

REPORT

Community Services Department

To: Mayor Johnstone and Members of Council
Date: October 21, 2024

From: Blair Fryer, Acting Director of Community Services
File: 05.1035.05-2024 #2579390

Item #: 2024-581

Subject: **Business Licence Bylaw No. 8473, 2024 for 1st, 2nd and 3rd Reading**

RECOMMENDATION

1. **THAT** Business Licence Bylaw No. 8473, 2024 be considered for first, second and third readings; and
 2. **THAT** Business Licence Bylaw No. 8473, 2024 be forwarded to an Opportunity to be Heard at the Regular Meeting of Council on November 4, 2024.
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PURPOSE

The purpose of this report is to provide Council with the proposed new Business Licence Bylaw and seek first, second and third readings of the Bylaw.

SUMMARY

The modernization of the business licence bylaw is part of the Economic Development division's review of resources and tools to support new and prospective businesses. A key part of this work has involved the update and modernization of the Business Licence Bylaw to reflect the current and evolving business environment. This bylaw update has been guided by the City's regulatory responsibility around public safety, while striving to achieve efficiencies for business applicants and staff. Staff have incorporated practical experience in processing applications, discussions with applicants and business interest groups, and findings from recent policy work and direction including the Retail Strategy and Council's 2023-2026 Strategic Priorities Plan.

Consultation on the draft bylaw was held in September 2024 and the updated bylaw is now presented for Council's consideration.

BACKGROUND

The City's general authority in relation to business regulation is outlined in the Community Charter. The Community Charter also sets out authority to establish a system of licensing, permits and standards/approvals, and sets out circumstances where municipalities may impose requirements or prohibitions in relation to certain categories of businesses.

The City of New Westminster issues licenses to approximately 4,000 businesses annually, to more than 160 different types of businesses, trades and professions. Regulations for these businesses are predominantly contained in [Business Licensing Bylaw No. 5640, 1986](#). On July 11, 2022, staff took a report to Council outlining the business licence bylaw update process. Despite best efforts, available staff resourcing combined with the emergence of additional priorities has delayed completion of this work. On September 9, 2024, staff presented Council with an update on the bylaw work, provided a draft list of proposed updates to the bylaw, and sought direction to proceed with consultation with the business community.

With consultation now completed, the Business Licence Bylaw No. 8473, 2024 is now being presented for Council's consideration of first, second and third readings; see **Attachment 1**. The new bylaw would repeal and replace existing Business Licence Bylaw No. 5640, 1986 and become effective January 1, 2025.

DISCUSSION

The Economic Development division's approach to business licensing is focused on:

- Simplifying and streamlining operational processes to be reflective of the current and evolving business environment;
- Providing tools/processes that promote and reward compliance;
- Developing efficiencies for both business applicants and City staff;
- Reducing regulatory burden.

A key component of this work is related to the modernization of the business licence bylaw to remove outdated requirements while maintaining appropriate regulations for the licensing and oversight of emerging and evolving industries. Staff have incorporated practical experience gained through the processing of applications, discussions with applicants and business groups, and findings from recent policy work and direction including the Retail Strategy and Council's 2023-2026 Strategic Priorities Plan.

An overview of the main themes that have been addressed in the business licence bylaw review are summarized below, consistent with the September 9, 2024 Council

report. A summary of the key changes incorporated into the proposed new bylaw are included as **Attachment 2**.

- **Consideration of conditional licensing** – Conditional licensing would provide the Licence Inspector the ability to apply conditions on a business licence (e.g. the provision of documents within a time frame, business hours or operations).
 - Provides flexibility to the Licence Inspector to issue a licence to a low-risk business (e.g. a retail business in a recently inspected building that does not require Fraser Health approval) to open, operate and generate revenue as they work towards completing a minor, but outstanding, building deficiency. It is noted that these situations would require the support of the Chief Building Inspector. Variations of this approach are shared by several other Metro Vancouver municipalities and are viewed as benefiting businesses by enabling them to begin earning revenue earlier than otherwise able.
 - Provides flexibility to Licence Inspector in situations where there is a unique, community impact concern related to a business’ hours of operation
- **Modernization of licence types** –
 - Review of definitions and business specific regulations – Updating definitions, removing obsolete definitions and adding new business types. Where regulations for specific business types have been reduced in the bylaw, the intent is to ensure the regulatory burden is commensurate with the current public safety risk (e.g. arcades, billiard halls, certain used-goods stores).
 - Consolidation of licence types – Merging similar licence type categories (e.g. specific types of retail and consulting services) and eliminating of duplicate/similar business categories. Where appropriate, broader language with less-specific categories has been used to future-proof the bylaw.
 - Liquor licenses– In recognition of changing community perceptions, consumer patterns and business activities, updates are proposed to some categories and fees related to liquor establishments. This includes updating language to better reflect provincial liquor categories and the range of activity that occurs in pubs, manufacturing locations with lounges, as well as other businesses where beverage service is not the primary business (e.g. arcades, spas, entertainment facilities, etc.).
- **General language and formatting updates** – Edits made to ensure compliance with freedom of privacy and protection regulations, as well overall updates to bylaw language for ease of reading and comprehension.
- **Review of licence fees** – A survey of surrounding municipalities of comparable size and/or context was conducted for common business licence fees. As a result, and in tandem with the City’s standard annual fee update, changes to the fee schedule are proposed (see the Analysis section for further details.) A revised late-payment charge is also proposed – a two tier system to cover staff costs associated with administration.

- **Licensing of non-profits** – Enhanced transparency and clarity around licensing requirements for non-profits is being added to the bylaw. While no fee is charged for these licences, provision of business licenses assists the City and community partners (e.g. business improvement associations) with data as to the full spectrum of the businesses, organizations and services provided in the community.
- **Relocating business operating regulations from other bylaws** –
 - Over the years, some regulations that are better suited in the Business Licensing Bylaw ended up in the Zoning Bylaw, and vice versa. These include regulations related to Home-Based Businesses, Massage Providers/Therapists, and Beverage Container Return Depots. A future housekeeping amendment to the Zoning Bylaw will remove regulations that have been relocated to the Business Licence Bylaw.
 - Regulations on the trade, sale, and distribution of shark fins and products derived from shark fins would also be moved into the Business Licence Bylaw and the existing Shark Fin Regulation Bylaw No. 7564, 2012 repealed at a future meeting.
 - A new requirement on window visibility that aligns with existing Sign Bylaw regulations and recommendations of the Retail Strategy around strengthening the visibility between street fronts and the interior of businesses.
- **Increased clarity and transparency** – The new bylaw has been written with a view to increasing both the clarity and transparency of information gathering and sharing through the licence application process. Requesting more detailed, fulsome information at the business licence application intake stage provides staff with the full picture of intended business activities, enabling applications to be processed more efficiently. Previous research conducted by staff indicates brief, superficial applications generally lead to longer processing times and more comprehensive applications generally lead to shorter processing times.

ANALYSIS

Proposed Changes to Business Licence Fees

Generally, business licence fees are established to cover the cost of administration, enforcement, and reviews and inspections by Business Licensing, Integrated Enforcement (Bylaws), Planning, Building, Parks, Engineering, Police, and Fire. As outlined in the September 9, 2024 Council report, staff are proposing changes to Business Licence fees in three ways:

- All 2024 business licence fees adjusted to the nearest whole number, based on a 3.0% estimated rate of inflation (CPI), with the following two exceptions:
 - Commercial Vehicle Fees for Taxi remain in alignment with the fees specified in the Inter-Municipal TNS Business Licence Scheme Bylaw No. 8391, 2023; and

- Inter-Municipal Business Licence (IMBL) fee increase from \$250 to \$300 within an upcoming IMBL Bylaw update, as brought forward to Council on October 7, 2024 in a separate report on the Metro West IMBL program. Other municipalities within the Metro West IMBL group will also be bringing similar reports forward to their respective Councils.

Note: this 3% CPI is in alignment with the Finance Department's recommended annual fee review.

- A reduction of certain liquor licensing fees; reflective of the current environment, complexity of processing applications and required staff resources, and to align with other similar municipalities. These changes would be applicable to liquor primary applications, liquor primary annual fees, and patron participation/manufacturer add-on fees. The proposed change to liquor licensing fees is estimated to result in an approximate \$40,000 reduction in annual business licensing revenue to the City.
- Wording changes for clarity and alignment with the updated business licence bylaw.

Moving forward, staff recommend a comprehensive fee review be undertaken every five years, with more modest reviews being completed annually.

Consultation

The City's Arts, Culture and Economic Development Advisory Committee (and previously the Economic Development Advisory Committee) has been engaged throughout the bylaw update project. In early September 2024, staff shared the draft bylaw with business and interest groups, as well as consultation activities and ways to participate. These included:

- notice of two virtual focus groups and link to project webpage through *Invest New West* e-newsletter (approximately 1,450 subscribers) and *Citypage* (approximately 1,760 subscribers);
- emails to business organizations and residents' associations outlining the opportunities for feedback and link to project webpage; and
- two virtual focus group sessions (September 18 and 19, 2024).

Staff held the two focus groups with each having one participant (Downtown BIA and New West Chamber of Commerce representatives), and received one email enquiry from a local business. The feedback received was positive and did not result in any suggested changes. Both business interest groups expressed interest in collaborating with City staff on key messaging and education campaigns in relation to increasing active street frontages with signage and window treatments.

NEXT STEPS

The bylaw consideration schedule takes into consideration the timing required for staff to adjust fees in the City’s licensing system, ahead of renewal notices, which are sent out annually in late November.

