

TOWN OF SIDNEY

BUSINESS LICENCE AND BUSINESS REGULATION BYLAW NO. 1668

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**Bylaw Number 1668
13 August 2001**

**Amended up to and including
Amendment Bylaw Number 1967
February 8, 2010**

Consolidated for Convenience only

| | | |
|-------------|----------------|--|
| Amendment 1 | Bylaw No. 1747 | Amending to Real Estate Classification with new fee schedule |
| Amendment 2 | Bylaw No. 1779 | Definitions and Fees for Temporary Outdoor Market |
| Amendment 3 | Bylaw No. 1967 | Revised Section 3.20 Automobile Tow Truck |

TOWN OF SIDNEY

BYLAW NO.1668

A BYLAW RESPECTING LICENCES AND REGULATIONS FOR CARRYING ON BUSINESSES WITHIN THE TOWN OF SIDNEY AND FOR FIXING FEES FOR SUCH LICENCES

WHEREAS Division 1 through 3 of Part 20 of the *Local Government Act*, R.S.B.C. 1996 C.323 authorizes the adoption of a Business Licence and Business Regulation Bylaw by a Municipality;

AND WHEREAS the Council of the Town of Sidney deems it advisable to licence, set fees and regulate the operation of businesses within the Town of Sidney;

NOW THEREFORE, the Council of the Town of Sidney in open meeting assembled, enacts as follows:

| | |
|-----------|---------------------------|
| Section 1 | Definitions |
| Section 2 | General Regulations |
| Section 3 | Regulation of Business |
| Section 4 | Fees |
| Section 5 | Duties and Administration |
| Section 6 | Offence - Penalty |

SECTION 1 DEFINITIONS

1.01 In this Bylaw, the following terms have the following definitions:

Amusement Centre - includes a building or part thereof which is used for the entertainment of the public through the provision of pinball or video game machines or other amusement, vending machines where the mechanical electronics, automatic or computerized game machines where the number of tables and games independently or together is four (4) or greater.

Billiard Room - includes a premise or part thereof, which is used for the entertainment of the public through the provisions of playing pool on pool tables.

Business - includes the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit, but does not include an activity carried on by the Government, Agencies or Government owned Corporations.

Business License - means a License issued by the Town of Sidney to allow the operation of a business within the Town.

Carrying on Business - without restricting the generality of the term includes any person who advertises himself, by newspaper, publicly or otherwise, as open for business of any kind, or who deals in, or buys, sells, barter or displays or offers by advertisement or otherwise, to buy, sell, or barter commodities or other things of any kind either on behalf of himself or any other person or who advertises himself as open to render professional or other services to any person.

Council - means the Municipal Council of the Town of Sidney.

License Inspector – shall mean the Director of Development Services or his designate.

Floor Space - means the floor area used for the carrying on of a business and includes any ground area or outdoor area used for display or storage of goods or other wares.

Games Areas - includes any premises where in addition to a licenced business there is provided therein more than one (1) but less than four (4) Vending Machines (Group "B") or other devices for the entertainment of the public, including pool tables, billiard tables, pinball or video game machines or any other amusement, vending mechanical, electrical, automatic, or computerized game machines.

Inter-Municipal Business Licence - means a business licence that shall be issued to a business that is operating from a premise within the Town of Sidney, and will be authorized to operate their business within the boundaries of any of the Participating Municipalities without obtaining an additional business license.

Manufacturing - includes assembling, manufacturing, producing or finishing goods, substances or things or any part thereof.

Non-Resident Business - means a business, other than a resident business, carried on within the Town of Sidney or with respect to which any work or service is performed within the Town.

Participating Municipality - means the Municipalities, which have signed the Inter-Municipal Agreement to participate in the Inter-Municipal Licencing.

Peddler - includes a person who being either resident or non-resident, is engaged in the business of selling direct to the public by calling from premises to premises, or by setting up a temporary business on property in order to expose samples, take orders, offer for sale goods, wares or merchandise of any kind, and does not include garage sales.

Premises - includes a store, office, warehouse, factory building, enclosure, yard, house or other place or any part thereof occupied or used by any person for the purpose of any business, trade, or occupation, and also includes any area situated within any of the foregoing where more than one separate and/or distinct class or classification of business is carried out.

Professional - includes a person practicing any profession governed by Federal or Provincial statutes.

Resident Business - means a business carried on in or from premises within the Town of Sidney.

Retail Sales - includes any dealing in commodities for resale to the general public for personal or household consumption, but it does not include any sales otherwise defined in this Bylaw.

Recycling Depot - includes any premise used for the collection and shipping of recyclable materials.

Service from Business Area - includes the provision of miscellaneous services and secondary ancillary sales of merchandise or equipment parts.

Service from Residence - includes the provision of services and ancillary sales of merchandise or equipment parts from a residence and conforming in all respects with the provisions of the Home Occupation Section of the Zoning Bylaw of the Town of Sidney.

Temporary Outdoor Market - means a business that, for a fee, permits individuals to use or occupy a space, table or booth outdoors on public property for a stipulated time for the purpose of retail marketing of goods or services and information displays and for which purpose a License Agreement with the Town authorizes that use of public property

Trade Qualification - means a person who has completed an apprenticeship or is certified for a specific trade with the Ministry of Advanced Education, Training and Technology.

Vending Machines:

Group "A" includes any device operated by the insertion of a slug or coin and operated mechanically which dispenses goods; and

Group "B" includes any device operated by the insertion of a slug or coin operated mechanically or electronically which does not dispense any goods but is used for entertainment purposes.

