



## Minutes

Village of Tahsis

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<b>Meeting</b>	<b>Committee of the Whole</b>
<b>Date</b>	<b>Thursday, June 14, 2018</b>
<b>Time</b>	<b>10:30 AM</b>
<b>Place</b>	<b>Municipal Hall - Council Chambers</b>

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**Present** Acting Mayor Randy Taylor  
Councillor Brenda Overton  
Councillor Kathy Bellanger  
Councillor Louis Van Solkema

**Staff** Mark Tatchell, Chief Administrative Officer

**Public** 6 members of the public

**Call to Order**

Acting Mayor Taylor called the meeting to order at 10:30 a.m. and acknowledged and respected that we are upon Mowachaht/Muchalaht Territory.

**Late items** Proposed display case for Council Chambers

**Approval of the Agenda**

**Overton: COW 54/18**

**THAT** the Agenda for the June 14, 2018 Committee of the Whole meeting be adopted as amended.

**CARRIED**

**New  
Business**

**1 Non-medical cannabis policy options - Report to Committee of the Whole**

**Overton: COW 55/18**

**THAT** this Report to the Committee of the Whole be received.

**CARRIED**

Staff briefed the committee on the federal and provincial bills awaiting to be brought into law and the implications for local governments. Specifically, the committee was apprised of the requirement for local governments to establish a process for handling retail licence application referrals from the provincial government. Staff also identified the policy considerations for the committee regarding retail sales, public consumption and production. The committee directed staff to prepare amendments to Zoning Bylaw No. 176 to restrict retail sales to C-1 and C-2 properties as well as I-1 and I-2 properties. The committee also directed staff to prepare fee estimates for conducting public consultation surveys in order to meet the provincial retail licence application requirements. Both items are to be brought to a future regular Council meeting.

## **2 Protecting and Preserving McKelvie Creek Community Watershed**

**Overton: COW 56/18**

**THAT** this resolution be received.

**CARRIED**

**WHEREAS** less than 10% of productive old growth forests remain on Vancouver Island; and

**WHEREAS** intact and contiguous old growth forests are necessary to sustain the diversity of species for the preservation of these ecosystems; and

**WHEREAS** there is overwhelming evidence that accessible old growth forests are a significant natural asset for the eco-tourism economy; and

**WHEREAS** the McKelvie Creek watershed is one of the few remaining virgin forest valley bottom watersheds on Vancouver Island; and

**WHEREAS** the McKelvie Creek watershed is the community watershed for the Village of Tahsis since McKelvie Creek is the source of drinking water; and

**WHEREAS** neither Western Forest Products, Inc. nor the Ministry of Forests, Lands, Natural Resource Operations and Rural Development have expressed a willingness to preserve this entire watershed; and

**WHEREAS** Tahsis Council and the Mowachaht/Muchalaht Council of Chiefs have engaged in dialogue on the value of this watershed;

**THEREFORE, BE IT RESOLVED:**

**THAT** Tahsis Council support the complete preservation of the McKelvie Creek watershed by opposing all forms of resource extraction and development including all logging activity; and  
**THAT** Tahsis Council call on the Minister of Forests, Lands, Natural Resource Operations and Rural Development to remove the McKelvie Creek watershed from TFL 19.

The committee directed that this resolution be added to the agenda of the next regular Council meeting

**3 Artwork for Emergency Supplies Shipping Containers**

**Overton: COW 57/18**

**THAT** this verbal report be received

**CARRIED**

Councillor Overton proposed that local artists be granted the opportunity to paint or decorate the shipping containers purchased to store emergency supplies and equipment.

Committee members agreed with the concept and offered their views.

**Overton: COW 58/18**

**THAT** members of the public in the gallery be permitted to speak.

**CARRIED**

Members of the public expressed their support for this proposal and other types of public art opportunities.

Staff were directed to prepare a resolution for Council's consideration at the next regular Council meeting.

**4 Draft Recreation Centre Rental Policy**

**Overton: COW 59/18**

**THAT** this Draft Recreation Centre rental policy be received.

**CARRIED**

Having reviewed the draft policy, the committee directed staff to prepare it, without amendments, for Council's consideration at the next regular Council meeting.

**5 Display case for Council Chambers**

Councillor Overton exhibited a ceramic dugout canoe she received from K'omoks First Nation at a recent workshop. She suggested that a case or cabinet be installed in Council chambers for displaying items such as this.

Staff were directed to follow up and have a display case constructed or purchased and mounted on one of the Council chamber walls.

**Adjourn**

**ment**

**Overton: COW 60/18**

**THAT the meeting adjourn at 11:37a.m.**

**CARRIED**

A handwritten signature in black ink, consisting of a large, sweeping initial 'L' followed by a smaller, more fluid signature.

Certified correct this  
3rd Day of July, 2018

# VILLAGE OF TAHSIS

## Report to Committee of the Whole

**To:** Acting Mayor and Council

**From:** Mark Tatchell, CAO

**Date:** June 5, 2018

**Re:** Non-medical cannabis policy options

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**PURPOSE OF REPORT:**

To provide a brief background on the status of non-medical cannabis legalization and offer broad policy options to Council with respect to retail sales, public consumption and production/cultivation.

