

THE REGIONAL MUNICIPALITY OF PEEL

BY-LAW NUMBER 15-2017

A by-law to repeal by-law 14-2003

WHEREAS, the Council of The Regional Municipality of Peel enacted By-law 14-2003 on May 22, 2003, as amended, to regulate the smoking of tobacco in public places and workplaces within the municipality;

AND WHEREAS, the *Smoke-Free Ontario Act*, S.O. 1994, c. 10, as amended, now regulates the smoking of tobacco in public places and workplaces within the municipality;

AND WHEREAS, the lower-tier municipalities The Corporation of the City of Mississauga, The Corporation of the City of Brampton and The Corporation of the Town of Caledon provided their consents by resolution to the passing of By-law 14-2003 pursuant to clause 115(5) of the *Municipal Act, 2001*, S.O. 2001, c. 25;

AND WHEREAS, in order to repeal By-law 14-2003, the lower-tier municipalities of Mississauga, Brampton and Caledon must rescind their consent to the passing of By-law 14-2003 pursuant to clause 115(6) of the *Municipal Act, 2001*, S.O. 2001, c. 25;

AND WHEREAS, the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that if there is a conflict between a provision of any Act and a provision of a by-law passed by a municipality under section 115 of the *Municipal Act, 2001*, the provision that is the most restrictive of the smoking of tobacco prevails;

AND WHEREAS, the Council of The Regional Municipality of Peel wishes to repeal By-law 14-2003;

NOW THEREFORE, the Council of the Regional Corporation enacts as follows:

1. That By-law 14-2003 is hereby repealed.
2. That this by-law comes into full force and effect as soon after enactment as:
 - (1) a majority of the lower-tier municipalities of Mississauga, Brampton and Caledon rescind their resolutions giving consent to the by-law pursuant to clause 115(5)(b) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, and
 - (2) the total number of electors in the lower-tier municipalities that have rescinded resolutions form a majority of all electors in the Regional Municipality of Peel.

READ THREE TIMES AND PASSED IN OPEN COUNCIL 9th day of
March, 2017.

K. Lockyer

Regional Clerk

F Dale

Regional Chair