SECTION 2 GENERAL REGULATIONS

2.01 Licence Required:

No person shall carry on a business within the Town of Sidney without having first obtained a Town of Sidney Business Licence, and paid a licence fee as provided for such business under Section 4 of this Bylaw.

2.02 Licencing:

- i. **Licence** - Every licence granted pursuant to this Bylaw shall state that the holder is licenced to carry on the business stipulated therein in a lawful manner for the period specified at the premises therein stated;
- ii. **Additional Business** - Any person who carries on more than one business in or from any one premise shall obtain a separate licence for each business;
- iii. **Separate Licence** - For the purpose of this Bylaw, where a business is carried on in or from more than one premises in the Town of Sidney, the business carried on in or from each premises shall be deemed a separate business;
- iv. **Transfer** - A person operating a business may make application to the Licence Inspector to have a licence in respect of premises transferred from the premises to other business premises to be occupied by the business. On the making of the application and payment of the sum of \$10.00, and proof to the satisfaction of the Licence Inspector that the premises to which the applicant wishes to transfer the licence complies with the requirements of the Bylaws of the Town regulating building, zoning, health, and sanitation, the Licence Inspector shall approve the transfer;
- v. **Display of Licence** - Any person in charge or control of premises where a business is carried on or practiced shall at all times keep the Licence prominently displayed in the sales or reception area of the premises to which the public has access;

- vi. **Notification of Change** - Every holder of a licence shall notify the Licence Inspector in writing of any changes in the mailing or business address, the classification of the business, area of premises, the number of people or machines used in the operation of the business or any alterations of the premises in which the business is carried out, and upon termination of the business, shall notify the Licence Inspector that the licence is no longer required and shall surrender the licence to the Licence Inspector;
- vii. **Fee Changes** - Pursuant to other regulatory bylaws of the Town of Sidney, where the licence fee for any business licenced herein is based on the number of chairs, seats, units, tables, apartments, rooms or the capacity of accommodation available or area of premises, every person shall, immediately after completion of any change in numbers of chairs, seats, units, tables, apartments, rooms, or the capacity of accommodation available or area of premises or any other condition upon which the said licence fee is based, notify the Licence Inspector and pay the additional fee which may be payable under this bylaw as a result of this change; and
- viii. **Persons Employed** - Every person carrying on a business under Section 4 of this Bylaw, in which the licence fee is based upon the number of persons employed or engaged in the business, shall, before the first day of January of each and every year, advise the Licence Inspector as to the number of persons engaged in his respective businesses;

2.03 Application:

- i. **Form** - Every person applying for a licence shall complete the form supplied by the Town of Sidney for such purpose; and
- ii. **Payment** - No licence shall be issued until the fee, as set out in Section 4 of this Bylaw, has been paid to the Town of Sidney.

2.04 Enforcement:

The Licence Inspector is hereby authorized to enter, at any reasonable time, upon any premises in order to ascertain whether the provisions of this Bylaw are being obeyed.

2.05 Period of Licence:

- i. **Period** - Except as hereinafter provided, licences shall be granted for a one-year period, to commence on the first day of January and to terminate on the thirty-first day of December in each and every year. The licence fee prescribed in this Bylaw shall be reduced by one-half in respect of a business, which becomes liable to be licenced after the thirty-first day of July in any year. No licence fee paid hereunder shall be refundable;
- ii. **Show** - The period for a licence in respect of and including a Carnival or Circus shall be for one day; and
- iii. **Date Applicable** - This bylaw shall apply to all licence fees and applications for the licence year 2002 and thereafter unless amended, regardless of when said licence may be issued or payment received thereafter.

2.06 Suspension:

- i. The Licence Inspector shall grant a licence where he is satisfied that the applicant has complied with the requirements of the Bylaws of the Town of Sidney regulating building, zoning, health, sanitation and may suspend for such period he may determine, any licence, if the holder of the licence:
 - a. Is convicted of an offence indictable in Canada,
 - b. Is convicted of any offence under any Municipal Bylaw or statute of the Province in respect of the business for which he is licenced or with respect to the premises named on this licence,
 - c. Has ceased to meet the lawful requirements to carry on business for which he is licenced or with respect to the premises named on this licence,
 - d. Has in the opinion of the Licence Inspector, been guilty of such gross misconduct in respect of the business or in or with respect to the premises named in his licence that it warrants the suspension of his licence, and
 - e. Has in the opinion of the Licence Inspector, conducted his business in a manner, performed a service in a manner, or sold, offered for sale or distributed to a person actually or apparently under the age of 16 years anything, that may be harmful or dangerous to the health or safety of a person actually or apparently under the age of 16 years;
- ii. **Appeal** - Any person whose licence has been suspended under this section may appeal to the Council by submitting a written request to appear before Council at the next regular Council Meeting, and upon notification of the time and place, he or his representative may appear before Council and present his reasons for the appeal, and upon such appeal the Council may confirm or set aside such suspension on such terms as it may deem fit;
- iii. **Revoke** - The Council may revoke a licence for reasonable cause after giving notice to the licensee and after giving him an opportunity to be heard;
- iv. The notice and opportunity to be heard referred to in Subsection (iii) of this section is not required in respect of a person who by reasonable efforts cannot be found; and
- v. The suspension or revocation of a licence shall be made in writing, signed by the Inspector and served on the person holding such licence or delivered to the holder of such licence by registered mail to the address given by the person in the application of the licence. A notice of such revocation or suspension of licence may be posted by the Licence Inspector upon the premises for which the licence was issued and such notice shall not be removed until the licence is reinstated, the former person ceases to occupy the premises, or a new business other than the one carried on by former person is started on the premises.

