

**BUSINESS LICENSE PUBLIC MEETING
INFORMATION PACKAGE**

FEBRUARY 7, 2017

TABLE OF CONTENTS

<u>PROPOSED BUSINESS LICENSE FEES</u>	<u>3</u>
<u>BYLAW ENFORCEMENT STRATEGY (DRAFT)</u>	<u>11</u>
<u>BYLAW ENFORCEMENT POLICY (DRAFT)</u>	<u>13</u>
<u>CURRENT BYLAW INFRACTION FINE SCHEDULE</u>	<u>21</u>
<u>ANNUAL BUSINESS INSPECTION FORM (SAMPLE)</u>	<u>23</u>
<u>BUSINESS LICENSE APPLICATION FORM (SAMPLE)</u>	<u>25</u>
<u>BUSINESS LICENSE REQUIREMENTS CHECKLIST (SAMPLE)</u>	<u>27</u>

District of Ucluelet Fees and Charges Bylaw No. xxxx, 2017.

Schedule 'P' Business Licences

Businesses pd in
2016
30-Jan
20%
Proposed

Class	Nature of Business	Particulars	Fee Per Annum (unless otherwise stated)	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 <i>Plus \$3.00 per available apartment</i>	\$150.00 <i>Plus \$5.00 per available apartment</i>
2	Bed & Breakfast	From any person carrying on the business of offering bed & breakfast accommodation	\$125.00 <i>For one (1) room, plus \$50.00 per each additional available room</i>	\$150.00 <i>For one (1) room, plus \$75 per each additional available room</i>
3	Campground	From any person carrying on the business of renting campground spaces to transient travellers or vacationers	\$125.00 <i>Plus \$3.00 per available site</i>	\$150.00 <i>Plus \$5.00 per available site</i>
4	Guesthouse	From any person carrying on the business of offering Guesthouse Accommodations	\$125.00 <i>For one (1) room or cabin, plus \$50.00 per each additional available room or cabin</i>	\$150.00 <i>For one (1) room or cabin, plus \$75.00 per each additional available room or cabin</i>
5	Hostel	From any person carrying on the business of offering Hostel accommodations	\$125.00 <i>Plus \$3.00 per bed</i>	\$150.00 <i>Plus \$10.00 per available bed</i>
6	Hotel	From any person carrying on the business of offering hotel accommodation	\$125.00 <i>Plus \$3.00 per available room</i>	\$150.00 <i>Plus \$10.00 per available room</i>
7	Motel	From any person carrying on the business of offering motel accommodation	\$125.00 <i>Plus \$3.00 per available room</i>	\$150.00 <i>Plus \$10.00 per available room</i>

District of Ucluelet Fees and Charges Bylaw No. xxxx, 2017.

Schedule 'P' Business Licences

30-Jan
20%
Proposed

Class	Nature of Business	Particulars	Fee Per Annum (unless otherwise stated)	Fee Per Annum (unless otherwise stated)
-------	--------------------	-------------	--	--

ACCOMMODATION (continued)

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	\$150.00 Plus \$5.00 per available pad
10	Vacation Rentals	From any person carrying on the business of offering vacation rentals to transient travellers or vacationers	\$125.00 Plus \$50.00 each additional available room or cabin	\$150.00 For first unit, plus \$75.00 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	\$125.00 Plus \$50.00 each additional available unit	\$150.00 For first unit, plus \$75.00 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	\$150.00 Plus \$75.00 per boat or vehicle
12a	Boat, Kayak, Scooter, Bicycle Rentals - Motorized	From any business carrying on the business of rental agency for motorized boats, kayaks, bicycles and any other form of land or water motorized transportation, excepting motor vehicles.	\$125.00	\$150.00

District of Ucluelet Fees and Charges Bylaw No. xxxx, 2017.

Schedule 'P' Business Licences

30-Jan
20%
Proposed

Class	Nature of Business	Particulars	Fee Per Annum (unless otherwise stated)	Fee Per Annum (unless otherwise stated)
-------	--------------------	-------------	---	---

CHARTERS, TOURS, RENTALS (con't)

12b	Boat, Kayak, Bicycle Rentals - Non-motorized	From any business carrying on the business of rental agency for non-motorized boats, kayaks, bicycles and any other form of land or water non-motorized transportation.	\$125.00 <i>Plus \$5.00 per non-motorized vehicle or vessel</i>	\$150.00
-----	--	---	--	----------

FINANCIAL

13	Bank or Credit Union	From any person carrying on the business of a banker	\$250.00	\$300.00
14	Other Financial Institution	From any person carrying on the business of Loan, Mortgage, Investment, Finance or Collection Agency or Stockbroker	\$350.00	\$420.00

