

**Policy No. & Title: C206: ALCOHOL, CANNABIS, ELECTRONIC CIGARETTES AND TOBACCO PRODUCTS**

*Effective:* 2019-06-28

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*Policy Sponsor:* Chief Infrastructure Officer

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## 1. PURPOSE

Recognizing the unique social needs of a college community balanced with the health hazards that are or may be associated with the use of alcohol, drugs, electronic cigarettes, tobacco products and cannabis, the purpose of this policy is to promote a healthy learning, working, teaching, living and playing environment and to take steps towards reducing any of their related adverse health and air quality risks and personal discomfort on College property.

## 2. POLICY

This policy applies to every person at all times while on College property.

Any legislation, whether federal, provincial or otherwise, relating to alcohol, drug, electronic cigarette, cannabis and tobacco products that applies to the College, to College property or to any activity on College property governs. Any prohibition, restriction, permission or other requirement under such applicable legislation is, respectively, a prohibition, restriction, permission or other requirement on College property.

The College may supplement such applicable legislation with further prohibitions, restrictions, permissions or other requirements deemed appropriate and necessary to exercise prudent management and control of activities on College property.

The Policy Sponsor develops, maintains and implements guidelines and regulations that achieve the objectives of this policy, and include an appeal procedure. Such guidelines and regulations align with the College mission, vision and strategic goals, and reflect College values.

## 3. REFERENCES

*Controlled Drugs and Substances Act (Canada)*

*Criminal Code of Canada*

*Electronic Cigarettes Act (Ontario)*

*Food and Drugs Act (Canada)*

*Liquor Licence Act (Ontario)*

*Cannabis Act, 2017 (Ontario)*

*Cannabis Act (Canada)*

*Smoke-Free Ontario Act, 2017*

*Trespass to Property Act (Ontario)*

Board policy [B-25.10.05: Governor's Code of Conduct](#)

College policy [A130: Student Code of Conduct](#)

College policy [C207: Residence Operations](#)

## 4. ADDENDA

Guideline A: PRINCIPLES AND RESPONSIBILITIES

Standard 1: REGULATIONS

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*Policy No. & Title:* C206: ALCOHOL, CANNABIS, ELECTRONIC CIGARETTES AND TOBACCO PRODUCTS

*Addendum:* **Guideline A: PRINCIPLES AND RESPONSIBILITIES**

*Issued by:* Executive Director, Facilities Management and Community Safety

*Effective:* 2019-06-28

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## 1. PURPOSE

The purpose of this document is to establish the principles and responsibilities associated with advancing a healthy learning, working, teaching, living and playing environment for College community members through the enforcement of the applicable legislation relating to alcohol, drug, electronic cigarette, cannabis and tobacco products and the elimination or reduction of any of their related adverse health and air quality risks and personal discomfort on College property. The document also provides an appeal process for violators who have been sanctioned under this policy.

## 2. DEFINITIONS

*Business Day:* Any day of the week other than Saturday, Sunday or a College-sanctioned holiday;

*Cannabis:* Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not. Any substance or mixture of substances that contains or has on it any part of such a plant. Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained;

*College:* The Fanshawe College of Applied Arts and Technology. Where the context allows, the term College includes the policy sponsor and the College authority;

*College authority:* any person or entity from the College having jurisdictional authority to act under the policy and addenda. Where the context allows, College authority includes the policy sponsor, Campus Security Services and Residence Services;

*College policy:* Any policy or procedure enacted and promulgated by the College. Where the context allows, the term College policy includes this policy and addenda;

*College property:* Any real property, either owned or leased, used, occupied or otherwise operated by or under the aegis of the College, including the lands, buildings, facilities, structures and improvements. Where the context allows, College property includes the following campuses and any centres or sites serving them:

- The London Campus located at 1001 Fanshawe College Boulevard, London as well as 900 Fanshawe College Boulevard, 2 Cuddy Court, 1000 Air Ontario Drive PVT, and 1764 Oxford Street East, London;
- The London Downtown Campus located at 130 and 137 Dundas Street, and 431 Richmond Street, London;
- The St. Thomas/Elgin Regional Campus at 120 Bill Martyn Parkway, St. Thomas;
- The Simcoe/Norfolk Regional Campus at 634 Ireland Road, Simcoe; and
- The Woodstock/Oxford Regional Campus at 369 Finkle Street, Woodstock.