SECTION 3 REGULATION OF BUSINESS

3.01 Advertising:

No person or his representative shall advertise the carrying on of a business without first obtaining a Business Licence.

3.02 Amusement Centres and Arcades:

No person shall operate an Amusement Centre within the Town of Sidney.

3.03 Billiards Room:

- i. Business Licence shall only be issued for a Billiards Room on the following properties:
Strata Lots 5 and 6, Section 12, Range 3 East, North Saanich District, Plan VIS2833;
- ii. No person shall permit a Billiards Room to be operated between the hours of twelve midnight and 9:00 a.m. the following morning;
- iii. No person shall permit any child apparently or actually under the age of fifteen years to play pool in the Billiards Room or to loiter about the premises between the hours of 9:00 a.m. and 12:00 noon and 1:00 p.m. and 3:30 p.m., Monday to Friday inclusive when local schools are in session; or after the hours of 10:00 p.m. in the evening unless that child is accompanied by a parent or guardian. Where reasonable doubt exists as to the age of the child desiring to play billiards, the person having responsibility for the premises shall not permit any child who is unable to provide proof of age to play billiards;
- iv. No person operating a Billiards Room shall allow any intoxicated person on the premises or allow any person on the premises to drink or possess alcoholic beverages; or use offensive language, or fight, or create any kind of disturbance;
- v. Any person operating a Billiards Room shall keep the premises well lit and in a clean and sanitary condition and shall not cover up windows in a manner so as to prevent a clear view of the interior of the premises; and
- vi. Any person operating a Billiards Room shall post in a conspicuous place, near the entrance to the premise, a summary of the rules of conduct for customers, including the regulations noted above.

3.04 Building Rentals:

For the purpose of this bylaw, persons occupying space in a building of which they are the owners shall not be deemed to be carrying on the business of Building Rental in respect of that space which the person occupies.

3.05 Carnival or Circus:

- i. A Circus or Carnival shall maintain a Comprehensive Liability Policy of Insurance for Three Million (\$3,000,000) Dollars inclusive limits, covering bodily injury, death and property damage including loss thereof and shall produce proof of such insurance to the Licence Inspector when asked to do so;
- ii. A representative of the Circus or Carnival shall ensure that each ride has the elevator inspection plate showing the last inspection of the ride; and
- iii. Circus acts in which animals are exhibited or where animals are used for shows in part or in whole **are prohibited** within the Town of Sidney.

3.06 Escort Service:

- i. Any person operating an escort service shall supply to the Licence Inspector a list of all persons name and address working for the business as an escort; or
- ii. Any person operating an escort service shall operate the business from an office within the Commercial Zone.

3.07 Games Area:

Any person who keeps less than four (4) Group "B" Vending Machines is, for the purposes of this section, the operator of a "Games Area" and the premises in which such machines are kept is, for the purpose of this section, a "Games Area".

- i. No person shall permit the Group "B" Vending Machines in a Games Area to be operated by any person between the hours of twelve midnight and the hour of nine o'clock in the following morning;
- ii. No person shall be the operator, manager, or supervisor of a Games Area unless he is at least nineteen years of age. No operator/owner of a Games Area shall employ any person to work in a Games Area who is under nineteen years of age. This does not apply to a person working in a business premises containing both Games Area and any other unrelated business so long as the person's duties do not include supervising the operation of the Vending Machines or providing services to the users of the Vending Machines;
- iii. No person shall permit any child apparently or actually under the age of fifteen years to operate any Group "B" Vending Machine, or loiter about the premises between the hours of 9:00 a.m. and 12:00 noon and 1:00 p.m. and 3:30 p.m., Monday to Friday inclusive when local schools are in session or after the hour of ten (10:00 p.m.) o'clock in the evening unless that child is accompanied by a parent or guardian. Where reasonable doubt exists as to the age of the child desiring to operate a Group "B" Vending Machine, the person having responsibility for the premises shall not permit any child who is unable to provide proof of age to operate a Group "B" Vending Machine
- iv. No person operating a Games Area shall allow any intoxicated person on the premises or allow any person on the premises to drink or possess alcoholic beverages or use offensive language, or fight, or create any kind of disturbance.
- v. Any person operating a Games Area shall keep the premises well lit and in a clean and sanitary condition and shall not cover up any windows in a manner so as to prevent a clear view of the interior of the premises.
- vi. Any person operating a Games Area shall post in a conspicuous place, near the Vending Machines, a summary of the rules of conduct for customers, including
- vii. Exemption: -
 - a. The provisions of this section shall not apply to premises forming part of a Circus or Carnival while it is licenced to be in progress or to a Liquor Outlet.
 - b. The provision of Subsection (iv) relating to the drinking or possession of alcoholic beverages do not apply to premises licenced under the *Liquor Control and Licencing Act*.

3.08 Highways:

No person shall offer for sale any goods or merchandise on any highway, street or boulevard within the Town of Sidney, unless permission is obtained from the Town of Sidney Council for such purpose.

3.09 Manufacturers:

No person manufacturing, processing or maintaining other industrial premises shall allow the waste from their plants or operations to accumulate around their premises.

