

**CORPORATION OF THE CITY OF GREENWOOD**

**BUSINESS LICENCE BYLAW NO. 924, 2018**

**A Bylaw to require owners or operators of a BUSINESS to hold a valid and subsisting Licence for the carrying on of such Businesses; to fix and impose the Licence Fees and to provide for the regulation of certain Businesses in the City of Greenwood.**

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**WHEREAS** in accordance with the *Community Charter*, a municipality may, by bylaw, regulate in relation to business;

**AND WHEREAS** in accordance with the *Community Charter*, a municipality may provide for a system of licences;

**AND WHEREAS** in accordance with the *Community Charter*, a municipality has additional powers in respect of business regulation;

Council of the City of Greenwood, in open meeting assembled, enacts as follows:

**INTERPRETATION**

**1.1** In this Bylaw:

**1.1.1 ASSOCIATE** means

**1.1.1.1** a partner of the business, other than a limited partner;

**1.1.1.2** a person that serves as a trustee of the business or in a similar capacity; or

**1.1.1.3** a spouse, parent, child, sibling or a sibling's spouse of the applicant, licensee or partner of the business.

**1.1.2 BANK / CREDIT UNIONS** means financial institutions.

**1.1.3 BUSINESS** means "business" as the term is defined in the *Community Charter*.

**1.1.4 BYLAW ENFORCEMENT OFFICER** means the officers or employees appointed by Council as Bylaw Enforcement Officers or members of the RCMP.

**1.1.5 CHARITY** means a society or organization which is registered as a charitable organization or charitable foundation under the *Income Tax Act (Canada)* and is qualified to issue tax receipts to its donors.

**1.1.6 CARNIVAL** means the business of providing a variety of shows, games and amusement rides including ferris wheels, merry go rounds, or other similar rides

in which the patrons take part, for a seasonal or temporary basis, and includes a circus, fair or exhibition.

- 1.1.7 **CITY** means the City of Greenwood, a municipal corporation in the Province of British Columbia, and includes the area contained within the boundaries of the City of Greenwood where the context requires.
- 1.1.8 **CONTRACTOR** means any person who performs any type of construction or building work or service for a fee or provides materials for such works and services.
- 1.1.9 **DWELLING UNIT** has the same meaning as the term is defined in the Zoning Bylaw.
- 1.1.10 **ENVIRONMENTAL HEALTH OFFICER** means a person designated under the *Public Health Act* as an Environmental Health Officer.
- 1.1.11 **FARMERS' MARKET** means a market for the display and sale of produce, meat products, baked goods, prepared food, crafts or similar items in an open air or indoor venue on a seasonal or temporary basis.
- 1.1.12 **FLOOR AREA** means the total floor area occupied by a business within exterior and demising walls or party walls including interior partitions and other improvements.
- 1.1.13 **FOOD PRIMARY** means a business where the primary business involves the sale of food as opposed to liquor.
- 1.1.14 **HOME BASED BUSINESS** means a business that is carried on at the residence of the applicant or licensee.
- 1.1.15 **HORSE DRAWN CARRIAGE** means the business of providing a carriage, wagon, dray or other conveyance or vehicle with a driver and drawn by horses to transport passengers.
- 1.1.16 **INDUSTRY** means any business that is a permitted use only in an industrial zone in the City under the Zoning Bylaw.
- 1.1.17 **LICENCE** means a licence issued under this Bylaw.
- 1.1.18 **LICENSEE** means the person holding a valid and subsisting licence under this Bylaw.
- 1.1.19 **LICENCE FEE** means those fees attached to business types which are prescribed in Schedule "A" to this Bylaw.
- 1.1.20 **LIQUOR LICENCE** means a liquor licence issued under the *Liquor Control and Licensing Act*.

