

# Cannabis and Public Health Webinar Series

## Webinar 1: Regulating Public Consumption

May 25, 2018



**RMA**  
RURAL MUNICIPALITIES  
of ALBERTA

# Cannabis and Public Health Webinar Series

Webinar 1: Regulating Public Consumption

May 25<sup>th</sup>, 2018

# Outline

- Background: The Alberta Policy Coalition for Chronic Disease Prevention
  
- Public Consumption of Cannabis
  - **Les Hagen**, Action on Smoking and Health
  - **Dr. Jason Cabaj**, Alberta Health Services
  - **Angeline Webb**, Canadian Cancer Society
  - **Kim Isaak**, City of Camrose
  
- Closing and Questions

# The APCCP: Who Are We?

Coordinating efforts, generating evidence and advocating for policy change to reduce chronic disease risk in Alberta



# APCCP: Who Are We?

- Funded 2009-2011 by the Alberta Cancer Prevention Legacy Fund
  - Population Health Innovative Intervention - Research Project
- Currently funded by Heart and Stroke for 2018
- Built on the success of tobacco control, but expanded the policy scope to other behavioural risk factors for cancer and other chronic diseases.
- Housed at the University of Alberta, School of Public Health

# APCCP Objectives

- Provide leadership in the **development, implementation, and evaluation of policy-related activities** for chronic disease prevention
- **Increase the capacity** of policy makers and decision-makers in Alberta to use policy as a strategy for chronic disease prevention
- Facilitate practitioners, policy-makers, researchers, and community organizations from various sectors **working together to enhance public acceptance** of policy-related activities

# 2018 Strategic Priority: Smoke-free Alberta Communities

Support the creation of smoke-free communities (including cannabis)

# 2018 Strategic Priority: Smoke-free Alberta Communities

## 2016 Chronic Disease Prevention Survey of 1200 Albertans

- 86% support a ban on smoking in all public outdoor spaces where children are permitted
- 82% support a ban on the use of e-cigarettes in all public places where tobacco use is banned
- 80% support a ban on the use of water pipes – also called hookahs – in all public places where tobacco use is banned.



# Municipal options to regulate cannabis consumption

Les Hagen, Executive Director  
May 25, 2018

***ash.ca***  
***action on smoking & health***



# Action on Smoking & Health

- » Founded in 1979, ASH is Western Canada's leading tobacco control organization
- » *ASH has provided local, provincial, national and global leadership on tobacco control*
- » Focused primarily on public awareness/education and public policy measures
- » *Serious concerns about the potential impact of cannabis legalization on tobacco control*





# Why are we concerned about cannabis legalization?

- Possible renormalization of smoking
- *Joint use of cannabis and tobacco*
- Regulatory inconsistencies
- *Opportunities for tobacco reduction*







# Three diverse approaches to cannabis legalization

1. Prohibit only cannabis consumption in all public places with a legal exemption for medical users (e.g., Ontario, Calgary)
  2. *Prohibit only cannabis consumption in selected outdoor areas (e.g., Alberta)*
  3. Prohibit all forms of smoking and vaping in public places frequented by children and youth (e.g., Camrose, St. Albert)
- 



*Public consumption cannot be regulated by a local government on the moral grounds that cannabis consumption should be considered a criminal activity.*

*Local bylaws or regulations that are based on a moral position, or perceptions and stereotypes about people who consume cannabis, are unlikely to withstand a challenge before the courts.*

Canadian Federation of Municipalities  
Municipal Guide to Cannabis Legalization  
Spring 2018





# Why align smoking and vaping restrictions on all substances?

- » *To reduce modeling to children and youth*
  - » To increase the public health impact
  - » *To simplify enforcement*
  - » To avoid stigmatization of cannabis users
  - » *To avoid court challenges that may result from restricting cannabis alone*
- 

What is she smoking?



Does it really matter to a child?





# Why control public behavior instead of drug use?

- » *Drug and vice control is traditionally Federal and Provincial jurisdiction*
  - » Drug control requires specialized enforcement (e.g., inspection, testing, seizure)
  - » *Behaviour control is a Municipal jurisdiction (e.g., nuisance, smoking, clearing sidewalks)*
  - » Behaviour is easier to identify and enforce
- 

What's in this e-cigarette?



Cannabis or nicotine or both?





# Tobacco--what's the big deal?

- » Huge impact on our quality of life, economy and healthcare system
- » *3,800 deaths annually—more than all other forms of substance abuse combined*
- » \$1.8 billion impact on Alberta economy (2002)
- » *\$470 million in healthcare costs (2002)*
- » Nonsmokers are also affected





# Unique properties of tobacco

- » No safe level of consumption
- » *Nicotine is highly addictive*
- » Most widespread and deadly form of substance abuse
- » *Only substance that kills one half of users when used as intended*



# Youth and tobacco



- » 80 percent of smokers are addicted by age 18
- » *25,000 youth tobacco users in Alberta*
- » Alberta has worst retail compliance of any province
- » *Alberta also has the most affordable cigarettes*
- » Tobacco industry targets youth with price discounts and promotions, slim cigarettes, flavoured tobacco