Action	Date
Consultation – focus groups, Citypage & Invest New West notices, emails to interest groups	September 4 – September 30, 2024
Council consideration of Business Licence Bylaw for 1 st , 2 nd & 3 rd Readings (<i>we are here</i>)	October 21, 2024
Notification of Business Licence Bylaw for Opportunity to be Heard and consideration of adoption	October 25 – November 4, 2024
Business Licence Bylaw Opportunity to be Heard and Council consideration of bylaw adoption	November 4, 2024
Business Licence renewal notices mailed out	Late November

If the proposed bylaw is approved, staff would implement the following:

Awareness Campaign – Signage & Window Visibility

Staff would develop an awareness campaign on signage and window visibility regulations. In collaboration with business interest groups, the intent would be to build voluntary compliance and awareness of existing Sign Bylaw regulations and the provision around window visibility in the new Business Licence Bylaw. Staff are proposing that for the first year, existing licensed businesses that do not meet the provisions are provided examples of how to comply, along with information on the City’s goal of activating commercial street fronts and improving transparency between the sidewalk and businesses.

e-Apply for Business Licensing

Staff will be implementing a new online business licensing application portal, after the new bylaw has been adopted. This new system will improve business licensing processes by creating efficiencies for applicants and staff, enhancing the customer experience, and simplifying and streamlining the process of doing business with the City.

Bylaw Infraction Updates

In alignment with the new Business Licence Bylaw, staff will be updating the Municipal Information Ticket Bylaw No. 8077, 2019 and Bylaw Notice Enforcement Bylaw No. 7318, 2009. These updates are anticipated to be brought forward to Council by Integrated Services staff in December 2024.

FINANCIAL IMPLICATIONS

The recommended changes to the 2025 Business Licensing fees include wording changes for clarity and that most rates be increased by approximately 3.0% on January 1, 2025. This would generate a net revenue contribution of approximately \$0.01M, inclusive of the \$40,000 reduction in fees related to liquor licensing. Business licensing revenue for 2024 is on target to meet the annual target of \$1.73M

INTERDEPARTMENTAL LIAISON

This project is was led by staff from the Economic Development division with support and input from Integrated Services (Bylaws), Planning, Building, Fire, Police, Finance as well as the City Solicitor.

OPTIONS

Options for Council’s consideration include:

- 1. THAT Business Licence Bylaw No. 8473, 2024 be considered for first, second and third readings; and
- 2. THAT Business Licence Bylaw No. 8473, 2024 be forwarded to an Opportunity to be Heard at the Regular Meeting of Council on November 4, 2024.

Options 1 and 2 are recommended.

ATTACHMENTS

- Attachment 1: Business Licence Bylaw No. 8473, 2024.
- Attachment 2: Summary of changes to Business Licence Bylaw

APPROVALS

This report was prepared by:
Carolyn Armanini, A/Manager, Economic Development

This report was reviewed by:
Jennifer Miller, A/Deputy Director, Community Services
Kim Deighton, Manager, Integrated Services

This report was approved by:
Blair Fryer, A/Director, Community Services
Lisa Spitale, Chief Administrative Officer



Attachment #1

Business License Bylaw No. 8473, 2024

Corporation of the City of New Westminster
Bylaw No. 8473, 2024

A Bylaw to provide for the issuance of business licenses, to set and impose licence fees and to regulate certain businesses in the City of New Westminster.

WHEREAS the Council of the Corporation of the City of New Westminster deems it expedient to provide for business licensing and to regulate the operation of businesses in the City;

AND WHEREAS the Council of the Corporation of the City of New Westminster wishes to ensure all businesses within the City operate in a lawful manner;

NOW THEREFORE, the Council of the Corporation of the City of New Westminster, in open meeting and assembled, enacts as follows:

PART 1: INTERPRETATION

Name of Bylaw

- 1.1. This Bylaw may be cited for all purposes as “Business Licence Bylaw No. 8473, 2024.”

Definitions

- 1.2. In this Bylaw:
- (1) “Adult Entertainment Business” includes any premises in which the principal business is to:
 - (a) sell or offer for sale either sex paraphernalia or graphic sexual material;
 - (b) provide a venue for viewing by the public cinematic or live performance that contains primarily graphic sexual material; or
 - (c) provide a venue for gambling or for the purpose of winning money, cheques or other devices representing money;
 - (2) “Adult Publication” means any book, pamphlet, magazine or printed or electronically displayed matter, however produced, that contains a visual image or representation of one or more individuals or portion of the human body depicting nudity, sexual conduct or violent behavior that is primarily for entertainment purposes;
 - (3) “Amusement Machine” means a mechanical, electrical, virtual, automatic or computerized machine that is played for amusement or entertainment and for which a coin, token or pre-determined entry fee is charged for its use;
 - (4) “Animal Services” includes any business that provides services primarily for animals;
 - (5) “Applicant” means any *person* who makes an application for a *licence* under the provisions of this Bylaw”;
 - (6) “Automotive Repair” means any business that provides services to repair a motor vehicle or repair or replace a part of a motor vehicle;

- (7) “Bed and Breakfast” means a home based business that provides temporary sleeping accommodation to paying guests for less than 90 days and that includes the provision of daily breakfast;
- (8) “Beverage Container Return Depot” means the business of collecting, temporarily storing, packaging, preparing for shipment and shipping of used beverage containers;
- (9) “Business” means
- a) carrying on a commercial or industrial activity or undertaking of any kind; and
 - b) providing professional, personal or other services for the purpose of gain or profit,
- and includes the carrying on of such an activity, or undertaking or provision of such services, by a non-profit organization, but does not include an activity carried on by the Provincial government, by corporations owned by the Provincial government, by agencies of the Provincial government or by the Greater Vancouver Transportation Authority or any of its subsidiaries;
- (10) “Bylaw Officer” means any person appointed from time-to-time by Council as a Bylaw Officer or an individual responsible for the purpose of enforcing or carrying out the provisions of this Bylaw, or members of the New Westminster Police Department or Special Constable;
- (11) “Cannabis” has the same meaning as in the *Cannabis Act* (Canada);
- (12) “Cannabis Accessory” has the same meaning as in the *Cannabis Act* (Canada);
- (13) “Cannabis Production Facility” means a facility providing for the production, storage processing and distribution of cannabis and which is owned or operated by a licensed cannabis producer or distributor as per the *Cannabis Act* (Bill C-45) as amended and replaced from time to time;
- (14) “Changes to a Business” means any of the changes listed in section 2.38;
- (15) “City” means the Corporation of the City of New Westminster;
- (16) “*Community Charter*” means the *Community Charter*, S.B.C. 2003, c. 26;
- (17) “Contact Information” has the same meaning as defined in the *Freedom of Information and Protection of Privacy Act*;
- (18) “Controlled Substance” means a substance as defined in the *Controlled Drugs and Substances Act* S.C. 1996, c. 19, where the possession, trafficking, production, import or export of such controlled substance is prohibited by that *Act*;
- (19) “Controlled Substance Paraphernalia” means paraphernalia, equipment, supplies, merchandise or any other thing which is designed, ordinarily used or intended to be used for the purpose of or in connection with the use, possession, production, cultivation, manufacture, import, export, storage, preparation or ingestion of any controlled substance;
- (20) “Council” means the Council of the City;

- (21) “Police Information Check” means a collection of offence information in relation to an individual, including convictions, outstanding warrants, charges and judicial orders available from a local police agency or RCMP records management system and other systems/records where authorized;
- (22) “Entertainment Facility” means a premise in which the primary use of business provides amusement, sporting or entertainment services in the form of any combination of amusement machines, simulated sports, Virtual Reality games, or recreation equipment such as bowling alley, arcade, children’s entertainment centre, curling rink or climbing facility;
- (23) “Event Promotion Services” means advertising, marketing, coordination and/or promotion of events;
- (24) “Farmers’ Market” means a market that is comprised of a group of vendors that gather temporarily at a location for the purpose of selling directly to the public their produced, grown or cultivated, produce, protein products, baked goods, prepared food, crafts or similar items;
- (25) “Floor Space” means the horizontal area of all floors or stories of any building or structure on the premises measured to the interior walls of the building or structure or portion of the building or structure at each floor level;
- (26) “Food Service Establishment” means a business that provides food to the public in a form that is ready for immediate consumption;
- (27) “*Freedom of Information and Protection of Privacy Act*” means the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165;
- (28) “Fundraising Activities” means activities undertaken by a non-profit organization or an individual on behalf of a non-profit organization or similar type of organization to seek donations or other resources for the benefit of the non-profit organization or similar type of organization and such activities:
- (a) that occur no more than on 24 occasions per year;
 - (b) where the majority of the resources accumulated are used by the group or donated to another charitable cause; and
 - (c) that are not merely providing another business a means to sell directly its own products or services to the public;
- (29) “Garage Sale” means the sale of used furniture, clothing, toys, appliances or other household or personal items owned by the individual holding the sale where the sale:
- (a) is held at an individual’s usual place of residence;
 - (b) carries on for no more than two consecutive days; and
 - (c) occurs no more than six times per year;
- (30) “Hazardous materials or activities” means those materials as regulated by the *Transportation of Dangerous Goods Act*, 1992 (S. C. 1992, c. 34) or those activities as regulated by the BC Fire Code;

- (31) “Home Based Business” means a business that is an accessory use to an authorized residential use in which one or more residents conduct business, and for greater certainty, includes a bed and breakfast but does not include child care;
- (32) “Individual” means a natural person;
- (33) “Industrial Business” means a business that uses a premise for manufacturing, processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing, repairing, wrecking, recycling or salvaging of goods or materials;
- (34) “Licence” means a valid business licence or a temporary business licence issued by the City under this Bylaw;
- (35) “Licence Coordinator” means the person appointed from time-to-time by Council as the Business Licence Coordinator, Business Licence Ambassador or their designate;
- (36) “Licence Holder” means the applicant to whom the licence was issued;
- (37) “Licence Inspector” means the person appointed from time to time by resolution of Council as Licence Inspector of the City for the purpose of enforcing and carrying out the provisions of this Bylaw and shall include any acting Licence Inspector, or their delegates;
- (38) “*Liquor Control and Licensing Act*” means the *Liquor Control and Licensing Act*, S.B.C. 2015, c. 19;
- (39) “Liquor Licensed Establishment” means a business that has or requires a licence issued under the *Liquor Control and Licensing Act*;
- (40) “Liquor Licence – Liquor Primary Add On Fee for Other Business” is a licence category for those businesses where the primary focus is not beverage service (e.g. arcades, art galleries, cooking schools, spas) but excluding event-driven facilities;
- (41) “Massage Provider” means an individual who practices, instructs or demonstrates therapeutic or relaxation massage and is a member in good standing with an organization that registers massage practitioners, and which offers: 1) a code of conduct which governs the required behavior of members; 2) a formal complaint or dispute resolution process; and 3) an accreditation process for member training or education;
- (42) “Massage Therapist (Registered)” means an individual who is registered with the College of Massage Therapists of British Columbia in accordance with the *Health Professions Act*, R.S.B.C. 1996, c. 183;
- (43) “Mobile Food Vending” has the definition given in the City’s Mobile Food Vending Licence Bylaw No. 7850, 2016;
- (44) “Non-Profit Organization” means:
- (a) a charity registered with the Canada Revenue Agency;
 - (b) a society registered with the Registrar of Companies under the *Societies Act*, S.B.C. 2015 c. 18; or

