

VILLAGE OF PORT CLEMENTS

BY-LAW NO. 35

A by-law respecting licences for carrying on business within the municipality and for fixing the fees for such licences.

The Council of the Village of Port Clements in open meeting assembled, enacts as follows: -

1. For the purpose of this by-law, unless the context otherwise requires: -

"Act means the Municipal Act, being Chapter 255 of the Revised Statutes of British Columbia, 1960, as amended:

"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:

"Resident Business" means a business carried on in or from premises within the municipality:

"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:

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

2. Subject to section 441 of 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 Licence Inspector, and shall pay in advance therefore, to the Licence Inspector, 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.

3. The Licence Inspector shall have power to grant, issue or transfer licences as hereinafter provided and subject to the provisions of section 458 of the Act.

4. The application for a licence for the first time shall be in the Form of Schedule "B" attached hereto and made part of this by-law 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 be the duly authorized agent of all the owners of the partnership.

5. (1) The application form shall be delivered to the Licence Inspector and shall be accompanied by the fee prescribed in Schedule "A".

- (2) Where the applicant of licences is one and the same person, as many applications of the same kind as many 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.

- (3) Notwithstanding the subsections (1) and (2) but not inconsistent with the Act or this by-law, the Licence Inspector is hereby authorized to modify the forms prescribed, deemed necessary by him when dealing with any owner applying for licences for more than one business.
6. All fees collected by the Licence Inspector under this by-law shall be paid forthwith to the Treasurer of the municipality who shall deal with the said fees in the manner provided by the Act.
7. (1) 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 for any person commencing or ceasing to do business at any particular time, provided however that the first licence period which commences in 1976 shall run from the fifteenth day of September to the thirty-first day of October and the fee for such licence shall be proportional to the fee prescribed for a six-month period for any class of business.
- (2) Subject to Section 457B of the Act 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 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.
- (3) Subject to Section 457B of the Act the period for a licence with respect to a circus, horse show, or 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.
- (4) The period for a licence in respect of horse racing shall be one day.
8. (1) Every licence granted pursuant to this by-law shall be in the form of Schedule "C" attached hereto and made part of this By-law.
- (2) No person shall carry on business at two or more premises at the same time under one licence.
- (3) No person shall change his place of business without first obtaining a transfer of his licence in respect thereto and the particulars of such transfer shall be endorsed on the licence by the Licence Inspector.
9. The Licence Inspector shall have the power to suspend licences subject to the provisions of Section 458 of the Act.
10. Subject to the provisions of Section 442 of the Act, any person applying for a licence to carry on a resident business of any of the following classes of business, namely, Building Contractors and Allied Trades, Hardware, Home Furnishings, Dry Goods, Ladies and Childrens or Men's Wear, for the first time with respect to that particular business shall give as security to the municipality by way of cash, negotiable securities, or a bond or policy of an insurer licenced under the Insurance Act, in the amount of \$500.00

11. Subject to the provisions of Section 443 of the Act, any person applying for a licence to carry on a non-resident business of any of the following classes of business, namely, Building Contractors and Allied Trades, Hardware, Home Furnishings, Dry Goods, Ladies and Childrens or Men's Wear, Literature and magazine salesmen, and peddlers, shall give as security to the municipality by way of cash, negotiable securities, or a bond or policy of an insurer licenced under the Act, in the amount of \$1000.00.

12. The security referred to in Section 10 and 11 of this by-law shall be taken in the name of the municipality and shall be deposited with the Licence Inspector together with the application for a licence and the prescribed fee.

13. 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 instead of giving security as required by section 10 hereof, pay a fee one and one half times that of the applicable resident licence.

14. Every licensee under this by-law shall permit reasonable access to the Licence Inspector 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 X of the Act are being fulfilled.

15. 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 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.

16. This by-law may be cited as "Business Licence By-Law No. 35, 1976."

READ A FIRST TIME THIS 9th day of September, 1976.

READ A SECOND TIME THIS 9th day of September, 1976.

READ A THIRD TIME THIS 9th day of September, 1976.

RECONSIDERED AND ADOPTED THIS 5th day of October, 1976.

