

THE CORPORATION OF THE VILLAGE OF CLINTON

BUSINESS LICENCE BYLAW No. 259.1, 2001

**A bylaw respecting licences for carrying on business within
the municipality.**

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

TITLE

1. This Bylaw may be cited as "Business Licence Bylaw No. 259.1, 2001".

AUTHORITY

2. Local Government Act, Part 20 - Business Regulation and Licensing.

INTERPRETATION

2. For the purposes of this Bylaw,

"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.

"Council" means the Council of the Corporation of the Village of Clinton.

"Door- To-Door and Direct Sales" means the carrying on of a business by the display or demonstration of samples, the taking of orders, or the offering for sale of goods, wares, or other merchandise directly to or from any public place, in commercial premises or in private premises occupied by the prospective purchaser.

"Licence Inspector" means the person, from time to time, duly appointed as Licence Inspector for the Municipality and also any person lawfully acting in the capacity.

"Mobile Business" means a business carried out solely from a motor vehicle or other conveyance designed to be moved from place to place.

"Municipality" means the Village of Clinton or the area within the boundaries of the Village of Clinton.

"Person" includes a partnership or corporation.

PROHIBITIONS

3. No person shall carry on any business within the municipality unless he or she is the holder of a valid and subsisting licence issued under this Bylaw by the Licence Inspector. A separate licence shall be obtained in respect of each separate premise from which a business is carried on.

4. No person shall change the location of a place of business without first obtaining the approval of the Licence Inspector by submitting an application on the form attached as Schedule "B".

5. No person shall change the type, classification, use or occupancy of their business without first obtaining the approval of the Licence Inspector by submitting an application on the form attached as Schedule "B".

6. Section 3 does not apply to:

- a. non-resident businesses exempted from a licensing requirement by the Local Government Act;
- b. real estate agents exempted by Section 45 of the Real Estate Act;
- c. performances, concerts, exhibitions or entertainments the net proceeds of which are devoted to a charitable purpose;
- d. performances, concerts, exhibitions, entertainments or concessions held in a licenced theatre or other licenced place;
- e. the business of letting or renting not more than two rooms; or
- f. artists, craftsmen, or other persons participating in any activity such as an arts and crafts show, sidewalk sale, farmers market, or other similar activity sponsored by the Clinton and District Chamber of Commerce, Clinton Recreation Commission, or other non-profit organizations whose primary objective is to promote community, cultural, recreational or business development activities. These activities are subject to pre-approval by the Village of Clinton.

LICENCE APPLICATION

7. An initial application for a licence shall be on the form attached as Schedule "C" and shall be signed by the owner of the business or their duly authorized agent, provided that in the case of partnership or multiple owners any one of such partners or owners may apply and such partner or owner applying shall be deemed to be the duly authorized agent of all the partners or owners.

8. The application form must be delivered to the Licence Inspector and must be accompanied by the fee prescribed in Schedule "A".

9. Licences granted by the Licence Inspector and licence renewals issued by the Administrator/Clerk/Treasurer shall be in the form attached as Schedule "D".

LICENCE FEE AND TERMS

10. The licence fees are attached as Schedule "A".

11. Except as hereinafter provided, licences will be issued so as to terminate on the 31st day of December of each year and a fifty (50%) percent reduction will be made on account of any person commencing business after the 31st day of July of the licence period;

12. If one company or person operates more than one business under the same name, at one location, they will be charged one full licence fee and fifty (50%) percent of the fee for subsequent licences.

13. The period for a licence in respect of horse racing, or for a circus, horse show, dog or pony show, dog or pony show, exhibition or other itinerant show or entertainment, when held elsewhere than in a licenced theatre or other licenced place, shall be one day.

14. In the event that a licence holder should fail to renew their business licence within sixty (60) days of the renewal date, they must re-apply for a business licence and will be subject to all the reviews, which every new applicant is subject to under the provisions of this bylaw.

LICENCE INSPECTOR'S AUTHORITY

15. The Licence Inspector shall have the power to grant, suspend or transfer licences as provided by this Bylaw, subject to the Local Government Act.

16. The Licence Inspector shall review each application during a seven day period following receipt of application and shall grant a business licence at that end of time if he/she is satisfied that the applicant has complied with all other applicable bylaws of the municipality regulating building, zoning, health, sanitation and business.

