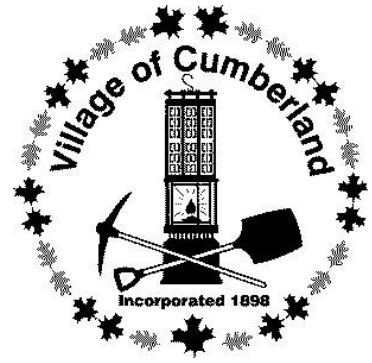


# COUNCIL REPORT



REPORT DATE: September 11, 2025  
MEETING DATE: November 10, 2025

File No. 4320-20

TO: Mayor and Councillors  
FROM: Chris Baker, Manager of Permits Licencing and Bylaw  
SUBJECT: Business Licence Bylaw and Fees Amendment Bylaw

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## RECOMMENDATIONS

THAT Council give first, second and third reading of Business Licensing and Regulation Bylaw No. 1239, 2025.

THAT Council give notice on the Village website of the proposed adoption of Business Licensing and Regulation Bylaw No. 1239, 2025, and an opportunity for persons to make representations to Council.

THAT Council give first, second and third reading of Fees Amendment Bylaw No. 1242, 2025.

## PURPOSE

To provide Council with a revised bylaw to regulate businesses in the Village of Cumberland and a revised Fees Bylaw including a schedule of fees for business licencing. The Community Charter enables Council to regulate, by bylaw, businesses within the community. The revised fee schedule better aligns with the cost to the Village of administering the business licencing system. A level playing field for businesses in the community is important part of supporting robust economic development and guiding future growth.

## PREVIOUS COUNCIL DIRECTION

Date	Resolution
Mar 24, 2025	Mobile Vending Regulations and Cannabis Retail Fee Change THAT Council adopt Business Licence Amendment Bylaw 1226, 2025.
Apr 22, 2025	THAT Council adopt amended Council Policy No. 9.5 Cannabis Retail Sales, and; THAT Council direct staff to consider a reduction in business license fees for cannabis retail so that they are consistent with similar businesses, in the upcoming report with recommendations for amendments to the Business Licence Bylaw No. 896, 2009.

Sep 6, 2022	THAT Council give final adoption to Business Licence Amendment Bylaw No. 1171, 2022.
May 9, 2022	THAT Council direct staff to draft an amendment to Business License Bylaw No. 896, 2009 that supports the Zoning Bylaw regulations for vacation rentals and: (a) Requires display of the business license number on listings and similar advertisements or promotional materials that communicate the availability of a vacation rental.
Nov 09, 2020	THAT Council direct staff to provide report to Council with recommendations to the Village's Business Licence Bylaw (No. 896, 2009), Inter-Community Business Licence Bylaw (No. 995, 2013) and/or other policy needs such as vacation rental and/or mobile vending regulations.

## BACKGROUND

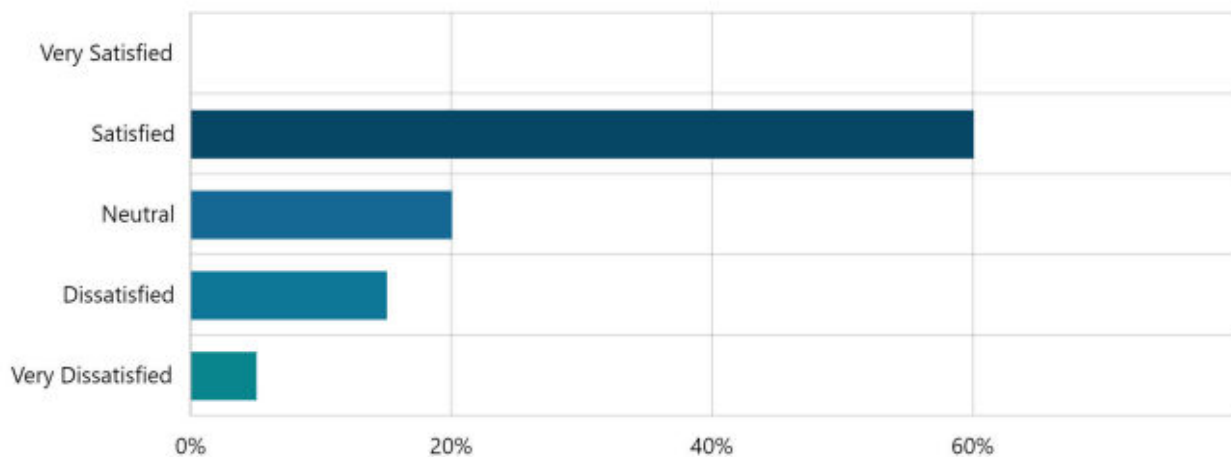
The opportunity to regulate in relation to businesses is a fundamental power given to municipal councils by the Community Charter. That power includes the power to require a business licence and to establish rules that businesses must follow to operate. The regulatory scheme permitted by the Charter allows a bylaw to establish different classes of activities and to make different provisions for those classes. The Charter also allows for a system of licences and establishing terms and conditions for those licences.

The Village of Cumberland Business Licence Bylaw No. 896, 2009 governs the issuance and regulation of business licences within the Village. Since its adoption, the bylaw has been amended periodically to address new business types, including cannabis retail, vacation rentals, and mobile vendors. The bylaw establishes the framework for licensing, defines types of businesses, sets application and renewal processes, and outlines enforcement and penalty provisions.

On April 22, 2024, Council lowered the fees for cannabis retail licences to better align with the cost of administering and regulating these types of businesses. Following this, a survey of local businesses was conducted in 2024, receiving 20 responses. The results indicated overall support for the current licencing system, while identifying opportunities for improvement. In response to the question, "How satisfied are you with the current business licencing process in Cumberland?" responses were as follows: 60% satisfied, 20% neutral, 10% dissatisfied, and 5% very dissatisfied (see table below). Themes included in the long form answers were enforcement, length of application process, increasing supports for businesses, short term rental regulation and reduction of overall regulation. A full summary of the survey results is attached to this report as well as the full results with long form responses.

## 2. How satisfied are you with the current business licensing process in Cumberland?

Multi Choice | Skipped: 0 | Answered: 20 (100%)



The proposed Business Licencing and Regulation Bylaw No. 1239, 2025 updates and consolidates existing regulations to modernize the bylaw, provide clearer definitions, incorporate additional business types, clarify administrative processes, and align with current provincial legislation. Feedback received from the local business community was considered and is represented in the proposed bylaw.

It is being proposed that the business licence fee schedule be moved from the Business Licence Bylaw to the Village's Fees Bylaw No. 1110. This aligns with the longer-term practice of centralizing all fees within the Fees Bylaw. As part of this process, this report seeks Council approval for both the updated business licensing bylaw and the changes to the Fees Bylaw.

### Key Changes in the Draft Bylaw Include:

1. **Citation and Scope** – The bylaw is updated with a reference to its purpose under the Community Charter, providing a clear framework for regulation.
2. **Definitions** – Expanded and clarified definitions.
3. **Business Licence Requirements and Application** – Clarified licence application, issuance, and renewal processes, including provisions for temporary licences.
4. **Specific Business Regulations** – Detailed operational requirements for cannabis production facilities, cannabis retail, circuses, carnivals, mobile vendors, and short-term rentals, including insurance, inspection, and safety requirements.
5. **Enforcement and Inspection** – Strengthened authority for Licence Inspectors, including entry, inspection, and enforcement powers consistent with the Community Charter.
6. **Offences and Penalties** – Updated offence provisions with clear minimum and maximum fines.
7. **Administrative Updates** – Procedures for licence changes, transfers, reconsideration of decisions, and notifications have been clarified to streamline administration and improve transparency. The authority to approve, deny, suspend or revoke a business licence can be

delegated to additional staff not only the CAO by appointing staff to the role of “Licence Inspector.” This will allow for better workflow and continued service during vacations.

8. **Fees** – Business licence fees are now proposed to be moved to the Fees Bylaw (No. 1110). This centralization allows more flexible updates in the future and reflects the longer-term practice of consolidating all fees within the Fees Bylaw. Council approval of the fee changes is also being sought as part of this report.
9. **Repeal of Previous Bylaw** – Business Licence Bylaw No. 896, 2009, and all amendments thereto, are repealed, consolidating all current regulations into a single, updated bylaw.
10. **Temporary Licence** – In very specific circumstances a licence can be granted temporarily while some requirements are in process.

The updated bylaw reflects feedback from the 2024 business survey, streamlines licencing processes, strengthens regulatory compliance, and ensures the Village can effectively manage and support all types of businesses operating within its jurisdiction.

## FINANCIAL IMPLICATIONS

Staff conducted an analysis of staff time and costs associated with business licence applications and renewals. The review found that most of the staff time and resources are spent on processing new applications, while annual renewals require significantly less time. To better reflect the actual costs to the Village, a tiered fee schedule has been developed that introduces an application fee (not previously charged) and adjusts the yearly licence fee accordingly. The application fee plus the yearly licence fee is payable in the first year and then only the yearly licence fee is payable upon renewal each year thereafter. With the new application fee, the first year for a business licence application will cost significantly more than the previous fee structure for some business types. This is due to the actual cost of staff time to process new applications.

The proposed fee structure reduces annual licence fees for basic businesses and increases annual fees for accommodation providers, mobile vendors, and large retail/industrial businesses. This structure better aligns fees with the relative cost of administration for each category. Based on the Village’s current active business licences, it is projected that the revised fee schedule will result in an estimated net reduction of approximately \$2,000 in annual business licence revenue.

A late payment penalty has been introduced and may help to offset this reduction in revenues. While the exact revenue from penalties cannot be accurately predicted, it is expected to recover some of the projected revenue loss. Overall, the new fee schedule is intended to be cost-neutral, ensuring that business licence revenues align more closely with the actual costs of administration.

## OPERATIONAL IMPLICATIONS

During the review of the current system, opportunities for improvement were identified and reflected in the revised bylaw and fee schedule. It is expected that better clarity will improve the experience of the business community and align with a cost recovery model for business licencing.

The proposed changes are not expected to require additional staff resources, as existing departments—Finance, Planning, Building, and Protective Services—have the capacity to administer and enforce the updated bylaw and fee schedule. Long-term, the centralized fee

structure and clarified licencing requirements will simplify ongoing administration, reduce potential compliance issues, and improve coordination across departments, including inspections, permitting, and enforcement.

The inclusion of a new temporary licence is intended to reduce delays in specific circumstances where specific requirements are in process, but the applicant has demonstrated that the business can operate safely.

