

DISTRICT OF UCLUELET

**"Ucluelet Business Regulation
and Licensing Bylaw"**

**A Bylaw to provide for the Licensing, Regulating and Setting of Fees
for all Businesses within the District of Ucluelet**

Bylaw No. 922, 2003

Ucluelet Business Regulation and Licensing Bylaw

A Bylaw to provide for the Licensing, Regulation and Fixing of Fees
for all Businesses within the District of Ucluelet

Consolidated to include Business Regulation and Licensing Bylaw No. 922, 2003; Amendment Bylaws No. 391, 2004; No. 956 2004; No. 991, 2005; No. 1016, 2006; No. 1021,2006; No.1069, 2007

WHEREAS the Council of the District of Ucluelet deems it necessary to regulate businesses operating within the municipality and establish licensing procedures for businesses to protect the public and prevent or minimize nuisances and deceptive business practices;

AND WHEREAS the Council deems it necessary to establish and impose application and licensing fees;

AND WHEREAS the Council deems it necessary to establish fines and penalties for businesses in contravention of this bylaw;

NOW THEREFORE, under the authority of the *Local Government Act*, the Council of the District of Ucluelet, in open meeting assembled, enacts as follows:

1. **INTERPRETATION:**

For the purpose of this bylaw, unless the context otherwise requires:

"Agent" means a person or persons who act(s) on behalf of another person or persons by authority from him/them to do business within the Municipality and who charges or receives a commission or other payment for so doing;

"Apartment" means any building or premise not being a hotel, motel, hostel, guesthouse, vacation rental or bed and breakfast and which is divided into three or more dwelling units with shared entrances, occupied or equipped to be occupied as permanent rental accommodation.

"Bed & Breakfast" means the accessory use of up to a maximum of three bedrooms in a single-family dwelling for tourist accommodation on a nightly basis at time when the long term tenant, lessee or owner or an adult member of that person's family is present and residing in the dwelling on a full time basis. Such use may include breakfasts served in the single-family dwelling, but must not include cooking facilities in the bedrooms.

"Bedroom" means a room used or designated for use for sleeping purposes in which there is no kitchen or cooking facility.

"Business" 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, but does not include an activity carried on by the government, its agencies, or government

owned corporations;

"Cabaret" means any establishment where refreshments or food of any kind is served, and music and dancing or any form of entertainment is permitted.

"Campground" means a properly zoned site operated for temporary accommodation and occupied, or equipped to be occupied, by people in tents and recreational vehicles;

"Chief Administrative Officer" means the Chief Administrative Officer for the District of Ucluelet.

"Clerk" shall mean the *Municipal Clerk* of the Municipality;

"Condominiums" shall mean a multiple family residential strata title development consisting of individual dwelling units.

"Council" means the Council of the District of Ucluelet;

"Dance Hall" means any building, room or place where public or private dances are held or permitted for hire or profit.

"Director of Planning" means the Director of Planning for the District of Ucluelet.

"District" means the District of Ucluelet;

"Fish Processing" shall mean the freezing or icing of fish products as well as any process which cooks, brines, cleans, packages, or otherwise prepares fish or marine products;

"Games Room" means any room, building, store or other place open to the public and containing three or more amusement machines;

"Guesthouse" means a building located on property zoned "Guesthouse" which contains sleeping or housekeeping accommodations used or intended to be on a nightly or weekly basis for temporary accommodation of the travelling public.

"Home Occupation" shall mean a business which may be conducted in accordance with the provisions of this bylaw and the District of Ucluelet Zoning Bylaw, and which is clearly incidental both to the use of the dwelling unit for residential purposes and to the residential use of the lot occupied by the dwelling.

"Hostel" means any building or premise used to provide tourist accommodation, generally dormitory or bunk-style sleeping accommodations with shared bathroom and kitchen facilities.

"Hotel" means a building or group of buildings, each of which are comprised of more than three rooms or suites with separate entrances to a common interior hallway. Hotel rooms or suites are used or intended to be used on a nightly or weekly basis for temporary accommodation of the travelling public.

"Itinerant" means any person who travels from place to place to carry on, maintain, own or operate, within the District, any of the following: auctions, carnivals, circuses, dog &/or cat shows, exhibitions, horse or pony shows, promoters of entertainment or sporting events, scenic/tourist attractions, theatrical shows, merchandise retailers or liquidators and all other forms of itinerant shows, entertainment, amusement or exhibitions or sales.

"License" shall mean a license to carry on a business in the Municipality issued under the provisions of this Bylaw;

"License Inspector" shall mean the person appointed from time to time by the Council of the Municipality to act in such capacity, except when no person has been appointed by Council, the License Inspector shall be the Chief Administrative Officer, or any person lawfully acting on his behalf;

"Motel" means a building or group of buildings, each of which are comprised of three or more rooms or suites with exterior entrances. Motel rooms are used or intended to be used on a nightly or weekly basis for temporary accommodation of the travelling public.

"Municipality" shall mean the District of Ucluelet;

"Non-Resident Business" means a business, other than a resident business, carried on in the municipality, or with respect to which any work or service is performed within the municipality;

"Person" where the context so requires, means any individual, firm or corporation, or association of individuals, firms, or corporations, whether acting by themselves or by an agent, servant or employee, and shall include a body politic or corporate. The singular shall include the plural, and the masculine shall include the feminine;

"Resident Business" means a business carried on, in or from premises within the Municipality;

"Resort Condominium" means a development that provides nightly, weekly, monthly and/or seasonal resort accommodation for transient motorists, tourists and/or vacationers.