- (c) a corporation incorporated pursuant to the *Canada Not-for profit Corporations Act*, S.C. 2009, c. 23;
- (45) “Outdoor Storage” has the same meaning as defined in the Zoning Bylaw;
- (46) “Person” includes an individual or a firm, corporation or formal or informal partnership carrying on a business;
- (47) “Pharmacy” means a type of retail store selling drugs, pharmaceutical products and foodstuffs directly to the public and which,
 - (a) is operating and registered as a licensed pharmacy with the College of Pharmacists of BC; and
 - (b) may serve up to 30 persons registered in the B.C. Methadone Maintenance Program or its successors for the purpose of filling methadone prescriptions but does not mean or include a methadone clinic or dispensary.
- (48) “Post Box” means a box or other receptacle suitable for containing postal mail;
- (49) “Post Box Rental Agency” means any premises containing one or more post boxes made available for rent, lease, sale or possession to a person who is not an occupant of the premises, but does not include Canada Post;
- (50) “Premises” means a legal parcel, and may include more than one parcel where the parcels are within a single civic address, or within a single strata development;
- (51) “Retail Sale of Cannabis” means the use of a site or portion of a site only for the retail sale or distribution of cannabis, including any products containing cannabis, directly to a consumer for which a license has been issued under the *Provincial Cannabis Control and Licensing Act* (Bill 30) as amended and replaced from time to time;
- (52) “Retail Store” means a business that carries on the sale of goods directly to consumers and includes food stores, general merchandise stores, apparel and clothing stores, hardware stores, furniture and fixture stores, drug and cosmetic stores, book and stationary stores, flower shops, jewellery stores, tobacconist stores, pet supply stores, photographic supply and photographer stores and similar stores;
- (53) “Secondhand Dealer” means any person that carries on the business of retailing or wholesaling used property either directly or on consignment, but excludes empty recyclable bottles or cans, furniture, clothing, costume jewelry, sporting goods, footwear, houseware items, antiques, books, and music, and for greater certainty includes pawn shops and used tool stores;
- (54) “Services – Beauty” is a licence type that includes hair dressers, barbers, nail technicians, estheticians, electrolysis, microblading or similar type beauty related services;
- (55) “Shark” means any of approximately 400 species of marine carnivorous fishes of the class Chondrichthyes (subclass Elasmobranchii);

- (56) “Shark Fin” means the raw, dried, or otherwise processed detached fin, or the raw, dried or otherwise processed detached tail, of a shark;
- (57) “Shipping Container” has the same meaning as defined in the Zoning Bylaw;
- (58) “Temporary Business Licence” means a valid business licence issued under this Bylaw to a business that operates for a period of no more than three consecutive months in a calendar year, including retail stores, auctions, performances, promotional activities, events or other gatherings of people;
- (59) “Vending Machine” means any machine or device used for the purpose of selling, distributing or disposing of any goods, merchandise, cash or articles or for the purpose of providing music, games, amusement, newspapers or services of any kind whatsoever, including amusement machines;
- (60) “Waste” means any material, substance or by-product that is discarded or unwanted;
- (61) “Waste and Recycling Services” means a business collecting, sorting, packaging, temporary storage, and preparation for shipment within an enclosed building, and the shipment from the building, of recyclable materials, including organics or similar residential or commercial waste, clothing, empty beverage containers, used electronic goods, paper products, glass and metal, but excluding automobile wrecking and storage of damaged vehicles, and includes the payment of deposit refunds; and
- (62) “Zoning Bylaw” means the City of New Westminster Zoning Bylaw No. 6680, 2001.

- 1.3. Reference to a bylaw in this Bylaw is a reference to the bylaw enacted by the City.
- 1.4. Reference to an enactment in this Bylaw includes any regulations adopted under that enactment, and includes any amendments and replacements to that enactment.

PART 2: GENERAL BUSINESS LICENCE REGULATIONS

Licence Requirements

- 2.1. No person shall carry on any business within the City without a valid and subsisting licence for that type of business.
- 2.2. Every person who operates a business at more than one premises shall apply for and maintain a separate licence in respect of each separate premises, unless a Mobile Food Vending Licence under the Mobile Food Vending Licence Bylaw No. 7850, 2016 is issued.
- 2.3. Every person who operates more than one business or type of business at a single premises shall apply for and maintain a separate licence for each business or type of business, as the case may be, that operates at that premises.

- 2.4. Notwithstanding section 2.3, where more than one business or type of business operate together at a single premises, have the same business ownership and share common resources such as staff, inventory and equipment, and are, in the opinion of the Licence Inspector, a similar type of business, the Licence Inspector may accept a single licence application for that shared business premises.
- 2.5. Where a business does not clearly fit into a type of business listed in Appendix B “Business Licence Fee Schedule, the Licence Inspector shall process the licence application on the basis of the type of business that is most similar to the applicant’s business.

Licence Exemptions

- 2.6. Notwithstanding any other provision of this Bylaw, the following activities do not require a licence:
 - (1) fundraising activities;
 - (2) an educational course or program provided by a community or continuing education facility, or by a school operated pursuant to the School Act, R.S.B.C. 1996, c. 412, including fundraising activities to support such programs;
 - (3) a garage sale;
 - (4) a farmers’ market that has obtained a street occupancy permit under the Street Traffic Bylaw No. 7664, 2015 or through a Special Event Permit; and
 - (5) a Mobile Food Vending business that has a Mobile Food Vending Licence under the Mobile Food Vending Licence Bylaw No. 7850, 2016.

Temporary Business Licences

- 2.7. A person who operates a business for a period of no more than three consecutive months may apply for a temporary business licence for the business on the form provided by the Licence Inspector for that purpose and pay the fee specified in Appendix B of this Bylaw.
- 2.8. The temporary business licence shall explicitly state its term of validity and that it is renewable once.
- 2.9. A temporary business licence issued under this Bylaw is subject to every provision of this Bylaw and every term and condition applicable to that business as stated in the licence and this Bylaw.
- 2.10. Before a temporary business licence expires, the Licence Inspector may convert a temporary business licence into a business licence in accordance with the provisions of this Bylaw when the licence holder pays the pro-rated annual fee for the business specified in Appendix B of this Bylaw.

Licence Applications

- 2.11. Every person applying for a new licence under this Bylaw shall:
 - (1) complete and sign the form provided by the Licence Inspector for that purpose and deliver the form to the Licence Inspector;

- (2) pay to the City the non-refundable application fee specified in Appendix B of this Bylaw; and
- (3) pay the pro-rated annual fee for that business specified in Appendix B of this Bylaw.

2.12. Every applicant for a new licence shall provide the following information to the Licence Inspector on the application form:

- (1) the name, address, phone number, and valid picture government identification of the applicant;
- (2) whether the business is a sole proprietorship, partnership, corporation or other type of organization;
- (3) the operating name, business address, mailing address, phone number, and email address of the business;
- (4) in the case of a corporation, the corporate number of the corporation and a copy of the corporation's Certificate of Incorporation and current list of directors;
- (5) evidence that the applicant owns the business premises, or confirmation that the property owner(s) of the business premises have provided permission for the type of use proposed in the licence application;
- (6) a site and floor plan of the business premises, including exterior and interior spaces, that details the business area of the premises and indicates the square footage of the premises used for office space, retail space, commercial space, industrial space, parking area(s) and any other type of business activity;
- (7) a description of the business operations, including a description of the activities or services offered by the business, including an indication of any hazardous materials or activities that are expected to be on site;
- (8) the proposed start date of the business;
- (9) if applicable, the professional registration number or trade qualification number of the applicant;
- (10) a declaration from the applicant that the business has obtained any registration, certification, qualification, approval or other requirement that is required by a public body having jurisdiction over the business or individuals that carry on activities on behalf of the business;
- (11) reasonable proof of insurance, if insurance is required under this Bylaw or any other enactment;
- (12) an indication of whether the applicant has had a business licence refused, revoked, suspended or otherwise denied or terminated by the City or a another local government in British Columbia in the past;
- (13) in relation to the business premises, an indication whether:
 - (a) a sign will be installed and any sign permit number obtained under the Sign Bylaw, No. 7867, 2017;
 - (b) the interior or exterior areas of any building or structure on the premises will be altered and a description of the alteration;

- (c) another business will operate or operates at the premises and the name of the other business;
 - (d) a child care facility will operate at the premises and the number of children that may attend the facility and parking stalls for the premises; and
 - (e) a portion of the premises will be subleased;
- (14) if applicable, the type of liquor licence, including any endorsements, issued to the applicant under the Liquor Control and Licensing Act;
 - (15) if applying for the Retail Sale of Cannabis, a person shall provide the requirements in Appendix A;
 - (16) if outdoor storage or shipping containers are or will be present on the business premises, a site plan of the business premises showing the following:
 - (a) the location and height of all outdoor storage and shipping containers;
 - (b) the setback distance of the location of all outdoor storage and shipping containers from the property line; and
 - (c) the materials or vegetation used, including the height of the materials or vegetation used, to screen the outdoor storage or shipping containers;
 - (17) if vehicles, trucks or other equipment are or will be stored on the business premises, a site plan of the business premises showing the location where the vehicles, trucks and other equipment are or will be stored;
 - (18) if applicable, a police information check completed in the last twelve (12) months in accordance with sections 2.16; and
 - (19) any additional information the Licence Inspector reasonably requests in order to assist in determining whether the applicant complies with all applicable enactments related to that business.
- 2.13. If an applicant applies for a licence to operate a business at a premises that is already actively licensed for another business, the Licence Inspector may waive requirements to provide information that has already been provided to the Licence Inspector, including any floor plans or site plans for the premises that have already been provided.
- 2.14. No person shall make any material misrepresentations on the licence application.
- 2.15. Any business licence application that has not proceeded within 24 months from initial submission shall be cancelled.

