

CITY OF PARKSVILLE

BYLAW NO. 1550

CITY OF PARKSVILLE BUSINESSES LICENCE BYLAW

WHEREAS Council may, pursuant to Section 8(6) of the *Community Charter*, regulate in relation to business;

AND WHEREAS in regulating business, Council may, pursuant to Section 15 of the *Community Charter*, provide for a system of licences, permits or approvals and impose terms and conditions for obtaining, continuing to hold or renewing a licence, permit or approval and specify the nature of the terms and conditions and who may impose them;

AND WHEREAS Council may, pursuant to Section 154 of the *Community Charter*, delegate its power, duties and functions to an Officer or employee of the City, which delegation may, under Section 60(4) of the *Community Charter* include the authority to grant, refuse, suspend or cancel a business licence;

AND WHEREAS Council has given notice of its intention to adopt this bylaw by publishing such notice in two consecutive issues of a newspaper and has provided an opportunity for persons who consider they are affected by this bylaw to make representations to Council at a hearing pursuant to Section 59 of the *Community Charter*;

NOW THEREFORE the Council of the City of Parksville in open meeting assembled hereby enacts as follows:

1. CITATION

This bylaw may be cited as City of Parksville "Business Licence Bylaw, 2018, No. 1550".

2. DEFINITIONS

In this bylaw, unless the context otherwise requires,

ACCESSORY CARRIAGE HOUSE means a dwelling unit which is contained in a building separate from a single family dwelling on the same lot and which is intended as a fixed place of accommodation and home life, where payment and occupancy occurs on a monthly or greater duration and excludes any tourist accommodation use.

ANIMAL CARE means the provision of services related to household pets such as grooming, boarding, or breeding of animals other than livestock.

AGRICULTURE means a business conducted from a property specifically zoned to permit agriculture and includes the growing, processing, packaging and harvesting of agricultural crops, the rearing, keeping and selling of livestock, chickens, or animal products including milk, eggs, fibre or meat; excludes cannabis trade and medical marijuana facilities.

BANK means a chartered bank or credit union as defined by the Bank Act of Canada, or other business that accepts money on deposit for custody, subject to cheque or draft, or a business which discounts bills, notes or drafts.

BED AND BREAKFAST ACCOMMODATION means the use of rooms within a single family dwelling to provide temporary sleeping accommodation for tourists where the room rate includes breakfast provided on the premises, served before noon and where the maximum length of occupancy by a patron is not more than 30 days in a 12 month period. Food preparation facilities must be approved by the local Health Authority.

BUSINESS means engaging in a trade, handicraft, commercial, retail or industrial activity of any kind or the provision of professional services for gain or profit, and includes promotional activities or advertising a business, service or for-profit event, but does not include an organization, which in the opinion of the Licence Inspector, is operating solely for charitable or non-profit purposes.

CANNABIS means any part of a cannabis plant, including the phytocannabinoids produced by or found in such a plant, whether processed or not, and includes concentrates or oils derived from any part of such a plant.

CANNABIS ACCESSORIES includes paraphernalia for smoking, vaping or consuming cannabis including bongs, vaporizers, wraps, pipes, water pipes.

CANNABIS TRADE includes the advertising, producing, growing, processing, wholesaling or retail sale of medicinal and recreational cannabis or cannabis accessories and includes research and design activities.

CAMPGROUND means the use of land for temporary recreational accommodation by travelling members of the public in tents and recreational vehicles which are not occupied as principal residences.

CITY means the area governed by the City of Parksville including the area of land and water lying within the City's jurisdictional boundaries.

CORPORATE OFFICER means the Director of Administrative Services for the City of Parksville as appointed by Council and assigned responsibilities under Section 148 of the *Community Charter*.

COUNCIL means the elected Mayor and Councillors of the City of Parksville.

DAY CARE means a residential or commercial day care, group day care, specialized day care, nursery school, or out of school care, established pursuant to provincial regulations.

DIRECT SELLER means a person who invites or makes appeals, or requests or importunes by personal contact without specific invitation, business, patronage or support of the said resident including door to door sales.

EMPLOYEE means a person who is employed on a full-time, part-time or temporary basis; includes owner/operator.

ENTERTAINMENT means activities provided for amusement or enjoyment including live acting, vaudeville acts, stage dancing, conjuring, singing, instrumentals, drive-in theatre, orchestral music, movies, circus, carnival, or trade fair.

ENVIRONMENTAL HEALTH OFFICER means the Environmental Health Officer duly appointed by the Province of British Columbia for the City of Parksville and includes any Acting or Assistant Environmental Health Officer.

