

STAFF REPORT TO COUNCIL

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DATE: November 6, 2020

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: City of Prince George Business Regulation and Licensing Bylaw No. 9040, 2020 and consequential amendments to the City of Prince George Fees and Charges Bylaw No. 7557, 2004, Amendment Bylaw No. 9161, 2020

ATTACHMENT(S):

- City of Prince George Business Regulation and Licensing Bylaw No. 7851, 2007
- City of Prince George Business Regulation and Licensing Bylaw No. 9040, 2020
- City of Prince George Vehicles for Hire Bylaw No. 7853, 2007
- Information Sheet titled "New Business Licence Bylaw 2020"
- Public Consultation Comments
- Appendix "A" to Bylaw No. 9161, 2020
- Appendix "B" to Bylaw No. 9161, 2020
- Business Licence Template

RECOMMENDATION(S):

THAT Council:

1. GIVES FIRST THREE READINGS to "City of Prince George Business Regulation and Licensing Bylaw No. 9040, 2020"; and
2. GIVES FIRST THREE READINGS to "City of Prince George Comprehensive Fees and Charges Bylaw No. 7557, 2004, Amendment Bylaw No. 9161, 2020".

PURPOSE:

The purpose of this report is to outline the bylaw amendments required to replace the existing City of Prince George Business Regulation and Licensing Bylaw No. 7851, 2007 ("Business Licence Bylaw 7851").

Administration is proposing to repeal Business Licence Bylaw 7851, and replace it with proposed City of Prince George Regulation and Licensing Bylaw No. 9040, 2020 ("Business Licence Bylaw 9040").

Business Licence Bylaw 9040 will trigger consequential amendments to City of Prince George Comprehensive Fees and Charges Bylaw No. 7757, 2004 ("Fees and Charges Bylaw"), and will repeal City of Prince George Vehicles for Hire Bylaw No. 7853, 2007 ("Vehicles for Hire Bylaw"). The proposed amendments to the Fees and Charges Bylaw do not include changes to the Business Licence fees.

DISCUSSION:

The existing Business Licence Bylaw 7851 was adopted on April 30, 2007. Administration proposes to replace the existing Business Licence Bylaw 7851 with new Business Licence Bylaw 9040. The proposed Business Licence Bylaw 9040 reflects current day trends related to Business Licence categories, payment structure, and overall clarity with the regulations to operate a business within our community.

Public Consultation

Administration enclosed an information sheet titled “New Business Licence Bylaw 2020” (please see attached) within approximately four thousand 2020 Business Licence renewal notices. This insert notified business licence holders of proposed Business Licence Bylaw 9040, and provided information in regards to how to obtain more information (e.g. website and public meetings), and opportunities to provide comment (i.e. email and phone). Administration also provided two public meeting dates (January 16, 2020 and February 13, 2020) for business owners to gather information and discuss the proposed Business Licence Bylaw 9040 with staff. Consultation occurred for Business Licence Bylaw 9040 between the dates November 30, 2019 to March 2, 2020.

During this consultation period, a total of two (2) residents attended the public meeting sessions, three (3) emails were received (please see attached), and several phone call(s) were received in response to the proposed Business Licence Bylaw 9040.

Comments received were general questions in regards to the proposed changes, and included:

- Is there a category for a home business?
- Will fees increase?
- What is the difference between a Bed and Breakfast and a Home Stay Rental?
- Can Business Licence fees reflect my income level?
- Categories should encompass all business types.

City of Prince George Business Licence Bylaw No. 9040, 2020

As previously mentioned, the existing Business Licence Bylaw 7851, needs updating to reflect current trends, Provincial regulations, and regulation clarity.

The following section provides an overview of the notable regulations that have been included with the proposed Business Licence Bylaw 9040. Furthermore, this section will also indicate the amendments needed to other municipal bylaws to facilitate adoption of Business Licence Bylaw 9040.

Pro-rating New Applications (Section 7.8)

Business Licence Bylaw 9040 will provide the ability for a Business Licence fee to be pro-rated for new Business Licence applications. The pro-rated fee does not apply to businesses that neglect to renew their annual Business Licence by January 1.

Specific Business Regulations (Section 10)

Carnival and Midway operations are required to provide a valid Insurance Policy for Public Liability in the amount of at least three million dollars (\$3,000,000) under the existing Business Licence Bylaw 7851. This insurance also names the City of Prince George as additional insured. To be consistent with other municipalities, Administration is recommending that this amount be increased to five million dollars (\$5,000,000) under proposed Business Licence Bylaw 9040.

