

**CORPORATION OF THE CITY OF GREENWOOD
BUSINESS LICENCE BYLAW NO. 1016, 2024**

A BYLAW TO PROVIDE FOR LICENCING & REGULATION OF BUSINESSES IN THE CITY OF GREENWOOD

WHEREAS, the Council of the City of Greenwood is empowered to provide for granting of business licenses, to fix and impose licence fee and regulate certain trades, occupations and businesses in the City of Greenwood;

WHEREAS, pursuant to Section 8(6) the *Community Charter*, regulate in relation to business;

THEREFORE, be it resolved that the Council of the Corporation of the City of Greenwood, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited as the "City of Greenwood Business Licence Bylaw No. 1016, 2024".

2. Repeal

2.1 "City of Greenwood Business Licence Bylaw No. 924, 2018" and all amendments thereto are hereby repealed.

3. Interpretation

3.1 Words or phrases defined in the *Community Charter*, *Local Government Act* or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

3.2 If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed, and the severance shall not affect the validity of the remainder of this Bylaw.

4. General Regulations

4.1 No person shall obstruct or interfere with a Bylaw Enforcement Officer or Licence Inspector in the exercise of their duties.

4.2 A Bylaw Enforcement Officer or Licence Inspector shall have the right to enter upon the property of any owner or occupant at all reasonable times and in a reasonable manner for the purposes of inspecting to determine compliance with the provisions of this Bylaw.

4. Definitions

In this Bylaw:

"applicant" means any person who makes an application for a Business Licence under the provisions of this Bylaw;

“Building Inspector” means any person appointed from time to time as the Building Inspector for the City and any person acting lawfully in that capacity;

“Business” means the carrying on of a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other service for the purpose of gain or profit, or carrying on a home occupation pursuant to the bylaws of the City of Greenwood, but does not include any activity carried on by the government, its agencies or government-owned corporations;

“Business Licence” means carrying on a commercial or industrial undertaking of any kind or nature or the providing of a professional, personal or other services for the purpose of gain or profit, but does not include an activity carried on by the government, its agencies or government owned corporations, or registered non-profit societies for the purposes of fundraising;

“Business Licence” means a licence issued pursuant to this Bylaw and includes Regular Business Licences, Short-term Business Licences and Temporary Business Licences.

“City” means the Corporation of The City of Greenwood;

“Council” means the council of the City of Greenwood;

“Home Based Business” means any occupation or profession that is carried out in a dwelling unit or accessory building to a dwelling unit, by a person who is permanently resident in the dwelling unit, where such occupation or profession, excluding a bed and breakfast use, is clearly incidental or secondary to the use of the dwelling unit for residential purposes;

“Licence Inspector” means a person appointed from time to time as Licence Inspector by the City and includes any person lawfully acting in that capacity, including the Corporate Officer and Bylaw Services Officer;

“Mobile Vendor” means any person who, from a motor vehicle, trailer or cycle, as defined and licensed under the Motor Vehicle Act, or thing, sells, or offers for sale food or merchandise or who advertise, takes orders for goods or services, but does not include special event mobile vendors;

“Non-Resident Business” means a business, other than a resident business, carried on in the City or with respect to which any work or service is performed in the City;

“Public Market” means groups of resident and non-resident businesses offering new and used goods, crafts or produce for sale directly to the public.

“Regular Business Licence” means a Business Licence issued to run from the first day of January to the last day of December annually.

“Seasonal Business Licence” means a Business Licence issued for a one (1) to four (4) month(s) period;

“Special Event Mobile Vendor(s)” means any person who, from a motor vehicle, trailer or cycle, as defined and licensed under the Motor Vehicle Act, or thing, sells, or offers for sale food or merchandise or who advertise, takes orders for goods or services at a “Special Event” or “Public

Market” being held within the City of Greenwood for a duration not exceeding five (5) days.

5. Licence Required

- 5.1** Unless otherwise permitted in this Bylaw, no person shall carry on, maintain, own or operate within the City, a trade, business, profession, occupation or calling without holding a valid and subsisting Business Licence issued under this Bylaw.
- 5.2** Any person who,
- a. Advertises through any medium, whether digital, physical, or otherwise as being open for business of any kind within the City of Greenwood shall be deemed to be carrying on, engaged in, or practicing their respective profession, business, trade, occupation, employment, calling or purpose within the City and requires a Business Licence pursuant to section 5.1.
- 5.3** A holder of a licence shall apply for renewal of the Business Licence prior to the beginning of each licensing period as long as the business, for which the Business Licence is held is carried on, and shall pay to the City the annual Business Licence fee in Schedule “A”.
- 5.4** Persons holding (4) or less garage or yard sales per calendar year on their residential property are exempt for the Business Licensing requirement set out in section 5.1 of this Bylaw.
- 5.5** Persons making the occasional sale of personal/or handmade good are exempt from the Business Licensing requirement set out in section 5.1 of this Bylaw.

