





Petar Bratic says he first started noticing that vaping has become more prevalent last year. (Submitted by Petar Bratic)

Pyke said there are more reports of students vaping on school buses or on school property recently. Both Chatham-Kent Public Health Unit and Windsor-Essex County Health Unit have said they're receiving more calls from schools about students vaping as well.

In a survey Health Canada conducted in 2016-17, 10 per cent of students in grades 7 to 12 reported having used an e-cigarette in the last 30 days.

- **['The product is ahead of the science': Doctor fears future 'epidemic' of long-term vaping effects](#)**

For Bratic, this increase in vaping behaviour is affecting his days at school because it's distracting for him -- with some students blowing smoke rings when the teacher isn't looking, and the various scents from e-cigarettes that linger in his surroundings.

Not only that, he's worried about "second-hand vape."



Sharon Pyke uses her fingers to show just how small vaping devices have gotten in recent years. (Katerina Georgieva/CBC)

According to Eric Nadalin, manager of chronic disease and injury prevention at Windsor-Essex County Health Unit, they're concerned about youth drawn to the use of e-cigarettes, because "many of these products can contain nicotine."

"So it's possible that kids are becoming addicted to these products, and are becoming dependent on them," he said.

According to Bratic, schools need to become stricter when it comes to enforcing the guidelines around vaping.

He was glad to see that schools in Chatham-Kent called in the public health unit to issue those fines to students violating the Smoke-Free Ontario Act.

- **[So your teenager is vaping. Here's what you can do](#)**
- **[Exploding e-cigarette 'lit my kid's face on fire,' warns Alberta father](#)**

In the long term, Bratic thinks there needs to be more talk about the harmful consequences of vaping "that's right in their face."

"Sit them down and talk about the issue. Give them the hard facts," he said. One example he gave was a teen whose father said an e-cigarette exploded while his son was using it.

Bratic said he has the photo of the teen saved on his phone to show his peers when the topic comes up.

"We need more education," he said.

With files from Katerina Georgieva

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PETITION

To the Legislative Assembly of Ontario:

WHEREAS adolescent e-cigarette use, commonly referred to as ‘vaping,’ has already been recognized as an epidemic by health officials in the United States;

WHEREAS in 2017, 23% of Canadians aged 15 to 19 had ever used an e-cigarette;

WHEREAS there was a 78% increase in e-cigarette use among high school students in the United States between 2017 and 2018;

WHEREAS e-cigarette use regularly occurs inside Ontario’s high schools, including in school classrooms, washrooms and hallways;

WHEREAS research from the University of Waterloo indicated that vaping doubles the risk of smoking in teens;

WHEREAS e-cigarettes are widely advertised and are easily accessible to underage individuals;

WE the undersigned petition the Legislative Assembly of Ontario as follows:

Take immediate action to combat the use of e-cigarettes among Ontario’s youth by recognizing it as a public health crisis, prohibiting the public advertising of e-cigarettes, prohibiting the open display of e-cigarettes in stores, mandating the establishment of public health campaigns discouraging e-cigarette use, and mandating that health units across Ontario use their test shoppers for e-cigarettes, as they already do for cigarettes. Furthermore, develop a provincial strategy to combat vaping and require all principals and teachers in Ontario to report every instance of e-cigarette use they witness to a tobacco enforcement officer.

Full name (printed)	Address (printed)	Signature

Intentionally left blank

Vaping doubles risk of smoking cigarettes for teens

MONDAY, SEPTEMBER 18, 2017

Teenagers who try e-cigarettes double their risk for smoking tobacco cigarettes, according to a new study.

The study — from the University of Waterloo and the Wake Forest School of Medicine — found that students in grades seven to 12 who had tried an e-cigarette are 2.16 times more likely to be susceptible to cigarette smoking.

“Since e-cigarettes came on the market there has been a debate about whether their use may lead to cigarette smoking,” said Bruce Baskerville, co-author on the study and a researcher at the Propel Centre for Population Health Impact at the University of Waterloo. “The answer among adolescents is yes.”

Using data from the Canadian Student Tobacco, Alcohol and Drugs Survey, the study found almost 10 per cent of students in grades seven to 12 reported ever having used e-cigarettes.

E-cigarettes can contain nicotine but not many of the harmful substances produced by smoking tobacco, such as tar or carbon monoxide. These products work through an inhalation-activated system that heats a solution to create an inhalable aerosol, often known as vapor.

“While preliminary evidence suggests that e-cigarettes contain fewer toxic chemicals than traditional cigarettes, our findings suggest that a potential increase in harmful cigarette use may follow as e-cigarette use continues to rise among adolescent populations,” said Baskerville.

Provincial regulations for e-cigarettes vary across the country. In Ontario, the Electronic Cigarettes Act came into place on January 1, 2016 and prohibits the sale of e-cigarettes to anyone under 19 years of age.

“This study supports the restricting of e-cigarette access to minors, which have been shown to have heightened risk to initiate smoking,” said Baskerville. “More research is needed in Canada on additional contributing risk factors as well as longitudinal data to evaluate the complex relationship between e-cigarette use and tobacco cigarette use in adolescence.”

Tobacco remains the leading cause of preventable death in Canada.

The study is published in [Preventive Medicine](#).

About the University of Waterloo

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-30-

Media Contact

[Matthew Grant](#)

University of Waterloo

226-929-7627

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21.
 $6 \times 8 \frac{1}{2} = 6 \times \frac{17}{2} = 51 (\text{個})$
(2個蛋卷要10個○)
 $10 \div 2 = \frac{10}{2} = 5$
 $45 \div 50 = \frac{45}{50} = \frac{9}{10}$ (顆)

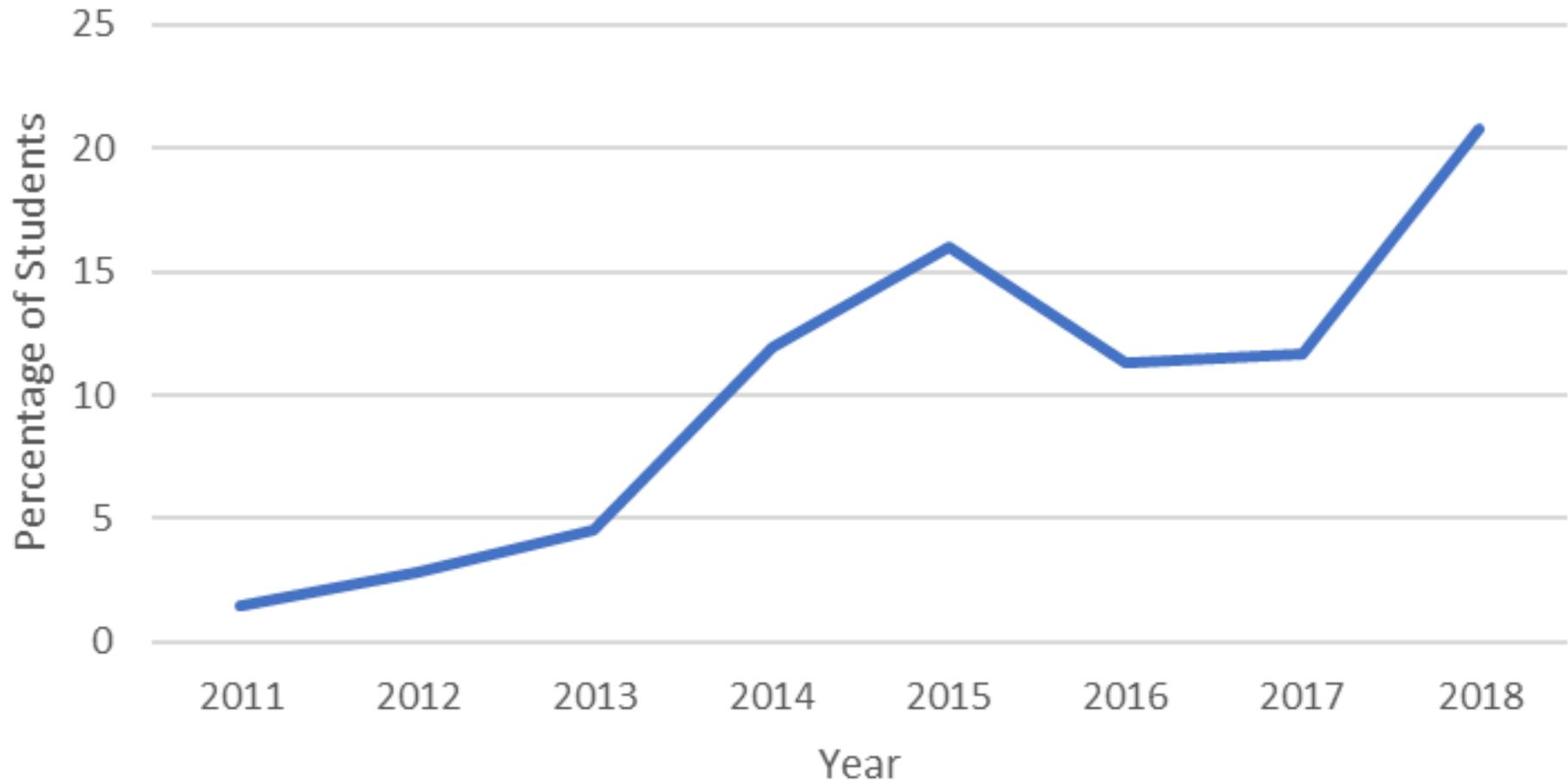
一正數用8去除餘6
"9" "7"
"15" "13"
問這個數最小=?



YOUTH VAPING EPIDEMIC

RESPONSE NEEDED AT MUNICIPAL LEVEL

E-Cigarette Use by High School Students



Source: CDC

SECOND OPINION

Teen vaping in Canada has taken a 'worrisome' turn



New data suggests teen smoking rates in Canada are also rising



Kelly Crowe · CBC News · Posted: Dec 08, 2018 4:00 AM ET | Last Updated: December 8, 2018

“Canadian teenage vaping rates have increased substantially, similar to the dramatic increase in the U.S. where rates shot up by 80 per cent in one year, a trend the FDA called 'epidemic.'”

“And even more disturbing – cigarette smoking in teenagers appeared to be rising for the first time in 30 years.”

“[P]rogress in reducing youth smoking may have stalled.”

A top Canadian doctor says Health Canada is 'asleep at the switch' when it comes to the teen vaping epidemic



New warnings about the risks of vaping



Canada's leading smoking cessation expert says Health Canada is 'asleep at the switch' when it comes to the teen trend.

H.S. Principal takes action to curb vaping



Barrhaven principal decides to remove bathroom doors to deter students vaping in school. CTV's Catherine Lathem reports.



468



468



Advertisement

**ALTA VISTA
ANIMAL HOSPITAL**

OPEN 24/7 WITH NO
ADDITIONAL EMERGENCY FEE
EMERGENCY, SPECIALTY

The Canadian Press

Published Wednesday, January 9, 2019 5:27PM EST

Last Updated Wednesday, January 9, 2019 5:32PM EST

“I want to see them regulate the marketing, the advertising, and the displays, all of the same kind of principals (sic) that we use to regulate the marketing of tobacco products.”

- Dr. A. Pipe, Smoking Cessation Specialist



**Mac's – next to gas pump
(Front Rd., LaSalle)**

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19+

Petro Canada – displayed through door
(Front Rd., LaSalle)



E&J Variety – store's signs
(Front Rd., LaSalle)



E&J Variety – displayed through door/windows
(Front Rd., LaSalle)

PAMPHLETS

“The click and vape system with flavours that hit the spot.”

Flavours include:

- Fresh apple
- Strawberry smash
- Peach whirl
- Crush mint
- Infused vanilla
- Mango wonder
- Berry blast

PAMPHLETS

“Sleek. Familiar. On-The-Go. Easy to use device. Compact and lightweight.”

“More choices. Authentic taste. High quality.”

“Convenient. Choose and insert – ready to vape.”

“The perfect puff is here. Real taste. Real draw. Real satisfaction.”

PAMPHLETS

“Introducing vPRO nicotine salt line. Bold flavour satisfaction.”

“With Vype’s closed systems you’re ready to vape”

“Mix and match your favourite flavours.”