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 <i>For first agent, plus \$75.00 for each additional agent</i>	\$150.00 <i>For first agent, plus \$75.00 for each additional agent</i>
16	Property Management	From any Person carrying on the business of property management services	\$125.00 <i>For first agent, plus \$75.00 for each additional agent</i>	\$150.00 <i>For first agent, plus \$75.00 for each additional agent</i>
17	Real Estate Agency	From any person carrying on the business of a real estate agency	\$125.00 <i>For first agent, plus \$75.00 for each additional agent</i>	\$150.00 <i>For first agent, plus \$75.00 for each additional agent</i>

District of Ucluelet Fees and Charges Bylaw No. xxxx, 2017.

Schedule 'P' Business Licences

30-Jan
20%
Proposed

Class	Nature of Business	Particulars	Fee Per Annum (unless otherwise stated)	Fee Per Annum (unless otherwise stated)
-------	--------------------	-------------	--	--

INSURANCE, TRAVEL, REAL ESTATE (con't)

18	Travel Agency or Booking Agency	From any person carrying on the business of a travel agency or booking or ticket agency	\$125.00 <i>For first agent, plus \$75.00 for each additional agent</i>	\$150.00 <i>For first agent, plus \$75.00 for each additional agent</i>
----	---------------------------------	---	--	--

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	\$180.00
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	\$180.00
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	\$180.00
22	Vehicle Sales	From any person carrying on the business of new or used vehicle sales	\$250.00	\$300.00
23	Vehicle Rentals	From any person carrying on the business of renting new or used vehicles	\$250.00	\$300.00
24	Car Wash	From any person carrying on the business of motor vehicle washing	\$150.00	\$180.00

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	\$150.00
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	\$150.00
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	\$150.00
28	Home Occupations	From any person carrying on the business of a Home Occupation not specifically provided for herein.	\$125.00	\$150.00

District of Ucluelet Fees and Charges Bylaw No. xxxx, 2017.

Schedule 'P' Business Licences

Businesses pd in
2016
30-Jan
20%
Proposed

Class	Nature of Business	Particulars	Fee Per Annum (unless otherwise stated)	Fee Per Annum (unless otherwise stated)
-------	--------------------	-------------	---	---

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	\$180.00
	Retail and / or Wholesale Sales Over 1500 sq. ft. but less than 3500 sq. ft.	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.	\$250.00	\$300.00
	Retail and/or Wholesale Sales Over 3500sq. Ft.	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.	\$350.00	\$420.00
30	Consultants or Professionals	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: Accountant, Architect, Barrister, Chiropractor, Dental Techniciannn Dentist/Dental Surgeon, Engineer, Medical Practitioner, Optometrist, Orthodontist, Surveyor, Veterinary Practitioner, Professional Services, Consulting Services, Unclassified,	\$125.00 <i>For first professional / consultant within the same office, plus \$75.00 for each additional professional / consultant providing services within the same office</i>	\$150.00 <i>For first professional / consultant within the same office, plus \$75.00 for each additional professional / consultant providing services within the same office</i>

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	\$360.00
----	---	--	----------	----------

District of Ucluelet Fees and Charges Bylaw No. xxxx, 2017.

Schedule 'P' Business Licences

30-Jan
20%
Proposed

Class	Nature of Business	Particulars	Fee Per Annum (unless otherwise stated)	Fee Per Annum (unless otherwise stated)
-------	--------------------	-------------	---	---

FOOD/BEVERAGE SERVICES (con't)

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	\$360.00
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	\$300.00
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	\$150.00
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	\$150.00
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	\$180.00

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 For first practitioner, plus \$50.00 each additional practitioner	\$150.00
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	\$150.00
39	Marina	From any person carrying on the business of a marina for boat moorage	\$150.00	\$180.00 Plus \$5.00 per available slip

District of Ucluelet Fees and Charges Bylaw No. xxxx, 2017.

Schedule 'P' Business Licences

30-Jan
20%
Proposed

Class	Nature of Business	Particulars	Fee Per Annum (unless otherwise stated)	Fee Per Annum (unless otherwise stated)
-------	--------------------	-------------	--	--

MISCELLANEOUS continued

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	\$150.00
41	Fish Processing Plant - up to and including 5,000	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	\$360.00
	Fish Processing Plant (Council proposing - over 5,000)	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	\$360.00
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	\$180.00
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	\$150.00 Per Day	\$180.00 Per Day
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	\$180.00
46	Vendors	From any business or person operating a street market.	\$125.00 Per street market season	\$150.00 Per street market season