FIRE CHIEF means the Fire Chief duly appointed by Council from time to time and shall include the Deputy Fire Chief.

FOOD CATERER means any person who prepares and offers for sale food for consumption at premises other than where that person carries on the business.

FLOOR AREA means the sum total of horizontal area of business premises, contained within a building or buildings.

GROUND AREA means the area outside a building that is used for display purposes or to service customers, but shall not include those areas set aside exclusively for the purpose of the employees or participants of the business.

HANDICRAFTS AND ARTS means any occupation carried on for consideration using personal skills, is owner operated and is not being carried on from fixed commercial premises; for example: writing, sewing, knitting, teaching, ceramics, painting, sketching, etc.

HOME BASED BUSINESS means an occupation, profession or handicraft conducted as a secondary use to a residential use in accordance with the City of Parksville zoning bylaw and amendments thereto; includes a family day care for up to seven (7) children.

KIOSK means a table, stand, wagon or other structure from which merchandise, other than food that requires a food handler's permit, is offered for sale and is located at an approved site within an enclosed shopping mall, but is not affixed permanently to the site.

LICENCE INSPECTOR means the employee(s) of the City of Parksville so designated from time to time by the Chief Administrative Officer.

LIQUOR PRIMARY ESTABLISHMENT means any liquor primary establishment as defined by the *Liquor Control and Licensing Act* and amendments thereto and includes neighbourhood public lounge, bar, tavern, beer parlour, night club or disco but specifically excludes liquor primary club licenced establishments.

LIQUOR PRIMARY CLUB LICENCE means land or buildings used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business, fraternal

organization or club as defined in the Liquor Control and Licensing Act of British Columbia and amendments thereto. Private clubs may include rooms for eating, drinking and general assembly and may hold a Liquor Primary Licence.

MANUFACTURED/MOBILE HOME means a structure constructed primarily in a factory to federal construction and safety standards, is transportable in one or more sections and when erected on site is designed as a principal residence for single family occupancy.

MANUFACTURED/MOBILE HOME PARK means an area of land on which two or more manufactured/mobile homes are located.

MEDICAL MARIHUANA PRODUCTION AND/OR RESEARCH FACILITY means any person carrying on the business of the cultivation, production, packaging and scientific research of medical marihuana wholly within a building, but specifically excludes sales on the premises or medical marihuana research.

MONEY STORE means any person carrying on the business of cashing cheques for a fee, making pay day or short terms loans, or money wiring services, but is not a bank.

OFFICER IN CHARGE means the Officer in Charge or his Deputy of the RCMP Detachment serving the City.

OUTDOOR STORAGE AREA means and includes any outdoor area adjacent to or forming part of any business premises, but shall not include the portion of any area set aside for free parking facilities provided by the owner or operator of the business for the exclusive use of customers.

PAWNBROKER means a person who loans money on deposit of pledge of personal property, on the condition of selling the ware back at a stipulated price, or exhibits a sign "Money to loan on personal property on deposit or pledge" or a sign with words to similar effect.

PERSON has the meaning ascribed to it by the *Interpretation Act*.

PERSONAL CARE FACILITY means a community care facility as defined by the Community Care Facility Act that provides personal care to three (3) or more adults.

PERSONAL SERVICE ESTABLISHMENT means an establishment providing personal grooming services and includes barber shop, beauty parlour, suntan studio, tattoo parlour, or manicure parlour.

PREMISES shall include store, studio, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied by any person for the purpose of any business, trade, service or occupation and shall also mean any area situated within any of the foregoing where more than one separate and distinct class or classification of business is also carried on.

PROFESSIONAL includes a person practising any profession governed by federal or provincial statutes, including but not limited to:

Accountant, Agrolgist, Appraiser, Architect, Auctioneer, Business Consultant, Broker, Chiropractor, Consultant, Dentist, Dental Surgeon, Designer or Drafter, Engineer, Medical Specialist, Medical Doctor, Registered Massage Therapist, Notary Public, Optician, Pharmacist, Physiotherapist, Planner, Physician, Psychiatrist, Psychologist, Real Estate Agent, Solicitor/Barrister, Surveyor, Veterinarian.

RECREATION means the use of land or buildings for organized commercial recreational purposes, including, but not limited to sporting activities, mini-golf, golf course, driving range.