PUBLIC NUISANCE – MUNICIPAL ACT

Public nuisances

128 (1) Without limiting sections 9, 10 and 11, a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances. 2001, c. 25, s. 128 (1); 2006, c. 32, Sched. A, s. 68.

Not subject to review

(2) The opinion of council under this section, if arrived at in good faith, is not subject to review by any court. 2001, c. 25, s. 128 (2).

“These devices are the most sophisticated and concentrated form of nicotine on the market so within 48 to 72-hours teenagers become addicted. And thereafter, their brain is hard-wired to crave nicotine in a variety of forms throughout the course of their days. So we’re spawning a whole new generation of smokers which is sadly ironic.”

- Dr. A. Pipe, Smoking Cessation Specialist



The Corporation of the Town of LaSalle

Date	March 18, 2019	Report No:	CL-10-19
Directed To:	Mayor and Members of Council	Attachments:	Appendix "A" Notice of Intent-Potential Measures to Reduce the Impact of Vaping Products Advertising on Youth. Appendix "B" Relevant Legislation Appendix "C" Smoking By-law
Department:	Council Services	Policy References:	
Prepared By:	Agatha Robertson, Director of Council Services and Clerk		
Subject:	Vaping Products- Advertising		

RECOMMENDATION:

That the report of the Director of Council Services/ Clerk dated March 18, 2019 (CL-10-19) regarding Vaping Products –Advertising BE RECEIVED for information.

REPORT:

Currently in Ontario there are two pieces of legislation that speak to the advertising of Vaping products. At the provincial level, the guiding legislation is the *Smoke-Free Ontario Act 2017* in terms of display and promotion of these products however the federal government does have some regulatory authority as well through the *Tobacco and Vaping Products Act 2018*. The Health Unit is currently responsible for enforcing these two pieces of legislation.

Health Canada is proposing new restrictions on advertising vaping products and e-cigarettes to minors, citing concerns about the products' rising popularity among teens.

The proposed regulations, which have yet to be finalized, restrict advertising where youth might see it. This means not allowing advertisements at points of sale where youth are allowed access — including online. It would also remove ads from public places like malls, billboards and public transit. Ads for vaping products wouldn't be allowed within 30 minutes of any television or radio show aimed at children or youth, and wouldn't be allowed in any publications, including social media platforms, that are aimed at youth. (attached as Appendix "A")

The comment period to provide feedback ended March 22, 2019. There will be further opportunities to provide comments throughout the federal regulatory process. Comments received will be used to develop proposed regulations to limit vaping product promotion.

For Councils review I have attached the specific sections of the legislation that speaks to the advertisement and promotion of vaping and e-cigarettes. (attached as Appendix "B").

In a review of municipalities across Ontario I have not found any municipality at this time that has prepared a by-law that restricts advertisement of Vaping products.

Council on July 14, 2015 adopted By-law 7775" BEING A BY- LAW TO PROHIBIT SMOKING WITHIN TOWN OF LASALLE OWNED PARKS, FACILITIES, PLAYGROUNDS AND SPORTS FIELDS", this By-law also includes e-cigarettes as well. (attached as Appendix "C")

Submitted to Council for Information.



Agatha Robertson - Director of Council Services/Clerk

Reviewed by:							
CAO 	Finance	Council Services	Public Works	DSI	Culture & Rec	Fire	



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Notice of Intent – Potential Measures to Reduce the Impact of Vaping Products Advertising on Youth and Non-users of Tobacco Products

Tobacco and Vaping Products Act

Notice of Intent - Potential Measures to Reduce the Impact of Vaping Products Advertising on Youth and Non-users of Tobacco Products

This notice offers interested parties the opportunity to provide comments on regulatory measures under consideration to reduce the impact of vaping product advertising on youth and non-users of tobacco products under the authority of the *Tobacco and Vaping Products Act (TVPA)*.

Background

Tobacco use is the leading preventable cause of disease and premature death in Canada. It is a known or probable cause of more than 40 debilitating and often fatal diseases of the lungs,

non-tobacco users: 1) there is substantial evidence that e-cigarette (a type of vaping product) use results in symptoms of dependence, and 2) there is substantial evidence that e-cigarette use increases risk of ever using combustible tobacco cigarettes among youth and young adults.

The *Canadian Student Tobacco, Alcohol and Drugs Survey (CSTADS)* results from 2016-2017 indicate that 15% of students in grades 10-12 (Secondary IV and V in Quebec) used a vaping product in the past 30 days, up from 9% in 2014-15. This represents a 64% increase, or roughly 30% per year. Preliminary results from the *International Tobacco Control Youth Tobacco and Vaping Survey* suggest that there has been an increase in the proportion of 16- to 19- year old Canadians who have tried vaping in the last 30 days between September 2017 and September 2018. It appears that the rate of youth uptake is rapidly accelerating. Similar observations were noted in the United States, where the use of vaping products in the past 30 days rose from 12% in 2017 to 21% in 2018 (a 78% increase) among high school students.

Health Canada is very concerned that the recent introduction of vaping products with high nicotine content and the reported marked increase in youth experimentation and uptake of vaping are threatening Canada's hard earned gains in tobacco control. Stricter regulatory measures are needed to protect youth and non-users of tobacco products from inducements to use vaping products. An objective of the TVPA with respect to vaping products is to "prevent vaping product use from leading to the use of tobacco products by

conditions. As well, catalogues or pamphlets that provide information on the brands of vaping products available would be allowed at any point of sale, provided that they are not publicly displayed and are only made available to an adult customer upon request. These restrictions would not apply at points of sale where youth do not have access (e.g. a vape shop that does not allow youth on its premises or on its website), as long as the advertising material cannot be seen from the outside of these places.

2. **Public Places:** Vaping product advertisements (e.g. signs) would not be permitted in certain public places where youth have access such as shopping malls; recreation, arts and cultural facilities; parks; in public transit vehicles and stations; billboards and other outdoor physical supports for commercial advertising.
3. **Broadcast Media:** Vaping product advertisements would not be permitted in broadcast media during or adjacent to (within 30 minutes before or after) all children's and youth-oriented programming at all times of day and night and on all channels.
4. **Publications:** Advertisements of vaping products would not be permitted in children's and youth-oriented publications. This would include electronic publications such as websites and social media platforms.

Another measure under consideration is to restrict the visual content of advertisements to only text and illustrations or images of the vaping product or its package.

Where the advertisement only has an audio content, the applicable health warning would have to be read.

C. Other forms of retail promotion

Health Canada is considering measures to restrict the display of vaping products at points of sale. Such restrictions would not apply at points of sale where youth do not have access (e.g. a vape shop that does not allow youth on its premises or that blocks access to its website to youth), as long as the products cannot be seen from the outside of these places.

Submitting comments

Canada is a Party to the World Health Organization Framework Convention on Tobacco Control. Article 5.3 of the Convention requires that Parties, in setting and implementing their public health policies with respect to tobacco control, to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law. Therefore, the Government of Canada takes measures to limit interactions with the tobacco industry to only those necessary to effectively regulate the industry and the products it sells.

0301A, 150 Tunney`s Pasture Driveway, Ottawa, Ontario K1A 0K9 or
in electronic format (Microsoft Word or Adobe Acrobat) to
hc.pregs.sc@canada.ca

James Van Loon

Director General

Tobacco Control Directorate

Controlled Substances and Cannabis Branch

This Notice of intent is also published in *Canada Gazette, Part I.*

Date modified:

2019-02-26

Smoke-free Ontario Act, 2017

Display, etc., of vapour products

4.1 (1) No person shall, in any place where vapour products are sold or offered for sale, display or permit the display of vapour products in any manner that would permit a consumer to view or handle the product before purchasing it, except in accordance with the regulations, if any. 2018, c. 12, Sched. 4, s. 3.

Promotion

(2) No person shall promote vapour products, except in accordance with the regulations, if any,

- (a) in any place where vapour products are sold or offered for sale; or
- (b) in any manner, if the promotion is visible from outside a place in which vapour products are sold or offered for sale. 2018, c. 12, Sched. 4, s. 3.

Section Amendments with date in force (d/m/y)

Display, etc., of prescribed products and substances

4.2 (1) No person shall, in any place where a prescribed product or substance is sold or offered for sale, display or permit the display of a prescribed product or substance in any manner that would permit a consumer to view or handle the product before purchasing it, except in accordance with the regulations, if any. 2018, c. 12, Sched. 4, s. 3.

Promotion

(2) No person shall promote a prescribed product or substance, except in accordance with the regulations, if any,

- (a) in any place where a prescribed product or substance is sold or offered for sale;
or
- (b) in any manner, if the promotion is visible from outside a place in which a prescribed product or substance is sold or offered for sale. 2018, c. 12, Sched. 4, s. 3.

Tobacco and Vaping Products Act, 2018

Vaping Products

Marginal note:Advertising appealing to young persons

30.1 No person shall promote a vaping product, a vaping product-related brand element or a thing that displays a vaping product-related brand element by means of advertising if there are reasonable grounds to believe that the advertising could be appealing to young persons.

- 2018, c. 9, s. 36.

Marginal note:Lifestyle advertising

30.2 No person shall promote a vaping product, a vaping product-related brand element or a thing that displays a vaping product-related brand element by means of lifestyle advertising.

- 2018, c. 9, s. 36.

Marginal note:Testimonials or endorsements

- **30.21 (1)** No person shall promote a vaping product through a testimonial or an endorsement, however displayed or communicated, including by means of the packaging.

- **Marginal note:Depiction of person**

(2) For the purposes of subsection (1), the depiction of a person, character or animal, whether real or fictional, is considered to be a testimonial for, or an endorsement of, the product.

- 2018, c. 9, s. 37.

Marginal note:Sponsorship promotion

- **30.3 (1)** No person shall promote a vaping product-related brand element or the name of a vaping product manufacturer in a manner that is likely to create an association between the brand element or the name and a person, entity, event, activity or permanent facility.

- **Marginal note:**

- **Promotional material**

(2) No person shall use, directly or indirectly, a vaping product-related brand element or the name of a vaping product manufacturer in the promotional material related to a person, entity, event, activity or permanent facility.

- 2018, c. 9, s. 36.

Marginal note:Name of facility

THE CORPORATION OF THE TOWN OF LASALLE

BY-LAW NUMBER 7775

BEING A BY-LAW TO PROHIBIT SMOKING WITHIN TOWN OF LASALLE OWNED PARKS, FACILITIES, PLAYGROUNDS AND SPORTS FIELDS

WHEREAS Section 115 of the *Municipal Act, S.O. 2001, c.25*, as amended authorizes the Council of a local municipality to pass a by-law prohibiting or regulating the smoking of tobacco in public spaces within the municipality;

AND WHEREAS it has been determined that environmental tobacco smoke (exhaled smoke and the smoke from idling cigarettes, cigars and pipes), also known as second hand smoke, is a health hazard and a discomfort for inhabitants of the Town of LaSalle;

NOW THEREFORE, the Council of the Corporation of the Town of LaSalle hereby enacts as follows:

Definitions:

1. In this by-law:

- a) **"Council"** means the Council for the Corporation of the Town of LaSalle;
- b) **"Designated Smoking Area"** means a space located on municipally owned or leased property which has been designated by the Town of LaSalle with signage and smoking disposal equipment to permit smoking away from areas where persons congregate or travel;
- c) **"Municipality"** means the Corporation of the Town of LaSalle;
- d) **"Municipal Building"** means any building or structure, owned, leased, controlled or used by the Town for municipal purposes;
- e) **"Officer"** means a person employed by the Windsor Essex Health Unit who has been appointed to enforce the *Smoke Free Ontario Act, S.O. 1994, c. 10* and such persons are hereby appointed as by-law enforcement officers of the Municipality for this purpose;
- f) **"Public Place"** means the places as described in Schedule A attached hereto and forming part of this by-law, whether or not a "No Smoking" sign is posted;
- g) **Smoking** means the carrying of a lighted cigar, cigarette, e-cigarette, pipe or any other lighted or heated equipment used to smoke or vaporize any tobacco or non-tobacco product;
- h) **"Use of Smokeless Tobacco"** shall mean the use of chew, plugs, snus or snuff.