48	Transfer of an existing Business License	Whereby a person relocates his existing business to a new location within the municipality.	\$25.00	\$30.00
	Transfer of an existing Business License	Inspection fee, if required, due to a transfer to a new location within the municipality.	\$25.00	\$30.00

Total revenue in 2016: \$69,789.00
Anticipated add'l revenue in 2017: \$13,957.80

BYLAW ENFORCEMENT STRATEGY

DISTRICT OF UCLUELET

PREAMBLE

- The District of Ucluelet (DOU) bylaw enforcement strategy will transition from a primarily complaint-driven method to a primarily targeted (strategic) enforcement method.
- The DOU bylaw enforcement strategy will be a non-rigid strategy to allow for shifting priorities as circumstances shift in the community or as new mandates are brought forward by District Council.
- It is recognized that the enforcement of District bylaws impacts District finances in terms of the cost of enforcing bylaws and the revenue earned through enforcing bylaws.
- The DOU bylaw enforcement strategy aims to be “revenue-neutral” as much as possible by issuing fines for bylaw infractions and pursuing collection of fines.
- Bylaw enforcement revenue varies depending on a variety of factors, including the number of infractions responded to by bylaw enforcement, the nature of the infractions, the number of voluntary payments made by those who violate bylaws, etc.
- Additionally, the prosecution of municipal tickets could incur significant cost to the District; measured against fine revenues, it is unclear if this enforcement measure will make for a significant or negligible source of revenue.
- To achieve revenue neutrality, the DOU bylaw enforcement strategy is broken into three tiers, from highest priority/highest frequency activities to lowest priority/lowest frequency activities:
 - **TIER 1 – HIGH PRIORITY / MOST FREQUENT ACTIVITIES**
 - Pursuit of illegal short term rentals
 - Business License inspections
 - Tours of town / general inspection
 - **TIER 2 – SECONDARY PRIORITIES**
 - Illegal parking
 - Illegal camping
 - Public drinking
 - **TIER 3 – AS TIME PERMITS**
 - Street lights
 - Unsightly premises
 - Noise
 - Neighbour complaints
 - Animal control
 - RCMP support

- Tier 1 activities are of primary priority to respond to the need for a “level playing field” and ensure that businesses operating within Ucluelet are “playing fair”, i.e. are legal and meet the requirements of their business category.
- Tier 2 activities are of secondary priority as they are recognized as high-incidence activities within the municipality.
- The summer bylaw positions will effect the DOU bylaw enforcement strategy by supporting the full-time bylaw enforcement officer in Tier 2 and Tier 3 activities.

DRAFT



The Corporation of the District of Ucluelet

MUNICIPAL POLICY MANUAL**POLICY NUMBER: 9-4000-2****REFERENCE:**

Bylaw Enforcement

ADOPTED BY:

Council

<Date>

CROSS-REFERENCE:

Actions on Zoning and Bylaw Infractions Policy 9-4020-1

SUPERSEDES:

Bylaw Enforcement 9-4000-1

AMENDED DATE:

N/A

DEPARTMENT:

Planning

EFFECTIVE DATE:

<Date>

Policy Statement:

Page 1 of 7

The purpose of this policy is to establish a protocol for addressing bylaw-related concerns and working proactively with property owners to achieve compliance with District Bylaws. This policy provides general guidance for staff in dealing with bylaw-related complaints within the District in an effort to treat all property owners (both complainants as well as alleged offenders) fairly and equitably.

The process is generally intended to be progressive in nature with an initial focus on gaining voluntary compliance, except where, in the opinion of the District, health, safety or liability concerns necessitates more immediate and significant action(s). Unique circumstances may require alternative options to be considered by either staff or Council where and when warranted.

The District's process can generally be described as having three (3) distinct components:

1. Investigation
2. Compliance Proceedings
3. Enforcement Proceedings.

Definitions:

For the purposes of this policy:

1. **"District"** means District of Ucluelet.
2. **"Bylaw"** or **"Municipal Bylaw"** means a bylaw adopted by the District of Ucluelet, and includes, but is not limited to, bylaws listed in Schedule 'A' of this policy.
3. **"Bylaw Officer"** means any of the following:
 - (a) Chief Administrative Officer of the District of Ucluelet, or his designate;



The Corporation of the District of Ucluelet

MUNICIPAL POLICY MANUAL

- (b) Planner 1 of the District of Ucluelet;
- (c) Chief Financial Officer (CFO) of the District of Ucluelet;
- (d) Bylaw Services Ambassador of the District of Ucluelet;
- (e) Animal Control Officer of the District of Ucluelet;
- (f) Members of the Royal Canadian Mounted Police and Auxiliary RCMP Officers.

