

Summary of Proposed Changes to Business Licence Bylaw

Definition Changes

Added:

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|-----------------------------------|--|------------------------------|
| - 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 | - Licence coordinator | - Pharmacy |
| - Contact information | - Licence holder | - Retail store |
| - Council | - Liquor control and licensing act | - Services - Beauty |
| - Criminal record check | - Liquor licences establishment | - Shark |
| - Entertainment Facility | - “Liquor Licence – Liquor Primary Add | - Shark fin |
| - Event Promotion | | - 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.
- 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 issued 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.

Windows

- 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)