

BYLAW 360.1/2018

A BYLAW OF THE SUMMER VILLAGE OF GULL LAKE IN THE PROVINCE OF ALBERTA, TO AMEND BYLAW NO. 360/2017 COMMUNITY STANDARDS BYLAW

WHEREAS The Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, grants a municipality the authority to pass, amend and repeal a bylaw.

AND, the Council of the Summer Village of Gull Lake has deemed it expedient and necessary to amend Bylaw No. 360/2017;

THEREFORE, the Council of the Summer Village of Gull Lake in the Province of Alberta duly assembled, hereby enacts as follows:

That Bylaw 360/2017 shall be amended as follows:

1. The following new definitions shall be alphabetically added to Section 2:

“Cannabis” has the meaning given to it in the Cannabis Act;

“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;

“Electronic Smoking Device” means an electronic device that can be used to deliver a vapour, emission or aerosol to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe;

“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;

“Smoke” or “Smoking” means:

- a) inhaling or exhaling the smoke produced by burning or heating cannabis; or
- b) holding or otherwise having control of any device or thing containing lit or heated cannabis;

“Vape” or “Vaping” means:

- a) inhaling or exhaling the vapour, emissions or aerosol produced by electronic smoking device or similar device containing cannabis; or
- b) holding or otherwise having control of an electronic smoking device that is producing vapour, emissions or aerosol from cannabis.

2. The following new Sections shall be added following Section 10:

SECTION 10.5 – PROHIBITION OF CANNABIS

(1) A person must not smoke, vape or consume cannabis in any public place.

SECTION 10.5 (A) - MEDICAL CANNABIS

- (1) 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;
- (2) A person referred to in Section 10.5 (A) (1) must, on demand of an officer, produce a copy of the person's medical document.

SECTION 10.5 (B) – USING CANNABIS ON PRIVATE PROPERTY:

- (1) Under Provincial and Municipal laws, a person will be allowed to smoke, vape or otherwise consume cannabis on their private property; and
- (2) The Summer Village of Gull Lake will not regulate use on private property except where that use conflicts with Section 10.5; and
- (3) Unless smoke is considered over and above what one could expect from day to day activities, it is considered part and parcel of summer village living; and,
- (4) Rental properties may forbid cannabis consumption. This will be regarded as the duty of the landlord to make provisions within the legal lease on the premises.

ENACTMENT

This Bylaw shall come into force and effect when it receives Third Reading and is duly signed.

READ A FIRST TIME IN COUNCIL THIS 26th DAY OF OCTOBER, AD 2018.

READ A SECOND TIME IN COUNCIL THIS 26th DAY OF October, AD 2018.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 26th DAY OF October, AD 2018.

Mayor

CAO

SCHEDULE A

PENALTIES

Section	Description of Offence	Penalty
10.5 (1)	Smoke, vape or consume cannabis in public places	\$250.00
10.5 (A) (2)	Fails to produce copy of medical document	\$250.00