Confidentiality:

1. The identity of a complainant is to be considered confidential and will not be disclosed to anyone for any purpose, except as required by law and in accordance with the following provisions:
 - 1.1 The complainant's identity may not be disclosed to the person under investigation or any member of the public;
 - 1.2 A response of a person under investigation may not be disclosed to the complainant. Bylaw enforcement files may not be discussed with a complainant subsequent to the initial submission of a complaint;
 - 1.3 Where a person submits a request pursuant to the *Freedom of Information and Protection of Privacy Act* for the disclosure of personal information contained in a bylaw enforcement file, it is the District's policy to refuse disclosure under the applicable sections of the *Freedom of Information and Protection of Privacy Act*, unless consent is obtained by the person who supplied the information;
 - 1.4 Despite the foregoing, the District will not guarantee the anonymity and confidentiality of complainants and may disclose personal information in bylaw enforcement files in the following circumstances:
 - (a) If the complaint has been publicly disclosed by the complainant;
 - (b) If the investigation results in enforcement proceedings;
 - (c) If disclosure is required pursuant to the provisions of the *Freedom of Information and Protection of Privacy Act*;
 - (d) If an order for disclosure is issued by the Provincial Freedom of Information Commissioner under the *Freedom of Information and Protection of Privacy Act*;
 - (e) As otherwise required by law.

Investigation:

1. The preliminary step for all alleged bylaw infractions will be for the Bylaw Officer to conduct an investigation to determine if there is or has been a bylaw infraction.

Complaints

2. All alleged bylaw infractions shall be directed to the Bylaw Officer for further investigation. The District reserves the right to not respond to anonymous complaints or complaints about multiple addresses from the same complainant. Identities of complainants are protected



under the *Freedom of Information and Protection of Privacy Act*. The following conditions may initiate an investigation by the District:

- 2.1. Complaints from a member of the public in writing (phone call, email, etc.) or in person, complete with their name and contact information;
- 2.2. Observation by District staff, a Bylaw Officer, or Council of a bylaw infraction, apparent unsafe condition, or failure to obtain a permit;
- 2.3. Information from a credible third party source, such as a Peace Officer, VIHA, Electrical Safety, Authority, Provincial or Federal Enforcement Official, etc.; or
- 2.4. During the regular course of their duties, the Bylaw Officer may seek out bylaw infractions for issues of public health and/or safety or other bylaw violations.

Resources

3. Investigations will typically be conducted by the Bylaw Officer; however, in some circumstances, it may be necessary to include staff from other Departments depending upon the nature of the complaint. In these instances, the Bylaw Officer, in consultation with the Planner 1 or CFO, shall determine what resources are required to investigate the complaint.
4. Where resources are required from another department, the Planner 1 or CFO will work with the appropriate Department Heads to arrange for appropriate resources.

Property Information

5. Relevant property information (e.g. ownership, legal description, civic address, zoning, active permits, etc.) will be confirmed upon receipt of the complaint, including, where applicable, a review of the title for the subject property(ies) to determine related covenants, easements, or rights of way that have been registered on title and which may influence bylaw compliance actions.

Site Visit

6. A Bylaw Officer will undertake a site visit and document any alleged bylaw infraction(s).
7. Where visiting the exterior of the property, the Bylaw Officer is not obligated to provide notice and may inspect the property at any time in accordance with applicable legislation. District inspections may include entering onto property, at reasonable times and in a reasonable manner, to determine whether District regulations, prohibitions, and requirements are being met. When visiting a site without notice, the Bylaw Officer will attempt to advise an owner/occupant that they are on site (e.g. knock on the door) immediately prior to conducting any site investigation.
8. Where visiting the interior of a personal residence, the Bylaw Officer will obtain the occupant's consent to enter, or give written notice to the occupant at least 24 hours before entering, to assess if a bylaw infraction has or is occurring.



9. The District may also apply to the Provincial Court for an entry warrant if reasonable requests are refused.

Determination

10. If, following an investigation, no infraction is found to have taken place, the complainant and the property owner are so advised by the Bylaw Officer and a record of the inquiry will be filed. If during an investigation, the Bylaw Officer determines that an issue is not a District matter, the affected parties involved will be notified and the District investigation will cease and the file will be closed.