**OPTIONS / ALTERNATIVES**

1. Receive the Report and provide staff with direction for further policy development; or
2. Other options that Council deems appropriate

**BACKGROUND:**

Government of Canada

The federal *Cannabis Act* is expected to receive royal assent between July and September. Upon coming into force, adults in Canada will be allowed to legally engage in the following activities:

- Purchase fresh or dried cannabis, cannabis oil, plants and seeds for cultivation from either a provincially or territorially regulated retailer, or where this option is not available, directly from a federally licensed producer;
- Possess up to 30 grams of dried legal cannabis or equivalent in public;
- Share up to 30 grams or equivalent of legal cannabis and legal cannabis products with other adults;
- Cultivate up to 4 plants in their own residence (4 plants total per household); and
- Alter cannabis at home in order to prepare varying types of cannabis products (e.g., edibles) for personal use provided that no dangerous organic solvents are used in the process.

## Government of British Columbia

In preparation for the federal government's legalization of non-medical cannabis, the provincial government has introduced three Bills – the *Cannabis Control and Licensing Act* (Bill 30), the *Cannabis Distribution Act* (Bill 31), and the *Motor Vehicle Amendment Act* (Bill 17) to regulate the retail and wholesale sale of cannabis and to provide police with enforcement tools for handling drug impaired drivers. The three Bills have passed Third Reading and can be brought into force by Order-in-Council (i.e., Cabinet decision) once the federal statute receives royal assent. Key highlights of this trio of Bills are:

- British Columbia's minimum age to possess, purchase and consume cannabis will be 19 years old;
- British Columbians of legal age will be able to purchase non-medical cannabis through privately run retail stores, government-operated retail stores and online sales. The BC Liquor Distribution Branch (LDB) will operate the public retail stores;
- The Liquor Control and Licensing Branch (LCLB) will be responsible for licensing private stores and monitoring the retail sector. The operating rules governing public and private retail stores will be similar to those currently in place for liquor; and
- Like many other provinces, B.C. will have a government-run wholesale distribution model. The LDB will be the wholesale distributor of non-medical cannabis in B.C.

British Columbia will generally allow adults to use non-medical cannabis in public spaces where tobacco smoking and vaping are permitted. However, to minimize child and youth exposure, smoking and vaping of non-medical cannabis will be banned in areas frequented by children, including community beaches, parks and playgrounds. Use of cannabis in any form will also be banned for all occupants in vehicles and on school properties. In addition, landlords and strata councils will be able to restrict or prohibit non-medical cannabis smoking and vaping at tenanted and strata properties. It is expected that there will be special provisions for rural areas to provide access to non-medical cannabis to rural populations. Although the province is considering allowing rural agency liquor stores to sell non-medical cannabis, a rural agency store would still need to apply for a licence and seek local government approval.

## Local Government authorities

The *Cannabis Control and Licensing Act* requires the provincial government (LCLB) to consult with a local government as part of the retail licensing application process. The LCLB cannot issue a retail licence unless the local government recommends that the licence be issued or amended. The LCLB will not regulate the location of cannabis retail stores. Local government jurisdiction over land use management is recognized, including jurisdiction to set requirements for the proximity of a store to another cannabis store, schools, daycares or other land uses.

Applicants must have the support of the local government in the community where the proposed store would be located. This can be done by gathering the views of residents in a community through written comments, referendum, public hearing or other means. Local governments can also impose fees on applicants for the costs related to assessing the licence application.

### Village of Tahsis

Village of Tahsis considerations relating to cannabis include retail, consumption in public, and production. Staff are seeking direction from Council on the policy direction as it relates to these three areas.

Provided below is a summary of the range of policy options. Based on Council direction, staff can provide Council with more detailed policy options, operational impacts and recommendations for consideration to ensure that the Village is positioned for assessing retail licence applications, public consumption and production.

	Zoning Bylaw Options (General)	Zoning Bylaw Options (Specific)	Additional Considerations
<b>RETAIL</b>	<p>Status quo</p> <p>Zoning Bylaw - reference Non-medical cannabis as a specific type of land use and/or retail business</p>	<p>Status quo</p> <p>Specific definition of Non-medical cannabis retail in Interpretation section</p> <p>Hours of operation</p> <p>Zones in which for cannabis retail can operate</p> <p>Exclude cannabis retail from specific zones</p> <p>Include as type of home occupation (would not be permitted now under s. 6.1)</p> <p>Minimum distance from school, parks, Rec Centre</p>	<p>Sale at Farmer's Market and/or other agricultural producers</p> <p>Procedures for processing retail sales licence referrals – public consultation as required by provincial statute</p> <p>Fees for processing retail sales licence application referrals (e.g., costs for public consultation process).</p> <p>Promotion of de-regulated environment</p>



	Policy Options (General)	Policy Options (Specific)	Additional considerations
<b>PUBLIC CONSUMPTION</b>	<p>Status quo</p> <p>Adopt no-smoking bylaw (no current bylaw).</p> <p>Provincial Health and Safety Regulation governs smoking and second hand smoke in the workplace.</p> <p>Restrictions in provincial Bills regarding use in parks, schools, vehicles, etc.</p>	<p>Status quo</p> <p>Prohibit smoking/vaping of cannabis within certain distance of the Rec Centre, library, municipal hall, other facilities</p>	<p>Odour complaints</p>

	Policy Options (General)	Policy Options (Specific)	Additional considerations
<b>PRODUCTION</b>	<p>Status quo</p> <p>Zoning Bylaw reference non-medical cannabis</p>	<p>Status quo</p> <p>Reference non-medical cannabis in definition of agricultural in Zoning Bylaw</p>	<p>Utilize Village lands for production</p>

**POLICY/LEGISLATIVE REQUIREMENTS:**

Zoning, Fees and Charges and other bylaw amendments, subject to Council direction.

