

This is a consolidated copy of the following bylaws, provided for CONVENIENCE only.

1. Anmore Business Licencing Bylaw No. 263-1999
2. Anmore Business Licencing Amendment Bylaw No. 307-2001
3. Anmore Business Licencing Amendment Bylaw No. 565-2017

For copies of the individual bylaws, please contact the Manager of Corporate Services.

VILLAGE OF ANMORE

BYLAW NO. 263-1999

A bylaw to provide for the Licensing and Regulating of Businesses

WHEREAS section 653 of the *Municipal Act*, being chapter 323 of the Revised Statutes of British Columbia, 1996, provides that the Council may by bylaw provide for the licencing and regulating of businesses.

NOW THEREFORE, the Council of the Village of Anmore, in open meeting assembled, enacts as follows:

TITLE

1. This bylaw may be cited as "Anmore Business Licencing Bylaw No. 263-1999".

REPEAL

2. That "Village of Anmore Business Licencing Bylaw No. 14-1988", "Licencing and Regulating of Business Amending Bylaw No. 35-1989" and "Anmore Business Licencing Amending Bylaw No. 198-1993" are hereby repealed.

DEFINITIONS

3. In this bylaw, unless the context otherwise requires:
 - (a) **Act** means the "Municipal Act" being Chapter 323 of the Revised Statutes of British Columbia, 1996 as amended from time to time;
 - (b) **Accessory Home Business** means a business carried on in a residential dwelling only by a resident of that dwelling, which business is accessory and subordinate to the residential use and does not alter the residential appearance of character of the building in which it is located;
 - (c) **Accessory Home Business (Contractor)** means a person who carries on the business of performing construction, alteration, repair work, or maintenance upon a building, structure, or other improvement, and is based in a residential dwelling.

- (d) **Business** means carrying on 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;
- (e) **Collector** means the Village's Collector appointed from time to time in accordance with the provisions of the Act and includes any acting or assistance collector;
- (f) **Contractor** means a person who carries on the business of performing construction, alteration, repair work, or maintenance upon a building, structure, or other improvements for 2 or more days within the municipal boundaries;
- (g) **Council** means the Municipal Council of the Village of Anmore;
- (h) **Employee** means a person engaged on a full time or part time basis in the operation of a business, whether employed on a salaried, commission or other basis, and includes any owners, partners or principals engaged in the operation of the business;
- (i) **Home Based Business** means a business carried on in a residential dwelling by a resident and/or employees, which business is accessory and subordinate to the residential use and has regular business hours open to the public;
- (j) **Improvement** means anything constructed, or added to, in, upon or under land;
- (k) **Licence** means a valid and subsisting business licence issued pursuant to this bylaw;
- (l) **Licencee** means the person who holds a Licence;
- (m) **Licence Inspector** means a person appointed from time to time by the Council as Licence Inspector for the Village;
- (n) **Mobile Vendor** means a person who, either on his own account or as an officer, servant, or agent of another, sells or offers for sale goods from a mobile truck or other vehicle;
- (o) **Village** means the Village of Anmore.

LICENCE REQUIREMENT

4. Subject to section 654 of the Act:

- (a) No person shall carry on a business in the Village without a Licence;

- (b) Every person who owns or operates any business within the Village shall apply for, obtain and hold a Licence for each business.

LICENCE FEE

- 5. Every person who obtains a Licence shall pay, in advance, the applicable licence fee prescribed in Schedule "A" to this bylaw, provided that:
 - (a) An annual licence fee prescribed in Schedule "A" shall be reduced by one-half in respect of a Licence issued after July 31st in any year. A semi-annual licence does not qualify for this reduction.
 - (b) No refund on an annual licence fee shall be made on account of any person ceasing to do business at any time. A licence fee shall be refunded only if the Licence application is withdrawn prior to issuance of the Licence or if issuance of the Licence is refused.

LICENCE INSPECTOR'S POWERS

- 6. The Licence Inspector shall have to power to grant, issue or transfer licences as hereinafter provided and subject to the provisions of section 667 of the Act.

INSPECTIONS

- 7. Every Licence Inspector, Fire Prevention Officer, Medical Health Officer and Bylaw Enforcement Officer of the Village may enter at all reasonable times on any property that is subject to this bylaw to ascertain whether the regulations in this bylaw are being observed.