- 1.1.21 LIQUOR PRIMARY** means a business where the primary business involves the sale of liquor as opposed to food.
- 1.1.22 MOBILE VENDOR** means any person who offers for sale or immediate delivery of any food, goods, or merchandise from a vehicle or a temporary structure or display, or stand that is not permanently affixed to real property.
- 1.1.23 MULTIPLE BUSINESS(ES)** means a person who carries on two or more businesses from the same premises but excludes farmers' markets and special events carried on at the same premises.
- 1.1.24 NON PROFIT** means a society or organization that is not operated for a commercial purpose and is not a charity.
- 1.1.25 NON-RESIDENT** means a business carried on in the City but which does not use a permanent building in the City to carry on the business.
- 1.1.26 PERMANENT BUILDING** means a permanent building or structure at a fixed address in the City.
- 1.1.27 PREMISES** means an area of land, including a lot or parcel of land with or without buildings or structures, or other place occupied or capable of being occupied, by any person for the purpose of carrying on any business.
- 1.1.28 RECREATIONAL VEHICLE ACCOMMODATION** means the business of renting or otherwise providing spaces for recreational vehicles to park on a temporary basis at either a hotel, motel, residence, campground or elsewhere within the City.
- 1.1.29 RENTAL UNIT** means one (1) or more rooms leased, rented or otherwise made available for residential purposes for a month or more to which the *Residential Tenancy Act* would apply.
- 1.1.30 ROOM RENTALS** means the business of letting, renting or otherwise making two (2) or more rooms available for accommodation either in a hotel, motel, motor lodge, apartment, rooming houses, or elsewhere, which do not necessarily contain cooking, eating, living, sleeping and sanitary facilities, but does not include the rental units.
- 1.1.31 SEASONAL LICENCE** means a licence issued under this Bylaw that is valid for a term of more than three (3) months but less than one (1) year.
- 1.1.32 SECONDHAND DEALER** means a person who carries on the business of purchasing, selling, procuring or offering for sale used or second-hand items whether on a wholesale or retail basis.
- 1.1.33 SPECIAL EVENT** includes any event with a commercial aspect that occurs on a temporary basis, including an exhibition, carnival, fair, concert, performance,

other itinerant show or entertainment, auction, promotional activity or other gathering of people for a commercial purpose, whether outside or inside.

**1.1.34 TEMPORARY LICENCE** means a licence issued under this Bylaw that is valid for a term of up to three (3) months.

**1.1.35 UNCLASSIFIED** means any business for which a licence is required under this Bylaw and includes any profession, business, trade, occupation, employment or calling that is not enumerated in this Bylaw.

**1.1.36 ZONING BYLAW** means the City's current Zoning Bylaw.

**1.2** Reference to a bylaw in this Bylaw is a reference to the bylaw enacted by the City.

**1.3** Unless otherwise specified, a reference to an enactment in this Bylaw is a reference to an enactment enacted by the Province of British Columbia.

**1.4** Reference to an enactment in this Bylaw is a reference to that enactment as it may be amended, replaced or in effect from time to time.

## **BUSINESS LICENCES**

**2.1** No person shall carry on any business in the City, whether or not the primary premises used for the business is located outside the City, unless that person has a valid and subsisting licence for that type of business pursuant to this Bylaw.

**2.2** A person must not carry on any business in the City except at the premises identified in a valid and subsisting licence for that business in the City, unless the business is a non-resident business or mobile vendor.

**2.3** Every person who operates a business at more than one premises in the City must apply for and maintain a separate licence in respect of each separate premises.

**2.4** Every person who operates more than one business or type of business at a single premises must apply for and maintain a separate licence in respect of each type of business at that premises unless the type of business is expressly exempted by a provision of this Bylaw.

**2.5** For greater certainty, every type of business that is listed in Schedule "A" to this Bylaw requires a separate business licence unless the type of business is expressly exempted by a provision of this Bylaw.

**2.6** Every business must conform to the provisions of this Bylaw and any other bylaw, or law of British Columbia or Canada applicable to that business, and it is the responsibility of the person, and not the responsibility of the City, to obtain the inspections and approvals required under applicable bylaws or laws.

- 2.7 The issuance of a licence shall not be deemed to be a representation or a warranty by the City to the licensee or to anyone else that the business complies with all applicable bylaws or other enactments. The licensee must ensure compliance with all bylaws and other enactments.

