
THIS IS A BYLAW OF THE SUMMER VILLAGE OF BIRCH COVE, IN THE PROVINCE OF ALBERTA, TO BE KNOWN AS THE SUMMER VILLAGE OF BIRCH COVE “PUBLIC PLACES BYLAW”.

Whereas, pursuant to section 7(a) of the Municipal Government Act, RSA 2000 Chapter M-26, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

and Whereas, pursuant to section 7(b) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting people, activities and things in, on or near a public place or place that is open to the public;

and Whereas, the Summer Village of Birch Cove wishes to establish, in a bylaw, where the smoking of cannabis is allowed.

NOW THEREFORE, the Summer Village of Birch Cove, in the Province of Alberta, duly assembled, enacts as follows:

Part 1 – Definitions or Meanings

“Cannabis” means 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 and includes edible products that contain cannabis, a broad term used to describe the various products derived from the leaves, flowers and resins of the Cannabis sativa and Cannabis Indica plant or hybrids of the two. These products exist in various form and are used for different purposes (e.g. medical, recreations and industrial) uses.

“Smoking” is a practice in which a substance is burned and the resulting smoke breathed in to be tasted and absorbed into the bloodstream. Most commonly the substance is the dried leaves of the [tobacco](#) plant which have been rolled into a small square of rice paper to create a small, round cylinder called a "cigarette".

“Reserve Property” means any Municipality controlled lands as well as roads.
“no smoking area” means any public place, or portion;

“Playground” means a structure or collection of structures designed and intended for recreational use by children and, where mounted in a distinct material such as sand, gravel, or wood chips, includes the material in which those structures are mounted;

“Public Place” means any property, whether publicly or privately owned, to which members of the public have access as of right or by express or implied invitation, whether on payment of any fee or not and shall include, but is not limited to, playgrounds, parks, or public buildings. This included any place where smoking is prohibited under any law of the Province of Alberta.

“No Smoking Area” means any public place, or portion of any Reserve Property, Playground or Public Place.

1. THAT this Bylaw may be cited as the “Public Places Bylaw”.
2. THAT the Summer Village of Birch Cove implement the establishment of “no smoking areas” within the Summer Village of Birch Cove as per the “no smoking area” for cannabis related products.
3. THAT this BYLAW shall come into force and have effect upon the date of the Third and Final reading of this Bylaw.

First reading on this 15th Day of September, 2018.

Second reading on this 15th Day of September, 2018

Third and final reading on this 15th Day of September, 2018

Signed on this 15th Day of September, 2018

Mayor, Eugene Dugan

Chief Administrative Officer, Dennis Evans