

APPENDIX “B”

The Federal Government through the Minister of Justice and Attorney General of Canada, supported by the Minister of Public Safety and Emergency Preparedness and the Minister of Health, has created a Task Force on Marijuana Legalization and Regulation (“the Task Force”).

The purpose of the Task Force is to engage with various levels of governments including municipalities. Areas of focus include; Minimizing Harms of Use, Establishing a Safe and Responsible Production System, Designing an Appropriate Distribution System, Enforcing Public Safety and Protection and Accessing Marijuana for Medical Purposes. The Task Force feedback will be used to prepare a guide for future legislative change.

Staff have reviewed the discussion paper and provided the following responses to the questions posed in the paper and look for Council’s support for the responses.

General assumptions:

- The federal government will permit the use and distribution of marijuana for both recreational and medical purposes in 2017.
- The Province will want to play a taxation & regulatory role
- Local governments can and should play a direct role in creating a regulatory system to “establish and enforce a system of strict production, distribution and sales...” through our land use and business regulation powers

1. Minimizing Harms of Use

- a. Minimum age should be same or higher as minimum age for consuming alcohol
- b. Minimum age should be consistent in all Provinces and Territories.
- c. Federal or provincial marijuana taxation régimes should include a % set aside for local government without risking the continued existence of a black market
- d. Federal regulation of edible products is encouraged

2. Establishing a Safe and Responsible Production System

- a. Municipalities should be able to regulate by permit home growing
- b. Prohibit or minimize home growing inside residences and in all buildings in residential areas – risks of contaminating buildings for current/future occupants
- c. Permit limited outdoor personal home cultivation
- d. Minimize the impact on our rural/agricultural land base
- e. Limit commercial production to industrial facilities, with local government regulation over the land use and where this use is permitted
- f. Should be a licensing system with fees associated with the cost of municipal administration and enforcement
- g. MMPR requirements have generally worked; better communication and cooperation with municipal authorities as part of the HC review/inspection process needed as we have shared interests

3. Designing an Appropriate Distribution System
 - a. Restrict consumption in publically-accessible spaces outside the home
 - b. Enable municipalities to decide if they will permit stores/dispensaries or not
4. Enforcing Public Safety and Protection
 - a. Ensure RCMP/local police have enforcement capabilities to protect against impaired driving
 - b. Municipalities should be given the authorities/resources to determine and effectively enforce the location of production or distribution sites; hours of operation, density or overall number of producers and/or retailers, and consumption in public spaces
 - c. Ban outdoor use with exception of locally determined marijuana smoking areas
5. Accessing Marijuana for Medical Purposes
 - a. Implement a single system for access marijuana and not dual recreational and medical system
 - b. MMAR and ACMPR permit personal cultivation for medical purposes. It will be problematic for any new regulatory régime to eliminate this in future. Previous decisions seem to have created both personal and commercial cultivation.