"Retail Floor Area" means the area actually used for retail sales and display of goods for sale, but does not include storage areas not normally accessible to customers;

"Rooming House" means a dwelling unit that is used for the business of renting three or more rooms, with or without board, on a permanent monthly basis.

"Separate License" means for the purpose of this bylaw:

- a) where a business is carried on, in or from more than one premise or property in the District, the business carried on, from or in each premise or property shall be deemed a separate and distinct business;
- b) where the nature or particulars of multiple businesses operating from the same premises or property vary materially, each shall be deemed a separate and distinct business.

"Street Market" means a seasonal market held on property zoned for that purpose as regulated by the District of Ucluelet Zoning Bylaw, at which Vendors may display and sell wares and services with a valid Business License or Vendor license issued by the District of Ucluelet.

"Treasurer" means the Director or Financial Services or his assistants appointed from time to time by Council.

"Vendor" means a person(s) who offers for sale merchandise or services, whether on foot, bicycle, vehicle or any other means of transportation or with any type of receptacle, including but not limited to carts, tables, and wagons, other than a delivery vehicle owned and operated by a licensed retailer or wholesaler within the municipality. Vendor also includes hawkers, hucksters and peddlers who carry on business by offering for sale goods, wares, or other merchandise directly to or from the public.

2. PROHIBITION:

No person shall:

1. carry on a business within the municipality unless he or she is the holder of a valid and subsisting license issued to him under this bylaw by the License Inspector;
2. carry on a business within the municipality without approval from the License Inspector or Director of Planning confirming that the property on which the business is located or operated from, meets all applicable regulations of the District of Ucluelet Zoning Bylaw, as determined by the License Inspector or Director of Planning.
3. operate more than one store, branch, premise, unit or place of business in respect of any business, trade, profession or other occupation, without taking out a separate license in respect of each such separate store, branch, premise, unit, or place of business.
4. change a licensed business' location without first obtaining a transfer of his or her license in respect thereto from the License Inspector;
5. change or alter the activities of a licensed business without notification to the License Inspector;
6. place, allow, or keep on the premises other than a licensed amusement arcade or games room more than two (2) amusement machines.

3. APPLICATION FOR BUSINESS LICENSE:

1. The application for a license for the first time shall be:
 - a) signed by the owner of the business or his duly authorized agent, provided that in the case of partnerships or multiple owners, any one of such owners or partners may apply and such owner or partner applying shall be deemed to be the duly authorized agent of all the owners or partners;
 - b) accompanied by the non-refundable license processing fee prescribed in Schedule "A";
 - c) accompanied by the license fee prescribed in Schedule "A"
 - d) accompanied by all approvals, as deemed necessary by the License Inspector;
 - e) delivered to the License Inspector.

4. FEES:

1. a) All new applications for business licenses shall be accompanied by a non-refundable application fee prescribed in "Schedule A", Section 1, attached hereto and forming part of this bylaw.
 - b) All new applications and renewals shall be accompanied by the applicable license fee in Schedule "A", Section 2, attached hereto and forming part of this bylaw;
 - c) A business license shall be deemed to be a renewal if the renewal is completed by March 1st of the year in which the business license is valid.
 - d) Business licenses renewed on or after March 2nd of the year in which the license is valid shall be considered new applications and the business will be required to provide a completed application form accompanied by a non-refundable application fee and the applicable license fee.
 - e) Businesses with outstanding business license accounts or any other unpaid fines, fees or unsatisfied requirements of any District of Ucluelet Bylaw, Policy or specific directive, may be refused a Business License or existing licenses may be suspended or cancelled until such time as payments have been received;
2. All fees collected under this bylaw shall be paid forthwith to the Municipality and the Municipal Treasurer shall deal with the said fees in the manner provided by the *Local Government Act*.

5. LICENSES:

1. It shall be incumbent upon each person carrying on a business within the municipality to renew such license at the beginning of each licensing period, as set out in Sections 4 and 7 herein.
2. Business License fees for all businesses, with the exception of Itinerants and Vendors classifications and the transfer of an existing license, are subject to a \$25.00 discount if application is made and approval is granted by the License Inspector, on or before January 31st in the year for which the license is valid.
3. The issuance of a license shall not be deemed to be a representation by the municipality to the licensee that the business or proposed business complies with any or all applicable bylaws or enactments. The business owner remains responsible to ensure compliance with all bylaws and enactments.
4. Every person granted a business license under this Bylaw shall or shall cause such license to be posted in a conspicuous place on the premises or on the article or on the vehicle at the location in respect of which the license was issued.
5. Community events, sponsored through the District of Ucluelet Recreation Department or Recreation Commission that utilize municipal property or facilities, the Elementary or Secondary School shall be exempt from the licensing requirements of the bylaw.
6. A business may only operate on municipal property, including but not limited to wharf facilities, boulevards, streets and roads, with written approval from the District of Ucluelet. Any person or business, with the exception of Vendors operating in a Street Market, seeking a license to conduct business on municipal property must obtain liability insurance in the

amount of 2 Million Dollars (\$2,000,000.00) for personal injury, death and property damage; as well as (if applicable), vehicle insurance. The liability insurance must contain a clause indemnifying the District from liability in the event of injury or damage being done to any person or property as a result of any activity of the business, and contain a clause that the insurance cannot be terminated without a thirty day notification of such to the District of Ucluelet. Proof of such insurance must be submitted to the satisfaction of the Treasurer or License Inspector prior to the granting of a license.

7. Applications that are refused by the License Inspector will be forwarded to Council for reconsideration if written request is received in the Municipal Clerk's office within ten (10) days of refusal of the license.