Prohibition:

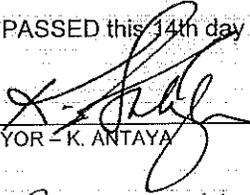
2. No person shall engage in Smoking or use of Smokeless Tobacco in any Public Place.

Read a first and second time and FINALLY PASSED this 14th day of July, 2015.

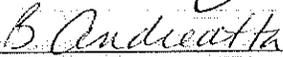
1st reading – July 14, 2015

2nd reading – July 14, 2015

3rd reading – July 14, 2015



MAYOR – K. ANTAYA



CLERK – B. ANDREATTA



The Corporation of the Town of LaSalle

Date	March 18, 2019	Report No:	CAO-C&P-08-19
Directed To:	Mayor and Members of Council	Attachments:	Social Media Policy
Department:	Administration	Policy References:	
Prepared By:	Dawn Hadre, Corporate Communication and Promotions Officer		
Subject:	Social Media Policy Update		

RECOMMENDATION:

That Council approve the revised Social Media Policy.

REPORT:

The Town's Social Media Policy has been updated to include criteria for promoting community events and guidelines for Council Members (changes are highlighted in yellow). The policy is attached.

The revised policy was reviewed and received at the March 7, 2019 Strategic Planning Communication/Promotion meeting.

Respectfully submitted,

Dawn Hadre
Corporate Communication and Promotions Officer



**THE CORPORATION OF THE TOWN OF LASALLE
POLICY MANUAL**

POLICY MANUAL SECTION: Governance – Communications & Promotions	POLICY NUMBER: G-CP-004
POLICY NAME: Use of Social Media	AUTHORITY: 144/15
DATE APPROVED: April 14, 2015	DEPARTMENT RESPONSIBLE: Administration
REVISION DATES:	REVIEW DATE: March 2021
STATUS: Active	

PURPOSE:

The Town of LaSalle is aware of the importance of using social media to communicate with and engage members of the community. This policy is in place to protect the Town’s identity and to ensure accuracy and transparency in online social media sites. This policy also outlines the responsibility of the Town’s employees, members of Council and/or volunteers who may utilize social media on behalf of the Town.

POLICY STATEMENT:

The Town of LaSalle will ensure open, honest and clear channels of communication including through the use of social media. The key objectives are to engage the community through two-way communication, increase the awareness of the Town’s services, and to improve accountability through accurate and timely information posted on the Town’s social media sites.

SCOPE:

The policy applies to all Town of LaSalle employees and departments, members of Council, members of committees, volunteers, and any person who has been retained and/or engaged to act on behalf of the Town of LaSalle, save and except LaSalle Police Services, who use social media to interact with the public on behalf of the Town.



POLICY:

DEFINITIONS

Social Media

Social media is the use of internet websites that allow users to interact with other people to share information, provide feedback and bring people together who share the same interests. Examples of social media sites include, but are not limited to: Facebook, Twitter, YouTube, LinkedIn, Pinterest etc.

Traditional Forms of Communication

Traditional forms of communication include newsletters, brochures, newspapers, radio and television etc.

Website (www.lasalle.ca)

The Town's website is considered to be the primary online source for information about the Town's services, programs, events etc. The Town's social media sites are intended to complement the website's information and engage the community with instantaneous two-way communication. The town's social media sites, where possible, will link to the town's website.

PROCEDURES & PRACTICES

The Town of LaSalle will use reasonable efforts to ensure that its policies, practices and procedures are consistent with the following principles:

- The use of social media should add value to the Town's traditional forms of communication and website (www.lasalle.ca).
- The Corporate Communication and Promotions Officer and/or CAO will explore the tools that will allow residents to better communicate and become engaged with the Town. Town social media sites will be introduced, **maintained** and monitored by the Corporate Communication and Promotions Officer and/or CAO.
- Town employees and departments, members of Council, members of committees, volunteers, and any person who has been retained and/or engaged to act on behalf of the Town of LaSalle who have been granted permission to post to the Town's social media sites must, at all times, conduct themselves in the best interest of the Town.
- Town employees and departments, members of Council, members of committees, volunteers, and any person who has been retained and/or engaged to act on behalf of the Town of LaSalle communicating on behalf of the Town through any external non-town social



media sites must provide appropriate and timely information that represents the Town's policies, services and programs in the best possible manner.

- Use of social media will comply with the law and codes of practice surrounding local government publicity, the *Municipal Freedom of Information and Protection of Privacy Act* and copyright laws.
- Town employees and departments, members of Council, members of committees, volunteers, and any person who has been retained and/or engaged to act on behalf of the Town of LaSalle may not disclose confidential or sensitive information related to the Town, its business and/or affairs, elected officials, employees, volunteers, vendors, suppliers, residents or other stakeholders on the Town's social media sites or any external non-town social media sites, without prior written approval.
- Town employees and departments, members of Council, members of committees, volunteers, and any person who has been retained and/or engaged to act on behalf of the Town of LaSalle are encouraged to like/follow official Town social media sites, and to share content that has already been posted on those social media sites. Members of Council should identify where they are expressing personal views, and not the views of the corporation. Members of Council should adhere to the Town's *Council Code of Conduct* when posting to any social media sites.
- At the discretion of the Corporate Communication and Promotions Officer and/or CAO, any information, photos or videos that are shared or posted to the Town's social media sites may be used by the Town for promotional and/or other marketing purposes with the appropriate permissions from the person posting/commenting.
- The Town's social media sites will be updated regularly and will share timely and accurate information with the public including, but not limited to, official Corporation of the Town of LaSalle business, Council decisions, public statements, information about services, programs and/or events, employee recruitment and other information related to the municipality etc.
- The Town's social media sites may be used to conduct surveys and/or questionnaires as deemed appropriate by the Corporate Communication and Promotions Officer and/or CAO.
- Comments, posts and/or messages solicited by the Town and collected for the public record using the Town's social media sites will be treated like any other form of communication, and as such will be subject to the *Municipal Freedom of Information and Protection of Privacy Act*.
- Department Heads and/or their designate will be responsible for creating and updating the Town's social media sites with departmental, service and/or program based



information. Any employee designated to post to the Town's social media sites will be trained by the Corporate Communication and Promotions Officer. Those trained employees are trusted to have access to login and password information that is owned by the Town. All user names and/or passwords will be set/changed by the Corporate Communication and Promotions Officer and/or CAO as required.

- Any posts/comments received from the public, when a response is required, should be responded to within 48 hours (in accordance with the Town's Customer Service Standards Policy), or on the next business day, by the Corporate Communication and Promotions Officer and/or CAO. If a response is not possible in that timeframe, the Town will advise the person who made the post via that social media site. The Corporate Communication and Promotions Officer will review any negative, sensitive or controversial comments with the appropriate department and/or CAO and decide on the course of action.

- Town employees and departments, members of Council, members of committees, volunteers, and any person who has been retained and/or engaged to act on behalf of the Town of LaSalle who will be posting to the Town's social media sites will be trained regarding the terms of this policy and appropriate content and writing style.

- The Town's social media sites may be used to relay information to the community in emergency situations.

Personal Use of Social Media

- Town employees and departments, members of Council, members of committees and volunteers are free to use social media as private citizens, but are not authorized to comment on social media sites on behalf of the Town unless they have been appointed to do so by the Corporate Communication and Promotions Officer and/or CAO and/or Mayor.

- Use of online communication is never private. Disparaging or inflammatory comments and/or unprofessional remarks made about the Town of LaSalle, its employees, members of Council, members of committees, volunteers, municipal affairs or business could be considered detrimental to the Town of LaSalle, and may result in disciplinary action.

- Public service is a public trust, and as such, it is critical that every municipal employee, member of Council, member of committee and volunteer be committed to the highest standards of ethical behavior, including while posting and/or commenting on any social media sites. Disciplinary action may be considered should any social media posts and/or comments be considered to negatively affect the public's perception of the Town of LaSalle or its employees, members of Council, members of committees and/or volunteers.



TERMS OF USE

- All Town social media sites will be monitored Monday to Friday from 8:30 am to 4:30 pm. The Town intends to respond to posts within 48 hours, or on the next business day. If a response is not possible in that timeframe, the Town will advise the person who made the post via that social media site.
- Comments from the public will be allowed on the Town's social media sites, but will be closely monitored by the Corporate Communication and Promotions Officer and/or CAO for appropriateness. The Town's social media sites will include a "Terms of Use" statement that specifies what will be considered acceptable/unacceptable content. Those who post unacceptable content may be blocked, and will be contacted via that social media site to be asked to contact the Corporate Communication and Promotions Officer and/or CAO by phone or in-person to discuss the post. Inappropriate comments may be deleted and/or hidden without notice. Inappropriate content includes, but is not limited to:
 - Provides personal information about an individual(s);
 - Profane language and/or content and/or defamatory statements;
 - Personal attacks on individuals, groups, events or ideas;
 - Content that infringes on another's intellectual property rights (i.e. copyright, trademarks, design and patents);
 - Content of a religious nature that might be deemed prejudicial;
 - Content that can be considered a commercial endorsement, advertisement or solicitation of an individual or and individual business;
 - Content that promotes, fosters or perpetuates discrimination or harassment under the Ontario Human Rights Code;
 - Content with the intent to inflict harm;
 - Sexual content, dangerous and/or illegal activity of any kind;
 - Content of a confidential nature pertaining to the Town;
 - Personal information about an identifiable individual other than the person posting the comment;
 - Content that promotes any candidate and/or materials for federal, provincial or municipal elections or for Council appointments;
 - Derogatory comments about members of Council and/or Town employees and/or Town services and/or other levels of government;
 - Any content that is determined to be inappropriate in the opinion of the Corporate Communication and Promotions Officer and/or CAO.
- The Town of LaSalle logo and/or name will be included on all social media sites to clearly indicate that the site is maintained by the Corporation of the Town of LaSalle. The Town's *Brand Identity Standards Guide* will be followed for use of the Town logo.
- The Town's social media sites will include a link to the Town's website (www.lasalle.ca) to provide the public a location to review all information, forms and documents related to the Corporation of the Town of LaSalle.



CRITERIA FOR PROMOTING COMMUNITY EVENTS

The Corporate Communication and Promotions Officer may choose to share information about community events on the Town's social media sites. The Town reserves the right to refuse or remove any event related information at any time, without notice. Those events must meet at least one of the following criteria:

- Event must be open to the general public
- Organized or funded by another order of government;
- Organized by a government-funded agency or board;
- Organized by a group that is affiliated with the Town;
- Organized by a charitable organization that has a registered charitable number;
- Organized by a service club;
- Located in a facility that is owned or leased by the Town.

ACCESSIBILITY

The Town of LaSalle is committed to the principle of accessibility and is required to comply with communications and information provisions in the Accessibility for Ontarians with Disabilities Act (AODA). The Town will facilitate delivery of material that the Town communicates through social media.

RESPONSIBILITIES:

The Corporate Communication and Promotions Officer is responsible for this document.

POLICY REVIEW

This policy will be periodically reviewed and updated as required. This policy must be reviewed by the stated review date and approved by the responsible department.

REFERENCES AND RELATED DOCUMENTS:

Town of LaSalle Brand Identity Standards Guide
Town of LaSalle Employee Code of Conduct
Town of LaSalle Council Code of Conduct
Town of LaSalle Customer Service Standards
Municipal Freedom of Information and Protection of Privacy Act
Ontario Human Rights Code

ATTACHMENTS:

Social Media Guidelines for Council Members



Social Media Guidelines for Council

- Always use common sense and sound judgement when approaching the online world (if you would not state it in a face-to-face conversation, probably best to not post it).
- Follow LaSalle's Council Code of Conduct and Social Media Policy.
- Do not post information that is discussed in closed session, and don't post anything that you would not discuss in a public forum.
- Do not post private or confidential information about fellow councillors, Town of LaSalle employees or constituents.
- If a resident asks a question and you don't know the answer (it's ok that you may not know the answer, that's what administration is here for!), you can acknowledge the question in your response, and refer the question to the Town's official social media channels, by phone (519-969-7770) or email (info@lasalle.ca or communications@lasalle.ca). It is not appropriate to tag staff members for a response - if they are on social media, these are their personal pages and should not be shared publicly.
Example: someone is asking about garbage/yard waste collection. Tag the Town of LaSalle in your response, and we will answer the question. This also makes us aware of what people are asking about.
- When posting something that is written by someone else, be sure that you have permission to post this.
- Refrain from cutting and pasting emails from staff in posts without permission. Sometimes, messages are written for a specific audience and/or purpose that could be different than what might be shared publicly.
- Respond in a timely way (Customer Service Standards Policy states we will respond within 48 hours – this might seem like a long time on social media, but sometimes it takes time to get the correct answer). It's ok to respond to the post and let the resident know that we are working on getting the answer.
- Council members shall not post or comment on the Town's social media pages. Council members are encouraged to like/follow/share posts from the Town's official sites. If creating a post with information from a Town post, please make sure information is correct (dates, times, locations etc.). Using the town's official flyers in posts helps to maintain consistency and they become recognizable by the community. Avoid amending Town posts by adding clipart/graphics because of the branding and image we are growing.
- When sharing other posts, stay away from spam. Nobody likes spam whether it's via email or social media. Refrain from sharing posts that could be considered questionable (language, topic, photos, etc.). These are a reflection of your position as a member of Council and a reflection on the Corporation of the Town of LaSalle.



