

Cannabis Legalization in Alberta Municipalities

With the federal government set to legalize cannabis this summer, Alberta has passed legislation that will meet that deadline, while also meeting the expectations of Albertans. The legislation, along with associated regulations, establishes overarching rules and guidelines for Alberta's cannabis system and provides municipalities a significant role in shaping how cannabis will be sold and consumed within their communities.

Cannabis Consumption

Albertans who are 18 or older may smoke or vape cannabis at home and in some public places, but not in vehicles, cannabis retail outlets, anywhere smoking or vaping tobacco is restricted, or in areas frequented by children, including school and hospital properties and within five metres of skate parks, spray parks, and playgrounds.

Municipal role

- Using existing authorities (i.e. bylaws), municipalities may decide to place further restrictions on where cannabis may be consumed in public spaces within their community.

Retail Sales for Cannabis

- Albertans may purchase cannabis products online through a website operated by the Alberta Gaming and Liquor Commission (AGLC).
- Albertans may also buy cannabis products through privately owned and operated specialized retailers.

- The AGLC will regulate retail licensing and licensees must follow rules set by government, which include where stores can be located, hours of operation, physical store requirements, age of staff and staff training.
- The maximum hours of operation for cannabis retail stores will be aligned with the limits for alcohol retail stores (10 a.m. - 2 a.m.).
- Provincial regulations will establish minimum setback distances of 100 metres for cannabis stores from sensitive land uses, such as schools and provincial health care facilities.

Municipal role

- Municipalities will continue to have the authority to set the development rules for new cannabis developments in their existing land use bylaws, and to make decisions on development applications relating to cannabis retail locations.
- Municipalities will now also be responsible for ensuring their land use bylaws are consistent with Gaming, Liquor and Cannabis Regulation requirements for cannabis retail locations.
- Municipalities will have discretion to vary certain rules to be either more or less restrictive than the regulations set by the province. For example:
 - Based on local requirements, municipalities could create more restrictive hours of operation for cannabis stores; or,
 - Establish shorter or further distances from sensitive use areas.
- Where applicable, municipalities will also be responsible for granting development approvals and/or business licences to prospective cannabis retailers. Municipalities will need to develop appropriate application processes, licence conditions and fees, and assessment criteria to ensure that cannabis retailers meet the needs of the communities in which they are located.

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Cannabis Production

- While the Alberta government is responsible for regulating the distribution and retail system for non-medical cannabis, the federal government will continue to be responsible for developing, licensing and regulating cannabis production facilities.
- Health Canada will be responsible for enforcing matters related to regulating licensed producers and cannabis production. As with the existing retail approach to liquor, the AGLC will be responsible for enforcing all provincial rules and regulations related to the retail sale of cannabis in Alberta.

Municipal role

- Municipalities will continue to be responsible for establishing land use bylaws and considering development applications related to cannabis production facilities.
- Municipalities will need to work with prospective producers and the federal government to determine how production facilities will be treated within their communities.
- When considering how cannabis production facilities in their jurisdictions should be classified under the Alberta Building Code, municipalities can contact Alberta Municipal Affairs for advice as needed.

Enforcement and Impaired Driving

- Federal, provincial and municipal governments will share responsibility for enforcing cannabis-related offences.
- The federal government has introduced legislation that makes changes to impaired driving laws in the Criminal Code. It is working on the approval of roadside screening devices that will assist law enforcement officers in addressing drug-impaired driving. The Alberta government is continuing to work with the federal government to ensure there is adequate support for law enforcement training and equipment.

Municipal role

- Municipalities will be responsible for enforcing municipal guidelines and bylaws created within their jurisdiction (e.g. land use, public spaces, nuisance complaints, etc.). This includes areas where municipalities have created rules above and beyond minimum requirements set by the province.
- Municipal police forces will continue to be responsible for enforcing provincial and federal laws related to cannabis possession and consumption, as well as impaired driving and public safety.

Next Steps

- The Alberta government will continue working closely with municipalities to ensure municipal governments are able to adapt to cannabis legalization within their communities.
- The Alberta government is in the process of finalizing our approach to cannabis taxation and exploring potential measures to address workplace safety issues and overall public education related to legalized cannabis.

For more information on cannabis and legalization, please visit www.alberta.ca/cannabis and www.aglc.ca/cannabis

You may also visit the [Federation of Canadian Municipalities](http://www.federationofcanadianmunicipalities.ca) to learn more about how municipalities can prepare for legalization.