Compliance Proceedings:

1. In the event that a District bylaw infraction is confirmed, a Bylaw Compliance File will be created and compliance proceedings will commence generally in accordance with the provisions set out below:

Voluntary Compliance

- 1.1 A standard letter will be prepared and sent to the property owner advising them of the alleged infraction and outlining the steps required to rectify the situation, a timeline for specific actions, and will include an opportunity for the owner to meet with the District to further discuss the alleged infraction(s).
- 1.2 Individuals who are being investigated will generally be instructed to cease the activity and be given the opportunity to achieve voluntary compliance before further action is taken, except in the case of an imminent health, safety, or liability concern, where the District may be required to direct or take immediate action(s).
- 1.3 Alleged infractions which appear to require assistance or involvement from other government or third-party agencies (VIHA, Provincial Ministries, BC Safety Authority, etc.) may also warrant referrals and involvement from those other agencies.
- 1.4 Where an investigation has confirmed that unauthorized construction requiring a building permit has taken place, a Stop Work Order will immediately be issued by the District.
- 1.5 Depending on the nature and severity of a situation involving unauthorized construction, the District may also take immediate action to recommend to Council that a Notice on Title, in accordance with Section 57 of the *Community Charter*, should be registered against the subject property in order to protect potential purchasers and limit liability exposure for the Municipality.
- 1.6 Other District approvals, business licenses, occupancy permits and building or development permits may be suspended until the condition(s) have been rectified. Where compliance with a bylaw is a condition of a license or permit, the license or perm



it may be suspended or cancelled until the person, or persons, comply with the provisions of the bylaw.

Forced Compliance

- 2.1. Where initial voluntary compliance is not achieved, compliance will be sought through issuance of fines in accordance with the Municipal Ticket Information bylaw. The Bylaw Officer has the authority to issue tickets for bylaw infractions. Depending on the nature and severity of the infraction/violation, the District may also issue fines under the Municipal Ticket Information bylaw immediately, prior to seeking voluntary compliance.
- 2.2. Tickets issued for offences against municipal bylaws are authorized by the “Municipal Ticket Information Bylaw No. 929, 2004”, and amendments thereto, and fines will be in accordance with Municipal Ticket Information Bylaw No. 949, 2004 or amendments thereto.
- 2.3. Fines will only be issued by the Bylaw Officer following consultation with the Planner 1 or CFO.
- 2.4. Where compliance has still not been achieved following the issuance of fines under the Municipal Ticket Information Bylaw and issuance of a second letter outlining a required course of action, the Bylaw Officer, in consultation with the Planner 1 or CFO, shall make a determination whether Enforcement Proceedings should be commenced.

Enforcement Proceedings:

1. Enforcement proceedings will generally commence where and when voluntary compliance cannot be achieved to rectify the bylaw infraction(s). Any or all of the following measures at this stage may be considered and approved by Council depending upon the circumstances:

Section 57 (*Community Charter*) – Notice on Title

2. Where an investigation has confirmed that unauthorized construction has taken place that represents, in the opinion of the District, a potential health, safety, or liability concern, the District may prepare a report for Council recommending that a Notice on Title be registered against the subject property(ies), in accordance with Section 57 of the *Community Charter*.
3. Where a Notice on Title has been registered against a property(ies) it may not be removed until such time that the Building Inspector has confirmed that all issues related to the Notice on Title have been rectified and the appropriate fee has been paid to remove the Notice. The Building Inspector shall then notify the Corporate Officer who will submit the appropriate release documentation to the Land Title Office.



Part 3, Division 12 (*Community Charter*) - Remedial Action

4. Where warranted, Council may consider issuance of an order under Part 3, Division 12 of the *Community Charter* requiring the owner to undertake work to alter a property such that it is in compliance with relevant District bylaws, and providing - on the owner's failure to do so - that the District may, after a date specified in the report, enter on the property, undertake the work on the owner's behalf, and add the cost of doing so to the taxes on the property. The date specified will allow for notice to any tenants affected in accordance with the *Residential Tenancy Act* and a reasonable subsequent period to perform the work.

Injunction or Court Order

5. Where warranted, Council may consider an application for an injunction or court order to stop work, and/or force compliance with District bylaws. Injunctions or court orders are generally only considered for health and safety hazard situations, subject to the discretion of the District.

Appendices:

APPENDIX A – Summary of Bylaws Enforced

Approved by

**APPENDIX A – SUMMARY OF BYLAWS ENFORCED**

Bylaw Services will monitor bylaw compliance and respond to all complaints and bylaw related inquiries in an efficient and timely manner using a fair, respectful, and consistent approach. The Bylaw resolution process takes into account the viewpoints of all involved parties as well as the broader effect on the community as a whole. Bylaw Services will respond to complaints and also enforce observed infractions. Most problems are solved through voluntary compliance, however, where this does not happen, the appropriate enforcement action will be taken. Bylaw enforcement activities are primarily targeted to achieve compliance with the District's bylaws.