# Youth and cannabis



- » The acute effects of cannabis use can create risky situations for youth (i.e. impaired driving, learning).
- » *Young brains are uniquely vulnerable to drug use.*
- » Early commencement and persistence predict increased risk of developing other substance abuse.
- » *Early users are more vulnerable to developmental challenges, longer cannabis use, and earlier transitions to heavier use and dependence.*





## Bottom lines on tobacco

*Tobacco cannot be overlooked in any legitimate discussion about the social/health impact of legal drugs.*

*Tobacco kills at least 45 times more Canadians than cannabis.*





# Provincial regulatory omissions

## Smoking/vaping

- » Tobacco/nicotine vaping permitted everywhere outdoors
- » *Shisha/hookah smoking (waterpipes) permitted indoors*
- » Smoking/vaping anything permitted at parks/public events
- » *Smoking/vaping permitted in hotels, group living facilities*
- » No guidance/direction for cannabis or tobacco smoking in multi-unit housing
- » *Will smoking be allowed in cannabis lounges?*



## Provincial restrictions on smoking/vaping based on product type and location

		Tobacco smoking	Cannabis smoking	Shisha smoking	Nicotine vaping	Cannabis vaping
Indoor settings	Indoor workplaces	✓	✓			✓
	Hotel/motel guest rooms					
	Residential care facilities					
	Hookah bars	✓	✓			✓
	Public housing					
Outdoor settings	Playgrounds		✓			✓
	Sports fields		✓			✓
	Skateboard parks		✓			✓
	Outdoor theatres		✓			✓
	Outdoor pool or spray park		✓			✓
	Public parks					
	Outdoor public events					

# *Welcome to the Hotel Cannabis*



# ASH Model Smoking Bylaw



- » Broad definition of “smoking” that captures cannabis, hookah/shisha, e-cigarettes/vaporizers
- » *Outdoor smoking restrictions include parks, public events, playgrounds, sports fields, and all outdoor public facilities and amenities*
- » Smoking ban in all hotel/motel rooms and all workplaces including hookah bars
- » *No allowance for smoking rooms or lounges*
- » Enforced by bylaw officers and/or peace officers





## Municipal Resource Hub

[ASH Model Smoking Bylaw](#)

[ASH Municipal Bylaw Chart](#)

[Alberta Smoking Bylaws](#)

[Creating Outdoor Smoke-Free Bylaws](#)

[Steps for Municipal Politicians to Implement a Smoke-Free Outdoor Places Bylaw](#)

[Smoke-Free Outdoor Public Spaces: A Community Advocacy Toolkit](#)

[Outdoor Smoking Restrictions](#)

[Smoke-free outdoor places](#)

[Smoke-free festivals and events](#)

[Smoke-free parks](#)

[Evidence to Support Outdoor Smoke-Free Bylaws](#)

[Evidence to support outdoor smoking restrictions](#)

### Action on Smoking & Health

ASH is Western Canada's leading tobacco control organization.

Signup

or sign in with [Facebook](#), [Twitter](#) or [email](#).

Join

Donate

Volunteer



22 people like this. Sign Up to see what your friends like.



## Selected Tobacco/Smoking Restrictions in Alberta

Compiled by Action on Smoking & Health (ASH) – January 2018

Municipality	Tobacco Sales Licensing	Smoke-Free Outdoor Spaces							Smoke-Free Hotel/Motel Guest Rooms	Smoking Materials Prohibited		
		Playgrounds	Parks	Sports fields and facilities	Beaches	Outdoor markets	Outdoor events	Trails		Tobacco products	Waterpipes, hookahs and/or marijuana	Electronic cigarettes
<a href="#">Airdrie</a>									✓	✓	✓	
<a href="#">Beaumont</a>										✓	✓	
<a href="#">Bonnyville</a>		✓		✓		✓	✓			✓	✓	✓
<a href="#">Calgary</a>	✓	✓		✓						✓		✓
<a href="#">Camrose</a>		✓		✓		✓	✓			✓	✓	✓
<a href="#">Canmore</a>									✓	✓		
<a href="#">Cardston</a>		✓	✓	✓						✓	✓	✓
<a href="#">Coalhurst</a>		✓		✓						✓		
<a href="#">Cochrane</a>		✓		✓						✓		✓
<a href="#">Cold Lake</a>		✓	✓	✓						✓	✓	✓
<a href="#">Devon</a>								✓		✓		
<a href="#">Edmonton</a>	✓	✓		✓						✓		✓
<a href="#">Grande Prairie</a>		✓		✓						✓		✓
<a href="#">Hinton</a>	✓									✓		
<a href="#">Jasper</a>										✓	✓	
<a href="#">Lamont</a>		✓								✓	✓	✓
<a href="#">Lethbridge</a>		✓								✓		
<a href="#">Lloydminster</a>	✓									✓		
<a href="#">Medicine Hat</a>		✓	✓	✓	✓			✓		✓		
<a href="#">Nanton</a>		✓	✓	✓						✓	✓	✓
<a href="#">Okotoks</a>	✓									✓		
<a href="#">Red Deer</a>		✓		✓		✓	✓			✓	✓	✓
<a href="#">Spruce Grove</a>		✓	✓	✓						✓	✓	
<a href="#">St. Albert</a>	✓	✓		✓		✓	✓			✓	✓	✓
<a href="#">Stettler</a>									✓	✓	✓	
<a href="#">Strathmore</a>		✓	✓	✓				✓		✓		
<a href="#">Sylvan Lake</a>							✓			✓	✓	
<a href="#">Taber</a>	✓									✓		
<a href="#">Wood Buffalo</a>										✓	✓	





Cannabis legalization is approaching quickly.  
Municipalities should be ready by September.