17. The Licence Inspector may enter on any premises to determine whether the requirements of the bylaws of the Municipality and the Local Government Act are being observed and every applicant and licensee under this Bylaw shall, for this purpose, give the Licence Inspector reasonable access to the premises at which the business is proposed to be or is being carried on.

MOBILE BUSINESSES

19. Every owner or operator of a mobile business shall at all times keep the area occupied by the mobile business and any surrounding public area or private property clean and clear of all waste, debris, litter and similar matter originating in or caused by the mobile business or its customers. The operator or owner of a mobile business must seek approval, in writing, to use private or public property before setting up business in any location.

PENALTY

20. Every person who offends against any of the provisions of this Bylaw, or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw, or neglects to do or refrains from doing anything required to be done by this Bylaw, or does any act or thing which violates any of the provisions of this Bylaw, shall be deemed to have committed an offence under this Bylaw and shall be liable on conviction to a fine of not more than Five Hundred Dollars and the costs of prosecution. Each day on which an offence continues shall constitute a separate offence.

REPEAL

21. Business Licence Bylaws No. 140 and No. 259 are hereby repealed.

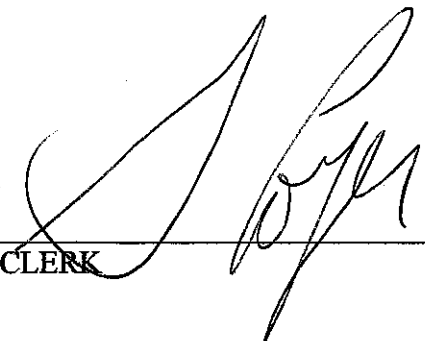
READ A FIRST TIME this 07th day of December, 2000.

READ A SECOND TIME this 07th day of December, 2000.

READ A THIRD TIME this 07th day of December, 2000.

RECONSIDERED AND FINALLY ADOPTED by the Municipal Council, signed by the Mayor and the Clerk, and **SEALED** with the Corporate Seal all on the 13th day of December 2000.


MAYOR


CLERK

SCHEDULE "A"

FORMING PART OF BYLAW NO. 259.1, 2001

ANNUAL FEES AND CHARGES

1. Door-to-Door Sales

\$100.00 per person or employee or in the alternative, a company may licence all representatives for a flat fee of \$500.00.

2. Travelling Retailers and Mobile Business

\$200.00 from any person or business resident or not resident in the Village of Clinton and who offers products for sale.

3. Telephone Sales

\$200.00 from any person or business who sells on a retail basis by offering products or services for sale over the telephone.

4. Home Occupations

\$40.00 for all home occupations, which are in accordance with the Zoning Bylaw.

5. Carnivals, Circuses, Etc.

\$200.00 per day from any person who runs a carnival, circus or show having any ferris wheel or any other mechanical device, or having any game of skill or chance, or any side show.

6. Professionals

\$80.00 from any person practicing, following, engaged in or carrying on any profession, who regularly and generally carries on business in the municipality, whether as a partner, proprietor or shareholder. The said businesses include, but are not restricted to:

- Accountant/CA, CGA, CMA.
- Architect
- Barrister/Solicitor
- Chiropractor
- Dentist/Orthodontist
- Engineer
- Land Surveyor
- Notary Public
- Osteopath/Masseur

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OF SCHEDULE "A"

6. Professionals (continued)

- Optometrist/Refractionist
- Physician/Surgeon
- Radiologist
- Veterinarian
- Any other profession governed by Act.

7. Mobile Home Parks/Motels/Rooming Houses/Apartments/Restaurants, Cafes (no liquor licence)

\$60.00 from any person or company letting more than two individual rooms or suites and from any person renting mobile home pads in any mobile home park and for any person or company operating a restaurant or café without a liquor licence.

8. Bed and Breakfast Establishments

\$40.00 for any Bed and Breakfast Establishment as provided in the Zoning Bylaw and renting from three to six rooms.

9. Liquor Outlets

\$80.00 from any person or company carrying on the business of operating a licenced liquor outlet.

10. All Other Businesses

\$80.00 from any person or company carrying on a business of retail sales, manufacturing, retail sales and/or wholesale sales and/or sale of services, contracting, repair or maintenance, restaurants or cafes (with liquor licence) or any business or service not otherwise classified in this schedule.