3.10 Marina:

Any person operating a marina shall keep a record on the forms provided by the Town of Sidney known as the **Liveaboard Registry**, in which shall be entered in the English language, written in legible hand or typed, a record of the persons staying aboard the vessel and registered as a living aboard. A copy of the registry shall be submitted to the Licence Inspector monthly.

3.11 Occupancy Permit:

No person shall occupy or permit occupancy of a new or remodeled premise for the purpose of carrying on a business unless the Building Inspector of the Town of Sidney has issued an Occupancy Permit for such premises.

3.12 Parks and Town of Sidney Owned Lands:

No person shall offer for sale any goods or merchandise within the boundaries of any Town of Sidney owned park or land, unless they have first obtained permission from the Council of the Town of Sidney for that purpose.

3.13 Peddler:

All peddlers shall, when conducting or attempting to conduct business:

- i. State to any person with whom he is conducting or attempting to conduct business the name of the business or organization with whom he is associated, affiliated or representing;
- ii. State to any person with whom he is conducting or attempting to conduct business his full legal name, consisting of all personal names and surname;
- iii. Have affixed to his clothes and clearly visible to the public, an identification card on which is printed his full legal name, and on which is affixed his photograph, said photograph being of passport size, namely 5cm by 5cm;
- iv. Display to any person inquiring a copy of a valid business licence issued by the Town of Sidney; and
- v. Have a letter of permission from the owner of the real property when setting up business on private property;

3.14 Retail Sales:

No business shall set up merchandise or goods along the Town's Parks, Sidewalks or Boulevards without first obtaining the consent of the Town of Sidney Council.

3.15 Second Hand Dealers:

- i. Any person who operates as a Second Hand Dealer shall keep a record on the forms provided by the Town of Sidney, known as the "*Register*", in which a record of goods received, purchased or taken in exchange, and shall include in addition to the date of purchase, receipt or exchange, a full description of the article or articles. This register shall include the name of the maker and the serial number, if known or able to be ascertained, and the name, address and general description of the person to whom the purchase was made; and
- ii. The Second Hand Dealer's record forms shall be a permanent record and the dealer shall ensure that the permanent record is not mutilated or destroyed. It shall be open to inspection by members of the Police Force and the Licence Inspector at all times during regular business hours and may be removed at any time by members of the Police Force for inspection, or use in Court if necessary.

3.16 Shows:

Any person operating a show or dance for persons under the age of nineteen years or at shows or dances not under a liquor licence shall:-

- i. Operate the show between the hours of 7:00 p.m. and 11:00 p.m.;
- ii. Be required to provide one security guard from a recognized security company for every 30 persons licenced to be in the facility for which the show is held;
- iii. The security guards will control the grounds around the show premise as well as the premise itself.

3.17 Trade Qualifications:

Any person operating as a contractor working in the business of plumbing, gas fitting, electrical, refrigeration and hairdressing must produce a Trade Qualification at the time of application for a Licence.

3.18 Vending Machines:

No person shall own, keep or maintain any Vending Machine unless there has been imprinted thereon, the name, address and telephone number of the owner or his agent. Group "A" Vending Machine - No separate licence is required if the vending machine is owned and operated by a holder of a valid business licence, when situated within the area licenced. Group "B" Vending Machine - No separate licence is required where the machine is owned and operated by the holder of a valid Amusement Center licence, or Games Area licence when situated within the licenced area.

3.19 Fish Processing Plants:

- i. Any person manufacturing, processing or maintaining a fish processing plant shall:
 - a. Not allow the waste from their plant or operation to accumulate around their premises;
 - b. Store all waste emanating from a fish processing plant:
 1. Inside the premises only; and/or

2. In a sealed container with the following restrictions:
 - i. The sealed container shall be sealed at all times other than during such time as waste is being placed in the container; and
 - ii. The container shall be stored 15 feet from any property line.
- c. Restrict the hours of operation of a fish processing plant to 7:00 a.m. to 10:00 p.m. from Monday to Friday and 9:00 a.m. to 6:00 p.m. on weekends and Statutory holidays, with the exception of work carried out strictly within an enclosed building.

3.20 Automobile Tow Truck:

- i. Any person operating an automobile tow truck for the purpose of enforcing parking restrictions within the Town of Sidney, operating tow service for Sidney/North Saanich RCMP or the Town of Sidney Bylaw Enforcement shall have an impound yard within the Town of Sidney, the District of North Saanich or the District of Central Saanich; and
- ii. The operator of the automobile tow truck shall by the first Monday in December and the first Monday of June verify to the Town the address or location of the impound yard.

3.21 Recycling Depot:

To reduce the possibility of recycling depot becoming a nuisance in the Industrial Zone area with high tech industry, the following regulations will be established for recycling depots:

- i. No person shall operate a recycle depot unless the operation is fully enclosed within a building or in containers if stored outside of a building;
- ii. No person shall allow any recycle material to accumulate around their premise; and
- iii. No person shall be permitted to sell recycled material from the premise directly to walk-in customers but must deliver the material to a recycling plant.

3.22 Drive Thru Food Outlet:

The drive thru component of a Class 1 restaurant shall not be open for business between the hours of 12 midnight and 6:00 a.m.