*College vehicle:* Any vehicle, either owned, leased or licensed, short- to long-term, used by a College faculty, school, division, department or agent or otherwise operated by or under the aegis of the College;

*Community member:* Any employees, students, members of the Board of Governors, members of boards or committees established by the College, volunteers, contractors, persons providing service or research, persons or groups renting or otherwise using College facilities, visitors, applicants and guests;

*Legislation:* Any by-law, law, ordinance, rule, regulation, standard, statute or code enacted by a jurisdictional authority, whether federal, provincial or otherwise, or any directives or orders issued or requirements made of such authority, pertaining to alcohol, drugs or tobacco products applicable to the College, to College property or to any activity on College property. Where the context allows, legislation includes *the Electronic Cigarette Act (Ontario)*, *the Food and Drugs Act (Canada)*, *the Liquor Licence Act (Ontario)*, *the Ontario Fire Code*, *the Smoke-Free Ontario Act*, *the Cannabis Act, 2017 (Ontario)*, *the Trespass to Property Act (Ontario)*, *the Controlled Drugs and Substances Act (Canada)*, including the *Marijuana for Medical Purposes Regulations*, and the *Criminal Code of Canada* or their respective successors;

*Residence community standards:* Any rules and regulations enacted and promulgated by Residence Services or any directives or orders issued, or requirements made of Residence Services;

### 3. PRINCIPLES

#### 3.1. Governing Legislation

Any applicable prohibition, restriction, permission or other requirement under the legislation is, respectively, a prohibition, restriction, permission or other requirement on College property.

#### 3.2. Scope

Every person on College property observes and complies with the legislation and College policy, including this policy and addenda. Where a person is alleged to have contravened these guidelines, that person will be processed, including any applicable sanction(s) under:

- 3.2.1. If a student, College Policy A130: Student Code of Conduct;
- 3.2.2. If a student resident, either College policy A130: Student Code of Conduct or C207: Residence Operations or both;
- 3.2.3. If an employee, any applicable employee code of conduct, current collective agreement or other terms and conditions of employment;
- 3.2.4. If a member of the Board of Governors while involved in a Board activity, Board Policy B-25.10.05: Governor's Code of Conduct; or
- 3.2.5. If any other person, this policy and addenda.

### 3.3. College Rights

College property is the private property of The Fanshawe College of Applied Arts and Technology and, therefore, the College has the right to:

- 3.3.1. Maintain full jurisdiction for the control of all activities on or from College property;
- 3.3.2. Use or permit the use of College property, in whole or in part, for any purpose whatsoever, and for greater clarity, impose any requirement that prohibits, restricts or otherwise controls activities on or the use of College property, in whole or in part, for any purpose whatsoever;
- 3.3.3. Develop, administer and maintain this policy and addenda;
- 3.3.4. Enact these guidelines to summarize, in whole or in part, any prohibition, restriction, permission or other requirement under the legislation and impose any further supplementary prohibition, restriction, permission or other requirements;
- 3.3.5. Enforce, when and as necessary, and take action against persons contravening the legislation or College policy, including this policy and addenda;
- 3.3.6. Make any adjustments, temporary or permanent on or to College property, in whole or in part, without notice, for any reason considered advisable by the College, including the number, size, orientation, configuration, designation, location or relocation, rearrangement of or hours for activities permitted under these guidelines, including, use of alcohol, drugs, cannabis, prescribed controlled substances (including medical cannabis), electronic cigarettes and tobacco products, and including licensed establishments; and,
- 3.3.7. Revoke any permission granted herein to any person, group or entity, without notice, for any reason considered advisable by the College, in particular in the event of any contravention of the legislation, or College policy including this policy and addenda.

### 3.4. Legislation Supersedes

In the event of a conflict between the legislation and these guidelines, the legislation shall govern and these guidelines shall be deemed to be amended hereby to the extent necessary to eliminate the conflict.

### 3.5. Policy Sponsor

The policy sponsor has overall responsibility, authority and jurisdiction for the development, administration and maintenance of this policy and addenda and for the enforcement of the legislation and this policy and addenda on College property. Operational responsibilities and authorities are delegable by the policy sponsor to other College departments. For further clarity, Campus Security Services enforces the legislation and College policy, including this policy and addenda.