The Corporation of the Town of LaSalle

Date	March 21, 2019	Report No:	C & R 2019 -04
Directed To:	Council	Attachments:	
Department:	Culture and Recreation	Policy References:	
Prepared By:	Director of Culture and Recreation		
Subject:	Heritage Park Playground		

RECOMMENDATION:

That the report from the Director of Culture and Recreation dated March 21, 2019 (C&R 2019-04) regarding the recommendation of Park n' Play to supply and install the new accessible playground at Heritage Park in the amount of \$297,289 +hst BE APPROVED;

AND THAT the successful playground design be presented to the Accessibility Committee;

AND FURTHER that the staff coordinate the playground project install in conjunction with the drainage project works at Heritage Park in a timeline that minimizes the disruption of access to the park for residents:

REPORT:

Staff coordinated an RFP for a new accessible playground including rubber surface at Heritage Park with a total budget of \$340,000 +HST. The budget amount will be covered by both the capital and operation budget including funds from the parks reserve, playground replacement and accessibility accounts. The existing playground and shade structure will be removed as part of the overall park enhancements and a new accessible playground with shade option installed. The RFP called for playground submissions with a design focus on aspects of the Town's history and heritage, included a new climber, swing unit, ramped access, shade structure, interactive panels/apparatus and site amenities.

There was discussion at the Parks and Recreation Committee and Accessibility Committee in 2018 to enhance a Town of LaSalle Playground with a focus on inclusion and interactive play. The hope was to create an interactive playground with a rubberized surface and ramping to allow for an enriched fully accessible experience meeting Annex H and all CSA requirements.

The Heritage Park Playground RFP was posted on the Town’s Bids and Tenders site calling for submissions that could provide a new accessible playground, shade structure with site amenities at Heritage Park. They were marked according to Design, theme, budget, value, accessibility and unique features. The top scoring bids were invited to present their designs with the Parks, Recreation and Events Committee to share their vision and explain their unique elements.

From that meeting the committee reviewed each proposal and are recommending Park n’ Play for the RFP at a cost of \$297,289 +hst.

The playground design will be presented to the Accessibility Committee once approved and posted on the Town website as well as social media for residents to gain knowledge throughout the year.



Director of Culture and Recreation

Reviewed by:							
CAO 	Treasury	Clerks	Env. Services	Planning	Parks & Rec	Building	Fire

It is intended to ensure that the duties of the CBO and the Inspectors are carried out with honesty and integrity, and that at all times they act in the public interest.

This policy once passed will be added to the Town's policy manual and will be posted to the Town's website.

Yours truly,



Larry Silani, M.Pl., MCIP, RPP
Director of Development & Strategic
Initiatives

Attachment

<i>Reviewed by:</i>						
<i>CAO</i>	<i>Finance</i>	<i>Clerk</i>	<i>Public Works</i>	<i>Development & Strategic Initiatives</i>	<i>Culture & Recreation</i>	<i>Fire</i>
						



**THE CORPORATION OF THE TOWN OF LASALLE
POLICY MANUAL**

POLICY MANUAL SECTION: [Section will be assigned by Council Services]	POLICY NUMBER: [Policy number will be assigned by Council Services]
POLICY NAME: Code of Conduct for Chief Building Official and all Inspectors appointed by the Town under the Ontario Building Code Act	AUTHORITY: [Will be Assigned at Council]
DATE APPROVED: [Council Meeting Date]	DEPARTMENT RESPONSIBLE: [Office(s) of primary responsibility]
REVISION DATES: [Any dates of previous revisions]	REVIEW DATE: [Review date to be set by Council Services]
STATUS: [Assigned by Council Services]	

PURPOSE:

Pursuant to Section 7.1(1) of the Ontario Building Code Act, a Municipality must establish and enforce a code of conduct for the Chief Building Official and the Inspectors.

POLICY STATEMENT:

This policy sets out the Code of Conduct that applies to the Chief Building Official and Inspectors appointed by the Town under the Ontario Building Code Act, in the exercise of a power or the performance of a duty under the Act or the Building Code.

SCOPE:

The purpose of this Code of Conduct is to articulate and promote appropriate standards of behavior and enforcement actions by the Chief Building Official and Inspectors, to prevent practices, which may constitute an abuse of power, including unethical or illegal practices,



and to promote appropriate standards of honesty and integrity in the exercise of a power of the performance of a duty under the Act, or the Building Code by the Chief Building Official and Inspectors.

POLICY:

In addition to any existing Code of Conduct Policy which the Town already has in place for its municipal employees, the Chief Building Official and Inspectors of the Town undertake to:

- a) act in the public interest, particularly with regard to the safety of buildings and structures;
- b) conduct themselves with a high degree of personal integrity and ethics, and in particular they should not place themselves, or permit themselves to be placed, in a position which would constitute, or on an objective basis give a reasonable apprehension, of a conflict of interest or breach of trust;
- c) exercise powers in accordance with the provisions of the Act, the Building Code and other applicable law that governs the authorization, construction, occupancy and safety of buildings and designated structures;
- d) apply all relevant building laws, regulations and standards in a consistent and fair manner, independent of any influence by interested parties;
- e) act honestly, reasonably and professionally in the discharge of their duties; and
- f) not divulge any confidential or sensitive information or material that they become privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy.

RESPONSIBILITIES:

The Town's Chief Building Official and all Inspectors appointed by the Town under the Ontario Building Code Act, in the exercise of a power or the performance of a duty under the Act or the Building Code, are required to adhere to this policy.



POLICY REVIEW

This policy will be periodically reviewed and updated as required. This policy must be reviewed by the stated review date and approved by the responsible department.

REFERENCES AND RELATED DOCUMENTS:

Ontario Building Code Act

ATTACHMENTS:

None

**Schedule of Reports for Council
March 26, 2019**

Council Resolution or Member Question	Subject	Department	Report to Council	Comments
Councillor Carrick	Review of capital reinvestment fees	Culture & Recreation	March, 2019	Requested at the January 9, 2019 Budget Meeting of Council
79/19	Location and size of 10 signs promoting Canada's Campaign 911 Program (MADD)	Public Works	April, 2019	Requested at the March 12, 2019 Regular Meeting of Council

THE CORPORATION OF THE TOWN OF LASALLE

BY-LAW NO. 8289

A By-Law to establish a system of administrative penalties
in the Town of LaSalle

Whereas sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "*Municipal Act, 2001*") authorize the Corporation of the Town of LaSalle to pass by-laws necessary or desirable for municipal purposes;

And whereas pursuant to section 102.1(1) of the *Municipal Act, 2001*, a municipality may require a person to pay an administrative penalty for failing to comply with any by-laws respecting the parking, standing or stopping of vehicles;

And whereas pursuant to section 102.1(3) of the *Municipal Act, 2001*, a municipality may require a person to pay an administrative penalty for failing to comply with any by-laws respecting other matters necessary or desirable for the purposes of the said section;

And whereas any by-law that establishes a system of administrative penalties with respect to parking, standing or stopping of vehicles must comply with the requirements set out in O. Reg. 333/07, as amended, made pursuant to the *Municipal Act, 2001*;

And whereas pursuant to O. Reg. 333/07 and Sections 391 of the *Municipal Act, 2001*, the Town may also impose fees or charges in connection with the administration of a system of administrative penalties;

And whereas the Town of LaSalle will designate portions of the Town's By-law No. 7841, as amended, that deal with animal regulation, licencing and control;

And whereas the Town of LaSalle will designate portions of the Town's By-law No. 7840, as amended, that deal with maintaining of land in clean and clear condition;

And whereas the Town of LaSalle will designate portions of the Town's By-law No. 5136, as amended, that deal with the erection and construction of fences;

And whereas the Town of LaSalle will designate portions of the Town's By-law No. 7170, as amended, that deal with the restriction of the setting of fires;

And whereas the Town of LaSalle will designate portions of the Town's By-law No. 8013, as amended, that deal with the regulations of the sale and discharge of fireworks;

And whereas the Town of LaSalle will designate portions of the Town's By-law No. 7375, as amended, that deal with prohibiting and/or regulating portable outdoor signs;

And whereas the Town of LaSalle will designate portions of the Town's By-law No. 7147, as amended, that deal with the outdoor parking or storage of recreational, commercial and other vehicles in residential zones;

And whereas the Town of LaSalle will designate portions of the Town's By-law No. 7298, as amended, that deal with parking, standing or stopping of vehicles, to be applicable to the administrative penalty system established through this By-law;

And whereas the Town of LaSalle considers it desirable to have one administrative penalty system for all by-laws to which administrative penalties may apply and may designate other by-laws to be applicable to the administrative penalty system established through this By-law;

And whereas the Council of the Town considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the administrative penalty system;

Now therefore the Council of the Corporation of the Town of LaSalle hereby enacts as follows:

1.0 Short Title

1.1 This By-law shall be known and cited as the “Administrative Penalty By-law.”

2.0 Definitions

2.1 In this By-law:

- (a) **“Administrative Fee”** means any fee specified in this By-law or set out in Schedule “A” of this By-Law;
- (b) **“Administrative Penalty”** means an administrative penalty established by this By-law or set out in the attached Schedule “A” to this By-law for a contravention of a Designated By-law;
- (c) **“AMPS”** means a system of administrative monetary penalties;
- (d) **“Council”** means the Council of the Town;
- (e) **“Day”** means any calendar day;
- (f) **“Designated By-law”** means a by-law, or a part or provision of a by-law, that is designated for the purposes of this by-law and is listed in Schedule “B” attached to this By-law;
- (g) **“Director”** means the person from time to time occupying the office of the Director of Council Services of the Corporation of the Town of LaSalle, or such successor office as the case may be, and includes any individual who has been authorized to temporarily act during that person’s absence or a vacancy in the office;
- (h) **“Hearing Non-appearance Fee”** means an Administrative Fee established by Council from time to time in respect of a Person’s failure to appear at the time and place scheduled for a review before a Hearing Officer and listed in Schedule “A” of this By-law;
- (i) **“Hearing Decision”** means a notice that contains a decision made by a Hearing Officer;
- (j) **“Hearing Officer”** means a person who performs the functions of a Hearing Officer in accordance with Part 7 of this By-law, and pursuant to the Screening and Hearing Officer By-law;
- (k) **“Holiday”** means a Saturday, Sunday, any statutory holiday in the Province of Ontario or any Day the offices for the Town are officially closed for business;
- (l) **“Late Payment Fee”** means an Administrative Fee established by Council from time to time in respect of a Person’s failure to pay an Administrative Penalty within the time prescribed by this By-law and listed in Schedule “A” of this By-law;