# Thank you!

## Les Hagen

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Website: [www.ash.ca/municipal](http://www.ash.ca/municipal)



AUMA Webinar: Public Consumption

# Cannabis Legalization in Alberta: Promoting & Protecting Health

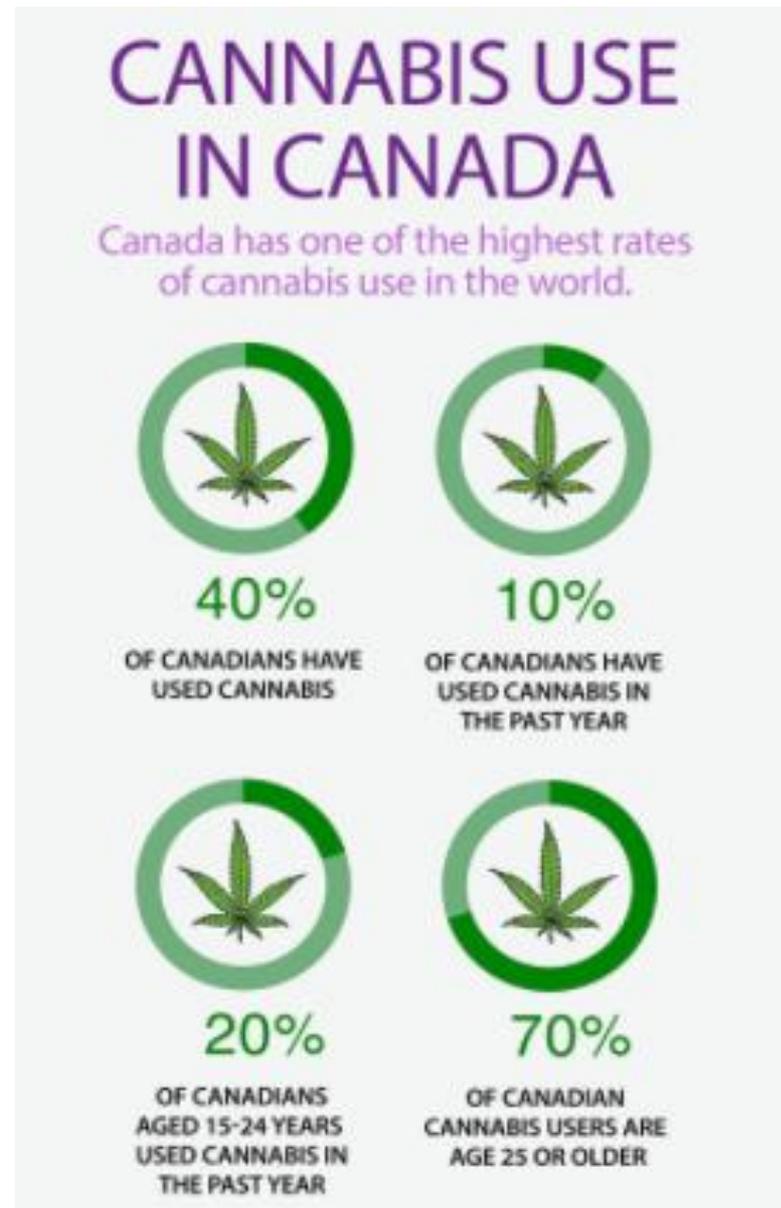
Dr. Jason Cabaj  
Medical Officer of Health  
Alberta Health Services, Calgary Zone

May 25, 2018



# Consumption

48% of Albertans have used in their lifetime,



# Consumption

## Options

- Inhalation: smoking/vaping
- Oral consumption: tinctures, oils, infused food/drinks
- Topical cannabis: lotions, patches