APPLICATIONS FOR A LICENCE

- 8. The application for a licence shall be on the form set out in Schedule "B" of this bylaw and shall be 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 by the duly authorized agent of all the members of the partnership.
- 9. The application form shall be delivery to the Licence Inspector and shall be accompanied by the fee prescribed in Schedule "A" of this bylaw.
- 10. The Licence Inspector is hereby authorized to modify the forms prescribed or any of the administrative procedures prescribed and to require such additional information as may be deemed necessary by him when dealing with any owner applying for a licence pursuant to this bylaw.

11. All fees paid pursuant to the provisions of this bylaw shall be deemed to be monies paid to the Village and shall forthwith be paid to the Treasurer who shall deal with same in the manner provided by the Act.
12. All applications for licences shall give a full description in detail of the premises in or upon which the applicant intends to carry on a business for which he has made an application for a licence and no person to whom the licence has been granted shall carry on a business upon any premises other than those set forth in the said application without first making an application under this section for a new licence or for a transfer of such licence as hereinafter provided.

LICENCE FORM

13. Every licence shall be in the form set out in Schedule "C" to this bylaw and shall be made out in duplicate. One copy shall be delivered to the Licencee and the Licence Inspector shall retain the other copy.

LICENCE PERIODS

14. Licences may be granted on an annual basis or semi-annual basis. If the Licence is issued on an annual basis the period of the licence is January 1st and expires December 31st. If the Licence is issued on a semi-annual basis the period of the licence is October 31st to April 30th and April 30th to October 31st.

DISPLAY OF LICENCE

15. Every Licencee shall keep the Licencee's copy of the Licence posted in a conspicuous place on the premises in respect of which the Licence is issued. Where the Licencee has not business premises in the Village, the Licence shall be carried upon the Licencee's person at all times when the Licencee is engaged within the Village in the business for which the Licence was issued.

EFFECT OF LICENCE

16. A Licence authorizes only the person named in the Licence to carry on only the business described in the Licence, and only at the premises or locations described in the Licence.
17. A Licence is not a representation or warranty that the licenced business or the business premises comply with the bylaws of the Village or with any other regulations or standards.

LICENCE RENEWAL

18. The Licence Inspector may forward a Business Licence Invoice on or before September 30th in each year, to every Licencee. Notwithstanding this section, the Licencee shall be responsible for obtaining and submitting a Business Licence Invoice as required.

19. A Licencee who proposes to renew a Licence shall submit the Business Licence Invoice and annual Licence Fee to the Licence Inspector prior to expiry of the Licence on October 31st.
20. If a Licence is not renewed as required by section 19, the Licence shall be suspended and a Licencee who wishes to continue to carry on the business shall pay an additional Licence fee of \$50.00.
21. Receipt of a Business Licence shall serve as confirmation that the Licence has been renewed.

LICENCE TRANSFERS - NEW PREMISES

22. No person shall carry on a business upon any premises other than those described in the initial Licence application without first making an application under this section for a new Licence or for a transfer of the original licence.
23. Any person proposing to obtain a transfer of a Licence with respect to a change of premises shall make application as required by Schedule "B" and the powers, conditions, requirements and procedures relating to the Applications for a Licence apply, except as to licence fees.

LICENCE TRANSFERS - PERSON TO PERSON

24. Any person who acquires a business or a controlling interest in any business from any person licenced under this bylaw shall not carry on such business without first having obtained approval for a transfer of the Licence.
25. Any person proposing to obtain a transfer of a Licence held by any other person shall make application in the form of Schedule "B" and the powers, conditions, requirements and procedures relating to the Applications for a Licence apply, except as to Licence Fees.

TRANSFER FEES

26. The fee payable for Licence Transfers is \$10.00.

COUNCIL MAY REFUSE TO GRANT LICENCE

27. Council may, on the affirmative vote of at least 2/3 of its members, refuse in any particular case to grant the request of an applicant for a licence under this bylaw, but the granting or renewal of a licence must not be unreasonably refused.

