DISTRICT OF VANDERHOOF

BUSINESS LICENSE BYLAW NO. 912, 2001

A Bylaw of the District of Vanderhoof to authorize the issuance of business licenses and to regulate businesses within the boundaries of the District of Vanderhoof.

WHEREAS: Pursuant to Section 653 (1) of the *Local Government Act*, Council may regulate businesses, business activities and person engaged in business;

AND WHEREAS: Pursuant to Sections 658 (1) and 658 (2) of the *Local Government Act*, Council may provide for a system of business licenses;

AND WHEREAS: it is deemed necessary and desirable that the District of Vanderhoof enact a bylaw to authorize the issuance of business licenses and the regulating of businesses;

NOW THEREFORE the Council of the District of Vanderhoof, in open meeting assembled, enacts as follows:

PART 1 – INTERPRETATION

1.1 DEFINITIONS

In this Bylaw, unless the context requires otherwise:

Business License means a permit obtained from the District in the form set out in Schedule "B", permitting the operation of a business.

Council means the municipal Council of the District of Vanderhoof.

Day Care/Group Homes means any group day care, nursery school, child minding, out of school care or specialized day care licensed under an enactment.

District means District of Vanderhoof.

License Inspector means the person appointed by Council to administer the provisions of this bylaw.

Seasonal Retail means retail sales of services and products produced or available during only a portion of the year where the business is operated for no more than one six-month period in any calendar year.

1.2 APPLICATION

This bylaw applies to a business carried on within the boundaries of the District and includes a business operating from a residence and any subsidiary business which is an integral part of a principal business.

1.3 SEVERABILITY

If any section, subsection, clause or phrase of this bylaw is for any reason held to be invalid by the decisions of any Court of competent jurisdiction, such section, subsection, clause or phrase may be severed from the bylaw.

PART II - GENERAL REGULATIONS

2.1 LICENSE REQUIRED

No persons shall carry on business within the District unless that person has obtained and holds a valid and subsisting business license.

2.2 COMPLIANCE WITH BYLAWS AND ENACTMENTS

(a) The issuance of a business license under the provisions of this bylaw shall not relieve the licensee from complying with the provisions of any applicable federal, provincial or local government enactments.

(b) The District may refuse to grant a license for business where the business, or the premises upon which the applicant wishes to conduct the business, do not comply with the requirements of this bylaw or other District bylaws regulating building, zoning, health or sanitation.

2.3 TRANSFER AND ASSIGNMENT

(a) No license shall be transferred from one person in respect of certain premises to that same person in respect of another premises, without prior approval of the License Inspector and the payment for the required transfer fee outlined in Schedule “D” of this Bylaw.

(b) Such transfer or assignment shall be refused by the License Inspector where the business or premises to which the applicant wishes to transfer the license do not comply with this bylaw of bylaws regulating building, zoning, health, sanitation and business.

(c) In the event of a sale of the business for which such license is issued, the License Inspector may permit an assignment of the license to the purchaser of the business upon receipt of the fee outlined in Schedule “D” of this bylaw.

2.4 DISPLAY OF LICENSE

The License holder or person in charge or control of the premises in which the business is carried on or practiced, shall at all times keep the License prominently displayed in the sales or reception area of the premises to which the public has access, or another area designated by the License Inspector.

2.5 NOTIFICATION OF CHANGES

Every holder of a license shall notify the District of any change in the mailing and/or the business address, the classification of the business, or any alteration to the premises in which the business is carried out, and upon the termination of the carrying on of the business by the License Holder, he shall notify the District that the license is no longer required.

2.6 APPLICATION

Every person applying for a license, transfer of license, or assignment of a license shall complete an application form attached as Schedule "A" of this bylaw.

2.7 QUALIFICATION CERTIFICATE

Any persons applying for a license for any business governed by any federal or provincial enactment shall supply proof to the District of his qualifications or of the qualification of his employees to carry on such business.