6. TRANSFER/CHANGES IN BUSINESS LICENSES

1. Every license granted under this Bylaw shall be deemed to be a personal license to the licensee therein named and shall not be transferable to any other person.
2. Every person granted a business license under this Bylaw shall notify the License Inspector, in writing, of any change in the mailing and/or business address, the classification of the business, the premises in which the business is being carried out and shall notify the License Inspector when the license is no longer required.
3. Where a person proposes to relocate a licensed business from the premises authorized by the business license to new premises, the person shall not commence operation of the business at the new premises unless he has obtained the approval of the License Inspector for a transfer of the license to the new premises. Notification of transfer shall be delivered to the License Inspector and shall be accompanied by the fee prescribed in Schedule "A", attached hereto and forming part of this Bylaw.

7. PERIODS FOR LICENSES

1. Licenses shall be issued for the period from January 1 to December 31, provided that the annual license fee prescribed shall be reduced by one-half with respect to a person who becomes liable to be licensed after the thirty-first (31st) day of August in any one year.
2. Subject to the provisions of the Local Government Act, the period for a license with respect to a circus, horse show, dog or pony show, exhibition, or other itinerant show or entertainment, when held elsewhere than in a licensed theatre or other licensed place, shall be for one day.
3. Deleted – Bylaw amendment No. 1069,2007.

8. POWERS OF LICENSE INSPECTOR

1. The License Inspector shall have the power to grant, issue, or transfer a license, as set out in this bylaw and subject to the provisions of the Local Government Act.
2. The License Inspector or his designate or a Bylaw Enforcement Officer may enter at all reasonable times on any property to ascertain whether the bylaw requirements are being met or regulations are being observed.
3. The License Inspector shall grant a license where satisfied that the applicant has complied with the bylaws of the municipality and any other regulations, bylaws or acts as deemed

applicable by the License Inspector, and shall suspend any license for the period he decides if it's holder:

- (a) is convicted on 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 licensed, or with respect to the premises named in the license;
- (c) has, in the opinion of the License Inspector, been guilty of such gross misconduct in respect of the business or in or with respect to the premises named in his license, that it warrants the suspension of the license;
- (d) is deemed, under the Local Government Act or the Offence Act, to have pleaded guilty to an offence referred to in paragraph (b)
- (e) has ceased to comply with a bylaw or has otherwise ceased to meet the lawful requirements to carry on the business for which he is licensed, or with respect to the premises named in the license;
- (f) if, in the opinion of Council, the holder has engaged in misconduct that warrants the suspension or cancellation of the license
 - i) if the misconduct is in respect of the business,
 - ii) in or with respect to the premises named in the license, or
 - iii) in respect of that business or another business, or in or with respect to the premises of that business or other business, carried on by the holder inside or outside the municipality.

9. LICENSE SUSPENSIONS/REVOCATIONS AND APPEALS:

1. Any person whose license has been suspended or revoked by the License Inspector and who proposes to appeal such suspension to Council shall within ten (10) days from the date of suspension/revocation, give to the Municipal Clerk notice of his intention to appeal the said suspension.
2. The notice of intention to appeal shall state in concise fashion the grounds upon which the appeal is based.
3. The Municipal Clerk shall thereupon refer the matter to Council in order to appoint a time and place for the hearing of the appeal.

10. ACCOMODATION CLASSIFICATIONS

1. All business licenses issued under an Accommodation classification must, upon application for a business license, provide to the License Inspector a site plan detailing the placement of the available sites, rooms, units, cabins, beds and/or pads and the total number available. Upon renewal of a business license under any Accommodation classification, it is incumbent upon the licensee to inform the License Inspector of any changes in the total number of available spaces.
2. Bed & Breakfast accommodations – the area designated for Bed & Breakfast use, including any common room provided outside of the tenant's personal area, shall not contain:

- a) Cooking facilities with the exception of a kettle, coffee maker, toaster (excluding a toaster oven), microwave (excluding convection/microwave combination);
 - b) 220 volt electrical supply;
 - c) Refrigerators in excess of 6.0 cubic foot capacity.
3. Vacation Rental accommodations may be comprised of one self contained suite and two Bed and Breakfast rooms or two self contained suites and one Bed and Breakfast room. Vacation Rental accommodations must meet all the requirements of the District of Ucluelet Zoning Bylaw.
 4. Guesthouse accommodations shall only be located on property zoned "Guesthouse" and must comply with all District of Ucluelet Zoning Bylaw regulations.
 5. Resort Condominium accommodations shall only be located on property designated as "Resort Condominium" and must carry with all District of Ucluelet Zoning Bylaw regulations and any other applicable bylaws or regulations of the District of Ucluelet.

11. CHARTERS

1. Marine charter businesses must comply with all District of Ucluelet bylaws and policies concerning liveaboard vessels.
2. Operators of Marine Charter Businesses must pay wharfage fees at the District of Ucluelet Municipal Office prior to the moorage and operation of business at any of the District of Ucluelet and/or Small Craft Harbour facilities.
3. Marine Charter Businesses electing to pay a daily wharfage fee must submit to the District of Ucluelet a yearly accounting of the number of scheduled charters prepared by a certified accountant or a professional of equivalent status, for the previous year's charters conducted from the District of Ucluelet and/or Small Craft Harbour facilities in every year an application is made for a charter business license.
4. All Charter Operators must supply proof of \$2,000,000 (two million) liability insurance to the district Office prior to approval or renewal of the business license.

