

Division of government responsibilities for Cannabis

Federal government

Medical cannabis

Legalize recreational cannabis

- Minimum age to use & home cultivation of cannabis
- Amount of cannabis that can be purchased / possessed / grown / used
- New criminal offenses (impaired driving, illegal distribution/sale, possession over the limit, production beyond personal cultivation limits, taking cannabis across borders).

Requirements for producers

Set industry wide standards:

- Advertising (packaging, labels, promotion), prohibiting certain ingredients, standard serving sizes/potency
- Regulatory compliance
- Tracking of cannabis from seed to sale

Government of Alberta

Manage distribution/wholesaling

- Establish a retail model (including licensing cannabis retailers)
- Retail location restrictions and regulations
- Regulatory compliance

Workplace regulations to address cannabis impairment risk

Public consumption (restrict where cannabis can be consumed)

May provide greater restrictions within the province:

- Increase minimum age to use
- Lower the personal possession limit
- Create additional rules for growing cannabis at home (reduce number of plants per household)
- Increase cannabis packaging and advertising restrictions

City of Cold Lake

Land use and zoning to address where cannabis stores, production facilities, wholesalers can be located

Have the option to provide greater restrictions within the municipality:

- Retail store regulations
- Regulate public consumption beyond the provincial restrictions on use

Timeline for Cannabis Legalization

Dec 2015

Federal Government commits to legalize cannabis.

April 13, 2017

Federal Government introduces Bill C-45 "the *Cannabis Act*" to amend criminal laws to legalize cannabis.

If passed, adults who are 18 years or older would be able to legally:

- Possess up to 30 grams of dried cannabis or equivalent in a non-dried form
- Share up to 30 grams of cannabis with other adults
- Purchase dried or fresh cannabis and cannabis oil from provincially licensed retailers, and purchase cannabis online from federally licensed producers
- Grow up to 4 cannabis plants per residence for personal use from licensed seeds or seedlings
- Make cannabis products such as food and drinks, provided that organic solvents are not used
- Sale of cannabis edible products and concentrates would be authorized no later than 12 months following *Cannabis Act* passing.

Federal Government introduces Bill C-46 to make *Criminal Code* offences for cannabis, impaired driving laws, enforcement.

Nov 29, 2017

Alberta Government passes legislation to address cannabis impaired driving.

Nov 30, 2017

Alberta Government amends Alberta Gaming and Liquor legislation to give AGLC mandate to regulate cannabis retail in Alberta.

Feb 16, 2018

Alberta Government amends Gaming and Liquor regulations to set rules for the operation of private cannabis retail stores.

March 6, 2018

AGLC begins accepting applications for cannabis retail licenses.

April 9, 2018

Alberta Government introduces Bill 6 to amend Gaming and Liquor legislation to further regulate cannabis product branding and introduce provisions to enforce cannabis regulations.

July 2018

Earliest possible date for cannabis legalization.

It is expected to take several weeks to months following legalization before recreational cannabis is available for purchase at storefronts due to the time it will take to establish a distribution system to transport cannabis from producers to retailers and for retailers to hire employees who must be screened and trained.

Proposed Cannabis Use Law in Alberta following anticipated federal legalization of recreational cannabis use

**Bill 26: An Act to Control and Regulate Cannabis ss. 90.28 and 90.24;
Alberta Gaming and Liquor Amendment Regulation 13/2018 ss. 129 and 123;
Tobacco and Smoking Reduction Act s. 3*

No person may smoke or vape cannabis:

- **In any area or place where that person is prohibited from smoking under the *Tobacco and Smoking Reduction Act* or bylaws of the municipality includes:**
 - A public place (all or any part of a building, structure or other enclosed area to which members of the public have access as of a right or by express or implied invitation including common areas of a multi-unit residential facility including patios, pools, recreation areas, enclosed parking garages; a group living facility; an outdoor bus or taxi shelter; licensed premises; a restaurant; and a hotel
 - Workplace
 - Vehicle in which a minor is present
 - In a public vehicle
 - Within 5 metres from a doorway, window or air intake of a public place or workplace
- **On any hospital property, school property or child care facility property;**
- **In or within 5 metres from: a playground, a sports or playing field, a skateboard or bicycle park, a zoo, an outdoor theatre, an outdoor pool or splash pad, or any other area or place that is prescribed or otherwise described in the regulation.**

No person may use cannabis (in any form):

- **In a licensed premises (cannabis retail store).**
- **In a vehicle unless when the cannabis is being used the vehicle is a temporary residence.**

Options for municipal regulation of cannabis consumption

The City of Cold Lake MUST implement at a minimum the “least restrictive approach”

