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CLIENT BULLETIN

RETAIL CANNABIS SALES, POST-CANNABIS ACT TABLING: STILL UNLAWFUL

With the recent tabling of the draft *Cannabis Act*, the current legal state of storefront marijuana dispensaries may seem murkier than ever. The bill was introduced on May 13, 2017, and passed second reading on June 8, 2017, meaning it will be referred to committees for study and recommendations prior to third reading. However, until the actual passage of the final form of the *Cannabis Act* – and more importantly, until the finalization of the as-yet undetailed provincial and local retail regulatory schemes that the *Cannabis Act* anticipates – the retail sale of marijuana is still contrary to federal law and, in many cases, contrary to local government zoning and business licence bylaws. On May 23, 2017, we assisted the District of North Vancouver in achieving a court order to successfully shut down a Green Tree Medical Dispensary which was openly selling marijuana to the public. The process was completed by May 30.

In advance of the passage of the *Cannabis Act*, local governments may wish to consider taking enforcement action against existing illegal dispensaries to prevent any possibility that such operations may be able benefit from legal non-conforming status. Your legal counsel can assist with suggesting appropriate steps.

Elizabeth Anderson