6. Location, Hours, Numbers of Places of Business

- 6.1** No person shall sell, offer for sale, or display goods or canvass or solicit business of any kind whatsoever on any highway, street, lane, sidewalk, or public parking lot within the City except as allowed by this Bylaw.
- 6.2** Any person wishing to sell, offer for sale, or display good or solicit business of any kind whatsoever on any highway, street, lane or public parking within the City must obtain the written permission of the Licence Inspector.
- 6.3** Any retailer with a valid Business Licence may exhibit, offer for sale, or display goods on sidewalks immediately abutting and within one (1) meter of their retail premises, provided that such display does not impede pedestrian traffic and or daily City functions.
- 6.4** A person who carries on more than one business from any one premise shall obtain a separate Business Licence for each business.
- 6.5** Where a business is carried on from more than one premise in the City, the business carried on from each premises will be deemed a separate business and requires a separate Business Licence.
- 6.6** No person may call at any residence between the hours of 8:00 p.m. and 9:00 a.m. for the purpose of selling, soliciting or taking orders for goods, materials, publications, or services of any kind, unless a previous appointment has been made for such call.

7. Public Markets /Special Events

- 7.1** Any organization(s) holding a Business Licence may make an application through the City, to host a Public Market/ Special Event, in accordance with the provisions with this Bylaw.
- 7.2** If the Public Market/ Special Event is being hosted on real property belonging to the City of Greenwood, the hosting organization shall:
- a) Obtain a Licence to Use Permit through the City of Greenwood.
 - b) Maintain comprehensive general liability insurance in the minimal amount of Two Million Dollars (\$2,000,000). The City shall be included as additional named insured and the organization shall hold the City harmless against any claims, actions for injury, damage, loss or death arising out of the operation of the Public Market/Special Event.
 - c) Provide proof of comprehensive liability insurance and a signed liability waiver form shall be submitted to the City and be in a form acceptable to the City, prior to the issuance of a Business Licence.
 - d) Any Mobile Vendor(s) participating in the Public market/Special Event will be required to obtain their own Special Event Mobile Vendor Business Licence through the City of Greenwood.
- 7.3** Any organization(s) hosting a Public Market/ Special Event shall be responsible for any businesses within the Public Market/Special Event, including ensuring that all regulations and requirements of the City of Greenwood bylaws are adhered to.

8. Mobile Vendors

- 8.1** No mobile vendor shall operate within the City without first having obtained a City of Greenwood Business Licence.
- 8.2** No mobile vendor shall operate within the City of Greenwood, except for the following conditions:
- a) When the zoning on privately owned property allows for a mobile vendor;
 - b) By first obtaining written consent of the Council for the City owned property, boulevards, and highways;
 - c) By first obtaining written consent from the School District for government owned school grounds.
- 8.3** No mobile vendor shall operate on or from any municipally owned property, boulevards or highways unless and until the applicant has provided evidence of:
- a) Motor Vehicle Liability Insurance with a minimum coverage of \$2,000,000;
 - b) Comprehensive Public Liability and Property Damage Insurance for a minimum of \$2,000,000 inclusive, with the City as an additionally named insured; and,

- c) Operate within (30) meters of a business selling comparable goods or services from a City owned property, boulevard or highway unless written consent/permission from the owner of the business is first obtained.
- 8.4 Where food is being sold, the mobile vending unit (vehicle/trailer/cycle) must have a valid permit as issued by the Medical Health Officer of the Province of British Columbia.
- 8.5 Every person who operates a mobile vending unit shall be responsible to provide suitable garbage collection containers, and to keep the area around the vending location free of any waste material originating from the vendor's business.
- 8.6 Mobile vending units must be attended (staffed) at all times when on site and must be removed from the location when not staffed unless approved by the City.
- 8.7 A mobile vendor must state on the business licence application those public places where the mobile concession will be operated.
- 8.8 Where a mobile vendor wishes to operate in a Municipal Park it may be subject to certain restrictions if a Licence to Use Permit has been issued to a specific organizer of an event in that Park.
- 8.9 Where a mobile vendor is catering to or delivering to a residential site, business or construction site, such units shall not park or stop on the traveled portion of a highway and shall not be stopped at one location longer than fifteen (15) minutes at any one location.

9. Licence Application and Fee

- 9.1 An Applicant shall complete the application form supplied by the City for the purpose of issuing Business Licences. The application shall be signed by the owner of the business or their duly authorized agent. In the case of a partnership or multiple owners, any one of such partners or owners may apply and such partner or owner applying shall be deemed to be the duly authorized agent of all the partners or owners.
- 9.2 The City will commence processing of an application upon delivery of the application form and the applicable Business Licence application fee set out in Schedule "A". Where the proposed Business requires approval by the Public Health Inspector, or other non-municipal inspector, the Applicant is responsible for acquiring these approvals and supplying them to the City in support of the Business Licence application. Incomplete applications will not be processed.
- 9.3 At the time of issuance of a Business Licence, the Applicant shall pay for the Business Licence Fee in accordance with Schedule "A".
- 9.4 Licence application fees paid pursuant to this Bylaw are not refundable.

