



DISTRICT OF UCLUELET

Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003

This is an unofficial document of the District of Ucluelet and is consolidated for convenience only. This is consolidated version of the parent bylaw that incorporates changes made pursuant to the following amendment bylaws:

Amendment Bylaw	Effective Date
Bylaw No. 931, 2003	February 24, 2004
Bylaw No. 956, 2004	May 25, 2004
Bylaw No. 991, 2005	April 26, 2005
Bylaw No. 1016, 2006	February 14, 2006
Bylaw No. 1021, 2006	February 28, 2006
Bylaw No. 1069, 2007	November 7, 2007
Bylaw No. 1313, 2022	September 6, 2022

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Bylaw numbers appearing on the left side of this consolidated version refer to the applicable amendment bylaw.

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

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" or "B&B" means the accessory use of a single family dwelling where up to a maximum of three bedrooms are used or designated for use as guest rooms, provided in accordance with Section 404 of the District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended from time to time.

"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.

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"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;

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"Guest House" means a building located on property zoned "Guesthouse" which contains sleeping or housekeeping accommodation used or intended to be used 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.

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"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.

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"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, entrainment, 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;

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"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;

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"Principal Residence – Non-Property Owner" means the dwelling where an individual lives, makes their home, and conducts their daily affairs including, without limitation, paying bills and receiving mail and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licences, personal identification, vehicle registration and utility bills.

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"Principal Residence – Property Owner" means the dwelling where an individual lives and is the property where the person claims the provincial home owner grant.

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

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"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.

"Vacation Rentals" means a dwelling unit used for the business of tourist accommodation on a short-term basis (nightly, weekly, and/or monthly), which conforms to all requirements of the District of Ucluelet Zoning Bylaw.

"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 licences shall be accompanied by the applicable application fee in the District of Ucluelet's Fees and Charges Bylaw 922, 2003, as amended or replaced from time to time.
- b) All new applications and renewals shall be accompanied by the applicable licence fee in the District of Ucluelet's Fees and Charges Bylaw 922, 2003, as amended or replaced from time to time.
- c) 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 3 and 6 herein.
2. The issuance of a license shall not be deemed to be a representation by the

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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.

3. 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.
4. 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.
5. 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.
6. 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 May 1st to April 30th of the following 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.

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. 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.
3. Guesthouse accommodations shall only be located on property zoned "Guesthouse" and must comply with all District of Ucluelet zoning Bylaw regulations.
4. Resort Condominium accommodations shall only be located on property designated as "Resort Condominium" and must comply with all District of Ucluelet Zoning Bylaw regulations and any other applicable bylaws or regulations of the District of Ucluelet.

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6. Bed & Breakfast accommodations:

- 6.1 A requirement of this Bylaw pertaining to Bed & Breakfasts does not abrogate the application of any other requirements contained herein that are generally applicable to all businesses.
- 6.2 An owner may not hold more than one (1) Bed & Breakfast licence.
- 6.3 No person shall operate a Bed & Breakfast unless the premises can be demonstrated to be that person's Principal Residence - Non-Property Owner (in the instance where the operator does not own the property) or Principle Residence - Property Owner (in the instance where the operator does own the property).
- 6.4 Notwithstanding the requirements of Section 6.3, if the operator is the property owner, it is the first year of home ownership and home ownership occurred after the property tax deadline date, the operator must demonstrate Principle Residence - Non-Property Owner.
- 6.5 No person shall operate a Bed & Breakfast without a valid and subsisting licence.
- 6.6 No person shall offer or advertise a Bed & Breakfast without a valid licence in respect of such Bed & Breakfast.
- 6.7 Bed & Breakfasts are subject to inspection by a Licence Inspector once every three (3) years, whether or not the B&B has been continuously licensed during

that period. At the discretion of the Building Official, the inspection required at the time of initial application may be waived if the subject property has been subject to a full inspection under a Building Permit within the previous three years.

- 6.8 Any person making an application for a Bed & Breakfast Licence shall at the time of making such application, in addition to the general requirements under this Bylaw, provide:
- a. proof of ownership of the premises from which the B&B will be operated;
 - b. proof of Principal Residence – Non-Property-Owner or proof of Principal Residence – Property Owner, whichever is applicable, unless exempt under section 6.4;
 - c. contact information for the business operator and consent to allow this contact information to be made publicly available, including on-line and to guests of the B&B;
- 6.9 The operator of a B&B must remain available to respond to inquiries or problems raised by guests by phone within 15 minutes and in person within 6 hours;
- 6.10 In considering an application for a Bed & Breakfast, the Licence Inspector may:
- a. consider whether a B&B licence held by the applicant has been revoked in the preceding two (2) licence periods; and
 - b. require an inspection of the premises from which the B&B will be operated notwithstanding that, a Licence Inspector may grant approval of the application without an inspection subject to the condition that if upon subsequent inspection, the B&B fails to comply with the requirements of this Bylaw, the Licence Inspector shall suspend or cancel the licence.

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7. Advertising Accommodations

- 7.1 Every online advertisement for a Bed & Breakfast, Vacation Rental or Guest House must disclose, in respect of the accommodation being advertised:
- a. a valid Ucluelet business licence number;
 - b. the number of off-street parking spaces available to guests and a statement that such number is the maximum number of vehicles that paying guests of the tourist accommodation business are permitted to bring to the premises; and
 - c. the maximum permitted guest-occupancy applicable to the tourist accommodation business, pursuant to the Zoning Bylaw.
- 7.2 The Licence holder for a Bed & Breakfast, Vacation Rental or Guest House is responsible to display a licence sign conforming to the standard provided by

the District in an exterior location near the property line and visible from the street (e.g., adjacent to the required civic address sign) showing:

- a. the business licence number;
- b. maximum occupancy;
- c. maximum number of guest vehicles; and,
- d. a contact number for the licence holder / operator of the tourist accommodation.

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8. Guest Bookings

- 8.1 Every person carrying on the business of a *Bed & Breakfast, Vacation Rental or Guest House* must provide to the District upon request, booking records as produced directly from each online listing platform used to advertise the licensed premises in the current calendar year, on any day of the year between the hours of 8:00 am and 8:00 pm.

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 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 the name of their respective ticket agents to the District office, and the License Inspector, prior to approval or renewal of the business license, shall establish verification of such relationship. It is incumbent upon each individual Charter Operator to immediately advise the District office of any changes with respect to its ticketing agent.
5. All Charter Operators must supply proof of a \$2,000,000 (two million dollars) liability insurance to the District office prior to approval or renewal of the business license.

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Bylaw 931

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12. AGENTS

1. All 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.

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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.
2. 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

Bylaw 1069

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 \$2,000,000 (two million dollars) 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 no-alcoholic beverages.
- j) The operator of a Mobile Vending unit is responsible for the cleanup 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 of a week commencing at 7:00am and must cease on or before 10:00pm 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.

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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:

1. This Bylaw hereby repeals the District of Ucluelet Business License Bylaw No. 809, 1999, and amendments thereto in their entirety.
2. This bylaw may be cited for all purposes as "Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003."

READ A FIRST TIME this 2nd day of **December, 2003**

READ A SECOND TIME this 2nd day of **December, 2003.**

READ A THIRD TIME, as amended, this day 9th of **December, 2003.**

THIRD READING RESCINDED this 11th day of **December, 2003.**

READ A THIRD TIME, as amended, this 11th day of **December, 2003.**

ADOPTED this 16th day of **December, 2003.**

A CERTIFIED TRUE AND CORRECT COPY of the "Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003."

Gale Shier
Municipal Clerk

THE CORPORATE SEAL of the District
of Ucluelet was hereto affixed in the
presence of:

Dianne St. Jacques
Mayor

Gale Shier
Municipal Clerk

Schedule "A" was
deleted by Bylaw
1313

SCHEDULE "A"

Application & License Fees

Bylaw 1021 replaced all of Schedule "B" and was amended by 1069.

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	10(2)(b)	\$150.00	\$300.00

volt electrical supply			
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

Bylaw 1069
16.1(e) to
16.1 (l)