

**CITY OF HAMILTON**  
**MOTION**

**Council: September 27, 2017**

**MOVED BY COUNCILLOR D. CONLEY.....**

**SECONDED BY COUNCILLOR .....**

**Hamilton Police Service Requested to Actively Enforce Current Laws Prohibiting the Sale of Marijuana under the Criminal Code**

WHEREAS, the Government of Canada is in the process of creating new legislation for the legalization of marijuana;

WHEREAS, possessing and selling marijuana for non-medical purposes is still currently illegal everywhere in Canada;

WHEREAS, marijuana dispensaries selling marijuana for non-medical purposes are persistently opening and operating in the City of Hamilton;

WHEREAS, marijuana dispensaries have a negative impact on the neighbourhood it is operating in as well as the entire Hamilton community;

WHEREAS, the City of Hamilton Licensing and By-law Services have formed a team of Officers to investigate municipal by-law violations under Zoning, Licensing and Sign By-laws at identified marijuana dispensaries in the city of Hamilton;

WHEREAS, the City of Hamilton Licensing and By-law Services have issued 45 non-compliance zoning notifications, 25 zoning charges are currently before the Court, and 6 licensing charges for selling food without a licence, resulting in the closure of 10 marijuana dispensaries in the City of Hamilton;

WHEREAS, 19 marijuana dispensaries still remain open in the City of Hamilton;

WHEREAS, the City of Hamilton is pursuing an injunction before the Superior Court to prohibit the distribution of marijuana through retail outlets but there will not be a final decision for several months; and,

WHEREAS, current laws prohibiting the possession and sale of marijuana are mainly enforced under criminal jurisdiction;

THEREFORE BE IT RESOLVED:

- (a) That the Hamilton Police Service be requested to enforce the *Narcotics Control Act* and charge those selling non-medical marijuana in the City of Hamilton; and,
- (b) That the Mayor correspond with the Honourable Ralph Goodale, Public Safety Minister, to request that the process and implementation of the legislation for the legalization of marijuana be expedited to alleviate confusion within the community.