### 3.6. Notices

Any notice required to be given by the College under these guidelines may be given to the person concerned by either hand delivering or electronic mailing the required notice to the person, in which case the notice shall be deemed to have been received by the person on the date of being given, or by

sending the required notice by courier or registered mail to the last known address of the person from the College's perspective, in which case the notice shall be deemed to have been received by the person three (3) business days after the date of sending.

#### 4. ADDITIONAL RESPONSIBILITIES

- 4.1. Any employee observing a violation of this policy and addenda is encouraged to advise the violator of the existence of the policy and addenda and request that the violation cease and should further report the violation to either Campus Security Services or their supervisor.
- 4.2. Administrators, leasehold tenants, Residence Services and Campus Security Services have general responsibilities to ensure policy compliance on College property. Administrators and leasehold tenants having supervisory responsibilities are responsible to ensure this policy and addenda are observed, and appropriately address any concerns brought to their attention regarding violations.

#### 5. VIOLATIONS

- 5.1. For a schedule of violations and fines go to:  
<https://portal.myfanshawe.ca/campuslife/campussecurity/Pages/Default.aspx> , and select the ***Fine Structure*** tab.
- 5.2. In the event a person violates the guidelines or is in serious or repeated violation of the guidelines, the College, in addition and without prejudice to any other right or remedy the College may have at law or under College policy, including the guidelines, has the right to any of the following, as may be appropriate and applicable:
  - Issue the violator a violation notice;
  - Issue a Trespass to Property Notice banning the violator from College property;
  - Revoke any permissions to and prohibit any person, group or entity from conducting any activity that may be otherwise permitted under these guidelines or impose any requirement that prohibits, restricts or otherwise controls the activities of such person, group or entity while on College property;
  - If the violation occurs in Residence, levy sanctions against the violator under Residence community standards, consisting of residence or monetary penalties, fines, fees, charges or other sanctions;
  - If the violator is a student, levy sanctions against the violator under College policy A130: Student Code of Conduct, consisting of academic, residence or monetary penalties, fines, fees, charges or other sanctions;
  - If the violator is an employee, levy sanctions against the violator under any applicable employee code of conduct, current collective agreement or other terms and conditions of employment;
  - If the violation involves a member of the Board of Governors while involved in a Board activity, process the violation under Board Policy B-25.10.05: Governor's Code of Conduct;

- Invoke other remedial or disciplinary action outlined in current Collective Agreements; other terms and conditions of on-campus student residency and employment; and other terms and conditions against the violator; and
  - Initiate criminal charges or civil legal proceedings against the violator.
- 5.3. In the event a violator fails to pay any fines, penalties, fees or other charges levied by the College under this policy and addenda, the College, in addition and without prejudice to any other right or remedy the College may have at law or under College policy, has the right to any of the following, as may be applicable:
- Refer the violator's outstanding account to the office of the Registrar for the withholding by the Registrar of the violator's student records, including grades, diplomas, and/ or transcripts, and any refundable fees owing to the violator, until the violator's outstanding accounts are settled with the College; and
  - Refer the violator's outstanding account to Financial Services for recovery by a collection agency.
- 5.4. Violation notices that have been issued cannot be withdrawn or cancelled except through the prescribed objections and appeals process or, in extraordinary circumstances, by the policy sponsor.
- 5.5. Fines for violations will be applied against the violator's account and such fines, together with all other penalties, fees and charges, are due and payable within fifteen (15) business days after the date of issuance of a violation notice. Payment to accounts may be made by cash, debit, Visa or MasterCard credit card, or by certified cheque payable to Fanshawe College and paid at either Campus Security Services (D1027) or Parking Services (D1018).
- 5.6. The College adopts the fines, penalties and fees for violations as provided in Guideline B: Regulations. These rates are subject to change without notice.
- 5.7. Should any of the violator's payments be rejected for non-sufficient funds, the College may charge the violator an administrative fee for each occurrence.

## 6. OBJECTIONS

- 6.1. A person who has been issued a violation notice and who has reason to object to such violation notice or the assessment of a fine, may submit an objection request in the manner set out in this section. Objection request forms are available at Campus Security Services (D1027) or online at [www.fanshawec.ca/security](http://www.fanshawec.ca/security).
- 6.2. An objection request must be submitted in writing to the Manager, Campus Security Services, c/o Campus Security Services, Fanshawe College, Room D1027, 1001 Fanshawe College Boulevard, PO Box 7005, London, Ontario N5Y 5R6 or online at [www.fanshawec.ca/security](http://www.fanshawec.ca/security) within five (5) business days from the issue date on the violation notice. The College will not consider an objection request received after the prescribed timeframe.
- 6.3. An adjudicator will be appointed by the Manager, Campus Security Services to hear and rule on an objection request. The Manager normally appoints the Patrol Supervisor, Campus Security Services as the adjudicator.