- (m) **“Ministry”** means the Ontario Ministry of Transportation and any successor ministry;
- (n) **“Mitigating or Extenuating Circumstances”** means situations that do not provide an excuse or justify the infraction, but which in fairness and mercy may be considered as reducing the degree of responsibility;
- (o) **“MTO Fee”** means an Administrative Fee established by Council from time to time for any search of the records of, or any inquiry to, the Ontario Ministry of Transportation, or related authority, and listed in Schedule “A” of this By-law;
- (p) **“Municipal Act, 2001”** means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
- (q) **“NSF Fee”** means an Administrative Fee established by Council from time to time in respect of payment by negotiable instrument received by the Town from a Person for payment of any Administrative Penalty or Administrative Fee, for which there are insufficient funds available in the account on which the instrument was drawn, as listed in Schedule “A” of this By-law;
- (r) **“Officer”** means:
 - (i) Any individual appointed by a Town by-law, or pursuant to the delegated authority to appoint under a Town by-law, to enforce a Town by-law; or
 - (ii) A police officer employed by LaSalle Police Services, Ontario Provincial Police or the Royal Canadian Mounted Police;
- (s) **“Owner”** has the meaning set out in the Regulation;
- (t) **“Penalty Notice”** means a notice given to a Person pursuant to Part 4 or Part 5 of this By-law;
- (u) **“Penalty Notice Date”** means the date of the contravention specified on the Penalty Notice, in accordance with section 4.3 or section 5.2 of this By-law;
- (v) **“Penalty Notice Number”** means the reference number specified on the Penalty Notice that is unique to that Penalty Notice, in accordance with section 4.3 or section 5.2 of this By-law;
- (w) **“Person”** includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof. For the purposes of a violation of Part 4 of this By-law, the Person shall be an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership or an authorized representative thereof whose name appears on a vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and a licence plate portion, and different Persons are named on each portion, the Person whose name appears on the licence plate portion, as provided by the Ontario Ministry of Transportation;

- (x) **“Regulation”** means Ontario Regulation 333/07, as amended, made pursuant to the *Municipal Act, 2001*;
- (y) **“Request for Review by Hearing Officer”** means the request which may be made in accordance with Part 7 of this By-law for the review of a Screening Decision;
- (z) **“Request for Review by Screening Officer”** means the request made in accordance with Part 6 of this By-law for the review of a Penalty Notice;
- (aa) **“Review by Hearing Officer”** and **“Hearing”** mean the review of a Screening Decision pursuant to the Regulation and as set out in Part 7 of this By-law;
- (bb) **“Review by Screening Officer”** and **“Screening Review”** mean a review of an Administrative Penalty pursuant to the Regulation and as set out in Part 6 of this By-law;
- (cc) **“Screening and Hearing Officer By-law”** means a by-law enacted by the Town for the purpose of providing for the appointment of a Screening Officer and Hearing Officer;
- (dd) **“Screening Decision”** means a notice which contains the decision of a Screening Officer, delivered in accordance with section 6.11 of this By-law;
- (ee) **“Screening Non-appearance Fee”** means an Administrative Fee established by Council from time to time in respect of a Person’s failure to appear at the time and place scheduled for review before a Screening Officer and listed in Schedule “A” of this By-law;
- (ff) **“Screening Officer”** means a person who performs the functions of a Screening Officer in accordance with Part 6 of this By-law, and pursuant to the Screening and Hearing Officer By-law;
- (gg) **“Town”** means the Corporation of the Town of LaSalle;

3.0 Application of this By-law

- 3.1** The Town by-laws, or portions of Town by-laws, listed in the attached Schedule “B” of this By-law shall be Designated By-laws for the purposes of section 102.1 of the *Municipal Act, 2001* and the paragraph 3(1)(b) of the Regulation.
- 3.2** The attached Schedule “B” sets out the Administrative Penalty, and includes short form language to be used on Penalty Notices, for the contraventions of Designated By-laws.
- 3.3** Schedule “A” of this By-law shall set out Administrative Fees imposed for the purposes of this By-law.
- 3.4** The Provincial Offences Act, R.S.O. 1990, c.P.33, as amended, does not apply to a contravention of a Designated By-law.

4.0 Penalty Notice – Parking, Standing or Stopping Violations

- 4.1** An Officer who has reason to believe that a vehicle has been left parked, standing or stopped in contravention of any Designated By-law may issue a Penalty Notice as soon as reasonably practicable.

- 4.2** Every Person who is the Owner of a vehicle in contravention of a Designated By-law shall, upon issuance of a Penalty Notice, be liable to pay to the Town an Administrative Penalty in the amount specified in Schedule “B” to this By-law.
- 4.3** A Penalty Notice shall include the following information:
- (a) The Vehicle licence plate number or vehicle identification number;
 - (b) The Penalty Notice Date;
 - (c) A Penalty Notice Number;
 - (d) The date on which the Administrative Penalty is due and payable;
 - (e) The identification number and signature of the Officer;
 - (f) The short form wording describing the contravention wording as listed in Schedule “B” of this By-law or other particulars reasonably sufficient to indicate the contravention;
 - (g) The amount of the Administrative Penalty;
 - (h) Information respecting the process by which the person may exercise the right to request a Screening Review of the Administrative Penalty; and
 - (i) A statement advising that an unpaid Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the Person to the Town unless cancelled pursuant to a Screening Review or Hearing process.
- 4.4** In addition to service methods provided for in Part 9, an Officer may serve the Penalty Notice on a Person who is the Owner of a vehicle, where the vehicle is identified in the Penalty Notice, by:
- (a) Affixing it to the vehicle in a conspicuous place at the time of the contravention; or
 - (b) Delivering it personally to the person having care and control of the vehicle at the time of the contravention.
- 4.5** No Officer may accept payment of an Administrative Penalty or Administrative Fee.
- 4.6** A Person who is served with a Penalty Notice and who does not pay the amount of the Administrative Penalty on or before the date on which the Administrative Notice is due and payable, shall also pay to the Town any applicable Administrative Fee(s).
- 5.0 Penalty Notice – Violations Other Than Parking, Standing or Stopping Violations**
- 5.1** An Officer who has reason to believe that a Person has contravened any provision in a Designated By-law may issue a Penalty Notice addressed to the Person.

- 5.2** A Penalty Notice shall be served on the Person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
- (a) the Penalty Notice Date;
 - (b) the name of the Person;
 - (c) a number that is unique to the Penalty Notice;
 - (d) the contravention wording listed from a Designated By-law which describes the particulars of the contravention;
 - (e) the amount of the Administrative Penalty;
 - (f) such information as the Director determines is appropriate respecting the process by which the Person may exercise the Person's right to request a review of the Administrative Penalty;
 - (g) a statement advising that an Administrative Penalty, including any Administrative Fee, will, unless cancelled or reduced pursuant to a review, constitute a debt of the Person to the Town; and
 - (h) the name of the Officer.
- 5.3** Service of any document or notice, including a Penalty Notice, respecting this By-law may be given in any of the following ways and is effective:
- (a) when a copy is delivered to the Person to whom it is addressed;
 - (b) on the fifth day after a copy is sent by registered mail or by regular letter mail to the Person's last known address;
 - (c) upon the conclusion of the transmission of a copy by facsimile transmission to the Person's last known facsimile transmission number; or
 - (d) upon the sending a copy by e-mail transmission to the Person's last known e-mail address.
- 5.4** For the purposes of subsections 5.3(1)(a), (b), (c) and (d), a Person's last known address, facsimile number and e-mail address may include an address, facsimile number and e-mail provided by the Person to the Town as may be required by a form, practice or policy developed under this By-law.
- 5.5** No Officer may accept payment of an Administrative Penalty or Administrative Fee.
- 5.6** A Person who is served with a Penalty Notice and who does not pay the amount of the Administrative Penalty on or before the date on which the Administrative Notice is due and payable, shall also pay to the Town any applicable Administrative Fee(s).
- 6.0 Review by Screening Officer**
- 6.1** A person who is served with a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so on or before the date on which the Administrative Penalty is due and payable, and in accordance with the process set out in Section 6.4.

- 6.2** If a Person has not requested a Screening Review on or before the date on which the Administrative Penalty is due and payable, the Person may request that the Screening Officer extend the time to request a Screening Review to a date that is no later than forty-five (45) days after the Penalty Notice Date, in accordance with the process set out in Section 6.4.
- 6.3** A Person's right to request an extension of time for a Screening Review expires, if it has not been exercised, on or before forty-five (45) days after the Penalty Notice Date, at which time:
- (a) The Person shall be deemed to have waived the right to request a Screening Review or request an extension of time for a Screening Review;
 - (b) The Administrative Penalty shall be deemed to be confirmed on the sixteenth (16th) day following the Penalty Notice Date; and
 - (c) The Administrative Penalty shall not be subject to any further review, including a review by any Court.
- 6.4** A Person's Request for Review by Screening Officer or a request for an extension of time to request a Screening Review are exercised by:
- (a) A submission in writing to the Screening Officer of a Request for Review by Screening Officer or a request for an extension of time to request a Screening Review; or
 - (b) Attending in person at the location listed on the Penalty Notice to make a Request for Review by Screening Officer or a request for an extension of time to request a Screening Review; or
 - (c) Calling the telephone number listed on the Penalty Notice to make a Request for Review by Screening Officer or a request for an extension of time to request a Screening Review.
- 6.5** A Request for Review by Screening Officer or a request for an extension of time to request a Screening Review shall include the Penalty Notice Number and the Person's contact information.
- 6.6** A Screening Review shall only be scheduled, and an extension of time to request a Screening Review shall only be granted, by the Screening Officer if the Person makes the request within the time limits set out in Sections 6.1 or 6.2 of this By-law.
- 6.7** On a request for an extension of time to request a Screening Review, the Screening Officer may only extend the time to request a Screening Review where the Person demonstrates, on a balance of probabilities, the existence of Mitigating or Extenuating Circumstances that warrant the extension of time.
- 6.8** Where an extension of time to request a Screening Review is not granted by the Screening Officer, the Administrative Penalty and any applicable Administrative Fee(s) are deemed to be confirmed.
- 6.9** Where a Person fails to attend at the time and place scheduled for a Screening Review of an Administrative Penalty:
- (a) The Person shall be deemed to have abandoned the request for a Screening Review of the Administrative Penalty;

- (b) The Administrative Penalty as set out in the Penalty Notice shall be deemed to be confirmed on the sixteenth (16th) day following the Penalty Notice Date;
- (c) The Administrative Penalty shall not be subject to any further review, including a review by a Hearing Officer or by any Court; and,
- (d) The Person shall pay to the Town a Screening Non-appearance Fee, MTO Fee, if applicable, and any other applicable Administrative Fee(s).

6.10 On review of an Administrative Penalty, and subject to the Person and the Town receiving the opportunity to be heard at a time and place scheduled for the hearing of a review, the Screening Officer may decide to:

- (a) Affirm the Administrative Penalty; or
- (b) Cancel, reduce or extend the time for payment of the Administrative Penalty, including any Administrative Fee(s), on the following grounds if established by the Person on the balance of probabilities:
 - (i) the Person did not contravene the Designated By-law(s) as described in the Penalty Notice;
 - (ii) the existence of Mitigating or Extenuating Circumstances; or
 - (iii) the cancellation, reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee(s), is necessary to relieve any financial hardship.

6.11 After a Screening Review by Screening Officer, the Screening Officer shall deliver a Screening Decision to the Person, in accordance with Part 8 of this By-law.

6.12 A Screening Officer has no authority to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

7.0 Review by Hearing Officer

7.1 A Person may make a Request for Review by Hearing Officer during the Screening Review.

7.2 If a Person has not made a Request for Review by Hearing Officer at the time of the Screening Review, the Person may make a Request for Review by Hearing Officer before the due and payable date for the Administrative Penalty listed either on the Penalty Notice or, if the Screening Officer extended the time for payment, on the Screening Decision.

7.3 A Person's right to a Request for Review by Hearing Officer expires if it has not been exercised on or before the due and payable date for the Administrative Penalty listed on the Screening Decision, at which time:

- (a) The Person shall be deemed to have waived the right to Request for Review by Hearing Officer;

- (b) The Screening Decision and the Administrative Penalty and any Administrative Fee(s), if applicable, as modified in the Screening Decision, shall be deemed to be confirmed; and
- (c) The Screening Decision and the Administrative Penalty shall not be subject to any further review, including review by any Court.

7.4 A Person's Request for Review by a Hearing Officer is exercised by:

- (a) A submission in writing to the Hearing Officer for a Request for Review by Hearing Officer or a request for an extension of time to request a Hearing; or
- (b) Attending in person at the location listed on the Screening Decision to make a Request for Review by Hearing Officer or a request for an extension of time to request a Hearing; or
- (c) Calling the telephone number listed on the Screening Decision to make a Request for Review by Hearing Officer or a request for an extension of time to request a Hearing.