### **EXEMPTED BUSINESSES**

- 3.1 Notwithstanding any other provision of this Bylaw, the following activities do not require a licence:
- 3.1.1 a business carried on by the City, the Province of British Columbia or the Government of Canada or a Crown Corporation created by either the Province of British Columbia or the Government of Canada;
  - 3.1.2 fundraising activities carried on by a charity or a non profit;
  - 3.1.3 an educational course or program provided by a community education facility, a continuing education facility or a school operated pursuant to the *School Act*, including fundraising activities to support such programs;
  - 3.1.4 a garage or yard sale that is held on a residential premises if the garage or yard sale occurs no more than six (6) days per year at the same residential address;
  - 3.1.5 a performance, concert, exhibition, entertainment or concession that is held by a charity or a non-profit; and
  - 3.1.6 a daycare or senior care business if no more than two (2) persons are being supervised or cared for by the daycare or senior care business.
- 3.2 Charities and non profits that use premises that are zoned for commercial, institutional, industrial or recreational uses under the Zoning Bylaw must register that use on the form provided by the licence inspector for that purpose with the City by December 31 of each calendar year and provide the registration number of the charity or non profit.

### **APPLICATION PROCESS**

- 4.1 Every person applying for a new licence must make the application on the form provided by the licence inspector for that purpose and provide the following information in writing on the application form:
- 4.1.1 the name, mailing address, email address, fax number and phone number of the applicant;
  - 4.1.2 confirmation whether the business is a sole proprietorship, partnership, corporation or other type of business structure;
  - 4.1.3 in the case of a sole proprietorship, the name and phone number of the sole proprietor;

- 4.1.4 in the case of a partnership, the name of all partners of the business;
- 4.1.5 in the case of a corporation, the incorporation number of the corporation and a copy of the corporation's Certificate of Incorporation and a current list of directors;
- 4.1.6 the operating name, mailing address, email address and phone number of the business;
- 4.1.7 the nature and character of the business to be carried on;
- 4.1.8 the address of the business premises;
- 4.1.9 the zone, pursuant to the Zoning Bylaw in which the business premises is located;
- 4.1.10 proof of any certification, qualification, approval, permit, licence or authorization that may be required by a federal, provincial or local authority with respect to the business, including where applicable:
  - 4.1.10.1 proof of a permit or licence issued to the business under the *Public Health Act* with a copy of the most recent inspection report issued by the health authority, if any, verifying that the business and its premises meet all regulations and requirements set out in the *Public Health Act* and associated regulations;
  - 4.1.10.2 proof of a liquor licence issued to the business under the *Liquor Control and Licensing Act* that sets out the type of liquor licence issued to the business and any endorsements or authorizations issued with the liquor licence; and
  - 4.1.10.3 proof of certification of the business under the *Private Training Act* that sets out the business's institution identification number, the name of the institution, the institution's certificate type and any history of compliance actions in respect to the institution;
  - 4.1.10.4 a fire inspection report; and
  - 4.1.10.5 any building permits issued to the business;
- 4.1.11 If the business will be carried on at a permanent building that has a fire sprinkler system installed, the applicant must provide a fire sprinkler system report conducted within the last year that confirms the fire sprinkler system is functioning;
- 4.1.12 If the business is a type of business that is required to have a fire suppression system installed at the business premises, including a food establishment business, the applicant must provide a copy of an inspection report conducted within the last year that confirms the fire suppression system is functioning;

- 4.1.13** confirmation that the applicant has not had a business licence refused, revoked, suspended or otherwise denied or terminated by the City or other local authority having authority to issue business licences under the *Community Charter or Local Government Act* or, in the event of any such refusal, revocation, suspension, denial or termination, the applicant must provide full particulars of:
- 4.1.13.1** the local authority involved;
  - 4.1.13.2** the date of the refusal, revocation, suspension, denial or termination; and
  - 4.1.13.3** the reasons, if given, for the refusal, revocation, suspension, denial or termination;
- 4.1.14** confirmation that the applicant has not had a certification, qualification, approval, permit, licence or authorization respecting a business owned or operated by the applicant refused, revoked, suspended or otherwise denied or terminated by a federal, provincial or local authority, or, in the event of any such refusal, revocation, suspension, denial or termination, the applicant must provide full particulars of:
- 4.1.14.1** the federal, provincial or local authority involved;
  - 4.1.14.2** the date of the refusal, revocation, suspension, denial or termination; and
  - 4.1.14.3** the reasons, if given, for the refusal, revocation, suspension, denial or termination; and
- 4.1.15** all other information as required on the application form and such other information as the licence inspector may reasonably require.
- 4.2** If a business, trade, occupation or profession is practiced by two or more persons in a partnership, the business may apply for a single licence for the entire business, trade, occupation or profession and pay one licence fee in the name of the partnership.
- 4.3** Where a business does not clearly fall into a type listed in Schedule “A” to this Bylaw, the licence inspector may process the application on the basis of the type of business most similar to the applicant’s business.
- 4.4** No person shall make any material misrepresentations on the licence application.