A. D. [Signature]
MAYOR

L. O'Brien
CLERK

A true copy of By-law No. 35
registered in the office of the Inspector
of Municipalities this 8th day of
November 1976.
[Signature]
INSPECTOR OF MUNICIPALITIES

Certified a true copy of Village
of Port Clements By-law No. 35
being "Business Licence By-law
No. 35, 1976."

L. O'Brien
CLERK

THE VILLAGE OF PORT CLEMENTS

"SCHEDULE " A 1"

BY-LAW NO. 35

Nature of Business	Particulars	Fee Payable
Accountant	From any person carrying on the business of an accountant practicing from an office within the Municipality for each accredited accountant.....	\$20.00
Architect	From any person carrying on the business of architect or offering services of drafting to the public and operating from an office within the Municipality for each architect or draftsman not enrolled in studies to qualify such person.....	\$25.00
Auctioneer	From any person selling property by auction (not being a Crown Officer selling Crown property by auction, or sheriff, or sheriff's officer or bailiff selling lands, goods or chattels under a judgment, or in satisfaction of rent or taxes).....	\$10.00
Automobile Dealer	From any person carrying on the business of new and/or used car sales provided, however, that no further licence fee shall be required for the operation of an automobile service station or automobile service garage in conjunction with the car sales business.....	\$25.00
Automobile Service Station or Service Garage	From any person carrying on the business of an automobile service station or service garage including the sale of automobile fuels and parts and accessories only.....	\$15.00
Bankers	From any person carrying on the business of a banker.....	\$50.00
Barbers	From any person carrying on the business of a barber shop, for the first chair..... each additional chair.....	\$10.00 \$ 5.00
Barristers & Solicitors	From any person carrying on the business of a barrister and/or a solicitor from an office within the Municipality - for each barrister or solicitor practising therefrom....	\$20.00
Beauty Parlour or Hairdresser	From any person carrying on the business of a beauty parlour or hairdresser, for first operator..... each additional operator.....	\$10.00 \$ 5.00
Billiard Rooms	From any person operating premises where billiard tables or pool tables	

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	are used for hire, and to include lunch counters, snack bars, confectionary and tobacco sales for the convenience of patrons.....	\$15.00
Boat Charterers	from any person carrying on the business of a boat charterer.....	\$15.00
Boat Marina	from any person carrying on the business of a boat marina, which includes boat charters, boat moorage, boat sales and repairs and the sale of marina supplies.....	\$25.00
Boat Construction and Repairs	from any person carrying on the business of a boat construction and repair shop.....	\$25.00
Bowling Alleys	from any person operating a bowling alley for hire or profit, and to include a lunch counter or snack bar and the sale of bowling equipment and rentals and the sale of confectionary and tobacco, but not including vending machines, -for each lane available for hire.....	\$ 5.00
Chimney Sweep	from any person carrying on the business of a chimney sweep.....	\$10.00
Chiropractor	from any person carrying on the business of a chiropractor from an office within the Municipality - for each chiropractor operating therefrom....	\$25.00
Circus or Shows	Subject to the provisions of the Act from any person who exhibits a public circus, menagerie, hippodrome, horshow, dog or pony show or a similar performance, for each day...	\$100.00
Cleaning, Dyeing and/or Laundry Plant	from each person carrying on the business of a cleaning, dyeing and/or laundry plant including a laundromat.....	\$10.00
Cleaners Agent or Branch Office	from any person maintaining a branch office within the Municipality for the purpose of receiving orders or dispatching the delivery of clothes to be cleaned or having been cleaned at a plant situated outside the Municipality.....	\$10.00
Finance Company	from any person carrying on the business of a finance company.....	\$100.00
Contractors	from any person carrying on the business of a contractor in a specific trade or occupation.....	\$15.00
Dentist	from any person carrying on the business of a dentist practising from an office within the Municipality - for each dentist practising in that office.....	\$20.00