12. AGENTS

1. Booking or Ticket Agents must provide to the License Inspector a list of businesses for which they are acting as an agent. The list must be provided, in writing, at the time of renewal or prior to approval of a business license. It is incumbent upon the Booking or Ticket Agent to deliver an updated list to the License Inspector as the list of businesses change. The License Inspector may request, at any time, a current list of businesses for which the Booking or Ticket agent is providing services.

13. CAMPGROUND BUSINESSES:

1. Every person who carries on a campground business shall maintain a register showing:
 - (a) the make, model, year, and vehicle license plate number of any vehicle located within the campground;
 - (b) the campsite or location assigned to the vehicle;

- (c) the name and home address of the person who brought the vehicle to the campground;
and
 - (d) the date on which the vehicle first entered the campground, and every date thereafter during which the vehicle was located within the campground.
4. The register required by Section 10.1 shall be kept on the site of the campground business and updated daily, and shall be made available to the License Inspector for inspection forthwith upon request.

14. HOME OCCUPATIONS:

- 1. All Home Occupation applications must provide the total area in the dwelling (square foot/metre and percentage of total area) that is being used for the home occupation.
- 2. At the discretion of the License Inspector, all Home Occupations may require signatures from the Director of Planning, Building Inspector, Health Inspector, Fire Chief, Electrical Inspector and Bylaw Enforcement Officer prior to the issuance of a business license.
- 3. All Home Occupation requirements of the District of Ucluelet Zoning Bylaw shall apply.

15. ITINERANTS:

- 1. All Itinerant businesses shall deposit a cash bond of One Thousand Dollars (\$1,000.00) with the Treasurer and such bond, or part thereof, shall be forfeited to the District to pay for any damages or the cost of any clean up required during or after the terms of the license. The Treasurer, upon notification by the License Inspector that all conditions regarding damages and clean-up are satisfactory, shall return such bond or part thereof.

Carnival or Circus - Insurance and Inspections Required

- 2. Any person seeking a license to hold a carnival or circus must obtain insurance in the amount of Five Million Dollars (\$5,000,000.00) for personal injury, death and property damage. The insurance must contain a clause indemnifying the District from liability in the event of injury or damage being done to any person or property as a result of any activity or street parade of the carnival or circus. Proof of such insurance must be submitted to the satisfaction of the Treasurer or License Inspector prior to the granting of a license.
- 3. An inspection certificate from an accredited professional engineer shall be submitted to the License Inspector before a license shall be granted. The inspection certificate shall state in precise terms that all machines, rides, or equipment used by the public conform to the acceptable standards and such certificates shall be submitted every seven (7) days during the term of the license, or as directed by the License Inspector.

Itinerants - Exemptions from licensing:

- 4. For a performance, concert, exhibition or entertainment, the entire proceeds of which above actual expenses, are devoted to a charitable purpose, the license fee will be reimbursed upon evidence, at the Treasurer's discretion, that all proceeds have been turned over to a charitable purpose.

16. VENDORS (amendment bylaw No. 1069, 2007)

16.1 Mobile Vendors

- a) All applicants for a Mobile Vendor license shall require Council approval prior to the issuance of a business license.
- b) The license inspector shall not issue a business license to a Mobile Vendor until the applicant has provided a copy of an insurance policy in the amount of two million dollars (\$2,000,000.00) for personal injury, death and property damages, as well as, if applicable, vehicle insurance. The liability insurance must contain a clause indemnifying the District of Ucluelet from liability in the event of injury or damage to any persons or property as a result of any activity of the business, including fees for solicitors and other professionals. The liability insurance must also contain a clause that the insurance cannot be terminated without a thirty-day notification of such to the District of Ucluelet.
- c) Mobile Vendor businesses must meet all Provincial food handling requirements, provide proof to the License Inspector of such approval and shall be in possession of a valid permit issued by the Provincial Authority having jurisdiction.
- d) Every vehicle used in the operation of a mobile vendor business shall be in good mechanical condition and shall have a dust-tight, well-lighted sanitary interior from which the business is to be carried out.
- e) On Peninsula Road and Main Street only "off-street" vending will be permitted.
- f) At no time will it be permitted for a mobile vending unit to obstruct the free flow of pedestrians or vehicular traffic within the District of Ucluelet.
- g) Mobile Vendors must obtain and have in their possession at all times a letter of written permission from the private land owner, permitting the business to operate on the landowner's property.
- h) No form of voice amplifying device shall be allowed on the mobile vending unit. All soliciting must be done at a level speaking voice with no shouting or other form of loud noise intended to attract the attention of the public.
- i) The only goods to be sold from a mobile vendor are food and non-alcoholic beverages.
- j) The operator of a Mobile Vending unit is responsible for the clean up of all litter generated within 10 meters of their location and shall be responsible for providing waste receptacles and removal of all collected garbage from such locations.
- k) A maximum of one (1) additional employee will be permitted to assist the operator of a mobile vending unit at any time.
- l) Mobile vending will be permitted seven (7) days a week commencing at 7:00 a.m. and must cease on or before 10:00 p.m. of each day.
- m) Every business license granted shall be deemed to be a personal license to the mobile vendor and non transferable to another person.

16.2 Street Market Vendors

- a) Street Market Vendors must obtain a valid business license from the District of Ucluelet prior to occupying a space in a vendors market.

- b) Street Market Vendors business license are valid for the street market season in the year of which the license is issued and are not subject to a half year fee if purchased after August 31st in any one year.
- c) Street Market Vendors shall operate only in a street market during the market's normal business hours and must comply with the District of Ucluelet Zoning Bylaw as well as any requirements of the Fire Chief, Public Health Inspector and Bylaw Enforcement Officer.