## Health Risks

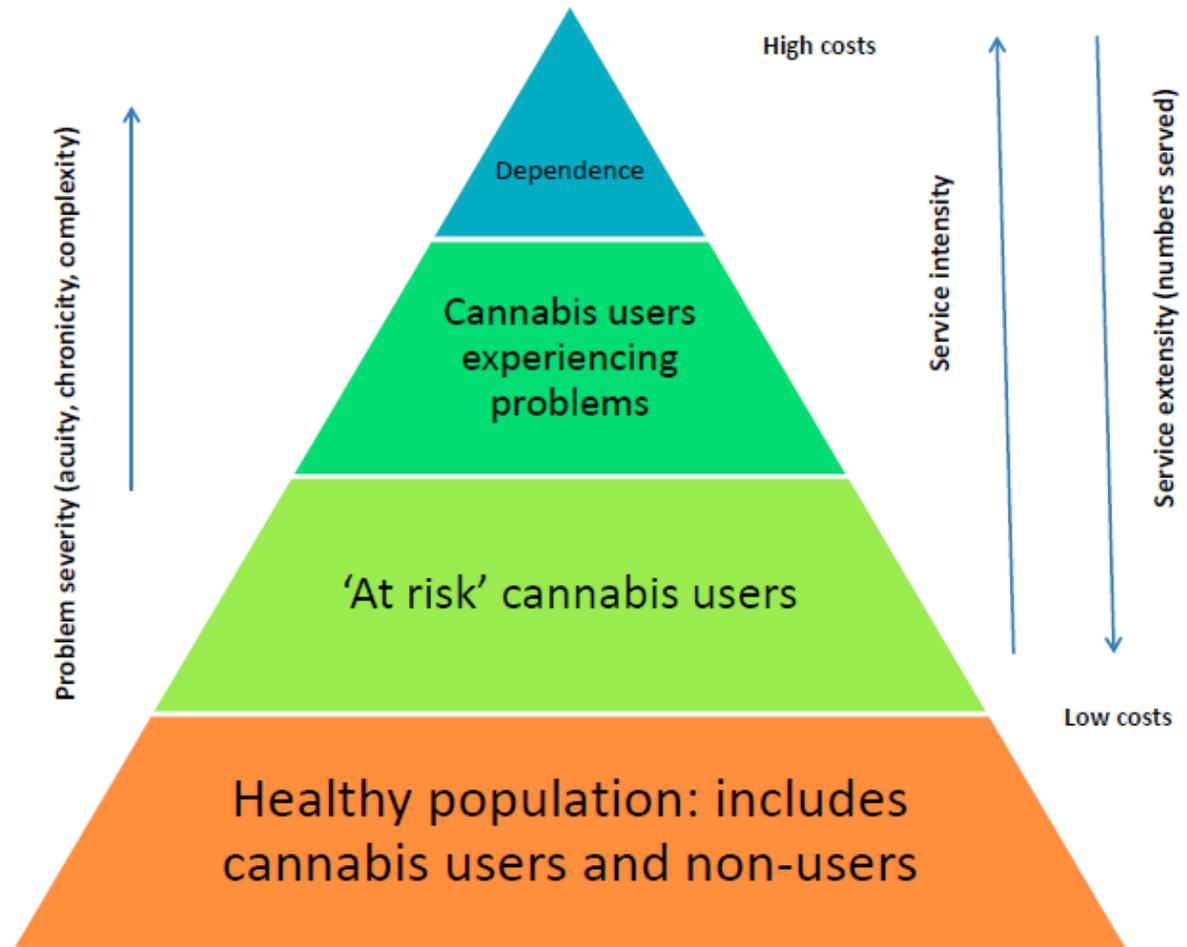
- Brain development
- Consumption
  - early use, location, dependence
- Vulnerable populations
- Mental health
- Driving
- Chronic disease

University of Calgary Evidence Series:

<https://open.alberta.ca/dataset/0239e5c2-5b48-4e93-9bcc-77f72f7bdc5e/resource/021d8f84-5d8b-4e21-b0bb-81340d407944/download/AHTDP-Cannabis-Evidence-Series-2017.pdf>

## At the population level

A public health approach requires segmentation of populations of interest



Source: Dr. Cameron Wild Presentation O'Brien Institute for Public Health May 5 2017

# Canada's Lower-Risk Cannabis Use Guidelines (LRCUG)

Cannabis use has health risks best avoided by abstaining

If you smoke cannabis, avoid harmful smoking practices

Delay use until later in life

Limit & reduce how often you use cannabis

Identify & choose lower-risk cannabis products

Don't use & drive or operate other machinery

Don't use synthetic cannabis

Avoid cannabis use altogether if you are at risk for mental health problems or are pregnant

Avoid smoking burnt cannabis  
—choose safer ways of using

Don't mix with alcohol, tobacco or other drugs

Avoid combining the above risks

## Intent of Proposed Federal Cannabis Act

- Restrict youth access
- Protect young people
- Deter and reduce criminal activity
- Strictly regulate
- Protect public health
- Enhance public awareness of health risks
- Provide for legal production of cannabis

(Current program for medical cannabis will continue)

# Public Health Priorities

Minimize  
harm

Protect  
health & safety of  
Albertans

Prevent  
likelihood of use and  
problematic use

Assess  
population health  
outcomes

Address  
determinants of health  
& health equity

Provide  
services

# Legalization

## Jurisdictional Responsibilities

Activity	Responsible		
	Federal	Provincial	Municipal
Possession limits **	✓		
Trafficking	✓		
Advertisement & packaging **	✓		
Impaired driving	✓	✓	
Medical cannabis	✓		
Seed-to-sale tracking system	✓		
Production (cultivation and processing)	✓		
Age limit (federal minimum) **	✓		
Public health	✓	✓	
Education	✓	✓	✓
Taxation	✓	✓	✓
Home cultivation (growing plants at home) **	✓		
Workplace safety		✓	
Distribution and wholesaling		✓	
Retail model		✓	
Retail location and rules		✓	✓
Regulatory compliance	✓	✓	
Public consumption		✓	✓
Land use/zoning			✓