**FINANCIAL IMPLICATIONS:**

There will be staff time and costs associated with the public consultation process when licence application referrals are made. Once Council decides on the process it will use for the public consultation process, staff can provide Council with cost estimates and propose amendments to the Fees and Charges bylaw.

**RECOMMENDATION:**

No recommendation

Respectfully submitted:

A handwritten signature in dark ink, consisting of a large, sweeping initial 'M' followed by a horizontal line and a short, curved tail.

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Mark Tatchell, CAO

B.C. Cannabis  
**PRIVATE RETAIL  
LICENSING GUIDE**

Applications and Operations



BRITISH  
COLUMBIA

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# B.C. Cannabis

## **PRIVATE RETAIL LICENSING GUIDE**

### Applications and Operations

In B.C., the wholesale distribution of non-medical cannabis will be solely through the Liquor Distribution Branch (LDB). The LDB will be the operator of government-run retail stores and the Liquor Control and Licensing Branch (LCLB) will be responsible for licensing and monitoring the retail sector using a mixed public/private model.

The rules governing retail stores will be similar to those currently in place for liquor, and public and private retailers will have similar operating rules. Note that while this document sets out Government's intentions for B.C.'s retail framework, it is subject to legislation yet to be passed at both the federal and provincial levels.

### Who is this guide for?

This guide provides information for those who are considering applying for a provincial licence to retail non-medical cannabis. It contains preliminary information to help applicants make business decisions and describes the application process. This information will also assist local governments in preparing for potential retail store applications within their communities.

The Province recognizes that retail access in rural areas will require a different approach than the one employed in urban communities. There is a separate section related to rural areas at the end of this document.

Engagement with Indigenous governments and organizations is an important element in the development of the provincial regulatory framework for non-medical cannabis. To ensure the retail model appropriately addresses the unique considerations that must be taken into account with respect to Indigenous peoples, the Province remains committed to working in partnership with Indigenous peoples, governments and organizations. These discussions are ongoing and will continue beyond the initial date of federal legalization of cannabis.

### Who is eligible?

All applicants will be assessed using the same evaluation criteria, which includes obtaining local government support and background checks of police/criminal records which will be examined on a case by case basis.

# Application Process

In spring 2018, the Province will launch an online application portal for individuals and businesses who are interested in applying for a non-medical cannabis retail licence. Additional information on applicant registration will be posted on the website <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/cannabis-regulation> as it becomes available.

## ■ **What is the process for applying for a non-medical cannabis retail licence?**

When the application portal opens, you may start the application process by entering the required information and documents. This will allow you to provide the required information early so that the assessment of your application can begin as soon as possible once the applicable legislation is passed.

## ■ **How long will the application process take?**

The Province is committed to conducting thorough reviews of applicants and applications in order to ensure that licensed retailers will operate in a safe and lawful manner. A significant number of applications are anticipated, and plans are being put in place to enable the applications to be processed as efficiently as possible.

## ■ **Will there be an application fee?**

Yes, each applicant will be required to pay an application fee and a licensing fee. The amount of the fees has not yet been determined. Once the fees have been determined, they will be posted here <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/cannabis-regulation>.

## Eligibility

### ■ **If I operated an illegal dispensary prior to legalization, am I prohibited from receiving a licence to operate legally?**

Having operated an illegal dispensary will not, on its own, exclude you from being considered for a licence. All applicants will be assessed using the same evaluation criteria, including background checks and local government support. Persons who have operated dispensaries prior to legalization will not receive preferential treatment in the provincial application process.

### ■ **Does having a record of criminal activity exclude me, or a shareholder in my company, from obtaining a non-medical cannabis retail licence?**

Having a record of criminal activity will not necessarily exclude you from obtaining a licence. As part of the required background check, police/criminal records will be examined on a case by case basis and evaluated in relation to their relevance to the application and the recentness of the activity or offence(s) committed. For example, low risk criminal activity may not exclude a person from becoming a licensee whereas associations with organized crime will exclude a person from becoming a licensee.

■ **I already have a liquor and/or tobacco licence. Am I automatically allowed to sell non-medical cannabis at my liquor store?**

No, you must apply for a non-medical cannabis retail licence. In addition, if you are granted a licence, you will be required to operate the non-medical retail cannabis store in a completely separate business location from any liquor and/or tobacco sales.

■ **If I, a family member, or a business partner, have an interest in a federally licensed producer or processor, can I be considered for a retail licence?**

Yes, a person or company may have an interest in both a producer and a retailer. However, the LCLB will place restrictions on the business relationship between the producer and the retailer. Where there is a close association (financial or otherwise) between a licensed producer and a non-medical cannabis retail business, the retail business will be prohibited from selling any products from the licensed producer. This restriction ensures that the market remains diverse and larger participants do not consolidate and control the market. The Province may create exceptions in the future to support micro-producers.