### **CLIMATE CHANGE IMPLICATIONS**

The proposed Business Licensing and Regulation Bylaw and Fees Bylaw amendment primarily focuses on administrative, operational, and regulatory requirements for businesses within the Village and does not directly have any climate change implications.

### **ALTERNATIVES**

1. Give direction to staff for changes or additions to the bylaws as presented.
2. Not proceed with any action at this time.

### **STRATEGIC OBJECTIVE**

- ☒ Diverse & Healthy Community
- ☐ Sustainable Service Delivery & Asset Management
- ☐ Community Planning

### **ATTACHMENTS**

1. Business Licensing and Regulation Bylaw No. 1239, 2025
2. Fees Bylaw No 1110, 2019 amendment – Bylaw No. 1242
3. Engage Comox Valley Survey Results
4. Long form survey responses.
5. Business Licence Bylaw No. 896, 2009

### **CONCURRENCE**

Rachel Parker, Corporate Officer **RP**

Courtney Simpson, Director of Development and Bylaw Services **CS**

Andrea Samsom, Manager of Finance and HR **AS**

Respectfully submitted,

***C. Baker***

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Chris Baker  
Manager of Permits, Licencing and Bylaw

***M. Mason***

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Michelle Mason  
Chief Administrative Officer

## THE CORPORATION OF THE VILLAGE OF CUMBERLAND

### BYLAW NO. 1239

#### **A bylaw for licensing and regulation of businesses.**

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

#### **Division 1 – Citation and Scope**

- 1.1 This Bylaw shall be cited as the “Business Licensing and Regulation Bylaw No. 1239, 2025”.
- 1.2 In accordance with section 8 (6) of the Community Charter, municipal councils are granted the authority to establish bylaws for the purpose of regulating in relation to businesses. The purpose of the Business Licensing and Regulation Bylaw is to establish a framework for granting business licenses, imposing license fees, and regulating different classes of businesses. This bylaw is designed to ensure that all businesses operate lawfully and in compliance with standards, codes or rules established by the Village.

#### **Division 2 – Interpretation and Definitions**

- 2.1 Except as otherwise defined herein, words and phrases in this Bylaw have the same meanings as in the Community Charter, Local Government Act, Interpretation Act and Zoning Bylaw as the context and circumstances may require.
- 2.2 Any reference to a statute refers to a statute of British Columbia unless otherwise indicated, any reference to a bylaw refers to a bylaw of the Village of Cumberland unless otherwise indicated, and a reference to any statute, regulation, bylaw or other enactment refers to that enactment as it may be amended or replaced from time to time.
- 2.3 If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

#### **2.4 Definitions:**

In this Bylaw,

**“Applicant”** means any individual who makes an application for any licence under the provisions of this Bylaw;

**"Business"** means a commercial or industrial undertaking of any kind or nature or the providing of professional, personal, or other services for the purpose of gain or profit,

but does not include an activity carried on by any government, its agencies, or government-owned corporations.

**“Business Licence”** means a valid business licence or a temporary business licence issued under this Bylaw;

**“Bylaw Officer”** means any person employed or contracted by the Village as a Bylaw Officer or an individual responsible for enforcing the bylaws of the Village, and members of the Police Force;

**“Cannabis”** has the same meaning as in the [\*Cannabis Control and Licensing Act\*](#); and includes any products containing cannabis;

**“Cannabis Production Facility”** means the Use of a Lot for growing and cultivating Cannabis, including the related activities of wet trimming, drying, and bulk packing of Cannabis grown on the Lot, but does not include: (1) Cannabis Retail; or (2) the propagation, cultivation, or harvesting of Cannabis in a manner authorized by Part 5, Division 2 of the Cannabis Control and Licensing Act, S.B.C. 2018, c. 29

**“Cannabis Retail”** means a use that is a provincially licensed premises where recreational cannabis products, obtained from the BC Liquor and Cannabis Regulation Branch, are offered for sale at retail to the general public, in accordance with applicable provincial and federal regulations and enactments.

**“Council”** means the municipal Council of the Village of Cumberland;

**“Inter-Community Business Licence”** means a Business Licence issued by a participating municipality that is referenced in the Inter-Community Business Licence Bylaw 2013 No. 995;

**“Licence Inspector”** means a person employed or contracted by the Village to administer, enforce and carry out the provisions of this bylaw;

**“Local Contact”** means, for a short-term rental, a person designated as an alternate host for a short-term rental by the operator. The local contact must be available to respond to any nuisance complaints if the operator is unavailable;

**“Person”** includes a corporation, partnership, proprietorship, firm and the personal or other legal representative of a person to whom the context may apply under this bylaw;

**“Picture Identification”** means one or more of the following that includes a photograph of the bearer:

- a) valid driver’s Licence issued by a Canadian province or territory;
- b) valid provincial identity card;
- c) valid passport issued by a legitimate government;

- d) certificate of Indian status issued by the Government of Canada;
- e) valid certificate of Canadian Citizenship issued by the Government of Canada; or
- f) valid condition release card issued by Correctional Services Canada;

**“Premises”** means a building, portion of a building or an area of land where business is carried on;

**“Property”** means goods, chattels, wares, merchandise, articles, or things, including motor vehicles and trailers as defined by the Motor Vehicle Act, R.S.B.C. 1966, c.318;

**“Short-Term Rental”** means a rental provided within a residential dwelling unit by a principal resident operator in exchange for a fee for a period of less than 90 consecutive days. The rental must comply with the Short-term Rental Accommodations Act and includes vacation rentals as defined in the Village of Cumberland Zoning Bylaw;

**“Temporary Business Licence”** means a licence issued to a business in accordance with section 3.3.2 of this Bylaw;

**“Village”** means the Corporation of the Village of Cumberland, or the area governed by it.

## **Division 3 – General Regulations**

### **3.1 BUSINESS LICENCE REQUIREMENT**

- 3.1.1 No person shall carry on a business in the Village of Cumberland without first:
  - a) paying the required fees for a Business Licence set out in Fees Bylaw No. 1110, 2019 and
  - b) obtaining a Village Business Licence; or
  - c) being the holder of a valid Inter-Community Business Licence.
- 3.1.2 Any person carrying on more than one business shall obtain and pay for a separate Business Licence for each and every business.
- 3.1.3 Every person issued a licence to carry on a business shall keep the Business Licence posted in a conspicuous place on the business premises named in the licence.
- 3.1.4 Only the person named in the Business Licence is authorized to carry on only the business described in the Business Licence, and only at the premises or locations described in the Business Licence.
- 3.1.5 Every person, who carries on a business in the Village, must comply with all bylaws of the Village and all applicable laws, rules, codes, regulations and orders of all Federal or Provincial authorities having jurisdiction over such business.

### **3.2 BUSINESS LICENCE APPLICATION**

3.2.1 An application for a Business Licence must be completed and submitted in a form satisfactory to the Village.

3.2.2 Every application for a business licence must:

- a) be signed or submitted by an owner or operator of the business or an agent authorized in writing by an owner or operator;
- b) contain a true and accurate description of the following:
  - c) the nature of the business;
  - d) the business premises, including civic address or specific location if there is no civic address; and
  - e) any other information the Licence Inspector may require with respect to the business activities, operation, location, business premises, owners, or related matters;
- f) include such documentation as may be required by the Licence Inspector in support of the business licence application, and the business licence application shall not be considered complete until the Licence Inspector has received the above to the Licence Inspector's satisfaction;
- g) be accompanied by the Application Fee for the applicable business tier set out in the Fees Bylaw.

3.2.3 Incomplete applications shall be deemed to be abandoned after three months from the date of submission.

### **3.3 BUSINESS LICENCE ISSUANCE AND REFUSAL**

3.3.1 The Licence Inspector is authorized to grant a Business Licence to an applicant if the Licence Inspector determines that:

- a) the business is a permitted use under the Zoning Bylaw for the business premises;
- b) no further information or documentation is required to complete the business licence application; and
- c) no additional inspection of the business premises is required; and
- d) the applicant has paid the Yearly Licence Fee for the applicable business tier as determined by the Licence Inspector and set out in the Fees Bylaw, except for a business licence granted after June 30 in the calendar year where the applicant must pay the Half-Year Licence Fee.

3.3.2 The Licence Inspector is authorized to grant a Temporary Business Licence if:

- a) the business use is permitted under the Zoning Bylaw for the specified premises;

- b) further information, documentation, or inspection is required, but the applicant has demonstrated that the business can operate safely during the licence's validity despite these outstanding requirements; and
- c) the applicant has paid the Yearly Licence Fee for the applicable business tier as determine by the Licence Inspector and set out in the Fees Bylaw, except for a business licence granted after June 30 in the calendar year where the applicant must pay the Half-Year Licence Fee.

3.3.3 The holder of a Temporary Business Licence must:

- a) comply with all specified terms and conditions; and
- b) cease operations upon expiry or cancellation of the licence.

3.3.4 A Business Licence must specify:

- a) the expiry date; and
- b) any terms and conditions applicable during the licence's validity.

#### **APPLICATION REFUSAL**

3.3.5 A Licence Inspector is authorized to refuse a Business Licence application for reasonable cause and upon request, give written reasons for the decision.

3.3.6 Reasonable cause for refusal of an application, include, but is not limited to, where

- a) a person has failed to comply with a term or condition of this Bylaw and/or the Business Licence;
- b) premises cease to comply with a bylaw regulating building, land use, health, fire, environmental or business issues; or
- c) a person is convicted of an offence under an Act or bylaw in respect of the business for which the license has been issued or with respect to the premises or names in the Licence.

#### **BUSINESS LICENCE SUSPENSION AND CANCELLATION**

3.3.7 A Licence Inspector is authorized to suspend or cancel a business licence for a reasonable cause as set out in section 3.3.6.

3.3.8 Before suspending or cancelling a business licence, a Licence Inspector must give the licence holder notice of the proposed action and an opportunity to be heard by the Council.

### **RECONSIDERATION OF DECISION**

- 3.3.9 The applicant or licence holder who is subject to a decision of Licence Inspector to grant, refuse, suspend or cancel a business licence is entitled to have the Council reconsider the matter.
- 3.3.10 The process for Council reconsideration of a Licence Inspector decision shall be as follows:
- a) Within 30 days of being notified in writing of the decision of a Licence Inspector under this bylaw, the applicant may, at no charge, request that Council reconsider the decision.
  - b) The applicant must give written notice to the Corporate Officer setting out the grounds on which the applicant considers the decision to be inappropriate, including the specific decision, and what decision Council should use as a substitute.
  - c) The Corporate Officer will notify the Licence Inspector of the request(s) for reconsideration and the Licence Inspector will, prior to the date of the meeting at which the reconsideration will occur, provide a written report to Council setting out the rationale for their decision.
  - d) The Corporate Officer will place the request(s) for reconsideration on the agenda of a meeting of Council to be held as soon as reasonably possible.
  - e) The Corporate Officer will notify the applicant of the date of the meeting at which reconsideration will occur.
  - f) Council will review the information provided by the applicant and the Licence Inspector, and either confirm the decision made by the Licence Inspector, or substitute its own decision that may include Business License conditions.