- 6.4. The adjudicator will normally review the objection request within three (3) business days after receipt of an objection request and will either:
- Deny the objection request, upholding the violation notice and the fine;
  - Accept the objection request, upholding the violation notice and reducing the fine; or
  - Accept the objection request, overturning both the violation notice and fine.
- 6.5. The adjudicator will normally issue a decision notice within five (5) business days after receipt of an objection request to inform the objector of the decision. Any payments owing arising from the decision notice shall become due and payable and the violator will pay the amounts owing to either Campus Security Services (D1027) or Campus Parking Services (D1018) within ten (10) business days from the issue date of the Notice of Decision.

## 7. APPEALS

- 7.1. A person who has been issued a decision notice and who has reason to object to such notice or the assessment of a fine, may submit an appeal request in the manner set-out in this section. Appeal request forms are available at Campus Security Services (D1027) or online at [www.fanshawec.ca/security](http://www.fanshawec.ca/security).
- 7.2. An appeal request must be submitted to the Manager, Campus Security Services, c/o Campus Security Services, Fanshawe College, Room D1027, 1001 Fanshawe College Boulevard, PO Box 7005, London, Ontario N5Y 5R6 or online at [www.fanshawec.ca/security](http://www.fanshawec.ca/security), within five (5) business days from the issue date on the decision notice. The College will not consider an appeal request received after the prescribed timeframe.
- 7.3. An appeal adjudicator will be appointed by the Manager, Campus Security Services to conduct a review and rule on an appeal. The Manager normally appoints the Assistant Manager, Campus Security Services as the appeal adjudicator.
- 7.4. The appeal adjudicator will normally review the appeal request within three (3) business days after receipt of an appeal request and either grant or deny an appeal based on the merit of the information provided.
- 7.5. Should an appeal be granted, three dates will be offered to the appellant for conducting the appeal by the appeal adjudicator. An appeal meeting shall be conducted on the date selected by the appellant, without any right to reschedule.
- 7.6. At the appeal meeting, which shall not exceed thirty (30) minutes in duration, the appellant will submit the appellant's position to the appeal adjudicator. The appeal adjudicator may call upon the person having issued the violation notice to submit the College's position and provide information relevant to the matter. Following the appeal meeting, the appeal adjudicator shall weigh the evidence provided by the parties and will either:
- Deny the appeal, upholding the decision and violation notices and the fine;
  - Approve the appeal, upholding the decision and violation notices and reducing the fine; or
  - Approve the appeal, overturning the decision notice and cancelling the violation notice and fine.

- 7.7. Failure of the appellant to accept one of the dates or to appear at the appeal meeting will automatically result in the denial of the appeal, the upholding of the decision notice, violation notice and the fine, and the appeal adjudicator may impose an administrative fee against the violator or appellant representing the College's administrative costs.
- 7.8. The appeal adjudicator will normally issue a final decision notice within three (3) business days after the date of an appeal meeting. Any payments owing arising from the final decision notice shall become due and payable and the violator or appellant will pay the amounts owing to either Campus Parking Services (D1018) within five (5) business days from the issue of the final decision notice.
- 7.9. Decisions of the appeal adjudicator with respect to an appeal request and an appeal shall be final, conclusive and binding upon the appellant and the College.

## **8. GENERAL ASSISTANCE, HEALTH AWARENESS AND ADDICTION PREVENTION**

- 8.1. In an effort to advance a healthy learning, working, teaching, living and playing environment for community members, the College may establish from time to time a committee to develop and make available programs that promote healthy choices and healthy lifestyles and provide addiction prevention awareness to reduce health hazards and personal discomfort on-campus.
- 8.2. Please contact Campus Security Services with any inquiry or request for information relating to alcohol, drug, electronic cigarette and tobacco enforcement, including these guidelines, contraventions and Designated Smoking Area maps.
- 8.3. Campus Security Services may be reached 24/365 (24 hours/day, 365 days/year) by telephone at (519) 452-4400, by email at [SecurityControlCntr@fanshawec.ca](mailto:SecurityControlCntr@fanshawec.ca), online at [www.fanshawec.ca/security](http://www.fanshawec.ca/security), or in person by visiting the Security Control Centre (Rm D1027).