## *Application: Required Information*

■ **Will I have to undergo a background check?**

Yes, you will be required to consent to a background check in order to be considered for a licence. Policy work is currently underway to determine which members of a corporation, partnership, or other legal business will be required to undergo a background check.

■ **What kind of information do I need to supply to the Province about my company?**

Depending on the type of entity your company is (corporation, partnership, society, etc.) the application system will prompt you to supply the related documents and names of partners, shareholders, directors, officers, and/or senior management.

■ **What information do I have to provide about my proposed location?**

You will need to provide the parcel identifier number (PID), proof of ownership or a copy of a fully executed lease that does not expire for at least 12 months from the date of licence approval, and a floor plan. If additional information is necessary it will be requested during the application process.

■ **Does my store have to be a certain distance from schools or other retailers?**

The Province will not impose distance requirements for non-medical cannabis retailers. However, local governments will have the authority to impose additional requirements. Therefore, you should inquire with your local government about local requirements before committing to a location.

■ **Are there any rules about what I can name my store?**

Your store name must be approved by the LCLB. The name of your store cannot be misleading as to what type of business you operate. As a non-medical cannabis retailer, you cannot choose a name that would lead people to believe you are a provider of medical cannabis. For example, the words “pharmacy”, “apothecary”, and “dispensary” all have meanings linked to the selling of medicines, so these words cannot be used in association with a non-medical cannabis store.

You must also comply with federal legislation and regulations respecting advertising and promotion.



## ***Application: Local Government Requirements***

The Province will permit local governments to decide whether they wish to have a non-medical cannabis retail store in their community. For the Province to issue a licence, applicants must have the support of the local government in the community where the proposed store would be located.

### **■ What is the process for obtaining local government support?**

The local government must ask residents in the vicinity of the proposed retail location to comment on how the store would impact the community. The local government must consider this public input when deciding whether or not to support the application and must notify the LCLB of their decision by way of a council resolution.

### **■ Can I get local government support in advance of the provincial application?**

The Province is working with local governments and the Union of B.C. Municipalities to develop the application process, including what information local governments will need to have in order to provide informed comments on the application. Further details will be announced once they are available. In the interim, it is recommended you check with your local government to ensure that you meet any criteria that are specific to your jurisdiction and to ensure that proper zoning is in place.

### **■ Do public stores have to go through the local government process?**

Yes, public stores must also have local government support.

## **Licences**

To sell non-medical cannabis in British Columbia, retailers will be required to obtain a licence from the Province. There will be two types of retail licences for:

- ▶ self-contained cannabis stores, and
- ▶ stores in rural communities.

### **■ Will there be a cap on the number of non-medical cannabis retail licences issued in B.C.?**

The Province is not capping the number of licences issued. However, local governments will have the authority to make local decisions based on the needs of their communities. This means that some local governments may choose not to allow retail cannabis stores, while others may choose to cap the number of stores that are permitted to operate within their jurisdiction.

### **■ I only want to sell medical cannabis; can I apply for a medical cannabis retail licence?**

No, medical cannabis will continue to be sold online by federally licensed producers only. However, like other Canadians, medical users will be able to buy cannabis from retailers of non-medical cannabis.

The federal government has committed to conducting a review of the medical cannabis system in five years.

■ **Will there be any restrictions on where a non-medical cannabis retail outlet can be located?**

The Province is not regulating the location of stores. However, local governments may choose to do so. For example, local governments may set requirements about the proximity of a store to another cannabis store, schools, daycares or other places.

■ **Will the Province be licensing consumption lounges?**

No, not at this time. The Province is focussed on introducing a safe and responsible retail non-medical cannabis sector; consideration will be given to other types of licences at a later date.

■ **Will sales of non-medical cannabis be permitted at outdoor festivals and other events?**

Initially, non-medical cannabis sales will only be permitted at the licenced retail site. Offsite sales may be considered in the future.

## Operations

Provincial and federal governments are committed to ensuring that non-medical cannabis is sold in a lawful, responsible manner. To this end, a range of requirements will be put in place; from who a retailer can buy product from, to who may enter a store, to what type of products may be sold.

### *Operations: Physical store*

■ **Are there any rules about the physical layout or construction of my store?**

To protect youth, the federal government requires that cannabis products must not be visible from outside your store. There will be many different ways for you to achieve this requirement (e.g. window designs). In addition, please remember that you must comply with federal requirements respecting advertising and promotion.

■ **Are there any security requirements for my location?**

You have a strong incentive to secure your premises both during and after operating hours to protect your inventory from theft. The Province is considering what security requirements will be necessary. In addition, local governments may also choose to impose security requirements.

■ **Can I sell non-medical cannabis as part of another business such as a liquor store or pharmacy?**

Not at this time. The Province may consider exceptions in the future, but for now, your non-medical cannabis retail store must be a self-contained business.

There will be exceptions for rural stores, similar to rural liquor stores. The criteria for determining rural areas are currently under development.

## Operations: General

### ■ Can minors enter my store?

No. Unlike liquor stores, where minors are permitted if they are accompanied by a parent or guardian, minors must not enter your cannabis retail store.