DOOR TO DOOR SALES

28. No person shall carry on business through unsolicited visits to any residence in the Village.

CONTRACTORS

29. Every person licenced as a Contractor shall provide the Licence Inspector with a list on a form provided by the Licence Inspector of all sub-trades to be engaged on each specific site, prior to commencement of any work on the site.

TOWING BUSINESSES

AMENDED BY BYLAW NO. 307-2001

30. No person engaged in the business of towing motor vehicles shall demand or collect any charge or fee of any kind for towing, prepared for towing, removal, handling, impounding and storage of a vehicle or for any other services, where the towing or other services are provided without the vehicle owner's written consent. The maximum charge to be collected shall be the current published I.C.B.C. rates and the \$25.00 Administration Fee to the Village.

AMENDED BY BYLAW NO. 307-2001

31. No person engaged in the business of towing motor vehicles shall, without the owner's consent, tow a vehicle from a private parking lot, highway, or public place unless it is taken to the impoundment lot of the towing business, which is protected by a locked fence and has an attendant on duty at all times when there is a vehicle impounded in the impoundment lot.

CLASSIFICATION

32. For the purposes of this bylaw, businesses are classified in accordance with Schedule "A" to this bylaw.

SEVERABILITY

33. If any provision of this bylaw is held to be invalid, the invalid portion shall be severed from the bylaw and that invalidity shall not affect the remainder of the bylaw.

SCHEDULES

34. Schedules "A" through "B" form part of this bylaw.

OFFENCE

AMENDED BY BYLAW NO. 565-2017

35. Any person who contravenes section 4 of this bylaw is guilty of an offence and, on summary conviction, is liable to the fine as outlined in the Anmore Municipal Ticket Information Utilization Bylaw No. 479-2009, and any amendments thereto. Each day that a violation of this bylaw continues shall constitute a separate offence.

36. This bylaw shall come into effect upon final adoption thereof.

READ a first time this 12th day of October, 1999 A.D.

READ a second time this 12th day of October, 1999 A.D.

READ a third time this 12th day of October, 1999 A.D.

RECONSIDERED, FINALLY PASSED AND ADOPTED this 25th day of October, 1999 A.D.

H. Weinberg

MAYOR

H. Carley

CLERK

SCHEDULE "A"
BYLAW NO. 263-1999**BUSINESS CLASSIFICATION AND LICENCE FEES**

Please Note: All fees for 12-month period unless otherwise stated

Classification of Business	Annual Licence Fee Payable
* FEES AMENDED BY ANMORE FEES AND CHARGES BYLAW NO. 557-2016	
Accessory Home Business	*
Accessory Home Business (Contractor)	*
Bed & Breakfast	*
Campground	*
Contractor 1- 4 people	*
5-10 people	*
11-15 people	*
16-20 people	*
Daycare Centre	*
Equestrian Centre	*
Filmmaking	*
Home Based Business	*
Manufactured Home Park	*
Sales Retail/Wholesale	*
Societies (non-profit)	*

SCHEDULE "B"

BYLAW NO. 263-1999

APPLICATION FOR BUSINESS LICENCE

FEE: _____

1. NAME OF BUSINESS: _____

2. BUSINESS LICENCE APPLIES FOR: _____

3. NAME OF APPLCANT: _____

4. ADDRESS: _____

5. TELEPHONE NUMBERS- RESIDENCE: _____ BUSINESS: _____

6. HAVE YOU HELD A LICENCE IN ANMORE BEFORE - YES/NO

7. IF YOU HAVE NOT HELD A LICENCE IN ANMORE HAVE YOU HELD A LICENCE IN ANY OTHER MUNICIPALITY, IF YES, PLEASE STATE WHERE:

8. HAS YOUR BUSINESS LICENCE EVER BEEN CANCELLED, REFUSED OR SUSPENDED? YES/NO. IF SO, WHY? _____

I hereby apply for a Business Licence with particulars above which I declare true and correct. I undertake, if granted the licence, to comply with all obligations, bylaws, present and future, in the Village of Anmore.

DATE: _____ SIGNATURE: _____

Office Use Only:
Licence Issued

BY: _____ NUMBER: _____

SCHEDULE "C"

BYLAW NO. 263-1999

LICENCE FORM