7.5 For the purposes of Section 7.4 of this By-law, the Hearing Officer may only extend the time to request a review of a Screening Decision where the Person demonstrates, on a balance of probabilities, the existence of extenuating circumstances that prevented the Person from exercising the right to request a review in the timeframe set out in Section 7.2 of this By-law.

7.6 Where an extension of time is not granted by the Hearing Officer, the Screening Decision, which includes the Administrative Penalty and any Administrative Fee(s), is deemed to be affirmed and shall not be subject to any further review, including review by any court.

7.7 A Request for Review by Hearing Officer shall only be scheduled by the Hearing Officer if the Person makes the request within the time limits set out in Sections 7.2 or 7.3 of this By-law.

7.8 Where a Person fails to appear at the time and place scheduled for a Hearing:

- (a) The Person shall be deemed to have abandoned the Hearing for review of a Screening Decision;
- (b) The Screening Decision and the Administrative Penalty and any Administrative Fee(s) shall be deemed to be confirmed;
- (c) The Screening Decision and the Administrative Penalty and any Administrative Fee(s) shall not be subject to any further review, including a review by any Court; and,
- (d) The Person shall pay to the Town a Hearing Non-appearance Fee, Late Payment Fee, MTO Fee, if applicable, and any other applicable Administrative Fee(s).

- 7.9** On review of a Screening Decision, the Hearing Officer may:
- (a) Confirm the Screening Decision; or
 - (b) Cancel, reduce or extend the time for payment of the Administrative Penalty, including any Administrative Fee(s), on the following grounds:
 - (i) where the Person establishes on the balance of probabilities that the Person did not contravene the Designated By-law(s) as described in the Penalty Notice;
 - (ii) the existence of Mitigating or Extenuating Circumstances; or
 - (iii) where the Person establishes on the balance of probabilities that the cancellation, reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee(s), is necessary to relieve any financial hardship.
- 7.10** A Hearing Officer shall not make any decision respecting a review of a Screening Decision unless the Hearing Officer has given the Person and a representative of the Town an opportunity to be heard at the time and place scheduled for the Hearing.
- 7.11** All Hearings by a Hearing Officer shall be conducted in accordance with the *Statutory Powers and Procedures Act*, R.S.O. 1990, c. S.22, as amended.
- 7.12** A Hearing Officer has no authority to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.
- 7.13** After a Hearing is complete, the Hearing Officer shall deliver a Hearing Decision to the Person, in accordance with Part 8 of this By-law.
- 7.14** The decision of the Hearing Officer is final.
- 8.0 Prohibited Communication and Undue Influence**
- 8.1** No individual shall attempt, directly or indirectly, to communicate with or influence a Screening Officer or a Hearing Officer respecting the determination of an issue in a proceeding that is or will be pending before the Screening Officer or Hearing Officer, except the Person who is entitled to be heard in the proceeding or the Person's lawyer or licensed representative and only by the Person or the Person's lawyer or licensed representative during the hearing of the proceeding in which the issue arises.
- 8.2** Nothing prevents a Screening Officer or Hearing Officer from seeking or receiving legal advice from a third party lawyer not employed by the Town.
- 9.0 Service of Documents**
- 9.1** The service of any document, notice or decision, including a Penalty Notice, pursuant to this By-law, when served on any of the following ways, is deemed effective:
- (a) Immediately, when a copy is delivered to the Person to whom it is addressed;

- (b) On the seventh (7th) day following the date a copy is sent by registered mail or by regular mail to the Person's last known address; or
- (c) Immediately upon sending a copy by electronic mail (i.e. email) to the Person's last known electronic mail address.

9.2 For the purposes of administration of this By-law or any Designated By-law, a Person's last known address, facsimile number, and electronic mail address includes an address, facsimile number and electronic mail address provided by the Person to the Town as may be required by a form, practices or policy under this By-law.

10.0 Administration

10.1 The Director, or any individual designated by the Director for this purpose in writing, shall administer this By-law and establish any additional practices and procedures necessary to implement this By-law and may amend such practices and procedures from time to time as the Director deems necessary, without amendment to this By-law provided that such practices and procedures are not in conflict or inconsistent with this By-law.

10.2 The Director, or any individual designated by the Director for this purpose in writing, shall prescribe to all forms and notices, including the Penalty Notice, necessary to implement this By-law and may amend such forms and notices from time to time as the Director deems necessary, without amendment to this By-law, provided that the contents of such forms and notices are not in conflict, or inconsistent with this By-law.

10.3 An Administrative Penalty, including any Administrative Fee(s), that is confirmed or reduced, or in respect of which the time for payment has been extended, remaining unpaid after the date when it is due and payable, constitutes a debt to the Town owed by the Person.

10.4 Where an Administrative Penalty is not paid by the date on which the Administrative Penalty is due and payable, the Person shall pay to the Town a Late Payment Fee, in addition to the Administrative Penalty and any applicable Administrative Fee(s).

10.5 Where an Administrative Penalty, and any applicable Administrative Fee(s) or Late Payment Fee(s), are not paid within thirty (30) Days after becoming due and payable, the Town may notify the Ministry of the default and the Ministry shall not validate the permit of the Person named in the notice of default nor issue a new permit to the Person until the Administrative Penalty and any applicable Administrative Fee(s) and Late Payment Fee(s) are paid to the Town.

10.6 Where the Town notifies the Ministry of a default under this By-law, the Person shall pay any applicable administrative fee(s) imposed by the Ministry.

10.7 Where a Person makes payments to the Town of any Administrative Penalty, Administrative Fee(s) or Late Payment Fee(s), by negotiable instrument, for which there are insufficient funds available in the account on which the instrument is drawn, the Person shall pay to the Town the NSF Fee set out in Schedule "A" of this By-law.

- 10.8 Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any Administrative Fee(s) are also cancelled.
- 10.9 Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.
- 10.10 A Person claiming financial hardship under this By-law shall provide documented proof of the financial hardship to the Screening Officer or the Hearing Officer, as applicable.
- 10.11 Any schedule attached to this By-law forms part of this By-law.

11.0 Severability

- 11.1 Should any provision, or any part of a provision, of this By-law be declared as invalid, or to be of no force and effect, by a court of competent jurisdiction, it is the intent of the Council that such a provision, or any part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

12.0 Interpretation

- 12.1 The provisions of Part VI of the *Legislation Act, 2006*, S.O. 2006, c.21, Sched. F, shall apply to this By-law.

13.0 Effective Date

- 13.1 This By-law shall come into force and effect on the day it is passed.

Read a first and second time and finally passed this 26th day of March, 2019.

1st Reading – March 26, 2019

Mayor

2nd Reading – March 26, 2019

3rd Reading – March 26, 2019

Clerk

SCHEDULE "A"

**Town of LaSalle Administrative Penalty By-law
Administrative Fees**

ITEM	FEE
Hearing Non-appearance Fee	\$100.00
Late Payment Fee	\$25.00
MTO Search Fee	\$10.00
NSF Fee	\$40.00
Screening Non-appearance Fee	\$50.00

Note:

The fees and charges as listed in this Schedule "A" to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.

SCHEDULE “B”

**Town of LaSalle Administrative Penalty By-law
Designated By-law Provisions**

B.1 ANIMAL REGULATION, LICENCING AND CONTROL BY-LAW NO. 7841, AS AMENDED

1. For the purposes of Part 3 of this By-law, Column 1 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in the Animal Regulation, Licencing and Control By-law No. 7841, as amended, that are hereby designated.
2. Column 2 in the following table sets out the provisions in the said By-law No. 7841.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 2.

	Column 1	Column 2	Column 3
Item	Short Form Wording	Offence Creating Provision or Defining Offence	Set Fines
1	Fail to licence dog	2.1(a)	\$155.00
2	Tag not affixed to the dog	2.2(b)	\$105.00
3	Affixed tag on dog other than the dog for which tag was issued	2.2(c)	\$105.00
4	Permit dog to run at large	2.7(a)	\$355.00
5	Fail to remove dog excrement forthwith	2.11	\$205.00
6	Caused the persistent barking of a dog	2.12	\$205.00
7	Permit the persistent barking of a dog	2.12	\$205.00
8	Hinder or impede the Clerk/designate	3.7	\$305.00
9	Fail to have a clean and sanitary environment	4.1(a)	\$455.00
10	Fail to waterproof shelter	4.1(b)	\$305.00
11	Fail to have adequate shelter	4.1(c)	\$305.00
12	Fail to have appropriate care, water, shelter, exercise, attention, veterinary care	4.1(d)	\$455.00
13	Fail to tether with appropriate length	4.2(a)	\$205.00
14	Fail to allow unrestricted movement with tether	4.2(b)	\$205.00
15	Tethered for more than 4 hours	4.2(c)	\$305.00
16	Fail to provide water and shelter while tethered	4.2(d)	\$305.00
17	Fail to prevent injury while tethered	4.2(e)	\$305.00
18	Tether less than 3 metres in length	4.3	\$205.00
19	Tethered with a choke collar, choke chain, prong collar, rope, chain, cord or similar retraining device	4.4	\$305.00
20	Fail to keep animal inside a vehicle cab	4.5	\$205.00

21	Kept more than three 3 dogs	5.1(a)	\$305.00
22	Kept more than 4 cats	5.1(b)	\$305.00
23	Kept domestic fowl on lands other than Agricultural	5.1(c)	\$305.00
24	Kept pigeons on lands other than Agricultural	5.1(c)	\$305.00
25	Kept horses on lands other than Agricultural	5.1(c)	\$305.00
26	Kept donkeys on lands other than Agricultural	5.1(c)	\$305.00
27	Kept mules on lands other than Agricultural	5.1(c)	\$305.00
28	Kept cattle on lands other than Agricultural	5.1(c)	\$305.00
29	Kept goats on lands other than Agricultural	5.1(c)	\$305.00
30	Kept swine on lands other than Agricultural	5.1(c)	\$305.00
31	Kept sheep on lands other than Agricultural	5.1(c)	\$305.00
32	Kept a venomous animal without an escape-proof enclosure	5.1(d)	\$405.00
33	Permit animal to run at large	5.2(a)	\$355.00

B.2 MAINTAINING OF LAND IN CLEAN AND CLEAR CONDITION BY-LAW NO. 7840, AS AMENDED

1. For the purposes of Part 3 of this By-law, Column 1 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in the Maintaining of Land in Clean and Clear Condition By-law No. 7840, as amended, that are hereby designated.
2. Column 2 in the following table sets out the provisions in the said By-law No. 7840.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 2.

	Column 1	Column 2	Column 3
Item	Short Form Wording	Offence Creating Provision of Defining Offence	Set Fine
1	Failing to keep land clean and cleared up	2(1)	\$305.00
2	Failing to keep boulevard/road allowances/unopened alleys clean and cleared up	2(2)	\$305.00
3	Permit noxious weeds to grow	2(5)	\$305.00
4	Fail to maintain private drain	2(6)	\$305.00
5	Fail to remove standing water	2(8)	\$305.00
6	Fail to maintain swimming pool in operating condition and in a good state of repair	2(9)	\$305.00
7	Fail to maintain hot tub in operating condition and in a good state of repair	2(9)	\$305.00
8	Fail to maintain artificial pond in operating condition and in a good state of repair	2(9)	\$305.00
9	Throw/place/deposit refuse on private property	3(1)	\$305.00
10	Throw/place/deposit refuse on town property	3(2)	\$305.00
11	Failing to keep land clear of garbage	5(1)	\$305.00
12	Failing to keep land clear of domestic waste	5(1)	\$305.00
13	Failing to keep land clear of industrial waste	5(1)	\$305.00
14	Failing to keep land clear of waste material	5(1)	\$305.00
15	Using land to store used motor vehicle(s)	6(1)	\$305.00
16	Using land to store automotive or mechanical parts	6(1)	\$305.00

B.3 REGULATIONS IN REGARD TO THE ERECTION/CONSTRUCTION OF FENCES BY-LAW NO. 5136, AS AMENDED

1. For the purposes of Part 3 of this By-law, Column 1 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Regard to the Erection/Construction of Fences By-law No. 5136, as amended, that are hereby designated.
2. Column 2 in the following table sets out the provisions in the said By-law No. 5136.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 2.

