

The CORPORATION of the CITY
of GRAND FORKS
BYLAW NO. 1384

A Bylaw to require owners or operators of a BUSINESS to hold a valid and subsisting Licence for the carrying on of such Businesses; to fix and impose the Licence Fees and to provide for the collection of such Licence Fees and the granting and issuing and transferring of Licences.

WHEREAS under the provisions of the Municipal Act, RSBC, Chapter 290, the Council of the City may, by Bylaw require an owner or operator of a Business to hold a valid and subsisting Licence for carrying on Business within the City; fix and impose Licence Fees for licences; and provide for the collection of Licence Fees and the granting, suspending and transferring of Licences;

NOW THEREFORE the COUNCIL of the CORPORATION of the CITY of GRAND FORKS, in open meeting assembled, ENACTS as follows:

PART 1 - INDEX

101. This Bylaw, for purposes of convenience only, is divided into the following parts:

<u>PART</u>	<u>TITLE</u>
1	Index
2	Title and Repeal
3	Interpretations
4	Licences
5	General Regulations
6	Schedule of Licence Fees
7	Schedule of Forms

AMENDED
BY BYLAW
No. 1481, 1856, 1872

PART 2 - TITLE AND REPEAL

201. This Bylaw may be cited, for all purposes, as the 'City of Grand Forks Business Licence Bylaw No. 1384, 1993'.
202. The 'City of Grand Forks Business Licence Bylaw No. 1277, 1989' is hereby repealed.

PART 3 - INTERPRETATIONS

- * 301. In the construction and interpretation of this Bylaw, the following words and terms shall have the meanings hereby assigned to them.
302. ACT: means the Municipal Act, being Chapter 290 of the Revised Statutes of British Columbia, 1979 and amendments thereto.
303. APPLICANT: means any person who makes application for a Licence under the provisions of this Bylaw.
304. BUILDING INSPECTOR: means the person appointed from time to time by the Regional District of Kootenay Boundary, and designated to carry out building inspection in the City of Grand Forks.
305. 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 and is divided into the following categories:
1. *Home Based Business;*
 2. *Regular Business;*
 3. *Large Business;*
 4. *Itinerant Business.*
306. CARRYING ON A BUSINESS: without restricting the generality of the term, shall include any person who advertises himself by newsprint publicity or otherwise as open for Business of any kind, or who deals in, or 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 others, or who advertises himself as open to render professional or other services to any other person for the purpose of gain or profit, shall be deemed to be carrying on, engaged in or practicing within the City, his respective profession, business, trade, occupation, employment, calling or purpose.
307. CITY: means the Corporation of the City of Grand Forks.
308. ELECTRICAL INSPECTOR: means the person appointed from time to time by the Provincial Government, and designated to carry out electrical inspections in the City of Grand Forks.
309. FIRE CHIEF: means the person appointed from time as Fire Chief of the City of Grand Forks, and designated to carry out fire inspections in the City of Grand Forks.

310. HEALTH INSPECTOR: means the person appointed from time to time by the Central Kootenay Health Unit, and designated to carry out health inspections in the City of Grand Forks.
311. LICENCE: means a Licence granted pursuant to this Bylaw for the carrying on of a Business:
312. LICENCE INSPECTOR: means the person appointed from time to time as Licence Inspector of the City for the purpose of enforcing and carrying out the provisions of this Bylaw and shall include any Acting or Assistant Licence Inspector.
313. PERSON: has the meaning given to it by Section 29 of the Interpretation Act RSBC 1979, c. 206;
314. PLUMBING INSPECTOR: means the person appointed from time to time by the Regional District of Kootenay Boundary, and designated to carry out plumbing inspections in the City of Grand Forks.
315. PREMISES: includes a store, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied by any person for the purpose of any Business, and shall also mean any area situated within any one of the foregoing where more than one separate and/or distinct class or classification of Business is also carried on.
316. RETAIL SALE: means a sale to a purchaser for the purpose of consumption or use and not for resale.

PART 4 - LICENCES

401. LICENCE TO OPERATE NECESSARY

Every person carrying on a Business shall obtain and maintain a Licence, paying in advance for such Licence, the sum specified as Licence Fee in Part 6 of this Bylaw.

This subsection does not apply to any Business which is exempted by any Statute of the Province of British Columbia from being required to hold a Licence.

402. APPOINTMENT OF LICENCE INSPECTOR:

The Council, may by resolution, appoint a person to be the Licence Inspector.

403. AUTHORITY OF LICENCE INSPECTOR:

1. The Licence Inspector shall have the power to grant, suspend or transfer Licences as hereinafter provided and subject to the provisions of Section 513 of the Act.