RESIDENTIAL RENTAL ACCOMMODATION means any building or premises not being a hotel, motel or rooming house, and which is divided into not less than three dwelling units, occupied or equipped to be occupied as rental accommodation for a monthly or greater duration, but specifically excludes tourist accommodation and bed and breakfast uses.

RESTAURANT means any dining lounge, coffee shop, coffee counter, tea room, ice cream parlour, eat-in or take-out, or drive-through establishment, with a fixed location principally within a building in which prepared foods and/or beverages are prepared for consumption on or off the premises, in exchange for money or services.

RETAIL TRADE means a business that sells or offers for sale to any other person by retail, any goods, wares, merchandise, services or other commodity; excludes cannabis trade.

SECONDARY SUITE means an accessory residential unit contained within a single family dwelling.

SECURITY SERVICE AND PATROL means any person who, by contract or agreement, undertakes to watch or patrol the premises of more than one person for the purposes of guarding and protecting person and/or property against robbery, theft, burglary or other hazards.

SHOPPING CENTRE ADMINISTRATION means a business that manages and rents premises for two or more independent retail stores or services located on a parcel of land.

SPECIAL EVENT means a temporary extraordinary event which operates for one to seven days or seasonally such as a summer festival or weekly market and includes farmer's markets, craft fairs, bake sales, trade shows, auctions or other gathering of people at a temporary location for selling, offering for sale, bartering, demonstrating or buying goods or services.

SPECIALTY FOOD VENDOR means a self-contained vehicle designed for the purpose of food and beverage preparation and sales for take-away consumption.

TOURIST ACCOMMODATION means any building or property containing three (3) or more rental dwelling or sleeping units, including a motel, hotel, resort or other temporary accommodation premises for use by the travelling public, but excludes campgrounds.

VEHICLE means any device in, on or by which a person or thing can be transported.

VEHICLE DEALER means a person who carries on the business of displaying for sale, selling, or renting motor vehicles including cars, trucks, SUVs, vans, motorcycles, mopeds, boats, recreation vehicles, recreation trailers, related accessories and may include vehicle repairs.

VEHICLE DRIVER SERVICES includes a person who carries on the business of driving a vehicle whether owned by a private individual, company or person for the purpose of transporting individual(s) for compensation.

VENDING MACHINE means any machine or device operated by the insertion of any slug or coin for the purpose of selling or disposing of any goods, wares, merchandise or articles or for the purpose of providing music, games, amusement or service of any kind but shall not mean or include any machine or device that is controlled by the Criminal Code of Canada, which emits or gives out there from any coin, disc, token or slug, either with or without the accompaniment of any goods, wares, merchandise or articles or of any premium whatsoever, or any machine or device, wherein by operation as aforesaid, any numerals, signs, pictures of figures, or any combination thereof are displayed or result from the playing or operation of any such machine or device but specifically excludes amusement machine or gaming machine.

3. LICENCE REQUIREMENTS

1. Every person following, practicing, carrying on, maintaining, or owning within the City, any business, shall take out and maintain a licence paying in advance for such licence the sum as specified in Schedule "A".
2. All applications for licences under this bylaw shall be made to the Licence Inspector on an application form provided for that purpose and therein the applicant shall make a true and correct statement in writing:
 - Disclosing the nature and character of the business to be carried on, maintained, owned or operated by the applicant;
 - Declaring the address of the business;
 - Declaring the number of persons engaged or occupied in the business;
 - Disclosing the number of distinctive lines of goods sold or offered for sale;
 - Specifying the business floor area and seating capacity (if applicable); and
 - Including any other information concerning the business which the inspector may require.
3. The application form shall be delivered to the Licence Inspector and shall be accompanied by the prescribed fee according to the classification of such business as approved by the Licence Inspector.
4. Every person who carries on, maintains, owns or operates, within the municipality, any business in or from more than one branch, office, place, premise or store, shall obtain a separate licence for each branch, office, place, premise or store; excluding vending machines.

5. Every licence issued under this bylaw shall be provided to the person or corporation licensed or their authorized agent and the Licence Inspector shall retain a copy. The licensee shall post the said licence and keep the same posted in a conspicuous place on the premises, or on the thing or article in respect of which the licence is issued. Anyone failing to post up and keep same posted as aforesaid, shall be guilty of an infraction of this bylaw and liable to the penalties hereof.
6. Every person required to be licensed under the provisions of this bylaw is required to pay for such licence in advance of the due date shown on the licence and all licence renewal fees are due and payable on January 1st in any year.
7. Unless otherwise specified herein all licences granted under this bylaw shall be for the current calendar year and shall expire on the 31st day of December next succeeding the date of issue of same.
8. For any person who becomes liable to be licensed after the 1st day of April in any year, the annual licence fee for that year shall be reduced by one-third of the annual licence fee.