### **3.4 LICENCE PERIOD AND RENEWAL**

- 3.4.1 The licence period shall be from January 1st to December 31st of each year and every licence shall automatically expire on December 31<sup>st</sup>, unless otherwise specified in this Bylaw or on the Business Licence.
- 3.4.2 The licence period for a licence for entertainment or exhibition shall be one day.
- 3.4.3 Every licensee must renew a business licence prior to the expiry of such business licence by paying the Yearly Licence Fee for the applicable business tier as determined by the Licence Inspector and set out in the Fees Bylaw.
- 3.4.4 If a Licensee continues to carry on business within the Village and does not renew and pay the Yearly Licence Fee prior to December 31st of each year, the licensee must pay the Late Payment Fee set out in the Fees Bylaw by January 31<sup>st</sup> to renew the licence otherwise the licence will be deemed expired and a new application is required.

- 3.4.5 Where a notice is required to be given to an applicant or licensee, as the case may be, under any of the provisions of this bylaw, such notice shall be deemed to be satisfactorily given if delivered by hand to such applicant or licensee or sent by registered mail to the applicant or licensee at the address shown on their application.
- 3.4.6 A Yearly Licence Fee paid pursuant to this Bylaw and the Fees Bylaw is non-refundable.
- 3.4.7 No refunds or prorated fees will be issued for the cancellation of a Temporary Business Licence under this Bylaw, regardless of the date of cancellation.

### **3.5 LICENCE CHANGES AND TRANSFERS**

- 3.5.1 The licensee must inform the Licence Inspector of any changes to the licensee's mailing or business address, business classification, the area of the premises, or any modifications made to the premises where the business is conducted. If the licensee ceases to operate the business, the licensee must notify the licence inspector that the licence is no longer needed.
- 3.5.2 A licensee seeking to transfer a Business Licence due to a change in premises must submit a new application for a business licence to the Licence Inspector. The same powers, conditions, requirements, and procedures that apply to a new licence application will apply to the transfer.
- 3.5.3 A Business Licence issued under this bylaw shall be deemed to be a personal licence to the licensee and shall not be transferable to any other person, business or corporation.

## **Division 4 – Specific Regulations**

### **4.1 CANNABIS PRODUCTION FACILITY**

- 4.1.1 Every person who is authorized to produce Cannabis for commercial purposes under the *Cannabis Act* (Canada) must at the time of business licence application, submit proof of security clearance by way of a criminal record check, conducted by a police force, for
- a) all persons named in the licence issued under the Cannabis Act (Canada), and
  - b) all staff employed at the Cannabis Production Facility at time of business licence application or renewal.
- 4.1.2 Every owner and operator of a Cannabis Production Facility must permit persons acting on behalf of the Village for the purpose of enforcement and the Royal Canadian Mounted Police to conduct inspections and unscheduled visits, at any time, during operating hours.

## **4.2 CANNABIS RETAIL**

- 4.2.1 A Cannabis Retail store must be provincially licensed by the Liquor and Cannabis Regulation Branch and comply with the [\*Cannabis Distribution Act\*](#).

## **4.3 CIRCUSES AND CARNIVALS**

- 4.3.1 No Business Licence shall be issued to any person for the purpose of holding an exhibition, circus or carnival, using Ferris wheels, merry go rounds, or other similar rides until such person has filed with the Licence Inspector, evidence of holding a Comprehensive Liability Policy of insurance for Two Million Dollars (\$2,000,000.00) inclusive limits covering bodily injury, death, and property damage including loss of use thereof. The insurance shall name the Village as an additional insured. All rides must be certified under the *Provincial Safety Standards Act*.

## **4.4 MOBILE VENDING**

- 4.4.1 Requirements for mobile vending: A person carrying on a Mobile Vending operation must:
- a) Prepare a waste discharge plan that outlines how all waste streams generated by the operation are disposed of; including but not limited to grey water, grease, oils, fats, garbage, recyclables and patron waste;
  - b) Provide appropriate waste containers for patron use, in alignment with the waste discharge plan;
  - c) Provide a site plan which demonstrates the location of the mobile vending unit, location of patron waste containers, and compliance with siting and distance to food primary establishments, as required by the Zoning Bylaw;
  - d) Provide proof of motor vehicle insurance, as applicable;
  - e) Provide proof of BC Safety Authority approval and valid Health Approval from the local Health Authority, as applicable;
  - f) Provide a Letter of Authorization from private property owner, if sited on private property;
  - g) Provide photographs of the mobile vending unit;
  - h) Limit the size of the mobile unit to a maximum overall length of 9.0m and a maximum width of 2.5m;
  - i) Ensure the operation and any queue lines do not restrict the flow of pedestrian or vehicle traffic; and,
  - j) Limit the hours of operation to no more than four hours per 24 hour period in any zone in the Zoning Bylaw that does not permit retail sales as a principal use.
- 4.4.2 A Licence Inspector shall not issue any licence for any mobile vending on municipal property until the applicant has provided evidence that all vehicles intended for use by the applicant are insured under a comprehensive liability policy or insurance for Two Million Dollars (\$2,000,000) with the City named as the additional insured. Coverage

under the policy cannot be cancelled, or any provisions changed or deleted unless thirty (30) days prior written notice has been given to the City by the insurer.

4.4.3 No goods other than food and beverages shall be sold from a mobile vendor.

#### **4.5 SHORT-TERM RENTAL**

4.5.1 A person must not carry on business as an operator of a Short-Term Rental unless the person holds a valid business license issued under the provisions of this Bylaw and is in compliance with the Short-Term Rental Accommodations Act, SBC 2023.

4.5.2 A person applying for a licence to operate a Short-Term Rental, in addition to meeting the requirements of the Village's Zoning Bylaw must:

- a) display a valid Village of Cumberland business licence number in all advertisements or listings related to the Short-Term Rental and any applicable Provincial Short-Term Rental Registration Number;
- b) display an outdoor sign on the premises identifying the name and a phone number of the person managing the rental.;

4.5.3 At the time of renewal of a short-term rental business licence a person must confirm compliance with the terms of the business licence the Village's Zoning Bylaw and the Short-Term Rental Accommodations Act, SBC 2023 by submitting the information required in the initial application at each renewal.

#### **Division 5 – Enforcement and Inspection**

5.1 The Licence Inspector or Bylaw Officer, in accordance with Section 16 of the Community Charter, may enter into or upon any property subject to this Bylaw in order to inspect and determine whether all regulations, prohibitions, and requirements are being met.

5.2 The Village may request a warrant from a justice to authorize a designated person to enter a property and perform necessary inspections or actions in alignment with the Village's powers, duties, or functions under the Community Charter (section 275).

5.3 No person shall interfere with, or attempt to obstruct the Licence Inspector or Bylaw Officer, who is conducting an inspection or enforcement action in relation to this Bylaw.

5.4 No person shall provide false or misleading information to a Licence Inspector or Bylaw Officer.

#### **Division 6 - Offences and Penalties**

6.1 Any person who contravenes any provision of this bylaw is guilty of an offence and may be subject to one or more of the following enforcement measures:

- (a) Fines or penalties as provided for by law.
- (b) Orders or other appropriate directives.
- (c) Prosecution of offenders in accordance with applicable laws.

- 6.2 The minimum penalty for a contravention of this Bylaw under the Offence Act is a fine of \$5,000.
- 6.3 The maximum fine that may be imposed for a contravention of this Bylaw is \$50,000.
- 6.4 Each day that an offence against this Bylaw continues shall be deemed a separate and distinct offence.
- 6.5 Any penalty imposed pursuant to this Bylaw shall be in addition to and not in substitution for any other penalty or remedy imposed pursuant to this Bylaw, along with any other applicable statute, law, or legislation.

#### **Division 7 - General**

- 7.1 Neither failure to enforce this Bylaw, nor any error, omission, or other neglect in relation to the enforcement of this Bylaw, shall be interpreted as giving rise to a cause of action in favour of any person.
- 7.2 “Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009” and all amendments thereto, are hereby repealed.

<b>READ A FIRST TIME THIS</b>	<b>DAY OF</b>	<b>2025.</b>
<b>READ A SECOND TIME THIS</b>	<b>DAY OF</b>	<b>2025.</b>
<b>READ A THIRD TIME THIS</b>	<b>DAY OF</b>	<b>2025.</b>
<b>ADOPTED THIS</b>	<b>DAY OF</b>	<b>2025.</b>

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Mayor

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Corporate Officer

## THE CORPORATION OF THE VILLAGE OF CUMBERLAND

### BYLAW NO. 1242

#### **A bylaw to amend the Fees Bylaw to add business licence fees.**

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

1. This Bylaw may be cited as “Fees Amendment Bylaw No. 1242, 2025.”
2. Fees Bylaw No. 1110, 2019 is amended by adding the following Schedule C, Business Licence Fee Schedule after Schedule B:

#### **Schedule C**

##### **Business Licence Fee Schedule**

<b>Tier 1 - Basic Business Licence</b>	
<b>Application Fee</b>	\$125
<b>Yearly Licence Fee</b>	\$25
<b>Business Type</b>	Businesses that do NOT require a Fire inspection Examples: Home-based contractors or trades, Consultants (accountants), photographers, non-resident businesses, and other types of businesses that do not have customers or employees in their homes.

<b>Tier 2 – Basic plus Inspection Business Licence</b>	
<b>Application Fee</b>	\$275
<b>Yearly Licence Fee</b>	\$100
<b>Business Type</b>	Businesses that require a Fire Inspection Examples: Retail stores, Cannabis retailers, Most commercial/, Childcare and Daycare facilities, Hair salons, Massage Therapy, Restaurants, Cafes, Breweries, Veterinarians, Bike Shops, Grocery Stores, Banks/Credit Unions, and other types of businesses that the Fire Department requires regular fire inspections.

