



Cannabis Information

FAQ

On April 13, 2017, the Federal Government announced that non-medical Cannabis (also known as marijuana, marihuana) which will be legal by **October 17, 2018**. Cannabis is currently an illegal substance (with the exception of authorized medical use) under the federal Controlled Drugs and Substances Act.

The federal legislation will:

- Allow adults to possess, in public, up to 30 grams of legally-produced cannabis;
- Allow adults to grow up to four cannabis plants per household;
- Set the minimum age for purchase and use at 18 years of age, with the option for provinces to increase the age limit;
- Enable a regulatory regime for the licensed production of cannabis, which would be controlled by the federal government;
- Enable a regulatory regime for the distribution and sale of cannabis, which would be controlled by the provincial government; and
- Establish new provisions to address drug-impaired driving, as well as making several changes to the overall legal framework to address alcohol-impaired driving.

While legalization is a federal decision, provinces and municipalities have been given areas of responsibility. In response, the Province of Alberta has developed the Alberta Cannabis Framework which deals with the managing of legalized cannabis, including:

- Comprehensive government oversight of distribution and retail;
- Alignment with existing tobacco laws for public consumption; and
- Tools to empower law enforcement and employers to ensure safety on our roads and at work.

Cannabis Legalization

The Government of Canada has introduced legislation to legalize cannabis. There will be new federal, provincial and municipal processes for cannabis production, sale and consumption. Will be legally effective **October 17th**.

The legalization of cannabis will have many impacts. Your municipal government is reviewing federal and provincial direction and legislation as it becomes available, to help manage the legalization of cannabis in the best interest of our community.

What Bylaws has the Town passed related to Cannabis?

The Town has passed 1040/LUO/2018 regulating cannabis retail and production facilities and bylaw 1045/GEN/2018 regulating consumption in Fairview. As per bylaw 1045/GEN/2018 the consumption of cannabis in public will not be allowed.

<https://www.fairview.ca/municipal/bylaws-policies/> to find our bylaws.

What is cannabis?

Cannabis is a broad term used to describe the various products derived from the leaves, flowers and resins of the cannabis plants. These products exist in various forms and are used for different purposes (e.g. medical, recreational, industrial).

Where will Cannabis be able to be purchased in the Town of Fairview?

The Government of Alberta's Bill 26, An Act to Control and Regulate Cannabis, will allow for two kinds of retail sales in Alberta: privately operated retail stores and government operated online retail. The location and development of privately operated retail stores will be regulated through the Alberta Gaming and Liquor Commission (AGLC) and the Town.

The Town has amended the land use bylaw to enable and regulate the development of cannabis retail stores within the Town in Commercial 1 (C1), Transitional Commercial District (C-1A) and Commercial 2 (C2) as a discretionary use. The AGLC will be responsible for regulating cannabis retail stores. Through this licensing process, the Province of Alberta has established a number of regulations controlling the development of these stores, including:

- a minimum separation distance from certain types of uses;
- Premises requirements;
- Store hours, and
- Limitations on the type and substance of signs.

What are the requirements of the Town?

Bylaw 1039/LUO/2018 and 1040/LUO/2018 regulate the retail and production locations for the Town. The retail regulations, setbacks and hours are not any stricter than what has already been set by AGLC.

What are the regulations established by the AGLC?

Setbacks

A retail cannabis store may not be located within 100 meters of:

- a provincial health care facility;
- a school; and
- a parcel of land designated as school reserve.

Retail store requirements

The retail location must have:

- a point-of-sale area;
 - a shipping/receiving area that is separate from other businesses;
 - a secure storage area;
 - an alarm system;
 - a video surveillance system; and
 - a secure product display.
- A non-refundable fee of \$400, along with a \$700 annual licensing fee and \$3,000 deposit is required to process the license application.

Premises requirements include:

- a sales area;
- a separate entrance/exit;
- product receiving capability;
- secure storage room and display for cannabis and accessories (see Section 3.3); and
- no access from any area of the premises to another business.

It is prohibited to have visibility into the store from the outside. Drive-through windows are prohibited. A retail cannabis store cannot undertake major structural changes or be relocated without the prior approval of the AGLC. The licensee must have the legal right to occupy and control the facility or premises in which it is located. The primary sales of a retail cannabis store must be cannabis product sales.

Store Hours

Store hours may not open earlier than 10 a.m. or later than 2 a.m.

Store Names and Signs

Policies

- Each retail cannabis store must have a distinct business name, approved by the AGLC, reflecting the nature of the business, and is not registered by another business interest.
- Use of the term "Alberta" or "AGLC" is prohibited in a store name.
- The business name is to be prominently displayed in signage at all public access points of the retail cannabis store.

- Signage and contents must comply with all federal, provincial and municipal requirements.
- Signage must be in good taste and not depict a lifestyle, endorsement, person, character or animal.
- Signage may not promote intoxication. Terms and images such as, but not limited to, "chronic," "stoned" or "high" are not permitted.
- Signage that claims beneficial health effects, or makes a statement regarding increased potency or concentration are not permitted.
- Sign(s) or identification may not include graphics which:
 - appeal to minors;
 - show the use of cannabis;
 - display intoxication;
 - display or identify a cannabis product or accessory;
 - display a price or indicate a price advantage; or
 - display any sporting or cultural event or activity.

Where will Cannabis be able to be consumed in the Town?

As per bylaw 1045/GEN/2018, cannabis will not be allowed to be consumed in public. It can be consumed on private property in order to be more consistent on how alcohol is treated. Council also has authority to designate specific areas for consumption including special events.

Will advertising be allowed?

The federal government has proposed strict rules about advertising, labelling and packaging cannabis. Restrictions on cannabis advertising and packaging will generally mirror what is in place for tobacco.

Will the sale of edibles be allowed?

The federal government intends to allow for the sale of edible products. However, until further information is gathered the sale edible cannabis products will not be legal.

Will residents of the Town be allowed to grow their own cannabis?

Each household, will be allowed to grow up to four (4) cannabis plants with a maximum height of 100 cm.

If you rent, please speak to the property owner and refer to your lease agreement prior to growing or consuming cannabis.