There will be exceptions for rural stores to allow entrance by minors. The criteria for determining rural areas are under development.

### ■ What hours can I be open?

Cannabis retail stores can operate between 9 am to 11 pm unless further restrictions are put in place by your local government.

### ■ Are there any rules around pricing?

Policy work is ongoing and information on pricing will be made available as soon as possible.

### ■ Is there a limit on how much non-medical cannabis I can sell to a person?

The proposed federal *Cannabis Act* prohibits an individual from possessing in a public place a total amount of non-medical cannabis, in any authorized form, that is equivalent to more than 30 grams of dried cannabis. Non-medical cannabis must not be sold in amounts greater than this.

This means that if you sell different forms of non-medical cannabis to a single customer, the combined total amount sold must not exceed the equivalent amount of 30 grams of dried cannabis.

Equivalent amounts to 30 grams of dried non-medical cannabis for other cannabis products are listed in Schedule 3 of the proposed federal *Cannabis Act*.

### ■ Can I sell products online?

No, only the public retailer will be permitted to sell non-medical cannabis products online at this time. Consideration may be given to allowing private online sales in the future.

### ■ Can people consume non-medical cannabis in my store?

No. Consumption of any kind will not be permitted in the store, and providing samples will not be permitted.

### ■ Can I deliver my products?

No, retailers will not be permitted to offer a delivery service.

### ■ Do my employees and/or I need any special training or background checks?

In collaboration with industry, the Province will develop a mandatory training program for non-medical cannabis retail employees, which will be implemented over time. The Province will also be developing a registration requirement for employees which will include background checks. Details of this program are still being developed. Information will be provided as soon as that work is complete.

### ■ **Where do I have to store my inventory?**

All cannabis products will be required to be stored at your retail site. No offsite storage will be permitted.

### ■ **Will I be required to have a certain product tracking/inventory control system?**

The federal government has committed to creating a national seed-to-sale tracking system. This is currently under development and more information on retailers' responsibilities in relation to this system will be announced as it becomes available.

### ■ **Can I advertise my product?**

The federal government is regulating the advertisement of cannabis under the proposed *Cannabis Act* (Bill C-45). See the "Further Resources" section at the end of this document for a link to the Bill.

### ■ **Can my store sponsor events or teams?**

The federal government is regulating sponsorship under the proposed *Cannabis Act* (Bill C-45). See the "Further Resources" section at the end of this document for a link to the Bill.

## Supply

### ■ **How do I obtain non-medical cannabis to sell in my store?**

The LDB will be the only source of legal wholesale non-medical cannabis. Retailers will not be permitted to purchase any cannabis products directly from licensed producers or any other source.

### ■ **Can I make financial arrangements with federally licensed producers?**

You cannot accept or request any inducement from a producer. This means you must not:

- ▶ pay money to secure access to a supplier's product;
- ▶ request money from a supplier in return for providing benefits such as preferential shelf space;
- ▶ accept money in exchange for agreeing not to stock a competitor's product.
- ▶ make agreements that give a retailer exclusive access to a producer's product, or product line.

### ■ **What types of non-medical cannabis can I sell?**

You can sell dried cannabis, cannabis oils and seeds that comply with federal requirements.

### ■ **Can I sell edibles?**

No, the proposed federal *Cannabis Act* does not permit the commercial production of edibles at this time. Therefore, you cannot legally sell them. The federal government has stated that edibles will be regulated within 12 months of legalization.

### ■ **What else can I sell besides dried cannabis and cannabis oil?**

You may sell “cannabis accessories,” as defined in the proposed federal *Cannabis Act*:

*“Cannabis accessory” means a thing, including rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers that is represented to be used in the consumption of cannabis or a thing that is represented to be used in the production of cannabis.*

You cannot sell snacks, tobacco or other non-cannabis related items.

### ■ **What format will cannabis products be distributed in?**

LDB will distribute pre-packaged product only, with labelling compliant with federal standards, in ready-to-sell formats (no bulk products). The product brands belong to the licensed federal producers.

Retailers will not be authorized to re-package the product with their own branding. Information about specific size formats will be confirmed at a later date.

## Inspections and Compliance

To ensure that non-medical cannabis is being sold in a lawful and responsible manner, the Province will establish a compliance program that will include education, inspection and enforcement activities. The focus will be on encouraging voluntary compliance.

### ■ **How often will I be inspected?**

Your store will be inspected at least once annually and any time the LCLB investigates a complaint about your store.

### ■ **What happens if I am found to be out of compliance?**

If an inspector observes a contravention of the provincial legislation at your establishment, you will be issued a Contravention Notice and the inspector may recommend enforcement action. Penalties for contraventions are under development, but could include a monetary penalty or a licence suspension or cancellation. There will be a reconsideration process for licensees that wish to challenge the result of an enforcement hearing.

### ■ **Can the police enter and inspect my store?**

Yes, police can enter and inspect your store to ensure you are operating in compliance with the legal requirements.

### ■ **What should I do with any product I have obtained from unlicensed sources?**

Once you have been issued your licence you must not sell cannabis obtained from a source other than the LDB.