	Column 1	Column 2	Column3
Item	Short Form Wording	Offence Creating Provision of Defining Offence	Set Fine
1	Erect a fence within a daylight triangle	5	\$105.00
2	Erect a fence greater in height than six feet – side yard	6(1)	\$105.00
3	Erect a fence greater in height than six feet – rear yard	6(1)	\$105.00
4	Erect a fence greater in height that four feet – front yard	6(2)	\$105.00
5	Erect a closed type construction fence – front yard	6(2)	\$105.00
6	Erect a deck railing greater in height than four feet	7	\$105.00
7	Erect a fence on a Municipal Street – any type	9	\$105.00
8	Erect an electrical fence	11	\$105.00
9	Fail to erect a fence around a swimming pool	12(1)	\$105.00

B.4 REGULATIONS IN REGARD TO THE RESTRICTION OF THE SETTING OF FIRES BY-LAW NO. 7170, AS AMENDED

1. For the purposes of Part 3 of this By-law, Column 1 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Regard to the Restriction of the Setting of Fires By-law No. 7170, as amended, that are hereby designated.
2. Column 2 in the following table sets out the provisions in the said By-law No. 7170.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 2.

Column 1		Column 2	Column3
Item	Short Form Wording	Offence Creating Provision of Defining Offence	Set Fine
1	Burn on poor air quality day or high risk period	6	\$250.00
2	Smoke or debris causing hazard on roadway	5(a)	\$200.00
3	Smoke causing loss of enjoyment to neighbouring uses	5(c)	\$100.00
4	Fire not in safe location	7(a)	\$100.00
5	Burning unacceptable materials	7(b)	\$200.00
6	Leave fire unsupervised	7(c)	\$100.00
7	Fail to extinguish fire	7(e)	\$100.00
8	Fire with no means of extinguishing	7(d)	\$100.00
9	Fire not set or supervised by a competent adult	7(f)	\$100.00

B.5 REGULATIONS OF THE SALE AND DISCHARGE OF FIREWORKS BY-LAW NO. 8013, AS AMENDED

1. For the purposes of Part 3 of this By-law, Column 1 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Regard to the Regulations of the Sale and Discharge of Fireworks By-law No. 8013, as amended, that are hereby designated.
2. Column 2 in the following table sets out the provisions in the said By-law No. 8013.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 2.

Column 1		Column 2	Column3
Item	Short Form Wording	Offence Creating Provision of Defining Offence	Set Fine
1	Sell Firecrackers	2.1(a)	\$300.00
2	Gave Away Firecrackers	2.1(a)	\$300.00
3	Possess Prohibited Fireworks	2.1(b)	\$300.00
4	Sell Prohibited Fireworks	2.1(b)	\$300.00
5	Store Prohibited Fireworks	2.1(b)	\$300.00
6	Supply Prohibited Fireworks	2.1(b)	\$300.00
7	Sell Consumer Fireworks on Prohibited Day	2.1(c)	\$300.00
8	Sell Consumer Fireworks to persons under 18 years	2.1(d)	\$300.00
9	Gave Consumer Fireworks to persons under 18 years	2.1(d)	\$300.00
10	Sell Consumer Fireworks without a permit	2.1(e)	\$300.00
11	Display Consumer Fireworks not in consumer package	2.1(f)	\$300.00
12	Display Consumer Fireworks not in a glass case	2.1(f)	\$300.00
13	Display Consumer Fireworks near other flammable goods	2.1(f)	\$300.00
14	Sell Consumer Fireworks from a vehicle	2.1(g)	\$300.00
15	Store Consumer Fireworks in a vehicle	2.1(g)	\$300.00
16	Sell Consumer Fireworks from a dwelling	2.1(h)	\$300.00
17	Sell Consumer Fireworks from a building	2.1(h)	\$300.00
18	Fail to post signage	4.1(a)	\$300.00
19	Fail to erect barrier	4.1(b)	\$300.00
20	Fail to have appropriate fire extinguisher readily available	4.1(c)	\$300.00
21	Fail to have 2 operational doors at Temporary Sales Unit	4.1(d)	\$300.00
22	Have more than 15 customers at one time in Temporary Sales Unit	4.1(e)	\$300.00

23	Permit Consumer Fireworks to be exposed to direct sunlight	4.1(f)	\$300.00
24	Fail to post Fireworks Sales Permit	4.1(h)	\$300.00
25	Fail to comply with Act	4.3	\$300.00
26	Discharge Prohibited Fireworks	7.1(b)	\$300.00
27	Discharge Firecrackers	7.1(c)	\$300.00
28	Discharge Fireworks on prohibited day	7.1(d)	\$300.00
29	Discharge Fireworks at prohibited time	7.1(d)	\$300.00
30	Discharge Fireworks on Public Property	7.1(e)	\$300.00
31	Discharge Fireworks on Private Property without owners consent	7.1(e)	\$300.00
32	Discharge Fireworks failing to follow manufacture's requirements	7.1(f)	\$300.00
33	Fail to permit inspection by Chief Fire Official	7.1(g)	\$300.00
34	Being a Person under 18 years and possess Fireworks	7.1(h)	\$300.00
35	Being a Person under 18 years and Discharge Fireworks	7.1(h)	\$300.00
36	Permit person under 18 years to Discharge Fireworks	7.1(i)	\$300.00
37	Discharge Consumer Fireworks to create danger	7.1(j)	\$300.00
38	Discharge Consumer Fireworks to constitute a nuisance	7.1(j)	\$300.00
39	Discharge Consumer Fireworks to cause any unsafe act or omission	7.1(j)	\$300.00
40	Fail to Provide means of extinguishing	7.1(k)	\$300.00
41	Discharge Consumer Fireworks inside a Restaurant/Public Assembly Building	7.1(l)	\$300.00
42	Discharge Consumer Fireworks in a building	7.1(m)	\$300.00
43	Discharge Consumer Fireworks into a building	7.1(m)	\$300.00
44	Discharge Consumer Fireworks into a doorway	7.1(m)	\$300.00
45	Discharge Consumer Fireworks into an automobile	7.1(m)	\$300.00
46	Discharge Consumer Fireworks on or into a highway	7.1(n)	\$300.00
47	Discharge Consumer Fireworks on or into a street	7.1(n)	\$300.00
48	Discharge Consumer Fireworks in, on or into an alley	7.1(n)	\$300.00
49	Discharge Consumer Fireworks in a public place	7.1(n)	\$300.00
50	Discharge Consumer Fireworks within 300 m of stored explosives	7.1(o)	\$300.00

B.6 PROHIBIT AND/OR REGULATE PORTABLE OUTDOOR SIGNS BY-LAW NO. 7375, AS AMENDED

1. For the purposes of Part 3 of this By-law, Column 1 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Regard to Prohibiting and/or Regulating Portable Outdoor Signs By-law No. 7375, as amended, that are hereby designated.
2. Column 2 in the following table sets out the provisions in the said By-law No. 7375.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 2.

	Column 1	Column 2	Column3
Item	Short Form Wording	Offence Creating Provision of Defining Offence	Set Fine
1	Erect or display an off-site sign	3	\$105.00
2	Caused or permitted to be used, erected or display an off-site sign	3	\$105.00
3	Erect or display a portable sign exceeding a maximum height of 1.82 metres (6 feet) or 2.438 metres (8 feet) in width	4	\$105.00
4	Caused or permitted to be used, erected or displayed a portable sign exceeding a maximum height of 1.82 metres (6 feet) or 2.438 metres (8 feet) in width	4	\$105.00
5	Erect or display a portable sign on a parcel of land not zoned to permit commercial use	5	\$105.00
6	Caused to permitted to be used, erected or displayed a portable sign on a parcel of land not zoned to permit commercial use	5	\$105.00
7	Erect or display more than one portable sign on a parcel of land with 60 metres (196.85 feet) of frontage or less	6(1)	\$105.00
8	Caused or permitted to used, erected or displayed more than one portable sign on a parcel of land with 60 metres (196.85 feet) of frontage or less	6(1)	\$105.00
9	Erect or display more than two portable signs on a parcel of land with frontage between 60-120 metres (196.85-393.7 feet)	6(2)	\$105.00
10	Caused or permitted to be used, erected or displayed more than two portable signs on a parcel of land with frontage between 60-120 metres (196.85-393.7 feet)	6(2)	\$105.00
11	Erect or display more than three portable signs on a parcel of land with	6(3)	\$105.00

	frontage greater than 120 metres (393.7 feet)		
12	Caused or permitted to be used, erected or displayed more than three portable signs on a parcel of land with frontage greater than 120 metres (393.7 feet)	6(3)	\$105.00
13	Erect or display a portable sign closer than 6.096 metres (20 feet) to another portable sign	6(3)	\$105.00
14	Caused or permitted to be used, erected or displayed a portable sign closer than 6.096 metres (20 feet) to another portable sign	6(3)	\$105.00
15	Erect or display a portable sign within 4.572 metres (15 feet) of a driveway or other access to any parcel of land	7(1)	\$105.00
16	Caused or permitted to be used, erected or displayed a portable sign within 4.572 metres (15 feet) of a driveway or other access to any parcel of land	7(1)	\$105.00
17	Erect or display a portable sign within 3.048 metres (10 feet) to any other sign on any abutting parcel of land	7(2)	\$105.00
18	Caused or permitted to be used, erected or displayed a portable sign within 3.048 metres (10 feet) to any other sign on any abutting parcel of land	7(2)	\$105.00
19	Erect or display a portable sign within 6.096 metres (20 feet) to any ground sign	7(3)	\$105.00
20	Caused or permitted to be used, erected or displayed a portable sign within 6.096 metres (20 feet) to any ground sign	7(3)	\$105.00
21	Erect or display a portable sign on any public road allowance	8(1)	\$105.00
22	Caused or permitted to be used, erected or displayed a portable sign on a public road allowance	8(1)	\$105.00
23	Erect or display a portable sign on land owned by the Corporation	8(2)	\$105.00
24	Caused or permitted to be used, erected or displayed a portable sign on land owned by the Corporation	8(2)	\$105.00
25	Erect or display a portable sign on any land that is subject to an easement granted to the Corporation or the County of Essex	8(3)	\$105.00
26	Caused or permitted to be used, erected or displayed a portable sign on any land that is subject to an easement granted to the Corporation or the County of Essex	8(3)	\$105.00
27	Erect or display a portable sign without a permit	9(1)	\$105.00

28	Caused or permitted to be used, erected or displayed a portable sign without a permit	9(1)	\$105.00
29	Erect or display a portable sign with more than one use, business, product, service, event, entertainment or activity at the same time	9(2)	\$105.00
30	Caused or permitted to be used, erected or displayed a portable sign with more than one use, business, product, service, event, entertainment or activity at the same time	9(2)	\$105.00
31	Erect or display a portable sign without a license	10(1)	\$105.00
32	Caused or permitted to be used, erected or displayed a portable sign without a license	10(1)	\$105.00

B.7 REGULATE THE OUTDOOR PARKING OR STORAGE OF RECREATIONAL, COMMERCIAL AND OTHER VEHICLES IN RESIDENTIAL ZONES BY-LAW NO. 7147, AS AMENDED

1. For the purposes of Part 3 of this By-law, Column 1 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Regard to Regulating the Outdoor Parking or Storage of Recreational, Commercial and Other Vehicles in Residential Zones By-law No. 7147, as amended, that are hereby designated.
2. Column 2 in the following table sets out the provisions in the said By-law No. 7147.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 2.

