

PROVINCE OF QUEBEC
CITY OF POINTE-CLAIRE

BY-LAW NUMBER PC-2888

BY-LAW RESPECTING THE USE OF
ALCOHOL AND CANNABIS IN THE CITY
OF POINTE-CLAIRE PUBLIC PLACES

In force on October 17, 2018

AT THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF POINTE-CLAIRE,
HELD AT CITY HALL, 451, SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUEBEC,
ON OCTOBER 2, 2018 AT 7:30 P.M.

PRESENT: Councillors C. Homan, T. Stainforth and K. Thorstad-Cullen, as
well as Councillors P. Bissonnette, C. Cousineau, B. Cowan,
E. Stork and D. Webb chaired by His Worship Mayor John
Belvedere forming a quorum of council.

AMONGST OTHER BUSINESS TRANSACTED AT SAID
MEETING WAS THE FOLLOWING:

BY-LAW NUMBER: PC-2888

RESOLUTION NUMBER: 2018-714

PROPOSED BY COUNCILLOR COWAN

SECONDED BY COUNCILLOR STAINFORTH

AND RESOLVED:

WHEREAS the provisions of the “*Act respecting municipal powers (C.Q.L.R. c. C-47.1)*” allow municipalities to adopt provisions respecting nuisances, public peace and order.

WHEREAS a draft of this by-law has been presented and notice of motion given at the meeting held on September 11, 2018.

MUNICIPAL COUNCIL DECREES AS FOLLOWS:

CHAPTER I – DEFINITIONS

1. In the present by-law, the following words and expressions mean:

“Cannabis”: The substance so defined pursuant to the “Act respecting cannabis and to amend the controlled drugs and substances Act, the Criminal Code and other Acts”.

“City”: The City of Pointe-Claire.

“Municipal building”: Any building coming under the jurisdiction of the City of Pointe-Claire municipal council and being used for administrative, sport, cultural or community purposes, as well as any other building or part thereof leased or occupied by the City for the purposes of activities organized by or for the City.

“Other public place”: Any City owned cycle path, street, pedestrian pathway, sidewalk and any other public place owned by the City of Pointe-Claire.

“Outside aquatic facility”: Any outside body of water, such as pools, wading pools or splash pads, including any contiguous bleachers or stands.

“Outside sport facility”: Any outside recreational, play area or sport surface, including any contiguous bleachers or stands.

“Park”: Any park, playground, cycle path, square, green area, including any building or equipment thereon, situated within the limits of the City and belonging to the City of Pointe-Claire or under its jurisdiction.

CHAPTER II - ALCOHOL

2. Except if otherwise permitted in these locations and at times for which a permit has been issued in accordance with the law, it is prohibited for any person to drink any alcoholic beverage in a municipal building, an outside aquatic facility, an outside sport facility, a park or in any other public place.
3. Except if otherwise permitted in these locations and at times for which a permit has been issued in accordance with the law, it is prohibited for any person to bring alcoholic beverages in a municipal building, an outside aquatic facility, an outside sport facility, a park or any other public place with the intention of consuming same in these premises.

4. Whenever the consumption of alcoholic beverages is authorized in an outside aquatic facility an outside sport facility, a park or other public place, it shall be prohibited for any person to consume such alcoholic beverages otherwise than from an aluminum, cardboard or plastic container.

Any such container referred to in the preceding paragraph must be opaque and shall not bear any identification or publicity related to any alcoholic beverage.

CHAPTER III – CANNABIS

5. Cannabis use is prohibited in any municipal building and City-owned outside aquatic or sport facility, park or other public place.

CHAPTER IV- MODIFICATIONS

6. Paragraph 1 pp) of Nuisances By-law number 1495 shall and is hereby repealed.
7. Paragraph 5 a.1) of said By-law is amended by withdrawing the reference to paragraph 1 pp) of this By-law.
8. The By-law number PC-2826, prohibiting the use of electronic cigarettes in municipal buildings as well as in outside aquatic and sport facilities shall be and is hereby repealed.

CHAPTER V – PENALTIES

9. Any person who violates any provision of the present by-law commits an infraction and is liable, in addition to costs, to the following fines:
 - i) \$500 minimum and \$1,500 maximum for a first infraction;
 - ii) \$1,000 minimum and \$3,000 maximum for any repeated infraction.

CHAPTER VI – COMING INTO FORCE

10. The present by-law shall come into force according to the law.

John Belvedere, Mayor

Jean-Denis Jacob, City clerk