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*Addendum:* **Standard 1: REGULATIONS**

*Issued by:* Executive Director, Facilities Management and Community Safety

*Effective:* 2019-06-28

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## 1. PURPOSE

The purpose of this document is to set out the regulations used by the College to control the use of alcohol, drug, electronic cigarette, cannabis, and tobacco products on College property and in College vehicles. The objective of these regulations is to advance a healthy learning, working, teaching, living and playing environment for College community members through the enforcement of the applicable legislation and guidelines relating to alcohol, drug, electronic cigarette, cannabis, and tobacco products and the elimination or reduction of any of their related adverse health and air quality risks and personal discomfort on College property.

## 2. DEFINITIONS

The definitions in Guideline A apply equally in these standards.

*Accessory:* Any paraphernalia or device, in whole or in part, relating to the use of drugs, electronic cigarettes or tobacco products, including cigar clips, cigarette holders or papers, electronic cigarette components, electronic cigarette liquids with or without any flavouring or drug, including cannabis or nicotine, humidors, lighters or matches, pipes, or water-pipes.

*AGCO:* the Alcohol and Gaming Commission of Ontario or its successor.

*Alcohol:* Any spirit, wine or beer or any combination thereof, including any alcohol in a form appropriate for human consumption as a beverage, alone or in combination with any other matter.

*Authority:* Any person or entity having jurisdictional authority, whether federal, provincial or otherwise, to act under and enforce the laws and regulations. Where the context allows, the authority includes any law enforcement agency, police service or special constable authority having jurisdiction at the municipal location of the College property, including the Royal Canadian Mounted Police, the Ontario Provincial Police, the London Police Service, the Woodstock Police Service, the St. Thomas Police Service, and Campus Security Services;

*Cannabis:* Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not. Any substance or mixture of substances that contains or has on it any part of such a plant. Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained;

*Designated residence area:* Any area in the College residence designated by Residence Services from time to time where the possession of or consumption from open containers of alcohol is permitted only by a person of legal drinking age.

*Drug:* Any controlled substance included in Schedule I, II, III, IV or V of the *Controlled Drugs and Substances Act* (Canada) or its successor.

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*Electronic Cigarette:* Any vaporizer or inhalant-type device designed to heat a substance and produce a vapour intended to be inhaled by the user of the device directly through the mouth, whether or not the vapour contains any drug, including cannabis, or nicotine.

*Licensed establishment:* Any facility permitted by the College to operate on College property and licensed by the AGCO for the service of alcohol including any restaurant, bar, licensed patio, or any other facilities on College property for which a special occasion permit has been obtained from the AGCO.

*Liquor licence:* Any licence or permit, including any endorsements, issued by the AGCO to a holder for the fermentation, manufacture, sale or delivery of alcohol.

*Medical cannabis:* Cannabis prescribed for medical purposes by a licensed medical practitioner in any form, processed or unprocessed, or that may be smoked, inhaled or ingested, including any liquid, capsule or baked good.

*Smoking:* Smoking, holding or using lighted tobacco or cannabis.

*Tobacco:* Tobacco in any form, processed or unprocessed, or products that may be smoked, inhaled or chewed, including chewing, dipping, pipe, shisha or snuff tobacco, cigarillos, cigarettes and cigars.

*Using electronic cigarettes:* Inhaling or exhaling vapour from or holding an activated electronic cigarette.

### 3. GENERAL REGULATIONS

#### 3.1. Schedule of Violations and Fines

For a schedule of violations and fines go to:

<https://portal.myfanshawe.ca/campuslife/campussecurity/Pages/Default.aspx> and select the **Fine Structure** tab.

#### 3.2. Photo Identification to be Produced

The College has the right to require a person on College property to produce, upon request by an authority having jurisdiction or College authority, his or her proof of identification being photo identification acceptable to the authority having jurisdiction or College authority, and the person shall produce such documentation upon request.

#### 3.3. Impairment Prohibited

No person on College property is permitted to be under the influence of, intoxicated or otherwise impaired by alcohol, cannabis or drugs, including a legally prescribed controlled substance, including medical cannabis, to a point where the person either:

- 3.3.1 Poses a danger to or threatens to endanger a community member, including herself or himself; or
- 3.3.2 Disrupts the peace or enjoyment of the use of College property for other community members.

