



# ***BUSINESS LICENCE***

## **BYLAW NO. 7360**

EFFECTIVE DATE – JUNE 24, 2002

### **CONSOLIDATED FOR CONVENIENCE ONLY**

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>DATE OF ADOPTION</u>	<u>EFFECTIVE DATE</u> (If different from Date of Adoption)
Bylaw No. 7432	November 12, 2002	
Bylaw No. 7464	December 8, 2003	
Bylaw No. 7808	October 25, 2004	
Bylaw No. 8146	November 27, 2006	
Bylaw No. 8154	November 27, 2006	
Bylaw No. 8163	January 8, 2007	
Bylaw No. 8302	November 26, 2007	
Bylaw No. 8334	May 12, 2008	
Bylaw No. 8365	May 12, 2008	
Bylaw No. 8407	September 8, 2008	
Bylaw No. 8443	January 12, 2009	
Bylaw No. 8551	November 23, 2009	
Bylaw No. 8619	September 13, 2010	
Bylaw No. 8654	November 22, 2010	
Bylaw No. 8666	January 24, 2011	
Bylaw No. 8799	November 14, 2011	
Bylaw No. 8919		October 22, 2012 [except for Section 2.1.31 and portions of Section 3.6 which come into effect on January 23, 2013]
Bylaw No. 9090	February 24, 2014	
Bylaw No. 9212	March 23, 2015	
Bylaw No. 9255	July 13, 2015	
Bylaw No. 9632	February 14, 2017	
Bylaw No. 9650	May 23, 2017	
Bylaw No. 9696	May 23, 2017	
Bylaw No. 9722	July 10, 2017	
Bylaw No. 9718	October 23, 2017	
Bylaw No. 9763	November 27, 2017	

CITY OF RICHMOND

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CITY OF RICHMOND

**BUSINESS LICENCE BYLAW NO. 7360**

The Council of the City of Richmond enacts as follows:

**PART ONE: BUSINESS LICENCE APPLICATION PROCESS**

- 1.1** An **applicant** for a **licence** must:
- (a) complete an application form provided by the **Licence Inspector**; and
  - (b) deliver such application to the **Licence Inspector**, together with the non-refundable fee specified in the Consolidated Fee Bylaw No. 8636, which is attached to and forms a part of this bylaw, as determined by the use categories specified in Part 3.
- 1.2** Every **applicant** must provide the following information on the application form:
- (a) a detailed description of the **business**;
  - (b) the address or usual place of such **business**;
  - (c) the name and full address of the **applicant**;
  - (d) the number of **employees** in such **business** or working at a location in the **City**;
  - (e) in the case of a food service establishment, the customer seating capacity available;
  - (f) any liquor licence issued to such applicant, under the *Liquor Control & Licencing Act*;
  - (g) the floor area in square metres, occupied by the **business**;
  - (h) any other information the **Licence Inspector** may require; and
  - (i) in the case of a limited or incorporated company, a copy of that company's Certificate of Incorporation.
- 1.3** An **applicant** may combine more than one **licence** application on the same application form.
- 1.4** An **applicant** who fails to provide the information required in section 1.2, or who conceals any information which should be disclosed in an application, is liable to the penalties stipulated in Part 5.
- 1.5** Where an **applicant** is required to hold a Provincial Certificate of Proficiency or Qualification for a particular **business**, the **Licence Inspector** must not grant such **applicant** a **licence** until satisfied the **applicant** has complied with any relevant Provincial requirements, as specified in Part 2.

- 1.6 All premises in the **City** from which an **applicant** proposes to conduct **business** must be approved by the **Licence Inspector** for compliance with the **Zoning Bylaw**, the **Building Regulation Bylaw**, the Fire Prevention Bylaw, and any other applicable **City** bylaws and regulations before any **licence** is granted.

## **PART TWO: SPECIAL BUSINESS LICENCE APPLICATION REQUIREMENTS**

- 2.1 In addition to meeting the requirements of Part 1, **applicants** for the following specific categories of **licence** must satisfy the applicable requirements specified in this Part at the time of application, before a **licence** will be issued.

### **2.1.1 Adult Entertainment Establishment**

2.1.1.1 Every Adult Entertainment Establishment **applicant** whose **business** may, in the opinion of the **Licence Inspector**, result in an exposure of the **City** to financial liability, must deposit with the **City**:

- (a) an indemnity bond in the amount of not less than \$2,000,000; or
- (b) a comprehensive liability insurance policy in the same amount, obtained from an insurance company licenced in the Province of British Columbia, naming the **City** as an additional insured, and stating that the policy applies to each insured as if a separate policy has been issued to each.

### **2.1.2 Air Conditioning Contractor**

2.1.2.1 Every air conditioning contractor **applicant** must provide the **Licence Inspector** with a copy of the Certificate of Qualification in the trade of Air Conditioning, issued to such **applicant** by the Province of British Columbia.

### **2.1.3 Automobile Dealer (New and Used)**

2.1.3.1 Every automobile dealer (new and used) **applicant** must provide the **Licence Inspector** with a copy of the Motor Dealer Registration Certificate issued to such **applicant** by the Province of British Columbia.

#### 2.1.4 Body-Painting Studio

2.1.4.1 Every Body-Painting Studio **applicant** must provide the **Licence Inspector** with the name, age, date of birth, current address and picture identification of each person proposed to be employed or engaged in such **business**, together with any additional information which the **Licence Inspector** may require.

2.1.4.2 Every Body-Painting Studio **applicant** whose **business** may, in the opinion of the **Licence Inspector**, result in an exposure of the **City** to financial liability, must deposit with the **City**:

- (a) an indemnity bond in the amount of not less than \$2,000,000; or
- (b) a comprehensive liability insurance policy in the same amount, obtained from an insurance company licenced in the Province of British Columbia, naming the **City** as an additional insured, and stating that the policy applies to each insured as if a separate policy has been issued to each.

#### 2.1.5 Body-Rub Studio

2.1.5.1 Every Body-Rub Studio **applicant** must provide the **Licence Inspector** with the name, age, date of birth, current address and picture identification of each **person** proposed to be employed or engaged in such **business**, together with any additional information which the **Licence Inspector** may require.

2.1.5.2 Every Body-Rub Studio **applicant** whose **business** may, in the opinion of the **Licence Inspector**, result in an exposure of the **City** to financial liability, must deposit with the **City**:

- (a) an indemnity bond in the amount of not less than \$2,000,000; or
- (b) a comprehensive liability insurance policy in the same amount, obtained from an insurance company licenced in the Province of British Columbia, naming the **City** as an additional insured, and stating that the policy applies to each insured as if a separate policy has been issued to each.

#### 2.1.6 Christmas Tree Stand

2.1.6.1 Every Christmas tree stand **applicant** must provide a \$500 per-site damage deposit to the **City**, which may be returned after the conclusion of the offering for sale of such trees, provided the site has been cleaned and all refuse and debris has been removed to the satisfaction of the **Licence Inspector**.

## 2.1.7 Commercial Entertainment

2.1.7.1 Every commercial entertainment **applicant** whose **business** may, in the opinion of the **Licence Inspector**, result in an exposure of the **City** to financial liability, must:

- (a) deposit with the **City** an indemnity bond in the amount of not less than \$2,000,000, or a comprehensive liability insurance policy in the same amount, obtained from an insurance company licenced in the Province of British Columbia, naming the **City** as an additional insured, and stating that the policy applies to each insured as if a separate policy had been issued to each; and
- (b) enter into a save harmless agreement to protect the **City** in the event of injury or damages arising out of or in the course of such commercial entertainment, or any parade or other promotional activity held in connection with such an event.