<b>Tier 3 – Accommodation Business Licence</b>	
<b>Application Fee</b>	\$300
<b>Yearly Licence Fee</b>	\$125
<b>Business Type</b>	Short Term Rentals, Hostels, Hotels, Bed and Breakfast

<b>Tier 4 – Mobile Vendors</b>	
<b>Application Fee</b>	\$275
<b>Yearly Licence Fee</b>	\$175
<b>Business Type</b>	Mobile Vending

<b>Tier 5 – Large Retail/Industrial</b>	
<b>Application Fee</b>	\$375
<b>Yearly Licence Fee</b>	\$250
<b>Business Type</b>	Large Retail, Industrial and Storage Facilities Examples Production and Storage Facilities, Recycling Plants, Large Scale Retailers (over 465 square metres)

<b>Half-Year Licence Fee (Licences issued after June 30)</b>	
<b>Application Fee</b>	Applicable Tier application fee
<b>Licence Fee</b>	50% of the applicable Tier Yearly Licence Fee

<b>Inter-Community Business Licence</b>	
<b>Application Fee</b>	Applicable Tier Application Fee
<b>Yearly Licence Fee</b>	Inter-Community Business Licence Bylaw fee plus the Applicable Tier Yearly Licence Fee
<b>Business Type</b>	Construction, trades, catering, and mobile sales businesses that conduct their business in the Village of Cumberland and other municipalities as described in the Inter-Community Business Licence Bylaw

<b>Administrative Fees</b>	
<b>Change of Location</b>	Application fee as per applicable tier
<b>Late Payment Fee</b>	\$75

READ A FIRST TIME THIS	DAY OF	2025.
READ A SECOND TIME THIS	DAY OF	2025.
READ A THIRD TIME THIS	DAY OF	2025.
ADOPTED THIS	DAY OF	2025.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

Open

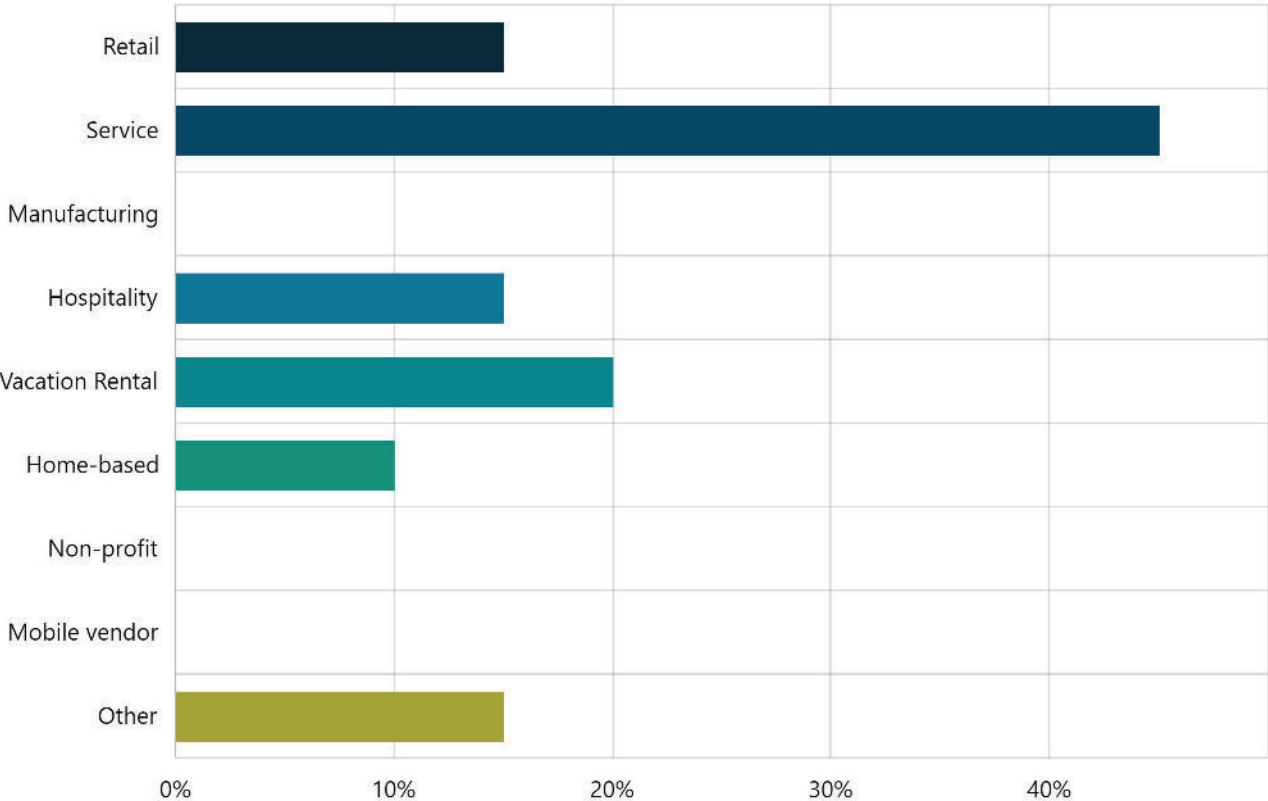
Cumberland Business Community Engagement Survey  
Business License Bylaw Update

20  
Contributors

20  
Contributions

Contribution Summary

1. What type of business do you operate? Required  
Multi Choice | Skipped: 0 | Answered: 20 (100%)

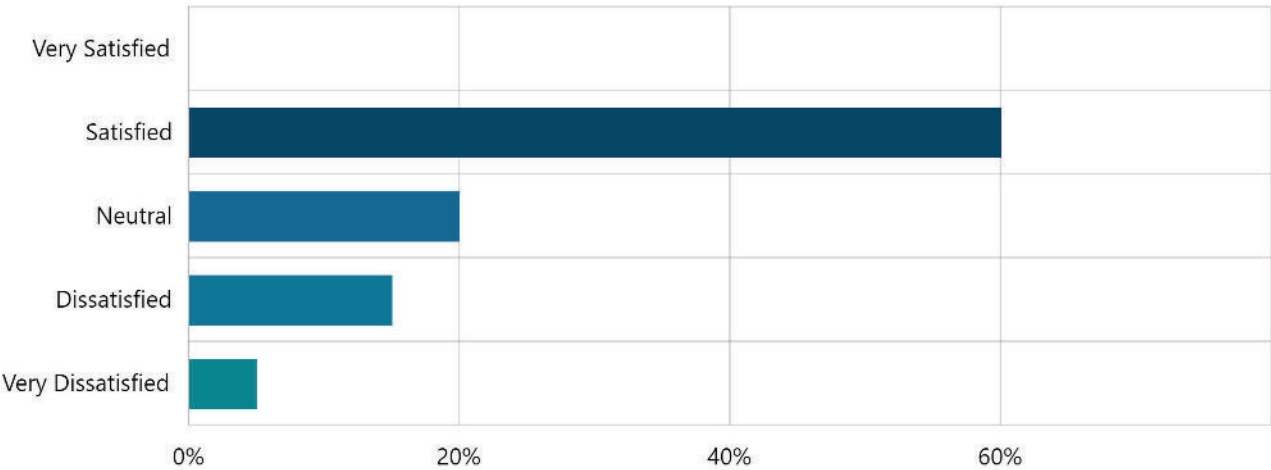


Answer choices	Percent	Count
Retail	15.00%	3
Service	45.00%	9
Manufacturing	0%	0
Hospitality	15.00%	3
Vacation Rental	20.00%	4
Home-based	10.00%	2

Non-profit	0%	0
Mobile vendor	0%	0
Other	15.00%	3

2. How satisfied are you with the current business licensing process in Cumberland?

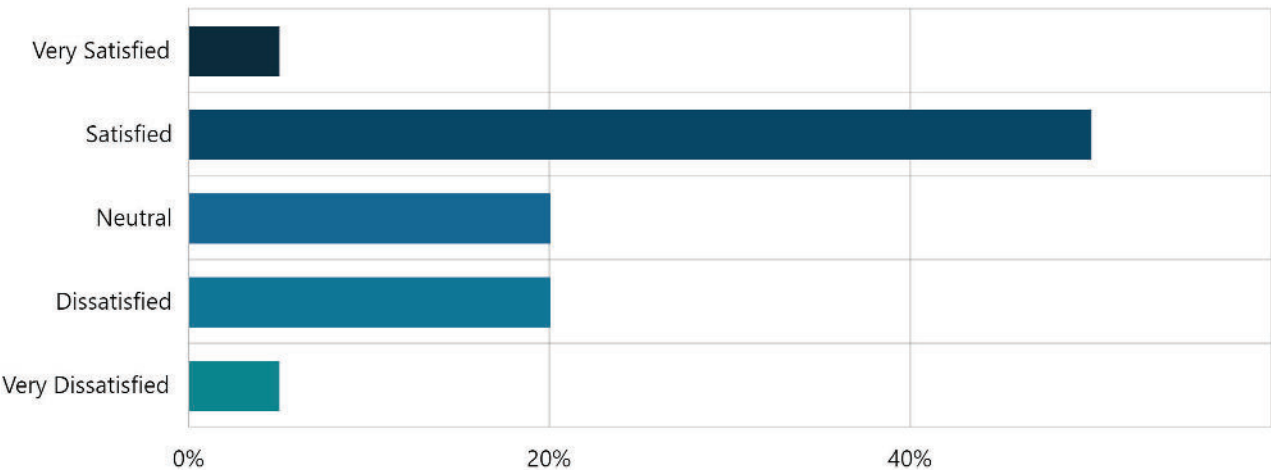
Multi Choice | Skipped: 0 | Answered: 20 (100%)



Answer choices	Percent	Count
Very Satisfied	0%	0
Satisfied	60.00%	12
Neutral	20.00%	4
Dissatisfied	15.00%	3
Very Dissatisfied	5.00%	1
Total	100.00%	20

3. How would you rate the ease of the business license application process in Cumberland?

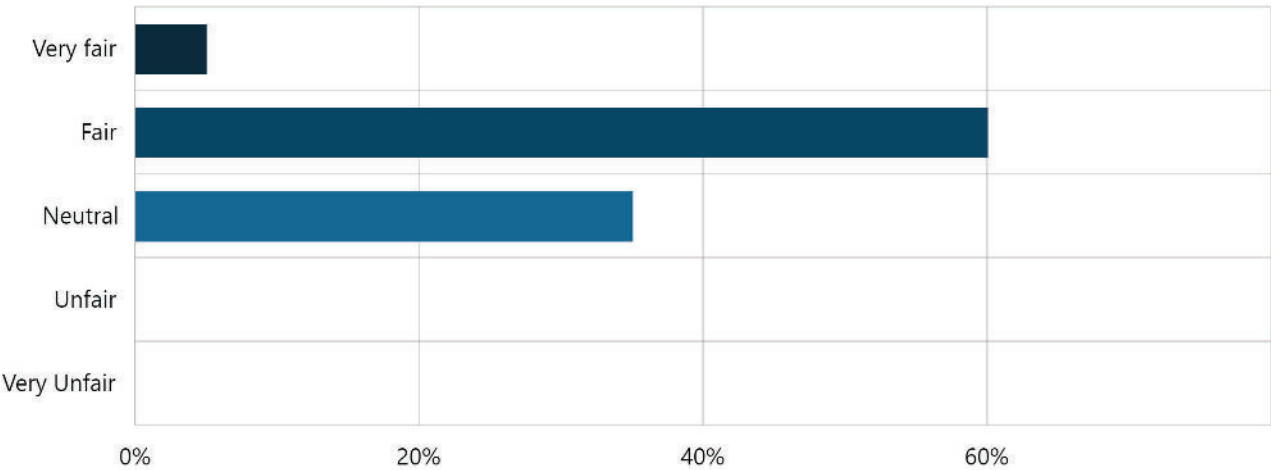
Multi Choice | Skipped: 0 | Answered: 20 (100%)



