

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to establish fees to recover the City's costs associated with the assessment of liquor licence applications.

Under its statutory powers, including section 15.1 of the *Liquor Control and Licensing Act*, the Municipal Council of the City of Victoria enacts the following provisions:

1 This Bylaw may be cited as the "LIQUOR LICENSING FEE BYLAW".

2 In this Bylaw,

"Act"

means the *Liquor Control and Licensing Act* and its regulations;

"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

- (a) the City's Council,
- (b) the City's Committee of the Whole Council, or
- (c) both Council and the City's Committee of the Whole Council, acting jointly in the same matter;

"licence"

has the same meaning as under the Act;

"licence application"

means an application under the Act for

- (a) the issue, amendment, or renewal of a licence, including but not limited to the following matters:

- (i) an application for increasing the permitted capacity of the licensed area of a licensed establishment;
- (ii) an application for a designated food-option area within a licensed establishment, or
- (b) any other application in connection with which the Act allows or requires the City'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 City's officers or employees, but does not include any of the following matters:

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

"special occasion licence"

has the same meaning as in section 7 of the Act.

- 3** For the purpose of recovering the costs incurred by the City, the person making a licence application must pay to the City the following fees in connection with a an assessment that is requested or required of the City under the Act:
- (a) \$25.00 for a staff assessment of a special occasion liquor licence application;
 - (b) \$40.00 for a staff assessment of a licence application for a temporary change to a liquor licence's terms and conditions;
 - (c) \$375.00 for a staff assessment of a licence application;
 - (d) \$375.00 for a Council assessment of a licence application;
 - (e) the City's costs for public notification of a public consultation process that is referred to in section 4(1), and is required by the Act or requested by the Council to complete the Council's assessment of a licence application.
- 4** (1) For the purpose of carrying out an assessment of matters in connection with a licence application, the Council may undertake a public consultation that includes but is not limited to the following processes:
- (a) gathering the views of residents by receiving written comments, conducting a public hearing, holding a referendum, or any other

similar method required under the Act or, if permitted but not required under the Act, determined by the Council;

- (b) undertaking the procedures connected with the matters referred to in paragraph (a), including the providing of notices and making related information publicly available.
- (2) For the purpose of carrying out any of the matters under subsection (1), the Council must apply the following rules and procedures applicable to each matter, including hearings and decision-making:
- (a) the common law rules of procedural fairness;
 - (b) the procedures for notice and other procedural matters required under the Act.

READ A FIRST TIME the **22ND** day of **FEBRUARY** , 2001.

READ A SECOND TIME the **22ND** day of **FEBRUARY** , 2001.

READ A THIRD TIME the **22ND** day of **FEBRUARY** , 2001.

ADOPTED on the **8TH** day of **MARCH** , 2001.

“MIKE MCCLIGGOTT”
ACTING DIRECTOR OF
CORPORATE SERVICES

“ALAN LOWE”
MAYOR