

**Cannabis Control Committee
Town of Pelham**

**Minutes of Meeting
Wednesday, November 27, 2019 – 5:00 p.m.
Fire Station #1, 177 Highway 20 W., Fonthill**

Present: Mike Ciolfi, Councillor – Town of Pelham
Tim Nohara (**Chair**)
John Langendoen
Jim Steele
Bill Heska
Louis Damm
Barbara Wiens, Director, Community Planning & Development – Town of Pelham
Shannon Larocque, Senior Planner, Community Planning & Development – Town of Pelham
Jodi Legros, Administrative Assistant, Community Planning & Development – Town of Pelham (**Secretary**)

Other: Mayor Marvin Junkin
Bob Lymburner, Fire Chief – Town of Pelham
Craig Genessee, Senior By-Law Officer – Town of Pelham

Regrets: David Cribbs, CAO – Town of Pelham
Jim Jeffs
Carla Baxter

1. Declaration of Quorum

Chair declared quorum at 5:04 p.m.

2. Approve Agenda

Moved by B. Heska, seconded by L. Damm that the agenda of November 27, 2019 be approved.

CARRIED

3. Minutes of October 2 and 30, 2019

Chair provided the signed Minutes of October 2 and 30 to the Secretary.

CARRIED

4. Minutes of November 6 and 13, 2019

Moved by J. Steele, seconded by J. Langendoen that the minutes of November 6 and 13, 2019 be deferred to the next meeting date of December 11, 2019.

CARRIED

5. Closed Discussion with External Legal Counsel

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Motion moved at 5:10 pm by J. Langendoen, seconded by L. Damm for the next portion of the meeting to move in camera to consider the following:

Section 239(2)(e) of the Municipal Act – litigation or potential litigation including matters before administrative tribunals, affecting the municipality, and Section 239(2)(f) – advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Moved by L. Damm, seconded by B. Heska to rise from the in camera portion of the meeting at approximately 6:34 pm.

6. Discussion with By-law Enforcement

Bob Lymburner, Fire Chief, Director of Fire and By-law Services together with Craig Genesse, Senior By-law Enforcement Officer discussed enforcement challenges of nuisance by-laws. They noted that the by-laws that provide for simple enforcement capability are better to enforce and are more defensible in the courts. If odour is measured at the property line of a cannabis production facility then there is a better chance of being able to prove that odour emanated from that facility. Enforcement staff need to be able to definitively say odour did not come from any other intervening property/use that may exist between a complainant and a cannabis production facility. The more complex a by-law is, the more variables exist that make a by-law more difficult to enforce and defend. Discussion regarding use of graduated Administrative Municipal Penalty System (AMPS) also took place.

T. Nohara thanked B. Lymburner and C. Genesse for their input and expertise and indicated that the committee would look to provide a property line odour measurement standard for enforcement to use. In addition, the committee will be recommending an ambient neighbourhood monitoring program that would likely be carried out by a contractor, as used in other odorous industries.

L. Damm shared information regarding an outbreak of legionnaires disease that resulted from bacterial build up in cooling towers in Moncton New Brunswick. A CPF is the suspected source of the outbreak. Cooling Towers and High Pressure fog systems are known risk sources for the legionella outbreaks.

7. General Discussion

Discussion regarding process to complete work and the need to be efficient at meetings to allow Committee to get through agenda items occurred. Planning staff to present draft OPA and ZBA to Committee at next meeting and update timeframe to complete work.

Mayor Junkin challenged the Committee to be completed by mid-March.

8. Next Meeting: December 11, 2019 at 5:00 pm – Kinsmen Room, Meridian Community Centre, Fonthill.

9. Adjournment

Moved by J. Langendoen, seconded by J. Steele that the meeting be adjourned.

The meeting adjourned at approximately 8:05 p.m.

CARRIED.

Signed by:

Edited By: Tim Nohara
Tim Nohara (Chair)

J. Legros
Prepared by: Jodi Legros, Administrative Assistant
Community Planning & Development-Town of Pelham