## 2.1.8 Delivery Services

2.1.8.1 Every delivery services **applicant** must provide the **Licence Inspector** with a copy of the Motor Carrier Licence issued to such **applicant** by the Motor Carrier Commission.

## 2.1.9 Electrical Contractor

2.1.9.1 Every electrical contractor **applicant** must provide the **Licence Inspector** with a copy of the Certificate of Qualification in the Trade of Electrical Work issued to such **applicant** by the Province of British Columbia.

## 2.1.10 Escort Services

2.1.10.1 Every escort service **applicant** must provide the **Licence Inspector** with the name, age, birthdate, current address and picture identification of every **person** proposed to be employed or engaged in such **business**, together with such additional information which the **Licence Inspector** may require.

2.1.10.2 Every Escort Service **applicant** whose **business** may, in the opinion of the **Licence Inspector**, result in an exposure of the **City** to financial liability, must deposit with the **City**:

- (a) an indemnity bond in the amount of not less than \$2,000,000; or

- (b) a comprehensive liability insurance policy in the same amount, obtained from an insurance company licenced in the Province of British Columbia, naming the **City** as an additional insured, and stating that the policy applies to each insured as if a separate policy has been issued to each.

#### **2.1.11 Locksmith Services**

- 2.1.11.1 Every locksmith service **applicant** must provide the **Licence Inspector** with evidence of having complied with the provisions of the *Private Investigators and Securities Agencies Act*.

#### **2.1.12 Gas Contractor**

- 2.1.12.1 Every gas contractor **applicant** must provide the **Licence Inspector** with a copy of:

- (a) the registration as a Gas Contractor issued to such **applicant** by the Province of British Columbia Gas Safety Branch; and
- (b) either:
  - (i) the Gas Safety Branch Licence issued to such **applicant** by the Province of British Columbia Gas Safety Branch, or
  - (ii) a Certificate of Qualification as a Gas Fitter issued to such **applicant** by the Province of British Columbia.

#### **2.1.13 Mobile Vendor**

- 2.1.13.1 Every mobile vendor **applicant** must sign a declaration that he has read, understood and agrees to comply with the regulations for **mobile vendors** contained in the **Business Regulation Bylaw**.

#### **2.1.14 Parking Enforcement Business Using Automobile Immobilizing Devices**

- 2.1.14.1 Every parking enforcement business using automobile immobilizing devices **applicant** must deposit with the **City**, an indemnity bond in the amount of not less than \$2,000,000, or a comprehensive liability insurance policy in the same amount, obtained from an insurance company licenced in the Province of British Columbia, naming the **City** as an additional insured, and stating that the policy applies to each insured as if a separate policy had been issued to each.



**2.1.15 Pest Control Contractor**

2.1.15.1 Every pest control contractor **applicant** must provide the **Licence Inspector** with a copy of the Certificate of Qualification in the category of Pesticide Applicator, issued to such **applicant** by the Province of British Columbia.

**2.1.16 Pipe Fitting Contractor**

2.1.16.1 Every pipe fitting contractor **applicant** must provide the **Licence Inspector** with a copy of the Certificate of Qualification in the trade of Pipe Fitting, issued to such **applicant** by the Province of British Columbia.

**2.1.17 Plumbing Contractor**

2.1.17.1 Every plumbing contractor **applicant** must provide the **Licence Inspector** with a copy of the Certificate of Qualification in the trade of Plumbing, issued to such **applicant** by the Province of British Columbia.

**2.1.18 Private Investigation Agency**

2.1.18.1 Every private investigation agency **applicant** must provide the **Licence Inspector** with evidence of having complied with the provisions of the *Private Investigators and Security Agencies Act*.

**2.1.19 Refrigeration Contractor**

2.1.19.1 Every refrigeration contractor **applicant** must provide the **Licence Inspector** with a copy of the Certificate of Qualification in the trade of Refrigeration, issued to such **applicant** by the Province of British Columbia.

**2.1.20 Retail Video Store**

2.1.20.1 Every retail video store **applicant** must provide the **Licence Inspector** with a copy of the Film Classification Certificate, issued to such **applicant** by the Province of British Columbia.

**2.1.21 Roadside Stands**

2.1.21.1 General Provisions

- (a) Every **roadside stand applicant** must:
- (i) satisfy the **Licence Inspector** that such **applicant** is operating a **farm** in the **City**;
  - (ii) indicate the class of **roadside stand** for which a **licence** is being sought; and

- (iii) satisfy the **Licence Inspector** that such **roadside stand**:
  - will not create a traffic hazard; and
  - has been granted any required arterial highway access approval, in writing, from the Province of British Columbia.
- (b) The **Licence Inspector** must not issue more than one **roadside stand licence** for any one legal parcel which is a **farm**.

#### 2.1.21.2 Class A Roadside Stands

- (a) Every Class A **roadside stand applicant** must:
  - (i) only display and sell **farm produce** which is grown or raised in the **City**;
  - (ii) be farming a minimum of not less than ½ acre of land; and
  - (iii) provide a portable building or structure which is incidental to the use of the land on which it is situated, and which has a maximum interior **floor area** of 93 square metres (1,001.04 square feet).

#### 2.1.21.3 Class B Roadside Stands

- (a) Every Class B **roadside stand applicant** must:
  - (i) only display and sell **farm produce** which is grown or raised in the Province of British Columbia;
  - (ii) be farming a minimum of not less than 2 acres of land; and
  - (iii) provide a permanent building or a portion of a permanent building which is incidental to the use of the land on which it is situated, and which has a maximum interior **floor area** of 93 square metres (1001.04 square feet), and such building must not be an accessory building as defined in the **Zoning Bylaw** unless such accessory building has been constructed to permit such **roadside stand** to meet the provisions of this bylaw as well as all other **City** bylaws.

#### 2.1.21.4 Class C Roadside Stands

- (a) Every Class C **roadside stand applicant** must:
  - (i) only display and sell **farm produce** which is grown or raised in the Province of British Columbia, and imported **farm produce**, provided such **farm produce** is of a general class or kind not grown in British Columbia, or at the time of sale or display,

- no British Columbia grown **farm produce** of such general class or kind is available through established commercial **farm produce** marketing organizations;
- (ii) be farming a minimum of not less than 20 acres of land; and
  - (iii) provide a permanent building or a portion of a permanent building with a maximum interior **floor area** of 190 square metres (2045.02 square feet), and such building must not be an accessory building as defined in the **Zoning Bylaw** unless such accessory building has been constructed to permit such **roadside stand** to meet the provisions of this bylaw as well as all other **City** bylaws.

#### 2.1.22 Deleted

#### 2.1.23 Security Installation Contractor

2.1.23.1 Every security installation contractor **applicant** must provide the **Licence Inspector** with:

- (a) a copy of the Certificate of Qualification issued to such **applicant** by the British Columbia Ministry of Labour; and
- (b) a copy of the Security (Business) Licence issued to such **applicant** by the British Columbia Ministry of Attorney General under the *Private Investigators and Securities Agencies Act*.