\*\* provinces can impose additional regulation

# Public Consumption

## Public Health Issues

- (Re)Normalization
- 2nd / 3rd hand smoke
- Public intoxication

# Public Consumption

## Second Hand Cannabis Exposure

- Second-hand cannabis smoke is more mutagenic and cytotoxic than tobacco smoke

(Cone et al., 2011; Maertens et al., 2013; Health Technology Assessment Unit, 2017)

- No universal threshold to determine smoker vs. second-hand smoke exposure
  - 5ng/ml blood & 10ng/ml urine common measures of impairment
  - Above levels found 4-8hrs after exposure to second-hand smoke
  - Unventilated spaces (small room or vehicle)

(Holitzki, Dowsett, Spackman, Noseworthy, & Clement, 2017).

# Public Consumption

## Key public health considerations

- In addition to the Tobacco and Smoking Reduction Act, consider prohibiting all forms of smoking in public spaces and workplaces, including cannabis, e-cigarettes and water pipes.
- Special attention for banning consumption in areas frequented by children
  - *parks, playgrounds, school grounds, community centres, sports fields, queues, skateboard parks, amphitheaters, picnic areas and crowded outdoor events where children are present*
- Health Canada (2017) has recommended a ban on smoking in multi-unit housing.
  - mitigations/pre-emptive measures to handle issue of consumption & home growing in multi-unit housing
  - additional building/safety codes

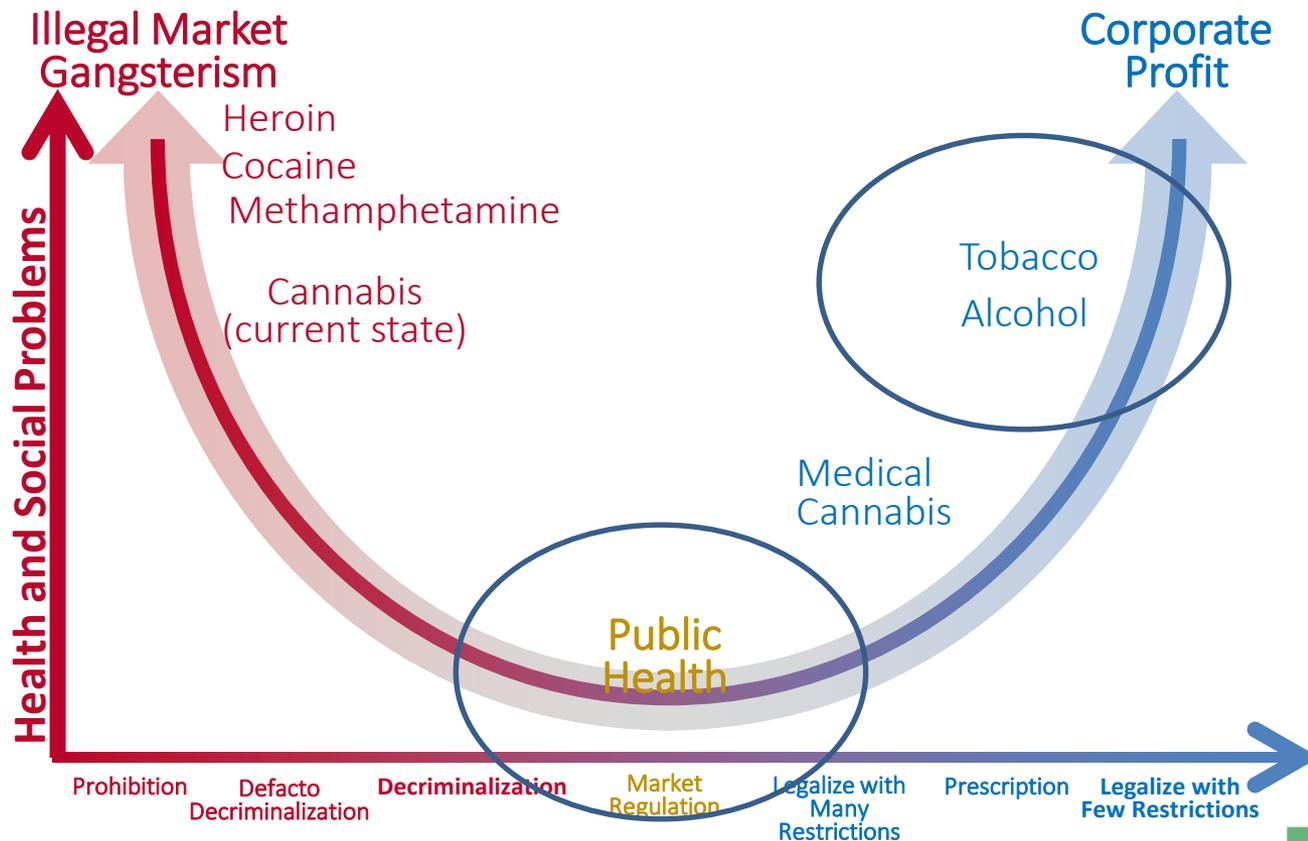
## AHS Recommendations

### **Municipal information package**

- Sent to mayors, council members and senior officials in mid-February
- Assist municipalities in making cannabis policy decisions that promote and protect the health of its citizens
- Evidence-informed public health approach
- Recommendations to help local leaders enact strong regulations that consider the potential health implications and unintended consequences on communities

# Public Health Approach

## The Paradox of Prohibition



Canadian Drug Policy Coalition, [www.drugpolicy.ca](http://www.drugpolicy.ca), concept from John Marks.



