

Municipal Government Act RSA 2000 Chapter M-26

The Federal Government has introduced a bill to legalize recreational cannabis by October 17, 2018. This bill provides a plan for regulating cannabis and sets standards for:

- Health and safety;
 - What actions are illegal or criminal; and
 - What aspects of cannabis regulation are the responsibility of the provinces.
- **Background**
- Recent federal announcements indicate that provincial and municipal governments must be prepared for retail cannabis locations to start operating by the end of 2018.
 - All three levels of government share responsibility for creating policy and regulations with respect to recreational cannabis. The Federal Government will regulate all aspects of cannabis production and medical cannabis sales, while the Provincial Government will regulate non-medical cannabis sales, licensing, minimum age, public consumption, safety (protection of minors), and enforcement. The Summer Village of Val Quentin is responsible for creating policy to regulate land use and zoning.
 - The Summer Village may also provide regulations on public consumption if the municipality chooses to expand on the base provincial rules. The pending provincial legislation states that cannabis consumption will be limited to private homes and in some places where smoking tobacco is allowed. It will not be allowed on hospital, school or school reserve sites.
 - In 2017, the Provincial Government conducted three rounds of public engagement to help determine Alberta's approach to recreational cannabis legalization. Since provincial legislation will form the standard for cannabis regulations, The Summer Village of Val

Quentin will conduct an Open House for residents to ask questions and review the Bylaw.

- **Federal Status**

- The *Cannabis Act* (Bill C-45) received Senate approval on June 19, 2018 and Royal Assent on June 21, 2018. The Act comes into effect on October 17, 2018.

- **Provincial Regulation**

An Act To Control And Regulate Cannabis (Bill 26) was passed by the Alberta Legislature on November 30, 2017 and is awaiting Proclamation. The act primarily amends the *Alberta Gaming and Liquor Act* (to be renamed the *Alberta Gaming, Liquor and Cannabis Act*) and the *Municipal Government Act*.

**THIS IS A BYLAW OF THE SUMMER VILLAGE OF VAL QUENTIN, IN
THE PROVINCE OF ALBERTA, TO BE KNOWN AS THE SUMMER
VILLAGE OF VAL QUENTIN “PUBLIC PLACES BYLAW”, BYLAW 266-
18.**

Whereas, pursuant to section 7(a) of the Municipal Government Act, RSA 2000 Chapter M-26, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

and Whereas, pursuant to section 7(b) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting people, activities and things in, on or near a public place or place that is open to the public;

and Whereas, the Summer Village of Val Quentin wishes to establish, in a bylaw, where the smoking of cannabis is allowed.

NOW THEREFORE, the Summer Village of Val Quentin, in the Province of Alberta, duly assembled, enacts as follows:

Part 1 – Definitions or Meanings

“Cannabis” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis, a broad term used to describe the various products derived from the leaves, flowers and resins of the Cannabis sativa and Cannabis Indica plant or hybrids of the two. These products exist in various form and are used for different purposes (e.g. medical, recreations and industrial) uses.

“Smoking” is a practice in which a substance is burned and the resulting smoke breathed in to be tasted and absorbed into the bloodstream. Most commonly the substance is the dried leaves of the tobacco plant which have been rolled into a small square of rice paper to create a small, round cylinder called a "cigarette".

“Reserve Property” means any Municipality controlled lands as well as roads.
“no smoking area” means any public place, or portion;

“Playground” means a structure or collection of structures designed and intended for recreational use by children and, where mounted in a distinct material such as sand, gravel, or wood chips, includes the material in which those structures are mounted;

“Public Place” means any property, whether publicly or privately owned, to which members of the public have access as of right or by express or implied invitation, whether on payment of any fee or not and shall include, but is not limited to, playgrounds, parks, or public buildings. This included any place where smoking is prohibited under any law of the Province of Alberta.

“No Smoking Area” means any public place, or portion of any Reserve Property, Playground or Public Place.

1. THAT this Bylaw may be cited as the “Public Places Bylaw”.
2. THAT the Summer Village of Val Quentin implement the establishment of “no smoking areas” within the Summer Village of Val Quentin as per the “no smoking area” for cannabis related products.
3. THAT this BYLAW shall come into force and have effect upon the date of the Third and Final reading of this Bylaw.

First reading on this 19th Day of September, 2018.

Second reading on this 19th Day of September, 2018

Third and final reading on this 19th Day of September, 2018

Signed on this 19th Day of September, 2018

Mayor, Bob Lehman

Chief Administrative Officer, Dennis Evans