#### 2.1.24 Sprinkler Contractor

2.1.24.1 Every sprinkler contractor **applicant** must provide the **Licence Inspector** with a copy of the Certificate of Qualification in the trade of Sprinkler Installation, issued to such **applicant** by the Province of British Columbia.

#### 2.1.25 Telephone Sales Office

2.1.25.1 Every telephone sales office **applicant** must provide the **Licence Inspector** with the following:

- (a) the total number of telephones used in the Telephone Sales Office; and
- (b) the full name and address of each telephone **canvasser**.

### 2.1.26 Travel Agency

2.1.26.1 Every travel agency **applicant** must provide the **Licence Inspector** with a copy of the Travel Agents/Wholesaler Certificate issued to such **applicant** by the Province of British Columbia, pursuant to the *Travel Agents Act*.

### 2.1.27 Vehicles for Hire

2.1.27.1 Every vehicle for hire **applicant** must provide evidence to the satisfaction of the **Licence Inspector**:

- (a) that the appropriate approvals have been issued by the Motor Carrier Commission;
- (b) that any required **chauffeur's permits**, for drivers employed by him, have been issued by the **Police Chief**; and
- (c) that a vehicle inspection report and vehicle insurance papers have been issued, for each vehicle proposed to be used in the business.

2.1.27.2 Every vehicle for hire **applicant** operating from premises in the **City** must:

- (a) establish and maintain a **vehicle for hire business office** in the **City**, and must pay the fee specified for such office, in the Consolidated Fee Bylaw No. 8636; and
- (b) notify the **Licence Inspector** in writing of the address of such office and of any change of location of such office, or the establishment or change of location of any additional offices,

except that the office may be that of another licensee in the **City**, or may be a business office for which such applicant is licenced in another municipality.

2.1.27.3 Every Class A and Class N taxicab licenced by the **City** under this bylaw, and regulated under the **Vehicle for Hire Regulation Bylaw**, must be operated by one of the following companies having a **vehicle for hire business office** in the **City**:

- (a) Garden City Cabs of Richmond Ltd.;
- (a) Kimber Cabs Ltd.; or
- (b) Richmond Cabs Ltd.

2.1.27.4 Every Class A and Class N taxicab **applicant**, and every Class M tow-truck **applicant** must:

- (a) establish and maintain a **vehicle for hire business office** in the **City**, and must pay the fee specified for such office, in the Consolidated Fee Bylaw No. 8636, except that the office may be that of another **licencee** in the **City**;
- (b) notify the **Licence Inspector** in writing of the address of such office and of any change of location of such office, or the establishment or change of location of any additional offices.

2.1.27.5 Every Class K driver training vehicle **applicant** must provide the **Licence Inspector** with:

- (a) a copy of the Driver Training Instructor's Licence issued to such **applicant** by the Province of British Columbia;
- (b) a **chauffeur's permit** and **driver's licence**; and
- (c) a vehicle inspection report, and vehicle insurance papers for each vehicle proposed to be used in the **business**.

2.1.27.6 Every applicant for a **pedicab** licence must:

- (a) establish and maintain a **vehicle for hire business office** in the **City** in accordance with Section 1.6 of this bylaw and must pay the fee specified for such office as set out in the Consolidated Fee Bylaw No. 8636;
- (b) ensure that every **pedicab** is operated in compliance with the **Vehicle For Hire Regulation Bylaw No. 6900**, as amended;
- (c) present every **pedicab** proposed to be operated to the **Licence Inspector**, who may inspect the **pedicab** to determine whether it meets the requirements of the **Vehicle For Hire Regulation Bylaw No. 6900**, as amended;
- (d) provide to the **City** a copy of a current policy for liability insurance, in a form and manner satisfactory to the **City**, in an amount not less than \$5,000,000.00, naming the **City** as an additional insured, and stating that the policy applies to each insured as if a separate policy has been issued to each; and
- (e) obtain and display a **vehicle for hire plate**, as defined in the **Vehicle For Hire Regulation Bylaw No. 6900**, as amended, for each **pedicab** proposed to be used.

- 2.1.27.7.1 The maximum number of **pedicabs** licenced by the **City** under this bylaw, and regulated under the **Vehicle For Hire Bylaw** is 15.

### **2.1.28 Vending Machine Operators (Group 2 – Newspaper Dispensing)**

- 2.1.28.1 Every vending machine operator (Group 2 – Newspaper Dispensing) must provide the **Licence Inspector** with a copy of the agreement between the **City** and the **applicant** for the installation of such vending machines within the **City**.

### **2.1.29 Vending Stands**

- 2.1.29.1 Every vending stand **applicant**, offering either food or non-food items, must provide the **Licence Inspector** with a letter from either the property owner or their agent, authorizing the occupation by the **applicant**, of the property on which the vending stand will be located.

### **2.1.30 Farmers' Market**

- 2.1.30.1 Every **farmers' market applicant** must:
- (a) if the operation is on land other than land owned by the **applicant**, to provide evidence of permission by the owner to use the land for the purpose of a **farmers' market**;
  - (b) permit only the display and sale of any of the following:
    - (i) fruit, vegetables, nuts, honey, syrups, dairy products, eggs, poultry, meat, flowers, herbs, and any products derived therefrom, that are produced in the Province of British Columbia and prepared for market in accordance with applicable laws;
    - (ii) artwork or handcrafted items that are designed, created, produced and assembled in the Province of British Columbia; and
    - (iii) baked or handmade foods produced in British Columbia;
  - (c) before allowing the sale of any **goods** mentioned in paragraph (b), provide evidence that all vendors intending to sell food products have been granted a health permit for that purpose; and
  - (d) satisfy the **Licence Inspector** that the **farmers' market** will not create a traffic hazard or result in obstruction or other nuisance on City streets, sidewalks, or access routes.

- 2.1.30.2 Despite Subsection 4.1.1 of this bylaw, a vendor who is permitted by a **person** holding a current and valid licence for a **farmers' market** to display or sell goods at that **farmers' market** is not required to obtain a separate **licence** for that purpose.
- 2.1.30.3 Despite Subsection 4.2.1 of this bylaw, a **licence** for a **farmers' market**:
- (a) permits the sale of goods at the **farmers' market** to be carried on for only one day per week;
  - (b) may only be issued once during any calendar year; and
  - (c) unless suspended, cancelled or revoked, is valid for the months between April 1<sup>st</sup> and October 31<sup>st</sup> of that year.
- 2.1.30.4 A person holding a **licence** for a **farmers' market** must:
- (a) ensure that health permits are displayed at any space where food products are sold;
  - (b) comply, and ensure compliance among vendors, with any conditions, restrictions or requirements of the **Medical Health Officer**, the **City's** Director of Fire and Rescue Services or a deputy acting in the place of either; and
  - (c) ensure that the market area is operated and maintained in a safe, orderly, clean and sanitary condition, and that the area is left in such condition after the market closes each day.

### 2.1.31 Metal Dealer or Recycler

\*In effect as of  
January 23, 2013

- 2.1.31.1 A **metal dealer or recycler** must provide, to the **Licence Inspector** when applying for a **licence**, a copy of a registration issued pursuant to the *Metal Dealers and Recyclers Act*, S.B.C. 2012, c. 22, as amended or replaced from time to time.
- 2.1.31.2 Upon each renewal of the registration referred to in section 2.1.31.1, a **metal dealer or recycler** must provide a copy of the renewal registration to the **Licence Inspector** within thirty (30) days of renewal.
- 2.1.31.3 A **metal dealer or recycler** must promptly notify the **Licence Inspector** in writing if its Provincial registration or renewal registration is suspended or cancelled for any reason.