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Dressmaker	from any person carrying on the business of a dressmaker.....	\$10.00
Janitor Service	from any person carrying on the business of a janitor service.....	\$10.00
Land Surveyor	from any person carrying on the business of a land surveyor from an office within the Municipality - from each B. C. Land Surveyor operating therefrom.....	\$25.00
Medical Practitioner	from any person carrying on the business of a medical practitioner practicing from an office within the Municipality - for each medical practitioner practicing therefrom....	\$20.00
Oil Companies	from any person carrying on the business of an oil company including the bulk sales for marine purposes.....	\$40.00
Optician	from any person carrying on the business of optician practicing from an office within the Municipality - for each optician.....	\$20.00
Optometrist	from any person carrying on the business of an optometrist practicing from an office within the Municipality - for each optometrist.....	\$20.00
Peddler	from any person who hires people to carry or expose samples or patterns from door to door or to quote prices on goods and services for the sale of any goods, wares, merchandise or services and including among other thing foodstuff to be afterwards delivered to premises within the Municipality - for each person so hired.....	\$15.00
Foodstuff Peddler	from any person who hires people to sell or offer for sale any food items from door to door - for each person so hired.....	\$ 5.00
Pharmacist	from any person carrying on the business or dispensing drugs from prescriptions, in addition to any retail trading fee.....	\$20.00
Private Teacher	from any person giving private lessons either to groups or individuals.....	\$ 7.50
Real Estate and/or General Insurance Office	from any person operating a real estate and/or a general insurance business with offices in the Municipality.....	\$25.00
Repair Shop	from any person owning and/or operating a repair shop within the Municipality.....	\$15.00
Restaurant	from any person operating a restaurant.....	\$15.00

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Room Rentals	Subject to the Provisions of Section 457B from any person offering for rent or lease, or any person renting or leasing rooms and suites for lodging for hire, either in a hotel, rooming house, apartment house, lodging house, or auto camp, tourist camp or elsewhere, - for each room rented or leased, or offered for rent or lease.....\$.50
Scavenger	from any person carrying on the business of scavenging or junk dealer.....\$15.00
Service Repair Man	from any person offering his services to perform all types of service repairs and who does not operate from a licensed service repair shop or retail sales shop within the Municipality.....\$10.00
Retail and/or Wholesale Sales	from any person who sells or offers for sale whether as a retailer or wholesaler, any goods, wares, merchandise or service not otherwise specifically provided for herein.....\$10.00
Theatre	for each person owning or operating a theatre, to include the sale of confectionary and tobacco not dispensed by vending machines.....\$15.00
Transfer Companies	from any person operating a transfer company - first vehicle available.....\$15.00 each additional vehicle.....\$ 5.00
Trailer Courts	from any person carrying on the business of a trailer court.....\$25.00 plus for each trailer bay.....\$ 1.00
Unclassified	from any person carrying on a business not hereinbefore enumerated.....\$15.00
Veterinary Surgeon	from any person carrying on the business of a veterinary surgeon practising from an office within the Municipality.....\$25.00
Vehicles for Hire (excepting Taxis)	from any person who offers vehicles for hire, whether with or without a driver and operating from premises within the Municipality first vehicle available.....\$15.00 each additional vehicle.....\$ 5.00
Home Occupations	from any person operating for a profit any type of home occupation..\$ 5.00

THE VILLAGE OF PORT CLEMENTS

"SCHEDULE C 1"

BY-LAW NO. 35

VILLAGE OF PORT CLEMENTS

BUSINESS LICENCE

Licence No. _____ \$ _____

Name of Company _____ has paid the sum of \$ _____
pursuant to Schedule " A 1 ", By-Law No. 35, and is entitled to
carry on the business of _____ within the
Village of Port Clements.

Address of business: _____

Dated at _____, 19____ this _____ day of _____

Licence period from the _____ day of _____, 19____
to the _____ day of _____, 19____.

Licence Inspector _____

THE VILLAGE OF PORT CLEMENTS

" SCHEDULE B 1 "

BY-LAW NO. 35.

VILLAGE OF PORT CLEMENTS

APPLICATION FOR A BUSINESS LICENCE

Licence No. \$ _____

Name of Company _____ has paid the sum of \$ _____
pursuant to Schedule "A 1", By-Law No. 35, to carry on the business
of _____ within the Village of Port
Clements.

Address of Business: _____

Dated at _____, 19____ this _____ day of _____
Licence period from the _____ day of _____ 19____
to the _____ day of _____, 19____

APPROVED
VILLAGE COUNCIL