Cannabis use prohibited in all forms

Cannabis smoking & vaping prohibited

*cannabis consumption of edibles, oils, etc, is permitted

	OPTION 1 Least Restrictive	OPTION 2 Moderately Restrictive	OPTION 3 Most Restrictive
Cannabis use prohibited in all forms	<ul style="list-style-type: none"> • In cannabis retail outlets • In vehicles 	<ul style="list-style-type: none"> • In cannabis retail outlets • In vehicles 	<ul style="list-style-type: none"> • In cannabis retail outlets • In vehicles • In all public places* other than a residence or temporary residence (ie. all places where alcohol cannot be consumed)
Cannabis smoking & vaping prohibited	<ul style="list-style-type: none"> • In a public place* • Workplaces** • Public vehicle (bus/taxi) • On any hospital property, school property or child care facility property • 5 metres from: a municipal outdoor recreation area, a doorway, window or air intake of a building, patio or workplace • 5 metres from: playgrounds, sports or playing field, skateboard or bicycle park, zoo, outdoor theatre, outdoor pool or splash pad 	<ul style="list-style-type: none"> • In a public place* • Workplaces** • Public vehicle (bus/taxi) • More than 5 metres from: any hospital property, school property or child care facility property • More than 5 metres from: a municipal outdoor recreation area, a doorway, window or air intake of a building, patio or workplace • More than 5 metres from: playgrounds, sports or playing field, skateboard or bicycle park, zoo, outdoor theatre, outdoor pool or splash pad • On parcels of land where hospitals, schools, liquor stores, or cannabis retail stores are located • On parcels of land designated: a school reserve, a municipal school reserve, BD-Beach District, IP-Imperial Park District, PS-Public Service • 100 metres from the boundary of a parcel of land designated a school reserve, municipal school reserve, BD-Beach District, IP-Imperial Park District, PS-Public Service • In any area designated by City of Cold Lake signage 	<ul style="list-style-type: none"> • In all public places* or any place other than a residence or temporary residence <p><i>Council is considering implementing the most restrictive approach and would like the public's input.</i></p>

*Public place is defined by the Tobacco and Smoking Reduction Act: all or any part of a building, structure or other enclosed area to which members of the public have access as of a right or by express or implied invitation including: (1) common areas of a multi-unit residential facility including patios, pools, recreation areas, enclosed parking garages, (2) a group living facility, (3) an outdoor bus or taxi shelter, (4) licensed premises, (5) a restaurant, (6) a hotel.

** Workplace is defined by the Tobacco and Smoking Reduction Act: all or any part of a building, structure or other enclosed area in which employees perform the duties of their employment, whether or not members of the public have access to the building, structure or area as of right or by express or implied invitation, and includes reception areas, corridors, lobbies, stairwells, elevators, escalators, eating areas, washrooms, lounges, storage areas, laundry rooms, enclosed parking garages and work vehicles.

Other Considerations to think about:

Municipalities have broad jurisdiction to restrict cannabis use

Cannabis may be consumed in many different forms: smoking, e-cigarettes, herbal vaporizers, oil products, skin creams, edibles (foods, candy, baked goods)

- The understanding at this time, is that the “*Cannabis Act*” if passed, will permit the sale of dried cannabis, fresh cannabis and cannabis oil in licensed retail stores. The sale of cannabis edibles will not be legalized this summer, however, the proposed “*Cannabis Act*” anticipates that sale of cannabis edibles could be authorized within 12 months following “*Cannabis Act*” passing.
- Municipal bylaws regulating cannabis use must consider cannabis edibles at this time because the proposed “*Cannabis Act*” would permit adults to grow up to 4 cannabis plants per household. Cannabis users could legally make their own edibles for personal consumption.

Municipal regulations on cannabis use will not apply to medical cannabis use

- The understanding at this time is that, municipal regulations on cannabis use will apply to recreational use cannabis only, and not medical cannabis use which is already regulated by the *Access to Cannabis for Medical Purposes Regulations* which came into force on August 24, 2016.

Cannabis consumption at public events, festivals, outdoor concerts

- Some communities are considering restricting cannabis use during particular events. For example, there are often “beer garden” areas where consuming alcohol is permitted for particular events where it would otherwise be prohibited.

Public Nuisances and Public Intoxication

- Currently, the City of Cold Lake Bylaw 534-PL-14 Noise and Public Nuisance Bylaw states:
 - No person shall cause a disturbance in a public place by being intoxicated by alcohol or drugs (*cannabis could be added)
 - No person shall behave in a manner that disturbs or is likely to disturb the peace or safety of a person in a public place.

Cannabis Odors & Second Hand Smoke

- City of Cold Lake Bylaw 538-PL-14, Community Standards Bylaw does not currently regulate offensive odours, however it prohibits odours arising from private property in two specific instances:
 - No owner shall keep a compost heap or container that is messy or creates an odour that is generally offensive to the neighborhood around it.
 - No owner shall place, cause or permit to be placed any waste bin on property they own or occupy unless the waste bin is containing only material that will not emit odour or will not be blown out of the bin.
- City of Edmonton Community Standards Bylaw prohibits a person from producing generally offensive odours that amount to a nuisance from activities on land they own or occupy: “No Owner or occupier of a Premises shall engage in an activity likely to allow smoke, dust or other airborne matter likely to disturb another Person, to escape the Premises without taking precautions to ensure that the smoke, dust or other airborne matter does not escape the Premises.” (*City of Cold Lake could impose a similar provision to address cannabis odours bothering others)