Requirements for Police Information Checks

- 2.16. An applicant for the following types of businesses shall provide an official copy of a police information check completed in the last twelve (12) months to the Licence Inspector for all proprietors, partners, directors or officers of the business:
- (1) used automotive dealer;
 - (2) pharmacy;

- (3) detox/rehabilitation centre;
 - (4) cannabis retail store;
 - (5) massage provider;
 - (6) payday loan business;
 - (7) secondhand dealer;
 - (8) scrap metal dealer; or
 - (9) firearms and ammunitions manufacturer, wholesaler or retailer.
- 2.17. Upon receipt of a police information check, the Licence Inspector shall make a note indicating that the individual provided a copy of police information check and the date the police information check was conducted.
- 2.18. If an individual provides a police information check, the Licence Inspector shall retain a copy of the police information check for a period of at least one year after the Licence Inspector issues, refuses to issue or suspends a licence because of an individual's criminal record. After one year has passed, the Licence Inspector shall dispose of the police information check in accordance with the Freedom of Information and Protection of Privacy Act but will retain any notes made under this section.

Issuance of Licences

- 2.19. 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.
- 2.20. No licence shall be granted unless the Licence Inspector is satisfied on the information available that:
- (1) the zoning of the business premises permits the business activity;
 - (2) the proposed business complies with this Bylaw and all other enactments that are applicable to the business and its premises; and
 - (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, including but not limited to property taxes, utility bills, Bylaw Notices, or any Municipal Ticket Information, have been paid.
- 2.21. The Licence Inspector may refuse to issue a licence if the Licence Inspector is not satisfied that none of the proprietors, partners, directors or officers of the business have been convicted of an offence of a nature that relates to the health, safety or welfare of the public, and relates to the:
- (1) business, trade, profession or other occupation for which the application has been made; or
 - (2) geographic location or characteristics under which the business operates.
- 2.22. All licences issued under this Bylaw shall:
- (1) be made out in duplicate, with one copy being given to the applicant and the other retained by the Licence Inspector;
 - (2) apply only to the person to whom it was issued and no other person shall have the right to use such licence; and
 - (3) not be transferable under any circumstances.

- 2.23. The issuance of a licence is not a representation by the City to the licence holder or to anyone else that the business complies with all applicable bylaws or other enactments. The licence holder is wholly responsible for its compliance with all bylaws and other enactments.

Terms and Conditions of Licences

- 2.24. 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.
- 2.25. A licence holder shall comply with all enactments applicable to that business as a term and condition of their licence.
- 2.26. At the time a licence is issued, amended, 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:
- (1) the hours of operation of the business;
 - (2) the provision of documents related to the business reasonably required by the Licence Inspector to ensure compliance with a particular provision of a City bylaw or other enactment;
 - (3) the licensee complying with a particular provision of a City bylaw or other enactment within a specified period of time;
 - (4) other terms or conditions reasonably related to compliance with this Bylaw or another applicable enactment.

Licence Holder Obligations

- 2.27. Every licence holder shall keep a copy of the licence posted in a conspicuous place visible to the public in the premises, place or structure in respect of which the business is carried out or undertaken and for which the licence is issued.
- 2.28. No licence holder shall:
- (1) contravene, or permit the contravention of, any term of this Bylaw in relation to their business;
 - (2) contravene, or permit the contravention of, any term or condition of their licence; or make, or permit to be made, any material misrepresentation to the Licence Inspector regarding the business.

Inspections and Compliance

- 2.29. Subject to section 16 of the *Community Charter*, municipal officers, employees or other persons authorized by Council may enter and inspect any premises, related facilities or vehicles, whether or not a licence has been issued for the premises, facilities or vehicle, at a reasonable time to inspect and determine whether the regulations and provisions of this Bylaw, any enactment or a term or condition of the licence are being complied with.
- 2.30. The Licence Inspector or Licence Coordinator may require a licence holder to provide reasonably available business-related information to ensure the licence holder is complying with the regulations or provisions of this Bylaw or a term or condition of the licence, including, but not limited to, proof of any registration, certification, qualification or approval that may be required by this Bylaw or by a

federal, provincial or local government enactment with respect to the business or the activities carried on by an individual as part of the business.

Licence Expiration

- 2.31. Unless otherwise explicitly stated on the licence, licences issued under this Bylaw are valid for the period commencing January 1 and expiring December 31 of each year.

Licence Renewals

- 2.32. Every licence holder applying to renew a licence under this Bylaw shall at the time of renewing the licence:
- (1) pay to the City the annual fee specified for that business in Appendix B of this Bylaw on or before December 31 of each calendar year; and
 - (2) provide to the Licence Inspector or the Licence Coordinator confirmation that the licence holder has not made, or is not aware of any changes to a business.
- 2.33. Every licence holder who fails to pay their annual licence fee by the following dates in a year subsequent to the year in which the fee was payable will have the corresponding late payment penalty applied to their account:
- (1) If paid after January 31, shall have a late penalty of 10% applied.
 - (2) If paid after March 31, shall have a late penalty of 20% applied.

Licence Refunds

- 2.34. The City will not grant a refund due to a license holder ceasing to own or operate the business during the licence period.

Changes to a Business

- 2.35. Change of a business location requires the licence holder to submit a new licence application for the new business location.
- 2.36. No person shall make, cause, or permit to be made any changes to a business for which the person holds a licence without first:
- (1) submitting to the Licence Inspector or the Licence Coordinator an updated licence application on the form provided by the Licence Inspector for that purpose and that is signed by the licence holder;
 - (2) paying to the City any amount by which the annual fee would increase as a result of the change; and
 - (3) providing any additional information that the Licence Inspector or the Licence Coordinator reasonably requests in order to assist in determining whether the change or changes comply with all applicable enactments related to the business.
- 2.37. The following changes to a business shall be reported to the Licence Inspector or the Licence Coordinator before the change occurs:
- (1) a change to the contact information of the applicant;
 - (2) a change to the operating name or contact information of the business;

- (3) a change to the partners, directors or officers, as applicable, of the person who owns the business;
- (4) a change or additions to the types of services provided by the business;
- (5) a structural change to a floor plan or site plan of the business premises, including a change to outdoor storage or shipping containers or the storage of vehicles, trucks and other equipment stored on the business premises;
- (6) a change to a use of an area for parking regardless of whether the change is temporary or permanent;
- (7) a change to the amount of square footage of the business premises used for office space, retail space, commercial space, industrial space, and any other type of business, including vending machines;
- (8) a change to the status of any registration, certification, qualification, approval or other requirement that is required in relation to the business by a public body with respect to the business or activities carried on by an individual as part of the business;
- (9) a change to the number of businesses operating at the premises;
- (10) a change to a liquor licence, including a change to any endorsement or authorization, issued to the licence holder under the Liquor Control and Licensing Act;
- (11) a change to a cannabis licence, including a change to any endorsement or authorization, issued to the licence holder under the Cannabis Control and Licensing Act;
- (12) a change that would affect the annual fee payable by the licence holder under Appendix B of this Bylaw; or
- (13) a change to a term or condition on which the licence was issued.

Changes to a Criminal Record

2.38. If

- (1) a licence holder intends to add a new partner, director or officer to the business; and
- (2) the new partner, director or officer would have been required under this Bylaw to provide a police information check to the Licence Inspector to obtain a licence for the business,

the new partner, director or officer shall provide an official copy of a police information completed in the last twelve (12) months to the Licence Inspector before the new partner, director or officer participates in the business as a partner, director or officer.

2.39. If

- (1) an individual was required under this Bylaw to provide a police information check to the Licence Inspector; and
- (2) the individual is subsequently charged or convicted of an offence that relates to the health, safety or welfare of the public, and relates to the:

- (a) business, trade, profession or occupation for which the licence was issued; or
- (b) geographic location or characteristics under which the business operates,

the individual shall inform the Licence Inspector immediately and provide, as soon as reasonably possible, a new official copy of a police information check to the Licence Inspector.

Issuance of Changed or Renewed Licences

- 2.40. Upon being satisfied that an application meets the requirements for changes or renewal of a licence in this Bylaw, the Licence Inspector or the Licence Coordinator may change or renew a licence.
- 2.41. No licence shall be changed or renewed unless the Licence Inspector or Licence Coordinator is satisfied on the information available that:
 - (1) the zoning of the business premises permits the business activity;
 - (2) the licence holder complies with this Bylaw and all other enactments that are applicable to the business and its premises;
 - (3) all of the proprietors, partners, directors or officers of the business have not been convicted of an offence of a nature that relates to the public health, safety or welfare, and relates to the:
 - (a) business, trade, profession or other occupation for which the application has been made; or
 - (b) geographic location or characteristics under which the business operates;
 - (4) 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 licence holder have been paid;
 - (5) fire protection systems are maintained (e.g. fire alarm, sprinkler system, standpipe, etc.) as per the BC Fire Code and City of New Westminster Fire Protection Bylaw No. 6940, 2004;
 - (6) annual backflow prevention testing has been submitted; and
 - (7) the licence holder declares no change of hazardous materials or activities taking place within or on the business premises.