## **ISSUANCE OF LICENCE**

- 5.1** Upon being satisfied that a licence application meets the requirements for issuance of a licence in this Bylaw, the licence inspector may issue a licence.
- 5.2** All applications for a licence for an industry business must be approved by Council. Upon Council being satisfied that a licence application for an industry business meets the requirements for issuance of a licence in this Bylaw, Council may issue a licence.

- 5.3** No licence shall be granted unless the licence inspector or Council is satisfied on the information available that:
- 5.3.1** the zoning of the business premises permits the business activity;
  - 5.3.2** the proposed business complies with this Bylaw, other bylaws and all other enactments that are applicable to the business and its premises; and
  - 5.3.3** all licence fees, and any outstanding fees or fines owed to the City in relation to the business, or any other business operated by the same applicant, have been paid.
- 5.4** All licences issued under this Bylaw are not transferrable and shall apply only to the person to whom it was issued and no other person shall have the right to use such licence.

### **TERMS AND CONDITIONS OF ALL LICENCES**

- 6.1** A licence issued under this Bylaw is subject to every term and condition applicable to that business as stated in the licence and this Bylaw.
- 6.2** A licensee must comply with all bylaws and enactments applicable to that business as a term and condition of the licence.
- 6.3** As a term and condition of all licences, every person who carries on business at a permanent building that has a fire sprinkler system installed must provide an annual fire sprinkler system report to the licence inspector that confirms the fire sprinkler system is functioning with an application to renew a licence.
- 6.4** At the time a licence is issued or renewed, or as a term of a licence suspension, the licence inspector may impose terms and conditions with respect to a licence in relation to:
- 6.4.1** the duration of the licence;
  - 6.4.2** the hours of operation of the business; or
  - 6.4.3** any other terms or conditions reasonably related to compliance with this Bylaw or another applicable enactment.
- 6.5** Seasonal licences and temporary licences are subject to every provision of this Bylaw.

### **LICENSEE OBLIGATIONS**

- 7.1** Every licensee must keep a copy of the licence posted in a conspicuous place in the premises in respect of which the business is carried out or undertaken and for which the licence is issued. If the business is not carried on at a fixed location, the licensee must keep a copy of the licence on his or her person and must produce the licence upon request for public inspection.



- 7.2 Upon the termination or closure of the business, or the sale or transfer of the business to a new owner, the licensee must notify the City that the licence for the business is no longer required and the date by which the licence for the business is no longer required.
- 7.3 A licensee must not permit a director or associate to become involved in carrying on the business without first notifying the licence inspector of the change in writing, unless the business is a public company as the term is defined in the *Business Corporations Act*.
- 7.4 No licensee shall:
- 7.4.1 contravene, or permit the contravention of, any term of this Bylaw in relation to their business;
  - 7.4.2 contravene, or permit the contravention of, any term or condition of the licence;
  - 7.4.3 cause, or permit the business to cause, a nuisance to another business, residents, or members of the public; or
  - 7.4.4 make, or permit to be made, any material misrepresentation to the licence inspector regarding the business.

#### **LICENCE FEE**

- 8.1 Every person applying for a new licence must pay the licence fee specified for the type of business listed in Schedule “A” to this Bylaw.
- 8.2 The licence fee for a seasonal licence shall be one-half of the regular licence fee for the type of business listed pursuant to Schedule “A” of this Bylaw.
- 8.3 The licence fee for a temporary licence shall be the licence fee listed for a temporary licence pursuant to Schedule “A” of this Bylaw.
- 8.4 Where multiple businesses are home based businesses carried on from the same premises by the same person, such businesses shall be considered one business for the purpose of the licence fee.
- 8.5 Excluding rental unit businesses, where more than one business is:
- 8.5.1 carried on in the same building,
  - 8.5.2 operated or owned by the same licensee, and
  - 8.5.3 accessible through the same internal doorways without exiting the building,
- such businesses shall be considered one business for the purpose of the licence fee.

