



## ***Enaadmaagehjik o/a Wikwemikong Development Commission***

### **Wiikwemkoong Unceded Territory Business Permit Policy Effective: July 04, 2016**

**To be reviewed on an annual basis (reviewed in May 2017 & May 2018, June 3, 2019, BCM# 166-2019)**

#### **PURPOSE**

The purpose of this policy is to maintain current and relevant information as to what businesses are operating in the jurisdiction of Wikwemikong. The information is helpful in fueling economic growth, marketing Wikwemikong, while at the same time gathering information as it may pertain to important public health and safety, resource development, environmental impacts, infrastructure and planning.

The policy provides for planning and to ensure businesses are locating in areas identified within the proper zoning and for addressing any required revisions or updates in the land use plan.

It is the authorization of Wikwemikong Development Commission (as delegated by Wiikwemkoong Unceded Territory) to issue the Business Permit to qualified businesses to operate within the geographic jurisdiction of Wiikwemkoong Unceded Territory, Islands and Lands owned by Wikwemikong.

#### **POLICY**

1. All individuals wishing to locate a business on Wiikwemkoong Unceded Territory shall make application to the Enaadmaagehjik, Wikwemikong Development Commission (WDC) for a Business Permit.
2. All individuals wishing to operate a cannabis retail store or CBD products within the Wiikwemkoong Unceded Territory (WUT), must obtain approval via Band Council Resolution from the Wiikwemkoong Chief and Council. Applicants must comply and meet the retail requirements under the relevant three pieces of legislation, being the Cannabis Act (federal), the Cannabis Control Act and Cannabis Licence Act and its regulations; furthermore, only Provincially or territorial-authorized cannabis retailer or a federally-licensed seller of cannabis for medical purposes can sell CBD and that the Wiikwemkoong Tribal Police be consulted.
3. All applicants will be required to submit an application using the Business Permit Request Checklist.
4. Wikwemikong Development Commission will not issue a Business Permit for any business involved in the following activities:

- illegal drugs;
  - the sex trade;
  - sex related products and services, or adult entertainment including sex shops and strip clubs;
  - Transient Event traders;
  - Direct sellers; and
  - Insurance salesman.
5. The application process must abide by a mandatory review as identified in the Business Permit Process. For Business Project revenues or construction costs (per annum or per project as applicable):
    - Less than \$10,000 – WDC General Manager/EDO only
    - Greater than \$10,000 but less than \$100,000 – WDC General Manager/EDO and WDC Board of Directors;
    - Greater than \$100,000 but less than \$500,000 - WDC General Manager/EDO, WDC Board of Directors and Chief & Council
    - Greater than \$500,000 – WDC General Manager/EDO, WDC Board of Directors, Chief & Council and Community Consultation
  6. The Department of Lands and Natural Resources Manager must review the Business Permit application if the business involves any resource development, land development, construction or environmental impact to WUIR reserve lands.
  7. Any major natural resource extraction will require a community referendum.
  8. Any business selling food directly to customers or wholesale to other retailers will require a provincial health and safety certificate. We will not issue a business permit unless you are able to provide a copy of the Certificate with your application.
  9. Businesses and Events selling food must prominently display their certified Food Handler’s Certificate.
  10. If the business uses any flammable materials and if the business is open to the public, the Fire Department will be required to provide an approval that fire safety regulations have been complied with. Periodic checks by the Fire Department will take place on an ongoing basis especially if the business is frequented by the public.
  11. The Department of Lands and Resources will advise on whether there are impacts required to control air and water pollution. If the business burns any materials, discharges anything into the sewers or waterways, or use products that produce gas, you will be required to comply with environmental protection regulations and acquire approval before doing any construction.
  12. Use of any dangerous chemicals, insecticides or pesticides must be disclosed prior to use and must comply with environmental regulations and mitigate any impact to neighbours, the community, water and air.
  13. Compliance to the local Billboard and Sign Policy in the community will require a separate application and fee. Check regulations and secure the written approval

of Wikwemikong Development Commission before you go to the expense of having a sign designed and installed.

14. The business owner is solely responsible for any taxes requiring to be collected and due to Canada Revenue Agency (CRA). This policy does not exempt any one individual and or business from CRA rules as may be applicable.
15. Any contraventions to this policy will result in an investigation and review by WDC and consequences may include revoking the Business Permit, Fines by WUIR Government and an order to shut the business at your cost (i.e.: Environmental Impact, Community Safety).
16. Any business closing will be required to a undertake reclamation for the lands occupied by the business as may deemed acceptable by the Department of Lands and Natural Resources.
17. Any businesses sold to another band member will require a new Business Permit application.
18. Wikwemikong/Wikwemikong Development Commission currently receives Health and Safety Reports from Health Canada. WDC can request Health Canada to conduct an investigation when there is a major health and safety concern. WDC can request the business to comply with a Health and Safety issue and WDC can revoke a business permit should the business not implement the recommendation in the Health and Safety report.