Licence Refusals or Suspensions

- 2.42. The Licence Inspector may refuse to issue, refuse to renew, or may suspend a licence if the Licence Inspector is satisfied that:
 - (1) the applicant or licence holder is not in compliance with this Bylaw or a term or condition of the licence applicable to the business;
 - (2) the applicant or licence holder violated any other City bylaw or other enactment;
 - (3) the licence holder ceases to meet the lawful requirements to carry on the business;

- (4) a proprietor, partner, director or officer of the business has been convicted of an offence of a nature that relates to the health, safety or welfare of the public, and relates to the:
 - (a) business, trade, profession or occupation for which the licence would be issued or was issued; or
 - (b) geographic location or characteristics under which the business operates; or
 - (5) there are other reasonable grounds for the refusal or suspension.
- 2.43. When exercising the authority to refuse to issue, refuse to renew, or suspend a licence, the Licence Inspector may consider any information available to them in respect of that business, the applicant or the licence holder provided to them by another public body in respect of that business, the applicant or licence holder.
- 2.44. Before suspending a licence, the Licence Inspector must give the licence holder notice of the proposed action and an opportunity to be heard.
- 2.45. A suspension under section 2.43 is for the period determined by the Licence Inspector, and the Licence Inspector may impose additional conditions on the licence that relate to the reasons for the suspension and apply after the period of suspension.
- 2.46. In the case of a suspension of a licence by the Licence Inspector, the Licence Inspector must notify the holder of the right to a reconsideration by Council.
- 2.47. The obligations under sections 2.45 and 2.47 are satisfied if a reasonable effort was made to mail or otherwise deliver the notices.
- 2.48. In the case of a suspension of a licence a suspension notice will be posted on the property or building wherein such business is being undertaken, stating the reasons for the suspension.
- 2.49. The licence holder, and every other person, shall cease all business immediately and shall not restart business activities until the provisions of the suspension, this Bylaw or any other applicable enactment have been complied with and the suspension has been rescinded in writing by the Licence Inspector.

Appeals to Council

- 2.50. An applicant or licence holder who wishes to have Council reconsider the Licence Inspector's decision to refuse to issue, refuse to renew, refuse to change, or to suspend a licence shall, within ten business days of the date of the refusal or suspension, deliver to the Corporate Officer of the City a written request stating the grounds upon which the request is based.
- 2.51. Upon receipt of a written request, the Corporate Officer shall refer a request made under section 2.51 to a regular or special Council meeting, and notify the applicant or licence holder of the time and place at which Council will reconsider the decision of the Licence Inspector.

Window Visibility

- 2.30. Unless otherwise permitted through a sign variance, every licence holder, with respect to the business for which their licence was issued, shall ensure that at least 80% of the sum of the area of all exterior windows and glass portions of glazed doors belonging to the business that are along street frontages remains

unobstructed during the operating hours of the business. For clarity, obstructions include signage, graphics, decals, frosting, decorative railings or grillwork placed in front of or behind storefront windows or glazed doors, or any other manner of obscuring such that the interior of the premises is not visible from the exterior.

PART 3: Specific Business Regulations

Adult Entertainment Business

- 3.1. No person carrying on the business of an adult entertainment business shall:
- (1) permit any individual to be on the business premises at any time unless that individual is 19 years of age or older;
 - (2) exhibit, or permit to be exhibited, in any window on or about the business premises any graphic sexual material or sex paraphernalia or related items;
 - (3) permit any graphic sexual material or sex paraphernalia or related items that are located within the interior of the building to be visible from the exterior of the building; or
 - (4) provide live adult performances unless the applicable adult entertainment venue licence fee has been paid.

Adult Publications

- 3.2. Except for adult entertainment businesses licensed under this Bylaw, no person carrying on any trade, business or occupation shall display or permit to be displayed an adult publication.
- 3.3. No adult entertainment businesses licensed under this Bylaw shall display or permit to be displayed an adult publication except as follows:
- (1) no adult publication shall be exhibited in any window or on or about the business premises; and
 - (2) every adult publication shall be placed behind a sheet of opaque covering which extends for the full length of the shelf on which such adult publication is placed and which extends vertically for at least eight inches from the bottom of the shelf.

Animal Services

- 3.4. Every person carrying on the business of providing animal services shall provide a business plan outlining how waste, noise and outdoor space will be accommodated.
- 3.5. Any animal services facility that provides overnight boarding, except for veterinary care, shall:
- (1) be limited to 50 animals per site;
 - (2) comply with the Canadian Veterinary Medical Association's "Code of Practice for Canadian Kennel Operations", and "Code of Practice for Canadian Cattery Operations", as applicable, and Canadian Standards of Care in Animal Shelters, as amended from time to time;

- (3) have an interior pen not less than 4 square metres (43.06 square feet) in area for the first animal kept, plus an additional 1.5 square metres (16.15 square feet) for each additional animal kept;
- (4) have an exterior pen not less than 4 square metres (43.06 square feet) in area for the first dog kept, plus an additional 1.5 square metres (16.15 square feet) for each additional dog kept; and
- (5) ensure all animals be kept indoors overnight.

Bed and Breakfasts

- 3.6. Every person carrying on the business of or operating a bed and breakfast shall:
- (1) provide temporary sleeping accommodation of no less than a daily basis and for no more than a 90 day continuous basis;
 - (2) provide a daily breakfast;
 - (3) reside at the business premises and be that person's primary residence;
 - (4) not provide sleeping accommodation to more than four guests except that one additional guest is permitted for every 500 square feet (46.45 square metres) of floor space in the dwelling unit over 2,000 square feet (185.80 square metres), to a maximum of 10 guests;
 - (5) not occupy more than one off-street parking or one on-street parking per bed and breakfast bedroom, provided that not more than two spaces per every three bed and breakfast bedrooms are occupied;
 - (6) operate in either the principal residence or the secondary suite, but not both;
 - (7) not operate within a detached accessory dwelling unit or any other detached accessory building;
 - (8) provide fire alarms in the principal residence unit and the bed and breakfast unit(s); and
 - (9) ensure a fire safety plan is posted in a visible location for guests.
- 3.7. Sleeping accommodation shall not be provided to paying guests for less than 90 days within a residential dwelling except as a bed and breakfast or as a boarder or lodger as permitted in the Zoning Bylaw.

Beverage Container Return Depots

- 3.8. Every person carrying on the business of a beverage container return depot shall have an annual contract with a pest control company licensed under the Integrated Pest Management Act, S.B.C. 2003, c. 58 to provide pest control services and have it available for review upon request.
- 3.9. No person carrying on the business of a beverage container return depot shall:
- (1) deposit, or permit the deposit, on their premises beverage containers of any kind unless the beverage containers are deposited in a fully enclosed building or portion of the building;

- (2) prepare, or permit for preparation, for shipment activities, beverage containers, including glass breaking, of any kind unless the activities are conducted in a completely enclosed area not visible from the street;
- (3) store, or permit the storage of, materials or equipment outside the building or fully enclosed portion of the building used in relation to the beverage container return depot business; or
- (4) permit any customer service and retail operations to be conducted in any place other than the front of the building or portion of the building;

Cannabis Production Facility

3.10. A Cannabis Production Facility shall:

- (1) have all activities related to the production, storage and processing of cannabis occur within a completely enclosed building; and
- (2) be a licensed producer as per the Cannabis Act (Bill C-45) and operate in accordance with all conditions of that license.

Food Service Establishments

3.11. Every person carrying on the business of, or operating, a food service establishment shall, at the time of application, submit the following information to the Licence Inspector or Licence Coordinator:

- (1) the customer seating capacity available; and
- (2) an indication whether a deep-fryer will be or is located on the premises.

Event Promotion Services

3.12. No person shall promote, advertise, organize, sell tickets or hold an event without having first obtained an Event Promotion Services licence and paid the prescribed fee set out in Appendix B.

3.13. Every person carrying on the business of Event Promotion Services shall ensure:

- (1) procedures are in place to address security, traffic, waste, and emergency services access;
- (2) sufficient security personnel are present during all times of the event;
- (3) the number of people in the premises does not exceed the maximum occupant load of the premises at any time; and
- (4) noise, vibration, fire hazard or health hazard that may disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or persons in the vicinity are controlled during the event.

Home Based Businesses

3.14. Every person carrying on the business of operating a home based business shall, at the time of application, submit the following information to the Licence Inspector:

- (1) the nature of the business;
- (2) the total gross area of the home;
- (3) the amount of floor space used for the business;

- (4) the number of individuals engaged in the business, resident or non-resident, and the number of individuals engaged in the business that will be working at the premises;
 - (5) an indication whether merchandise will be sold to the general public and whether that merchandise will be sold online, at the premises or both;
 - (6) whether a child care facility will operate at the home;
 - (7) whether there is a secondary suite at the home;
 - (8) whether clients will be visiting the home and the frequency of visits;
 - (9) acknowledgement that permission from the landlord or strata corporation to operate a home based business has been provided; and
 - (10) a certification that the applicant has read and understood the Zoning Bylaw.
- 3.15. Every person carrying on the business of operating a home based business shall be operated by a resident of the residential premises where the business is conducted, except for licensed day cares.
- 3.16. Every person carrying on the business of operating a home based business shall comply with all home based business requirements in the Zoning Bylaw.
- 3.17. No more than one non-resident individual may be engaged in one or more home based businesses at the home. In the case of a house containing a secondary suite where both dwelling units in the house contain one or more home based businesses, only one of the two dwelling units may have a non-residential individual who is engaged in the home based business at the home.
- 3.18. No exterior alteration to the appearance of the structure or structures on the premises may be made to indicate that the premises contains anything other than a residence, except as noted in 3.22(4);
- 3.19. Every operator of a home based business must first receive permission from the landlord or strata corporation, if applicable, in order to operate a home based business.
- 3.20. A home based business shall involve only such equipment as is ordinarily employed in purely domestic use, household use, recreational hobbies or small office uses, and shall not require upgrading electrical or plumbing systems beyond the usual for a residential district.
- 3.21. A home based business shall not:
- (1) be open to the public for business between the hours of 10:00 p.m. and 7:00 a.m.;
 - (2) include any on-site storage of construction materials, hazardous chemicals or explosives;
 - (3) include any unenclosed or exterior storage or display of goods, materials, components, stock-in-trade, equipment or finished goods; or
 - (4) have any external displays, advertisements or signage, except for one non-illuminated identification sign not to exceed 2.2 square feet (0.2 square metres) indicating the name of the business.