## 2.2 [DELETED]

## 2.3 Professional Dog Walkers – Off-Leash Permits

- 2.3.1 A **professional dog walker** may have up to six (6) dogs under his or her care or control off-leash in the **designated dog off-leash area** within

McDonald Park, provided the **professional dog walker** holds a valid **off-leash permit** and complies with all applicable **City** bylaws and the terms and conditions of the **off-leash permit**.

2.3.2 The **Licence Inspector** may issue an **off-leash permit** to a **professional dog walker** if the **professional dog walker** has met the following requirements, to the satisfaction of the **Licence Inspector**:

- (a) has completed an **off-leash permit** application, in a form and containing such information required by the **Licence Inspector**,
- (b) has a valid business licence issued by the **City** to the **professional dog walker** or **professional dog walker's** business;
- (c) has provided a certificate of insurance, in a form and on terms acceptable to the **City's** Risk Manager, to provide \$5,000,000 general liability insurance and naming the **City** as an additional insured;
- (d) has not had a history of non-compliance with this bylaw, other **City** bylaws or the terms and conditions of previous **off-leash permits** issued to the **professional dog walker**; and
- (e) has paid to the **City** the **off-leash permit** fee specified in the Consolidated Fee Bylaw No. 8636, which is attached to and forms a part of this bylaw.

2.3.3 The **Licence Inspector** may suspend or revoke an **off-leash permit** if the holder of the **off-leash permit** contravenes any provision of this bylaw or any term or condition of the **off-leash permit**.

2.3.4 An **off-leash permit** is valid for one (1) year from the date of issue or for such other period as may be specified in the **off-leash permit**. No portion of the **off-leash permit** fee paid pursuant to subsection 2.3.2(e) of this bylaw will be refunded if the **off-leash permit** is cancelled, suspended, revoked or otherwise terminated prior to the expiration date.

2.3.5 Every holder of an **off-leash permit** must comply with, and every **off-leash permit** issued under this bylaw is subject to, the following requirements, restrictions and regulations, to the satisfaction of the **Licence Inspector**:

- (a) comply with all applicable **City** bylaws, including in particular Animal Control Regulation Bylaw No. 7932;
- (b) maintain throughout the term of the **off-leash permit**, general liability insurance in an amount not less than \$5,000,000, with the **City** named as an additional insured



- and containing such other terms required by the **City's** Risk Manager;
- (c) ensure that all dogs under their care or control are wearing a valid municipal dog licence;
  - (d) wear an identification vest assigned by the **City** while walking more than three (3) dogs off-leash at the **designated dog off-leash area** within McDonald Park;
  - (e) immediately present a valid **off-leash permit** upon request by an Animal Control Officer, Richmond RCMP officer, or **License Inspector** with proper **City** staff identification;
  - (f) limit the number of off-leash dogs under his or her care or control:
    - (i) to no more than six (6) dogs while within the **designated dog off-leash area** at McDonald Beach Park; and
    - (ii) to no more than three (3) dogs while within all other **designated dog off-leash areas**;
  - (g) not walk with other **professional dog walkers** while having more than three (3) dogs under their care or control off-leash;
  - (h) keep dogs under their care or control on a leash until and unless they are in a **designated dog off-leash area**; and
  - (i) comply with any additional terms and conditions set out in the **off-leash permit**.

## 2.4 Bed and Breakfast Establishment

2.4.1 Every **Bed & Breakfast Establishment applicant** must at the time of application:

- (a) certify that they reside in the premises as their **principal residence** and provide proof that the premises are the **applicant's principal residence**. To demonstrate that the premises is their **principal residence**, an **applicant** must be able to produce copies of the **applicant's** government issued picture identification showing the **applicant's** address as the premises, and copies of either one or both of the following:
  - (i) a tax assessment for the current year for the lot upon which the premises are constructed showing the **applicant** as payor, or

- (ii) a utility bill (electricity, district energy, gas, or telephone) issued within the previous 3 months for the premises showing the **applicant** as payor, or
  - (iii) such other evidence as required by the **City** from time to time;
- (b) provide proof that the **individual registered owner(s)** of the premises has consented to the use of the premises as a **bed & breakfast establishment** by providing one of the following, as applicable:
  - (i) if the **applicant** is an **individual registered owner** of the premises, a copy of legal title to the premises showing the **applicant** as an **individual registered owner**, or
  - (ii) if the **applicant** is a **family member** of an **individual registered owner** of the premises, a copy of legal title to the premises identifying the **individual registered owner(s)** and a declaration from an **individual registered owner** of the premises certifying that the **applicant** is the **individual registered owner's family member** and that use of the premises as a **short-term rental** is permitted; and
- (c) provide a copy of the guest register format to be used in the recording of guests stays under the *Hotel Guest Registration Act* (British Columbia).
- (d) prepare a notification letter that:
  - (i) describes the operation and the number of bedrooms that will be rented to overnight guests; and
  - (ii) includes information on how to contact the operator by phone;
- (e) mail or deliver the notification letter to all residents and owners of residential dwellings (i) abutting or across the street from the premises, or (ii) within a 50 metre radius of the premises, whichever is greater;
- (f) provide a copy of the notification letter and a list with the addresses of all persons that received the notification letter;
- (g) provide a copy of the fire evacuation plan required by the **Business Regulation Bylaw**;
- (h) provide floor plans, drawn to scale, of the entire floor area of each level of the residence, indicating the use of each room of the residence and clearly identifying the guest

rooms to be used in the **bed & breakfast establishment**;  
and

- (i) provide a property site plan showing:
  - (i) the location and dimension of the driveway identifying vehicle parking spaces for residences and guests for each guest room;
  - (ii) the location of the residence on the property with setbacks indicated from all property lines;
  - (iii) landscaping and open areas as required by the **Zoning Bylaw**;
  - (iv) signage size and placement as permitted by the **Zoning Bylaw**; and
- (j) pay the required annual bed & breakfast business licence fee specified in the Consolidated Fee Bylaw No. 8636 for the Bed & Breakfast Use category of this bylaw.

2.4.2 Every **Bed & Breakfast Establishment applicant** upon submission of requirements in section 2.4.1 and prior to a **business licence** being granted, shall arrange with the **Licence Inspector** for a site inspection which may include inspectors from the Fire Rescue and Building Departments and the Vancouver Coastal Health Authority.

2.4.3 The **Licence Inspector** may, in relation to any premises for which a **licence** is issued or renewed under this bylaw, require as a condition of the **business licence** that the **operator** provide privacy screening or landscaping in the side or rear yard of the premises, at locations specified in the **licence**, prior to the accommodation of guests in the premises.

2.4.4 The **Licence Inspector** shall, when issuing a **business licence** for any **Bed and Breakfast Establishment**, provide to the operator a copy of the **City's Bed and Breakfast Establishment Code of Conduct**.

## PART THREE: BUSINESS LICENCE USE CATEGORIES

3.1. **ADULT ORIENTATED CATEGORY** includes the following sub-categories:

**Adult Entertainment Establishment** which means a **business** which provides **adult entertainment**.

**Body-Painting Studio** includes any premises or part of such premises where, directly or indirectly, a fee is paid for any application of paint, powder or similar materials to the body of another person.