For any person who becomes liable to be licenced after the 30th day of June in any year, the annual licence fee for that year shall be reduced by one-half.

For any person who becomes liable to be licenced after the 1st day of September in any year, the annual licence fee for that year shall be reduced by two-thirds.

The provision in this subsection shall only apply to the first licence issued to any specific business.

9. There shall be no refunds on issued business licences.
10. Every person holding or required to hold a licence under the provisions of this bylaw shall be subject to the provisions of this bylaw and non-compliance with any of the said provisions shall be deemed to be an infraction of the same and shall render any person violating or failing to comply with any of the said provisions hereof, liable to the penalties herein imposed.
11. Every person holding or required to hold a licence under the provisions of this bylaw shall be subject to the applicable regulations of the federal and provincial governments and shall be deemed to be operating in contravention of this bylaw if compliance with such regulations is not maintained.
12. For clarity, a registered society or organization which in the opinion of the Licence Inspector is operating solely for non-profit purposes does not require a business licence to operate.

4. TRANSFER OF LICENCE LOCATION

1. Except as set forth in this section, every licence shall be considered as a personal licence to the licensee therein named and shall not be transferrable to any other person.
2. Any person desiring to obtain a transfer of any licence, or part interest in any licence, held under this bylaw by any other person, shall make an application in every material respect the same as that required to obtain a licence as set forth in the last preceding section; and that the powers, conditions, requirements and procedure therein contained, relating to the granting and refusal of licences and appeals thereon, shall apply to all such applications.
3. Any person who purchases the interest of or part of the interest of, any person licensed under this bylaw in any business, activity in respect of which a licence has been issued under the provisions of this bylaw, and carries on or continues such business, without first having obtained a transfer of licence or a new licence, shall be guilty of an infraction of this bylaw and shall be liable to the penalties hereby imposed.
4. No person to whom a licence has been granted under this bylaw shall change the location of the premises in which he carries on his business without first having applied to the Licence Inspector in writing to have his licence altered in respect to the location of the premises set out therein; and the powers, conditions, requirements and procedure herein-before set out, relating to the granting and refusal of licences shall apply to all such applications.
5. It shall be unlawful for any person licensed under this bylaw to transfer, sell or in any way dispose of his licence to any other person without having first notified the Inspector of the following:
 - a) Any person, before changing his place of business, shall obtain a transfer of his licence;
 - b) There shall be no fee for a transfer of licence location under this section.

5. TRANSFER OF OWNERSHIP

1. No person who purchases the interest of any person licensed pursuant to this bylaw shall carry on or continue such business without first making application for a new licence pursuant to the requirements of section 3 of this bylaw. The fee for such licence shall be as specified in Schedule "A" of this bylaw and may be pro-rated as provided under section 3.8. Where the change of ownership results from the purchase of the shares of a limited or incorporated company and the business is to be continued under the same name or trade style, a new licence will not be required but a signed licence application must be completed prior to continuance of the said business.

2. A limited or incorporated company making a change in the operating name of the business, where all other aspects of the business licence remain the same, may obtain a transfer of their licence to the new name. A signed licence application must be completed prior to continuance of business in the new name.

6. DUTIES OF A LICENCE INSPECTOR

1. The Council hereby delegates to the Chief Administrative Officer the authority to designate a City employee or employees as "Licence Inspector" whose duty it will be to carry out and enforce the provisions of this bylaw.
2. The Council hereby delegates to the Licence Inspector the power to grant, refuse, transfer and suspend licences as herein provided.
3. The Licence Inspector shall grant a licence when he is satisfied the applicant has complied with the requirements of all bylaws of the City regulating building, zoning, health, sanitation and business and applicable federal and/ or provincial licencing or certification requirements.
4. Before a licence is issued, the applicant shall submit applicable letters of approval or certificates of approval to the Licence Inspector upon request.
5. The Licence Inspector may classify the business on the basis of the following factors or on the basis of any combination of the following factors:
 - (i) The floor area used;
 - (ii) The number of employees regularly engaged;
 - (iii) The number of vending or other dispensing machines or other machines, appliances used;
 - (iv) The number of rental units maintained;
 - (v) Appropriate BC Building Code classification for the intended use.
6. Where the Licence Inspector has determined the classification in accordance with section 6.5, no person shall change the extent, scale or scope of the business without first making an application in every material respect the same as that required to obtain a licence as set forth in section 3 of this bylaw (including applicable fees); and the powers, conditions, requirements and procedures therein contained relating to the granting, suspension and refusal of licences and appeals thereon shall apply to all such applications.
7. The Licence Inspector is hereby authorized to interpret the wording of an application where such wording is not concurrent with the interpretations and the classifications stated herein.
8. The Licence Inspector may refuse a licence for reasonable cause after having given the applicant written reasons for the refusal and informed the applicant of his right to appeal to Council. Reasons for refusal include, but are not limited to the following:

- a) The applicant or licence holder is non-compliant with any bylaw of the City of Parksville;
 - b) In the case of a non-resident business, the applicant or licence holder is noncompliant with any bylaws of the jurisdiction from which the person is required to hold a business licence;
 - c) The applicant or licence holder is non-compliant with a term, limit, restriction or requirement or condition of a licence under this bylaw or a permit issued by any other regulatory authority;
 - d) The applicant or licence holder has been formally charged with, convicted of, or deemed to be or has been found guilty of an offence under a federal or provincial law and the offence, in the opinion of the Licence Inspector, is relevant to the operation of the business;
 - e) The applicant or licence holder has, in the opinion of the Licence Inspector, been guilty of such gross misconduct in respect of the business or in or with respect to the premises named in the licence, that it warrants the refusal of the licence.
9. The Licence Inspector has the authority to suspend any licence for the period he decides if its holder:
- a) Is convicted of an offence under any municipal bylaw or statute of the federal or provincial government in respect of the business for which he is licenced or with respect to the premises named in the licence;
 - b) Has, in the opinion of the Licence Inspector, been guilty of such gross misconduct in respect of the business or in or with respect to the premises named in the licence, that it warrants the suspension of the licence;
 - c) Has ceased to meet the lawful requirements to carry on the business for which he is licenced or with respect to the premises named in the licence.
10. A person whose licence has been suspended under section 6.9 herein may appeal, in writing, to Council, which may on the appeal confirm or set aside the suspension on the terms it thinks fit.

7. SPECIAL EVENT BUSINESS LICENCE INSURANCE REQUIREMENTS

1. A licence in respect of a theatre, including drive-in theatre, amusement hall or other entertainment venue or exhibition may be for six months, three months, one month, or one day and the period requested shall be by written application in accordance with the provisions set out in this bylaw.
2. An application for a licence in accordance with this section for a period of one to four days shall be charged a business licence daily rate as set out in Schedule "A" to this bylaw; for a period of five or more days the Special Event Business Licence rate as set out in Schedule "A" of this bylaw shall apply.

3. Before a licence shall be granted to any person for the purpose of holding or exhibiting within the City any circus, menagerie, show, carnival, or festival with or without ferris wheels, merry-go-rounds, bouncing castles or other similar devices, such person shall at his own cost and expense obtain and maintain in force for as long as the said event remains within the City, in an Insurance Company authorized and licenced to carry on business and having an office in the Province of British Columbia, and in a policy of insurance acceptable to and approved in writing by the City the following insurance with limits on an occurrence basis not less than those shown in respective items following:
 - a) Comprehensive Public Liability Insurance and Property Damage Insurance providing coverage up to five million dollars (\$5,000,000) inclusive against liability for bodily injury or death and/or damage to property on an all risk occurrence basis;
 - b) In all policies of insurance the City shall be named as an additional insured. Such insurance shall contain a Cross Liability Endorsement stating that in the event of bodily injury, sickness or disease, including death, at any time resulting therefrom, or damage or destruction of property belonging to any one of the insured for which another insured is or may be held liable, then this policy shall cover such insured against whom claim is made or may be made the same as if separate policies had been issued for each insured, but nothing herein shall operate to increase the insurer's liability as set forth elsewhere in the policy beyond the amount or amounts for which the insurer would be liable if there had been only one name insured;
 - c) All policies shall provide that no cancellation, expiration or material change in the policy shall become effective until after thirty (30) days' notice of such cancellation, expiration or change shall have been given to the City by return registered mail.
4. A current valid operating permit pursuant to the British Columbia Safety Standards Act and the Elevating Devices Safety Regulation, including an inspection certificate from an accredited professional engineer shall be submitted to the Licence Inspector before a licence shall be granted for a special event that includes ferris wheels, merry-go-rounds, bouncing castles or other similar devices or midway rides. 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 licence or as directed by the Licence Inspector.
5. A cash bond of one thousand dollars (\$1,000) shall be deposited with the Director of Finance and such bond or part thereof shall be forfeited to the City to pay for any damages or the cost of any clean-up required during or after the terms of the licence. Such bond or part thereof shall be returned by the Director of Finance upon notification by the Licence Inspector that all conditions regarding damages and clean-up are satisfactory.