Column 1		Column 2	Column 3
Item	Short Form Wording	Offence Creating Provision or Defining Offence	Set Fines
1	Stored more than one recreational vehicle in any residentially zoned yard	2	\$205.00
2	Stored more than one boat in any residentially zoned area	2	\$205.00
3	Stored more than on utility trailer in any residentially zoned yard	2	\$205.00
4	Stored more than one recreational vehicle, or boat, or utility trailer or any combination thereof	2	\$205.00
5	Stored more than two motorized snow vehicles in any residentially zoned yard	3	\$205.00
6	Stored more than two personal watercrafts in any residentially zoned yard	3	\$205.00
7	Stored more than two all-terrain vehicles in any residentially zoned yard	3	\$205.00
8	Stored more than two motorized snow vehicles, or two personal watercrafts, or all-terrain vehicles or any combination thereof	3	\$205.00
9	Stored a recreational vehicle closer than five feet to any property line	4	\$205.00
10	Stored a boat closer than five feet to any property line	4	\$205.00
11	Stored a utility trailer closer than five feet to any property line	4	\$205.00
12	Stored a motorized snow vehicle closer than five feet to any property line	4	\$205.00
13	Stored a personal watercraft closer than five feet to any property line	4	\$205.00

14	Stored an all-terrain vehicle closer than five feet to any property line	4	\$205.00
15	Stored a recreational vehicle in a front yard	5	\$205.00
16	Stored a boat in a front yard	5	\$205.00
17	Stored a utility trailer in a front yard	5	\$205.00
18	Stored a motorized snow vehicle in a front yard	5	\$205.00
19	Stored a personal water craft in a front yard	5	\$205.00
20	Stored an all-terrain vehicle in a front yard	5	\$205.00
21	Not being the owner of a recreational vehicle stored it in a residentially zoned yard	6	\$205.00
22	Not being the owner of a boat stored it in a residentially zoned yard.	6	\$205.00
23	Stored a recreational vehicle in a residentially zoned front yard between November 1 and April 30	8	\$205.00
24	Stored a boat in a residentially zoned front yard between November 1 and April 30	8	\$205.00
25	Stored a utility trailer in a residentially zoned front yard between November 1 and April 30	8	\$205.00
26	Stored an all-terrain vehicle in a residentially zoned front yard between November 1 and April 30	8	\$205.00
27	Stored a motorized snow vehicle in a residentially zoned front yard between May 1 and October 31	9	\$205.00
28	Stored a recreational vehicle on a street	10	\$205.00
29	Stored a boat on a street	10	\$205.00
30	Stored a utility trailer on a street	10	\$205.00
31	Stored a motorized snow vehicle on a street	10	\$205.00
32	Stored a personal water craft on a street	10	\$205.00
33	Stored an all-terrain vehicle on a street	10	\$205.00
34	Stored a commercial vehicle in a residential area	11	\$205.00
35	Not being the owner of a small commercial vehicle stored it on a residential property	12(1)	\$205.00
36	Stored a small commercial vehicle on a property other than on a driveway or in a garage	12(2)	\$205.00
37	Stored a small commercial vehicle closer than five to any property line	12(3)	\$205.00
38	Stored a small commercial vehicle without a current licence plate	12(6)	\$205.00
39	Stored a commercial vehicle without a current licence plate	13	\$205.00
40	Stored a small commercial vehicle on a street in a residential area	13	\$205.00
41	Parked more than one utility trailer in any residentially zoned yard	2	\$75.00

42	Parked a utility trailer closer than five feet to any property line	4	\$75.00
43	Parked an all-terrain vehicle closer than five feet to any property line	4	\$75.00
44	Parked a utility trailer in a front yard	5	\$75.00
45	Parked an all-terrain vehicle in the front yard	5	\$75.00
46	Parked a utility trailer in a residentially zoned front yard between November 1 and April 30	8	\$75.00
47	Parked an all-terrain vehicle in a residentially zoned front yard between November 1 and April 30	8	\$75.00
48	Parked a utility trailer on a street	10	\$75.00
49	Parked an all-terrain vehicle on a street	10	\$75.00
50	Parked a commercial vehicle on a street	13	\$75.00
51	Parked a small commercial vehicle on a street	13	\$75.00

B.8 REGULATE VEHICULAR PARKING BY-LAW NO. 7298, AS AMENDED

1. For the purposes of Part 3 of this By-law, Column 1 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Regard to Regulating Vehicular Parking By-law No. 7298, as amended, that are hereby designated.
2. Column 2 in the following table sets out the provisions in the said By-law No. 7298.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 2.

	Column 1	Column 2	Column 3
Item	Short Form Wording	Offence Creating Provision or Defining Offence	Set Fines
1	Parked in a no parking zone	11(1)	\$30.00
2	Parked a recreational vehicle on the street	11(2)	\$65.00
3	Parked left wheels to curb	12(1)	\$30.00
4	Parked beyond 15 cm from the edge of the street	12(b)	\$30.00
5	Delivering goods while parked on prohibited part of the road	13	\$30.00
6	Take on or discharge passenger on prohibited part of the road	13	\$30.00
7	Intersected a funeral cortege or other procession	15	\$30.00
8	Parked beyond 3 consecutive days (on any street)	16(1)	\$30.00
9	Parked within 10 feet of a fire hydrant	16(2)	\$30.00
10	Parked within 30 feet of place of assembly	16(3)	\$30.00
11	Parked in an alley	16(4)	\$30.00
12	Parked to prevent convenient removal of other parked vehicles	16(5)	\$30.00
13	Double or parallel parked	16 (6)	\$30.00
14	Parked blocking a driveway	16(7)	\$30.00
15	Parked within an intersection	16(8)	\$30.00
16	Parked on the street for the purpose of washing, greasing, or repairing vehicle	16(9)	\$30.00
17	Parked as to interfere with snow removal from street	16(10)	\$30.00
18	Parked as to interfere with street cleaning measures	16(10)	\$30.00
19	Parked as to interfere with the movement to traffic	16(10)	\$30.00
20	Parked within 50 feet of any intersection	17(1)	\$30.00
21	Parked in a bus or coach stop	17(2)	\$30.00

22	Parked within 25 feet of a fire hall	17(3)	\$30.00
23	Parked in a taxicab stand	17(4)	\$30.00
24	Parked in a loading zone	17(1)(g)	\$30.00
25	Parked on an angle within a cul-de-sac	17(6)	\$30.00
26	Parked commercial vehicle of more than 1 ton on any street	18	\$65.00
27	Parked a vehicle advertised for sale (on any street)	19	\$30.00
28	Parked an unplatd vehicle on any street	19	\$30.00
29	Parked a vehicle with expired plates on any street	19	\$30.00
30	Parked on a boulevard-sidewalk	20	\$40.00
31	Parked on a pathway/footpath/crosswalk	20	\$40.00
32	Parked on a curb	20	\$40.00
33	Parked on a road within a park	20	\$40.00
34	Parked in an accessible parking space	22	\$350.00
35	Parked in a fire route	24	\$105.00

THE CORPORATION OF THE TOWN OF LASALLE

BY-LAW NO. 8290

A By-Law for the appointment of screening officers and hearing officers to adjudicate reviews and appeals of administrative penalties

Whereas section 102.1 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the "*Municipal Act, 2001*") a municipality may require a person to pay an administrative penalty for failing to comply with any by-laws respecting the parking, standing or stopping of vehicles;

And whereas any by-law that establishes a system of administrative penalties with respect to parking, standing or stopping of vehicles must comply with the requirements set out in O. Reg. 333/07 (the "Regulation"), as amended, made pursuant to the *Municipal Act, 2001*;

And whereas under section 8 of the Regulation, a person who receives a penalty notice shall have the right to request a review of the administrative penalty by a Screening Officer appointed by the municipality;

And whereas under section 8 of the Regulation, a person who receives a Screening Officer decision shall have the right to request a review of the Screening Officer's decision by a Hearing Officer appointed by the municipality;

And whereas the Council for the Town considers it desirable and necessary to establish the position of a Screening Officer and a Hearing Officer which are required for the operation of the Town's administrative monetary penalty system;

Now therefore the Council of the Corporation of the Town of LaSalle enacts as follows:

1.0 Short Title

1.1 This By-law shall be known and cited as the "Screening and Hearing Officer By-law."

2.0 Definitions

2.1 In this By-law:

(a) "**Administrative Penalty**" means an administrative penalty established by the AMPS By-law;

(b) "**AMPS**" means a system of administrative monetary penalties;

- (c) "**AMPS By-law**" means the Town's By-law No. 8289, the Administrative Penalty By-law, as amended, or its successor, being a by-law to establish an AMPS;
- (d) "**C.A.O.**" means the person from time to time occupying the office of the Chief Administrative Officer of the Corporation of the Town of LaSalle, or such successor office as the case may be, and includes any individual who has been delegated to act in his or her place under this By-law;
- (e) "**Council**" means the Council of the Town;
- (f) "**Hearing Officer**" means a person appointed from time to time in accordance with section 4.3 of this by-law to perform the functions of a Hearing Officer in accordance with Part 4 of this By-law;
- (g) "**Officer**" means:
 - (i) any individual appointed by a Town by-law, or pursuant to the delegated authority to appoint under a Town by-law, to enforce a Town by-law; or
 - (ii) A police officer employed by LaSalle Police Services, Ontario Provincial Police or the Royal Canadian Mounted Police;
- (h) "**Person**" includes an individual, corporation, partnership, or limited partnership, or an authorized representative thereof;
- (i) "**Power of Decision**" means a power or right conferred by or under this By-law and the AMPS By-law, to make a decision deciding or prescribing the legal rights, powers, privileges, immunities, duties or liabilities of any person:
 - (i) in the case of a Screening Officer, in respect of a request to review a Penalty Notice;
 - (ii) in the case of a Hearing Officer, in respect of a review of a Screening Decision.
- (j) "**Regulation**" means Ontario Regulation 333/07, as amended, under the Municipal Act;
- (k) "**Relative**" includes any of the following persons:
 - (i) spouse, common-law partner, or any person with whom the person is living as a spouse outside of marriage;
 - (ii) Parent or legal guardian;

- (iii) child, including a step-child and grandchild;
 - (iv) siblings and children of siblings;
 - (v) aunt, uncle, niece and nephew;
 - (vi) in-laws, including mother, father, sister, brother, daughter and son; or
 - (vii) any person, including any dependent, who lives with the person on a permanent basis.
- (l) **"Screening Decision"** means a notice which contains the decision of a Screening Officer;
 - (m) **"Screening Officer"** means a person appointed from time to time by the C.A.O. to perform the functions of a Screening Officer pursuant to Part 3 of this By-law;
 - (n) **"Spouse"** means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage; and,
 - (o) **"Town"** means the Corporation of the Town of LaSalle.

3.0 Screening Officer

- 3.1** The position of Screening Officer is established for the purpose of exercising the Power of Decision in the Screening review of an Administrative Penalty as set out in the AMPS By-law.
- 3.2** The Screening Officer shall have all the powers of review by a Screening Officer as set out in the AMPS By-law and the Regulation.
- 3.3** A Screening Officer shall be appointed by the C.A.O. for such period and subject to such terms and conditions as may be determined by the C.A.O..
- 3.4** A Screening Officer has no authority to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

4.0 Hearing Officer

- 4.1** The position of Hearing Officer is established for the purpose of exercising the Power of Decision in a review of a Screening Decision as set out in the AMPS By-law.
- 4.2** The Hearing Officer shall have all the powers of Review by a Hearing Officer as set out in the AMPS By-law and the Regulation.

4.3 A Hearing Officer shall be appointed by Council on such terms and conditions as determined by Council.

4.4 A Hearing Officer has no authority to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

5.0 General

5.1 The following persons are not eligible for appointment as a Screening Officer or a Hearing Officer:

- (a) a Member of Council;
- (b) a Relative of a Member of Council;
- (c) an Officer;
- (d) in the case of a Hearing Officer, an employee of the Town; or
- (e) a person indebted to the Town other than:
 - (i) in respect of current real property taxes; or
 - (ii) pursuant to an agreement with the Town, where the person is in compliance with the terms thereof.

5.2 A Screening Officer and a Hearing Officer shall have no authority to delegate her or his powers or duties.

6.0 Severability

6.1 Should any provision, or any part of a provision, of this By-law to be declared invalid, or to be of no force and effect, by a court of competent jurisdiction, it is the intent of the Council that a such provision, or any part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

7.0 Interpretation

7.1 The provisions in Part VI of the *Legislation Act, 2006*, S.O. 2006, c.21, Sched. F, shall apply to this By-law.

8.0 Effective Date

8.1 This By-law shall come into force and effect on the day it is passed.

Read a first and second time and finally passed this 26th day of March, 2019.

1st Reading – March 26, 2019

Mayor

2nd Reading – March 26, 2019

3rd Reading – March 26, 2019

Clerk