

**CITY OF IQALUIT
SPECIAL CITY COUNCIL MEETING # 26
OCTOBER 3, 2018 at 12:00 p.m.
CITY COUNCIL CHAMBERS**

PRESENT FROM COUNCIL

Mayor Madeleine Redfern
Deputy Mayor Romeyn Stevenson
Councillor Kuthula Matshazi - via teleconference
Councillor Noah Papatsie
Councillor Kyle Sheppard

ABSENT

Councillor Joanasie Akumalik
Councillor Jason Rochon
Councillor Simon Nattaq

PRESENT FROM ADMINISTRATION

Amy Elgersma, Acting CAO
Sherri Rowe, Finance Consultant
Andrea Spitzer, Communications Manager
Jennifer Jarvis, City Planner
Tammy Ernst-Doiron, Executive Assistant
Jeanie Eeseemailee, Senior Interpreter/Translator
Ed Gullberg, McLennan Ross – via teleconference

PRAYER

Councillor Papatsie opened the meeting with a prayer at 12:17 p.m.

ADOPTION OF AGENDA

Motion # 18-339

Moved by: Councillor Sheppard
Seconded by: Deputy Mayor Stevenson

Adoption of the agenda as presented.

Unanimously Carried

1. DECLARATION OF INTEREST

None

2. SPECIAL BUSINESS

BY-LAWS

a) **First Reading of By-law(s)**

i) Public Cannabis Consumption, Smoking and Vaping By-law

Amy Elgersma, Acting CAO, advised that the by-law being presented today is the Public Cannabis Consumption, Smoking and Vaping By-law. Ms. Elgersma provided the following background information:

- Federal Government Bill C45 to legalize recreational cannabis comes into effect October 17, 2018.
- Government of Nunavut Bill 7 *Cannabis Act* and Regulations has set minimum standards and rules for cannabis consumption.
- The act, along with the *Cities, Towns and Villages Act* allows municipalities to define how cannabis will be consumed in communities by allowing each municipality the ability to add further restrictions to the standards.
- Council has directed staff to draft a by-law to address public consumption and to review the smoking by-law.
- Territorial legislation:
 - Prohibits anyone ages 18 and under from consuming and possessing cannabis.
 - Prohibits anyone from providing cannabis or cannabis accessories to a minor.
 - The federal act permits a legal age person to possess up to 30 grams on their person.
 - Government of Nunavut specifies that the overall amount of dried cannabis a person can have in their possession is 150 grams (this is interpreted as being the amount that is kept at home)
 - No one is permitted to sell cannabis in Iqaluit.
 - Government of Nunavut's Liquor and Cannabis Commission will provide information on how to purchase cannabis from licensed vendors by online ordering.
 - Restricts cannabis consumption within nine metres of an entrance or exit from:
 - A hospital or other health facility, including grounds.
 - A school, including grounds.
 - A childcare facility or childcare service, including grounds.
 - A playground.
 - A sports field or playing field.
 - An arena.
 - A community hall.
 - A recreation centre.

- A public place where goods and services are sold or otherwise provided to the public (does not include a cannabis lounge).
- A parade, concert or other public event.
- Any other public place that is prescribed or otherwise described in the regulations.
- Under the act, no person shall smoke any substance in any manner or place including:
 - The dwelling of a person if it could be expected to result in smoke entering, by smell or sight, in a workplace or public place.
 - The common area of an apartment.
 - A dwelling of another person who has not consented to the smoking.
- No person shall smoke in a motor vehicle in a public place or within public view.
- At this time, the Government of Nunavut has not prohibited plants at home, but the act allows them to regulate plants. There is a question if the Government of Nunavut can impose restrictions on plants at home.
- Smoking outdoors is permitted, providing it is nine metres from where the smoke or vapour could enter the workplace or dwelling.
- The City will be enforcing its own by-law.
- An inspector from the Government of Nunavut may request the assistance of a municipal enforcement officer in enforcing the act or regulations, the conditions of a license, or the terms of a contract and give instructions for that purpose.
- If a Municipal Enforcement Officer suspects the operator of a motor vehicle to be intoxicated, at this time, the officer will contact the RCMP to respond.
- The City's by-law purpose is to:
 - Regulate public consumption of cannabis, smoking and vaping in the City.
 - Recognize that there is health risks associated with smoking, environmental tobacco smoke and the risks associated with secondary smoke.
 - The smoke or vapour produced by smoking or vaping of tobacco, cannabis and other substances in public places can be a nuisance for the other persons in those public places.
- The by-law combines restrictions of cannabis use and replaces the City's current Smoking By-law No. 570.
- Smoking By-law No. 570 will be repealed.
- The by-law increases the distance from nine metres to 15 metres from any entrance or exit from a school, including the grounds.
- The by-law includes the provision to prohibit the use of cannabis and smoking at a public assembly.

Ms. Elgersma advised that Ed Gullberg from McLennan Ross is participating in the meeting via teleconference and assisted in drafting the by-law.

Motion # 18-340

Moved by: Councillor Sheppard

Seconded by: Deputy Mayor Stevenson

First Reading of the Public Cannabis Consumption, Smoking and Vaping By-law.

Unanimously Carried

b) Second Reading of By-Law (s)

- i) Public Cannabis Consumption, Smoking and Vaping By-law No. 863

Mayor Redfern advised that the floor is open for comments, questions or suggested amendments.

Councillor Papatsie commented that this by-law will be very useful because residents want to understand about the law. Posters and written information will be needed so all the residents will understand the by-law. He suggested that colours could be used in the messages.

Motion # 18-341

Moved by: Councillor Sheppard

Seconded by: Deputy Mayor Stevenson

Second Reading of the Public Cannabis Consumption, Smoking and Vaping By-law No. 863.

Unanimously Carried

3. ADJOURNMENT

Motion # 18-342

Moved by: Councillor Sheppard

Seconded by: Deputy Mayor Stevenson

Council adjourns at 12:26 p.m.

Unanimously Carried

Madeleine Redfern
Mayor

Amy Elgersma
Acting Chief Administrative Officer

Approved by City Council on the 23 day of October, 2018.