8. DIRECT SELLING AND/OR DOOR TO DOOR SOLICITATION

1. No person shall canvass or solicit business on any street in the City from vehicles or in any other manner whatsoever, for the sale of any items, samples, goods, wares or merchandise or any article or thing for future delivery.
2. No person, without prior instructions from the owner or occupier of the premises, shall attend upon or canvass or solicit at any residential premises for the sale or promotion of goods or services.
3. No person shall sell any goods whatsoever from a vehicle, container or trailer on any street or road within the City. Such selling may be undertaken only from private or designated public property and with the prior written approval and knowledge of the owner. This approval in no way releases such person from other requirements of this bylaw.
4. As an exception to section 8.3 above, Specialty Food Vendor vehicles, where permitted under zoning or through a special event permit, may be allowed to operate from private property or designated public property with the prior knowledge and written approval of the owner and subject to the issuance of relevant City authorizations, such as a Special Event Permit, where required.
5. The soliciting or sales of any article, commodity or thing, or soliciting of any service, agreement or promise that will lead to any service or contract for service, or the sale of any article, commodity or thing shall require a business licence issued under the provisions of this bylaw.
6. Every licence to solicit shall be a personal licence to the applicant and is not transferable.
7. No person may apply for a licence to solicit on behalf of any other person.
8. Soliciting within the City between the hours of 9 pm and 9 am is not permitted except by special permission of Council.
9. Private personal sales between individuals and garage and yard sales are excluded from the requirements of this section.
10. Appeals made by churches, similar religious organizations and other not-for-profit organizations where such appeals are made solely and exclusively during a door to door campaign are excluded from the provisions of this bylaw section.
11. Canvassing for political reasons to disseminate information about candidates running for federal, provincial or local government elections does not require a business licence.

9. RESTAURANTS

1. Every person intending to operate a restaurant shall file a written application containing the following information:
 - a) The name, occupation and full address of the applicant;
 - b) The nature of the licence applied for;
 - c) The address of the premises where it is intended to operate the restaurant;
 - d) The maximum floor area and seating capacity;
 - e) If service is provided for persons in motor vehicles, the number of vehicles for which parking space is provided shall also be stated.
2. Upon receipt of the application referred to in section 9.1 above, the Inspector shall forward one copy of the said application to the provincial Environmental Health Officer and no licence shall be granted by the Inspector until he has received a report from the Environmental Health Officer approving of the granting of the provincial licence.

10. SECURITY AND PATROL LICENCE

1. Every person carrying on the business of watching, guarding or patrolling for the protection of persons or property or as a private investigator shall be required to hold a licence as set forth in the *Private Investigators and Security Agencies Act* of the Province of British Columbia and amendments thereto.
2. Every person carrying on the business of watching, guarding or patrolling for the protection of persons or property shall supply the Officer in Charge with the name, age, address and description of all persons employed by him and such other information as the Officer in Charge may require.
3. No person carrying on the business described in section 10.2 hereof shall wear a uniform without first having obtained the written approval of the Officer in Charge.
4. The operator of, and every person employed by a person carrying on business as described in section 10.2 hereof shall secure at his own expense an identification card approved by the Officer in Charge. Such card shall be carried by such operator or employee at all times while performing any duties on behalf of himself or his employer.
5. No person in the employ of a person carrying on a business as described in section 10.2 hereof, shall carry any gun, revolver or other firearm without proper permit therefore issued by the Officer in Charge under the Canadian Criminal Code.

6. All persons carrying on the business as described in section 10.2 hereof, shall file with the Officer in Charge a list of owners or occupants of all premises which he has agreed to guard or patrol and shall furnish a supplementary report each month of any additions to or deletions from such a list. Such supplementary report shall be filed with the Officer in Charge on or before the 10th day of the month following the month to which the supplementary report refers.
7. No person carrying on the business as described in section 10.2 hereof, or employee of the said business shall wear, carry or exhibit any form of badge or insignia that has not been approved by the Officer in Charge.
8. The use of attack or guard dogs by persons licenced in section 10.2 hereof shall be restricted to those persons having successfully completed an accredited training program with such dog in his company unless such dog is held at all times on a leash capable of restraining the dog and such leash shall not exceed 6 metres (19.7 feet) in length.
9. Public liability insurance of five million dollars (\$5,000,000) shall be obtained by persons licenced under section 10.2 hereof and proof of such insurance must be deposited with the Licence Inspector at the time of renewal of each licence.