Liquor Licensed Establishments

- 3.22. No person carrying on business as a liquor primary licensed establishment with an “Off-Premises Sales Endorsement” issued under the Liquor Control and Licensing Act shall offer for sale, or permit to be offered for sale, beer, wine or any other alcoholic beverage for consumption off of the business premises between the hours of 11:00 p.m. and 9:00 a.m.
- 3.23. No person carrying on the business of a liquor licensed establishment under a “Food Primary Licence” issued under the Liquor Control and Licensing Act shall serve or offer for sale, or permit to be served or offered for sale, any liquor or alcoholic beverage to an individual who has not also purchased food from the establishment between the hours of 12:00 midnight and 9:00 a.m.

Massage Providers

- 3.24. Every person carrying on the business of, or operating as, a massage provider shall provide proof to the Licence Inspector that all individuals who provide therapeutic or relaxation massages are a member in good standing with an organization that registers massage practitioners, and which offers:
- (1) a code of conduct which governs the required behavior of members;
 - (2) a formal complaint or dispute resolution process; and
 - (3) an accreditation process for member training or education.
- 3.25. Proof of membership with an organization as described in section 3.25 must be available to the Licence Inspector or their designate upon request.
- 3.26. Every *person* that owns a *business* that provides services by *massage providers* shall, when a *massage provider* commences their practice with that *business*, notify the *Licence Inspector* that the *massage provider* has commenced their practice with the *business* and shall provide to the *Licence Inspector* proof of that *massage provider’s* membership with an organization as described in section 3.25
- 3.27. Section 3.25 does not apply to massage therapists (registered).

Massage Therapists (Registered)

- 3.28. Every person carrying on the business of, or operating as, a massage therapist (registered) shall provide proof to the Licence Inspector that all individuals providing registered massage therapy services at the business are active registrants of the College of Massage Therapists of British Columbia in accordance with the Health Professions Act, R.S.B.C. 1996, c. 183.

Pharmacies

- 3.29. Every person carrying on the business of or operating a pharmacy, shall provide the following:
- (1) proof that the owner and manager are in good standing with the College of Pharmacists;
 - (2) the name and registration number of the pharmacy manager;
 - (3) the operating hours of the pharmacy;

- (4) the floor plan showing all areas of the pharmacy including the square footage of the retail area that will be available to the public; and
- (5) a description of addiction treatment services provided on-site, including the types of addiction that will be treated and including all aspects of treatment services.

Postal Box Rental Agencies

- 3.30. Every person carrying on the business of or operating a post box rental agency shall:
- (1) maintain a list of every person that rents, leases, owns or has possession of a post box on the premises and the contact information of a person from the business and shall upon request make that list available for inspection by the Licence Inspector; and
 - (2) not rent, lease, sell or otherwise deliver possession of a post box to any person unless that person has first indicated in writing whether or not they intend to use the post box for business purposes.

Restrictions on Selling Certain Products

- 3.31. No person carrying on a business shall sell or offer for sale, trade, exchange or barter any of the following products:
- (1) any drug paraphernalia, equipment, supplies, merchandise or any other thing that is designed, ordinarily used or intended to be used for the purpose of or in connection with the use, possession, production, cultivation, manufacture, import, export, storage, preparation or ingestion of cannabis or any other controlled substance as defined in the Controlled Drugs and Substances Act, S.C. 1996, c. 19 unless the business is authorized to sell or offer for sale cannabis or the controlled substance under a provincial or federal enactment;
 - (2) any firearms or replica firearms, ammunition for firearms or replica firearms or parts for a firearms or a replica firearms unless the business is authorized to sell or offer for sale such items under a provincial or federal enactment; and
 - (3) shark fins or products derived from shark fins.
- 3.32. No person shall sell or offer for sale to the public any live animal including mammals, birds, fish, and reptiles in a retail store, with the exception of those animals offered for adoption from a recognized animal rescue society or shelter organization.

Retail Sale of Cannabis

- 3.33. A business licence for the Retail Sale of Cannabis shall only be issued or granted to an applicant who is the property owner of, or an applicant who holds valid lease for, the subject property.
- 3.34. Every business permitted to undertake operate a Cannabis Retail Store shall:
- (1) be permitted to sell cannabis and cannabis accessories, despite provisions elsewhere in this bylaw;

- (2) have a cannabis retail store licence from the Liquor and Cannabis Regulation Branch;
- (3) remain closed between the hours of 11:00 p.m. and 9:00 a.m.;
- (4) operate in accordance with the security plan submitted to and approved as outlined in Appendix A of this bylaw;
- (5) be required to maintain a transparent store front which is in compliance with the materials submitted by the applicant to, and approved by, the Licence Inspector as outlined in Appendix A of this bylaw;
- (6) provide a monitored security and fire alarm contract, including video surveillance which includes retention of video data in a secure location for at least 30 days, satisfactory to the Licence Inspector;
- (7) store all cannabis and other valuables in a secured location or safe when business is closed;
- (8) have a minimum of two employees on site when the business is open;
- (9) only be operated by staff who:
 - (a) are at least 19 years of age;
 - (b) have provided a Vulnerable Sector Police Information Check to the Licence Inspector and who is supported by New Westminister Police Department;
 - (c) are registered with the Liquor and Cannabis Regulation Branch; and
 - (d) have successfully completed all training required by the Liquor and Cannabis Regulation Branch.
- (10) keep a record of, and provide to the City upon request of the Licence Inspector, all employee registration numbers with the Liquor Control and Cannabis Regulation Branch including the dates the registration numbers expire;
- (11) not permit individuals under 19 years of age on the premises;
- (12) not permit consumption of cannabis on the premises, including sampling of products;
- (13) not be permitted online sales or home delivery services; and
- (14) not be permitted to advertise in any form, or at any locations, targeted at individuals under 19 years of age.

Retail Store

- 3.35. No person or individual carrying on the business of operating a retail store or other business shall set or offer for sale, trade, exchange or barter any controlled substance, controlled substance paraphernalia, cannabis or cannabis accessories.

Vending Machines

- 3.36. The regulations in sections 3.37 to 3.38 do not apply to vending machines that are located on a premises that is owned or operated by the same business that is licensed to use the premises.
- 3.37. Every person carrying on the business of providing vending machines at different locations shall obtain a separate licence for each location.
- 3.38. An applicant for a licence to carry on the business of providing vending machines shall, at the time of application, provide the following information to the Licence Inspector:
- (1) the number of vending machines owned or operated by the business;
 - (2) the type of goods offered in each vending machine; and
 - (3) the location of each vending machine.
- 3.39. Every person carrying on the business of providing a newspaper vending machine located on property owned by or vested in the City shall:
- (1) pay a fee specified in the Appendix B of this Bylaw for each such vending machine; and
 - (2) maintain insurance:
 - (a) for the benefit of the City against claims for loss or damage to the vending machines by any and all perils; and
 - (b) maintain insurance for the benefit of the City in the amount of not less than two million dollars (\$2,000,000) for personal injury, death, property damage and third party public liability claims arising from any accident or occurrence involving the vending machine on public property.

Recycling and Waste Services

- 3.40. No person carrying on the business of providing recycling and waste services shall:
- (1) deposit, or permit the deposit, on their business premises waste of any kind unless the waste is deposited in a fully enclosed building or structure; or
 - (2) store any sorted, processed, packaged or baled waste on the premises, other than such quantity of waste as may have accumulated during the course of a single calendar day's sorting or processing operations, unless the waste is stored within a shipping container, transportable bin or similar container.
- 3.41. Section 3.41 does not apply to any accumulation of processed wood materials.

PART 4: General Provisions

Offences

- 4.1. A person who:
- (1) carries on a business without holding a valid licence for that business;

- (2) obstructs the Licence Inspector, the Licence Coordinator or a Bylaw Officer from inspecting a business;
- (3) fails to display a valid licence as required by this Bylaw;
- (4) fails to provide any documentation or information as required by this Bylaw;
- (5) carries on or remains open for business after receiving notice that the licence for that business has been suspended or cancelled;
- (6) breaches any term or condition of their licence;
- (7) violates any provision of this Bylaw;
- (8) permits a violation of any provision of this Bylaw; or
- (9) refuses or neglects to take action required by any provision of this Bylaw

commits an offence of this Bylaw, and is liable on summary conviction to a fine or penalty of up to \$50,000 for each offence.

4.2. Each day that a violation is permitted to exist will constitute a separate offence under this Bylaw.

Severability

4.3. 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.