2.8 LICENSE PERIOD

a) Except as provided in section 5.4, licenses shall be granted for a one-year period, to commence on the first day of May and to terminate on the thirtieth day of April in each and every year.

b) A license holder must renew his or her business license by submitting the required business license fee prior to the beginning of each license period.

2.9 INDEBTEDNESS

Notwithstanding anything herein contained, the amount of any license fee payable by any person pursuant to the provisions of this bylaw shall be a debt due by that person to the District, which shall be recoverable together with costs, in any Court of competent jurisdiction.

PART III - REGULATIONS

3.1 CIRCUSES AND CARNIVALS

a) Before a license is issued to any applicant for an exhibition, circus or carnival using ferris wheels, merry-go-rounds, or other mechanical amusement rides or facilities, the applicant must file with the License Inspector, evidence that the person holding the business license holds a policy of comprehensive liability insurance of not less than $2,000,000.00 covering bodily injury, death and property damage, including the loss of use of such property in the name of the person applying for the license.

b) It is a condition of a business license issued to an exhibition, circus or carnival referred to in subsection (a) that the insurance referred to in that subsection be maintained for the license period.

3.2 FAMILY, GROUP DAY CARE AND COMMUNITY CARE FACILITIES

Applicants under this category must be or have indication that they are licensed pursuant to all relevant provincial and federal enactments.

PART IV - DUTIES AND ADMINISTRATION

4.1 LICENSE INSPECTOR

a) The Council may, by resolution, appoint a person to be the License Inspector, whose duty it shall be to administer the provisions of this bylaw.

b) The Council may, by resolution, from time to time, designate a person or persons as Assistant License Inspector to assist with the administration of this Bylaw and in the absence of the License Inspector, have, during such absence, all of the powers and responsibilities of the License Inspector, except for the power to suspend a business license. The License Inspector shall maintain and keep records of all Licenses issued.

c) If a License Inspector is not designated by Council, the Bylaw Enforcement Officer shall administer the provisions of this bylaw.

4.2 ENTRY

The Bylaw Enforcement Officer, License Inspector and Assistant License Inspector or a peace officer are hereby authorized and empowered to enter upon at all

reasonable times any property in order to ascertain whether the provisions of this bylaw are being obeyed.

PART V - FEES

5.1 FEES

(a) The fees set out in Schedule "C" are hereby imposed on all persons holding a business license.

(b) No license shall be issued to an applicant for a business until the fee prescribed for that business or class of business has been paid to the District.

5.2 TRANSFER FEES

The fees to transfer a business license or to change the ownership of the business are set forth in Schedule "D" of this Bylaw and shall be tendered with the appropriate application.

5.3 PRORATING OF FEES

The license fee for a new business commencing operation after the thirty-first day of October in a year shall be reduced by 50%.

This section shall only apply in the first year of a business' operation.

5.4 SEASONAL RETAIL FEE

The fee for a seasonal retail business shall be 50% of the annual fee established under section 5.1

5.5 REFUND OF FEES

If a business license application is refused by the District, or if a business license application is canceled by the applicant prior to the issuance of a business license, the District will refund the submitted fee less a $35.00 (thirty-five) dollar processing fee. Where a business license has been applied for and a business license issued, the District may refund 50% of the license fee if the business has clearly not been in operation. Where a business has been in operation, there will be no refund of the business license fee.

PART VI - OFFENCES - PENALTY

6.1 OFFENCES

Any person who:

(a) carries on a business for which a license is required pursuant to this bylaw, without holding a valid and subsisting license for the business; or

(b) fails to display a valid and subsisting license, license plate or licenses as required by the provisions of this bylaw; or

(c) fails to furnish any information or documentation as required by the provisions of this bylaw; or

(d) carries on or remains open for business after receiving notice that his license has been suspended or revoked; or

(e) contravenes a provision of this bylaw; or

(f) neglects or refrains from doing anything required to be done by any of the provisions of this bylaw,

commits an offence.

6.2 PENALTY

(a) Any person who commits an offence under this bylaw is punishable in accordance with the *Offence Act (British Columbia).*

(b) The minimum penalty that may be imposed upon any person who is found guilty of an offence hereunder, shall be Five Hundred ($500.00) Dollars for each offence.