**Body-Rub Studio** includes any premises or part of such premises where a **body-rub** is performed, offered or solicited.

### **Casino**

**Escort Service** which includes any **person** providing escorts for social occasions.

- 3.2 ASSEMBLY USE CATEGORY (Group 1)** means the use of premises or facilities where the primary activity is the sale of food, or the sale of food and beverages for immediate consumption, either on or off the premises, and includes, but is not limited to, the following subcategories:

**Food Caterer**, which means a person engaged in the preparing or serving of food or drink for public functions or gatherings.

**Food Service Establishment**, which means a **business** which, in return for consideration, serves prepared food to the public for consumption on or off the premises, and includes coffee shop, restaurant or drive-in restaurant, cafeteria, dining lounge, ice cream parlour, and refreshment or food vending stand, but specifically excludes neighbourhood public house.

**Food Service Establishment, Take-Out**, which means a **business** which in return for consideration, serves food to the public for consumption off the premises.

**Mobile Vendors (Food)**, which includes mobile canteens and ice-cream vehicles.

- 3.3 ASSEMBLY USE CATEGORY (Group 2)** means the use of premises or facilities by a gathering of people where alcoholic beverages for consumption on the said premises or facility are sold, and includes, but is not limited to, the following subcategories:

### **Marine Public Houses**

**Neighbourhood Public House**, which means premises licenced as “neighbourhood public house” under the *Liquor Control & Licencing Act*.

- 3.4 ASSEMBLY USE CATEGORY (Group 3)** means the use of premises or facilities by a gathering of people for civic, political, travel, religious, social, educational, recreational or similar purposes, and includes, but is not limited to, the following subcategories:

**Banquet Room**, which includes any room or premises used by the public for meetings or social engagements and for which a fee is paid.

**Billiard/Pool Hall**, which means any premises where more than 2 billiard or pool tables are made available to members of the public for a fee, but does not include **City** facilities or non-profit service clubs.

**Commercial Entertainment**, which means a use in which, in return for consideration, the public is entertained, amused or otherwise diverted, and includes amusement park, botanical garden, bowling alley, cabaret, carnival,

circus, dance academy or hall, discotheque, exhibit, golf course or driving range, menagerie, movie theatre, nightclub, recreation centre, recreation facility, recreation park, and tennis court, but specifically excludes casino.

**Education Institution**, which means a place of learning which offers supplementary courses at the primary, elementary, secondary or post-secondary level, and includes technical institutes, colleges, universities, business schools, special education programs and establishments which offer grade school courses to students on a supplementary basis.

**Funeral Home**, which means premises used or occupied by a professional mortician for burial preparation and funeral services, but such use specifically excludes the cremation or interment of human remains or ashes.

**Health Studio**, includes a gymnasium.

**3.5 INDUSTRIAL/MANUFACTURING USE CATEGORY** means the use of premises or facilities for assembling, fabricating, manufacturing, processing, altering, finishing any **goods**, and includes printing and duplicating service.

**3.6 MERCANTILE USE CATEGORY** means the use of premises or facilities for the sale of **goods**, excluding food service establishments, where such items are ordinarily on display for sale or are stored on the premises; but excludes outside storage areas forming part of an automobile dealership or wholesale lumber **business**, and includes, but is not limited to, the following subcategories:

**Automobile Dealer**, which means a dealer in new and used automobiles, motor homes, motorcycles, trailers or trucks.

**Farmers' Market**

**Nursery**

**Retail Trading**, which means the selling of **goods** to the ultimate consumer for personal consumption or household use, and not for resale purposes.

**Pawnbroker**, means a person who carries on the business of taking property in pawn, or who operates a pawnbroker's premises;

**Scrap Metal Dealer**, means a person who carries on the business of purchasing, selling, procuring, collecting or offering the collection of scrap metal, as defined in section 19.1, in the **Business Regulation Bylaw**;

\*In effect until January 22, 2013

\*In effect as of January 23, 2013

**Metal Dealer or Recycler**, which means a "metal dealer or recycler" under the *Metal Dealers and Recyclers Act*, S.B.C. 2012, c. 22, as amended or replaced from time to time.

\*In effect until  
January 22, 2013

**Second-Hand Dealer**, means a person who carries on the business of purchasing, selling, procuring or offering for sale used or second-hand items whether on a wholesale or retail basis, or who operates the premises of a second-hand dealer, and includes, without limitation:

- a) an auto wrecker who carries on the business of purchasing automobiles and automobile parts and components for the purpose of reselling as parts or components for reuse or as junk;
- b) a scrap metal dealer;
- c) a junk dealer;
- d) a person who keeps a store, shop, or other place of business for the purpose of carrying on a second-hand dealer; and
- e) a person who, while licenced or required to be licenced for any business other than the businesses referred to in this Bylaw, purchase or store second-hand items either as a principal or as an agent;
- f) a person who carries on the business of retailing or wholesaling used property limited to:
  - i) antiques;
  - ii) used books, paper, magazines, vinyl records or long-playing records;
  - iii) used clothing, footwear, costume jewellery, knickknacks, used furniture or houseware items such as dishes, pots, pans, cooking utensils and cutlery.

but does not include a person

- g) who deals in recyclable materials for the sole purpose of recycling to avoid waste, such as bottles, cans, plastics, glass, cardboard, paper or other recyclable material; or
- h) who holds a valid licence issued by the Province of British Columbia to deal in used motor vehicles.

\*In effect as of  
January 23, 2013

**Second-Hand Dealer**, which means a person who carries on the business of purchasing, selling, procuring or offering for sale used or second-hand items whether on a wholesale or retail basis, or who operates the premises of a second-hand dealer, and includes, without limitation:

- a) an auto wrecker who carries on the business of purchasing automobiles and automobile parts and components for the purpose of reselling as parts or components for reuse or as junk;
- b) a junk dealer;
- c) a person who keeps a store, shop, or other place of business for the purpose of carrying on a second-hand dealer operation; and
- d) a person who, while licensed or required to be licensed for any business other than the businesses referred to in this Bylaw, purchase or store second-hand items either as a principal or as an agent;
- e) a person who carries on the business of retailing or wholesaling used property limited to
  - i) antiques;
  - ii) used books, papers, magazines, vinyl records or long-playing records;
  - iii) used clothing, footwear, costume jewellery, knickknacks, used furniture or houseware items such as dishes, pots, pans, cooking utensils and cutlery,

but does not include:

- f) a person who deals in recyclable materials for the sole purpose of recycling to avoid waste, such as bottles, cans, plastics, glass, cardboard, paper or other recyclable materials;
- g) a person who holds a valid licence issued by the Province of British Columbia to deal in used motor vehicles; or
- h) a **metal dealer or recycler**.

**Roadside Stand**, which means a Class A Roadside Stand, or, a Class B Roadside Stand, or, a Class C Roadside Stand, and/or a **farm-based winery**.

**Wholesale Trading**, which means the selling of **goods** not to the ultimate consumer for personal consumption or household use, but for resale purposes.

- 3.7 RESIDENTIAL USE CATEGORY** means the use of premises or facilities as **rental units** but does not include **institutional uses**, and includes, but is not limited to, the following:

**Apartment Building**, which means any building or premise which is not a hotel, motel or rooming house and which is divided into three or more dwelling units, occupied or equipped to be occupied as **rental units**.