The bylaws enumerated below (and all amendments thereto) have been designated by Council as priorities for monitoring, investigation, and enforcement by the District of Ucluelet:

- 1) District of Ucluelet Noise Control Bylaw No. 915, 2003
- 2) Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003
- 3) Traffic & Parking Bylaw No. 948, 2004
- 4) Garbage Collection & Regulation Bylaw No. 960, 2004
- 5) District of Ucluelet Animal Control and Licensing Bylaw No. 803, 1999
- 6) Public Property Use Regulation Bylaw No. 963, 2004
- 7) Outdoor Burning Bylaw No. 978, 2005
- 8) Sign Bylaw No. 1060, 2007
- 9) Smoking Control Bylaw No. 1187, 2016

Description of Offence	Section #	Fine - 1st Offence	Fine - 2nd and Each Subsequent Offence
Not in possession of valid Business Licence	2(1), 2(2)	Fine equal to double the applicable licence fee	Fine equal to triple the applicable licence fee
Carrying on multiple businesses under one business licence	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 Licence	5(1)	\$100.00	\$200.00
Business Licence 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 Licence 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 Licence a Licence 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(5)	\$100.00	\$200.00
Fail to provide list of businesses for which acting as agent to District Office	11(4)	\$100.00	\$200.00
Fail to maintain campground register	12(1)	\$150.00	\$300.00
Fail to maintain campground register required section 10.1	12(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 pm and 7:00 am	16.1(k)	\$100.00	\$200.00



District of Ucluelet Annual Inspection Form

Business Name: _____
Civic address: _____
 Property zoning: _____
 Zoning bylaw section: _____

Business class No. _____
 Business license current and displayed Yes No
 Is the business consistent with zoning Yes No
 Summary requested Yes No
 Re-inspection required Yes No

Date Inspected:	/ / 20	/ / 20	/ / 20	/ / 20	/ / 20	/ / 20
Inspector:						
Business / Residential Areas						
Square footage of business space	sqft	sqft	sqft	sqft	sqft	sqft
Square footage of residence space	sqft	sqft	sqft	sqft	sqft	sqft
Nightly Accommodation						
Bed and Breakfast meets bylaw	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
No. of Bedrooms	(max.3)	(max.3)	(max.3)	(max.3)	(max.3)	(max.3)
No. of Fridges						
No. of Stoves						
No. of Hostel beds						
No. of Hotel/Motel rooms/Room others						
No. of Rooms with kitchenettes						
No. of Cottage/Guesthouse/Cabin	(max.4)	(max.4)	(max.4)	(max.4)	(max.4)	(max.4)
Multifamily Residential						
Apartment rental units count						
Trailer pad count						
VR1 with 2 B&Bs and 1 self cont. suite	<input type="checkbox"/> OR	<input type="checkbox"/> OR	<input type="checkbox"/> OR	<input type="checkbox"/> OR	<input type="checkbox"/> OR	<input type="checkbox"/> OR
VR1 with 2 self cont. suites & 1 B&B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homeowner or caretaker living on site	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Secondary suite	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Restaurant						
No. Seats						
No. employees						
Valid Liquor License displayed	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Valid Health Inspection displayed	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Seating plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Floor Plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Square footage of restaurant space	sqft	sqft	sqft	sqft	sqft	sqft
Parking and Loading						
Parking Plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
No. of Parking stalls						
No. of Parking stalls required						
Loading Bay	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Misc. Information						
						Date
						Date
						Date
Fire Inspection						
Address visible from street	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Access and egress meets code use	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Smoke alarms in all sleeping spaces	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Emergency / fire safety plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Fire Extinguishers on site and current	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Misc. Fire Information						
						Date
						Date
						Date
Emergency contact (confidential)						
Name / Title:		cel		ph		
Name / Title:		cel		ph		

Business type No. _____

District of Ucluelet Business Licence Application

Businesses operating in the District of Ucluelet are required to have a valid business licence. The information requested in this application is necessary to fully evaluate your request for a business licence. **Completion of this form does not guarantee approval of a business licence, nor should business be commenced prior to a licence being issued.**

Date of Application: _____ New Licence Reinstatement Address Change Change of Owner Business Name Change
 Home Occupation (work conducted at home) Home Based (community work based from home)

Trade Name of Business (DBA in Ucluelet)				Type of Business	
Legal Company Name				Name of Owner/Licencee (Person or Corporation)	
Type of Ownership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Co-operative				Name(s) of other owners, if applicable	
Business Address (Civic and Mailing, including postal code)					
Business Contact Information				Licencee Personal Contact Information	
Phone: _____ Cell: _____				Phone: _____ Cell: _____	
E-mail: _____				E-mail: _____	
Website: _____					
Owner/ Licencee GST #	# of employees	Floor Area (m ²)	<input type="checkbox"/> Vendor <input type="checkbox"/> Mobile	Licencee Mailing Address (if different from business address)	
Local Manager or Caretaker (if Licencee does not reside in Ucluelet)					
Name: _____			Telephone: _____		
Mailing Address: _____			Email: _____		
Physical Address: _____					