SECTION 4 FEES

The following are the fees payable for the Classifications and Definitions in Division 2:

| <u>CLASSIFICATION</u> | <u>Current</u> | <u>2002</u> | <u>2003</u> | <u>After 2003</u> |
|---|-----------------------|--------------------|--------------------|--------------------------|
| <u>AUCTIONEER (Per Day)</u> | \$63.00 | \$70.00 | \$85.00 | \$100.00 |
| <u>AUTOBODY SHOP:</u> | | | | |
| 0 – 150 sq. metres of floor space | \$63.00 | \$70.00 | \$85.00 | \$100.00 |
| 151 - 300 sq. metres of floor space | \$78.00 | \$85.00 | \$100.00 | \$100.00 |
| 301 – 500 sq. metres of floor space | \$100.00 | \$100.00 | \$100.00 | \$100.00 |
| Over 500 metres of floor space | \$100.00 | \$130.00 | \$170.00 | \$200.00 |
| <u>AUTOMOBILE SALES:</u> | | | | |
| 0 – 300 sq. metres of floor space | \$63.00 | \$70.00 | \$85.00 | \$100.00 |
| 301 – 500 sq. metres of floor space | \$74.00 | \$85.00 | \$100.00 | \$100.00 |
| Over 501 sq. metres of floor space | \$84.00 | \$125.00 | \$160.00 | \$200.00 |
| <u>AUTOMOBILE SERVICES:</u> | | | | |
| 0 – 150 sq. metres of floor space | \$63.00 | \$70.00 | \$85.00 | \$100.00 |
| 151 – 500 sq. metres of floor space | \$95.00 | \$100.00 | \$100.00 | \$100.00 |
| Over 501 sq. metres of floor space | \$120.00 | \$145.00 | \$170.00 | \$200.00 |
| <u>AUTOMOBILE SERVICES:</u> Fuel Pumps (Only if not part of automobile service) | \$10.00 Per pump | \$100.00 | \$100.00 | \$100.00 |
| <u>AUTOMOBILE TOW TRUCK:</u> | \$100.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>BANK:</u> | \$600.00 | \$500.00 | \$300.00 | \$200.00 |
| <u>BANK MACHINE:</u> (Per Machine) | \$26.00 | \$50.00 | \$75.00 | \$100.00 |
| <u>BANQUET HALL:</u> | \$63.00 | \$70.00 | \$85.00 | \$100.00 |
| <u>BARBER SHOP:</u> | | | | |
| 1 Chair (under 500 sq. metres) | \$37.00 | \$50.00 | \$75.00 | \$100.00 |
| 2 to 5 Chairs (under 500 sq. metres) | \$74.00 | \$85.00 | \$100.00 | \$100.00 |
| 6 or more (over 500 sq. metres.) | \$147.00 | \$130.00 | \$160.00 | \$200.00 |
| <u>BEAUTY SALONS:</u> | | | | |
| 1 Chair (under 500 sq. metres) | \$37.00 | \$50.00 | \$75.00 | \$100.00 |
| 2 to 5 Chairs (under 500 sq. metres) | \$74.00 | \$85.00 | \$100.00 | \$100.00 |
| 6 or more (over 500 sq. metres) | \$147.00 | \$130.00 | \$160.00 | \$200.00 |

| <u>CLASSIFICATION</u> | <u>Current</u> | <u>2002</u> | <u>2003</u> | <u>After 2003</u> |
|--|------------------------|--------------------|--------------------|--------------------------|
| <u>BOAT RENTALS & CHARTERS:</u> | | | | |
| 1 Boat | \$32.00 | \$50.00 | \$75.00 | \$100.00 |
| 2 Boats | \$37.00 | \$50.00 | \$75.00 | \$100.00 |
| 3 or more Boats | \$45.00 | \$50.00 | \$75.00 | \$100.00 |
| <u>BOAT WORKS AND REPAIRS:</u> | | | | |
| 0 – 1 hectares of ground area | \$42.00 | \$100.00 | \$150.00 | \$200.00 |
| 2 – 3 hectares of ground area | \$74.00 | \$100.00 | \$150.00 | \$200.00 |
| Over 4 hectares of ground area | \$105.00 | \$130.00 | \$160.00 | \$200.00 |
| <u>BOAT SALES:</u> | | | | |
| 0 – 500 sq. metres of floor space | \$42.00 | \$60.00 | \$75.00 | \$100.00 |
| Over 500 sq. metres of floor space | \$53.00 | \$100.00 | \$150.00 | \$200.00 |
| <u>BOWLING LANE:</u> | | | | |
| (Base new rate on Facility not Lanes) | \$11.00 Per lane | \$50.00 | \$75.00 | \$100.00 |
| <u>BUILDING RENTALS:</u> | | | | |
| Apartment/Hotel/Motel/Bed & Breakfast Congregate & Intermediate Care Facilities | \$5.50 Per room | \$50.00 | \$75.00 | \$100.00 |
| Under 500 sq. metres of rental space | \$5.50 Per room | \$50.00 | \$75.00 | \$100.00 |
| Over 501 sq. metres of rental space | | \$200.00 | \$200.00 | \$200.00 |
| <u>BUILDING SUPPLY:</u> | | | | |
| 0 – 500 sq. metres of floor space | \$37.00 | \$50.00 | \$75.00 | \$100.00 |
| Over 500 sq. metres of floor space | \$68.00 | \$100.00 | \$150.00 | \$200.00 |
| <u>CAFÉ:</u> | | | | |
| 1 – 30 seats (under 500 sq. metres) | \$60.00 | \$74.00 | \$88.00 | \$100.00 |
| 31 – 50 seats (under 500 sq. metres) | \$95.00 | \$100.00 | \$100.00 | \$100.00 |
| Over 51 seats (over 500 sq. metres) | \$105.00 | \$130.00 | \$160.00 | \$200.00 |
| <u>CATERING SERVICE:</u> | | | | |
| (To become an Inter-Municipal Licence) | \$60.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>CHARTER LIMOUSINE:</u> | | | | |
| | \$31.50 Per vehicle | \$50.00 | \$75.00 | \$100.00 |
| <u>CHARTER TOUR BUS COMPANY:</u> | | | | |
| | \$120.00 Per unit | \$100.00 | \$100.00 | \$100.00 |
| <u>CIRCUS AND CARNIVAL:</u> (per day) | | | | |
| | \$236.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>CLUBS:</u> | | | | |
| | \$60.00 | \$75.00 | \$90.00 | \$100.00 |