**Thank You**



Canadian  
Cancer  
Society

# Cannabis legalization: improving health equity through municipal cannabis consumption regulations

AUMA Webinar: Public Cannabis Consumption  
May 25, 2018

Angeline Webb, Regional Manager, Health Policy  
Canadian Cancer Society, Prairies Region





Canadian  
Cancer  
Society



*We do*  
everything we can  
to prevent cancer,  
save lives and  
support people  
living with cancer.





# Improving health equity

- A public health approach emphasizes evidence-based initiatives and considers ***social justice, equity, respect for human rights, efficiency, and sustainability***. This approach also ensures that a continuum of interventions, policies, and programs are developed and implemented focusing on ***enhancing potential benefits and reducing harms***.



# Public consumption & improving health equity

Prevent  
renormalization

- Prohibitions prevent the modelling of smoking behaviour in public places

Prevent exposure to  
second hand smoke

- Provides safe and healthy spaces focusing on vulnerable populations

Avoid regulatory  
inconsistencies

- Ensures prohibitions are applied to all substances



# Smoke-free multi-unit public housing

Public housing tenants are already marginalized by higher rates of chronic disease and disability compared to the general population

Tenants in public housing have the least amount of choice and mobility

Smoke-free homes can assist smokers in cutting back and even quitting smoking

A smoke-free policy can dramatically improve the indoor air quality of a building and improve public health

The opportunity to live in safe, smoke-free housing should be available to all Albertans regardless of their income



# Smoke-free multi-unit public housing

Smoke-free multi-unit housing policies typically prohibit smoking indoors, as well as on patios and balconies and are meant to clearly outline where smoking of substances are and are not permitted.

- Do not prevent people from accessing accommodation
- Do not evict current residents who are smokers
- Do not force people to quit smoking any substance
- Provides a safe and healthy home for all residents



# Case law and cannabis use in multi-unit housing

- "... It is **inconceivable** that the tenant's right, indeed his need to smoke marijuana in order to treat his disease, could be used to defeat the rights of other occupants to peaceful enjoyment of their homes. As the tenant(s) disturbed other occupants..."



## Sample smoke-free policy for inclusion in a lease

The following sample smoke-free policy can either be used as a lease addendum or can be included in a new lease. Landlords or property managers should consult with their own legal counsel before finalizing addenda and/or changes to their leases.

### Short-form smoke-free policy clause to insert into a lease

- *X(a) The tenant shall not, and shall not permit anyone to, smoke tobacco, weed or any other substance in any indoor part of the premises, the common areas or the property of which they form a part.*
- *X(b) Contravening clause X(a) shall be considered a substantial breach of this agreement.*

Remove the word “indoor” if you want your policy to cover balconies and outdoor areas as well.

If you want to cover balconies but allow for designated outdoor smoking areas, use the following:

- *X(a) The tenant shall not, and shall not permit anyone to, smoke tobacco, weed or any other substance in any part of the premises, the common areas or the property of which they form a part, except in an outdoor smoking area designated as such by the landlord.*
- *X(b) Contravening clause X(a) shall be considered a substantial breach of this agreement.*



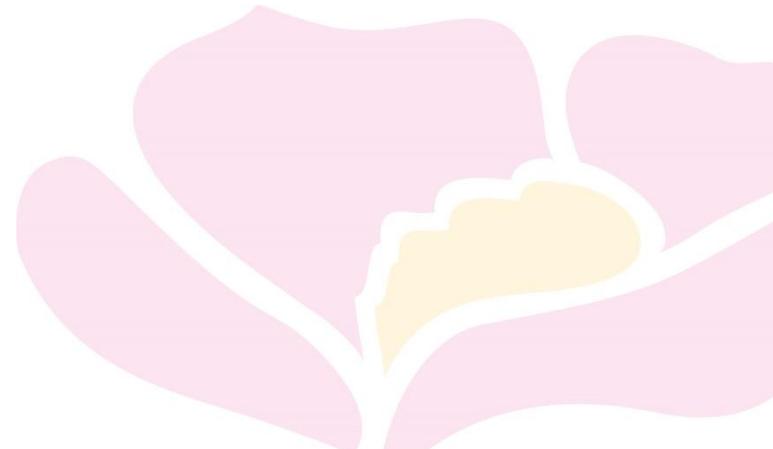
Canadian  
Cancer  
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**Thank you**





