



**BYLAW NO. 2018/11/D**

**Name of Bylaw: Signage Amending (Cannabis) Bylaw**

**WHEREAS** the House of Commons has given three readings to the *Cannabis Act* (Bill C-45, *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts*, 1<sup>st</sup> Sess, 42<sup>nd</sup> Parl, 2017) which will permit persons to possess cannabis if purchased from an authorized person;

**AND WHEREAS** it is anticipated that the *Cannabis Act* will come into force in October, 2018 or shortly thereafter;

**AND WHEREAS** the Province of Alberta has enacted *An Act to Control and Regulate Cannabis*, S.A. 2017, c. 21 which will place restrictions on the sale of cannabis in Alberta and will grant certain powers to municipalities to further restrict sales;

**AND WHEREAS** Council deems it necessary to impose additional restrictions on the sale of cannabis in Drayton Valley;

**AND WHEREAS** the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta 2000 and amendments thereto, authorizes the Council to pass, repeal or amend a Bylaw;

**NOW THEREFORE** the Council of the Town of Drayton Valley, duly assembled, hereby enacts as follows:

**TITLE**

1. This Bylaw may be cited as the "Signage Amending (Cannabis) Bylaw" of the Town of Drayton Valley.

**PURPOSE**

2. The purpose of this Bylaw is to amend Town of Drayton Valley Signage License Bylaw 2012/16/D to include provisions for the use of signage in the retail sale of cannabis and cannabis products within the Town.

3. The following shall be added, in alphabetical order, to Section 2 Definitions of Signage Bylaw 2012/16/D:

- a. *cannabis*:
  - i. means any part of the cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds, and any other substance defined as cannabis in the *Cannabis Act (Canada)* and its regulations, as amended from time to time;
  - ii. including edible products that contain cannabis in any of its forms;
  - iii. means the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
  - iv. includes any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained;
  - v. but does not mean:
    - a) a non-viable seed of a cannabis plant;
    - b) a mature stalk, without any leaf flower, seed or branch, of such a plant;
    - c) fibre derived from a stalk; or
    - d) the root or any part of the root of such a plant;
- b. *cannabis accessory(ies)* means, as defined in the *Cannabis Act (Canada)* and its regulations, as amended from time to time:
  - i. a thing, including rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers, that is represented to be used in the consumption of cannabis or a thing that is represented to be used in the production of cannabis; or
  - ii. a thing that is deemed under subsection (3) to be represented to be used in the consumption or production of cannabis;
- c. *cannabis counselling* means a use:
  - i. where counselling on cannabis is provided by persons who are not medical professionals;
  - ii. where consumption of cannabis must not occur;
  - iii. where the sale of cannabis must not occur; and
  - iv. that may include the ancillary retail sale or rental of merchandise;
- d. *cannabis retail store(s)* means a retail store licensed by the Province of Alberta where cannabis and cannabis accessories are sold to individuals who attend at the premises, but does not include a cannabis production and distribution facility, a medical marijuana dispensary or a business which allows the consumption of cannabis, such as a cannabis lounge;

- e. *Peace Officer* means a person appointed as a Peace Officer pursuant to section 7 of the *Peace Officer Act*, S.A. 2006, chapter P-35, and also includes but is not limited to a Police Officer, Royal Canadian Mounted Police Officer, Special Constable, Bylaw Enforcement Officer, Safety Codes Officer, or a person designated by Council to enforce the provisions of this Bylaw;
4. Signage Bylaw 2012/16/D is amended by adding

#### **"15A. SIGNAGE FOR CANNABIS BUSINESSES**

15A.1 Notwithstanding the foregoing, exterior, permanent and affixed signage, as well as sandwich board signs for cannabis retail stores, stores selling cannabis accessories, and cannabis counselling businesses are restricted as follows:

- 15A.1.1 any advertising or sign that is visible from the outside of the premises may contain only alpha-numeric characters and the business name; and
- 15A.1.2 reference to "Drayton Valley", "Drayton", "Valley" or "DV" is prohibited."

15A.2 Advertising and goods inside the premises shall not be visible from the outside.

15A.3 Use of banner signs and inflatable signs or structures is prohibited.

#### **INTERPRETATION**

5. Words used in the singular include the plural and vice-versa.
6. When a word is used in the masculine or feminine it will refer to either gender.
7. Words used in the present tense include the other tenses and derivative forms.

#### **SEVERABILITY**

8. If any provision of this Bylaw is held be invalid by a court of competent jurisdiction, that decision will not affect the validity of the remaining provisions of the Bylaw.

**AND THAT** this Bylaw shall come into force and have effect from and after the date of third reading thereof.

Read a first time this 8<sup>th</sup> day of August, 2018, A. D.

Public Hearing held this \_\_\_\_\_ day of \_\_\_\_\_, 2018, A. D.

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2018, A. D.

Read a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2018, A. D.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER