

TOWN OF SIDNEY

BYLAW NO. 2175

146

A BYLAW TO ESTABLISH FEES TO RECOVER COSTS ASSOCIATED WITH THE ASSESSMENT OF CANNABIS AND LIQUOR LICENCE APPLICATIONS

WHEREAS Section 41 of the *Liquor Control and Licensing Act* permits a local government to impose fees to recover the costs associated with providing comments and recommendations on a liquor licence application; and,

WHEREAS Section 35 of the *Cannabis Control and Licensing Act* permits a local government to impose fees to recover the costs associated with providing comments and recommendations on a cannabis licence application;

NOW THEREFORE the Council of the Town of Sidney, in open meeting assembled, enacts as follows:

Citation

1. This bylaw may be cited as the "**Town of Sidney Cannabis and Liquor Licensing Fee Bylaw No. 2175**".

Interpretation

2. In this Bylaw,

"Act" means either the *Liquor Control and Licensing Act* and its regulations or the *Cannabis Control and Licensing Act* and its regulations, as applicable to the licence application;

"assessment" means a Council assessment or a staff assessment;

"Council assessment" means a method used to conduct an assessment of a licence application involving Council's taking into account related matters, commenting on, making recommendations in connection with, and otherwise considering;

"Council" means the Council of the Town of Sidney;

"licence" has the same meaning as under the Act;

"licence application" means an application under the Act for:

- a) the issuance, amendment, or renewal of a licence;
- b) any other application in connection with which the Act allows or requires the Town's assessment;

"staff assessment" means a method used to conduct an assessment of a licence application involving undertaking a technical evaluation of a licence application by the Town's officers or employees, but does not include any of the following matters:

- a) reporting to Council;
- b) a public consultation process;

"Town" means the Town of Sidney.

Fees and Deposits

3. If the Town will give comments and recommendations on an application under section 38 of the *Liquor Control and Licencing Act*, or section 33 of the *Cannabis Control and Licencing Act*, the applicant shall pay the following fees to the Town:
- a) \$100.00 fee for a staff assessment of a licence application;
 - b) \$250.00 in the case of an application to amend an existing licence or an application for a special occasion licence;
 - c) \$450.00 in the case of an application for a new licence, other than a new special occasion licence;
 - d) In addition to the fees required in (b) and (c) above, the applicant shall pay the Town's cost for public notification as part of the public consultation process required by the Act or requested by the Council to complete the Council's assessment of a licence application, which costs shall be paid by the applicant first providing a deposit of \$1,500.00. If the Town's actual cost is less than the amount of the deposit, the difference shall be refunded to the applicant. If the Town's actual cost is greater, the applicant shall pay the difference.

Read a first time this _____ day of _____, 2019.

Read a second time this _____ day of _____, 2019.

Read a third time this _____ day of _____, 2019.

Adopted this _____ day of _____, 2019.

MAYOR

CORPORATE OFFICER