#### **LICENCE PERIOD**

- 9.1** A licence issued under this Bylaw is valid for up to one (1) year for the period starting January 1 and expiring December 31 of each year.
- 9.2** A seasonal licence issued under this Bylaw is valid for the term explicitly stated on the seasonal licence issued and must be valid for a term of less than one (1) year.
- 9.3** A temporary licence shall be valid for a term explicitly stated on the licence issued and must be valid for a term of at least one (1) day but no more than three (3) months.

## **LICENCE RENEWALS**

- 10.1** Every licensee must on or before December 31 of each calendar year:
- 10.1.1** apply to the licence inspector to renew the licence on the renewal form provided for that purpose;
  - 10.1.2** pay to the City the licence fee specified for the type of business in Schedule “A” to this Bylaw;
  - 10.1.3** if a certification, qualification, approval, permit, licence or authorization required by a federal, provincial or local authority with respect to the business is subject to renewal or periodic review, provide proof that the certification, qualification, approval, permit, licence or authorization has been renewed or is otherwise still valid, including proof that a permit or licence issued to the business under the *Public Health Act* is still valid, with a copy of the most recent inspection report issued by the health authority, if any, verifying that the business and its premises meet all regulations and requirements for the business set out in the *Public Health Act* and associated regulations;
  - 10.1.4** if the business is carried on at a permanent building that has a fire sprinkler system installed, provide a fire sprinkler system report conducted within the last year that confirms the fire sprinkler system is functioning pursuant to subsection 6.3; and
  - 10.1.5** if the business is a type of business that is required to have a fire suppression system installed at the business premises, including a food establishment business, provide a copy of the most recent inspection report that confirms the fire suppression system is functioning.
- 10.2** If a licensee fails to apply to renew a licence or pay the licence fee for the year within three (3) months of December 31 of each calendar year, the licence shall be deemed no longer active and the licence inspector must cancel the licence.
- 10.3** Every applicant to renew licence must provide proof of any certification, qualification, approval, permit, licence or authorization that may be required by a federal, provincial or local authority with respect to the business as set out in subsection 4.1.10.

**10.4** No person shall make any material misrepresentations on an application to renew a licence.

**10.5** Seasonal licences and temporary licences are not renewable.

## **INSPECTIONS**

**11.1** Subject to section 16 of the *Community Charter*, the licence inspector or a bylaw enforcement officer may enter and inspect any premises, related facilities or vehicles, whether or not a licence has been issued for the premises, facilities or vehicles, at a reasonable time to inspect and determine whether the provisions of this Bylaw or a term or condition of the licence are being complied with.

**11.2** The licence inspector may request a licensee to provide proof of any certification, qualification, approval, permit, licence or authorization that may be required by a federal, provincial or local authority with respect to the business at a reasonable time to determine whether the provisions of this Bylaw or a term or condition of the licence are being complied with.

## **REFUSALS, SUSPENSIONS OR CANCELLATIONS OF LICENCES**

**12.1** The licence inspector or Council may refuse to issue, refuse to renew, suspend or cancel a licence at any time when the licence inspector or Council is satisfied that:

**12.1.1** an applicant or licensee is not in compliance with this Bylaw or a term or condition of the licence applicable to the business;

**12.1.2** the applicant or licensee would violate or violated any other bylaw or enactment;

**12.1.3** the licensee ceases to meet the lawful requirements to carry on the business;

**12.1.4** the applicant or licensee, or a director or associate of the applicant or licensee if involved in carrying on the business or is, in the estimation of the licence inspector, likely to be involved in carrying on the business, has had a certification, qualification, approval, permit, licence or authorization refused, revoked, suspended, denied or terminated by a federal, provincial or local authority with respect to a business carried on or proposed to be carried on by the applicant or licensee;

**12.1.5** the applicant or licensee owes any outstanding fees or fines to the City in relation to the business or the business premises; or

**12.1.6** for other reasonable cause pursuant to the *Community Charter*.

**12.2** The licence inspector or Council may refuse to issue, refuse to renew or suspend a licence until the licence inspector is provided evidence and is satisfied that the reason for refusing to issue, refusing to renew or suspend the licence has been remedied.

