

BY-LAW NO.

**A By-law to amend License By-law No. 4450
regarding a new license category Retail Dealer - Cannabis**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the License By-law.
2. In section 2, Council:
 - (a) strikes out the definition of “Retail Dealer – Medical Marijuana-related”; and
 - (b) adds the following definition in correct alphabetical order:

““Retail Dealer – Cannabis” means any person not otherwise herein defined who carries on the business of selling cannabis, including any products containing cannabis, directly to the public.”.

3. Council adds a new section 9A.2 as follows:

“COMMENTS UNDER CANNABIS CONTROL AND LICENSING ACT

- 9A.2 (1) Council delegates to the Inspector its powers and duties under section 33 of the Cannabis Control and Licensing Act to provide comments and recommendations to the general manager under that Act, on any application for a prescribed class of licence or any application for an amendment to a prescribed class of licence.
- (2) Despite the delegation of powers and duties set out above in subsection (1), the Inspector may refer any application referred to in subsection (1) to Council for comments and recommendations.
- (3) If the Inspector provides comments and recommendations, the applicant whose application is the subject of the delegated comments and recommendations has the right to a reconsideration by Council, and may apply for a reconsideration by delivering a request for reconsideration to the City Clerk setting out the reasons for the request.
- (4) Every applicant for a licence referred to in subsection (1) in respect of which Council or the Inspector provides to the general manager under that Act comments and recommendations, must pay the city the applicable fee specified in Part 1 of Schedule B to this By-law. ”.

4. In section 12.2, Council strikes subsections (29) and (30).

5. In section 24.5, Council:
- (a) strikes out the title “RETAIL DEALER – MEDICAL MARIJUANA-RELATED” and substitutes “RETAIL DEALER – CANNABIS”;
 - (b) strikes out “Retail Dealer – Medical Marijuana-related” wherever it appears and substitutes “Retail Dealer – Cannabis”;
 - (c) in subsections 8(f), (14), (15), and (16), strikes out “marijuana” and substitutes “cannabis”; and
 - (d) strikes out subsections (23) and (24).
6. In Schedule A, Business License Fees, Council strikes out “RETAIL DEALER – MEDICAL MARIJUANA-related” and substitutes “RETAIL DEALER – CANNABIS”.
7. In Schedule B, Miscellaneous Service Fees, Council adds the words “on an application for the issue or amendment of a cannabis licence, or” after “Fee for assessing and providing comments”.

Severability

8. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

Force and effect

9. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of , 2018

Mayor

City Clerk