Proposed Smoke Free Bylaw



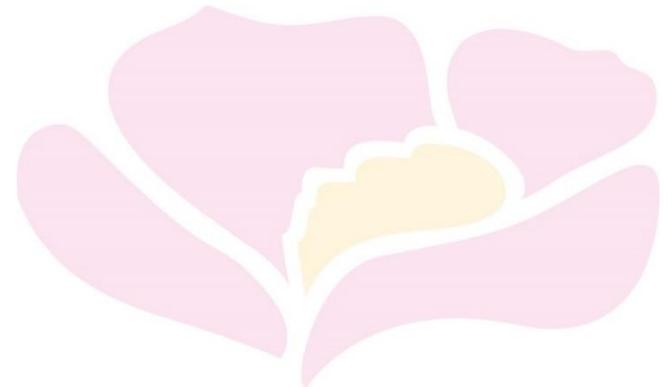
# Current Smoke Free Bylaw

- In 2016 the City of Camrose adopted a Smoke Free Bylaw which included vaping and e-cigarettes.
- In addition the Bylaw prohibited smoking in a number of public areas including parks and playgrounds.
- Prior to this the City followed the 5 metre rule setback for smoking in front of any public premises but did not include in the Bylaw a list of prohibited locations. The Bylaw that was adopted in 2016 was fairly extensive which was a significant step towards helping to address the public health concerns of tobacco use.



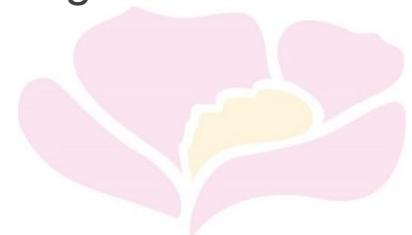
# Proposed Smoke Free Bylaw

- In December of 2017 ASH presented to City Council on the legalization of cannabis and the effect that the Cannabis Act would have on the normalization of tobacco use.
- The presentation included a sample bylaw that contained the smoking and vaping of cannabis as well as tobacco products.
- In March 2018 Administration drafted up the proposed bylaw modeling the example provided by ASH in conjunction with research on other similar sized municipalities smoking bylaw. This resulted in minimal change as the Bylaw that was adopted in 2016 was quite comprehensive.



# Proposed Smoke Free Bylaw

- The main changes to the bylaw included the following;
  - ❖ “weed like substance” to the definition of smoking
  - ❖ Parade Routes added to prohibited smoking areas
  - ❖ Residential Care Facilities added to prohibited smoking areas
  - ❖ Hotel added to prohibited smoking areas
  - ❖ Public Housing added to prohibited smoking areas
  - ❖ Public Parks and Walking Trails added to prohibited smoking areas
  - ❖ Map outlining the prohibited smoking areas was included
- On April 16, 2018 Council reviewed the proposed changes in the draft bylaw and directed Administration to seek input from Health Care Facilities, Residential Care Facilities, University of Alberta and the local Hotel providers on the proposed amendments and the affect that it might have on their operations



# Proposed Smoke Free Bylaw

- As a result of the initial review of the proposed Bylaw the press reported proposed changes to the Bylaw to serve as an educational component.
- In addition to the above an open house was held with City of Camrose employees to discuss the potential impacts of the proposed Bylaw.
- Meetings were held with the tenants of City owned building to discuss the impact that the proposed Bylaw would have on their operations. \*Feedback received was that there should be consideration given to some “designated smoking areas” if feasible.
- Contact made with the stakeholders listed in previous slide yielded no concerns on the proposed Bylaw.