| <u>CLASSIFICATION</u> | <u>Current</u> | <u>2002</u> | <u>2003</u> | <u>After 2003</u> |
|--|-----------------------|--------------------|--------------------|--------------------------|
| <u>CONTRACTOR:</u> (Inter-Municipal) | \$100.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>CONTRACTOR:</u> | \$50.00 | \$70.00 | \$90.00 | \$100.00 |
| <u>DAY CARE:</u> | | | | |
| 5 Children | \$35.00 | \$40.00 | \$45.00 | \$50.00 |
| Over 6 Children | \$53.00 | \$70.00 | \$80.00 | \$100.00 |
| <u>ELECTROLYSIS:</u> | \$63.00 | \$75.00 | \$85.00 | \$100.00 |
| <u>EXPRESS AND FREIGHTWAY:</u> | | | | |
| 1 – 500 sq. metres of floor space | \$105.00 | \$100.00 | \$100.00 | \$100.00 |
| Over 501 sq. metres of floor spaces | \$160.00 | \$180.00 | \$190.00 | \$200.00 |
| <u>FINANCIAL INSTITUTIONS:</u> | | | | |
| 0 – 500 sq. metres of floor space | \$600.00 | \$400.00 | \$250.00 | \$100.00 |
| Over 501 sq. metres of floor space (Trust Companies, Credit Unions and Mortgage Brokers) | \$600.00 | \$450.00 | \$300.00 | \$200.00 |
| <u>FISH PROCESSING PLANTS:</u> | | | | |
| 0 – 500 sq. metres of floor space | \$95.00 | \$100.00 | \$100.00 | \$100.00 |
| 501 – 1000 sq. metres of floor space | \$158.00 | \$165.00 | \$180.00 | \$200.00 |
| <u>GAMES ROOM:</u> | \$63.00 | \$75.00 | \$85.00 | \$100.00 |
| <u>GARDEN SUPPLIES:</u> | | | | |
| 0 – 500 sq. metres of floor space | \$53.00 | \$70.00 | \$75.00 | \$100.00 |
| Over 501 sq. metres of floor space | \$105.00 | \$135.00 | \$170.00 | \$200.00 |
| <u>INVESTMENT OR HOLDING CO:</u> | \$63.00 | \$75.00 | \$85.00 | \$100.00 |
| <u>LAUNDROMAT:</u> | \$63.00 | \$75.00 | \$85.00 | \$100.00 |
| <u>LAUNDRY AND DRY CLEANING ESTABLISHMENT:</u> | | | | |
| 0 – 500 sq. metres of floor space | \$53.00 | \$70.00 | \$85.00 | \$100.00 |
| Over 501 sq. metres of floor space | \$63.00 | \$120.00 | \$165.00 | \$200.00 |
| <u>LIQUOR OUTLET:</u> | \$600.00 | \$500.00 | \$300.00 | \$200.00 |

| <u>CLASSIFICATION</u> | <u>Current</u> | <u>2002</u> | <u>2003</u> | <u>After 2003</u> |
|---|-----------------------|--------------------|--------------------|--------------------------|
| <u>MACHINERY AND EQUIPMENT RENTALS:</u> | | | | |
| 0 – 200 sq. metres of floor space | \$85.00 | \$100.00 | \$100.00 | \$100.00 |
| 201 – 500 sq. metres of floor space | \$126.00 | \$120.00 | \$100.00 | \$100.00 |
| 501 – 1,000 sq. metres of floor space | \$175.00 | \$190.00 | \$200.00 | \$200.00 |
| Over 1,001 sq. metres of floor space | \$275.00 | \$250.00 | \$225.00 | \$200.00 |
| <u>MANUFACTURING:</u> | | | | |
| 0 – 500 sq. metres of floor space | \$78.00 | \$90.00 | \$100.00 | \$100.00 |
| 501 to 2000 sq. metres of floor space | \$158.00 | \$170.00 | \$190.00 | \$200.00 |
| 2,001 to 3,000 sq. metres of floor space | \$473.00 | \$350.00 | \$250.00 | \$200.00 |
| Over 3,001 sq. metres of floor space | \$600.00 | \$450.00 | \$350.00 | \$200.00 |
| <u>MARINA:</u> | \$1.20 per berth | \$100.00 | \$150.00 | \$200.00 |
| <u>MARINE FUEL SALES:</u> | \$78.00 | \$100.00 | \$150.00 | \$200.00 |
| <u>MARINE TRANSPORTATION CO.:</u> | \$63.00 | \$75.00 | \$85.00 | \$100.00 |
| <u>MEDICAL CENTRE:</u> | \$53.00 | n/a | n/a | n/a |
| <u>MOBILE SALES/SERVICE:</u> | \$100.00 | \$100.00 | \$100.00 | \$100.00 |
| (Inter-Municipal Business Licence) | | | | |
| 4401 Facial/Manicurist | 4405 | Mechanic | | |
| 4402 Food, Beverage & Music Service | 4406 | Pet Sitter | | |
| 4403 Massage Therapist | 4407 | Photographer | | |
| 4404 Hairdresser/Barber | 4408 | Delivery Service | | |
| <u>MOVIE THEATER:</u> | \$100.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>NEWSPAPER PUBLISHER:</u> | \$132.00 | \$120.00 | \$100.00 | \$100.00 |
| <u>PARKING LOT:</u> | \$60.00 | \$80.00 | \$100.00 | \$100.00 |
| <u>PAWN BROKER AND SECOND HAND DEALER:</u> | | | | |
| 0 – 200 sq. metres of floor space | \$80.00 | \$90.00 | \$100.00 | \$100.00 |
| 201 – 500 sq. metres of floor space | \$105.00 | \$100.00 | \$100.00 | \$100.00 |
| 501 – 1,000 sq. metres of floor space | \$168.00 | \$180.00 | \$200.00 | \$200.00 |
| Over 1,001 sq. metres of floor space | \$273.00 | \$250.00 | \$225.00 | \$200.00 |
| <u>PEDDLER – FOOD PRODUCTS:</u> | \$37.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>PEDDLER:</u> | \$126.00 | \$110.00 | \$100.00 | \$100.00 |

