

August 29, 2016

Cannabis Legalization and Regulation Secretariat  
c/o Task Force on Marijuana Legalization and Regulation  
Address Locator 0602E  
Ottawa, ON K1A 0K9

**RE: Legalization of Marijuana**

Dear Task Force Members,

I write to you today to discuss the federal government's plan to legalize, regulate and restrict access to marijuana, as well as the recent work conducted by the Union of BC Municipalities (UBCM) on this issue. As you work to create a new regulatory system, we request that you consider the attached UBCM resolutions, as our organization represents the interests of 100% of BC local governments.

With eight licenced producers located in BC, a recent history of varied marijuana dispensary regulations, and a large volume of recent activity related to marijuana, this Province will be greatly impacted by the new regulatory system. As such, thorough and fulsome consultation with BC local governments, who stand to absorb a large portion of this impact, is essential.

Over the past four years, UBCM's members have endorsed several resolutions of relevance to this issue, including that the federal government decriminalize marijuana, and conduct research towards the regulation and taxation of marijuana. This year, UBCM's members will debate proposed resolutions calling on the federal and provincial governments to directly involve local government in the process to create a new regulatory regime, as well as that local governments receive a portion of any future federal or provincial tax collected through marijuana sales and distribution.

As the Task Force continues its research and consultation on this matter, we hope that the views of local governments are given the consideration they deserve. Should you wish to discuss this issue further, please be advised that Bhar Sihota, UBCM Policy Analyst, may be reached at (604) 270-8226 Ext. 114 or [bsihota@ubcm.ca](mailto:bsihota@ubcm.ca).

Sincerely,



Al Richmond  
President, Union of BC Municipalities

cc: *The Honourable Mike Morris, Minister of Public Safety and Solicitor General*

*The Honourable Peter Fassbender, Minister of Community, Sport, Cultural  
Development and Minister Responsible for Translink*

Enclosure

WHEREAS marijuana prohibition is a failed policy which has cost millions of dollars in police, court, jail and social costs;

AND WHEREAS the decriminalization and regulation of marijuana would provide tax revenues:

THEREFORE BE IT RESOLVED that UBCM lobby the appropriate government to decriminalize marijuana and research the regulation and taxation of marijuana.

**Convention Decision:                      Endorsed**

### Federal Response

#### ***Minister of Justice & Attorney General of Canada***

*Marijuana is a psychoactive substance causing alteration of mental and physical functions. The use of psychoactive substances raises issues of public health and safety, both for the user and for those in the broader society affected by the user's conduct.*

*The production and trafficking of illicit drugs is the most significant source of money for gangs and organized crime. It does profound harm to neighbourhoods, where homes are turned into grow-ops and crystal meth labs.*

*Many Canadians are concerned that a relaxation of the law prohibiting possession of marijuana would result in greater use of the drug and therefore would increase the health and safety hazards associated with it. Although research is still continuing on the effects of marijuana use, there is enough information to clearly identify health hazards. Regular and heavy use of cannabis can lead to a psychological or physiological dependence, thereby worsening an individual's overall condition.*

*Moreover, legalizing access to marijuana would put Canada in contravention of international agreements to which it is a party, including the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. This convention, for instance, obliges Canada to maintain stringent domestic control over certain drugs, including marijuana. In particular, Canada is required to treat possession, sale, cultivation, and importing activities involving this substance as punishable offences.*

*I note your views on this issue; however, the Government has no intention to introduce legislation that would decriminalize the possession of cannabis. The Government is opposed to decriminalizing or legalizing illicit drugs.*

**2012 B111 Licenses Issued Under Marijuana Medical Access Regulations**

**Surrey**

WHEREAS Health Canada is issuing an increasing number of licenses under the Marijuana Medical Access Regulations to allow the cultivation and processing of marijuana for medical purposes;

AND WHEREAS due to federal privacy legislation Health Canada does not have a process in place to notify a municipality when a license is issued for a site within the municipality's jurisdiction;

AND WHEREAS, based on the experience of local governments, these Health Canada licensed medical marijuana grow operations are not generally compliant with municipal bylaws and/or provincial electrical, fire, health, safety and/or building regulations;

AND WHEREAS Health Canada licensed medical grow operations are often creating health and public safety concerns and are also causing odour and other nuisance concerns in the communities within which they are located:

THEREFORE BE IT RESOLVED that Health Canada be requested to take immediate action to amend its legislation and regulations to require that any applicant for a license under the Marijuana Medical Access Regulations for the purpose of cultivation and/or processing of marijuana for medical purposes be required to obtain a municipal license or permit that demonstrates that the proposed location for the growing operation is in compliance with all local bylaws and all electrical, fire, health, building and safety regulations prior to issuance of a license by Health Canada for such a growing operation.

**Convention Decision:                      Endorsed**

**2013 B9      Federal Medicinal Grow Licenses**

**Mission**

WHEREAS the federal government has issued medicinal marijuana grow licenses to an exceptionally high number of individuals throughout British Columbia;

AND WHEREAS the federal government has not provided sufficient resources to ensure that medicinal marijuana grow license operators are adhering to the conditions of their licenses;

AND WHEREAS local government's employees and residents are regularly put in hazardous and at times dangerous situations as they discover licensed medicinal marijuana premises that far exceed their license approvals:

THEREFORE BE IT RESOLVED that UBCM request the federal government to ensure each and every medicinal marijuana licence issued is required to notify their local governments before operating and further that federal resources are used to perform physical inspections of the premises.

**Convention Decision:                      Endorsed**

WHEREAS the City of Abbotsford and other local governments, and their residents are concerned about public safety regarding marijuana grow operations licenced under Medical Marijuana Access Regulations, certified by Health Canada, in operation within the boundaries of local governments;

AND WHEREAS Health Canada, as the regulator of grow operations licenced under Medical Marijuana Access Regulations, and who is responsible to for regular monitoring and enforcement of Health Canada Regulations to those grow operations licenced under Medical Marijuana Access Regulations to ensure compliance with its regulations, including any other conditions of specific licences as may be applicable;

AND WHEREAS Health Canada has not provided addresses of existing locations of any grow operations licenced under Medical Marijuana Access Regulations, and this absence of information makes it difficult to ensure the safety of local government residents from life, building, fire safety and police perspectives:

THEREFORE BE IT RESOLVED that in light of the changes to Health Canada's Medical Marijuana Access Regulations, as of April 1, 2014, that UBCM petition Health Canada to provide addresses of all grow operations licenced under Medical Marijuana Access Regulations in all local government jurisdictions to permit these properties to be inspected to ensure safety of all residents and to bring the properties into compliance with relevant provincial and local government regulations;

AND BE IT FURTHER RESOLVED that UBCM petition Health Canada to undertake ongoing and regular monitoring and enforcement of all relevant legislation and guidelines of grow operations licenced under Medical Marijuana Access Regulations to ensure compliance with regulations, including any other conditions of specific licences as may be applicable.

**Convention Decision:                      Endorsed**

**2015 B98 Medical Marijuana Dispensary Regulation**

**LMLGA Executive**

WHEREAS the proliferation of medical marijuana dispensaries has caused problems for a number of local government jurisdictions;

AND WHEREAS the ongoing legal case between the federal government and the courts has resulted in uncertainty on this issue:

Therefore be it resolved that UBCM endorse the position that local governments have the authority to regulate medical marijuana dispensaries.

**Convention Decision:                      Endorsed**