2. Before any Licence is issued, the Licence Inspector may require that the applicant provide proof of qualifications to carry out the proposed Business.
3. Before any Licence is issued, the Licence Inspector may require satisfactory inspection reports from the Electrical Inspector, Plumbing Inspector, Building Inspector, Health Inspector or Fire Chief.

404. LICENCE TO BE POSTED:

Every Licence issued under this Bylaw, shall, where possible, be posted in a conspicuous place on the Premises or on the thing or article in respect of which the Licence is issued.

405. NOTIFICATION WHERE CHANGES AFFECT LICENCE:

Where the Licence Fee for any Business licenced under this Bylaw is based on the number or persons engaged in the Business, apartments, suites, units, rooms or the capacity of accommodation available, or in whatsoever manner the Licence Fee is based: no person shall change the number of persons engaged in the Business, apartments, suites, units, rooms or the capacity of accommodation available or any other condition upon which the Licence is based without first having notified the Licence Inspector and paid any additional Licence Fee which may be payable under this Bylaw as a result of that change.

406. APPLICATION TO BE MADE TO INSPECTOR:

The application for a Licence shall be in the the form of A or B, as contained in Part 7 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 be the duly authorized agent of all the owners or of the partnership.

407. FEE TO BE PAID WITH APPLICATION:

1. The application form shall be delivered to the Licence Inspector and shall be accompanied by the Licence Fee prescribed in Part 6 of this Bylaw.
2. Every person who operates more than one store, branch, or Premises, in respect of any Business, shall take out a separate Licence for each such Premises.

408. ALL BUSINESS PREMISES TO BE APPROVED:

All Premises in or upon which the applicant proposes to carry on or conduct any Business in respect of which it is required to hold a Licence pursuant to the provisions of this Bylaw shall first be approved by the Licence Inspector before any such Licence is granted; and the applicant shall, upon request, produce certificates or letters of approval as may be required by Federal, Provincial or Municipal authorities.

409. LICENCE TRANSFERS:

No person to whom a Licence has been issued under this Bylaw shall change the location in which he carries on his Business, without first having applied to the Licence Inspector to have his Licence altered; and the powers, conditions, requirements and procedure relating to the granting or refusal of Licences and appeals thereon, shall apply to all such applications.

410. LICENCE TRANSFER FEES:

The fee payable in respect to any transfer of a Licence shall be as set out in Part 6 of this Bylaw.

411. LICENCE PERIOD:

1. Except as hereinafter provided, Licences shall be granted for a one (1) year period, to commence on the first (1st) day of January and to terminate on the thirty-first (31st) day of December in each and every year. The Licence Fee prescribed in this Bylaw shall be reduced by one-half (1/2) in respect of a person who becomes liable to be Licenced after the thirty-first (31st) day of July in any year.
2. Licences granted under Category 'E' (Itinerant) shall be deemed to commence on the first (1st) day of January and to terminate on the thirty-first (31st) day of December in each and every year.
3. No Licence Fee paid hereunder shall be refundable.

412. APPEALS FROM LICENCE SUSPENSION:

1. Any person whose Licence has been suspended by the Licence Inspector and who proposes to appeal such suspension to Council shall, within ten (10) days from the date of suspension, give to the City Clerk, notice in writing of his intention to appeal the said suspension.

2. The notice of intention to appeal shall state, in concise fashion, the grounds upon which the appeal is based.
3. The City Clerk shall thereupon refer the matter to Council in order to appoint a time and place for the hearing of the appeal.

413. OBSERVANCE OF SUSPENSION:

The suspension of a Licence by the Licence Inspector shall be made in writing, stating the effective date of suspension, signed by the Licence Inspector and served on the person holding such Licence, by registered mail to the address given by the Licensee on the application for the Licence. A notice of such suspension of Licence may be posted by the Licence Inspector upon the premises for which the Licence was issued and such notice shall not be removed until the Licence is reinstated, the former Licensee ceased to occupy the premises, or a new Business other than the one carried on by the former Licensee is started in the Premises. The Licence Inspector may also pick up any Licence held by the Licensee during such period of suspension.

PART 5 - GENERAL REGULATIONS

501. PENALTY

1. Every person who violates or who causes or allows to be violated any of the provisions of this Bylaw shall be guilty of an offence against this Bylaw and each day that such violation is caused or allowed to be continued shall constitute a separate offence.
2. Every person who fails to comply with any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw or neglects to do or refrains from doing anything required to be done by this Bylaw or who 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 is liable, upon summary conviction, to a fine of not more than Two Thousand (\$2,000.00) dollars.
3. Where a person is convicted for the failure to pay the Licence fee required, then the amount which should have been paid for such Licence fee shall be added to the penalty and form part of the penalty.

