

BY-LAW NO. 13291

A By-law to amend License By-law No. 4450 regarding beverage cups

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the License By-law.
2. Council inserts a new definition of “drink voucher” in correct alphabetical order as follows:

““Drink Voucher” means a printed or digital card, certificate, voucher or other device that entitles the holder to a free beverage, a free meal and a free beverage, or other specified free goods or services and a free beverage, but does not include a card, certificate, voucher or other device with a monetary value.”.
3. Council strikes subsection 15.8(7).
4. Council adds new subsections 15.8(7) and (8) as follows:
 - “(7) Subsections 15.8(1) to (2) shall not apply to single-use beverage cups used to provide a beverage:
 - (a) for which the customer or recipient is not charged any monetary value;
 - (b) solely in exchange for a drink voucher, provided that the drink voucher is not sold to the customer within 3 hours of the exchange where the beverage is ordered; or
 - (c) solely in exchange for points or rewards earned using the food vendor’s loyalty or rewards program, provided that the points or rewards were not purchased by the customer.
 - (8) Section 15.8 (7) does not apply to a beverage for which:
 - (a) a discount is applied, including if a discount is applied to the customer’s order that results in a savings equal to or greater than the monetary value of the beverage;
 - (b) the customer or recipient is not charged for its monetary value conditional upon the purchase of another good or service, including but not limited to:
 - (i) the offer of a beverage with the purchase of a meal or other food item when the beverage is ordered, and
 - (ii) a service where the purchase of a membership or subscription entitles the customer to one or more beverages within a specified period of time; and

(c) the customer pays using a printed or digital card, certificate, voucher or other device with a monetary value, including a gift card or gift certificate with a monetary value.”.

5. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

6. This By-law is to come into force and take effect on enactment.

ENACTED by Council this 29th day of March, 2022

Signed _____ “Kennedy Stewart”
Mayor

Signed _____ “Katrina Leckovic”
City Clerk