A BYLAW OF THE TOWN OF FAIRVIEW
FOR THE PURPOSE RESTRICTING THE CONSUMPTION OF CANNABIS

WHEREAS Pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26, Section 7 provides that a Council may pass bylaws respecting the safety health and welfare of people; and

WHEREAS the Province of Alberta has enacted An Act to Control and Regulate Cannabis, S.A. 2017, c. 21, which will place restrictions on the smoking or vaping of cannabis in public places; and

WHEREAS Council deems it necessary to impose additional restrictions on the consumption of cannabis in public places to prevent an environment that may have a negative impact on the enjoyment of public places;

NOW THEREFORE Council of the Town of Fairview, duly assembled, enacts as follows:

1. This Bylaw may be referred to as the Town of Fairview “Cannabis Consumption Bylaw”.

2. Definitions – This bylaw uses the following terms, as well as other terms defined in the Enforcement and Penalties Bylaw, Cannabis Act and Alberta Cannabis Act.

   (a) *Alberta Cannabis Act*: “An Act to Control and Regulate Cannabis”, S.A. 2017, c. 21, enacted by the Province of Alberta.


   (c) *Consume*: any action which has the intended effect to absorb cannabis or any of its by-products into the body, this includes what is commonly known as smoking, vaping or eating cannabis or products containing cannabis and includes cannabis in all its forms, including but not limited to smoke, vapour and oils.

   (d) *Public Place*: any place to which the public has access by right or by invitation, express or implied, including any area to which the public would typically be permitted access.

3. Consumption

   (a) A person must not consume cannabis in any public place.
4. **Medical Cannabis**

(a) A person who is entitled to possess cannabis pursuant to a medical document issued pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230 is not subject to this bylaw.

(b) A person referred to in the above subsection must, on demand of an officer, produce a copy of the person’s medical document.

5. **Events**

(a) Notwithstanding Section 3, a person may consume cannabis in a public place at an event for which a permit has been granted by the Chief Administrative Officer.

(b) The Chief Administrative Officer may impose conditions on any permit granted pursuant to Section 5(a).

(c) The Chief Administrative Officer may suspend or revoke a permit issued pursuant to Section 5(a) if it is determined that a permit holder or any person at the event has contravened any federal or provincial legislation or municipal bylaw or the conditions of the permit.

(d) The holder of the permit issued pursuant to Section 5(a) must ensure that:

   (i) The consumption of cannabis is only permitted in a designated area, separate and fenced off from the remainder of the event; and

   (ii) Alcohol is not consumed in the area designated for consuming cannabis; and

   (iii) The sale of cannabis is not allowed anywhere at the event; and

   (iv) Advertising or other materials relating to promotion of cannabis cannot be seen by persons under the age of 18.

6. **Designated Areas**

(a) Council may, by resolution, designate areas located on municipal public places in which cannabis may be consumed.

(b) Notwithstanding Section 3, a person may consume cannabis in an area designated by Council pursuant to Section 6(a).

(c) A Designated Officer may suspend a designation pursuant to Section 6(a) for up to 60 days if in the opinion of the officer the area has experienced significant safety or community standards issues or complaints.
Coming into Force

(a) This bylaw comes into force on the day the Cannabis Act comes into force.

Read a first time this 2nd day of October 2018
Read a second time this 2nd day of October 2018
Council unanimously resolved to proceed to third reading this 2nd day of October 2018
Read a third time this 2nd day of October 2018

Signatures on original

Gordon Macleod, Mayor

Signatures on original

Daryl Greenhill, Chief Administrative Officer