

THE CORPORATION OF THE CITY OF ELLIOT LAKE

BY-LAW NO. 22-XX

Being a By-Law to regulate personal usage, cultivation and other matters related to
cannabis

WHEREAS Section 10 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws respecting the economic, social and environmental well-being of the municipality, the health, safety and wellbeing of persons, and the protection of persons and property; and

WHEREAS, Section 128(1) of the *Municipal Act*, 2001, R.S.O. 2001, c. 25 (herein the Act") provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances.

WHEREAS Section 429 of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under that Act; and

WHEREAS the legislation and regulations permitting the production, sale and consumption of Medical Cannabis and Non- Medical Cannabis do not regulate certain matters of public interest in relation to health, safety, morality, comfort or convenience.

NOW THEREFORE the Council of the Corporation of the City of Elliot Lake **ENACTS AS FOLLOWS:**

In this By-Law;

"**Cannabis**" has the same meaning as in Subsection 2 (1) of the *Cannabis Act*, S.C. 2018, c. 16, as amended;

"**City**" means, The Corporation of the City of Elliot Lake, (hereafter referred to the "Municipality");

"**Council**" means, the Council of the City of Elliot Lake;

1. That all residents of the City practicing the personal recreational cultivation of cannabis keep the cultivation location and all plants ten (10) meters from any property point in common;
2. All personal recreational cultivation of cannabis must be kept out of sight and reach of children and or anywhere children may congregate;
3. All personal recreational cultivation of cannabis must be kept out of the boundary of the land on which the production site is located does not have any point in common with the boundary of the land on which is located a school, public playground, daycare facility, or other public place frequented mainly by persons under 18 years of age.

THE CORPORATION OF THE CITY OF ELLIOT LAKE
 PART I PROVINCIAL OFFENCES ACT
 BYLAW 22-XX: Personal Recreational Cannabis Regulation

Schedule A – Provincial Offences Act

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine (+ costs)
1.	Cultivation of Cannabis within ten (10) meters from any schools, parks, churches	Section 1	\$ 150.00
2.	Cultivation of Cannabis within the sight, reach or anywhere children may congregate.	Section 2	\$ 150.00
3.	personal recreational cultivation of cannabis kept within the boundary of the land on which the production site is located having any point in common with the boundary of the land on which is located a school, public playground, daycare facility, or other public place frequented mainly by persons under 18 years of age.	Section 3	\$ 150.00