

CITY OF PRINCE RUPERT

TRADE OR BUSINESS LICENCE AMENDMENT BYLAW NO. 3432, 2018

BEING A BYLAW TO AMEND THE TRADE OR BUSINESS LICENCE BYLAW NO. 2426, 1982 TO ESTABLISH REGULATIONS FOR CANNABIS RETAIL STORES

WHEREAS the Council has had due regard to the considerations contained in Divisions 1 to 4 of Part II, Sections 497 to 528, of the Municipal Act, R.S.B.C. 1979, Chapter 290;

NOW THEREFORE the Council of City of Prince Rupert in open meeting assembled enacts as follows:

1) That City of Prince Rupert TRADE OR BUSINESS LICENCE BYLAW NO. 2426 shall be amended as follows:

A) That "**DIVISION I - DEFINITIONS**"; Section 1:01" be amended by:

i) the addition of the following definition, in alphabetical sequence:

"Cannabis

has the same meaning as in the Cannabis Act, SC 2018, c. 16, subject to any prescribed modifications.

Cannabis Retail Store

includes any business subject to the regulations of the Cannabis Control and Licensing Act, SBC 2018, c. 29, and where the principal business is the retail sale of cannabis for consumption off-site, and includes both government-operated and private establishments."

ii) the renumbering of definitions under section 1.01, beginning at 1), increasing incrementally throughout.

B) That "**DIVISION III - REGULATIONS OF BUSINESS**;" be amended by the addition of the following:

"3.16 Cannabis Retail Store

a) *Applicants for a license to operate a Cannabis Retail Store must supply the Licence Inspector with the following:*

i) *a detailed security plan for the premises, with the written approval of the local RCMP detachment, to be implemented at all times;*

ii) *criminal record checks for all owners, operators, and employees confirming that they are free of convictions under the Controlled Drugs and Substances Act, SC 1996, c. 19, for a period of at least 10 years;*

- iii) *written confirmation from the Fire Chief that the premises meet all applicable fire safety regulations; and,*
 - iv) *an application fee of \$5,000, \$4,500 of which is refundable should the applicant fail to receive a business licence or provincial retail store licence.*
 - b) *Approval of a license to operate a Cannabis Retail Store is contingent upon satisfying the above requirements, and a positive recommendation from Council, in accordance with Policy 100-17-02 “Council Policy for Consideration of Cannabis Retail Applications”*
 - c) *All persons carrying on the business of or operating a Cannabis Retail Store must comply with the following regulations:*
 - i) *operation of the Cannabis Retail Store must be conducted in accordance with the security plan approved by the local RCMP detachment;*
 - ii) *changes to the security plan must receive written approval from the local RCMP detachment, and a copy of the altered plan and approval provided to the Licence Inspector;*
 - iii) *no person may be employed by a Cannabis Retail Store without first providing the Licence Inspector with a criminal record check confirming the employee is free of convictions under the Controlled Drugs and Substances Act, SC 1996, c. 19, for a period of at least ten years;*
 - iv) *the exterior of the premises must be well-lit at all times;*
 - v) *operators of a Cannabis Retail Store must ensure that no persons consume cannabis or congregate in the immediate vicinity of the premises, and;*
 - vi) *operators of a Cannabis Retail Store are prohibited from cultivating cannabis on the premises, or providing drive-through or delivery sales of cannabis products.”*

C) That “DIVISION IV” be amended by:

- i) the addition of the following codes, classifications and fees:

Code	<u>Classification</u>	<u>Fee Payable</u>
	CANNABIS RETAIL STORE	
1660	Application Fee	\$5,000.00
1661	Annual Renewal Fee	\$2,500.00

D) That “DIVISION V – DUTIES AND ADMINISTRATION” be amended as follows:

- i) Amending section 5.01 b) i) to read as follows:

“The Licence Inspector may appoint, from time to time, a person or persons as Assistant Licence Inspector(s) to assist with the enforcement and administration of this Bylaw”

ii) The addition of the following subsection:

“5.04 Upon the permanent departure or removal of the Licence Inspector, the Assistant Licence Inspector(s) shall have all the powers and responsibilities of the Licence Inspector until such time as Council appoints a permanent replacement.

- 2) That Council appoint the Manager of Community Development as the Licence Inspector for the purposes described in Bylaw No. 2426.
- 3) This Bylaw may be cited as "**Trade or Business Licence Amendment Bylaw No. 3432, 2018**".

Read a First time this 10th day of December, 2018.

Read a Second time this 10th day of December, 2018.

Read a Third time this 10th day of December, 2018.

Final Consideration and Adopted this 12th day of December, 2018.

MAYOR

CORPORATE ADMINISTRATOR