

**BYLAW 831-R-09-21
TOWN OF COALDALE
PROVINCE OF ALBERTA**

**BEING A BYLAW OF THE TOWN OF COALDALE
TO RESTRICT THE CONSUMPTION OF CANNABIS IN PUBLIC PLACES.**

WHEREAS the House of Commons has given three readings to the Cannabis Act (Bill C-45, *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts*, 1st Sess, 42nd Parl, 2017) which will permit persons to possess cannabis if purchased from an authorized person;

AND WHEREAS it is anticipated that the Cannabis Act will come into force on October 17, 2018;

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 pursuant to section 7 of the Municipal Government Act, R.S.A. 2000, c. M-26, Council may pass bylaws respecting:

- a) the safety, health and welfare of people and the protection of people and property;
- b) people activities and things in, on or near a public place or place that is open to the public; and
- c) the enforcement of bylaws made under the Municipal Government Act or any other enactment;

AND WHEREAS Council deems it necessary to impose additional restrictions on the smoking, vaping and other forms of consumption of cannabis in public places to prevent behaviours and conduct that may have a negative impact on the enjoyment of public places;

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

1.0 TITLE:

1.1 This Bylaw may be cited as the “Cannabis Consumption Bylaw”.

2.0 DEFINITION & INTERPRETATION

2.1 In this Bylaw:

- (a) **CANNABIS** has the meaning given to it in the Cannabis Act;
- (b) **CANNABIS ACT** means Bill C-45, *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts*, 1st Sess, 42nd Parl, 2017;

4.0 MEDICAL CANNABIS

- 2.0 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, or any successor or replacement regulation is not subject to this Bylaw.
- 2.1 A person referred to in subsection (1) is subject to the Tobacco Reduction Bylaw.

5.0 OFFENCES

- 5.1 Any person who contravenes any provision of this Bylaw by doing any act or thing which the person is prohibited from doing, or by failing to do any act or thing the person is required to do, is guilty of an offence pursuant to this Bylaw.

6.0 ENFORCEMENT

- 6.1 Where an *officer* believes that a person has contravened any provision of this Bylaw, the *officer* may commence proceedings against the person by issuing a violation ticket in accordance with the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34.
- 6.2 This section shall not prevent an *officer* from issuing a violation ticket requiring a court appearance of the defendant pursuant to the Provincial Offences Procedures Act or from laying an information instead of issuing a violation ticket.

7.0 PENALTY

- 7.1 Where there is a specified penalty listed for an offence in Fees and Rates Bylaw, that amount is the specified penalty for the offence.
- 7.2 Where there is a minimum penalty listed for an offence in Fees and Rates Bylaw, that amount is the minimum penalty for the offence.
- 7.3 In this section, "specified penalty" means an amount that can be paid by a person who is issued a violation ticket and is authorized to make a voluntary payment without a Court appearance.

Cannabis Consumption Bylaw 831-R-09-21 shall come into force when it receives THIRD and FINAL reading and is duly signed.

Cannabis Consumption Bylaw 745-R-09-18 is rescinded.

READ a FIRST time this 27th day of September, 2021, for Cannabis Consumption Bylaw 831-R-09-21.

Mayor – Kim Craig
Motion: 339-2021

CAO – Kalen Hastings

READ a SECOND time this 12th day of October, 2021, for Cannabis Consumption Bylaw 831-R-09-21.

Mayor – Kim Craig
Motion: 368-2021

CAO – Kalen Hastings

READ a THIRD and FINAL time this 12th day of October, 2021, for Cannabis Consumption Bylaw 831-R-09-21.

Mayor – Kim Craig
Motion: 369-2021

CAO – Kalen Hastings