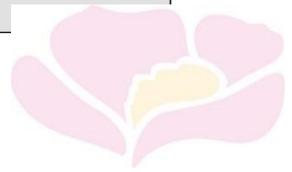
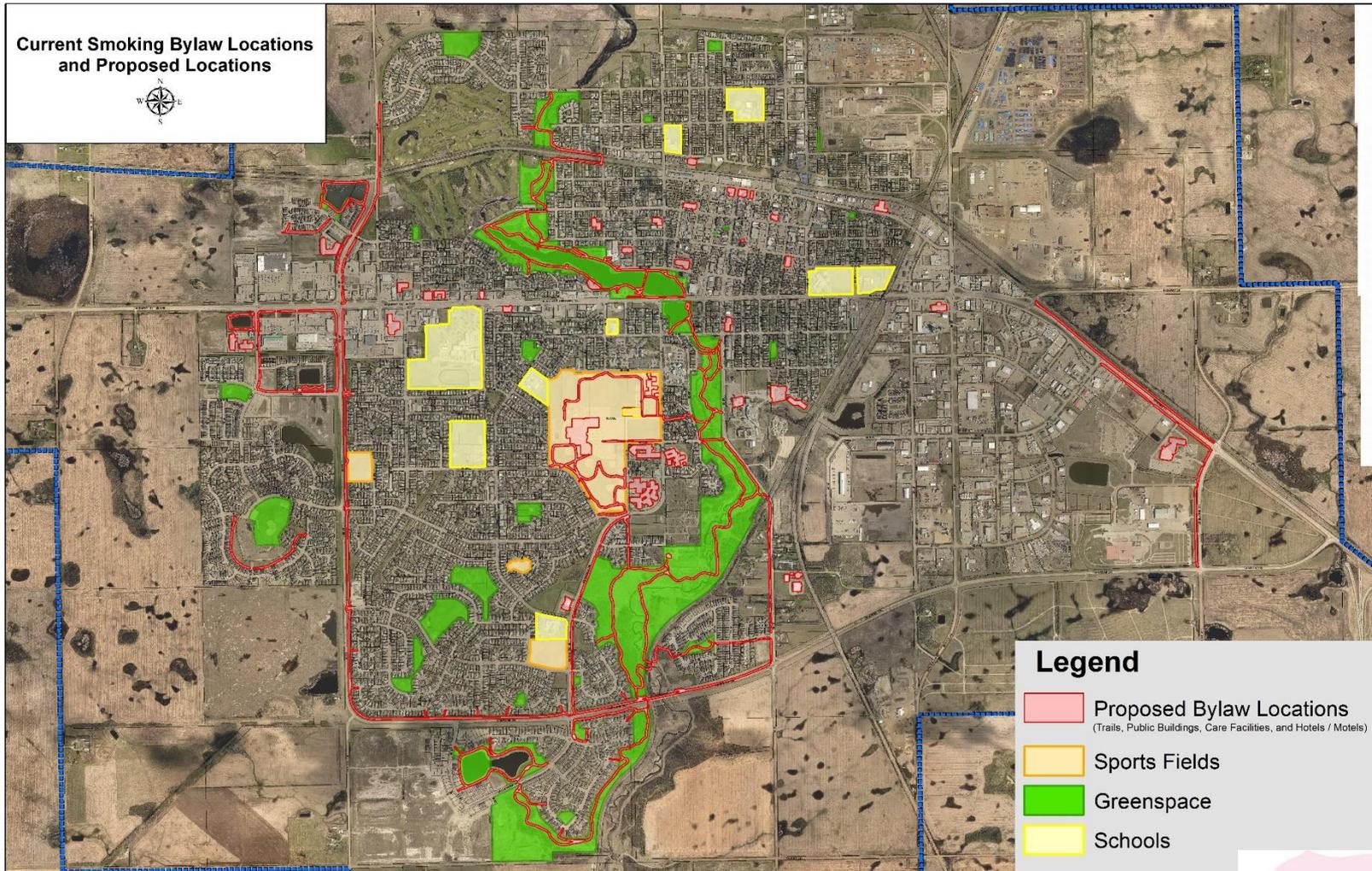


# Proposed Smoke Free Bylaw

- Minor revisions were made to the bylaw based on the feedback received.
- First reading of the Smoke Free Bylaw was given at the May, 22, 2018 Regular Meeting of Council.
- Two open houses are scheduled for June in conjunction with the City of Camrose Planning Department and the Alberta Health Services on both the proposed Smoke Free Bylaw and the Land Use Bylaw to include retail sales area for recreational cannabis.
- Following consultation the feedback will be presented to Council for direction on whether additional changes should be made to the Smoke Free Bylaw before given it second and final reading.



# Proposed Smoke Free Bylaw



# Next Webinar: June 6<sup>th</sup>

## Developing Bylaws for Land-Use and Business Licensing

- Recommendations for land use/zoning and business licensing bylaw development.
- Topics will include separation distances, density, numbers of stores, co-location, hours of operation, advertising and signage, business license application processes, and good neighbor agreements.

# Learn More

Healthy Communities

*Alberta Policy Coalition for Chronic Disease Prevention*

<http://abpolicycoalitionforprevention.ca/healthy-communities/>

Municipal Resource Hub

*Action on Smoking and Health*

<https://www.ash.ca/municipal>

# Thank You!

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[Subscribe to the APCCP newsletter](#)

# Questions?



[www.auma.ca/events](http://www.auma.ca/events)

<b>June 12 to 14</b>	<b>Summer Municipal Leaders' Caucus</b>	<b>Camrose</b>
<b>June 20</b>	<b>ICF and IDP Development Workshop</b>	<b>Leduc</b>
<b>June 21</b>	<b>AMSC Energy Symposium</b>	<b>Edmonton</b>
<b>September 26 to 28</b>	<b>AUMA Convention &amp; AMSC Trade Show</b>	<b>Red Deer</b>

<http://rmaalberta.com/events-programs/>

<b>May 29</b>	<b>Boring until it is broken: Engaging the public in infrastructure and asset management</b>	<b>Strathmore</b>
<b>May 30 and 31</b>	<b>Asset Management for Municipal Staff: The Technical Basics</b>	<b>Lethbridge</b>
<b>June 1</b>	<b>ICF and IDP Development Workshop</b>	<b>Hanna, Special Areas</b>
<b>June 6 and 7</b>	<b>Asset Management for Municipal Staff: The Technical Basics</b>	<b>Okotoks</b>
<b>June 21</b>	<b>ICF and IDP Development Workshop</b>	<b>Hardisty, Flagstaff County</b>