

Business & Tobacco Licensing Bylaws – Cannabis Amendments

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BACKGROUND

- On April 23rd, 2018, Council directed Administration to support Business/Tobacco Retail Licensing “Option 2” from the report that was given as part of the Cannabis Project Update”:
 - Minor Regulatory Framework;
 - Cannabis Retail Stores regulated through existing “Restricted Products” Section of the Business Licensing Bylaw;
 - Amend Tobacco Retail Licensing Bylaw so that Cannabis Retail Stores are not considered to be selling “Tobacco Product”;
 - Add a specific licensing fee.

Provincial Regulations

- The Alberta Gaming and Liquor Commission (AGLC) will heavily regulate the operation of cannabis retail stores:
 - Background checks for employers, associates and employees;
 - Store security requirements;
 - Naming/Advertising Restrictions;
 - Restrictions on what can/can't be sold at a cannabis retail store.

Recommendations

- Regulate Cannabis using existing regulations for stores that sell “restricted products” (i.e., products associated with cannabis use).
 - Add cannabis as a “restricted product”
 - Cannabis can’t be sold to minors, or displayed in a store in a way that it can be seen from outside the store
 - Fits with current licensing policies and practices
 - Promotes St. Albert’s regulatory priority being the limiting of exposure/access of cannabis to minors

Recommendations (Continued)

- Add specific conditions that can be placed on a business licence for a business that sells restricted products:
 - Conditions apply if the sale of restricted products causes a “public nuisance”
 - Conditions can limit the hours of operation (10:00AM – 10:00PM), and require all cannabis to be kept in sealed packaging/containers
 - Allows Administration to use discretion when applying these conditions/requirements
 - Gives clarity to the retail cannabis industry as to operational expectations and what type of conditions would be imposed should these be broken

Recommendations (Continued)

- Licensing Fee for Cannabis Retail Stores: \$854.76 / Year.
 - Exact same total of licensing fees paid by businesses that sell tobacco products
 - Fits with current licensing fee policies
 - Promotes St. Albert as a competitive place to do business
 - Calgary Licensing Fee: \$191.00
 - Edmonton Licensing Fee: \$2,500.00

Implications / Alternatives

- Council could direct Administration to remove the ability to apply conditions on business licences for businesses that sell restricted products
 - Similar regulations could be applied at a later date
 - Regulations could be mandatory for all cannabis retail stores, instead of a condition imposed at the discretion of Administration
 - Such regulations could be proposed/reviewed as Administration continues to monitor the operation of cannabis retail stores post-legalization