17. PEST CONTROL BUSINESSES:

The License Inspector shall not grant or renew a business license to any person who by himself or by his employees, assistants or agents, provides a service involving the use or application of pesticides until the License Inspector is satisfied that the person is the holder of a valid and subsisting Pest Control Service License issued by the Province of British Columbia.

18. DESIGNATION OF BYLAW ENFORCEMENT OFFICER

For the purposes of this bylaw, the designated Bylaw Enforcement Officer means any of the following:

1. Chief Administrative Officer of the District of Ucluelet or his designate
2. License Inspector of the District of Ucluelet
3. Bylaw Enforcement Officer of the District of Ucluelet
4. Building Inspector of the District of Ucluelet
5. Members of the Royal Canadian Mounted Police and Auxiliary RCMP Officers.

19. ENFORCEMENT:

It shall be the duty of the License Inspector and Bylaw Enforcement Officer to enforce the provisions of this bylaw.

20. VIOLATIONS AND PENALTY:

Any person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this bylaw, shall be deemed to have violated the provisions of this bylaw and shall be liable to the penalties hereby imposed. Each day that such violation is permitted to continue shall be a separate offence.

Every person who violates any of the provisions of this bylaw shall, upon summary conviction thereof, be liable to a penalty of not less than \$100.00 (one hundred dollars) nor more than \$2,000.00 (two thousand dollars), as provided under the ***Offence Act***.

21. TICKETING:

Tickets issued for offences against this bylaw shall be in accordance with Schedule "B", attached hereto and forming part of this Bylaw.

22. EFFECTIVE DATE:

This Bylaw shall come into force and effect upon its adoption by Council.

23. SEVERABILITY

If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

24. ADMINISTRATIVE PROVISIONS

This consolidation includes:

Business Regulation & Licensing Bylaw No. 922, 2003
Business Regulation & Licensing Bylaw No. 931, 2004
Business Regulation & Licensing Bylaw No. 956, 2004
Business Regulation & Licensing Bylaw No. 991, 2005
Business Regulation & Licensing Bylaw No. 1016, 2006
Business Regulation & Licensing Bylaw No. 1021, 2006
Business Regulation & Licensing Bylaw No. 1069, 2007

SCHEDULE "A"
Application & License Fees

Section 1 - APPLICATION FEE

A non-refundable application fee shall apply to:

1. All new business licenses [Section 4(1)(a)]
2. All reapplications for unpaid licenses (licenses not renewed before March 2 in the year the license is valid) [Section 4(1)(d)].
3. Vendor licenses are valid for the street market season in the year in which the license is issued and are not subject to a half-year fee is purchased after July 31 in any on year.

The non-refundable application fee for all resident and non-resident businesses shall be: \$25.00

Section 2 - LICENSE FEE SCHEDULE

The fee specified opposite each of the businesses set out below shall be the fee payable by a person for a license for the carrying on of such business. Unless otherwise stated, the fee specified is for a period of one (1) calendar year.

Class	Nature of Business	Particulars	Fee Per Annum (Unless Otherwise Stated)
ACCOMMODATION			
1	Apartment	From any person carrying on the business of renting apartments on a monthly or lease basis	\$125.00 plus \$3.00 per available apartment
2	Bed & Breakfast	From any person carrying on the business of offering bed & breakfast accommodation	\$125.00 for one (1) room each additional available room \$50.00
3	Campground	From any person carrying on the business of renting campground spaces to transient travellers or vacationers	\$125 plus \$3.00 per available site
4	Guesthouse	From any person carrying on the business of offering Guesthouse Accommodations	\$125.00 for one (1) room or cabin plus \$50.00 each additional room or cabin
5	Hostel	From any person carrying on the business of offering Hostel accommodations	\$125.00 plus \$3.00 per available bed
6	Hotel	From any person carrying on the business of offering hotel accommodation	\$125.00 plus \$3.00 per available room

7	Motel	From any person carrying on the business of offering motel accommodation	\$125.00 plus \$3.00 per room
8	Rooming House	From any person carrying on the business of offering for rent three or more rooms in a dwelling unit	\$150.00 for three (3) rooms plus \$50.00 each additional available room
9	Trailer Park & Mobile Home Court	From any person carrying on the business of renting permanent spaces for trailers or mobile homes	\$125.00 plus \$2.00 per available pad
10(a)	Vacation Rentals	From any person carrying on the business of offering vacation rentals to transient travellers or vacationers	\$125.00 first unit plus \$50.00 each additional available unit
10(b)	Resort Condominium	From any person carrying on the business of offering Resort Condominium rentals to transient travellers and/or vacationers	\$125.00 first unit plus \$50.00 each additional available unit
CHARTERS, TOURS, RENTALS			
11	Charters	From any person carrying on the business of fishing boat charters, scenic, nature or adventure tours/charters whether by boat or other form of transportation, and all like businesses not hereinbefore listed.	\$125.00 plus \$25.00 per boat or vehicle
12	Boat, Kayak, Bicycle Rentals	From any business carrying on the business of rental agency for boats, kayaks, bicycles and any other form of land or water transportation, excepting motor vehicles	\$125.00 plus \$5.00 per vehicle or vessel
FINANCIAL			
13	Bank or Credit Union	From any person carrying on the business of a banker	\$250.00
14	Other Financial Institution	From any person carrying on the business of Loan, Mortgage, Investment, Finance or Collection Agency or Stockbroker	\$350.00
INSURANCE, TRAVEL, REAL ESTATE			
15	Insurance Agency	From any person carrying on the business of an insurance agency, including general, life, property or vehicle insurance	\$125.00 first agent \$75.00 each additional agent
16	Property Management	From any person carrying on the business of property management services	\$125.00 first agent \$75.00 each additional agent
17	Real Estate Agency	From any person carrying on the business of a real estate agency	\$125.00 first agent \$75.00 each additional agent
18	Travel	From any person carrying on the business of a travel	\$125.00 first agent