11. SPECIALTY FOOD VENDOR

1. Upon receipt of the business licence application the Licence Inspector shall forward one copy of the said application to the Environmental Health Officer and no licence shall be granted by the Licence Inspector until he has received a report from the Environmental Health Officer approving of the granting of the said licence.
2. A Specialty Food Vendor vehicle shall be self-contained and capable of providing its own source of water, waste disposal and recycling and where a generator is required it shall be rated by the manufacturer to a maximum noise level of 60 decibels.
3. A Specialty Food Vendor vehicle must be removed at the end of the business day and shall not remain overnight at the business location.

12. MEDICAL MARIHUANA PRODUCTION FACILITY / MEDICAL MARIHUANA PRODUCTION AND RESEARCH FACILITY

1. Must operate only in those zones where permitted and must be conducted in accordance with the provision of the zoning bylaw or bylaws in effect within the City of Parksville.
2. Must operate under a valid licence issued by Health Canada under the Marihuana for Medical Purposes Regulations (MMPR), and any subsequent regulations or acts which may be enacted henceforth.

3. Every applicant for a licence to operate as a Medical Marihuana Production Facility or Medical Marihuana Production and Research Facility shall include in the application the trade name or names under which such business will operate and advertise.
4. Every person who intends to operate or advertise a Medical Marihuana Production Facility or Medical Marihuana Production and Research Facility under a trade name other than that specified in the application for a licence shall notify the Licence Inspector in writing of the intended trade name at least fourteen (14) days prior to its use.
5. Must be operated within a building that meets the British Columbia Building Code of the occupancy category of the use or where applicable the National Building Code of Canada for farm buildings.
6. Must be operated within a building that is in compliance with the British Columbia Electrical Code.

13. RECREATIONAL CANNABIS

1. Every applicant for a licence to engage in cannabis trade shall complete the Cannabis Trade business licence application form and submit the following supporting documents with their application and applicable fees:
 - a) An odour control plan prepared by an appropriately qualified independent professional outlining mitigation strategies to reduce odour impacts on neighbouring properties;
 - b) A light pollution plan for hydroponic growing operations prepared by an appropriately qualified independent professional outlining mitigation strategies to reduce negative impacts of light pollution;
 - c) Police Information Check for the applicant, business owner and all employees, to be updated annually prior to licence renewal;
 - d) A good neighbour agreement, outlining strategies to mitigate real or perceived negative impacts resulting from the operation.
2. With respect to items 13.1 a) to d), the format and content of the supporting documents must be acceptable to the Licence Inspector.
3. Hours of operation for cannabis trade shall be between 9 am and 11 pm daily.
4. An application for a licence to operate a recreational cannabis trade business shall be refused where the proposed premises is located within 200 metres, measured as the shortest distance between property lines, of a property containing the following uses:
 - a) Registered commercial daycare centre for minors;
 - b) Registered drug treatment or rehabilitation or centres;
 - c) Seniors' care facility;
 - d) A school providing educational services to minors aged 19 years or less; excludes post-secondary education.

14. OTHER PROVISIONS

1. Notwithstanding anything to the contrary herein contained when any business, occupation or calling is licenced and regulated, or licenced under a special bylaw of the City the regulations and/or licence fees to be paid to the City shall be those provided for in the special bylaw.
2. Schedule "A" is read into this bylaw as forming a part thereof.
3. The Council may, by the unanimous vote of all the members present at any lawful meeting thereof, refuse in any particular case to grant the request of the applicant for a licence or a renewal thereof under this bylaw, but the granting or renewal of a licence shall not be unreasonably refused.
4. The provisions of this bylaw shall not apply to commercial travellers who sell goods, merchandise or any effects whatsoever or offer the same for sale to bona fide merchants, either wholesale or retail, within the City for resale by such merchants in the ordinary course of their respective businesses.