- 3.7A BED & BREAKFAST USE CATEGORY** means the use of premises or facilities as **Bed & Breakfast Establishments**, as permitted by this bylaw, the **Business Regulation Bylaw**, and the **Zoning Bylaw**.

- 3.8 SERVICE USE CATEGORY** means the provision of professional, personal or financial services, or the sale of **goods**, excluding food service establishments, where such items are not ordinarily on display or stored, or any work or service which is provided in the **City**, and includes:

aeronautic services; aesthetics services; agent/broker; auctioneer services; automotive services which includes autobody repair shop, automobile leasing; automobile washing services, scrap vehicle removal, automotive parking lot services, and automobile garage; barber shop; beauty parlour; carpet and upholstery services; cheque cashing centre; chimney sweep; custom workshops/trades and services which produce or service specialized goods or provide specialized services, but does not include **businesses** which primarily sell mass produced goods at retail; design computer software; design and drafting services; domestic services; dry cleaning service; financial institutions; freight forwarding services; graphic art services; horse stables; horticultural top soil supplier; interior design services; janitorial services; laundry service; locksmith services; manicurist; marina and marine services; mobile services; offices; packaging services; photographer; photographic developing services; pressure washing services; real estate agency; recycling/refuse service; repair service; shoe-shine stands; taxidermy services; vending machine services; veterinarian; warehouse storage services; and includes but is not limited to the following subcategories:

**Animal Grooming Services** which means the washing, grooming, de-fleaing, or ridding an animal of external vermin, or clipping an animal's nails.

**Animal Hospital** which means a building, structure or premises in which animals receive medical or surgical treatment, and are hospitalized or maintained.

**Christmas Tree Stands** which means the selling of trees commonly known as "Christmas trees" from temporary sites within the **City**.

**Delivery Services**, which means moving freight of any kind, and includes courier services, express company, moving services and trucking services.

**Driver Training School** which means a **person**, association, partnership, or corporation providing theoretical or practical training, or both, and education in driving or operating a vehicle.

**Electrical Contractor**



**Gas Contractor**

**Gas Station** which means a place of **business** where flammable automotive fuels, oil and automotive accessories are supplied to the travelling public at retail, but excludes self-service stations.

**General Contractor** which means any **person**, corporation, company, firm or organization performing, or engaged to perform, either on his or its own behalf or that of another, any work within the **City** whether such work is undertaken on an hourly, daily, weekly, monthly, annual, labour, contract or cost plus basis or otherwise for any **person** other than a licenced contractor, and includes any **person**:

- (a) who takes out a building permit for the construction of new structures or alterations to existing structures; and
- (b) who undertakes any of the following categories of **business** as a contractor: building; cement, custom tractor, demolitions, drilling, drywall, excavating, fence building, first aid service contractor; flooring, glazier, gutter installation, house moving, insulation, irrigation, jobber, land development, landscaping, masonry painter/decorator, paving, pile driving, railroad, renovation, road building, roofing, security devices, sewer, sheet metal, sign erector, steel erector, stucco, swimming pool, telephone installation, tile setting, and waterproofing.

**Home Occupation**, which means a **business** being carried on within a dwelling or accessory building located in a residential area as defined in the **Zoning Bylaw**.

**Kennels**, which includes Commercial and Hobby Dog Kennels, Dog Daycare facilities, and Cat Kennels.

**Mobile Vendors**, which means every **person** who sells, offers or attempts to sell, takes orders for, or solicits orders for **goods** (including food or beverages), services, or investments, or any other thing, at a place other than his permanent place of **business**, or from a vehicle, whether personally or by his **agent**.

**Parking Enforcement Business Using an Automobile Immobilizing Device**, which means a **business** using one or more wheel lock devices, "Denver Boots", or any other devices designed to be attached to the wheels or axles of motor vehicles to prevent the movement of such vehicles.

**Pipe Fitter Contractor****Plumbing Contractor**

**Private Investigation Agency**, which means obtaining or furnishing information regarding the personal character, actions or occupation of any **person**; or the watching, guarding or patrolling for the protection of **persons** or property; and the undertaking of such other work, either in whole or in part, which is ordinarily performed by investigators.

**Refrigeration Contractor**

**Registered Massage Therapy Clinic**, which means a building, structure or premises in which clients receive treatments only from persons who are registered by the Association of Physiotherapists and Massage Practitioners of British Columbia.

**Rental Agency**, which means a **business** for the purpose of renting homes, commercial or industrial or other real estate, but does not include any **person** who is the holder of a licence as a real estate agency.

**Sprinkler Contractor**

**Telephone Sales Office**, which means any building, room or place from which residents are contacted by telephone for the purpose of soliciting, selling, taking orders for, or attempting to do so, or making appointments for agents or representatives of any **person**, firm or corporation to call at the home of such resident for the purpose of demonstrating, selling, taking orders for, or attempting to do so, of any **goods**, services, magazines, books or any other publication or thing.

**Therapeutic Touch Clinics**, which means a building, structure or premises in which clients receive **Therapeutic Touch Treatments**.

**Travel Agency**, including tour guide and travel agent.

**Vehicle Inspection Facility**

**3.9 VEHICLE FOR HIRE USE CATEGORY** means any **business** which operates any of the following classes of vehicle:

**CLASS A - Taxicab** which means a vehicle having not less than 4 doors and a seating capacity of not less than 4 and not more than 6 passengers.

**CLASS B - Limousine** which means a vehicle having not less than 4 doors and a seating capacity for not less than 6 passengers but not more than 10 passengers, and used for the transportation of 1 or more passengers by charter.

**CLASS C - Sightseeing Taxicab** which means a vehicle used for sightseeing trips, and having a total seating capacity of 10 or more passengers.

**CLASS D - Airport Taxicab** which means a vehicle regulated by another municipality whose regulations are equivalent to those for a Class A taxicab, and used solely for transporting passengers from the Vancouver International Airport.

- CLASS E - Private Bus** which means a vehicle having a seating capacity of not less than 12 passengers, used solely for the transportation of passengers and their baggage, and operated over a fixed route, or by charter, and includes a vehicle used for the transportation of children to and from school and operated by or under contract with the owner of such school, but excludes a school bus owned or leased and operated by any School District in the Province of British Columbia.
- CLASS I - Charter Minibus** which means a vehicle having a seating capacity for 8 or more passengers, and operated for the transportation of parties by charter.
- CLASS J - Rental Vehicle** which means a vehicle which may be rented by the hour, day, week or month without driver, but excludes a vehicle leased on a yearly basis or for a longer period, and is classified as follows:
- Group 1** rental vehicles equipped with less than 4 wheels, including motorcycles and motorscooters;
  - Group 2** all rental vehicles not included in Group 1.
- CLASS K Driver Training Vehicle** which means a vehicle used for the purpose of teaching driving.
- CLASS M - Tow-Truck** which means a vehicle designed or adapted for use as a means of towing other vehicles.
- CLASS N - Taxicab for Persons with Disabilities** which means a taxicab of a type and design which is used primarily for transporting a **person with disabilities**, and which is equipped with a hydraulic lift or ramp, or other equipment for loading or unloading persons who use wheelchairs for mobility.
- PEDICAB** means a 3-wheeled cycle propelled by the foot power of the operator equipped with a carriage capable of carrying no more than 2 passengers in addition to the operator and without limitation, includes a 3-wheeled cycle that is propelled by the foot power of the operator and has motor assist capability.

