

THE CORPORATION OF THE CITY OF GREENWOOD

BY-LAW NO. 583

A BY-LAW OF THE CORPORATION OF THE CITY OF GREENWOOD (HEREINAFTER CALLED THE "CORPORATION") TO PROVIDE FOR THE LEVYING OF BUSINESS LICENCE FEES AS PROVIDED FOR IN THE MUNICIPAL ACT.

The Municipal Council of The Corporation of the City of Greenwood in open meeting assembled ENACTS as follows:

1. In the construction and interpretation of this by-law the following terms shall have the meaning hereby assigned to them unless repugnant to the context hereof:
  - (a) "Act" means the Municipal Act, being Chapter 290 of the Revised Statutes of British Columbia, 1979, as amended;
  - (b) "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 or gain or profit;
    - (i) "Resident Business" means a business carried on in or from premises within the municipality;
    - (ii) "Non-Resident Business" 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;
  - (c) "Collector" shall mean the Collector of the City of Greenwood;
  - (d) "City Clerk" means the person from time to time duly appointed as City Clerk for the municipality and also any person lawfully acting in that capacity;
2. Every person using or engaging in the trades, occupations, professions, businesses or callings in "Business Licence Fees" particularly described, and any person advertising, calling or in other manner suggesting that he is conducting or is willing to conduct the trades, occupations, professions, businesses or callings in "Business Licence Fees" hereto particularly described shall take out a licence for the period described in said "Business Licence Fees" and shall pay therefore the sum as is therein specified.

Subject to the Act no person shall carry on, within the municipality, any business unless he is the holder of a valid and subsisting licence issued to him under this by-law by the City Clerk or Collector and shall pay in advance therefore, to the City Clerk or Collector the sum specified in Schedule "A" attached hereto and made part of this by-law and it shall be incumbent upon each person to renew such licence prior to the beginning of each licensing period as long as such business is being carried on.

- (a) Notwithstanding any of the provisions of this by-law to the contrary, the Council may, upon application, waive the licence fee payable by local organizations, for entertainment, door-to-door sales, or any other similar operations, the proceeds of which, over and above actual expenses, are devoted, or given to any church, school, hospital, charitable or patriotic purposes.
- (b) Every licence-holder is required to display the current business licence in the premises for which the business licence has been issued. All persons doing business in other than established places of business must carry such business licences on their person.

- (c) Licences approved by the City Clerk or Collector shall be issued by such City Clerk or Collector, but no licence shall be valid until the required fee has been paid, and proof of such payment is indicated on the licence, and the licence is signed by authority of the City Clerk or Collector.
- (d) No person shall vend, contact, sollicit, or serve any business on any public street, lane, or other public area except as specifically provided in this by-law.
- (e) Any person who occupies as office or other premises in the municipality in which, or from which, he advertises himself by any medium as open for business of any kind, or who deals in, buys, sells, barter, or displays or offers by advertisement or otherwise to buy, sell, or barter, commodities or other things of any kind, either on behalf of himself or of any person, shall be deemed to be carrying on, engaged in, or practising within the municipality, his respective profession, business, trade, occupation, employment, calling or purpose.
- (f) Subject to the provisions of the Act, any person applying for a licence to carry on a resident business of any of the following classes of business, namely, retail and wholesale direct to the consumer, for the first time with respect to that particular business shall give as security to the City, by way of cash, negotiable securities, or a bond or policy of an insurer licenced under the Insurance Act, in the amount of \$200.00.

- 3. Every licence issued pursuant to this by-law shall be in such a form as may be prescribed by the City Clerk or Collector. The City Clerk or Collector shall have power to grant, issue or transfer licences as hereinafter provided.
- 4. Every application for a licence pursuant to this by-law shall be made in writing to the City Clerk or Collector, and delivered to the City Clerk or Collector, on the application form provided for this purpose, and shall disclose such information as said City Clerk or Collector may require.

The application for a licence for the first time 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 be the duly authorized agent of all the owners or of the partnership.

Any false or misleading information given in order to obtain a licence to do business in this City is an offence against this by-law, and any operations or business carried on not listed on said licence automatically makes such licence technically void and a violation of this by-law until such is corrected.

- 5. (a) The application form shall be delivered to the City Clerk or Collector and shall be accompanied by the fee prescribed in Schedule "A".
- (b) Where the applicant for licences is one and the same person, as many applications of the same kind as may conveniently be made on the form prescribed may be combined in one such form without the necessity for the completion of separate application forms for each business for which a licence is sought.
- (c) Notwithstanding subsections (a) and (b) but not inconsistent with the Act or this by-law the City Clerk or Collector is hereby authorized to modify the forms prescribed, or any of the administrative procedures prescribed, deemed necessary by him when dealing with any owner applying for licences for more than one business.