Answer choices	Percent	Count
Very Satisfied	5.00%	1
Satisfied	50.00%	10
Neutral	20.00%	4
Dissatisfied	20.00%	4
Very Dissatisfied	5.00%	1
Total	100.00%	20

4. How fair do you find the current business license fees?

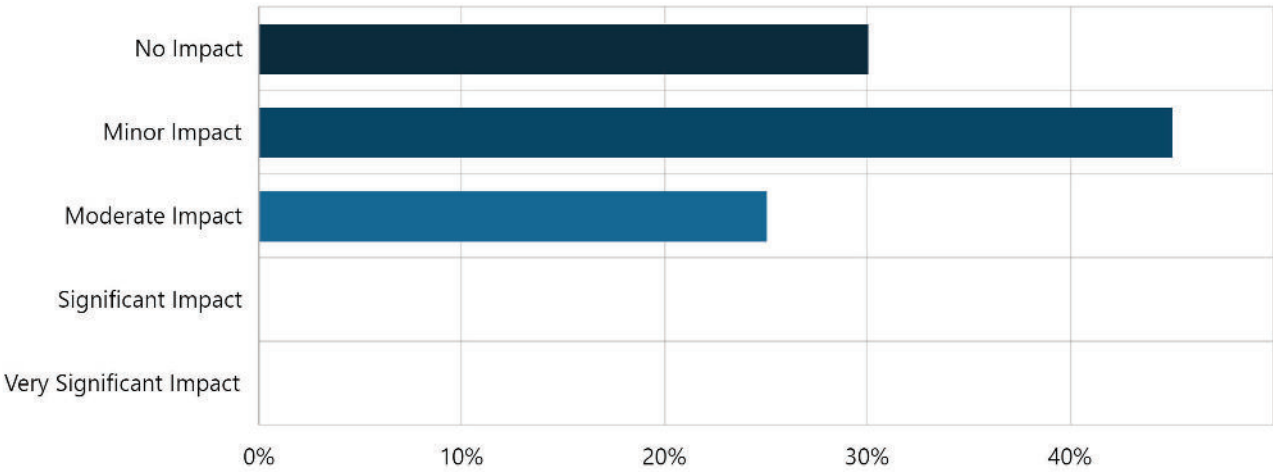
Multi Choice | Skipped: 0 | Answered: 20 (100%)



Answer choices	Percent	Count
Very fair	5.00%	1
Fair	60.00%	12
Neutral	35.00%	7
Unfair	0%	0
Very Unfair	0%	0
Total	100.00%	20

5. How much do the current fees and charges impact your business operations?

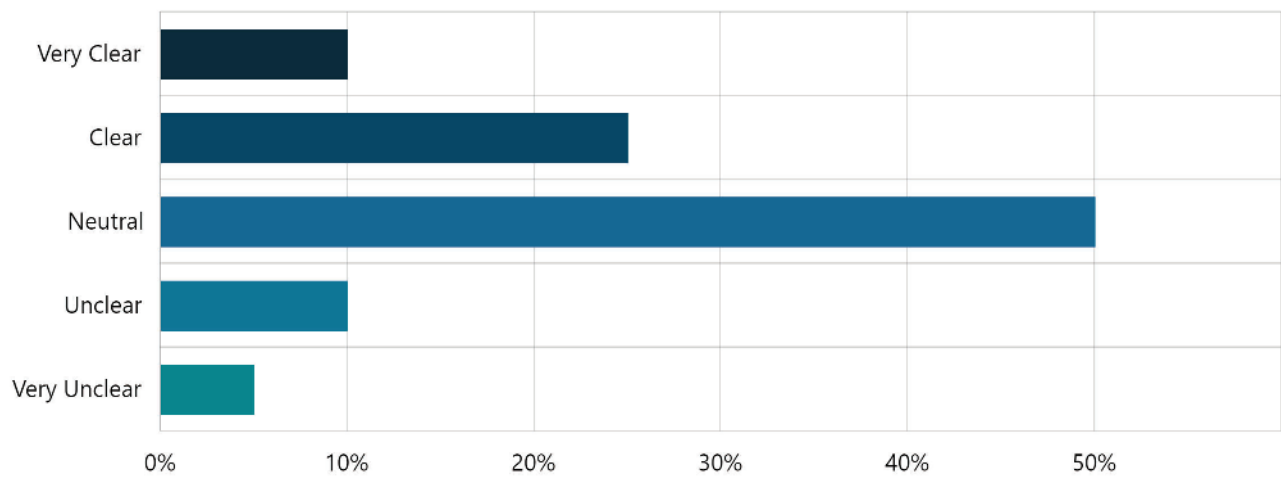
Multi Choice | Skipped: 0 | Answered: 20 (100%)



Answer choices	Percent	Count
No Impact	30.00%	6
Minor Impact	45.00%	9
Moderate Impact	25.00%	5
Significant Impact	0%	0
Very Significant Impact	0%	0
Total	100.00%	20

6. How clear and accessible is the information provided about the business license application and approvals process?

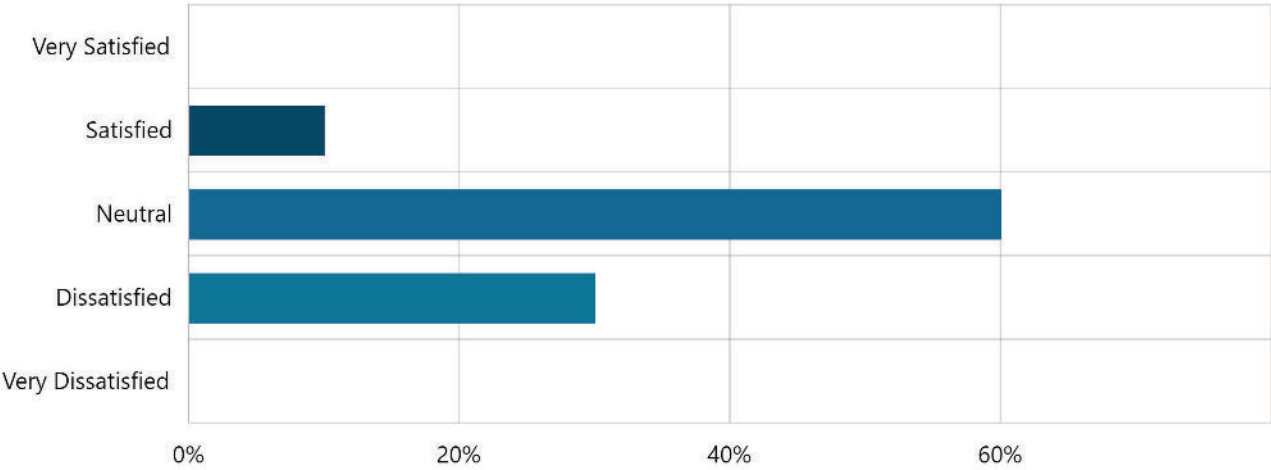
Multi Choice | Skipped: 0 | Answered: 20 (100%)



Answer choices	Percent	Count
Very Clear	10.00%	2
Clear	25.00%	5
Neutral	50.00%	10
Unclear	10.00%	2
Very Unclear	5.00%	1
Total	100.00%	20

7. How satisfied are you with the support and resources provided by the Village for businesses?

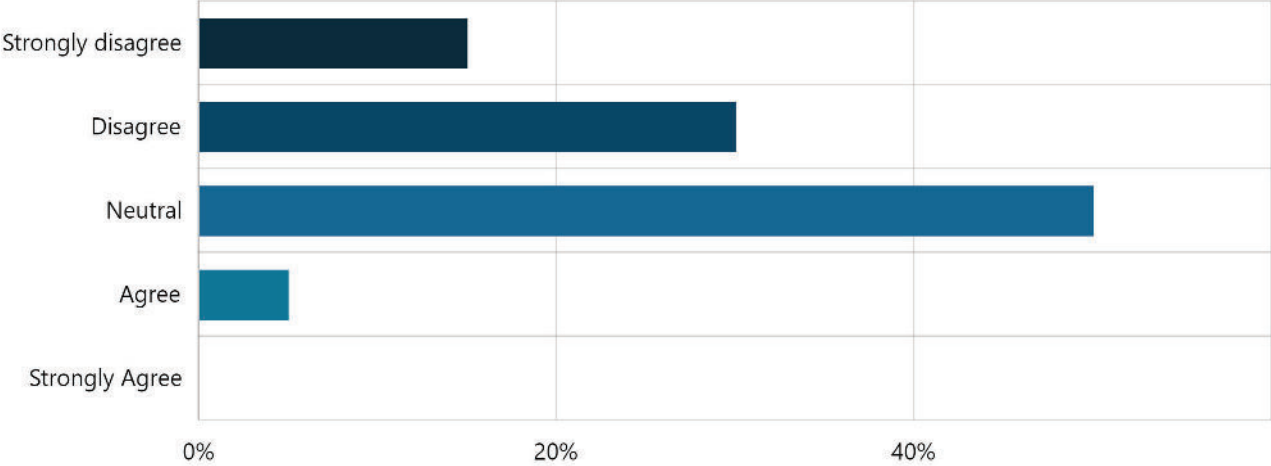
Multi Choice | Skipped: 0 | Answered: 20 (100%)



Answer choices	Percent	Count
Very Satisfied	0%	0
Satisfied	10.00%	2
Neutral	60.00%	12
Dissatisfied	30.00%	6
Very Dissatisfied	0%	0
Total	100.00%	20

