

## Updates to Provincial Recreational Cannabis Legalization

On November 17, 2017, the Government of Alberta released their **proposed Cannabis Framework** to the public outlining implementation details on areas under provincial jurisdiction related to the legalization of cannabis. On November 16, 2017, ***An Act to Control and Regulate Cannabis*** was introduced to put action to the Framework and is currently going through the legislative process. You can follow this process [here](#).

The Cannabis Framework supports the four policy priorities previously identified by the Government of Alberta for legalization: keeping cannabis out of the hands of children, promoting public safety on roads, in workplaces and in public spaces, protecting public health and limiting the illicit market.

The Framework highlights the following direction for the legalization of cannabis in Alberta:

- **Minimum Age:**
  - The minimum age to purchase and consume cannabis will be 18 years of age;
- **Possession and Home Grow:**
  - Adults over the age of 18 will be allowed to possess up to 30 grams of cannabis in a public place;
  - Youth who possess five (5) grams or less will not be subject to criminal charges; but will be subject to seizure of the cannabis, notification of parents or guardians and penalties like those for underage possession of alcohol or tobacco;
  - Individuals may grow up to four (4) cannabis plants for personal use.
- **Retail Model and Location:**
  - Privately run retail stores – details including the process and requirements for obtaining a licence are expected in the new year;
  - Licensed retail establishments will be the only stores that can sell cannabis, and will not be able to sell cannabis if they sell alcohol, tobacco, or pharmaceuticals;
  - Online sales will be operated exclusively by the provincial government;
  - Provincial oversight for wholesaling and distribution of cannabis products will occur through the Alberta Gaming and Liquor Commission (AGLC);
  - Strict rules will be required for zoning retail locations and training employees at retail locations.
- **Consumption:**
  - Albertans will be allowed to consume cannabis in their homes and in some public spaces where smoking tobacco is currently allowed, but will be banned in cars;
  - Public smoking or vaping of cannabis will be prohibited in any place where tobacco is restricted as well as on any hospital property, school property or childcare facility, in or within a prescribed distance from a playground, sports or playing field, skateboard or bicycle park, a zoo, an outdoor theatre, an outdoor pool or splash pad, and from any motor vehicle, with the exception of those being used as temporary residences such as parked RVs;
  - Municipalities may create additional restrictions on public consumption using their existing authorities.
- **Education:**

- A strong focus will be placed on public education to encourage responsible use and create awareness of impacts on health from cannabis consumption;
- Consumer education will be embedded in the retail of cannabis, and retail outlets will display point of purchase signage and other materials to educate customers about risks and making responsible choices.
- **Drug-Impaired Driving:**
  - The Alberta Court of Appeal ruled that one of Alberta's sanctions for impaired driving is unconstitutional. The ruling stated that suspending licenses until a matter is resolved in court infringes on an individual's Charter rights. The court gave the province until May 18, 2018 to remedy the situation. Amendments to the *Traffic Safety Act* have been proposed to address and reflect changes being made to federal impaired driving laws, expand impaired-driving rules for new drivers, and address the Alberta Court of Appeal ruling. More information can be found [here](#).
- **Impairment in Workplaces:**
  - The Government of Alberta will review occupational health and safety regulations and work with employers, labour groups and workers to ensure present rules continue to address impairment issues before July 2018;
  - May require developing additional regulations, education or training programs.

For more detailed information, please visit the Framework online [here](#).

Details that may be of interest to municipalities such as licensing, hours of operation, setback distances, and the potential to exceed or vary from provincial minimum requirements will likely be specified in the regulations, and not explicitly in the legislation.

The AAMDC is working with the Government of Alberta and continues to advocate on behalf of rural municipalities to obtain valuable information specific to municipalities and to ensure that municipalities are empowered to make local decisions in the best interest of their residents. The AAMDC will be update members as more information on this issue is available.

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