

necessary to assist staff in eliminating from the City such displays of drug paraphernalia in businesses and the sale of drug paraphernalia to minors.

To satisfy the requirements of the *Community Charter*, after Council has given the Business License By-law amendment by-law three readings, City staff will provide notice regarding the amendments to affected businesses, give the business owners an opportunity to make submissions on the amendments and provide a further report to Council on the input that is received prior to Council consideration of final adoption of the by-law amendments.

CONCLUSION

Based on the above discussion, it is recommended that Council:

- Approve amendments to the Business License By-law, 1999, No. 13680 (the "Business License By-law") as documented in Appendix "A" to this report, which if adopted will restrict the display and sale of paraphernalia related to the illicit use of drugs; and
- Direct the Manager, By-law & Licensing Services to give notice of the amendments to affected businesses to allow them an opportunity to comment on the amendments and to report back to Council on the comments that are received prior to Council consideration of final adoption of the by-law amendments.

CRAIG MacFARLANE
City Solicitor

JES:sma
Attachment

c.c. John Sherstone, Manager, By-law & Licensing Services

APPENDIX "A"
CITY OF SURREY
BY-LAW NO. 15822

A by-law to amend the provisions of "Business License
By-law, 1999, No. 13680" as amended.

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The Council of the City of Surrey, in open meeting assembled, ENACT AS FOLLOWS:

1. "Business License By-law, 1999, No. 13680" as amended is hereby further amended as follows:

1. Section 2. is amended by inserting the definition of "Drug Paraphernalia" after the definition of "Council" as follows:

"Drug Paraphernalia" means any product, equipment, thing or material of any kind primarily used to produce, process, package, store, inject, ingest, inhale or otherwise introduce into the human body a controlled substance as defined in the *Controlled Drugs and Substances Act*.

2. New Section 48A is inserted immediately after Section 48 "Discotheques and Dancehalls" as follows:

Drug Paraphernalia

48A. (1) No person carrying on a business shall display or permit to be displayed on a street or in any window facing a street, or elsewhere where it can be seen by a person inside or outside the premises, or to the public at large, any drug paraphernalia.

(2) No person carrying on a business shall sell drug paraphernalia to any person under the age of 19 years except where the premises are licensed as a pharmacy under the *Pharmacists Act*.

2. This By-law shall be cited for all purposes as "Business License By-law, 1999, No. 13680, Amendment By-law, 2009, No. 15822".

PASSED THREE READINGS by the City Council on the ____ day of _____, 200_.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the ____ day of _____, 200_.

_____MAYOR

_____CLERK