Offence and Penalty (Section 12)

Administration has updated the “Offence and Penalty” section of the proposed Business Licence Bylaw 9040. This update will allow staff the ability to ticket for minor offences, and proceed with summary conviction only for major offences.

Business Licence Category (Schedule “A”)

The existing Business Licence Bylaw 7851 has approximately eighty-three (83) Business Licence categories, and one hundred and seventy-three (173) subcategories. This extensive amount of categories and sub categories has presented challenges to Administration to consistently categorize a Business Licence. Therefore, the proposed Business Licence categories have been reduced to thirty-four (34) categories and three (3) subcategories. Categories have either been combined and/or simplified to reflect defined uses in the City of Prince George Zoning Bylaw No. 7850, 2007.

City of Prince George Fees and Charges Bylaw No. 7557, 2004 (Amendment Bylaw No. 9161, 2020)

Section “A-2 (a) Business Licence Category Fee(s)”

Administration recommends that the Section A-2 (a) of the Fees and Charges Bylaw be removed and replaced with a new Section A-2 (a), as shown on Appendix “A” to Bylaw No. 9161, 2020. This amendment bylaw will update Fees and Charges Bylaw with the proposed new categories and affiliated fees.

As indicated previously, the Business Licence fee(s) will not change as a result of the proposed amendments to Section A-2 (a) of the Fees and Charges Bylaw. The range of Business Licence fees, identified on Appendix “A” to 9161, 2020, reflects the fees being charged under the categories of Business Licence Bylaw 7851.

Section “A-2 (b) Miscellaneous Business Licence Fee(s)”

During the review of the Business Licence application process, Administration has rebranded the format of the Business Licence (please see attached). The new format resembles a formal licence with a decal that indicates the active year of the Business Licence. This Business Licence and annual decal will be provided with each new, and existing Business Licences.

Administration recommends a fee be added to Schedule A-2 (b) of the Fees and Charges Bylaw for a replacement of the Business Licence and the annual decal. The proposed fees are identified on Appendix “B” to Bylaw No. 9161, 2020.

City of Prince George Vehicles for Hire Bylaw No. 7853, 2007

The Provincial Government announced the amendment of the Passenger Transportation Regulation, which came into effect on September 16, 2019, to modernize the taxi industry and introduce ride-hailing services. This Passenger Transportation Board (independent tribunal authorized under the *Passenger Transportation Act*) is the sole authority to issue chauffeur permits, makes decision on applications relating to passenger directed vehicle authorization, and administers penalties. This regulation indicates that any previously issued municipal chauffeur permits are valid until they expire, or until September 2021.

Due to the Provincial Government change in legislation, the City of Prince George will no longer be issuing chauffeur permits. Further to this, the proposed Business Licence Bylaw 9040 includes regulations related to a Passenger Directed Vehicle type business (i.e. Section 10.4)

Therefore, Administration recommends that the Vehicles for Hire Bylaw be repealed.

Other Consequential Amendments

The existing Business Licence Bylaw 7851 is mentioned in a few other City of Prince George Bylaws. Any reference to “City of Prince George Business Regulation and Licensing Bylaw No. 7851, 2007” will need to be removed, and replaced with “City of Prince George Business Regulation and Licensing Bylaw No. 9040, 2020.” The following bylaws require this updated reference:

- City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016;
- City of Prince George Second-Hand Dealers and Pawnbrokers Bylaw No. 8098, 2008; and
- City of Prince George Officer Positions and Delegation of Authority Bylaw No. 8340, 2011.

SUMMARY AND CONCLUSION:

Administration recommends City of Prince George Business Regulation and Licensing Bylaw No. 7851, 2007 be repealed and replaced with City of Prince George Business Regulation and Licensing Bylaw No. 9040, 2020; and the consequential bylaw amendments noted in this report be supported. The proposed Business Licence Bylaw 9040 will reflect current trends, and provide clarity on the regulations pertaining to Business Licences.

RESPECTFULLY SUBMITTED:

Ian Wells, Acting Deputy City Manager

PREPARED BY:

Mandy Stanker, Supervisor of Land Use Planning

APPROVED:

Walter Babicz, Acting City Manager

Meeting Date: [2020/11/23]