# Rural Areas

The Province is aware that it may be necessary to introduce special provisions for rural areas in order to provide access to non-medical cannabis to rural populations.

■ **Can an existing business in a rural area be authorized to sell non-medical cannabis, like they are for liquor?**

The Province is considering this possibility because a self-contained non-medical cannabis retail store may not be a viable business in some rural areas.

■ **Will the rural agency store model (RAS) used for liquor be used for cannabis?**

Many of the operational requirements of the RAS model used for liquor may be applied to non-medical cannabis. However, the Province is still evaluating how to best meet the need for rural access.

■ **If I operate a RAS, will I automatically be able to sell non-medical cannabis?**

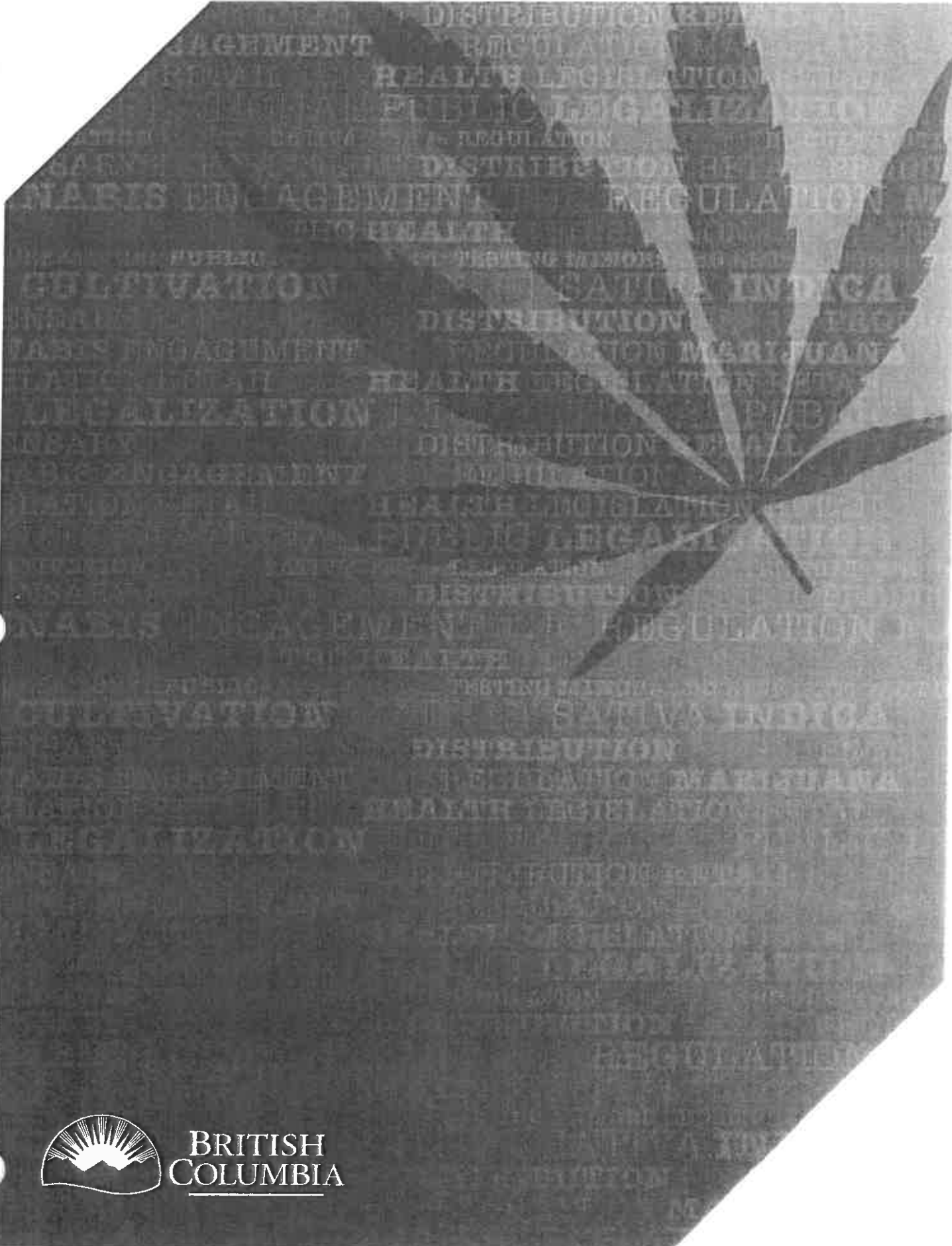
No, if a current RAS operator is interested in retailing non-medical cannabis, they will be required to apply for a licence specifically for non-medical cannabis.

## Further Resources

Bill C-45 the draft federal Act can be found here <http://www.parl.ca/LegisInfo/BillDetails.aspx?billId=8886269>

Contact information: [cannabisregs@gov.bc.ca](mailto:cannabisregs@gov.bc.ca)





BRITISH  
COLUMBIA



CANNABIS CONTROL AND LICENSING ACT (AC)  
(BILL 30)

**Recommendations of local government or Indigenous nation**

**33** (1) The general manager must not issue a prescribed class of licence or make a prescribed type of amendment to a prescribed class of licence unless the local government or Indigenous nation for the area in which the establishment is proposed to be located or is located gives the general manager a recommendation that the licence be issued or amended.