8. To what extent do you agree that the Village of Cumberland's current initiatives effectively support your business?

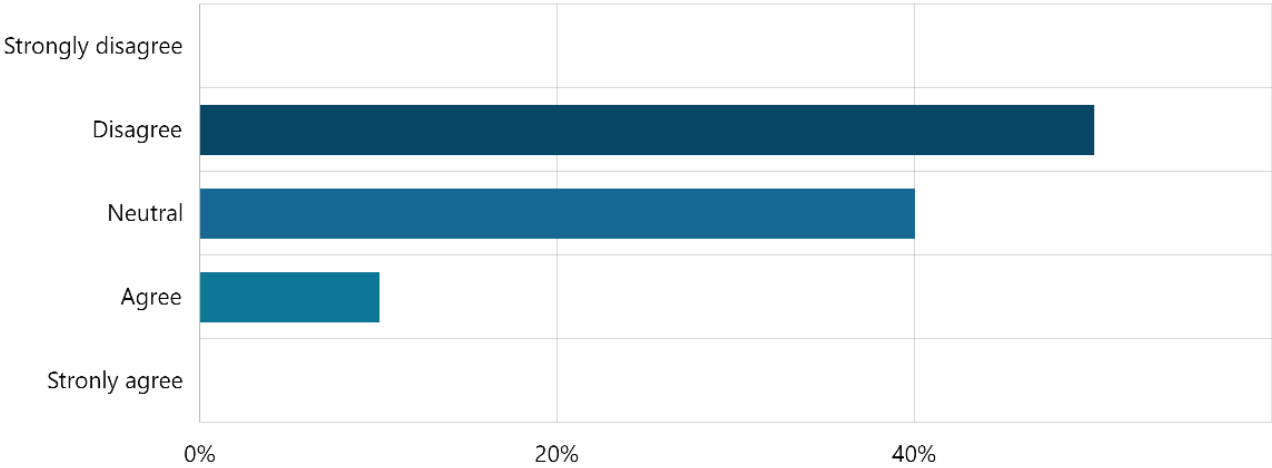
Multi Choice | Skipped: 0 | Answered: 20 (100%)



Answer choices	Percent	Count
Strongly disagree	15.00%	3
Disagree	30.00%	6
Neutral	50.00%	10
Agree	5.00%	1
Strongly Agree	0%	0
Total	100.00%	20

9. To what extent do you agree that Cumberland's efforts are effective in promoting a diversified and resilient economy?

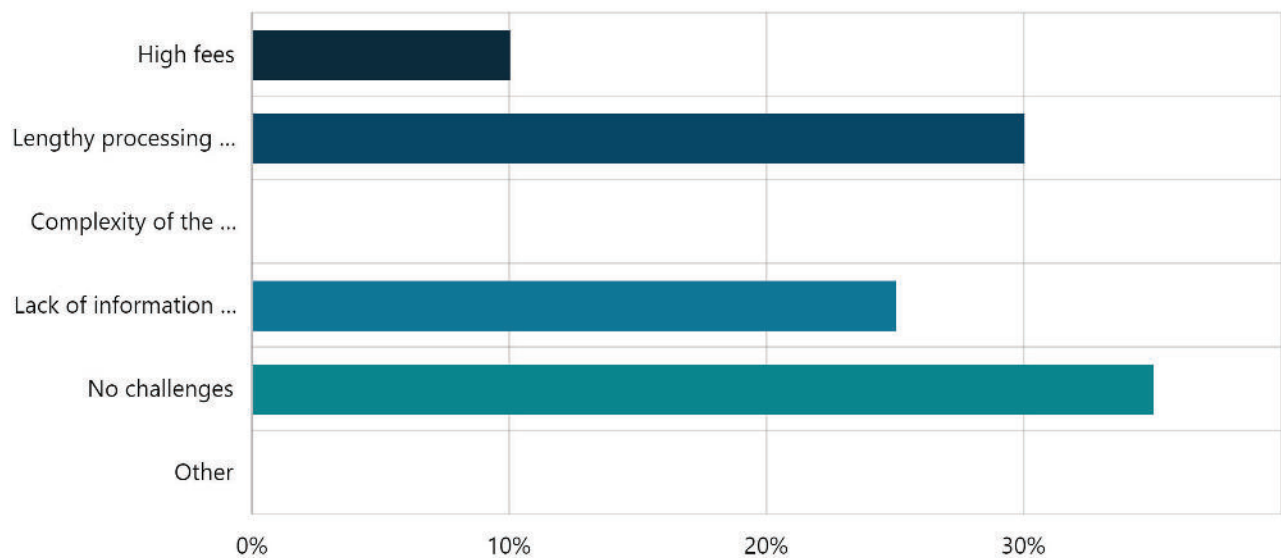
Multi Choice | Skipped: 0 | Answered: 20 (100%)



Answer choices	Percent	Count
Strongly disagree	0%	0
Disagree	50.00%	10
Neutral	40.00%	8
Agree	10.00%	2
Stronly agree	0%	0
Total	100.00%	20

10. What are the biggest challenges your business faces related to licensing?

Multi Choice | Skipped: 0 | Answered: 20 (100%)



Answer choices	Percent	Count
High fees	10.00%	2
Lengthy processing times	30.00%	6
Complexity of the application process	0%	0
Lack of information or support	25.00%	5
No challenges	35.00%	7
Other	0%	0
Total	100.00%	20

**11. What specific improvements would you suggest for the business licensing process in Cumberland?**

Long Text | Skipped: 9 | Answered: 11 (55%)

**Sentiment**

No sentiment data

**Tags**

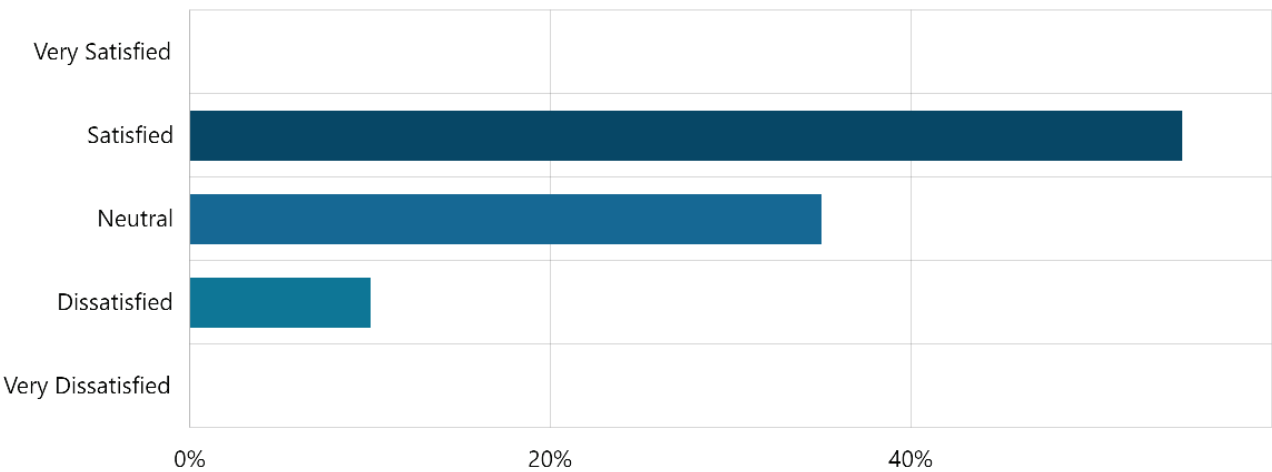
No tag data

**Featured Contributions**

No featured contributions

12. Overall, how satisfied are you with the business environment in Cumberland?

Multi Choice | Skipped: 0 | Answered: 20 (100%)



Answer choices	Percent	Count
Very Satisfied	0%	0
Satisfied	55.00%	11
Neutral	35.00%	7
Dissatisfied	10.00%	2
Very Dissatisfied	0%	0
Total	100.00%	20

**13. Do you have any additional comments or suggestions regarding business licensing, fees, or economic development in Cumberland?**

Long Text | Skipped: 10 | Answered: 10 (50%)

**Sentiment**

No sentiment data

**Tags**

No tag data

**Featured Contributions**

No featured contributions

**14. Do you have any additional comments or suggestions regarding business license bylaw and regulations in Cumberland?**

Long Text | Skipped: 11 | Answered: 9 (45%)

**Sentiment**

No sentiment data

**Tags**

No tag data

**Featured Contributions**

No featured contributions

**Consolidated long form survey results. The following are the responses to long form questions 11, 13 and 14 from the Village of Cumberland Business Licence survey on Engage Comox Valley.**

**11. What specific improvements would you suggest for the business licensing process in Cumberland?**

I would like to see the village reduce 'initiatives' and reduce overall government spending. It is important to keep taxes to a minimum and focus on critical infrastructure only.

This doesn't really answer the question, but I'd like to see a business association for small businesses directed by the Village Of Cumberland, with initiatives to help support the home based, small business economy. At this point I get no direct benefit from paying for and holding a yearly business license. My service could be much more successful if there was an association that provides intrinsic support.

Relax the warnings against opening before the licence is processed. Make a filled in application a temporary business licence... or some such thing. It is hard enough to spend all your time and money building a business without being held hostage with the process of waiting for bureaucracy. Every hour feels like a penalty.

Application and renewal should be able to be done on line.

It would be great to have a sense of timeline prior to application, as the lengthy process and communication is the biggest challenge not just for myself but for other business owners as well.

I was unable to contact [REDACTED] [REDACTED] for months. No response to my emails or phone messages regarding a simple business license application. I finally was able to get help by working with [REDACTED]. They then sent over a building inspector when all I was trying to do was apply for a business license. From when I applied for my license in May 2022, I was unable to open my business until Jan 2023 due to these delays.

works well for me.

The previous question on this survey says “ select all that apply” and then only one answer can be selected. Selecting a second answer de- selects the first one. This is an example of the user/applicant not being considered or evaluated before the process is rolled out. I had a similar experience with my business license application- there was no awareness of what the applicant was going through and no attempt to provide a guide to what the actual steps and process/ timeline was. I would suggest that reviewing any processes from the applicant’s pov would be very helpful and would better align the village office administration and local businesses.

I found the initial application to be straightforward, the cost to be reasonable, and the annual reapplication to be easy. It would be great if the process continues as is.

If you require business licenses for all businesses which includes fire inspection and compliance with zoning bylaws, then you shouldn’t be letting other businesses get away for years without licences and compliance.

I have heard from other businesses that it takes a long time to get a business license. That makes no sense and reduces the credibility of the government as an efficient organization.

**13. Do you have any additional comments or suggestions regarding business licensing, fees, or economic development in Cumberland?**

Municipal government seems to be growing at an alarming rate, this is not helpful for business or residents.