I, _____ hereby make application for a licence in accordance with the particulars as stated in this application, and declare the information in this statement to be true and correct. I undertake that if I am granted the licence applied for I will comply with each and every obligation contained in all laws and bylaws now in force or which may hereafter come into force in the District of Ucluelet. I further understand that if this application involves the use of premises for business purposes, they may not be occupied until they have been inspected by the District of Ucluelet and a licence is issued. I also understand that the payment of the Business Licence fee in advance does not guarantee approval, nor may I commence business until such time as a Business Licence is approved and issued.

I acknowledge that I have received the Business Licence Information Sheet.

Signature

Date

UKEEMAIL SIGN-UP (OPTIONAL, but RECOMMENDED)

I agree to subscribe to the District of Ucluelet's e-mail notification system ("UkeeMail") using my (select one or more) BUSINESS PERSONAL e-mail address(es).

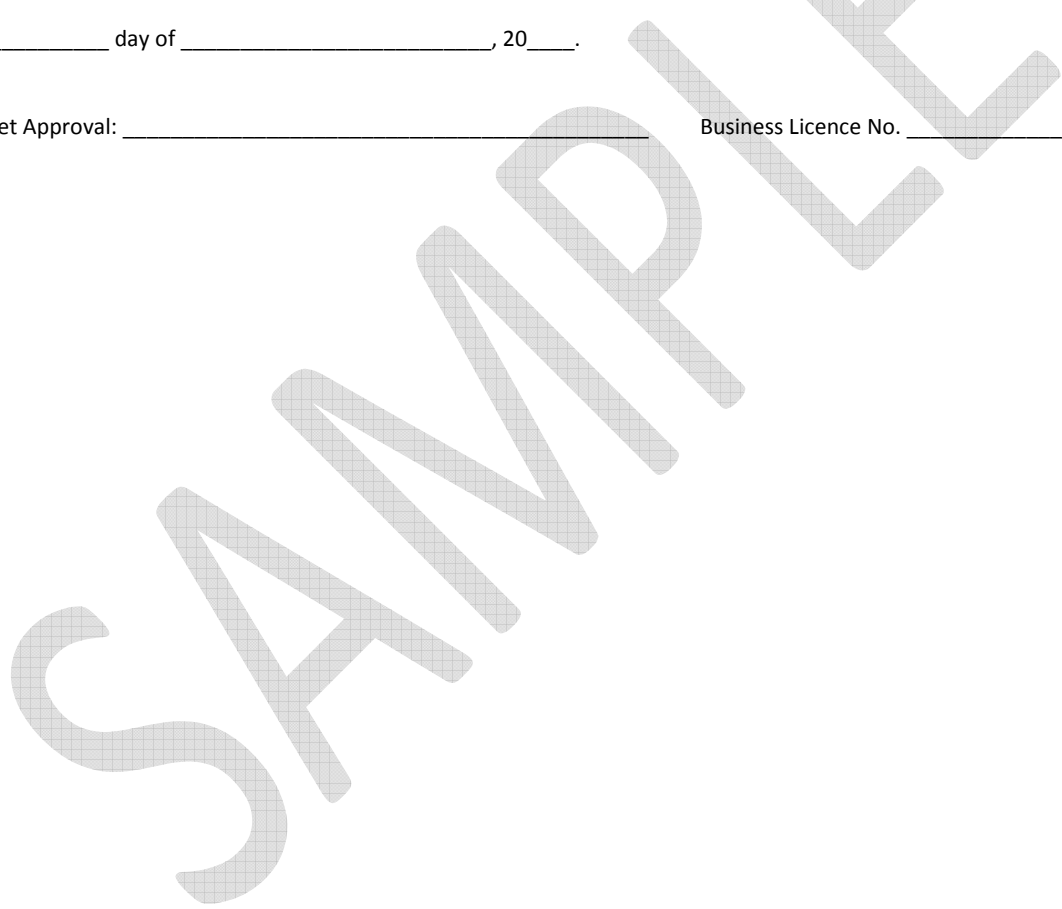
I acknowledge that my e-mail will be used to receive (select one) ALL DISTRICT NOTIFICATIONS BUSINESS-ONLY NOTIFICATIONS and that I may unsubscribe at any time. I acknowledge that my e-mail address(es) will be protected and will not be used for any other purpose without my express consent.