(2) After the general manager receives an application to issue or amend a licence referred to in subsection (1), the general manager must give the local government or Indigenous nation for the area in which the establishment is proposed to be located or is located notice of the application.

(3) If a local government or Indigenous nation that receives notice under subsection (2) decides to give comments and recommendations, the local government or Indigenous nation must take into account any prescribed criteria and, in the prescribed circumstances, gather the views of residents of an area determined by the local government or Indigenous nation in respect of the application by one or more of the following methods:

(a) by receiving written comments in response to a public notice of the application;

(b) by conducting a public hearing in respect of the application;

(c) by holding a referendum;

(d) by using another method the local government or Indigenous nation considers appropriate.

(4) The comments and recommendations under subsection (3) must be given in accordance with the regulations.

(5) If the local government or Indigenous nation gives a recommendation that a licence be issued or amended, the general manager must take the recommendation into account in deciding whether or not to issue or amend the licence.

**Delegation by local government regarding recommendations**

**34** (1) Despite section 154 (2) (c) of the *Community Charter*, a council as defined in that Act may delegate its powers and duties under section 33 of this Act.

(2) If a council makes a delegation under subsection (1), an applicant whose application is the subject of comments and recommendations made by a delegate has the right to have those comments and recommendations reconsidered by the council, and section 156 of the *Community Charter* applies as if the council had delegated a power to make a decision.

(3) Despite section 229 (2) (e) of the *Local Government Act*, a board as defined in that Act may delegate its powers and duties under section 33 of this Act.

(4) If a board makes a delegation under subsection (3), an applicant whose application is the subject of comments and recommendations made by a delegate has the right to have those comments and recommendations reconsidered by the board, and section 232 of the *Local Government Act* applies as if the board had delegated a power to make a decision.

(5) If the Council as defined in the *Vancouver Charter* delegates its powers and duties under section 33 of this Act to give comments and recommendations,

(a) the Council must, by bylaw, establish procedures for a reconsideration of comments and recommendations made by a delegate, including how a person may apply for a reconsideration,

(b) in undertaking a reconsideration referred to in paragraph (a) of this subsection, the Council has the same authority as that conferred on the delegate, and

(c) the delegate must advise the applicant whose application is the subject of the comments and recommendations made by the delegate of the applicant's right of reconsideration.

### **Imposition of fees by local government or Indigenous nation**

**35** (1) A local government that, under section 33, gives comments and recommendations on an application may, by bylaw, impose fees on the applicant in order to recover the costs incurred in assessing the application.

(2) An Indigenous nation that, under section 33, gives comments and recommendations on an application may, by bylaw or law, as the case may be, impose fees on the applicant in order to recover the costs incurred in assessing the application.

(3) Fees imposed under subsection (1) or (2) may be different for

- (a) different classes of applications, and
- (b) different methods used to conduct the assessment of an application.

## **Division 4 – Compliance**

### **Temporary suspension or imposition of terms and conditions**

**36** (1) The general manager may, without a hearing, suspend a licence or the authority to carry out certain activities under a licence for a period of not more than 24 hours if

- (a) the conduct of the licensee's patrons or employees in the establishment is of a violent or disorderly nature, or
- (b) the safety of one or more persons in the establishment is threatened.

(2) The general manager may, without a hearing, suspend a licence or the authority to carry out certain activities under a licence or impose terms and conditions on a licence

- (a) for a period of not more than 24 hours, if, in the general manager's opinion, it is in the public interest to do so, or
- (b) for a period not exceeding 14 days, if the general manager has reasonable grounds to believe that it is in the public interest to do so as a result of extraordinary circumstances associated with the operation of the establishment.

(3) If the general manager takes an action under subsection (1) or (2), the general manager may order the immediate

- (a) removal of the licensee's patrons or employees from all or part of the establishment, and
- (b) closure of all or part of the establishment for a period of not more than the period of suspension or period during which the terms and conditions are imposed.

(4) If the general manager makes an order under subsection (3), the licensee must take all reasonable steps to ensure that the establishment or part of it, as specified in the order, is immediately vacated and closed.

(5) If, under subsection (2) (b), the general manager suspends a licence or the authority to carry out certain activities under a licence or imposes terms and conditions on a licence, the general manager must give the licensee a written notice that sets out

VILLAGE OF TAHSIS			
<b>Policy Title:</b>	<b>Recreation Centre Rental</b>	<b>Policy No.</b>	
Effective Date		Supersedes	
<b>Approval</b>		<b>Resolution Number</b>	

Section 1 – DEFINITIONS

“Applicant” - means the person or organization that seeks to rent or otherwise use the Tahsis Recreation Centre.

“Grant-in-Aid” - means financial assistance or in-kind assistance from the Village of Tahsis

“Recreation Centre” – means the Tahsis Recreation Centre located at 285 Alpine View.

“Rental Agreement” – means the document which sets out the responsibilities of the applicant and the Village.

“Village” - means the Village of Tahsis

Section 2 - PURPOSE

The purpose of the Recreation Centre Rental policy is to provide guidelines for the rental and/or use of the Recreation Centre by third parties in accordance with the Fees and Charges Bylaw No. 594, 2017 and the Grant-in-Aid Policy #2007. The policy is intended to:

- Promote a safe and enjoyable environment for those who use this facility
- Provide clear guidelines to renters on the rules for renting the facility
- Protect Village assets, including the Recreation Centre building, equipment and property
- Ensure that rentals are provided fairly and consistently to all.