| <u>CLASSIFICATION</u> | <u>Current</u> | <u>2002</u> | <u>2003</u> | <u>After 2003</u> |
|---|-----------------------|---------------------|--------------------|--------------------------|
| <u>PHOTO STUDIO:</u> | | | | |
| 0 – 200 sq. metres of floor space | \$50.00 | \$70.00 | \$86.00 | \$100.00 |
| 201 – 500 sq. metres of floor space | \$90.00 | \$100.00 | \$100.00 | \$100.00 |
| Over 500 sq. metres of floor space | \$105.00 | \$140.00 | \$170.00 | \$200.00 |
| <u>PRIVATE TEACHER:</u> | | | | |
| | \$37.00 | \$40.00 | \$45.00 | \$50.00 |
| <u>PROFESSIONAL:</u> | | | | |
| 5301 Accountant | 5310 | Optometrists | | |
| 5302 Appraiser | 5311 | Physician | | |
| 5303 Architect | 5312 | Physiotherapist | | |
| 5304 Business Consultant | 5313 | Psychiatrist | | |
| 5305 Chiropractor | 5314 | Psychologist | | |
| 5306 Dentist | 5315 | Solicitor/Barrister | | |
| 5307 Denturist | 5316 | Surveyor | | |
| 5308 Designer/Drafter | 5317 | Veterinarian | | |
| 5309 Notary Public | 5318 | Acupuncture | | |
| <u>PUBLIC UTILITY COMPANY:</u> | | | | |
| | \$115.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>RADIO AND T.V. BROADCASTING:</u> | | | | |
| | \$115.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>REAL ESTATE AND INSURANCE AGENCIES:</u> | | | | |
| 0 – 500 sq. metres of floor space | | | \$100.00 | \$100.00 |
| Over 501 sq. metres of floor space | | | \$200.00 | \$200.00 |
| <u>RECYCLE DEPOT:</u> | | | | |
| | \$105.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>RESTAURANT:</u> | | | | |
| 1 – 50 seats (under 500 sq.m.) | \$120.00 | \$100.00 | \$100.00 | \$100.00 |
| 51 – 100 seats (over 500 sq.m.) | \$172.00 | \$180.00 | \$190.00 | \$200.00 |
| Over 101 seats | \$226.00 | \$200.00 | \$200.00 | \$200.00 |
| <u>RETAIL SALES:</u> | | | | |
| 0 – 200 sq. metres of floor space | \$85.00 | \$90.00 | \$100.00 | \$100.00 |
| 201 – 500 sq. metres of floor space | \$126.00 | \$110.00 | \$100.00 | \$100.00 |
| 501 – 1,000 sq. metres of floor space | \$252.00 | \$220.00 | \$200.00 | \$200.00 |
| Over 1,001 sq. metres of floor space | \$275.00 | \$250.00 | \$225.00 | \$200.00 |
| <u>SANITARY COLLECTION SERVICE:</u> | | | | |
| | \$131.00 | \$115.00 | 100.00 | \$100.00 |
| <u>SERVICE FROM BUSINESS AREA:</u> | | | | |
| 0 – 200 sq. metres of floor space | \$42.00 | \$60.00 | \$75.00 | \$100.00 |
| 201 – 500 sq. metres of floor space | \$74.00 | \$84.00 | \$100.00 | \$100.00 |
| Over 500 sq. metres of floor space | \$105.00 | \$150.00 | \$175.00 | \$200.00 |