Thanks for this opportunity to share thoughts and give feedback. I’m grateful for the work of the Village of Cumberland staff trying to improve the business economy.

just because some sectors of business are in a growth pattern does not mean that Cumberland Staff and Council can rest on their laurels. Things could turn, and then the support of council and staff could be the difference between success and failure of the business survival in Cumberland. All of the taxes that businesses pay for with their triple net fees through the landlord should be respected, not taken for granted. The charge is made to the owners of the property, but the renters and lease holders pay it for them... One of the identified characteristics of the Village was it's locally owned businesses, and the character they provide. (in the OCP and economic engagement sessions with the public) One seemingly small, yet large obstacle to some future entrepreneur's deciding if they should take the biggest risk in their life, starting a business and getting a licence. It is just one small way we are making it potentially easier for a large multi national corporation to take hold in the Village. Let's continue to fill the spaces that are available, and when they become available, with community members. When the discussions at local meeting places are full of "why isn't this or that open yet?" and it comes down to a business licence, that discourages future applicants.

I will mention that [REDACTED] has been great as far as sharing information, however I have not had clear communication or clear timelines from any other resource. It would be wonderful for businesses to be able to gain knowledge about available commercial spaces, when they become available as this is a challenge for many.

I'm not happy with some of this survey as it doesn't give you many options for economic development nor does it define ED. Every person will have a different meaning for economic development if you were to ask them. What does business environment mean? All businesses? Retail businesses? What is meant by diversified and resilient business community? Again each individual will hold a different meaning of those terms. Village Support and Resources - Both questions - what would the Village be doing differently if they you felt they were "actively" supporting... ?

We all recognize that this is a crucial time for the village we all love and call home. Decisions we make now will impact Cumberland for decades. I am happy with the friendly and professional service that I received from the village but I would appreciate if the application license application process was more transparent and that business owners could see every step and understand the timeline and who will be involved before beginning the process.

It would be great if the R1A residential identification would expand out to capture large R1 lots that could easily absorb an ADU. With the housing crisis, and the constraints on STR, expanding R1A would allow Cumberland to expand without falling victim to sprawl. Lets up density, and help create rentals that can be afforded by all the wonderful young people who want to live in this fantastic town. AKA, the servers, bartenders, front end retail staff, musicians, artists, Mt. Washington employees, bike mechanics, baristas, yoga instructors, landscapers, and everyone else who adores this town, but can't afford a \$1M/house. Lets allow densification of the existing town, as opposed to the creeping sprawl of our shrinking wilderness...

I have abandoned a couple business ideas and one development due to the myriad of barriers the village puts up for the business community.

As far as economic development goes I think it would help businesses if there weren't empty buildings and not very many places for tourists to stay. We need the King George to be up and running asap and the Old Cumberland Hotel to be back in action. Businesses in Cumberland are barley surviving in the Winters. Mt. Washington is a very strong tourist pull so if we could work together to capitalize on that I think we would have more year round business.

Make the process automated and simple.

**14. Do you have any additional comments or suggestions regarding business license bylaw and regulations in Cumberland?**

There are too many regulations and restrictions. Oversight on these factors increase unnecessary costs and stifle innovation.

One point that is a problem is the parking bylaw. Fortunately I live on a dead end street where there is street parking available. But according to the bylaw I'm supposed to provide parking for my clients. This is impossible. There is no private parking available on my corner lot. When I offer Sound Baths or concerts in my home I wonder if I'm breaking the bylaw? None of my neighbours have ever complained.

Of late, Bylaws in Cumberland only apply to those who wish to be responsible members and follow them. Without actual policing, and real consequences, it is up to the morales of the individual. That is a less than perfect scenario... I think there are too many examples of this already in Cumberland. (the Village seems completely toothless to deal with a private house that has been a problem for years that has built an illegal structure without permit as one of it's many bylaw infractions, and then a new business is told to wait until it's business licence is fully valid until it can charge money and operate????) This is perfectly unacceptable.

Please let businesses know how long the process of a business license will take so that they can plan their operations accordingly. Thank you kindly for your support! I am wondering if it is possible to expedite or prioritize businesses that are offering much needed services in the community, such as businesses like mine that are offering support to families through child care and programming. Thank you!

Regulations work for me and I've held a business license since 2005.

I believe that vacation rentals are a benefit to the village economy and should be unequivocally supported as they bring overnight guests to Cumberland who otherwise would stay elsewhere. The village bears the costs of tourism through use of facilities, parking, garbage, water use, dogs, trail use, etc. It makes sense that the village do whatever is possible to encourage these tourists to stay in Cumberland and eat here and shop here and sleep here. Cumberland is a wonderful and unique place, let's keep it that way while we share it with those that want to come and respectfully enjoy what we have built here.

Allow STR in R1 locales. With the changing rules for LT rentals, and STR's, allow homeowners to have choice. Increase STR competition so that prices remain reasonable and bring more tourists to Cumberland. Allow a variety in STR prices so that all can enjoy Cumberland, not just the wealthy. Create a bylaw for the ever increasing homeless who are living on Dunsmuir and the forest fringes of town. Courtenay caters to, and has services for them, but Cumberland does not. They are here to panhandle, and it must be successful as more are migrating, but it's also becoming more frequent to see them camping in the fringes of the trails, large amounts of garbage at the BMX trail due to homeless there lately. Human feces in the parking-lot recently. Just 10 minutes away in Courtenay there are services, shelter, ect.. for the homeless, so there's no

reason for them to migrate to Cumberland and put the forests at risk with potential careless fires, the children at risk with potential careless drug paraphernalia, beyond the current accommodating environment. As a town, we should not be enabling bad behaviour. This will also be good for businesses, business promotion, more people wanting to do business in Cumberland, more people wanting to come to Cumberland, and proliferate a positive business environment.

Have you denied businesses a license? If so, why. If you approve 99% of the businesses why is there any delay. It should be automatically approved.

Enforce the rules already on the books. No enforcement means no reason to pay attention to the rules currently in place.

## CORPORATION OF THE VILLAGE OF CUMBERLAND

**BYLAW NO. 896****A bylaw to provide for the licensing and regulation  
of businesses within the boundaries of the Village**

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

**TITLE**

1. This bylaw may be cited as the 'Corporation of the Village of Cumberland Business Licence Bylaw No. 896, 2009.'

**DEFINITIONS**

2. For the purpose of this bylaw, the following definitions apply. Terms not defined herein shall be as defined in the 'Zoning Bylaw No.1027, 2016'. *[Bylaw 1226]*

<b>Business</b>	means a commercial or industrial undertaking of any kind or nature or the providing of professional, personal, or other services for the purpose of gain or profit, but does not include an activity carried on by any government, its agencies, or government-owned corporations.
<b>Cannabis</b>	means cannabis, as defined in the <i>Federal Controlled Drugs and Substances Act</i> or <i>Cannabis Act</i> and includes any products containing cannabis. <i>[Bylaw 1086]</i>
<b>Cannabis Retail</b>	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. <i>[Bylaw 1086]</i>
<b>Entertainment or Exhibition</b>	means a temporary activity intended to amuse or instruct the public and includes, but is not limited to, a theatre production, movie screening, concert, amusement park, circus, animal show and animal race.
<b>Licence</b>	means a valid and subsisting business licence issued pursuant to this bylaw.
<b>Marijuana</b>	<i>[deleted by Bylaw 1086]</i>
<b>Medical Marijuana Dispensary</b>	<i>[deleted by Bylaw 1086]</i>

<b>Medical Marijuana Facility</b>	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. <i>[Bylaw 1086]</i>
<b>Mobile Vendor</b>	a mobile commercial unit consisting of a cart, truck, trailer or van with a maximum overall length of 9.0m and a maximum width of 2.5m, licensed for a specific location on an annual or seasonal basis. <i>[Bylaw 1226]</i>
<b>Recreational Cannabis Facility</b>	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. <i>[Bylaw 1086]</i>

**LICENCE REQUIREMENT**

3. a) No person shall conduct, operate, maintain or keep a business within the boundaries of the Village without a licence.
- b) Every person who conducts, operates, maintains or keeps any business within the Village shall apply for, obtain and hold a licence for each business.
- c) Every person who conducts, operates, maintains or keeps a business from more than one premise in the Village shall obtain a separate licence for each premise.
- 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. *[Bylaw 1086]*

**EXEMPTION**

4. Every person who:
- a) conducts, operates, maintains or keeps a business which deliver goods or passengers within the Village boundaries;
- b) has a valid licence from a neighbouring jurisdiction; and
- c) does not have a fixed place of business in the Village;
- is exempt from the requirement for a licence for such business.

**APPLICATION FOR LICENCE**

5. a) An application for a licence shall be completed and submitted in a form

satisfactory to the Village.

- b) The Village may require additional information to be submitted by the applicant, pursuant to section 9 hereof, and the applicant shall provide such information and pay the required fee in accordance with Schedule 'A', and application shall not be considered complete until such information has been provided and such fees have been paid.
- c) Incomplete applications shall be deemed to be abandoned after three months from the date of submission.
- d) The applicant shall, upon request, provide proof of applicable federal, provincial, municipal, or other applicable agencies' approvals. *[Bylaw 1037]*
- e) Upon approval of the licence, the applicant shall pay all applicable fees as specified in Schedule 'A' before the licence is issued.
- f) The licence fee shall be decreased by one-half for any licence that is issued after June 30<sup>th</sup> of any year. *[Bylaw 1086] [Bylaw 1226]*
- g) No refund of the licence fee shall be made on account of any person ceasing to do business in the Village at any time.
- h) A person applying for the issuance or renewal of a licence to carry on a Cannabis Retail Store must:
  - a) Complete and submit an application for a licence in a form satisfactory to the Village;
  - b) Pay to the Village the applicable licence 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; *[Bylaw 1086]*
- j. A person applying for the issuance or renewal of a licence to carry on a Vacation Rental use must:
  - i) Complete and submit an application for a licence in a form satisfactory to the Village;
  - ii) Pay to the Village the applicable licence fees prescribed under Schedule A attached to this Bylaw;
  - iii) Provide evidence, to the satisfaction of the Village, that a *residential use* is occurring in the same dwelling unit or another dwelling unit on the same lot;
  - iv) Provide written consent from the registered property owner;

v) Provide the name and current telephone number of a local contact who has consented to respond within 24 hours of being contacted by the Village.

vi) Comply with the Village's parking requirements [Bylaw 1171]

## **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.

[Bylaw 1086]

### 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.

[Bylaw 1086]

**VACATION RENTALS**

5.2 A person carrying on a Vacation Rental use must:

- a) limit their operation to the dwelling unit issued a business licence;
- b) display their valid Village of Cumberland business licence within the *dwelling unit* used as a **vacation rental**;
- c) identify a valid Village of Cumberland business licence number in each and every advertisement, listing, or promotional material that is intended to communicate the availability of a **vacation rental**;
- d) prominently display an outdoor sign on the premises identifying the name and a phone number of the person managing the *vacation rental*;
- e) at all times provide to the Village the name and current telephone number of a local contact, identified on the licence, who has consented to respond within 24 hours of being contacted by the Village;
- f) respond to the Village within 24 hours of being contacted by the Village

[Bylaw 1171]

**MOBILE VENDING**

5.3 a) Requirements for mobile vending:

**A person carrying on a Mobile Vending operation must:**

- i) Prepare a waste discharge plan that outlines how all waste streams generated by the operation are disposed of; including but not limited to grey water, grease, oils, fats, garbage, recyclables and patron waste;
- ii) Provide appropriate waste containers for patron use, in alignment with the waste discharge plan.
- iii) Provide a site plan which demonstrates the location of the mobile vending unit, location of patron waste containers, and compliance with siting and distance to food primary establishments, as required by the Zoning Bylaw;
- iv) Provide proof of motor vehicle insurance, as applicable;
- v) Provide proof of BC Safety Authority approval and valid Health Approval from the local Health Authority, as applicable;
- vi) Provide a Letter of Authorization from private property owner, if sited on private property; and,
- vii) Provide photographs of the mobile vending unit.