Section 3 – GENERAL GUIDELINES

1. All applicants will complete and sign a Rental Agreement form and pay the required fee(s), maintenance/security deposit, proof of insurance and any other documentation prior to the date of the event.
2. A maintenance/security deposit of \$100, in addition to the rental fee, is required for all bookings and will be refunded if no additional maintenance or damage is caused. The deposit is forfeited if an event is cancelled with less than 72 hours’ notice.
3. The applicant is responsible for setting up and obtaining all materials and equipment for the event. Subject to availability of staff, the Director of Operations may approve using public works personnel to assist with set up or take down for events. A work order must be submitted to the Village office at least 5 days in advance. The fees for this service are found in the Fees and Charges Bylaw

4. All Recreation Centre rentals are subject to approval by the Recreation Centre Staff.
5. Recreation Centre rentals can only be made by an adult 19+ years of age. All child and youth events require adult supervision.
6. The use of Recreation Center equipment is allowed only if approved in advance on the application form. An additional rental fee may be charged for such use.

#### Section 4 – APPLICANT RESPONSIBILITIES

As per the Recreation Centre Rental Agreement, the Applicant is responsible for:

1. Setting up for the event (unless arrangements have been made with Recreation Director in advance)
2. Completing and submitting the Rental Agreement including copies of required documents
3. Paying the required fee(s) and deposit;
4. Being present at the event at all times during the event;
5. Reporting damages to Recreation Centre staff as soon as possible;
6. Returning equipment and remove personal items at the end of the event including food or beverages left in the kitchen (unless arrangements have been made with Recreation Director in advance);
7. Checking in with Recreation Centre staff after cleanup is completed before leaving.

#### Section 5 – APPLICANT PROCESS

The applicant must apply to the Village at least two (2) weeks in advance of the event, unless otherwise approved by the Recreation Director, and provide the following:

- Completed Rental Application form;
- Proof of insurance;
- Special Event Server Certificate (if applicable);
- Special Event Permit (if applicable);
- Temporary Food Service Permit (if applicable);
- Payment of Fees; and
- Payment of Damage Deposit.

#### Section 6 – LICENCES AND PERMITS

##### 1. Special Event Permit

For any event where alcohol is served, the Applicant is required to obtain a Special Event Permit. A SEP permits allows the Applicant to serve, sell and consume alcohol at its special event. The SEP must be prominently displayed, on the day of the event, in the area where liquor is served. A complete copy of the requirements that pertain to this license can be found at <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-licences-permits/applying-for-a-liquor-licence-or-permit/special-event-liquor-permit>

Applicants can apply for a special event permit at <https://specialevents.bcldb.com/>

## 2. Food Permit Requirements

Functions or gatherings which are limited to members of their own organization and invited guests are exempt from the *Food Premises Regulation* under the *Public Health Act*. These events do not require a food permit.

Public events, with or without a charge, lasting less than 14 days require a Temporary Food Service permit issued by a local health authority. The permit application must be submitted to the local health authority at least 14 days prior to the event.

More information can be obtained from the Temporary Event Planning Guide available at <http://www.viha.ca/mho/food/index.html>

The application for a Temporary Food Permit can be found here:

<http://www.viha.ca/NR/rdonlyres/72D59F9E-EFD1-450C-970F-3037970F35B0/0/WritableApplicationtoOperateTemporaryFoodServiceJune12017.pdf>

## 3. Insurance

All Applicants are required to acquire Comprehensive General Liability insurance in an amount of not less than \$1,000,000. If alcohol is served, a greater amount may be required. The certificate of insurance must show the Village of Tahsis named as an additional insured. It is recommended that Applicants purchase insurance from the Municipal Insurance Association of BC through its user-friendly website <https://bc.events.insure/>. Applicants requiring assistance with the accessing the portal or seeking information about insurance can contact the Recreation Director. This is a recommendation only. Applicants can purchase insurance from any broker as long as the insurance is sufficient for the event.

## 4. Fees and Deposits

Facility and equipment rental fees are charged in accordance with Fees & Charges Bylaw No.594, 2017 Schedule H. Fees and the \$100 maintenance/security deposit is due in full at the time of booking.

Applicants playing pre-recorded music at public events you may be required to pay SOCAN fees. Applicants must comply with the SOCAN rules for playing pre-recorded music and may be required to show they have paid the SOCAN fees or prove they are exempt.

Additional charges may apply to your event for use of special equipment or assistance with set up. Please refer to Fees & Charges Bylaw No. 594, 2017.

Any damaged or lost equipment will be covered by the maintenance/security deposit.

5. Grant-In-Aid

A Grant-In-Aid may be requested by non-profit and community groups. If approved by Council, a grant-in-aid may offset some or all of the fees charged by the Village for the use of the facility. Grant-in-Aid applications are available at the Village Office.

**SCHEDULES:**

- A. Fees and Charges Bylaw No. 594, Schedule "H"
- B. Grant-in-Aid Policy #2007

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