**3.10 VENDING MACHINE USE CATEGORY** includes the following subcategories:

**Bank Machines**, which means a device which permits access to certain services normally associated with a financial institution including, and without limiting the

generality of the foregoing, the withdrawal of money, but excludes those bank machines on, or connected to, the premises of a financial institution.

**Vending Machines**, which means any machine or device operated by or requiring the insertion of a coin or token, and also means and includes any machine or device operated mechanically or otherwise for the purpose of selling or dispensing of any **goods**, or for the purpose of providing music, games, amusement or services of any kind, and for the purpose of this subsection, vending machines are classified as follows:

Group 1 - all vending machines except those shown below that require \$0.25 cents or more to operate.

Group 2 - vending machines that dispense newspapers.

Group 3 - vending machines as drawers or lockers.

**Amusement Centre**, which includes an amusement arcade, means any premises where 5 or more devices or machines, mechanically, electronically, or otherwise operated, are available for the amusement and enjoyment of the public, but excludes carnival rides.

**3.11** In addition to the requirements set out in this Part, the holder of a liquor licence under the *Liquor Control and Licensing Act* must pay the fees specified in the Consolidated Fee Bylaw No. 8636 as follows:

- |     |                                 |  |
|-----|---------------------------------|--|
| (a) | <b>Liquor primary licence</b> - | Assembly Use Category (Group 2)                        |
| (b) | <b>Food primary licence</b> -   | Assembly Use Category (Group 1)<br>liquor licence fee. |

**3.12** The provisions of subsection 3.11 do not apply to the holders of an Assembly Use Category (Group 2) **licence**.

## **PART FOUR: GENERAL PROVISIONS**

### **4.1 Requirement to Hold Business Licence**

4.1.1 Subject to the *Local Government Act*, a **person** must not carry on any **business** within the **City**, unless that person is in possession of a licence issued pursuant to this bylaw.

### **4.2 Business Licence Period**

4.2.1 Every **licence**, unless suspended, cancelled or revoked, is valid for one year and expires on the first day of the month following the anniversary of the date the **licence** was issued.

### **4.3 Business Licence Transfer**

4.3.1 Any **person** wishing to transfer any **licence** or part interest in any **licence** held by a **licencee**, must apply in the same manner as an **applicant** under Part 1, and under Part 2, if applicable, and a **licencee** must not

transfer, sell, or in any way dispose of a **licence** without first having notified the **Licence Inspector** in writing.

4.3.2 Any **person** who purchases the interest or part of the interest of a **licencee**, and who operates a **business** without first having obtained either the transfer of a **licence** or a new **licence** for that business, is in violation of this bylaw.

4.3.3 In the event of the sale of the **business** for which a **licence** has been issued, the **Licence Inspector** may permit an assignment of the **licence** to the purchaser of the **business**, upon satisfactory completion of an application for a **licence** transfer.

4.3.4 The non refundable fee payable for:

- (a) the transfer of a **licence** from one **person** to another; or
- (b) the issuance of a new **licence** because of a change in the information on the face of such **licence**, which includes a change of business location, except a change between **licence** categories or subcategories,

is as specified in the Consolidated Fee Bylaw No. 8636, which is attached and forms a part of this bylaw.

4.3.5 A **licencee** who wishes to change the category, subcategory or business location of a **licence** must apply in writing to the **Licence Inspector**, who may either:

- (a) amend the **licence**, provided that:
  - (i) such change is consistent with the provisions of this bylaw, and
  - (ii) payment of the non-refundable fee specified in the Consolidated Fee Bylaw No. 8636 is made; or
- (b) issue a new **licence**.

#### 4.4 General Provisions - Vending on City Streets

4.4.1 A **person** must not sell or offer for sale any book, magazine or other periodical, other than a newspaper, on any street in the **City**.

4.4.2 Subsection 4.4.1 does not apply to the operator of any news stand, the operation of which has been approved in writing by the **Licence Inspector** on the recommendation of the **Police Chief** and subject to such conditions as may be contained in such written approval.

4.4.3 Subject to the *Local Government Act*, a **person** must not canvass or solicit **business** on any street or from anyone in the **City**, from cards, samples or in any other manner whatsoever for the sale of **goods** for future delivery, without having first obtained the appropriate **licence**.

#### 4.5 Miscellaneous Business Licence Provisions

- 4.5.1 Every **licence** is considered to be personally issued to the **licencee**.
- 4.5.2 Where a **business** is carried on by two or more **persons** in partnership, only one **licence**, which must be taken out in the name of the partnership, is required.
- 4.5.3 Subject to the *Local Government Act*, the **Licence Inspector** has the power to grant, issue, renew, suspend or transfer **licences**.

### PART FIVE: BYLAW VIOLATIONS AND PENALTIES

#### 5.1 Any **licencee**, operator, or any other **person** who:

- (a) violates or contravenes any provision of this bylaw or a **licence** issued hereunder, or who causes or allows any provision of this bylaw or a **licence** issued hereunder to be violated or contravened; or
- (b) fails to comply with any of the provisions of this bylaw or a **licence** issued hereunder; or
- (c) neglects or refrains from doing anything required under the provisions of this bylaw, or a **licence** issued hereunder, or the **Business Regulation Bylaw**; or
- (d) fails to maintain the standard of qualification required for the issuing of a **licence** under this bylaw; or
- (e) makes any false or misleading statement,

commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence, and may result in the suspension, cancellation or revocation of the **licence** in question.

#### 5.2 Subject to the *Local Government Act*, **Council** may:

- (a) revoke or cancel a **licence** issued under the provisions of this bylaw; and,
- (b) refuse to grant the request of an **applicant** under this bylaw.

#### 5.3 Every **licencee** must comply with the requirements of this, or any other bylaw of the **City**, which governs or regulates the **business** for which such **licence** was granted, must comply with any requirements imposed by the **Medical Health Officer**, and must comply with all applicable statutes, regulations, rules, codes and orders of all federal or provincial authorities having jurisdiction of such **business**, and any **person** failing to comply with the requirements of this Part commits an offence and, upon conviction, is liable for the penalties specified.

## PART SIX: PREVIOUS BYLAW REPEAL

- 6.1 **Business Licence** Bylaw No. 6901 (adopted on November 23<sup>rd</sup>, 1998), and the following amendment bylaws, are hereby repealed.