	Agency or Booking Agency	agency or booking or ticket agency	\$75.00 each additional agent
MOTOR VEHICLES, EQUIPMENT & ASSOCIATES BUSINESS			
19	Service Stations	From any person carrying on the business of vehicle fuel sales and the sale of vehicle accessories	\$150.00
20	Repair Garage	From any person carrying on the business of a garage for the purpose of repairs and service to motor vehicles	\$150.00
21	Auto Body & Painting Shops	From any person carrying on the business of carrying on the business of an auto body and/or auto painting shop	\$150.00
22	Vehicle Sales	From any person carrying on the business of new or used vehicle sales	\$250.00
23	Vehicle Rentals	From any person carrying on the business of renting new or used vehicles	\$250.00
24	Car Wash	From any person carrying on the business of motor vehicle washing	\$150.00
HOME OCCUPATIONS			
25	Catering or Food and/or Beverage Preparation Services – Home Occupation	From any person carrying on the business of Catering or Food or Beverage Preparation Services and all like classifications not hereinbefore listed, providing services as a Home Occupation.	\$125.00
26	Day Care or Child Care – Home Occupation	From any person carrying on the business of a day care or child care as a Home Occupation – up to eight children	\$125.00
27	Hairdresser / Health Services – Home Occupation	From any person carrying on the business of hairdresser, aesthetician, barber or beautician, and all like classifications not hereinbefore listed, providing services as a Home Occupation.	\$125.00
28	Home Occupations	From any person carrying on the business of a Home Occupation not specifically provided for herein.	\$125.00
SALES OR PROFESSIONAL SERVICES			
29	Sales - Retail and/or Wholesale 1500 sq. ft. or less	From any business that sells, rents, or offers for sale, whether as a retailer or wholesaler, any goods, wares, merchandise or service not otherwise specifically provided for herein.	\$150.00
	Retail and/or Wholesale Sales Over 1500 sq. ft. but less than 3500 sq. ft.		\$250.00
	Retail and/or Wholesale Sales Over 3500 sq. ft.		\$350.00

30	Consultants or Professionals	<p>From any person carrying on, maintaining, owning or operating any business, trade, occupation, profession, calling, undertaking or things and all like classifications not listed below:</p> <table> <tr> <td>Accountant</td> <td>Optometrist</td> </tr> <tr> <td>Architect</td> <td>Orthodontist</td> </tr> <tr> <td>Barrister</td> <td>Surveyor</td> </tr> <tr> <td>Chiropractor</td> <td>Veterinary Practitioner</td> </tr> <tr> <td>Dental Technician</td> <td>Professional Services</td> </tr> <tr> <td>Dentist/Dental Surgeon</td> <td>Consulting Services</td> </tr> <tr> <td>Engineer</td> <td>Unclassified</td> </tr> <tr> <td>Medical Practitioner</td> <td></td> </tr> </table>	Accountant	Optometrist	Architect	Orthodontist	Barrister	Surveyor	Chiropractor	Veterinary Practitioner	Dental Technician	Professional Services	Dentist/Dental Surgeon	Consulting Services	Engineer	Unclassified	Medical Practitioner		<p>\$125.00 for first professional/consultant within a shared office</p> <p>\$75.00 each additional professional/consultant providing services within the same office</p>
Accountant	Optometrist																		
Architect	Orthodontist																		
Barrister	Surveyor																		
Chiropractor	Veterinary Practitioner																		
Dental Technician	Professional Services																		
Dentist/Dental Surgeon	Consulting Services																		
Engineer	Unclassified																		
Medical Practitioner																			
FOOD/BEVERAGE SERVICES																			
31	Neighbourhood Pub, Marine Pub, Brew Pub, Lounge	From any person carrying on the business of a Lounge, Neighbourhood Pub, Marine Pub, Brew Pub and all like classifications not hereinbefore listed, who is the possessor of a license issued pursuant to the Liquor Control and Licensing Act.	\$300.00																
32	Dance Hall, Cabaret	From any person carrying on the business of a Dance Hall or Cabaret, and who is the possessor of a license issued pursuant to the Liquor Control and Licensing Act.	\$300.00																
33	Licensed Restaurant, Bistro, Café	From any person carrying on the business of a restaurant, bistro, or café and all like classifications not hereinbefore listed, who is the possessor of a license issued pursuant to the Liquor Control and Licensing Act.	\$250.00																
34	Unlicensed Restaurant, Bistro, Café	From any person carrying on the business of a restaurant, bistro, or café and all like classifications not hereinbefore listed, who does not possess a license issued pursuant to the Liquor Control and Licensing Act,	\$125.00																
35	Catering or Food and/or Beverage Preparation Services	From any person carrying on the business of Catering or Food or Beverage Preparation Services and all like classifications not hereinbefore listed.	\$125.00																
36	U-Brew, U-Vin, Licensed Private Liquor Store	From any person carrying on the business of a U-Brew, U-Vin or license private liquor store.	\$150.00																
MISCELLANEOUS																			
37	Hairdresser / Beauty Services	From any person carrying on the business of a hairdresser, aesthetician, barber or beautician, and all like classifications not hereinbefore listed.	\$125.00 first practitioner \$50.00 each additional practitioner																