| <u>CLASSIFICATION</u> | <u>Current</u> | <u>2002</u> | <u>2003</u> | <u>After 2003</u> |
|---|----------------|-------------|---|-------------------|
| <u>SERVICE FROM RESIDENCE:</u> | | | | |
| 6200 Commercial | \$53.00 | \$70.00 | \$85.00 | \$100.00 |
| 6201 Craft | \$20.00 | \$30.00 | \$40.00 | \$50.00 |
| | \$53.00 | \$70.00 | \$85.00 | \$100.00 |
| 6202 Accounting Services | | 6207 | Mail Order | |
| 6203 Animal Grooming | | 6208 | Personal Service | |
| 6204 Computer Sales and Service | | 6209 | Sales and Service | |
| 6205 Consulting | | 6210 | Upholstery | |
| 6206 Dressmaker/Tailer | | | | |
| <u>SHOWS:</u> (Per Day) | \$262.00 | \$200.00 | \$150.00 | \$100.00 |
| <u>STORAGE AREA:</u> | | | | |
| 0 – 500 sq. metres of floor space | \$53.00 | \$70.00 | \$85.00 | \$100.00 |
| 501 – 1,800 sq. metres of floor space | \$63.00 | \$100.00 | \$160.00 | \$200.00 |
| Over 1,801 sq. metres of floor space | \$85.00 | \$120.00 | \$160.00 | \$200.00 |
| <u>TEMPORARY OUTDOOR MARKET:</u> | | | | |
| 1 – 50 tables | | | \$25.00 | \$25.00 |
| Over 51 tables | | | \$100.00 | \$100.00 |
| <u>UNCLASSIFIED:</u> | | | | |
| 1 – 3 employees | \$63.00 | \$70.00 | \$86.00 | \$100.00 |
| 4 – 7 employees | \$79.00 | \$90.00 | \$100.00 | \$100.00 |
| Over 8 employees | \$95.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>U-DRIVES:</u> | | | | |
| 1 – 10 Vehicles | \$120.00 | \$110.00 | \$100.00 | \$100.00 |
| 11 – 20 Vehicles | \$137.00 | \$160.00 | \$180.00 | \$200.00 |
| Over 21 Vehicles | \$152.00 | \$160.00 | \$180.00 | \$200.00 |
| <u>VEHICLE FOR HIRE:</u> | \$32.00 | \$100.00 | \$100.00 | \$100.00 |
| <u>VENDING MACHINE AGENCY:</u> | | | | |
| 6800 Group “A” Vending Machine | \$15.00 | | \$100.00 | |
| | | | \$15.00 per machine will be \$100.00 per business | |
| 6801 Group “B” Vending Machine | | | \$20.00 per machine will be \$100.00 per business | |
| <u>WHOLESALE:</u> | | | | |
| 0 – 200 sq. metres of floor space | \$80.00 | \$90.00 | \$100.00 | \$100.00 |
| 201 – 500 sq. metres of floor space | \$130.00 | \$110.00 | \$100.00 | \$100.00 |
| 501 – 1,000 sq. metres of floor space | \$210.00 | \$200.00 | \$200.00 | \$200.00 |
| Over 1,000 sq. metres of floor space | \$275.00 | \$260.00 | \$225.00 | \$200.00 |

SECTION 5 DUTIES AND ADMINISTRATION

- 5.01** The Council may, by resolution, instruct the Director of Development Services to appoint a person(s) to be a Licence Inspector, who is authorized to carry out and assist with the enforcement and administration of this Bylaw;
- 5.02** The Licence Inspector is hereby authorized and empowered to inspect, compel and require that all regulations and provisions prescribed in this Bylaw and any such regulations and provisions which may from time to time be appended to this Bylaw, are carried out.
- 5.03** The Licence Inspector shall maintain and keep records of all Licences issued.
- 5.04** All such records shall be considered public records, and shall be open for inspection at reasonable times to any person doing business within the Town of Sidney, provided that this provision shall not apply to internal notes or memoranda prepared by members of the Business Licence Department.
- 5.05** If any provision of the Bylaw is found to be invalid, then it is severed from this Bylaw and the remaining provisions are in full force and effect.

SECTION 6 OFFENCES - PENALTY

6.01 OFFENCE:

Any person who:

- i. Carries on a business for which a Licence is required pursuant to the provisions of this Bylaw, without holding a valid and subsisting Licence for the business,
- ii. Tenders a cheque or other negotiable instrument in full or partial payment of any Licence Fee payable hereunder, if such cheque or negotiable instrument is fraudulent,
- iii. Fails to display a valid and subsisting Licence as required by the provisions of this Bylaw,
- iv. Fails to furnish any information or documentation as required by the provisions of this Bylaw,
- v. Carries on or remains open for business after receiving notice that his Licence has been suspended or revoked,
- vi. Fails to comply with the regulations of this Bylaw,
- vii. Violates, or performs any act or thing which violates, any provisions of this Bylaw,
- viii. Suffers or permits any act or thing to be performed in violation of this Bylaw, or
- ix. Neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw, is guilty of an offence.

6.02 PENALTY:

- i. Any person guilty of an offence is punishable in accordance with the *Offence Act of British Columbia*.
- ii. Where conviction is for failure to obtain or pay the Licence Fee payable, then the amount, which should have been paid for such a Licence, shall be added to and form part of this penalty.
- iii. Notwithstanding anything herein contained, the amount of any and every unpaid Licence Fee payable by any person pursuant to the provisions of this Bylaw shall be debt due by that person to the Town of Sidney which shall be recoverable, together with costs, in any Court.

6.03 This Bylaw may be cited as Town of Sidney "**Business Licence and Business Regulation Bylaw No. 1668**".

6.04 This Bylaw shall come in force on the 1st day of January, 2001.

6.05 Bylaw Numbers 1061 and amendments thereto are hereby repealed.

| | | | |
|---------------------------------------|------------------|--------|---------------|
| Introduced and read a first time the | 16 th | day of | July, 2001. |
| Read a second time the | 16 th | day of | July, 2001. |
| Read a third time the | 16 th | day of | July, 2001. |
| Reconsidered, and finally adopted the | 13th | day of | August, 2001. |

MAYOR

CORPORATE ADMINISTRATOR