- 12.3** When exercising the authority to refuse to issue, refuse to renew, suspend or cancel a licence, the licence inspector or Council may consider any information available to him or her in respect of that business, the applicant, the licensee, or a director or associate involved in carrying on the business, or is, in the estimation of the licence inspector, likely to be involved in carrying on the business, provided to him or her by another public body or is available to the public in respect of that business, the applicant or the licensee, or the director or associate that is involved or likely involved in carrying on the business.
- 12.4** The decision of the licence inspector to refuse to issue, refuse to renew, suspend or cancel a licence must be made in writing and served on the applicant or licensee by person or by mail to the address given by the applicant or licensee on the application for the licence.
- 12.5** A notice of the suspension or cancellation of a licence may be posted by the City upon the premises for which the licence was issued and such notice must not be removed until the licence is reinstated, the former licensee ceases to occupy the premises, or a new business other than the one carried on by the former licensee is started at the premises.

### **APPEAL TO COUNCIL**

- 13.1** An applicant or licensee who wishes Council to reconsider the licence inspector's decision to refuse to issue, refuse to renew, to suspend or to cancel a licence must, within ten (10) business days of the date of the refusal, suspension or cancellation, deliver to the City's Corporate Officer a written request stating the grounds upon which the request is based.
- 13.2** Upon receipt of a written request, the City's Corporate Officer must refer the request made under subsection 13.1 to a regular or special Council meeting, and notify the applicant or licensee of the time and place at which Council will reconsider the decision of the licence inspector.
- 13.3** On request by the applicant or licensee, Council shall give written reasons for its decision to uphold a decision of the licence inspector to suspend, revoke, or refuse to issue a licence.

### **SPECIFIC LICENCE REQUIREMENTS**

#### **14.1 Farmers' Market –**

- 14.1.1** No person shall hold a farmers' market in the City without holding a valid and subsisting licence issued under this Bylaw and all vendors selling or offering for sale goods and services at the farmers' market have valid and subsisting licences issued under this Bylaw.
- 14.1.2** A person holding a farmers' market may apply for a single licence for the farmers' market and pay one licence fee in the name of all the vendors selling or offering for sale goods and services at the famers' market.

- 14.1.3** Every person who wishes to hold a farmers' market must submit at the time of application for a licence for the farmers' market:
- 14.1.3.1** a list of all the vendors who will be selling or offering for sale goods or services at the farmers' market that sets out the types of goods and services offered by each vendor; and
  - 14.1.3.2** proof that all vendors intending to sell food products at the farmers' market has complied with any conditions, restrictions or requirements of the City or the health authority.
- 14.1.4** As a term and condition for all licences issued for farmers' markets, every person holding a farmers' market must provide to the licence inspector an updated list of all vendors selling or marketing goods and services at the farmers' market when a new vendor is added to the list of vendors.
- 14.1.5** Every person holding a farmers' market must operate the market for two (2) or more hours per day the market is open for business and must hold a minimum of four (4) markets per year.
- 14.2 Food Establishment** – Every person carrying on as a food establishment business must submit, at the time of each application for a licence renewal, the most recent copy of:
- 14.2.1** the inspection report conducted by the health authority verifying that the premises meets all requirements set out in the *Food Premises Regulation* under the *Public Health Act*;
  - 14.2.2** if the business will be carried on at a permanent building that has a fire sprinkler system installed, the applicant must provide a fire sprinkler system report conducted within the last year that confirms the fire sprinkler system is functioning pursuant to subsection 6.3; and
  - 14.2.3** if the business is a type of business that is required to have a fire suppression system installed at the business premises, the applicant must provide an annual inspection report that confirmed the fire suppression system is functioning.
- 14.3 Health Inspections** – Every person carrying on a business that may be subject to an inspection under the *Public Health Act* must submit, at the time of each application for a licence renewal, the most recent copy of the inspection report issued by the health authority, if any, including the following types of businesses that may be subject to an inspection under the *Public Health Act*:
- 14.3.1** barbershops, hair salons or other salon businesses;
  - 14.3.2** health spas or massage parlours;
  - 14.3.3** tattoo shops or other body piercing and body modification businesses;

14.3.4 sauna or steam bath businesses;

14.3.5 other types of businesses that provide a service to or on the body of another person that are subject to the *Regulated Activities Regulation*; or

14.3.6 any other type of business that may be regulated under a regulation of the *Public Health Act*.

