

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1086

A bylaw to amend the Business Licence Bylaw and repeal the Marijuana-Related Business Licence Bylaw.

The Council of the Corporation of the Village of Cumberland in open meeting assembled enacts as follows:

1. This bylaw may be cited as the 'Business Licence Amendment Bylaw No. 1086, 2018.'

Text Amendments

2. "Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009" is amended in section 2 by deleting the definitions for
 - (a) Marijuana,
 - (b) Medical Marijuana Dispensary, and
 - (c) Medical Marijuana Facility
3. "Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009" is amended in section 2 by adding the following definitions:
 - (a) Cannabis - means cannabis, as defined in the Federal *Controlled Drugs and Substances Act* or *Cannabis Act* and includes any products containing cannabis.
 - (b) Cannabis Retail - means the use of land, buildings or other structure for dispensing, selling or distributing cannabis, or related controlled substances and derivatives, other than a medical marijuana facility.
 - (c) Recreational Cannabis Facility - means the use of buildings and other structures for the purpose of growing, processing, packaging, testing, destroying, storing or shipping of cannabis or its derivatives for recreational purpose, as lawfully permitted and authorized under the Federal Cannabis Act.
 - (d) Medical Marijuana Facility - Means the use of buildings and other structures for the purpose of growing, processing, packaging, testing,

destroying, storing or shipping of marijuana for medical purposes as lawfully permitted and authorized under the Federal Access to Cannabis for Medical Purposes Regulations (ACMPR) or any subsequent legislation which may be enacted in substitution thereof.

4. "Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009" is amended in section 3 by deleting d).

5. "Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009" is amended in section 3 by inserting d):

Every business shall comply with all federal, provincial, and municipal laws, bylaws and regulations. However, issuance by the Village of a licence is not a representation that a business is compliant with federal, provincial and municipal laws, bylaws and regulations.

6. "Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009" is amended in section 5 by amending f) to:

The Licence fee shall be decreased by one-half for any new licence that is issued after June 30th of any year, **except Cannabis Retail**.

7. "Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009" is amended in section 5 by inserting h):

A person applying for the issuance or renewal of a license to carry on a Cannabis Retail Store must:

- a) Complete and submit an application for a license in a form satisfactory to the Village;
- b) Pay to the Village the applicable license fees prescribed under Schedule A attached to this Bylaw;
- c) Provide a security plan for the premises that, in the opinion of the CAO, describes adequate security measures to mitigate risk of theft or robbery at the premises;
- d) Provide proof of a security alarm contract that includes monitoring at all times during the period for which the licence is being sought;

8. "Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009" is amended by inserting Section 5.1, Cannabis Retail Licences Operating Requirements:

Part A: Restrictions for all Cannabis retail stores

A person carrying on a Cannabis Retail Store must not:

- a) Allow a person to smoke, vape, consume or otherwise ingest cannabis or products containing cannabis on the premises;
- b) Sell cannabis or other substances under the Controlled Drugs and Substances Act in edible form, including beverage form.
- c) Be open for business between the hours of 11pm and 9am the next day;
- d) Mail or deliver any products from the business premises; and
- e) Use the premises to carry on business other than the Cannabis Retail Store and accessory uses.

Part B: Requirements for all Cannabis retail stores

A person carrying on a Cannabis Retail Store must:

- a) Prominently display a sign on the premises indicating that no persons under 19 years of age are permitted on the premises;
- b) Post health and safety warning signs on the premises;
- c) Ensure that windows on any street frontage of the premises are not blocked by translucent or opaque material, artwork, posters, shelving, display cases or similar elements;
- d) Conduct business within a completely enclosed building, with the doors remaining closed when not in use for immediate ingress and egress;
- e) Install and maintain an air filtration system that effectively minimizes odour impacts on neighbouring properties;
- f) Implement the following security measures:
 - i) install video surveillance cameras that monitor all entrances and exits and the interior of the business premises at all times with a high definition resolution;
 - ii) retain video camera data for at least 21 days after it is gathered; and,
 - iii) install a security and fire alarm system that is, at all times, monitored by a licensed third party.

9. "Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009" is amended by deleting Schedule 'A', and inserting Schedule 'A' to this bylaw.

Repeal

10. "Marijuana-Related Business License Regulation Bylaw No. 1040, 2016" is repealed in its entirety upon adoption of this bylaw.

READ A FIRST TIME THIS	23RD	DAY OF	JULY	2018.
READ A SECOND TIME THIS	23RD	DAY OF	JULY	2018.
READ A THIRD TIME THIS		DAY OF		2018.
ADOPTED THIS		DAY OF		2018.

Mayor

Corporate Officer

Licence Fees

1.	Licence Fee (for applicable licence period)	\$110.00
2.	Licence Fee for Cannabis Retail, Recreational Cannabis Facility, OR Medical Marijuana Facility	\$3,250.00
3.	Fire & Safety Inspection	\$100.00
4.	Criminal Record Check	\$40.00
5.	Building Inspection	\$50.00