<u>BYLAW NO.</u>	<u>ADOPTED ON</u>
Bylaw No. 7011	May 10 <sup>th</sup> , 1999
Bylaw No. 7006	June 14 <sup>th</sup> , 1999
Bylaw No. 7046	October 12 <sup>th</sup> , 1999
Bylaw No. 7049	November 22 <sup>nd</sup> , 1999
Bylaw No. 7186	December 11 <sup>th</sup> , 2000
Bylaw No. 7207	July 23 <sup>rd</sup> , 2001
Bylaw No. 7315	January 1 <sup>st</sup> , 2002

## PART SEVEN: INTERPRETATION

- 7.1 In this bylaw, unless the context requires otherwise:

<b>ADULT ENTERTAINMENT</b>	means any nude or partially nude exhibition or performance.
<b>AGENT</b>	means every <b>person</b> who sells, solicits, offers for sale, or takes orders for, or attempts to sell, <b>goods</b> , services, investments or any other thing, at a place other than his permanent place of <b>business</b> , whether personally or by his agent.
<b>APPLICANT</b>	means any <b>person</b> who applies for a <b>business licence</b> under the provisions of this bylaw, who is the owner of such <b>business</b> , or who is an agent acting on behalf of that owner.
<b>BED &amp; BREAKFAST ESTABLISHMENT</b>	means a Bed and Breakfast as defined in the City's <b>Zoning Bylaw</b> .
<b>BODY-RUB</b>	includes the manipulating, touching or stimulating by any means, of a person's body or part of that body, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing such activities other than the <i>Local Government Act</i> , or <b>therapeutic touch treatments</b> .
<b>BUILDING REGULATION BYLAW</b>	means the current Building Regulation Bylaw of the <b>City</b> .

<b>BUSINESS</b>	means 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, either:  (a) in, or from, premises within the <b>City</b> ; or  (b) within the <b>City</b> from premises located elsewhere.
<b>BUSINESS REGULATION BYLAW</b>	means the current Business Regulation Bylaw of the <b>City</b> .
<b>CANVASSER</b>	means every <b>person</b> who canvasses or solicits <b>business</b> within the <b>City</b> from cards or samples, or in any other manner whatsoever, takes orders for works or services or for the sale of any <b>goods</b> or any article or thing for immediate or future delivery or for the purpose of promoting any <b>business</b> .
<b>CASINO</b>	means premises used for the purpose of playing games of chance or mixed chance and skill, including those played on a slot machine, computer, video terminal or other electronic device, on which money may be wagered and for which authority has been given under the <i>Gaming Control Act</i> , but does not include bingo halls.
<b>CHAUFFEUR'S PERMIT</b>	means a valid permit required to be held by a chauffeur pursuant to the <i>Motor Vehicle Act</i> of the Province of British Columbia.
<b>CITY</b>	means the City of Richmond.
<b>COUNCIL</b>	means the Council of the <b>City</b> .
<b>DESIGNATED DOG OFF-LEASH AREA</b>	means an area posted by sign, which defines the geographic area and/or time period when dogs can be off-leash
<b>DRIVER'S LICENCE</b>	means a valid driver's licence issued pursuant to, or an equivalent licence recognized under the <i>Motor Vehicle Act</i> of the Province of British Columbia.
<b>EMPLOYEE</b>	means any person regularly engaged in carrying on the business to be licenced, and includes any individual licensee, member of his family or relative, members of a firm, partnership or association, managers, office



staff, sales staff, accountants, assistants, drivers, servants, or **agents**.

**FAMILY MEMBER**

means a family member as defined in the **City's zoning bylaw**.

**FARM**

means land within the **City**, whether consisting of one or more separate parcels, classified as farm land by the British Columbia Assessment Authority, and operated as one farming operation principally for the growing or raising of **farm produce**.

**FARM-BASED WINERY**

means a wine-making establishment within the Agricultural Land Reserve that operates under the conditions specified in the *Agricultural Land Commission Act* and which is licensed under the *Liquor Control and Licensing Act*, including cideries, cider-making and ancillary uses as outlined in the *Agricultural Land Commission Act*.

**FARMERS' MARKET**

means the carrying on of a **business** that organizes a group of vendors to gather in a temporary, open-air market located outdoors for the purpose of selling to the public only the **goods** described in Section 2.1.30.1 (b) of this bylaw.

**FARM PRODUCE**

means berries, fruit, vegetables, honey, eggs, fresh cut flowers, live fowl, live poultry, bedding plants, seeds, and trees commonly known as Christmas trees sold only during the Christmas season, bulbs and similar products, live shrubs and trees grown or produced from seeds, seedlings or cuttings on the individual farm on which the sale is taking place; but excluding dressed fowl or poultry, butchered meat and preserved foods.

**FLOOR AREA**

means the floor area in square metres of any building or land used by any **business** for which a licence is sought.

**FOOD PRIMARY LICENCE**

means a food primary licence issued pursuant to the *Liquor Control and Licensing Act*.

**GOODS**

means goods, materials, wares, merchandise, or any other item or thing.

**INDIVIDUAL REGISTERED OWNER**

means a registered owner as defined in the **City's zoning bylaw**.

<b>INSTITUTIONAL USE</b>	means the use of premises or facilities by persons who are involuntarily detained for penal or correctional purposes, or whose liberty is restricted, or who require special care or treatment because of age, or mental or physical limitations.
<b>LICENCE</b>	means a <b>business licence</b> issued for the current year, by the <b>Licence Inspector</b> , under this bylaw.
<b>LICENCEE</b>	means a person to whom a <b>Business Licence</b> has been issued under this bylaw.
<b>LICENCE INSPECTOR</b>	means an employee of the <b>City</b> , appointed to the job position or title of inspector or officer, and includes Bylaw Enforcement Officers, Licence Inspectors and the Chief Licence Inspector.
<b>LIQUOR PRIMARY LICENCE</b>	means a liquor primary licence or liquor primary club licence issued pursuant to the <i>Liquor Control and Licensing Act</i> .
<b>MEDICAL HEALTH OFFICER</b>	means the medical health officer appointed under the <i>Health Act</i> to act within the limits of the jurisdiction of any local board, or within any health district.
<b>OFF-LEASH PERMIT</b>	means a permit issued to a <b>professional dog walker</b> pursuant to subsection 2.3.2 of this bylaw
<b>PERSON</b>	means, in addition to the ordinary meaning, any firm or partnership, association, company or corporation, and the singular shall be held to mean and include the plural, masculine, and includes any person within the <b>City</b> connected with the <b>business</b> in any manner whatsoever.
<b>PERSON WITH DISABILITIES</b>	means a person whose mobility is limited as the result of a permanent or temporary disability, which makes it difficult or impossible to use a conventional taxicab.
<b>POLICE CHIEF</b>	means the Officer in Charge of the Richmond Detachment of the Royal Canadian Mounted Police, or an alternate.
<b>PRINCIPAL RESIDENCE</b>	means a principal residence as defined in the <b>City's zoning bylaw</b> .

<b>PROFESSIONAL DOG WALKER</b>	means an individual whose business or employment is walking dogs owned by other persons
<b>RENTAL UNIT</b>	means a self-contained sleeping or house-keeping unit, or a combination of both, and includes hotel or motel rooms and apartment suites.
<b>THERAPEUTIC TOUCH TREATMENTS</b>	includes but is not limited to shiatsu, reflexology, biokineisiology, hellework, polarity, reiki, rolfing and trager approach.
<b>VEHICLE FOR HIRE BUSINESS OFFICE</b>	means any building or premises, other than a public stand, from which vehicles for hire may be obtained or dispatched, and in which the <b>licencee's</b> records are kept.
<b>VEHICLE FOR HIRE REGULATION BYLAW</b>	means the current Vehicle or Hire Regulation Bylaw of the <b>City</b> .
<b>ZONING BYLAW</b>	means Richmond Zoning Bylaw 8500, as it may be amended or replaced from time to time.

## **PART EIGHT: SEVERABILITY AND BYLAW CITATION**

- 8.1 If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- 8.2 This bylaw is cited for all purposes as "**Business Licence Bylaw No. 7360**".