**14.4 Mobile Vendor –**

14.4.1 No person shall carry on business as a mobile vendor on City-owned property unless the person has the written consent of Council to carry on business at that location, which consent must be provided upon request by the licence inspector.

14.4.2 No person shall carry on business as a mobile vendor on any property that is not owned by the City unless the use is permitted pursuant to the Zoning Bylaw and the person has the written consent of the property owner, which consent must be provided upon request by the licence inspector.

**14.5 Motor Dealer –** Every person carrying on business as a Motor Dealer as defined in the *Motor Dealer Act* must:

14.5.1 submit to the licence inspector at the time of application for a licence a copy of the Motor Dealer's certificate of registration issued under the *Motor Dealer Act*; and

14.5.2 provide a copy of the Motor Dealer's current certificate of registration issued under the *Motor Dealer Act* to the licence inspector upon reasonable request.

**14.6 Recreational Vehicle Accommodation –** Every person carrying on the business of recreational vehicle accommodation must not rent or otherwise provide spaces for recreational vehicles to park unless:

14.6.1 the recreational vehicle is registered and licensed pursuant to the *Motor Vehicle Act*, or is otherwise permitted to be used or operated on a highway pursuant to the *Motor Vehicle Act*;

14.6.2 the recreational vehicle is able to be driven or otherwise operated on a highway; and

14.6.3 the recreational vehicle is not being used as a place of residence for any person on the premises.

**14.7 Rental Units –** No person shall carry on the business of providing a rental unit unless the rental unit is a permitted use in accordance with the Zoning Bylaw and the person holds a valid and subsisting licence issued under this Bylaw for the business.

**14.8 Sandwich Boards or Marketing Boards** – No person shall place, or permit to be placed, a sandwich board or similar marketing board on a City sidewalk or another public place unless the person adheres to the City’s Sandwich Board Policy, Index No. 5350-01 as approved by the City’s Council on Monday, December 4, 2000, a copy of which is attached as Schedule “C” to this Bylaw.

**14.9 Special Event –**

**14.9.1** No person shall hold a special event on City-owned property without a temporary licence issued under this Bylaw for the special event and all businesses, including mobile vendors, selling or offering for sale goods or services at the special event have valid and subsisting licences issued under this Bylaw.

**14.9.2** A person holding a special event may apply for a single licence for all the businesses, including mobile vendors, participating in the special event in the name of all of the businesses.

**14.9.3** No person may hold a special event on City-owned property without written consent from Council.

**14.9.4** Every person wishing to hold a special event on City-owned property must submit at the time of application for the temporary licence for the special event:

**14.9.4.1** proof that the person has obtained and will maintain commercial general liability insurance that includes a cross-liability clause and names the City as an additional insured; and

**14.9.4.2** proof that the person has written consent from Council to hold the special event on City-owned property.

**14.9.5** A temporary licence issued under this Bylaw for a special event shall be valid for the term explicitly stated on the licence issued.

**14.10 Vehicles for Hire** – No person shall operate, or permit to be operated, in the City a commercial passenger vehicle unless such commercial passenger vehicle is duly licensed under the *Passenger Transportation Act*.

**14.11 Vending on City Streets** – No person shall advertise, solicit or carry on business in relation to a business, or permit or cause any other person to advertise, solicit or carry on business in relation to a business on City-owned property, including City sidewalks or City parks, unless the terms of the licence issued under this Bylaw explicitly authorize the person to advertise, solicit or carry on business in relation to the business on City-owned property.

**BYLAW VIOLATIONS AND PENALTIES**

**15.1** No person shall obstruct the licence inspector or a bylaw enforcement officer from fulfilling his or her duties under this Bylaw.

15.2 Every person who:

15.2.1 contravenes any of the provisions of this Bylaw;

15.2.2 causes, permits or allows any act or thing to be done in contravention or violation of any of the provisions of this Bylaw; or

15.2.3 neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw

commits an offence of this Bylaw and is liable on summary conviction to a fine or penalty of up to \$10,000 for each offense.