Repeal

4.4. Business Licence Bylaw 5640,1986 and all amendment bylaws are repealed.

Effective Date

4.5. This Bylaw will come into effect on January 1, 2025.

GIVEN FIRST READING THIS _____ DAY OF _____, 2024

GIVEN SECOND READING THIS _____ DAY OF _____, 2024

GIVEN THIRD READING THIS _____ DAY OF _____, 2024

OTHER CONDITIONS MET THIS _____ DAY OF _____, 2024 and

THIS _____ DAY OF _____, 2024

ADOPTED THIS _____ DAY OF on _____, 2024

Mayor

Corporate Officer

Appendix A: Application Submission Requirements for the Retail Sale of Cannabis

1. Name of applicant(s); and,
 - a. Where the applicant is a corporation:
 - Contact information (mailing address, email, phone number)
 - Incorporation number
 - Date of incorporation
 - Business Number (nine-digit number issued by the Canada Revenue Agency)
 - Register of current directors and officers by:
 - Full legal name
 - Contact information
 - Photo identification
 - Position
 - Date of appointment
 - List of voting shareholders by:
 - Full legal name
 - Contact information
 - Photo identification
 - Number of voting shares
 - Central Securities Register
 - If one of the shareholders is a private corporation, a public corporation, a society or a partnership, you must submit all the required information for that type of organization
 - Where the applicant is a public corporation, a list of all shareholders with a 10% or greater interest in the company.
 - b. Where the applicant is sole proprietor:
 - Full legal name
 - Contact information (mailing address, email, phone number)
 - Photo identification
 - Date of birth
 - Business Number (nine-digit number issued by the Canada Revenue Agency).
 - c. Where the applicant is a partnership:
 - Name of the partnership
 - Contact information (mailing address, email, phone number)
 - Business Number (nine-digit number issued by the Canada Revenue Agency)
 - Partnership Agreement
 - List of partners identifying:
 - Type of partner
 - Full legal name
 - Photo identification
 - Contact information
 - If one of the partners is a private corporation, public corporation or society, you must submit all of the required information for that type of organization
 - d. Where the applicant is a society:
 - Contact information (mailing address, email, phone number)
 - Business Number (nine-digit number issued by the Canada Revenue Agency)
 - Register of all current directors, officers and senior management by:

- Full legal name
 - Contact information
 - Photo identification
 - Position
 - Date of appointment
 - Society incorporation number
 - Date of incorporation
 - Society's membership lists
2. Police Information Check – Vulnerable Sector for all individuals listed in the subsection relevant to the proposed business in Section 1.
 3. A detailed description of the applicant's current business undertakings, including a description of the applicant's experience in retail sales in a commercial sector regulated by Canada or Provinces and Territories (i.e. age restricted sales and/or controlled substance sales).
 4. A detailed description of any enforcement actions or proceedings brought by Canada, Provinces or Territories, a local government, or an agent or branch of either of them against the applicant in relation to the past or current business undertakings of all individuals listed in the subsection relevant to the proposed business in Section 1.
 5. A listing and detailing of current and previous business licences held or applied for by all individuals listed in the subsection relevant to the proposed business in Section 1 with the City of New Westminster.
 6. Proof of application to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Licence.

Property Information

7. A current title search, including a copy of any 'legal notations' or 'legal encumbrances' documents registered on title which may affect the development of the site such as restrictive covenants, right of ways, easements, and other documentation.
8. If an applicant has been assigned to apply on behalf of the owner, a Letter of Authorization signed by the owner(s) is required.
9. Proof and declaration of ownership or of an interest in the subject property including that the applicants:
 - own the property or have an agreement to buy it if a rezoning is approved;
 - have a lease on the property or have an agreement to lease it if a rezoning is approved; or
 - have a different property arrangement in place (for example, a sublease or a property owned or leased in the name of one of the applicant's business partners).

Business Operation Details

10. A detailed description of the applicants proposed business plan for undertaking the retail sale of cannabis products for non-medicinal use including a detailed description of the following:
 - a. proposed hours of operation;
 - b. staffing roles and responsibilities;

- c. proposed plan for ensuring that the retail sale of cannabis products for nonmedicinal use is in compliance with Federal, Provincial and City regulatory requirements, and any applicable City bylaws; and
 - d. a detailed description of how nuisance behavior, such consumption outside the store, odors from ventilations, etc. is to be mitigated.
11. A security plan prepared by trained security professional who is either a Certified Protection Professional (CPP) or a Physical Security Professional (PSP), and who holds a valid business license or is the employee of a company with a valid business license in the City of New Westminster.

The security plan shall:

1. be based on the results of a Security Threat Risk Assessment that includes:
 - identification of assets;
 - specification of loss events;
 - assessment of frequency of loss events;
 - assessment of impact of loss events;
 - identification of mitigation options;
 - consideration of feasibility of options; and
 - implementation of risk mitigation strategies.
2. provide written guidance on the operational security strategies (i.e. policies, procedures) and physical security strategies (i.e. cameras, access control, safes and storage systems) in place at the business, both during and after operating hours, and must include the following:
 - opening and closing procedures;
 - the location and viewing angles of cameras that monitor all entrances and exits of the business premises;
 - the location and viewing angles of cameras that monitor operational areas inside the business premises;
 - the operating procedures for the security (e.g. after hours and duress alarms) and fire alarm system;
 - the procedures for retrieving video images and the identification of video retention periods, with a minimum of 30 days;
 - the operational procedures for securing valuables and other assets;
 - descriptions of access control systems and associated procedures;
 - the operational procedures for responding to security related incidents (i.e. robbery, theft, vandalism);
 - security incident response procedures (i.e. theft, robbery, unruly patron, threats) with respect to people, property; and
 - implementation of risk mitigation strategies.

Where the applicant is a public government agency, a detailed description of security practices and protocols shall be provided instead of a security plan.

12. A Crime Prevention Through Environmental Design (CPTED) analysis prepared by a qualified practitioner.
13. Evidence of the applicant's ability to obtain bonding and insurance coverage.

Appendix B: Business Licence Fee Schedule

1. Licensing Fees Set by Business Type

Business Type	2025 Fee
Adult Entertainment Business – Venue Non-Liquor Licence	\$3189.00
Automobile Leasing/Renting	\$354.00 (1-5 vehicles) \$712.00 (5+ vehicles)
Fuel Station	\$111.00 per nozzle
Services – Beauty	\$170.00 (first person) \$26.00 (each additional person)
Bed & Breakfast Accommodation	\$209.00
Book or Magazine Agent	\$178.00
Cannabis – Retail	\$3189.00
Contractor	\$178.00 (1-2 employees) \$22.00 (each additional employee)
Direct Seller	\$178.00
Event Promotion Services	\$178.00 (1-2 employees) \$22.00 (each additional employee)
Group Care Facility – child or adult	\$0.00
Hall – Rental * No licence required for a performance, concert, exhibition or entertainment, the entire proceeds of which are disbursed to non-profit or religious purposes.	\$846.00 (1 year) \$509.00 (1 month) \$255.00 (1 day)
Inter-Municipal Business Licence (IMBL)	Pursuant to Bylaw No. 8475, 2024 \$300.00
Laundromat	\$146.00 (first machine) \$21.00 (each additional machine)
Liquor Licence – Liquor Primary	\$1500.00
Liquor Licence – Liquor Primary Add On Fee for Other Business	\$399.00
Liquor Licence – Food Primary Licence Add On Fee	\$399.00
Liquor Licence – Patron Participation Add On Fee	\$399.00
Liquor Licence – Manufacturer Endorsement Add On Fee	\$399.00
Liquor Retail Store	\$3189.00
Liquor Licence – Private Club	\$0.00
Mobile Food Vending (Food Truck)	Pursuant to Bylaw No. 7850, 2016 \$58.00 (single event) \$209.00 (annual: 1-3 employees) \$304.00 (annual: 4+ employees)
Non-Profit Organization	\$0.00
Parking Lot	\$254.00
Pool Rooms and Billiard Halls	\$67.00 (per table) \$209.00 (minimum fee)
Secondhand Dealer	\$352.00
Street Entertainer / Busker	\$39.00
Street Vendor	\$209.00
Temporary Business Licence	\$125.00

Business Type	2025 Fee
Theatre	\$829.00 (1 year) \$509.00 (1 month) \$255.00 (1 day) Provided that each screen shall pay a separate fee.

2. Employee Based Business

Every person carrying on within the City of New Westminster any business, professional practice, trade, employment, occupation, calling, not herein before enumerated, shall pay to the City of New Westminster a fee specified as follows plus any applicable taxes:

Number of Employees	2025 Fee
1 – 3 Persons Engaged in the Business	\$209.00
4 - 10 Persons Engaged in the Business	\$304.00
11 - 25 Persons Engaged in the Business	\$577.00
26 - 50 Persons Engaged in the Business	\$1152.00
51 - 100 Persons Engaged in the Business	\$2347.00
over 100 Persons Engaged in the Business	\$3189.00

3. Vending Machines

For any person carrying on the business of operating vending machines the following fees per machine plus any applicable taxes apply:

Type of Vending Machine	2025 Fee
Confectionery, including beverages	\$40.00
Tobacco, cigars or cigarettes	\$85.00
Amusement when operated by coins greater than one cent when not part of an entertainment facility	\$60.00
Sale and/or distribution of newspapers	\$51.00
Coin operated laundry machines	\$18.00
ATM at locations other than at a financial institution	\$209.00
Any other vending machine	\$40.00

4. Rental Accommodation Fees

For any person carrying on the business of operating apartments, rooming houses, hotels, lodging houses, rental houses and any other place where rooms are available for rental for human habitation.

Type of Unit	Property Certified by the Crime Free Multi Housing Program	Property not Certified by the Crime Free Multi Housing Program
Hotels	\$19.00 /unit	
Housekeeping / Bachelor unit	\$32.00/unit	\$38.00/unit
1 Bedroom unit	\$48.00/unit	\$57.00/unit
2 Bedroom unit	\$64.00/unit	\$76.00/unit
3 Bedroom unit	\$80.00/unit	\$95.00/unit

5. Commercial Vehicle Fees

For any person carrying on the business of being a carrier of persons or chattels plus any applicable taxes:

Vehicle Type	2025 Fee
Class "A" – Taxi	Per vehicle: \$150.00 (carbon fuel or hybrid) \$30.00 (zero emission) \$0.00 (accessible) Plus: \$9.00 per vehicle if also displaying materials
Class "B" – Bus	\$89.00 per vehicle
Class "C" – Hearse	\$30.00 per vehicle
Class "D" – Limousine	\$30.00 per vehicle
Class "F" – Driver Testing/Training Vehicle	\$37.00 per vehicle
Class "L" – Accessible Vehicle	\$235.00 per vehicle
Class "P" – Pedicab	\$37.00 per vehicle

6. Business Licence Application Fees

The business types listed in the table below, shall be required to pay the corresponding non-refundable application fee upon submission of an application for a business licence.