38	Day Care or Child Care Centre	From any person carrying on the business of a Day Care or Child Care Centre - up to eight children - nine or more children	\$125.00 \$250.00
39	Marina	From any person carrying on the business of a marina for boat moorage	\$150.00
40	Promoters of Entertainment or Sporting Events	From any resident business or person carrying on the business of promoting entertainment or sporting events and all like classifications not hereinbefore listed.	\$125.00
41	Fish Processing Plant	From any person carrying on the business of a fish plant where processing of fish or marine products is carried out for resale	\$300.00
42	General Contractor	From any person carrying on the business of building, roofing, plumbing or electrical contracting and all like classifications not hereinbefore listed.	\$150.00
43	Itinerants	From any non-resident business or person carrying on, maintaining, owning or operating within the District any of the following: Auctioneers, Carnival, Circus, Concert Hall, Dog &/or Cat Show, Exhibitions, Horse or Pony Show, Theatrical Shows (when held in other than a duly licensed theatre) and all other forms of itinerant shows, entertainment, amusement or exhibition not hereinbefore enumerated <i>See Section 12 for additional requirements</i>	<u>Prices are per day</u> \$150.00
44	Spa, Fitness or Exercise Facility	From any person carrying on the business of a Fitness or Exercise Facility or offering Spa Services and all like classifications not hereinbefore listed.	\$150.00
45	Subcontractor	From any person carrying on the business of building, roofing, plumbing, electrical or carpentry subcontractor to a general contractor and all like classifications not hereinbefore listed.	\$125.00
46	Vendors	Mobile Vendors Street Vendors	\$125.00 \$25.00
47	All Other Businesses	Includes all other resident and non-resident businesses, trades or services not hereinbefore described.	125.00
48	Transfer of an existing Business License	Whereby a person relocates his existing business to a new location within the municipality.	\$25.00

		<i>Note: This fee is not applicable in the case of an ownership change. New owners of an existing business must apply for a new business license and pay the applicable fee.</i>	
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Schedule "B"
Fines and Penalties

Fines for tickets issued pursuant to this Bylaw shall be as follows:

Description of Offence	Section #	Fine - 1st Offence	Fine - 2nd and Each Subsequent Offence
Not in possession of valid Business License	2(1), 2(2)	Fine equal to double the applicable license fee	Fine equal to triple the applicable license fee
Carrying on multiple businesses under one business license	2(3)	\$150.00	\$300.00
Failure to notify District of change in business address	2(4), 6(2)	\$50.00	\$100.00
Failure to notify change in business activities	2(5), 6(3)	\$50.00	\$100.00
Operating with expired Business License	5(1)	\$100.00	\$200.00
Business License not displayed in conspicuous place	5(4)	\$100.00	\$200.00
Operating a business on municipal property without approval and/or liability insurance	5(6)	\$150.00	\$300.00
Failure to notify License Inspector of any business changes	6(2)	\$100.00	\$200.00
Operating while under a suspension/revocation order	8 (a) (b)(c) (d) (e) (f)	\$250.00	\$500.00
Obstructing a License Inspector or Bylaw Enforcement Officer	8(2)	\$250.00	\$500.00
Failure to notify change in number of spaces, rooms, units, cabins	10(1)	\$100.00	\$200.00
B&B accommodation with prohibited cooking facilities	10(2)(a)	\$150.00	\$300.00
B&B accommodation with 220 volt electrical supply	10(2)(b)	\$150.00	\$300.00
B&B accommodation having refrigerator in excess of 6.0 cubic foot capacity	10(2)(c)	\$150.00	\$300.00
Vacation Rental in contravention of legal number of suites/rooms	10(3)	\$150.00	\$300.00

Operating Charter Business without having paid wharfage fees	11(2)	\$250.00	\$500.00
Failure to provide valid proof of charter liability insurance	11(4)	\$100.00	\$200.00
Fail to provide list of businesses for which acting as agent to District Office	12(1)	\$100.00	\$200.00
Fail to maintain campground register	13(1)	\$150.00	\$300.00
Fail to maintain campground register required by section 10.1	13(2)	\$150.00	\$300.00
Vend "on-street" on Peninsula Road or Main Street	16.1(e)	\$100.00	\$200.00
Obstruct flow of pedestrian or vehicular traffic	16.1 (f)	\$100.00	\$200.00
Not in possession of private land owners letter or permission to vend	16.1(g)	\$100.00	\$200.00
In possession of an amplifying device	16.1(h)	\$100.00	\$200.00
Selling prohibited goods	16.1(i)	\$100.00	\$200.00
Failure to collect and/or remove litter/garbage	16.1(j)	\$100.00	\$200.00
In operation between 10:00 p.m. and 7:00 a.m.	16.1(l)	\$100.00	\$200.00

**District of Ucluelet
Business Regulation & Licensing
Bylaw No. 922, 2003**

APPLICATION FOR BUSINESS LICENCE

Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement. The personal information is collected under the authority of the Local Government Act and the District's bylaws. If you have any questions about this collection, contact the Municipal Clerk, District of Ucluelet, P. O. Box 999, Ucluelet, B.C., V0R 3A0, Phone (250) 726-7744. Personal information or business information submitted on this form is not considered to be supplied in confidence. Please initial to acknowledge that you have read the above.