15.3 Each day such offence continues is deemed to constitute a separate offence, and separate fines, and municipal tickets each not exceeding the maximum fine for that offence, may be imposed for each day or part thereof in respect of which the offence occurs or continues.

15.4 The offences listed in Column 1 of Schedule “B” to this Bylaw may be enforced by means of a municipal ticket for the fine listed in Column 3 of Schedule “B”.

## GENERAL

16.1 **Severability** – If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, it shall be severed from the Bylaw and the remaining portions shall remain in full force and effect as if the Bylaw had been enacted without the invalid portion.

16.2 **Citation** – This Bylaw may be cited as “Business Licence Bylaw No. 924, 2018”.

16.3 **Repeal** – This Bylaw repeals and replaces Business Bylaw Number 891, 2015 and all amending bylaws.

Read a first time this 22<sup>nd</sup> day of January 2018

Read a second time this 13<sup>th</sup> day of February 2018

Read a third time this 12<sup>th</sup> day of March 2018

FINALLY ADOPTED this 14<sup>th</sup> day of March 2018

Mayor

Corporate Officer

Certified a true copy of Bylaw No. 924, 2018

on the 14<sup>th</sup> day of March , 2018.

Business Licence Bylaw No. 924, 2018



**Schedule “A” – City of Greenwood Business Licence Fees**

<b>Type of Business</b>	<b>Licence Fee</b>
Bank/Credit Union	100.00
Contractor	40.00
Home-Based Business	40.00
Industry with up to 10 employees	50.00
Industry with more than 10 employees	100.00
Market	40.00
Non-Resident	40.00
Multiple Businesses	60.00
Resident Business (0-100 sq meters)	40.00
Resident Business (101-300 sq meters)	40.00
Resident Business (301-600 sq meters)	40.00
Resident Business (301-600 sq meters)	40.00
Resident Business (601-2500 sq meters)	40.00
Resident Business (over 2500 sq meters)	60.00
Room Rentals up to 10 units	40.00
Room Rentals over 10 units	60.00
Secondary Suites	40.00
Special Events	40.00
Temporary Licence	15.00
Unclassified	40.00

**Schedule “B” – City of Greenwood Fines & Municipal Tickets**

<b>Offence</b>		<b>Fine</b>
Failure to Obtain a Business Licence	First Offense	\$50.00
	Second Offense	\$100.00
Failure to Disclose the True and Correct Nature of the Business / Cancellation of Business Licence		\$100.00
Failure to Disclose True and Correct Information regarding the Business, its Certifications and its Pending Investigations concerning any business licenses or criminal proceedings in Canada		\$100.00
Failure to Supply Yearly Inspection Reports (if requested)		\$50.00
Failure to Present Business License for Public Inspection		\$20.00
Canvassing or Soliciting on a Street Without License		\$30.00
Unlicensed Occupied Recreational Vehicles used as a Permanent Residence	First Offense	\$100.00
	Second Offense	\$500.00
	Third Offense	\$1000.00

**Schedule "C" – City of Greenwood Policy regarding sandwich board signs in the downtown core**

The City of Greenwood  
Policy regarding sandwich board signs in the downtown core

Index No. 5350-01

POLICY

Sandwich board signs will be permitted in the Commercial One Zone if the procedures of this policy are complied with.

PROCEDURES

1. If the sandwich board sign complies with all of the following requirements:
  - a. abuts the building or property line. They are not allowed on the curb.
  - b. does not impede the mobility of pedestrian traffic,
  - c. is removed at night and when the business is closed,
  - d. is not be erected until the City has cleared the snow from the sidewalk,
  - e. does not exceed 30 inches wide x 48 inches high (a six inch "Open" tab is permitted.), and
  - f. does not interfere with a driver's line of site when situated on a corner lot,then it is permitted in the Commercial One Zone of the City of Greenwood.
2. There will be a maximum of one sign per business establishment.
3. Line of sight
  - a. A sandwich board sign cannot interfere with the line of sight at an intersection. The minimum guidelines for this:
    - i. the sign would have to be placed 10 feet away from intersection as measured from the corner of the building or the corner of the property.

Approved by Council at a Special Meeting on Monday, December 4, 2000

*G.A. Henke*  
*Administrator*