### 3.4. Driving Under Impairment Prohibited

No person is permitted to be under the influence of, intoxicated or otherwise impaired by alcohol, cannabis or drugs, including a legally prescribed controlled substance, including medical cannabis, while driving, operating or otherwise being in the care and control of a vehicle on College property or a College vehicle.

### 3.5. No Advertisement, Distribution, Promotion and Sale of Prohibited Products or Accessories

The advertisement, distribution, promotion or sale of alcohol, cannabis, drugs, including medical cannabis, electronic cigarette, and tobacco products and accessories on College property is prohibited, except as may be otherwise restricted herein.

### 3.6. Urination or Defecation in Public Prohibited

Urination or defecation in public on College property is prohibited.

### 3.7. Littering Prohibited

Littering on College property is prohibited.

## 4. ALCOHOL REGULATIONS

### 4.1. Possession or Consumption by Underage Person Prohibited

The legal drinking age in Ontario is nineteen (19) years of age. The possession, including the purchase or attempt to purchase, or consumption of alcohol by any person under nineteen (19) years of age on College property is prohibited.

### 4.2. Provision or Sale to Underage Person Prohibited

The provision, service or sale of alcohol to any person under nineteen (19) years of age on College property is prohibited.

### 4.3. Consumption, Distribution or Possession Prohibited

The possession or distribution of or consumption from open containers of alcohol is restricted to licensed establishments and designated residence areas and therefore the possession or distribution of or consumption from open containers of alcohol is prohibited elsewhere on College property.

### 4.4. Alcohol Delivery Services

The delivery of alcohol to the public on a fee-for-service basis is strictly limited to the Residences by College-preauthorized delivery services to Residence, provided always that:

- 4.4.1. The delivery of alcohol to any location on College property other than Residence or by any person or entity without College authorization is expressly prohibited;
- 4.4.2. Any liquor delivery service wishing to deliver and delivering alcohol on College property shall:
  - Obtain the College's advance written consent from Campus Security Services and Residence Services prior to providing any such service;

- Continually hold a valid liquor delivery service licence issued by the AGCO;
- Comply with applicable legislation, including the *Liquor Licence Act* (Ontario), and College policy, including these regulations;
- Comply with any service limitations, restrictions or other requirements of the College, including Campus Security Services and Residence Services;
- Deliver alcohol to and transact business at only the front desk of the Residence, including Falcon House residence (R1-building), Peregrine House residence (R2-building), Merlin House residence (R3-building) or Kestrel Court townhouses (R4-building);
- Cease services upon demand by the College; and

4.4.3. The College, in addition and without prejudice to any other right or remedy the College may have at law or under College policy, including these regulations, has the right to revoke any authorization, permission and ability to provide delivery services of a liquor delivery service without notice, particularly in the event of any violation of applicable laws and regulations or College policy, including these regulations.

#### 4.5. Licensed Establishments

The sale or provision of alcohol is restricted to licensed establishments established and operated by College-preauthorized departments or tenants under appropriate agreements, provided always that:

- 4.5.1. The sale or provision of alcohol at any location on College property other than a licensed establishment or by any other person or entity without College authorization is therefore prohibited; and
- 4.5.2. The operator wishing to operate and operating a licensed establishment shall:
- Obtain the advance written consent of the College prior to establishing or operating any licensed establishment;
  - Continually hold a valid liquor licence, including any applicable endorsements, issued by the AGCO;
  - Comply with the applicable legislation, including the *Liquor Licence Act* (Ontario), and College policy, including these regulations, relating to standards of operations, public health, occupational health and safety, hygiene and sanitation and other related requirements;
  - Cease operations upon demand by the College; and
- 4.5.3. The College, in addition and without prejudice to any other right or remedy the College may have at law or under College policy, including these regulations, has the right to revoke any authorization, permission and ability to operate a licensed establishment without notice, particularly in the event of any violation of applicable laws and regulations or College policy, including these regulations.

#### 4.6. Minimum Work Age in Licensed Establishment

Any person working in a licensed establishment and handling alcohol on College property must be at least eighteen (18) years of age.

