

**VILLAGE OF PEMBERTON
BYLAW No. 894, 2021**

A bylaw to amend Village of Pemberton Business Licence Bylaw No. 855, 2019

WHEREAS pursuant to Section 59 of the *Community Charter*, Council is empowered to regulate in relation to business;

AND WHEREAS Council is empowered to provide for granting of business licences, to fix and impose licence fees and regulate certain trades, occupations and businesses in the Village of Pemberton;

AND WHEREAS Council may amend its bylaws from time to time when deemed appropriate.

NOW THEREFORE, the Council of the Village of Pemberton, in open meeting assembled, **ENACTS AS FOLLOWS**:

PART 1: CITATION

1.1 This bylaw may be cited for all purposes as the “Village of Pemberton Business Licence Bylaw 855, 2019, Amendment (Cannabis Fees) Bylaw No. 894, 2021”.

PART 2: APPLICATION

2.1. Village of Pemberton Business Licence Bylaw No. 855, 2019, is amended as follows:

a) **PART 2 DEFINITIONS** is amended by:

- i. renaming the Part to **PART 2 INTERPRETATION**;
- ii. adding the following definitions to section 2.1:

Building Official means the individual appointed to this role for the Village or their designate.

Fire Chief means the individual appointed to this role for the Village or their designate.

iii. adding the following new sections:

2.2. In this Bylaw, a reference to an *Act* refers to a statute of British Columbia and a reference to any statute, regulation or other enactment refers to that enactment as amended or replaced from time to time.

- 2.3. Except as otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the *Community Charter, Local Government Act, Interpretation Act*, and Zoning Bylaw No. 832, 2018.
- 2.4. Headings are used for convenience only and must not be construed as defining or limiting the scope of intent.
- 2.5. Words in the singular include the plural, and words in the plural include the singular.
- 2.6. If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion must be severed, and the remainder of the Bylaw continues to be valid and enforceable.
- 2.7. Nothing in this Bylaw relieves a person from complying with any Federal or Provincial enactment or any other bylaw or requirement of a permit, order, or licence.
- 2.8. In the event of inconsistency between a provision of this Bylaw and that of another enactment, the more restrictive enactment is deemed to apply.

e) **PART 7 INSPECTION OF PREMISES** is amended as follows:

- i. Section 7.1. is replaced with:

Every owner, occupier, or business licence holder of any business in the Village shall give to the *Licence Inspector, Bylaw Enforcement Officer, Building Official, or Fire Chief*, access at any reasonable hour to the premises from which the business is carried on.

- ii. Section 7.2 is replaced with:

The *Licence Inspector, Bylaw Enforcement Officer, Building Official, or Fire Chief*, may inspect the premises for which a business licence application is made, or a business licence is issued, and such inspection shall be for the purpose of observing compliance with all applicable bylaws as amended from time to time

- iii. Section 7.3 is added as follows:

When more than one inspection is required by the *Fire Chief* to confirm that the premises are in compliance with all applicable bylaws, a fee, as set out in Schedule 'A' of this Bylaw, shall be payable, for each additional inspection by the *Fire Chief*, prior to issuance of the business licence.

iv. Section 7.4 is added as follows:

When more than one inspection is required by the *Building Official* to confirm that the premises are in compliance with all applicable bylaws, a fee, as set out in Schedule 'A' of this Bylaw, shall be payable, for each additional inspection by the *Building Official*, prior to issuance of the business licence.

f) **PART 10 FEES** is amended as follows:

i. Section 10.6 is replaced with the following:

An applicant for a cannabis retail business licence or a cannabis production facility business licence must pay a non-refundable application processing fee as per Schedule 'A' before the business licence application is accepted for review.

f) **PART 27 SEVERABILITY, PART 28 MASCULINE/SINGULAR, and PART 29 BYLAW SHALL PREVAIL** are deleted and **PART 30 REPEAL AND SCHEDULE** is renumbered accordingly to **PART 27**.

g) **Schedule 'A'** of Business Licence Bylaw No. 855, 2019 is hereby deleted and replaced with a new Schedule 'A' that is attached and hereto forms part of this Bylaw.

READ A FIRST TIME this ____ day of _____, 2021.

READ A SECOND TIME this ____ day of _____, 2021.

READ A THIRD TIME this ____ day of _____, 2021.

ADOPTED this ____ day of _____, 2021.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

SCHEDULE 'A' FEES

Fee Description	As of January 1, 2021	As of January 1, 2022	As of January 1, 2023
Part 7. Inspection of Premises			
Additional Inspection, Fire Chief (7.3)	\$100.00	\$100.00	\$100.00
Additional Inspection, Building Official (7.4)	\$100.00	\$100.00	\$100.00
Part 8. Transfer of Change at the Request of the Business			
Transfer or Change Fee (8.2)	\$25.00	\$25.00	\$25.00
Business Licence Fees			
Administration Fee (10.3: application withdrawn or refused)	\$25.00	\$25.00	\$25.00
Inspection Fee (10.4: application withdrawn or refused)	\$100.00	\$100.00	\$100.00
Business Licence Fee, Resident and Non-Resident	\$150.00	\$150.00	\$150.00
Business Specific Fees (Part Noted)			
Cannabis Production Facility, Standard (22)	\$5,000.00	\$2,500.00	\$150.00
Cannabis Production Facility, Micro (22)	\$2,500.00	\$1,250.00	\$150.00
Cannabis Retail Store (23)	\$5,000.00	\$2,500.00	\$150.00
Community Event (16)	\$150.00	\$150.00	\$150.00
Farmers' Market (20)	\$300.00	\$300.00	\$300.00
Street, Park, Mobile or Temporary Vendor (14)	\$300.00	\$300.00	\$300.00
Short-Term Vacation Rental (21)	\$300.00	\$300.00	\$300.00
Special Event (17)	\$150.00	\$150.00	\$150.00
Trade Contractor (15)	\$150.00	\$150.00	\$150.00
Vending Machine (18)	\$150.00	\$150.00	\$150.00
Part 10.5 Fee Reduction for Applications Received Between October 1st and December 31st			
All Businesses	-50%	-50%	-50%
Part 10.6 Non-Refundable Application Processing Fee			
Cannabis Retail Store	\$1,000.00	\$1000.00 + Costs	\$1,000.00 + Costs
Cannabis Production facility	NA	\$1,000.00	\$1,000.00
Part 10.7 Auxiliary Business			
Fee for business that is auxiliary to an existing business	\$50.00	\$50.00	\$50.00
Part 12. Business Licence Late Payment Fee			
All Businesses	+25%	+25%	+25%