

# PROPOSED

ITEM #11.1.1  
CPS2018-0367  
ATTACHMENT 1

## BYLAW NUMBER 22M2018

### BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 32M98, THE BUSINESS LICENCE BYLAW

\*\*\*\*\*

**WHEREAS** Council has considered CPS2018-0367 and deems it necessary to amend Bylaw 32M98, the Business Licence Bylaw;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

1. Bylaw 32M98, the Business Licence Bylaw, as amended, is hereby further amended.

2. Section 2 is amended as follows:

(a) the following is added after subsection 2(1)(f.1) as subsection 2(1)(f.2):

“(f.2) “*cannabis*” has the meaning given to that term in the federal Cannabis Act (Bill C-45, *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts*, 1<sup>st</sup> Sess, 42<sup>nd</sup> Parl, 2017);”;

(b) subsection 2(1)(cc) is deleted and replaced with the following:

“(cc) “*liquor*” has the meaning given to that term in the Gaming, Liquor and Cannabis Act, R.S.A. 2000, c. G-1;”;

and

(c) the following is added after subsection (cc) as subsection (cc.1):

“(cc.1) “*minor*” means a *person* under the age of 18 years;”.

3. The following is added after section 23 as sections 23.1 and 23.2:

#### “CANNABIS FACILITY

23.1 (1) Cannabis Facility means the *business* of growing, producing, testing, destroying, storing, or distributing *cannabis*.

(2) A *licensed* Cannabis Facility does not require a *licence* for Cannabis Store if the *business* of Cannabis Store is carried on at the same *premises*.

(3) A *licensed* Cannabis Facility that carries on the *business* of Cannabis Store at the same *premises* is subject to sections 23.2 (4), (5) and (6).

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- (4) A Cannabis Facility *licence* must not be issued to:
  - (a) a residential *dwelling unit* or any *premises* located in a residential land use district as described in the *Land Use Bylaw*; or
  - (b) a *mobile business unit*.

## **CANNABIS STORE**

- 23.2 (1) Cannabis Store means the *business* of displaying, selling, or offering for sale *cannabis*.
  - (2) A Cannabis Store *licence* does not authorize the growing, producing, testing, destroying, storing, or distribution of *cannabis*.
  - (3) A Cannabis Store *licence* must not be issued to:
    - (a) a residential *dwelling unit* or any *premises* located in a residential land use district as described in the *Land Use Bylaw*; or
    - (b) a *mobile business unit*.
  - (4) A Cannabis Store *licensee*, *employee* or *agent* must not permit a *minor* to enter or be in a Cannabis Store *premises*.
  - (5) A Cannabis Store *licensee*, *employee* or *agent* must not provide, sell or permit any *person* to give or sell *cannabis* to a *minor* in a Cannabis Store *premises*.
  - (6) A Cannabis Store *licensee* must:
    - (a) keep on the *premises* an accurate and current list of all *employees* employed in the Cannabis Store;
    - (b) immediately provide to a *Licence Inspector* upon demand the list kept pursuant to subsection (6)(a).".
4. Subsection 43(4) is deleted and replaced with the following:
- “(4) A *licence* is not required of a *person* who rents a stall, table or space in a Market and operates within the Market’s hours of operation, except for the sale of tobacco products, *liquor* or *cannabis*.”.

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5. In Schedule "A", under the headings indicated, after:

<u>Section</u>	<u>Business</u>	<u>Consultation or Approval</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
			<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
"23	Auto Body Shop	Fire Planning Police Province	\$177	\$184	\$184	\$191	\$135	\$141	\$141	\$146"

the following is added:

<u>Section</u>	<u>Business</u>	<u>Consultation or Approval</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
			<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
"23.1	Cannabis Facility	Fire Planning Police	n/a	n/a	n/a	\$191	n/a	n/a	n/a	\$146
23.2	Cannabis Store	Fire Planning Police	n/a	n/a	n/a	\$191	n/a	n/a	n/a	\$146"

6. In Schedule "C", under the headings indicated, after the following:

	<u>Section</u>	<u>Specified Penalty</u>
<b>"Auto Body Shop</b>		
Displaying motor vehicles for sale without a <i>licence</i>	23(2)	\$1000.00"

the following is added:

	<u>Section</u>	<u>Specified Penalty</u>
<b>"Cannabis Store</b>		
Permit a <i>minor</i> on Cannabis Store <i>premises</i>	23.2(4)	\$1000.00

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Permit sale of <i>cannabis</i> to a minor on Cannabis Store <i>premises</i>	23.2(5)	\$1000.00
Fail to keep list of Cannabis Store <i>employees</i> on <i>premises</i>	23.2(6)(a)	\$1000.00
Fail to provide <i>employee</i> list to <i>Licence Inspector</i>	23.2(6)(b)	\$1000.00"

7. This bylaw comes into force on April 24, 2018.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_