

CITY OF SURREY

BYLAW NO. 18080

A bylaw to amend the provisions of the "Controlled Substance  
Property Bylaw, 2006, No. 15820"

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

1. The "Controlled Substance Property Bylaw, 2006, No. 15820", as amended, is hereby amended as follows:

(a) By inserting the phrase "and properties used for the production of other substances", immediately after the existing phrase "controlled substance properties" in the first full sentence after the title, "Controlled Substance Property Bylaw, 2006, No. 15820", and immediately preceding the preamble.

(b) By inserting the phrase "and properties used for the production of other substances", immediately after the existing phrase "controlled substance properties" wherever it appears in the preamble;

(c) Section 3.1 be amended by inserting the wording ", but does not include a medical marijuana grow operation", immediately after the existing phrase "psilocybin mushrooms" in the definition of "grow operation";

(d) Section 3.1 be amended by adding the following new definitions of "medical marijuana grow operation" and "medical marijuana license" after the existing definition of "inspector":

""medical marijuana grow operation" means the cultivation and/or production of marijuana pursuant to a valid and subsisting license issued pursuant to applicable federal, provincial or municipal law;

"medical marijuana license" means a valid and subsisting license to cultivate and/or produce marijuana issued pursuant to applicable federal, provincial or municipal law;"

- (e) Section 3.1 be amended by inserting the wording "or marijuana" immediately after the existing phrase "grow controlled substances" in the definition of "professional cleaner";
- (f) The definition of "service costs" in Section 3.1 be amended as follows:
  - i. By deleting the paragraph immediately after the existing phrase "service costs" and before subparagraph (a) and replacing it with the following:

"means all direct and indirect costs incurred by the City in relation to the inspection and removal of a grow operation, medical marijuana grow operation, clandestine drug lab or activities at a controlled substance property; or individuals or materials associated with or by-products resulting from a grow operation, medical marijuana grow operation, clandestine drug lab or activities at a controlled substance property, and includes:"
  - ii. By inserting the wording ", medical marijuana grow operation" immediately after the existing phrase "a grow operation" in subparagraph (g)(i);
  - iii. By inserting the phrase "or marijuana" immediately after the existing phrase "controlled substance" in subparagraph (g)(ii);
  - iv. By inserting the wording ", medical marijuana grow operation" immediately after the existing phrase "a grow operation" in subparagraph (h);
- (g) Section 3.1 be amended by inserting the wording "and includes a manufactured home as defined in the *Manufactured Home Act*, S.B.C. 2003, c. 75", immediately after the existing phrase "or other construction" in the definition of "structure";
- (h) By inserting the wording ", medical marijuana grow operation" immediately after the existing phrase "a grow operation" in Section 4.6;
- (i) By inserting the wording ", unless the remediation is required to be done pursuant to section 5.4.1," immediately after the existing phrase "section 5.2 of this bylaw must" in Section 5.4.

- (j) By adding a new Section 5.4.1 immediately after Section 5.4 as follows:
- "5.4.1 If a parcel or a building on a parcel is or has been used as a medical marijuana grow operation, the owner of the parcel must, subject to the *Residential Tenancy Act*, complete sections 4.11(a) to (f), 5.2(a) to (c), and 5.3 in respect of the building and parcel used for a medical marijuana grow operation, within 60 days of the earlier of:
- (a) the expiry or termination of the medical marijuana license, or
  - (b) where a "Do Not Occupy" notice has been posted under section 7.1, the posting of the "Do Not Occupy" notice,
- or within any other period as determined by the Manager, By-law and Licensing Services."
- (k) By inserting the wording ", medical marijuana grow operation" immediately after the existing phrase "a grow operation" in Section 5.8 and by adding the wording ", 4.11" immediately after the existing phrase "section 4.10" in Section 5.8;
- (l) By inserting the wording ", medical marijuana grow operation" immediately after the existing phrase "a grow operation", wherever it appears in Section 5.9;
- (m) By inserting the words "or building" after the existing phrase "a parcel" in Section 7.1(a) and the words "or is or has been used as a medical marijuana grow operation" immediately after the existing phrase "controlled substance property" in Section 7.1(a);
- (n) By inserting the words "or a building or parcel that is or has been used as a medical marijuana grow operation" immediately after the existing phrase "controlled substance property" in Section 7.1(b);
- (o) By inserting the words "or a building or parcel that is or has been used as a medical marijuana grow operation" immediately after the existing phrase "controlled substance property" in Section 7.1(c);

- (p) By inserting the words "or a building or parcel that is or has been used as a medical marijuana grow operation" immediately after the existing phrase "controlled substance property" in Section 7.2(a);
  - (q) By inserting the words "or a building or parcel that is or has been used as a medical marijuana grow operation" immediately after the existing phrase "controlled substance property" in Section 7.6(d);
  - (r) By inserting the words "or is or has been used as a medical marijuana grow operation" immediately after the existing phrase "controlled substance property" in Section 8.2;
  - (s) By inserting the wording ", medical marijuana grow operation" immediately after the existing phrase "a grow operation" in Section 10.1;
  - (t) By inserting the wording ", medical marijuana grow operation" immediately after the existing phrase "a grow operation" in Section 10.3; and
  - (u) By deleting the amount of "\$4,038.00" in Section 1 under the heading "Fees" in Schedule A and replacing it with amount of "\$5,263.00".
2. This By-law shall be cited for all purposes as the "Controlled Substance Property Bylaw, 2006, No. 15820, Amendment Bylaw, 2013, No. 18080"

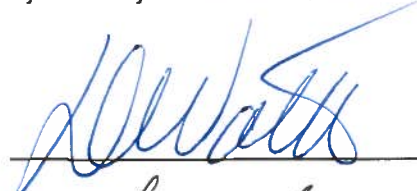
PASSED FIRST READING on the 7th day of October, 2013.


PASSED SECOND READING on the 7th day of October, 2013.

PASSED THIRD READING on the 7th day of October, 2013.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 28th day of October, 2013.



  
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MAYOR

  
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CLERK