BUSINESS TYPE	2025 FEE
Business Licence Application (excluding Liquor Primary and Cannabis Retail)	\$58.00
Mobile Food Vending (Food Truck) Application (Annual Licence)	\$58.00
Cannabis Retail Store Application	\$6256.00
Liquor Primary Application (initial application where local government input required)	\$1500.00
Change to existing Liquor Licence where local government input required	\$258.00

Attachment #2

*Summary of Changes to
Business License Bylaw*

Summary of Proposed Changes to Business Licence Bylaw

Definition Changes

Added:

- | | | |
|-----------------------------------|--|------------------------------|
| - Animal services | - Freedom of information and protection of privacy act | On Fee for Other Business” |
| - Automotive repair | - Fundraising activities | - Massage provider |
| - Bed and breakfast | - Garage Sale | - Massage therapist |
| - Beverage container return depot | - Hazardous material or activities | - Non-profit organization |
| - Bylaw officer | - Home based business | - Outdoor storage |
| - Changes to a business | - Late Night Special Event | - Pharmacy |
| - Contact information | - Licence coordinator | - Retail store |
| - Council | - Licence holder | - Services - Beauty |
| - Criminal record check | - Liquor control and licencing act | - Shark |
| - Entertainment Facility | - Liquor licences establishment | - Shark fin |
| - Event Promotion | - “Liquor Licence – Liquor Primary Add | - Shipping container |
| Services | | - Temporary business licence |
| - Farmers market | | - Waste |
| - Food service establishment | | - Waste recycler |
| | | - Zoning bylaw |

Removed:

- | | | |
|--------------------|-----------------------------|--------------------------------|
| - Amusement Centre | - Karaoke box room business | - Rave |
| - Corporation | - Nonresident business | - Relaxation body rub services |
| - Dating service | - Professional practitioner | - Social escort service |
| - Direct seller | | |

Updated

- Adult Entertainment Business
- Business
- Secondhand dealer
- Vending machine

General Regulations Changes

Licence Requirements - ADDED

- Outlines the necessity for businesses operating within the City to obtain the appropriate licenses. Specifies that each business, including those with multiple locations or multiple types of activities at a single location, must have a valid license.
- Intent: Added flexibility for situations where one business has similar, but separate business types that would require two separate licences – to account for multiple activities under one premise and ownership.

Licence Exemptions – ADDED

- To outline which types of activities do not require a licence.
- Intent: Increased clarity and transparency.

Temporary Business Licence – ADDED

- Allow businesses who only operate temporarily to receive a valid licence.
- Can convert to an annual business licence.
- Intent: Provide opportunities for business incubation or short-term activations of pop up spaces.

Licence Application – UPDATED

- Modernized language
- More specific in listing the requirements for a business licence application (e.g. contact information, business structure, description of business, qualifications, correspondence/documents required to be submitted, information on the business activities and premises.
- Addition of property owner acknowledgement/permission required
- Addition of cancellation of applications if they haven't proceed within 24 months of submission, in alignment with Building and Planning related application timeframes.
- Intent: Increased transparency. Asking for more specific/additional information on the application provides staff with the full picture of business activities enabling applications to be processed more efficiently and without undue questions back to applicant.

Requirements for Police Information Check – ADDED

- For specific types of business (ex; pharmacies, massage provider, used automotive dealer, etc.) require a police information check.
- Past practice was to forward certain applications to police, however required staff to conduct checks which added processing time.
- Intent: Increased transparency on the gathering and retention of records and provision of full licence application for more efficient processing. In alignment with Provincial practice for record checks.

Issuance of Licence – UPDATED

- Updated/added to be more specific on the conditions under which a business licence may be issued
- Business must comply with zoning regulations, bylaws and other legal requirements, and all fees and fines have been paid before the licence can be issued
- Intent: Increased transparency. Additional mechanism for collection in situations where fees/fines have been issued.

Terms and Condition of Licences - ADDED

- Licence inspector may impose terms and conditions on a licence (e.g. the provision of documents, hours or operation),
- Intent: To provide flexibility in situations where a 'conditional' licence is desired to be issued (e.g. minor deficiencies would need to be rectified by a certain date but business is still able to open/operate and earn revenue to offset costs to complete deficiencies), or in situations where concerns of community impact related to hours of operation.

Licence Expiration/ Licence Renewals – ADDED

- Late penalties and the associated fees are included in this section.
- New tiered late payment fine is proposed, with a higher fine proposed for those unpaid accounts after the initial fine period.
 - o 1st charge: 10% applied February 1st (same as current)
 - o 2nd charge: 20% applied April 1st (new)
- Intent: A tiered fine is proposed to offset staff costs associated with late payments which take a significant amount of staff follow-up time.

Licence Refunds – ADDED

- Previous bylaw was silent, however practice was to issue refunds for those businesses that closed their accounts partially through the year and requested a refund.
- Inclusion of language specifying that refunds offered for those licence holders that close their account throughout the year.
- Intent: Most municipalities do not offer

Changes to a Business – ADDED

- Clarification that a change of location is a new application
- Application must report changes to a licence. Lists the examples of changes: (example; contact information, partners, change of ownership, number of businesses operation, changes to liquor licence”
- Intent: To ensure accurate, up-to-date information on businesses

Changes to a Police Information Check - ADDED

- For applicable businesses only, when people are added to a business, a Police Information Check is required for the new person
- Intent: To ensure accurate, up-to-date information on businesses

Issuance of Changed or Renewed Licences – ADDED

- To ensure any changes/renewed licences continue to follow bylaws/regulations (e.g. Zoning, Fire, etc.)
- Business must have all fees and fines have been paid before the licence can be issued
- Intent: To ensure changes/renewals continue to follow bylaws/regulations after initial licence inspection/approval

Licence Refusals or Suspension – ADDED

- Additional language around circumstances whereby the Licence Inspector may refuse to issue or renew a licence, or suspend a licence
- Intent: To provide transparency and clarity around process

Offences - UPDATED

- Updated the fine value in Part 4 from up to \$10,000 to up to \$50,000 if certain offences are committed and convicted.

- Intent: Updated fine in alignment with other municipal bylaws and modern context.

Window Visibility - ADDED

- New section which aligns with the existing Sign Bylaw regulation of permitting 20% of windows/glazed surfaces to have signs, decals, etc.
- Intent: to implement a recommendation of the Retail Strategy which seeks to strengthen the visibility between street fronts and the interior of businesses, during operating hours.

Specific Business Type Regulation Changes

- Arcades – removed restrictions (number of machines, space requirements, hours of operation) as no longer a concern
- Billiard hall – removed restrictions (hours of operation) as no longer a concern
- Karaoke box room - removed restrictions as no longer a concern
- Bed and Breakfast – moved operational requirements from Zoning Bylaw to Business Licence Bylaw. Revised requirements for greater clarity and fire safety requirements.
- Beverage Container Return Depot- moved requirements from Zoning Bylaw to Business Licence Bylaw
- Event promotion services – added new definition to make clearer past practice of requiring business licences for event promotion services that are for profit or gain. Added requirements around safety and operational considerations of events, in alignment with Special Events requirements. Fees charged per past practice (same as Contractor).
- Massage Provider and Massage Therapist (Registered) – moved regulations from Zoning Bylaw to Business Licence Bylaw. Removed relaxation massage as no longer required.
- Home-Based Business – moved operational requirements from Zoning Bylaw to Business Licence Bylaw. Have added in questions to be asked during application for increased transparency. A few new questions asked during application to ensure staff have information to facilitate more efficient processing of licence application. Added in operating hours to be in alignment with Noise Bylaw.
- Moved regulations on the trade, sale, and distribution of shark fins and products derived from shark fins into Business Licence Bylaw (currently contained in separate bylaw)

Business Licence Fee Changes

- General wording and formatting changes for enhanced clarity
- 3% CPI increase
- Reduction in certain liquor licensing fees, as outlined below

A survey of 9 surrounding municipalities of a comparable size/context, along with feedback from businesses, highlighted that certain liquor license fees are higher than those established by other municipalities. In an effort to remain aligned with other local jurisdictions and with the goal of setting rates that reflect the current environment, complexity of processing applications and required staff resources, fee decreases are proposed for some liquor licence fees. Historically, liquor licence fees were set at higher rates in recognition of the staffing resources that were required for their regulation. In the past, these licence types often required additional work from Police, Bylaws, Licensing and Planning in the administration of new applications as well as annually with respect to calls for service. Changing times and business operations mean that staff are no longer required to spend as much time on liquor-related files. As such, reductions in

liquor licence fees are proposed, which better reflect both the resources required to process them, and the regional municipal fee average. These changes would be applicable to liquor primary applications, liquor primary annual fees, and patron participation/manufacturer add-on fees as outlined below.

Liquor Licence – Liquor Primary	\$3096	\$1500	Reduced based on municipal scan, recognition that Liquor Primaries do not incur the same resources as in the past. Regional average is ~\$1900, based on 100 seats.
Liquor Licence- Liquor Primary Add On Fee for Other Business	n/a	\$399	New category to recognize the Province grants liquor primary licenses to businesses that are not food/beverage focused (e.g. spas, art galleries, entertainment facility, cooking schools) but excluding event-driven facilities.
Liquor Licence - Food Primary Liquor Add On Fee	\$387	\$399	Revised title to better reflect add-on charge for restaurants. No change in fees to existing businesses
Liquor Licence - Patron Participation Add On Fee	\$1548	\$399	Reduced to align with other Food Primary endorsements (e.g. restaurants). Historic concerns/resourcing requirements are no longer occurring. Currently have 2 patron participation license endorsements resulting in approx. \$2,300 reduction in revenue.
Liquor Licence – Manufacturer Endorsement Add On	\$1548	\$399	Previously charged as Patron Participation. New category to better title/reflect add-on charge for Manufacturers with endorsements (e.g. lounges). Proposed reduction in fees based on calls for service. Currently have 3 license endorsements resulting in approx. \$3500 reduction in revenue.
Liquor Primary Application (initial application requiring text amendment and local government input)	\$6074	\$1500	Reduced based on municipal scan, recognition that Liquor Primaries do not incur the same resources or concerns as in the past. Regional average is ~\$1500. Fee based on estimated staff time in processing applications. Reduction in revenue not anticipated as few 'new' applications are received.