

CITY OF KELOWNA
Bylaw No. 12727
Amendment No. 1 to
Business Licence and Regulation Bylaw, No. 12585

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Business Licence and Regulation Bylaw, No. 12585 be amended as follows:

1. THAT **Part 2 – Definitions, Section 2.2** be amended by adding the following new defined terms, in the appropriate alphabetical order:
 - 1.1. “**CANNABIS** as defined by the *Cannabis Act*, SC 2018, c.16 as amended or replaced from time to time.”
 - 1.2. “**CANNABIS PRODUCTION BUSINESS** means a **premises** for producing, processing, sorting, providing, shipping, delivering, or destroying **cannabis** or a **cannabis**-related product. Must include a Health Canada licensed process or activity pertaining to cannabis such as analytical testing, micro or standard cultivation, nursery, processing, research, wholesale sale, production for a medical or non-medical purpose. This does not include the retail sale or dispensing of **cannabis**.”
 - 1.3. “**CANNABIS RETAIL SALES ESTABLISHMENT** means a **premises** used for the retail sale of **cannabis** which holds a licence issued by the **BCLCRB**.”
2. THAT **Part 8 – Regulations for Specific Businesses** be amended by
 - 2.1. Adding the following new sections after Section 8.3 and before Section 8.4:

“Cannabis

8.4 Every person operating a **Cannabis Production Business** must submit to the **Licence Inspector**, at the time of application or within five (5) days of such a request, the following:

 - a) A copy of the Health Canada Cannabis licence indicating licensed activities.
 - b) A ventilation plan that indicates the system used to control the environment
 - i) meets the requirement of Health Canada Licensing standards, and
 - ii) prevents the escape of pollen and other particles through exhausted air ensuring no particles or odours leaving the premises can be detected by a person with a normal sense of smell while standing at the exterior of the premises.
 - c) A waste management plan that demonstrates compliance with Solid Waste Management Regulation Bylaw No. 10106 and indicates the methods used to
 - i) dispose of waste, cannabis, or cannabis byproduct in a manner that protects a person or animal at time of possession or ingestion, including denaturing cannabis.
 - d) A plan that demonstrates compliance with Water Regulation Bylaw No. 10480 and Sanitary Sewer/Storm Drain Regulation Bylaw, No. 6618-90, including
 - i) how backflow prevention protects the water supply delivered to the property or building, and
 - ii) the quality of wastewater to be discharged into the City’s wastewater or storm water collection system.

8.5 Every person operating a **Cannabis Retail Sales Establishment** must submit to the **Licence Inspector**, at the time of application or within five (5) days of such a request, the following:

 - a) A copy of the Cannabis Retail Store Licence issued by the **BCLCRB**.

b) A floor plan of the **premises** that labels each room or area with its intended use and dimensions, including cannabis storage area, sales counter, cash register location, or security features.”

2.2. Renumbering the remainder of Part 8 to reflect the insertion of new sections.

3. THAT **Schedule “A” Annual Licence Fees** table be amended by adding the following in the appropriate locations:

Type Code	Licence Category	Annual Licence Fee(s)
“1055	CANNABIS PRODUCTION An establishment intended to operate as a Cannabis Production Business.	\$650”
“1056	CANNABIS RETAIL SALES ESTABLISHMENT An establishment intended to operate as a Cannabis Retail Sales Establishment.	\$650”

4. The Medical Marihuana Producer Business Licence and Regulation Bylaw No. 10920 including all amendments is hereby repealed.

5. This bylaw may be cited as "Bylaw No. 12727, being Amendment No. 1 to Business Licence and Regulation Bylaw, No. 12585".

6. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk