

# **THE CORPORATION OF THE VILLAGE OF MCBRIDE**



## **BUSINESS LICENCE**

**BYLAW NO. 533, 1994**

**AS ADOPTED**



**THE CORPORATION OF THE VILLAGE OF McBRIDE**

**BYLAW NO. 533**

A bylaw to authorize the issuance of business licenses within the boundaries of the Village of McBride.

---

**NOW THEREFORE** the Council of the Village of McBride, in open meeting assembled, **ENACTS AS FOLLOWS:**

**1. DEFINITIONS:**

In this Bylaw, unless the context otherwise requires:

- |                                  |   |
|----------------------------------|---|
| <b>"ACT"</b>                     | means the Municipal Act of the Revised Statutes of British Columbia.  |
| <b>"BUSINESS"</b>                | means the carrying-on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit.   |
| <b>"RESIDENT BUSINESS"</b>       | means a business carried on, in or from premises within the Municipality.   |
| <b>"NON - RESIDENT BUSINESS"</b> | means a business, other than a resident business, carried on within the Municipality, or with respect to which any work or service is performed within the Municipality.  |
| <b>"LICENCE INSPECTOR"</b>       | means the person from time to time duly appointed as Licence Inspector for the Municipality and also any person lawfully acting in that capacity.   |
| <b>"PEOPLE"</b>                  | in addition to its usual connotation, shall mean a human being, male or female, who is engaged in or connected with any business, trade, occupation, or calling within the Village of McBride and shall include an employer as well as an employee. |
| <b>"PERSON"</b>                  | in addition to its usual connotation, shall include a firm or partnership,  |

association, company, society, or body corporate, and the singular shall mean and include the plural, masculine and feminine and converse.

## 2. GENERAL REGULATIONS

- 2.1 No person shall carry on business within the Village without first having obtained and paid for a Village Business Licence, provided that this provision shall not apply to any business exempted from the requirement to hold a business licence by operation of any Provincial or Federal Statute or Regulation.
- 2.2 Except as may be specifically provided herein, any person carrying on more than one business shall obtain and pay for a separate Business Licence for each and every such Business.
- 2.3 The fees payable for a Business licence are those specified in Schedule "C" attached hereto and made part of this Bylaw.
- 2.4
- a) Every Licence granted pursuant to this Bylaw shall state that the holder is Licensed to carry on the business stipulated therein in a lawful manner for the period specified at the place therein stated.
  - b) Any person who carries on more than one business in or from any one premises shall obtain a separate Licence for each business.
  - c) For the purpose of this Bylaw, where a business is carried on, in or from more than one premises, the business carried on, in or from each premises shall be deemed a separate and distinct business.
  - d) No Licence shall be transferred from one person in respect of a certain premises to that same person in respect of other premises without prior approval of the

Licence Inspector, and the payment of Twenty (\$20.00) Dollars for the required transfer fee. Such transfer shall be refused by the Licence Inspector where the premises to which the applicant wishes to transfer the licence do not comply with the requirements of the Village regulating building, zoning, health, sanitation and business.

- e) The Licence Holder or person in charge or control of the premises wherein the business is carried on or practised, shall at all times keep the Licence or Licences prominently displayed in the sales or reception area of the premises to which the public has access, or an area designated by the Licence Inspector.
- f) Every holder of a Licence shall notify the Licence Inspector of any change in the mailing and/or the business address, the classification of the business, area of premises, the number of people or machines used in the operation of the business, or any alteration to the premises in which the business is carried out, and upon the termination of the carrying on of the business by the Licence Holder, he shall notify the Licence Inspector that the Licence is no longer required and shall surrender the licence to the Licence Inspector.
- g) Where a Licence Fee for any Business Licence herein is based on the number of chairs, seats, units, tables, apartments, rooms or the capacity of accommodation available, every person shall immediately after the completion of any changes in the number of chairs, seats, units, tables, apartments, rooms or the capacity of accommodation available, or any other condition upon which the said Licence Fee is based, notify the Licence Inspector and pay the additional fee which may be payable under the Bylaw as a result of this change.

- h) Every person carrying on a business for which the Licence Fee in Schedule "C" hereof is based upon the number of persons or units employed or engaged in the business, shall, before the first day of January of each and every year, advise the Licence Inspector as to the number of persons or units engaged in his respective business.

## 2.5

- a) Every person applying for a Licence, Transfer of Licence, or assignment of a Licence shall complete the form supplied by the Village for such purpose, a copy of which is attached hereto as Schedule "B" and forming part of this Bylaw, and shall tender the Licence fee as set out herein with such application. The Licence prescribed in this Bylaw shall be in the form as per Schedule "A" attached hereto and forming part of this Bylaw.
- b) No licence shall be issued until the fee thereof as set out in this bylaw has been paid to the village and the Business Licence Inspector has approved the granting of the Licence pursuant to section 2.10.
- c) Where the applicant for a Licence is a Corporation or Partnership, the Licence Inspector may require proof of incorporation or partnership.

## 2.6

Any person applying for a Licence for any business governed by any Federal or Provincial Statute shall supply proof to the Licence Inspector of his qualifications or of the qualifications of his employees to carry on such business.

## 2.7

- a) Except as hereinafter provided, Licences shall be granted for a one year period, to commence on the first day of January and to terminate on the thirty-first day of December in each and every year. The Licence Fee prescribed in this Bylaw

shall be reduced by one-half in respect of a person who becomes liable to be licensed after the thirty-first day of July in any year. No licence fee paid hereunder shall be refundable.

b) The period for a Licence in respect of a theatre, including drive-in theatre, amusement hall, concert hall, music hall, opera house, rink, amusement park or other such place of amusement or exhibition shall be for such length of time as stated upon the Licence, and may be for one (1) year, six (6) months, three (3) months, one (1) month, one (1) week, or one (1) day.

c) The period for a licence with respect to a circus, horse show, dog show, pony show or exhibition, elsewhere than in a licensed theatre or licensed place shall be for one (1) day.

2.8 Every Licence granted pursuant to this Bylaw shall be made out in duplicate, one copy of which shall be delivered to the person licensed and the other copy retained by the Inspector. The Licence so granted shall be deemed a personal Licence to the Licensee therein named.

2.9 In the event of a sale of the business for which such licence is issued, the Inspector may permit an assignment of the Licence to the Purchaser of the business on an application for assignment and upon payment of Twenty (\$20.00) Dollars for the required assignment fee. Such transfer shall not, however, be approved if the proposed Assignee is not a person qualified under the terms of this or any other Bylaw to carry on the business for which the Licence was issued, and if the premises do not comply with the requirements of the Bylaws of the Village regulating building, zoning, health, sanitation and business.

2.10 a) The Licence Inspector may grant a Licence

where he is satisfied that the applicant therefor has complied with the requirements of the Bylaws of the Municipality regulating building, zoning, health, sanitation and business, and may suspend for such period as he may determine any Licence if the holder of the Licence:

- i) is convicted of an offense indictable in Canada;
  - ii) 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 his Licence;
  - iii) has, in the opinion of the Licence Inspector been guilty of such gross misconduct in respect to the premises named in his Licence as to warrant the suspension of his Licence;
  - iv) has ceased to meet the lawful requirements to carry on the business for which he is licensed or with respect to the premises named in his licence;
- b) Any person whose Licence has been suspended under this section may appeal to the Council, and upon appeal the Council may confirm or may set aside such suspension on such terms as it may think fit.
- c) The Council may revoke a Licence for reasonable cause after giving notice to the Licensee and after giving the Licensee an opportunity to be heard.
- d) The notice and opportunity to be heard referred to in sub-section (c) of this section is not required in respect of the Licensee who by reasonable efforts cannot be found.
- e) The Licence Inspector may, upon receiving an application for a Business Licence, refer the decision of granting or

refusing to grant such a Licence to Council, who, for that purpose, may conduct a hearing pursuant to Section 2.10 (c) and (d) hereof.

f) The suspension of a Licence by the Licence Inspector shall be made by notice in writing signed by the Licence Inspector and served on the person holding such Licence or delivered to the Holder of such Licence by registered mail to the address given by the Licensee on the Application for Licence. A notice of such suspension of Licence may be posted by the Licence Inspector upon the premises for which the Licence was issued and such notice shall not be removed until the Licence is reinstated, the former Licensee ceases to occupy the premises, or a new business other than the one carried on by the former Licensee is started in the premises, whichever occurs first.

g) The provisions of 2.10 (f) apply mutatis mutandis to the revocation of a licence.

2.11

Notwithstanding anything contained in this Bylaw, no person shall carry on any business, a purpose of which is to engage in or permit, allow, facilitate, encourage or assist others to engage in, any activity which violates any of the provisions of the Criminal Code of Canada.

3. FEEES

The business classifications set out in this division are deemed to be separate and distinct, and each business shall obtain a Licence and pay the prescribed fees for each business classification.

The fees payable under this division shall be those prescribed in Schedule "C" attached hereto and forming part of this Bylaw.



4. OFFENSES - PENALTY

4.1

Any Person who:

- a) carries on a business for which a Licence is required pursuant to this Bylaw, without holding a valid and subsisting Licence for the business, or
  - b) tenders a cheque or other negotiable instrument in full or partial payment of any Licence Fee payable hereunder, if such cheque or negotiable instrument is dishonoured upon presentation for payment, or
  - c) fails to display a valid and subsisting Licence, or Licences as required by the provisions of this Bylaw, or
  - d) fails to furnish any information or documentation as required by the provisions of this Bylaw, or
  - e) carries on or remains open for business after receiving notice that his Licence has been suspended or revoked, or
  - f) is governed by any regulation under the provisions of this Bylaw, who fails to comply with these regulations, or
  - g) violates or does any act or thing which violates any provisions of this Bylaw, or
  - h) suffers, or permits any act or thing to be done in violation or contravention of any of the provisions of this Bylaw, or
  - i) neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw,
- is guilty of an offence.

4.2

- a) Any person guilty of an offence is punishable in accordance with the Offence Act.

- 4.2      b)      Notwithstanding anything herein contained, the amount of any and every Licence payable by any person pursuant to the provisions of this Bylaw shall be a debt due by that person to the Municipality which shall be recoverable, together with costs in any Court of competent jurisdiction.
- c)      The minimum penalty that may be imposed upon any person found guilty of an offence hereunder, shall be Fifty (\$50.00) Dollars for each offence.
5.                      This bylaw shall come into full force and effect upon registration with the Minister of Municipal Affairs.
6.                      The "Village of McBride Business Licence Bylaw No. 373, 1982" and the "Village of McBride Business Licence Amendment Bylaw No 404, 1984" are hereby repealed.
7.                      This Bylaw may be cited for all purposes as the "Village of McBride Business Licence Bylaw No. 533, 1994".

READ A FIRST TIME THIS 28TH DAY OF JUNE 1994.

READ A SECOND TIME THIS 28TH DAY OF JUNE 1994.

READ A THIRD TIME THIS 9TH DAY OF AUGUST 1994.

RECONSIDERED AND ADOPTED THIS 27TH DAY OF SEPTEMBER 1994.



Clerk



Mayor

Certified a true copy of the  
"Village of McBride Business  
Licence Bylaw No. 533, 1994"  
as adopted.



Clerk

A true copy of By-Law No. 533  
registered in the office of the Inspector  
of Municipalities this 28<sup>th</sup> day of  
October 1994.



Deputy Inspector of Municipalities

THE CORPORATION OF THE VILLAGE OF MCBRIDE

BYLAW NO. 533

SCHEDULE "A"



Village of McBride

SCHEDULE "A"

1863 TL

LICENCE

\_\_\_\_\_ has paid

the sum of \_\_\_\_\_ DOLLARS

in respect of a Licence to me, the undersigned, and is entitled to carry

on the business of \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

at McBride, B.C., from the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_,

to the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_.

\$ \_\_\_\_\_ Collector

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_.

THE CORPORATION OF THE VILLAGE OF McBRIDE

BYLAW NO. 533

SCHEDULE "C"

1. AUCTIONEERS:

From every person selling property by auction (not being a Crown Officer selling Crown property by auction, or a Sheriff's Officer, or a Bailiff selling lands, goods or chattels under a judgement or in satisfaction of rent or taxes), Fifty-five Dollars (\$55.00) for each year.

2. CIRCUSES AND CARNIVALS:

From every person who exhibits a public circus, carnival, menagerie, hippodrome, horse show or pony or dog show, Fifty-five Dollars (\$55.00) for each day of such exhibition.

3. CONTRACTORS:

(a) From every person carrying on the business of a plumber, heating or sanitary engineer, building contractor, electrical contractor or any contractor who does any work, performs any service or supplies material, the sum of Fifty-five Dollars (\$55.00) for each year.

(b) From every general contractor the sum of One Hundred and Ten Dollars (\$110.00) for each year.

4. CARTAGE SERVICE:

From every person carrying on the business of cartage services, the sum of Fifty-five Dollars (\$55.00) for each year.

5. HAWKER, PEDDLER OR HUCKSTER:

(a) From every Hawker, Peddler or Huckster the sum of Two Hundred and Twenty Dollars (\$220.00) for each year.

(b) Every licence granted under Section 5 shall be deemed a personal licence of each Hawker, Peddler, or Huckster. A firm or partnership, association, company or Corporation shall be required to take out a separate license for each Hawker, Peddler or Huckster.

6. HORSE RACING:

From every person who conducts horse racing the sum of Fifty-five Dollars (\$55.00) for each day.

7. VEHICLES FOR HIRE:

From every person owning or keeping Cabs, or renting or leasing carriages, carts, drays, trucks, motor cars, automobiles or other conveyance or vehicle for hire the sum of Fifty-five Dollars (\$55.00) for each year.

8. TRAILER COURTS:

From every person within the Village operating a Trailer Court, whether in connection with an auto court or not, the sum of Fifty-five Dollars (\$55.00) for each year.

9. VENDING MACHINES - MUSIC ETC.:

From every person who makes available for use or operation any vending machine for vending amusement of any kind including machines vending music, the sum of Fifty-five Dollars (\$55.00) for each year.

10. PERFORMERS OR ENTERTAINERS:

(a) From every person exhibiting for gain or profit, waxworks, circus riding, ropewalking, dancing, tumbling, wrestling, or other acrobatics or gymnastic performances, wild animals, trained animals, natural or artificial curiosities, legerdemain jugglery or other like tricks, glass-blowing tableaux, or other performances, collections or exhibits, when the same is exhibited elsewhere than in a theatre or other place licensed under this Bylaw, the sum of Thirty Dollars (\$30.00) for each day of exhibition.

(b) From every person exhibiting for profit or gain, any professional sports, the sum of Thirty Dollars (\$30.00) for each day of exhibition.

11. BUSINESSES, TRADES AND PROFESSIONS:

From every person who practices, follows, engages in or carries on any business, profession or trade within any building or premises in the Municipality, for each square metre of usable floor space:

Up to and including 100 sq M	\$55.00 per year
Over 100 sq M up to and including 200 sq M	\$80.00 per year
Over 200 sq M up to and including 500 sq M	\$110.00 per year

Over 500 sq M up to and including 1000 sq M    \$135.00 per year

Over 1000 sq M    \$160.00 per year

12. OTHER:

From any person following within the Municipality, any profession, business, trade, occupation, employment or calling, not hereinbefore enumerated, or who enters into, or carries on any contract to perform any work, or furnish any material, the sum of Fifty-five Dollars (\$55.00) for each year.

THE CORPORATION OF THE VILLAGE OF MCBRIDE

**BY-LAW NO. 565**

A By-law to amend By-law No. 533, 1995

The Council of the Corporation of the Village of McBride in open meeting assembled enacts as follows:

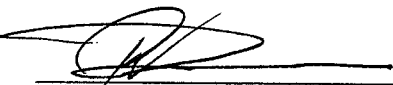
1. That By-law No. 533, 1994 of the Corporation of the Village of McBride, being the "Village of McBride Business Licence By-law No. 533, 1994" be, and is hereby amended by deleting schedule "C" thereof and substituting therefore the attached schedule "C" which is declared to form and be a part of this By-law.
2. That this By-law shall be known and cited for all purposes as the "Village of McBride Business Licence Amendment By-law No. 565, 1997".

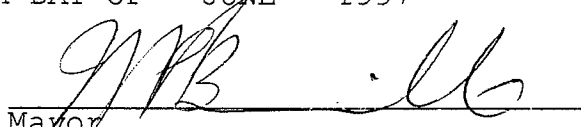
READ A FIRST TIME THIS 13TH DAY OF MAY 1997

READ A SECOND TIME THIS 27TH DAY OF MAY 1997


READ A THIRD TIME THIS 27TH DAY OF MAY 1997

RECONSIDERED AND ADOPTED THIS 10TH DAY OF JUNE 1997

  
Clerk

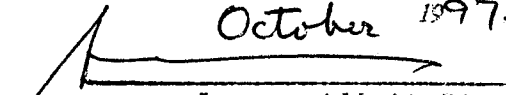
  
Mayor

Certified a true copy of the  
"Village of McBride Business  
Licence Amendment By-law  
No. 565, 1997".

  
Clerk

A true copy of By-law No. 565  
registered in the office of the Inspector  
of Municipalities this 26<sup>th</sup> day of

October 1997.

  
Inspector of Municipalities

FOR

THE CORPORATION OF THE VILLAGE OF McBRIDE

BYLAW NO. 533

SCHEDULE "C" AS AMENDED

1. AUCTIONEERS:

From every person selling property by auction (not being a Crown Officer selling Crown property by auction, or a Sheriff's Officer, or a Bailiff selling lands, goods or chattels under a judgement or in satisfaction of rent or taxes), Sixty Dollars (\$60.00) for each year.

2. CIRCUSES AND CARNIVALS:

From every person who exhibits a public circus, carnival, menagerie, hippodrome, horse show or pony or dog show, Sixty Dollars (\$60.00) for each day of such exhibition.

3. CONTRACTORS:

(a) From every person carrying on the business of a plumber, heating or sanitary engineer, building contractor, electrical contractor or any contractor who does any work, performs any service or supplies material, the sum of Sixty Dollars (\$60.00) for each year.

(b) From every general contractor the sum of One Hundred and Twenty Dollars (\$120.00) for each year.

4. CARTAGE SERVICE:

From every person carrying on the business of cartage services, the sum of Sixty Dollars (\$60.00) for each year.

5. ITINERENT PEDDLER:

(a) From every Itinerent Peddler the sum of Two Hundred and Twenty Dollars (\$220.00) for each year.

(b) Every licence granted under Section 5 shall be deemed a personal licence of each Itinerent Peddler. A firm or partnership, association, company or Corporation shall be required to take out a separate license for each Itinerent Peddler.



6. MARKET GARDEN / FLEA MARKETS

From every Organization who operates a market garden or flea market consisting of local participants, the sum of Two hundred and twenty Dollars (\$220.00) for each year.

7. HORSE RACING:

From every person who conducts horse racing the sum of Sixty Dollars (\$60.00) for each day.

8. VEHICLES FOR HIRE:

From every person owning or keeping Cabs, or renting or leasing carriages, carts, drays, trucks, motor cars, automobiles or other conveyance or vehicle for hire the sum of Sixty Dollars (\$60.00) per unit for each year.

9. TRAILER COURTS:

From every person within the Village operating a Trailer Court, whether in connection with an auto court or not, the sum of Sixty Dollars (\$60.00) for each year.

10. VENDING MACHINES - MUSIC ETC.:

From every person who makes available for use or operation any vending machine for vending amusement of any kind including machines vending music, the sum of Sixty Dollars (\$60.00) for each year.

11. PERFORMERS OR ENTERTAINERS:

- (a) From every person exhibiting for gain or profit, waxworks, circus riding, ropewalking, dancing, tumbling, wrestling, or other acrobatics or gymnastic performances, wild animals, trained animals, natural or artificial curiosities, legerdemain jugglery or other like tricks, glass-blowing tableaux, or other performances, collections or exhibits, when the same is exhibited elsewhere than in a theatre or other place licensed under this Bylaw, the sum of Thirty-five Dollars (\$35.00) for each day of exhibition.

- (b) From every person exhibiting for profit or gain, any professional sports, the sum of Thirty-five Dollars (\$35.00) for each day of exhibition.

12. BUSINESSES, TRADES AND PROFESSIONS:

From every person who practices, follows, engages in or carries on any business, profession or trade within any building or premises in the Municipality, for each square metre of usable floor space:

Up to and including 100 sq M	\$60.00 per year
Over 100 sq M up to and including 200 sq M	\$88.00 per year
Over 200 sq M up to and including 500 sq M	\$120.00 per year
Over 500 sq M up to and including 1000 sq M	\$150.00 per year
Over 1000 sq M	\$175.00 per year

12. OTHER:

From any person following within the Municipality, any profession, business, trade, occupation, employment or calling, not hereinbefore enumerated, or who enters into, or carries on any contract to perform any work, or furnish any material, the sum of Sixty Dollars (\$60.00) for each year.