10. Issuing of Licences

- 10.1 The Licence Inspector is hereby authorized to grant, issue or transfer Business Licences where the Applicant has complied with all City and provincial legislation pertaining to the Business.

10.2 Where approvals are required, the Licence Inspector shall not issue a Business Licence until written approval is obtained from the Building Inspector, Fire Prevention Officer, Medical Health Officer, Technical Safety BC Inspector, or any other official concerned with the administration and enforcement of the laws referred to in section 10.1.

11. Changes Affecting a Licence

11.1 A person granted a Business Licence under this Bylaw shall:

1. Notify the Licence Inspector within ten days of any change in the Business phone number, mailing address or other contact information; and
2. Notify the Licence Inspector when the Business Licence is no longer required.

11.2 No person shall transfer a Business to another person without first obtaining a transfer of the Business Licence by the License Inspector. The proposed new owner must supply to the City a completed Business Licence Application form as though they were registering a new business. The fee for a transfer shall be as listed in Schedule "A".

11.3 A Business Licence cannot be transferred to a new premise.

12. Licence to be Displayed

12.1 The applicant shall at all times keep their Business Licence(s) prominently displayed within the view of the public at the place of Business, or on their person where the Business has no fixed premises.

13. Inspection, Suspension and Cancellation

13.1 The Licence Inspector is authorized to enter, at all reasonable times, upon any property subject to this Bylaw in order to ascertain whether this Bylaw is being observed.

13.2 The Licence Inspector may suspend a Business Licence for such period as they may determine, subject to the business licence authority provisions of the Community Charter.

13.3 The Licence Inspector may cancel a business licence for reasonable cause, subject to the business licence authority provisions of the Community Charter.

14. Appeal Procedure

14.1 Any person whose Business Licence has been suspended or cancelled, or has been refused a licence, may appeal to Council by giving notice of intention to appeal to the Licence Inspector. The appeal shall be made in writing and shall state in a concise manner the grounds upon which the appeal is made. Council shall appoint a time and place for the hearing of the appeal, which shall be within one month of the request being made and may confirm or set aside the decision made by the Licence Inspector as it deems fit.

15. Violations and Penalties

15.1 Every person who offends against any of the provisions of this Bylaw, or permits any act or thing

to be done in contravention or violation of any provisions of this Bylaw, or neglects to do or refrains from doing anything required to be done by this Bylaw, shall be deemed to have committed an offence under this Bylaw and shall be liable on conviction of a fine of not more than Two Thousand Dollars (\$2,000.00) and the costs of prosecution. Each day on which an offence continues shall constitute a separate offence.

15.2 Schedules "A" and any regulations they set out form a part of and are enforceable in the same manner as this Bylaw.

16. Repeal

"City of Greenwood Business Licence Bylaw No. 924, 2018", and all associated amendments are hereby repealed.

17. Effective Date

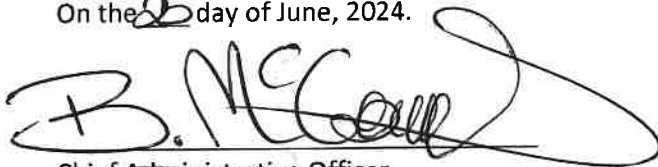
This Bylaw shall come into full force and effect and be binding on all persons upon adoption.

Read a First Time this	10 th	day of June, 2024.
Read a Second Time this	10 th	day of June, 2024.
Read a Third Time this	10 th	day of June, 2024.
Adopted by Council this	24 th	day of June, 2024.


Mayor

I hereby certify this to be a true and correct copy of "City of Greenwood business Licence Bylaw No. 1016, 2024"

On the 25 day of June, 2024.


Chief Administrative Officer
Acting Corporate

Schedule "A"
Application Fees

1. All Applicants, except those listed in section 2 of this schedule A, shall pay \$50 at the time of application.
2. The following business types shall pay the fee as indicated in the table:

Non-Profit Organizations	\$0
Special Event Mobile Vendor	\$150
Retail Cannabis stores & Liquor Store(s)	\$350

3. The Regular Business Licence Fee in the City of Greenwood shall be \$100.00.
 - a) For Regular Business Licence renewals, the Regular Business Licence fee will be modified as follows:
 - I. Where the Applicant renews their Business Licence prior to expiry, the Regular Business Licence Fee will be \$90.00 (10% discount).
 - II. Where a Business has continued to operate but the Applicant has failed to renew their Regular Business Licence by March 1 of each year, the Regular Business Licence fee will be \$120.00 (a 20% penalty).
4. Licence Fees are pro-rated 50% for new businesses who apply after October 1st.
5. A Seasonal Business Licence fee shall be \$75.00.
6. The fee to transfer a licence to a new person shall be \$25.00.
7. Non-profit organizations will not be charged a licence fee.