### 5. DRUG REGULATIONS

#### 5.1. Drugs Prohibited

The possession, production, provision, sale, trafficking or use of drugs on College property is prohibited, except that this prohibition is not intended to normally apply to a person's legal possession and use of a controlled substance prescribed by a licensed practitioner. The College has the right to require a person on College property to produce, upon request by an authority or College authority, his or her proof of legal authority to possess and use such controlled substance(s) being a prescription acceptable to the authority or College authority and the person shall produce such documentation immediately upon request.

### 6. MEDICAL CANNABIS REGULATIONS

#### 6.1. Cannabis for Medical Purposes Recognized

While the College does not endorse in any way smoking cannabis, recognizing the Access to Cannabis for Medical Purposes Regulations (ACMPR) under the *Controlled Drugs and Substances Act* (Canada) or its successor, the possession and use of medical cannabis on College property shall be restricted to the possession and use of medical cannabis by community members having legal authority to possess medical cannabis in accordance with these further regulations. Unless retracted earlier by the College, any possession or use of medical cannabis that may be permitted on College Property shall automatically be retracted without notice upon the repeal of the ACMPR.

#### 6.2. Methods of Treatment

Where safety may be compromised in the workplace or learning-place, a community member having legal authority to possess and use medical cannabis shall possess and use medical cannabis in the form of either ingestible capsule or baked good or inhalable vapour. In the event such forms have been determined to be ineffective methods of treatment for a community member by a licensed medical practitioner, then and only then, that community member may possess and use medical cannabis in smoking form.

#### 6.3. Medical Cannabis Restricted

The possession and consumption of cannabis on College property is restricted to the possession and consumption of medical cannabis by community members having legal authority to possess medical cannabis in all forms, provided always that:

- 6.3.1. Smoking medical cannabis is permitted only when the ability to reach the College property line is impaired;

- 6.3.2. Community members shall carry proof of their legal authority to possess cannabis for medical purposes at all times and, upon request of and to the satisfaction an authority or College authority, immediately provide such documentation;
- 6.3.3. Community members shall exercise any permissions granted herein with discretion and mutual consideration of the rights and privileges of other community members; and
- 6.3.4. The College, in addition and without prejudice to any other right or remedy the College may have may have at law or under College policy, including this policy and addenda, has the right to revoke, in whole or in part, any authorization, permission and ability to possess and smoke medical cannabis without notice, particularly in the event of any violation of the laws and regulations or College policy, including impairment as set out in sections 3.3 or 3.4 above.

#### 6.4. Respectful Use of Medical Cannabis

As fair notice, the College has the right to investigate complaints, observations or other reporting involving the possession, use or smoking of medical cannabis on College property. In an effort to respect the rights and privileges of all parties to the extent reasonable and practicable, community members having legal authorization to possess medical cannabis are encouraged to self-identify their requirement for accommodation with the appropriate College department or Campus Security Services to receive supplementary information to be followed that will aid and promote discretion and mutual respect for all parties involved.

## 7. TOBACCO REGULATIONS

### 7.1. Traditional Use of Sacred Tobacco Permitted

Recognizing that the traditional use of tobacco forms an integral part of Aboriginal culture and spirituality, the smoking, holding or use of lighted sacred tobacco, cedar, sage or sweetgrass is permitted for traditional Aboriginal cultural or spiritual purposes, when :

- 7.1.1. Authorized in advance by the First Nations Centre administrator;
- 7.1.2. Approved in advance by and coordinated through Facilities Management & Community Safety; and
- 7.1.3. Performed within a College-designated location for such purpose, including:
  - The First Nation Centre;
  - The J-building gymnasium; or
  - Any outdoor location.

## 8. CANNABIS REGULATIONS

### 8.1 Possession

Possession of up to 30 grams of cannabis is permitted, in accordance with the Cannabis Control Act, 2018.

## 8.2 Plants

The growth and nurturing of cannabis plants on College property, including the College Residences, is prohibited.

## 8.3 Consumption

The consumption of cannabis in all forms is not permitted on College property, except as permitted per regulations listed in section 6.

# 9. **SMOKING REGULATIONS**

## 9.1. Smoking Tobacco, Cannabis, Using Electronic Cigarettes Prohibited

Fanshawe College is a smoke-free environment. Smoking tobacco, medical cannabis, subject always to further requirements set out in section 6 above, or using electronic cigarettes is prohibited on College property.

## 9.2. Absence of Signage Does Not Permit Smoking

The absence of signage to the contrary does not permit smoking tobacco, cannabis or using electronic cigarettes, beyond or outside the boundary of a designated smoking area.

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