



## Legislation Details (With Text)

**File #:** BL-17-038      **Version:** 1      **Name:**  
**Type:** Bylaw      **Status:** Filed  
**File created:** 6/13/2017      **In control:** City Council  
**On agenda:** 7/10/2017      **Final action:** 7/10/2017  
**Title:** Tobacco Retail Licensing Bylaw 20/96  
Presented by: Dawn Fedorovich, Economic Development Officer

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bylaw 15-2017 - Tobacco Retail Licensing Bylaw, 2. Tobacco Retail Licensing Bylaw Redlined

Date	Ver.	Action By	Action	Result
7/10/2017	1	City Council	receive first reading	Pass
7/10/2017	1	City Council	received second reading	Pass
7/10/2017	1	City Council	consent to third reading	Pass
7/10/2017	1	City Council	received third reading	Pass

**TAMRMS#: B06**

### Tobacco Retail Licensing Bylaw 20/96

Presented by: Dawn Fedorovich, Economic Development Officer

### RECOMMENDATION(S)

1. That Bylaw 15/2017, being a bylaw to provide for the licensing of tobacco retail operations, be read a first time.
2. That Bylaw 15/2017 be read a second time.
3. That unanimous consent be given for third reading of Bylaw 15/2017.
4. That Bylaw 15/2017 be read a third and final time.

### PURPOSE OF REPORT

The report outlines amendments recommended to update the Tobacco Retail Licensing Bylaw to allow for license transferability and prorated fees.

### COUNCIL DIRECTION

On May 1, 2017 Council passed the following motion:

(CM-17-035)

That the Tobacco Retail Licensing Bylaw 20/96 be amended to allow for license transferability in the

case of new ownership and that pro-rated fees are added to Schedule A of the Bylaw.

## **BACKGROUND AND DISCUSSION**

The Tobacco Retail Licensing Bylaw was created in 1996 to provide for the licensing of tobacco retail operations. It regulates which companies and staff within those companies can sell tobacco products, as well as how they can sell tobacco products. A "Tobacco Product" is defined as

- (i) tobacco in any form including, but not limited to, cigarettes, pipe tobacco, loose tobacco, plugs of tobacco, chewing tobacco and snuff; and
- (ii) merchandise used to make cigarettes, including, but not limited to, rolling papers, tubes, and filters; and
- (iii) any device intended to facilitate smoking activity, including pipes (metal/ glass blown, plastic, wood), water bongs and vaporizers.

The Bylaw requires any business that intends to sell tobacco products to obtain a Tobacco Retail License. The license is valid from the date it is issued until December 31<sup>st</sup> of the current calendar year, at which point it must be renewed for the following calendar year if the business will continue to sell tobacco products. The Bylaw does not allow for pro-rated fees, and the license cannot be transferred; this means that any new business owner, whether they are taking ownership of an existing business or starting a new business, must pay the full year's fee regardless of when they begin business operations or assume ownership of an existing business.

As per Council's direction Bylaw 20/96 has been amended to allow for license transferability in the case of new ownership and pro-rated fees have been added to Schedule A of the Bylaw. These changes align this bylaw with the existing Business License Bylaw 43/2000 which tobacco product sellers must also comply with. A similar pro-rated fee structure has been applied.

## **STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT**

This proposed amendment has been discussed with the Economic Development Advisory Board.

## **IMPLICATIONS OF RECOMMENDATION(S)**

Financial: Administration anticipates a decrease of approximately \$2,000 in annual revenue.

Legal / Risk: N/A

Program or Service: N/A

Organizational: N/A

## **ALTERNATIVES AND IMPLICATIONS CONSIDERED**

If Council does not wish to support the recommendation, the following alternatives could be considered:

- a) Refer the bylaw back to Administration to amend as per the general discussion of Council and present back to Council at a future date.

- b) Direct that the bylaw be amended in a specific means as per Council direction.
- c) Take no further action on this matter.

## STRATEGIC CONNECTIONS

- a) Council's Strategic Outcomes and Priorities (See Policy C-CG-02)
  - ☐ Cultivate Economic Prosperity: A diversified, robust and resilient economic foundation to support growth and community service delivery.
- b) Long Term Plans (e.g. MDP, Social Master Plan, Cultural Master Plan, etc.)
  - ☐ N/A
- c) Corporate Objectives (See Corporate Business Plan)
  - ☐ Deliver programs and services that meet or exceed our standards
  - ☐ Ensure our customers are very satisfied
- d) Council Policies
  - ☐ N/A.
- e) Other Plans or Initiatives (Business Plans, Implementation Strategies, etc.)
  - ☐ N/A

Report Date: July 4, 2017

Author(s):

Committee/Department: Infrastructure & Development Services

General Manager:

City Manager: Kevin Scoble