11. Transfer of Business Location or Ownership

\$10 for changing the business licence application to reflect an ownership, location or name of business change since application.

SCHEDULE "B"

Application to Transfer Place of Business: _____

Application to Change the Type of Business: _____

1. Name of Business: _____

2. Business Licence Number: _____

3. Application to Transfer Place or Change Type of Business:

FROM: _____

TO: _____

4. Effective Date of Transfer or Change: _____

5. Mailing Address: _____

6. Telephone Number: _____

7. Date: _____

Signature of Applicant

Signature of Applicant

FOR MUNICIPAL USE ONLY:

1. Building Inspector reviewed: _____

2. Local Ass. Fire Commissioner reviewed: _____

3. Health Inspector Approval (as applicable): _____

4. Licence Inspector Approval (Licence Inspector to be satisfied that the applicant has complied with the bylaws of the Village of Clinton regulating building, zoning, health, sanitation and business):

SCHEDULE "C"

Application for Business Licence

Licence Fee: \$ _____

1. Name(s) of Applicant (print in full): _____

2. Name of Business: _____

Operated By: _____

Invoice Mailing Address: _____

City _____ Province _____ Postal Code _____

Business Telephone: _____ Home Telephone: _____

3. Type of Business: _____

4. Applying for a Business Licence within the boundaries of the Village of Clinton at the following place (Street Address):

OR alternatively, the business will not be carried on in or from premises within the Village of Clinton, the place of business being at:

5. Is your Business Licence name registered in the Province of British Columbia? Yes: _____ No: _____

6. Licence Start: _____
YEAR MONTH DAY

Licence Cancel: _____
YEAR MONTH DAY

7. Zoning of business place within the Village: _____

8. Is there a change to the following?

The classification of the business place? Yes _____ No _____

The occupancy of the business place? Yes _____ No _____

Has the building been vacant for 6 months? Yes _____ No _____

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SCHEDULE "C"**

9. Have you held a licence before? Yes _____ No _____

When: _____ Where: _____

Name of Former Business: _____

Signature of Applicant

Date

Signature of Applicant

Date

FOR MUNICIPAL USE ONLY

Building Inspector reviewed: _____

Local Asst. Fire Commissioner reviewed: _____

Health Inspector Approval (as applicable): _____

Licence Inspector Approval (Licence Inspector to be satisfied that the applicant has complied with the bylaws of the Village of Clinton regulating building, zoning, health, sanitation and business):

SCHEDULE "D"
VILLAGE OF CLINTON
BUSINESS LICENCE

No: _____

M _____,

having paid the sum of _____ Dollars

is hereby licenced to carry on in a lawful manner the trade, business or profession of:

within the Village of Clinton.

from the _____ day of _____, 20____

to the _____ day of _____, 20____.

subject to the terms and conditions of the "Business Licence Bylaw" and any amendments thereto.

Dated this _____ day of _____, 20____

Cheque ()

Cash ()

\$ _____

Licence Inspector

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SCHEDULE "D"
VILLAGE OF CLINTON
BUSINESS LICENCE BYLAW

Village of Clinton
BUSINESS LICENCE

BOX 309, CLINTON, B.C. V0K 1K0

PHONE (250) 459-2261

NAME AND ADDRESS OF LICENSEE	LICENCE EFFECTIVE
<div data-bbox="824 1087 933 1123" style="border: 1px solid black; padding: 2px; text-align: center;">FEE</div>	
DESCRIPTION OF BUSINESS LICENSED	

THIS IS TO CERTIFY that the above-named has paid the required Licence Fee and is entitled to carry on such business as indicated within the Village of Clinton.

This Licence is issued subject to the provisions of all By-Laws of the Village of Clinton, now or hereinafter in force, and to all amendments that may hereafter, during the currency of this Licence, be made to said By-Laws.

This Licence is personal and cannot be sold or transferred, except through the Licence Department, as the By-Laws direct.

In the event the nature of the business is changed, or the civic address from which the business is carried on is changed, the Village of Clinton must be notified.

ISSUED BY	LICENCE NOT VALID unless official receipt stamped here
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THIS LICENCE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES.

Licence Inspector