

THE CORPORATION OF THE TOWNSHIP OF MCGARRY

BY-LAW 2002-15

**BEING A BY-LAW TO RESPECTING THE HEALTH RISKS
OF CONSUMING ALCOHOLIC BEVERAGES DURING PREGNANCY.**

WHEREAS Section 102 of the Municipal Act, R.S.O. 1990, enables Council to pass by-laws for regulating among other things, the health, safety and welfare of inhabitants of the municipality;

AND WHEREAS Council recognizes the dangers of Fetal Alcohol Syndrome and Fetal Alcohol effects.

AND WHEREAS medical research indicates alcohol consumption is not advised for pregnant women;

AND WHEREAS it is recommended that a by-law be passed respecting the health risks of consuming alcoholic beverages during pregnancy;

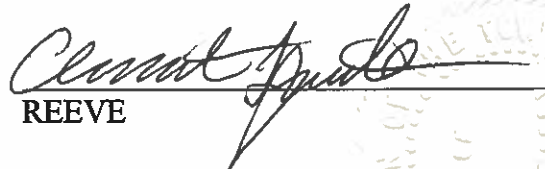
THEREFORE the Council of the Corporation of the Township of McGarry enacts as follows:

1. In this by-law
 - A. "licensed premises", means any premises authorized to sell, dispense or serve liquor under the authority of the *Liquor Control Act* or under authority of a licence or a permit issued under the *Liquor Licence Act*,
 - B. "proprietor" means the person who ultimately controls, governs or directs the activities carried on within the kinds of premises referred to in this by-law and includes the person actually in charge thereof.
2.
 - (1) The proprietor of every licensed premises shall prominently post and maintain one or more signs warning that health risks are associated with drinking alcohol while pregnant.
 - (2) There shall be at least one sign referred to in subsection (1) posted by the proprietor in every licensed premises which is permitted to sell beer, wine and spirits for off premises consumption where the sale or dispensing of alcoholic beverages takes place.
 - (3) There shall be at least one sign referred to in subsection (1) posted by the proprietor in every licensed premises which permits the consumption of beer, wine and spirits on the premises posted.
 - (a) in each public washroom located within the licensed premises:
or
 - (b) where beer, wine or spirits or any combination thereof are dispensed, served or sold.
3. The health warning sign required to be displayed by the proprietor by this by-law shall be a minimum of 22.5 cm X 15.0 cm and shall
 - (a) carry text "Warning! Drinking beer, wine or spirits during pregnancy can harm your baby" which shall be in bold print, black on white background and the word "warning" shall be a minimum of 1.3 cm in height and the remainder of the text shall be a minimum of 0.8 cm in height:

(b) be posted in English and such other language as the Medical Officer of Health may decide.

4. Despite the provisions of Section 3 hereof, Council may permit a proprietor to post signs carrying the text "Warning! Drinking beer, wine or spirits during pregnancy can harm your baby" in form and size satisfactory to the Council so long as the signs approved by Council under this section continue to be erected in the manner and place prescribed by this by-law.
5. A proprietor who neglects or fails to perform any of the duties prescribed by this by-law is guilty of an offence and on conviction is liable to the penalty set out in the *Provincial Offences Act*.
6. This by-law comes into effect September 1, 2002.

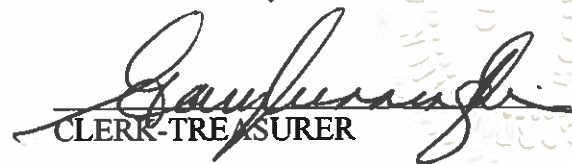
READ a first and second time this 16th day of July, 2002.


REEVE


CLERK-TREASURER

READ a thrid time and finally passed this 13th of August, 2002


REEVE


CLERK-TREASURER