Initials

APPLICANT Please Print

PROPERTY OWNER Please Print

Name: _____

Name: _____

Civic Address: _____

Civic Address: _____

City: _____

City: _____

Postal Code: _____

Postal Code: _____

Mailing Address: _____

Mailing Address: _____

City: _____

City: _____

Postal Code: _____

Postal Code: _____

Phone: _____

Phone: _____

Fax: _____

Fax: _____

E-mail: _____

E-mail: _____

Company Name: _____

Business Name: _____

Business Mailing Address: _____

Business Phone: _____


Business Fax: _____

Civic Address of Property on which the business will be located:

Type of Application:

- Change of Business Name New (\$25.00 non-refundable application fee applies)
 Change of Owner Change of Address or Location (\$25.00 fee applies)

Type of Business - please see reverse for classifications. Place a check mark in the column that corresponds with the type of business you will be operating as well as any further information requested in column 2.

Column 1 - Type of Business		 Column 2 - Particulars	Column 3 – License Fee
1	Apartment	Number of Apartments	\$125.00 plus \$3.00 per apartment
2	Bed & Breakfast	Number of B&B Rooms	\$125.00 for one room, each additional room \$ 50.00
3	Campground	Number of Rental Sites or Spaces	\$125.00 plus \$3.00 per available site
4	Guesthouse	Number of Rooms	\$125.00 for one room or cabin, plus \$50.00 each additional room or cabin
		Number of Cabins	
5	Hostel	Number of available beds	\$125.00 plus \$3.00 per available bed
6	Hotel	Number of hotel rooms	\$125.00 plus \$3.00 per available room
7	Motel	Number of motel rooms	\$125.00 plus \$3.00 per available room
8	Rooming House	Number of available rooms	\$150.00 for 3 rooms plus \$50.00 each additional available room
9	Trailer Park or Mobile Home Park	Number of available pads	\$125.00 plus \$2.00 per available pad
10	Vacation Rental	Number of available units	\$125.00 first unit plus \$50.00 each additional available unit
11	Charters	Number of available boats or vehicles	\$125.00 plus \$25.00 per boat or vehicle
12 a	Boat, Kayak, Bicycle Rentals	Number of vehicles or vessels available	\$125.00 plus \$25.00 per motorized vehicle or vessel
12 b	Boat, Kayak, Bicycle Rentals	Number of vehicles or vessels available	\$125.00 plus \$5.00 per non-motorized vehicle or vessel
13	Bank or Credit Union		\$250.00
14	Other Financial Institution		\$350.00
29	Sales – Retail and/or Wholesale	Total square footage	1500sq. ft. or less \$150.00 3500 sq. ft. over 1500 sq ft. \$250.00 Over 3500 sq. ft. \$350.00
15	Insurance Agency	Number of agents	\$125.00 first agent plus \$75.00 each additional agent
16	Property Management	Number of agents	\$125.00 first agent plus \$75.00 each additional agent
17	Real Estate Agency	Number of agents	\$125.00 first agent plus \$75.00 each additional agent
18	Travel Agency or Booking Agency	Number of agents	\$125.00 first agent plus \$75.00 each additional agent
26	Day Care or Child Care	Home Occupation	\$125.00
38	Day Care or Child Care	Commercial – Number of Children	\$125.00 up to eight children \$250.00 nine or more children
27	Hairdresser/Health Services	Home Occupation	\$125.00

37	Hairdresser/Health Services		Commercial	\$125.00 first practitioner plus \$50.00 for each additional practitioner
30	Consultant or Professional		Number of Consultants or Professionals	\$125.00 for first professional, \$75.00 each additional professional
33	Restaurant, Bistro, Café		BCLC Licensed	\$250.00
34	Restaurant, Bistro, Café		Unlicensed	\$125.00
25	Catering or Food or Beverage Preparation		Home Occupation	\$125.00
35	Catering or Food or Beverage Preparation		Commercial	\$125.00
19	Service Station			\$150.00
20	Repair Garage			\$150.00
21	Auto Body & Painting Shop			\$150.00
22	Vehicle Sales			\$150.00
23	Vehicle Rentals			\$250.00
24	Car Wash			\$150.00
31	Neighbourhood Pub, Marine Pub, Brew Pub, Lounge			\$300.00
32	Dance Hall, Cabaret			\$300.00
36	U-Brew, U-Vin, Licensed Private Liquor Store			\$150.00
39	Marina			\$150.00
40	Entertainment/Sporting Event Promoter			\$125.00
41	Fish Processing Plant			\$300.00
42	General Contractor			\$150.00
43	Itinerant			\$150.00
44	Spa, Fitness or Exercise Facility			\$150.00
45	Subcontractor			\$125.00
46	Vendors (Mobile Vendor) (Street Market)			\$125.00 \$25.00 per street marker season
47	Other Home Occupation See Page 3			\$125.00
47	Other Business See Page 3			\$125.00

#47 Other Home Occupations & Other Businesses - please provide complete description of business activities (Use separate sheet if necessary).

The issuance of a license shall not be deemed to be a representation by the Municipality to the licensee that the business or proposed business complies with any or all applicable bylaws or enactments. The business owner remains responsible to ensure compliance with all bylaws and enactments.

Signature of Applicant

Signature or Property Owner

Date

Date

For Municipal Office Use Only

Fee As Prescribed in Schedule "A"
Bylaw 922, 2003

- Processing Fee \$ **25.00**
- Full Year Fee \$ _____
- Half Year Fee (after August 31st) \$ _____
- Damage Deposit (Itinerants Only) \$ _____

TOTAL PAYABLE: \$ _____

Date Processing Fee Paid: _____

Date License Fee Paid: _____

Receipt #: _____

Account #: _____

Folio #: _____

Departmental Approval: Planning _____ Zoning: _____
 Building _____
 Fire _____
 Health _____

Clerk's Department Approval: _____ Date: _____

Application **not approved** and referred to the District Council
meeting _____

Date