PART VII - MISCELLANEOUS

7.1 REPEAL

District of Vanderhoof Business License Bylaw No. 616, 1987 is hereby repealed.

7.2 SCHEDULES

Schedules "A", "B", "C" and "D" are attached hereto and form part of this Bylaw.

7.3 CITATION

This Bylaw may be cited as **"District of Vanderhoof Business License Bylaw No. 912, 2001**.

READ A FIRST TIME THIS 11th DAY OF April, 2001.

READ A SECOND TIME THIS 11th DAY OF April, 2001.

READ A THIRD TIME THIS 11th DAY OF April, 2001.

FINALLY ADOPTED THIS 25th DAY OF April , 2001.

MAYOR

CLERK

DISTRICT OF VANDERHOOF
BUSINESS LICENSE BYLAW NO. 912, 2001
SCHEDULE "A" – BUSINESS LICENSE APPLICATION FORM

NAME OF BUSINESS: _____

MAILING ADDRESS: _____

BUSINESS ADDRESS: _____**ZONING**: _____

BUSINESS PHONE: _____**BUSINESS FAX**: _____

NATURE OF BUSINESS: _____

SEASONAL: SUMMER _____ **WINTER** _____ **OR: YEAR-ROUND:** _____

ONE-TIME ONLY _____ **OR: ON-DEMAND** _____

NAMES OF ALL OWNERS: _____

PERSONAL ADDRESS: _____

_____

OTHER MUNICIPALITIES WHERE YOUR BUSINESS OPERATES: _____

_____

APPROVALS (if required):

_____ _____
Health Officer Signature *Fire Chief Signature*

I hereby apply for a business license and agree to abide by the bylaws of the District of Vanderhoof respecting the building, zoning, health, sanitation and business.

_____ _____
Signature of Applicant *Date*

FOR OFFICE USE ONLY:

DISTRICT OF VANDERHOOF
BUSINESS LICENSE BYLAW NO. 912, 2001
SCHEDULE "B"

District of Vanderhoof
Incorporated 1926

P.O. Box 900, Vanderhoof, British Columbia V0J 3A0
Telephone: 250-567-4711
Fax: 250-567-9169

Number:

BUSINESS LICENSE

BUSINESS NAME AND MAILING ADDRESS

CIVIC BUSINESS ADDRESS

CLASSIFICATION OF BUSINESS

SCHEDULE OF FEES

EXPIRY DATE:

THIS LICENSEE HEREIN NAMED, HAVING PAID THE PRESCRIBED FEE, IS HEREBY LICENSED WITHIN THE DISTRICT OF VANDERHOOF TO CARRY ON THE BUSINESS, TRADE OR PROFESSION STATED HEREIN UNLESS THIS LICENSE IS SOONER CANCELLED, SUSPENDED OR FORFEITED. THIS LICENSE IS ISSUED SUBJECT TO THE BUSINESS LICENSE BY-LAW OF THE DISTRICT OF VANDERHOOF NOW OR HEREAFTER IIN FORCE AND ANY AMENDMENTS THAT MAY HEREINAFTER BE MADE TO SAID BY-LAW, DURING THE TERM OF THE LICENSE.

IN THE EVENT THAT THE NATURE OF THE BUSINESS IS CHANGED OR THE ADDRESS FROM WHICH THE BUSINESS IS CARRIED ON IS CHANGED, THE LICENSE INSPECTOR MUST BE NOTIFIED.

SAMPLE ONLY

BUSINESS LICENSE INSPECTOR

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES

DISTRICT OF VANDERHOOF

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SCHEDULE "C"

Business license fees for the purpose of this bylaw shall be:

01	Business	$150.00
02	Seasonal Retail	$ 75.00

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SCHEDULE "D"

1.	For the transfer of a license from a certain premises to another location, a fee of	$20.00
2.	For the change of owner on an existing license or the change of name for an existing business, a fee of	$20.00