[Bylaw 1226]

- b) Restrictions on Mobile Vending Licence Issuance:
  - i. Mobile Vending Licences are not transferable between properties or authorized locations. A new business licence is required for each location a mobile vending unit wishes to operate at.

*[Bylaw 1226]*

**LICENCE PERIOD AND RENEWAL**

- 6.
  - a) Unless otherwise specified herein or on the licence, the licence period shall be from January 1<sup>st</sup> to December 31<sup>st</sup> of each year, and every licence shall automatically expire on December 31<sup>st</sup>.
  - b) The licence period for a licence for entertainment or exhibition shall be one day.
  - c) Every person with a valid licence who intends to continue conducting, operating, maintaining, or keeping a business in the Village shall renew the licence annually by submitting the renewal fee as specified in Schedule 'A' to the Village on or before December 15<sup>th</sup> of each year.
  - d) The Village may require additional information to be submitted by the applicant, pursuant to section 9 hereof, and the applicant shall provide such information and pay the required fee in accordance with Schedule 'A', and application for renewal of licence shall not be considered complete until such information has been provided and such fees have been paid.
  - e) For any licences expiring on October 31<sup>st</sup>, 2009 the new annual licence fee in accordance with Schedule 'A' will be charged, and the licence will be issued to terminate on December 31, 2010.

**POSTING THE LICENCE**

- 7. Every person conducting, operating, maintaining or keeping a business within the Village shall post and keep posted the licence issued under this bylaw in the sales or reception area of the premises to which the public has access or in a central location of the business premises, in a location that is readily visible to members of the public.

**TRANSFER OF LICENCE**

- 8. A licence issued under this bylaw shall be deemed to be a personal licence to the licensee and shall not be transferable to any other person, business or corporation.

**ADDITIONAL INFORMATION**

- 9. Upon receipt of an application for issuance or renewal of a licence, the Village may require the following:

- a) copies of applicable certification or letters of approval by federal, provincial, municipal or other agencies, professional associations or societies;
- b) a Criminal Record report from the RCMP;
- c) proof of liability insurance coverage, in a form acceptable to the Village;
- d) a fire & safety inspection by the Village's Fire Chief;
- e) a building inspection by the Village's Building Inspector to confirm compliance with the Building Code and/or other applicable municipal bylaws and requirements;
- f) such other information, documents or materials as the Village may consider relevant to the consideration of the application.

**GRANTING OR REFUSING A LICENCE**

10. a) Council hereby delegates the authority to grant or refuse licences to the Chief Administrative Officer (CAO) or his or her delegate.
- b) The CAO may issue a licence where he or she is satisfied that the applicant has complied with the provisions of this bylaw and any other applicable bylaw enacted by the Village for the purpose of regulating the business. *[Bylaw 1037]*
- c) The CAO may refuse to issue a licence, provided such refusal is not unreasonable, and without limiting the foregoing circumstances the following may be a basis for reasonable refusal:
- i) that the applicant has not complied with the provisions of this bylaw or any other applicable bylaw;
  - ii) that the applicant has not complied with all applicable bylaws of the Village regulating buildings, zoning, health and safety;
  - iii) that the applicant is not, or fails to continue to be, a fit and proper person to operate a business within the Village; and
  - iv) that the business is not lawful or otherwise not in the best interests of the property owners, residents and other business or institutions in the area of the Village in which the business is to be located, including as determined through compliance with Village bylaws and policies. *[Bylaw 1037]*
- d) In issuing, refusing, suspending, renewing or otherwise dealing with a business licence, the CAO may impose such terms and conditions as the CAO deems appropriate, in consideration of provisions outlined in this bylaw, including but not limited to Section 9 of this bylaw, and other business regulation and licensing bylaws. *[Bylaw 1037]*
- e) Where the CAO has refused to issue a licence, the applicant shall be informed of the refusal in writing and the reasons for such refusal. *[Bylaw 1037]*

**SUSPENSION OF LICENCES**

11. a) Council hereby delegates the authority to suspend licences to the Chief Administrative Officer (CAO) or his or her delegate.
- b) The CAO may suspend a licence if:
- i) the licensee has ceased to meet the requirements of this bylaw or any other applicable Village bylaw; [Bylaw 1037]
  - ii) the licensee is in contravention of any of the terms or conditions of the licence;
  - iii) the licensee has ceased to meet the requirements to carry on the business on the premises named in the licence; or
  - iv) the business has been inactive for more than 90 days.
- c) The CAO shall provide notice of suspension of the licence in writing to the licensee, delivered by hand or by registered mail to the address provided on the application.
- d) The Village shall post a copy of the notice of suspension of the licence in a conspicuous location upon the premises for which the licence was issued.
- e) No person shall remove the posted notice of suspension from the premises until the licence is reinstated or the licensee ceases to occupy the premises.

**RECONSIDERATION**

12. a) Any person whose application for a licence has been refused or suspended under this bylaw or any other Village bylaw regulating business licensing may appeal to the Council, by providing a written request for such reconsideration to the Village office. [Bylaw 1037]
- b) Upon receipt of a request for reconsideration, the Council shall provide the applicant or licensee, as the case may be, with an opportunity to be heard, and may confirm or may set aside the decision on such terms as it deems appropriate, and the applicant or licensee, as the case may be, shall be advised in writing of Council's decision and the reasons for such decision.

**REVOCATION OF LICENCES**

13. a) Council may revoke a licence for reasonable cause in accordance with the provisions of the *Community Charter*, after providing the licensee an opportunity to be heard in open meeting.
- b) A written notice shall be delivered by hand or by registered mail to the licensee at the address provided on the application at least 10 days prior to the Council meeting, advising the date of the Council meeting where Council will consider whether to revoke the licence.
- c) At such meeting, Council shall give the applicant an opportunity to be heard and

the licensee shall be advised in writing of Council's decision and the reasons for such decision.

- d) If Council revokes a licence, a notice of revocation shall be conspicuously posted upon the premises for which the licence was issued.
- e) No person shall remove the posted notice of revocation from the premises until the licence is reinstated or the licensee ceases to occupy the premises.

**NOTICE**

- 14. Where a notice is required to be given to an applicant or licensee, as the case may be, under any of the provisions of this bylaw, such notice shall be deemed to be satisfactorily given if delivered by hand to such applicant or licensee or sent by registered mail to the applicant or licensee at the address shown on their application.

**SCHEDULES**

- 15. Schedule 'A' attached hereto forms part of this bylaw.

**SEVERABILITY**

- 16. The provisions of this bylaw are severable and the finding of *ultra vires* of any one section or sections by a court of competent jurisdiction shall not affect the validity of the remainder of the bylaw.

**ADMINISTRATION & ENFORCEMENT**

- 17.
  - a) The Chief Administrative Officer, Corporate Officer, Finance Officer, Protective Services Manager, and Building Inspector may administer and enforce this bylaw.
  - b) Any person who contravenes any provision of this bylaw is guilty of an offence and is liable on summary conviction to a fine of not less than \$1,000 and not more than \$10,000 in accordance with Section 263 of the *Community Charter*.

**REPEAL**

18. The following bylaws are hereby repealed in their entirety upon adoption of this bylaw:
- a) 'Village of Cumberland Business Licence Bylaw No. 299, 1968';
  - b) 'Village of Cumberland Business Licence Amendment Bylaw No. 479, 1980';
  - c) 'Village of Cumberland Business Licence Amendment Bylaw No. 496, 1981'; and
  - d) Any amendments to the above bylaws.

**READ A FIRST TIME THIS 14<sup>TH</sup> DAY OF SEPTEMBER 2009.****READ A SECOND TIME THIS 13<sup>TH</sup> DAY OF OCTOBER 2009.****READ A THIRD TIME THIS 13<sup>TH</sup> DAY OF OCTOBER 2009.****RECONSIDERED AND ADOPTED THIS 26<sup>TH</sup> DAY OF OCTOBER 2009.**

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Mayor

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Corporate Officer

**Important Notice.** This is an unofficial consolidated bylaw is made for convenience only. This is not the official version of the bylaw. Official copies of bylaws are available from the Village Office.

<b>Amendment Bylaw</b>	<b>Date of Adoption</b>	<b>General Description</b>
1037	Nov 14, 2016	Adds regulations for Medical Marijuana dispensaries
1086	Sep 24, 2018	Amends regulation of medical marijuana dispensaries and adds regulation of cannabis retail and recreational cannabis facility
1171	Sep 6, 2022	Vacation Rental Reg update
1226	Mar 24, 2025	Adding regulations for mobile vendors, adjusts licence fee for cannabis

## Schedule A

**Licence Fees**

1.	Licence Fee (for applicable licence period)	\$110.00
2.	Licence Fee for Cannabis Retail	\$110.00 [Bylaw 1226]
3.	Licence Fee for Recreational Cannabis Facility, OR Medical Marijuana Facility	\$3,250.00 [Bylaw 1226]
4.	Fire & Safety Inspection	\$100.00
5.	Criminal Record Check	\$40.00
6.	Building Inspection	\$50.00

*[Bylaw 1086] [Bylaw 1226]*