15. OFFENCES AND PENALTIES

1. Where a person fails to obtain the renewal of a licence and pay therefore the fee specified in Schedule "A" within thirty days of the expiration of that licence, that person shall pay in addition to the fee specified in Schedule "A" an additional fee of fifty dollars (\$50) for each of:
 - a) The first thirty day period or part thereof;
 - b) The next thirty day period or part thereof; and
 - c) The next thirty day period or part thereof;that the person carries on business without a licence.
2. In every case where the business set in Schedule "A" hereof is carried on, followed or practised by two or more persons in partnership, it shall be deemed a sufficient compliance with this bylaw if one licence is taken out in the name of the partnership firm and one licence fee paid therefor.
3. Every person to whom a licence has been granted under this or any other bylaw for the purpose of carrying on any business shall permit the Licence Inspector, or any other person duly authorized in that behalf, or any police officer, to inspect any house, place, premises, vehicle or thing in respect of which such licence has been granted.

The Licence Inspector may apply to any person on such premises for such information as will enable the Inspector to determine whether or not such person is or is not required to hold a licence pursuant to the provisions of this bylaw and as to whether the provisions

of this bylaw are being carried out. It shall be the duty of every such person to deliver to the Licence Inspector a statement in writing containing the information applied for.

Any person who shall refuse to allow the Licence Inspector or any other person duly authorized in that behalf, or any police officer to inspect such house, place or premises, vehicle, or thing or provide information as requested, shall be guilty of an infraction of this bylaw and liable to the penalties thereof.

4. Any person who contravenes, suffers or permits anything to be done in contravention of any of the provisions of this bylaw or any permit issued under this bylaw commits an offence punishable on summary conviction and shall be liable to a fine not exceeding ten thousand dollars (\$10,000).

16. REPEAL AND SEVERABILITY

1. City of Parksville "Business Licence Bylaw, 2012, No. 1483" and all amendments thereto are hereby repealed.
2. If any section, paragraph or phrase in this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, that portion shall be severed and the remainder of this bylaw shall continue in full force and effect.

READ A FIRST TIME this 3rd day of December, 2018

READ A SECOND TIME this 3rd day of December, 2018

READ A THIRD TIME this 3rd day of December, 2018

RECONSIDERED AND FINALLY ADOPTED this 21st day of January, 2019

Original signed by E. Mayne

Mayor

Original signed by K. Kehler

Corporate Officer

SCHEDULE "A"

TYPE OF BUSINESS	FEE (PER YEAR , unless otherwise specified)
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ACCOMMODATIONS	
Bed & Breakfast	\$50
Campground	\$25 PER UNIT to a maximum \$500/year
Tourist Accommodation	\$25 PER UNIT to a maximum \$500/year
Rental Units - the business of offering for rent or lease accommodations in an apartment dwelling, boarding-house or other multi-family dwelling	\$25 PER UNIT to a maximum \$500/year
Secondary Suite or Accessory Carriage House	\$50
Trailer/Mobile Home Park	\$25 PER UNIT to a maximum \$500/year

ENTERTAINMENT	
Entertainment Special Event (for profit)	\$500 PER EVENT
Carnival or Circus	\$500 PER EVENT
Live Theatre or Concerts	\$150 PER SHOW
Movie Theatre	\$150
Recreation (i.e. bowling alley, golf course)	\$150
Special Event Daily Rate (per day for one to three days)	\$50 PER DAY
Special Event Business Licence (four or more days)	\$150

FINANCIAL	
Bank	\$500
Money Store	\$300
Miscellaneous Financial Services not otherwise listed	\$150

FOOD & BEVERAGE	
Liquor Primary - Club Licence	\$150
Lounge - Liquor Primary Establishment excluding Club Licences	\$300
Restaurant	\$150
Specialty Food Vendor, Caterer	\$150

MEDICAL MARIHUANA FACILITY	
Medical Marihuana Production Facility	\$500
Medical Marihuana Production and Research Facility	\$500

MISCELLANEOUS	
Professional Occupations	\$150
Service Provision	\$150
Contractor	\$150
Day Care	\$150
Direct Seller	\$150
General Business not otherwise listed	\$150
Outdoor Sales, including Vehicles/Recreational Vehicles	\$150
Home Based Business	\$75
Industrial Use including manufacturing	\$150
Personal Care Facility	\$150
Personal Service Establishments	\$150
Security Service and Patrol	\$300
Transfer of Business Licence Ownership	\$50

RETAIL	
Cannabis Fee	\$1,000
Convenience Store	\$150
Kiosk	\$75
Pawnbroker	\$300
Retail Trade - from any business with a floor area over 1000 square metres, including outdoor sales	\$300
Retail Trade - from any business with a floor area less than 1000 square metres	\$150
Shopping Centre Administration	\$25 PER COMMERCIAL UNIT to a maximum of \$500/year
Wholesale Business	\$150

TRANSPORTATION	
Vehicle Driver Service	\$300