6. (a) Except as hereinafter provided, licences shall be issued so as to terminate on the 30th day of April, and the 31st day of October and no proportionate reduction shall be made on account of any person commencing or ceasing to do business at any particular time.
  - (b) Subject to section 506 (2) of the Act the period for a licence in respect of a theatre, including drive-in theatre, amusement-hall, music-hall, opera-house, rink, amusement-park, or other place of amusement, entertainment, or exhibition may be six months, three months, one month or one day, and the period requested shall be by written application, under the signature of the applicant.
  - (c) Subject to section 506 (3) of the Act the period for a licence with respect to a circus, horse show, dog or pony show, exhibition or other itinerent show or entertainment, when held elsewhere than in a licenced theatre or other licenced place, shall be one day.
  - (d) The period for a licence in respect of horse racing shall be one day.
7. The Licence Fees mentioned in "Business Licence Fees" of this by-law where not especially expressed, shall be payable by the person using or engaging in the trades, occupations, professions, businesses or callings herein mentioned, for each store, office, house or place of business, calling or trade occupied or carried on by him, either in his own name, or in the name of any agent or representative in any part of the municipality. All licences granted pursuant to this by-law, except as otherwise provided, shall enable the licensee to change his place of business at pleasure but not to carry on business at more than one place at the same time under one licence.
  8. The City Clerk or Collector shall have power to suspend licences subject to the provisions of section 513 of the Act.
  9. Any person who makes application for a licence to carry on a resident business and states that he does not intend to carry on business continuously in the municipality for at least six months, may, pay a fee in the amount specified in this by-law twice the fee payable in respect of any other resident business of the same class carried on in this municipality.
  10. Every licensee under this by-law shall permit reasonable access to the City Clerk or Collector to the premises at which the licenced business is being carried on for the purpose of ensuring that the requirements of this by-law and Division (1) of Part 11 of the Act are being fulfilled.
  11. No person shall use, engage in or practise, carry on or exercise any trade, occupation, profession, business, or calling of the said "Business Licences" described or named herein without having taken out or had granted to him and holding a licence in that behalf, and every person who offends against any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this by-law or neglects to do or refrains from doing anything to be done by this by-law, or who does any act or thing which violates any of the provisions of this by-law and shall be deemed to have committed an offence under this by-law and shall be liable on conviction, to a fine or penalty of not less than \$25.00 or more than \$500.00, for every such violation of this by-law, together with the amount which should have been paid for such licence which said amount and penalty shall for the purpose of recovery under this by-law be held to be one penalty.
  12. That By-law No. 408, Business Licences By-law, 1978, be and the same is hereby repealed.
  13. This By-law may be cited as "The City of Greenwood Business Licence By-law No. 583, 1989".

Read a first time by the Municipal Council this 24th day of April, 1989.

Read a second time by the Municipal Council this 24th day of April, 1989.

Read a third time by the Municipal Council this 24th day of April, 1989.

Reconsidered, and finally passed by the Municipal Council of The Corporation of the City of Greenwood this 8th day of May, 1989.

*[Handwritten Signature]*  
.....  
Mayor

*[Handwritten Signature]*  
.....  
City Clerk

C E R T I F I C A T I O N

This is to certify that the foregoing instrument is a true copy of By-law No. 583 passed by the Municipal Council of the City of Greenwood on the 8th day of May, 1989.

BUSINESS LICENCE FEES

SCHEDULE "A"

(Fees to cover a six month period or portion thereof.)

Accountants, Bookkeepers	\$20.00
Auctioneers	20.00
Auto Dealers (new & used) and Auto Accessories	20.00
Auto Garage	20.00
Bank	50.00
Barber/Hairdresser	20.00
Bicycles, Motorcycles, Skiddoos, etc.	20.00
Bowling Alley, Theatre, Arcade	20.00
Cafe, Restaurant (with dining room and/or liquor licence) Coffee shop, Tea room or Drive-In	20.00
Circus, Midway, Etc.	20.00
ALSO a Security Deposit (optional) up to	1,000.00
Contractors, Tradesmen	20.00
Car Wash	20.00
Dance Hall, Dance Teacher, Music Teacher, etc.	20.00
Drug Store	20.00
Express Company (Loomis), Delivery	20.00
Factory and Warehousing	20.00
Fuel Dealer (Bulk)	20.00
Hotel, Motel and Apartments	20.00
Insurance or Real Estate	20.00
Laundromat, Dry cleaning	20.00
Merchant Retail - Grocery, Furniture, Appliance, Office Supplies, Sporting Goods, Shoes, Clothing, etc.	20.00
Multiple Business (One door)	30.00
Newspaper, Publishing	20.00
Pedlars	20.00
R.V. or Trailer Court	20.00
Tradesmen and Professionals	20.00
Cottage Industry	20.00
Any other not mentioned	20.00

Addendum to Section 4

Section 4 "Subject to the provisions of the Act, any person applying for a licence to carry on a resident business of any of the following classes of business, namely, retail and wholesale direct to consumer, for the first time with respect to that particular business shall give as security to the City, by way of cash, negotiable securities, or a bond or policy of an insurer licensed under the Insurance Act, in the amount of \$200.00. Such deposit shall be retained by the City for the duration of six months from the date of payment".

One Entrance: A business shall have only one entrance, in order to be classed as multiple, to be covered under one licence.