502. EFFECTIVE DATE

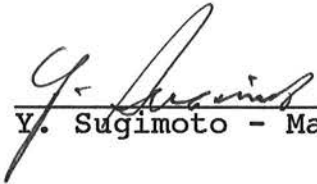
This Bylaw shall come into effect and force upon final reconsideration and adoption. The Schedule of Licence Fees (Part 6), shall not be implemented nor become effective until January 1, 1994.

Read a FIRST time this 7th day of June, 1993.

Read a SECOND time this 7th day of June, 1993.

Read a THIRD time this 5th day of July, 1993.

RECONSIDERED, PASSED and FINALLY ADOPTED this 12th day of July, 1993.


Y. Sugimoto - Mayor


J.L. Burch - Acting Clerk

C E R T I F I C A T E

I hereby certify the foregoing to be a true copy of Bylaw No. 1384 as adopted by the Municipal Council of the City of Grand Forks on the 12th day of July, 1993.

Clerk of the Municipal Council of the
City of Grand Forks

PART 6 - SCHEDULE OF LICENCE FEES

Category	Description Definition	Annual Fee
A.	HOME BASED BUSINESS As name implies is a business that is operated from a home.	\$ 50.00
B.	REGULAR BUSINESS Contractors and retail with under 20 employees	\$ 75.00
C.	LARGE BUSINESSES Contractors and retail with more than 20 employees	\$ 200.00
D.	ITINERANT BUSINESS No fixed place of business in the City of Grand Forks, Area 'C' or Area 'D'	\$ 250.00
	TRANSFER FEES (per transfer)	\$ 20.00

FORM A

The CORPORATION of the CITY of GRAND FORKS
APPLICATION FOR BUSINESS LICENCE

Please answer all applicable questions, sign in the space provided below and return this form, together with the appropriate Licence Fee, to the Licence Department.

1. Name of Applicant: _____

(full name, address, phone number of applicant)

2. Trade Name of Business: _____

3. Civic Address: _____

4. Mailing Address: _____

5. Phone No. _____ Postal Code: _____

6. No. of Employees: _____ Expected Opening Date: _____

7. Type of Business: _____

8. Type of Service, Product Sold, Contract: _____

9. Owner of Business: _____
(partnerships, organizations, limited companies - please attach list of principal officers)

10. Address of Owner(s): _____

11. Previously held Licence in Grand Forks: Yes () Year: _____

No ()

12. Has Licence ever been revoked: Yes () Year: _____

No ()

13. Agents - Last Sales Area: _____

Identification: _____

(Drivers Licence, Social Insurance Number, etc.)

see reverse

14. Provincial Certificate of Proficiency Number: _____

Full Name of Certified: _____

Area of proficiency: _____
(mechanic, natural gas, plumber, etc.)

I/We hereby make application for a Licence in accordance with particulars as stated above and declare that the above statement is true and correct and I/We undertake that, if granted, the Licence applied for, I/We will comply with each and every obligation contained in all laws and Bylaws now in force and amendments thereto in the City of Grand Forks, Province of British Columbia.

I/We acknowledge that the information contained herein will be made available to the British Columbia Assessment Authority and the Department of National Revenue, Taxation - if requested by them.

Signature of Applicant: _____

Date of Application: _____

FOR OFFICE USE ONLY

Classification: _____ Zoning: _____

Licence Fee: _____ Licenced as: _____

Date of final approval: _____

DEPARTMENT CHECKS

Building Inspector: _____ Fire Chief: _____

Public Health: _____ Electrical: _____

Natural Gas: _____ Other: _____

Licence Inspector: _____

FORM B

The **CORPORATION of the CITY of GRAND FORKS**
APPLICATION FOR TRANSFER OR CHANGE
OF BUSINESS LICENCE

Please answer all applicable questions, sign in the space provided below and return this form to the Licence Department.

Directed to: The Licence Inspector
420 Market Avenue
P. O. Box 220
Grand Forks, B. C.
VOH 1H0

Please be advised that _____
(Name of Licence Holder)

of _____
(civic and mailing address)

has:

| | Ceased Business effective: _____
(date)

| | Moved its place of business to: _____
(new civic address)

| | Changed ownership (Limited Liability Companies only):

(name of new owners)

| | Changed mailing address to: _____
(new mailing address)

Please adjust your records to reflect the foregoing changes accordingly.

(Signature of owner/representative)

(date)