
PART 7 - PUBLIC HEALTH
Division 7 - Restriction of Cannabis, Tobacco, and Controlled
Substance Use in Public Places and Parks

Subdivision 1 – Definitions

7.7.1 “Cannabis” means cannabis as defined in Part 9, Division 1 of the Kitimat Municipal Code

Bylaw 2023, 2023

“Consume Cannabis” means to ingest into your body in a means other than to Smoke or Vape

Bylaw 2023, 2023

“Consume Controlled Substance by Needle” means to ingest into your body a Controlled Substance through a needle

Bylaw 2023, 2023

“Controlled Substance” means the substances listed in Annex A of the Subsection 56(1) Class Exemption for adults in the Province of British Columbia to possess small amounts of opioids, cocaine, methamphetamine and MDMA issued by the Federal Minister of Health effective January 31, 2023

Bylaw 2023, 2023

“Smoke or Vape” includes the following:
(a) smoke or hold lighted cannabis or tobacco;
(b) use or hold a device that is vapourizing Cannabis, Tobacco, or Controlled Substance for inhalation or release into the air

“Tobacco” means tobacco as defined by the Province of British Columbia (in the Tobacco and Vapour Products Control Act) and includes products produced from tobacco in any form or for any use

Subdivision 2 – Restrictions

7.7.2.1 No person shall, in any park or public place, Consume Cannabis or have in their possession any Cannabis unless the said Cannabis is consumed or possessed pursuant to and in compliance with a license issued under the Cannabis Control and Licensing Act.

Bylaw 2023, 2023

7.7.2.2 A person must not Smoke or Vape Cannabis, Tobacco, or a Controlled Substance, or Consume Controlled Substance by Needle in or on any of the following outdoor public places:

Bylaw 2023, 2023

- (a) a skating rink, sports field, swimming pool, playground or skate park;
- (b) a spray pool or wading pool within the meaning of regulations under the Public Health Act or a splash pad;
- (c) a deck, seating area, viewing area or other place used in association with a place to which paragraph (a) or (b) applies.
- (d) within a 7.5 metre distance from a place described in paragraph (a), (b) or (c)

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7.7.2.3 A person must not Smoke or Vape Cannabis, Tobacco, or a Controlled Substance, or Consume Controlled Substance by Needle in or on any of the following places:

Bylaw 2023, 2023

- (a) lands designated as park within the District of Kitimat Zoning Bylaw;
- (b) a regional park within the meaning of the Local Government Act;
- (c) an outdoor area established by a local government for purposes of community recreation.
- (d) within a 7.5 metre distance from a place described in paragraph (a), (b) or (c)

7.7.2.4 A person must not Smoke or Vape Cannabis, Tobacco, or a Controlled Substance, or Consume Controlled Substance by Needle:

Bylaw 2023, 2023

- (a) in or at a transit shelter or bus stop, train station or stop, taxi stand, or similar place marked for passenger loading or unloading, or
- (b) within a 7.5 metre distance from a place described in paragraph (a).

7.7.2.5 A person must not Smoke or Vape a Controlled Substance or Consume Controlled Substance by Needle in any District of Kitimat facility or owned buildings.

Bylaw 2023, 2023