Personal information you provide on this form is collected under the authority of the *Community Charter, Freedom of Information and Protection of Privacy Act* (FOIPPA) and the Business Licence Bylaw. Your business name, business civic address, and business contact information (email and telephone number) may be released in accordance with FOIPPA. If you have any questions about the collection and use of this information, please contact the Deputy Municipal Clerk at (250) 726-7744.

For Office Use Only					
Zoning (if applicable)		Business Class:			
Required Checks	Approved	Declined	Date	Initial	
Planning					ANNUAL FEE: _____
Building					FEE PAID: _____
Fire					DATE PAID: _____
Health					CASH _____ CHEQUE _____
RCMP					
Other					

Approved this _____ day of _____, 20____.

District of Ucluelet Approval: _____ Business Licence No. _____





District of Ucluelet
Business Licence Application - Requirements Checklist

District Planner 1 (250) 726-4770
Building Inspection (250) 726-7744

	This column for District use only
<p>1. <i>It is recommended that you obtain confirmation of a correct civic address prior to investing in business stationery, signs etc.</i> Have you obtained written confirmation from the District office (250-726-7744) verifying the correct civic address for your business and submitted a copy with your Business Licence Application?</p>	
<p>2. Have you confirmed the correct designation for the property, on the Zoning Bylaw Map, for the space that your business operation will occupy? Print your zoning designation:</p>	
<p>3. Does the Zoning Bylaw permit the use of the building or space for your proposed business? Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	
<p>4. Will your business be a different type of business than what was formerly in the building or space? Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/> <i>A change of use may trigger additional fire and building code requirements and life safety requirements. If you answered YES above, please verify all additional requirements for the intended use.</i></p>	
<p>5. Will your business require any demolition, renovation, or new construction on the building or premises? Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	
<p>6. Have you verified the number of regular parking and handicapped parking spots required for your business as per the Zoning Bylaw? Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/> Number of regular parking spots required: Number of handicapped parking spots required:</p>	
<p>7. Have you verified if loading space is required for your business as per the Zoning Bylaw? Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	

<p>8. Have you prepared and provided the District office with a Site Plan?</p> <p style="text-align: right;">Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	
<p>9. Does the Zoning Bylaw require you to pave your parking area?</p> <p style="text-align: right;">Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	
<p>10. Have you verified that the business property meets the fencing and screening requirements as per the Zoning Bylaw?</p> <p style="text-align: right;">Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p> <p>Include photographs of any fencing and screening with your application.</p>	
<p>12. Do you require a Sign Permit?</p> <p style="text-align: right;">Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	
<p>13. Does the Sign Bylaw allow your proposed signage at your business location?</p> <p style="text-align: right;">Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	
<p>14. Have you included all contact information with your application?</p> <p style="padding-left: 40px;">Business Owner(s) Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p> <p style="padding-left: 40px;">Business Manager/Caretaker Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p> <p style="padding-left: 40px;">Property Owner Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	
<p>15. Is the space being leased?</p> <p style="text-align: right;">Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	
<p>16. Have you verified which 3rd party inspection reports will be required?</p> <p>Have you submitted copies of all 3rd party inspection reports:</p> <p>Automatic suppression Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p> <p>Hoods Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p> <p>Ducting Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p> <p>VIHA (as required by Commercial Kitchens / Mobile Vendors) Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	
<p>17. Have you made allowance for unobstructed egress to a public way when the building is occupied?</p> <p style="text-align: right;">Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	
<p>18. Will your business involve Industrial, Repair, or Manufacturing processes?</p> <p style="text-align: right;">Check one: Yes <input type="checkbox"/> or No <input type="checkbox"/></p>	

<p>19. <i>Fire Safety Plan – it is recommended that you have a written plan containing fire emergency procedures for:</i></p> <ul style="list-style-type: none"> a. <i>Every building containing an assembly, care, treatment or detention occupancy</i> b. <i>Every building required by the British Columbia Building Code to have a fire alarm system</i> c. <i>Demolition and construction sites</i> d. <i>Storage areas required to have a fire safety plan</i> e. <i>Areas where flammable liquids or combustible liquids are stored or handled</i> f. <i>Areas where hazardous process or operations occur</i> <p>Have you prepared a satisfactory Fire Safety Plan?</p>	
---	--

PLEASE NOTE:

Should you require electrical permitting, the District of Ucluelet does not issue electrical permits and does not perform inspections. More information about Electrical Permits can be found by contacting the BC Safety Authority – Hours: 7:00 am to 8:00 pm (PST) – Monday to Friday. Email: info@safetyauthority.ca, 1-866-566-7233.

