



Consolidated for Convenience

Last Updated: January 8, 2018

BUSINESS LICENSE

Bylaw No. 7851, 2007

CONSOLIDATED VERSION
PRINCE GEORGE BUSINESS REGULATION AND LICENSING BYLAW NO. 7851, 2007

This is a consolidation of the bylaws listed below and includes amendments up to the date noted on the cover page. This document is for convenience only and is not the legal or official version. Certified copies of the original bylaws should be consulted for all interpretations and applications of the subject bylaw. Copies can be obtained through the Legislative Services Division at City Hall.

AMENDING BYLAW	EFFECTIVE DATE	AMENDMENT
8534, 2013	October 7, 2013	Section 2.2, Section 23, Section 2.4, Section 3.1.3 a, Schedule A – Section A.2
8588, 2014	July 7, 2014	Schedule A
8915, 2017	December 18, 2017	Section 4.2.2, Section 6, Schedule B

CITY OF PRINCE GEORGE

BYLAW NO. 7851

Consolidated for Convenience

A Bylaw of the City of Prince George to provide for the regulation and licensing of business.

WHEREAS Council may, pursuant to s. 8 (6) of the *Community Charter*, regulate in relation to business;

AND WHEREAS, in regulating under the *Community Charter*, Council may, pursuant to s. 15(1) of the *Community Charter*, provide that terms and conditions may be imposed for obtaining, continuing to hold or renewing a license permit, or approval, and specify the nature of the terms and conditions and who may impose them;

AND WHEREAS Council may, pursuant to s. 154 of the *Community Charter*, delegate its powers, duties and functions to an officer or employee of the City, which delegation may under s. 60(4) of the *Community Charter* include the authority to suspend or cancel a business license;

AND WHEREAS Council has given notice of its intention to adopt this Bylaw by publishing such notice in 2 consecutive issues of a newspaper, the last publication appeared not less than 3, and not more than 10 days before the hearing, and has provided an opportunity for persons who consider they are affected by this Bylaw to make representations to Council at a hearing pursuant to s. 59 of the *Community Charter*;

NOW THEREFORE, Council of the City of Prince George, in an open meeting assembled, **ENACTS AS FOLLOWS:**

SECTION 1 – INTRODUCTION

1.1 This bylaw may be cited as the “City of Prince George Business Regulation and Licensing Bylaw No. 7851, 2007”.

1.2 Repeal & Transitional Provisions

1.2.1 “City of Prince George Business License Bylaw No. 6279, 1994” is repealed.

1.2.2 A business license issued pursuant to City of Prince George Business License Bylaw No. 6279, 1994 that has not expired is deemed to have been issued under this Bylaw, and shall expire on December 31, 2007 or such earlier date as may be specified in the license.

1.2.3 This Bylaw shall not come into force or effect until July 1, 2007.

1.3 Definitions

1.3.1 Unless otherwise defined in Schedule "A" to this Bylaw, all words and phrases in this Bylaw shall have the meaning given to them in the *Local Government Act* or the *Community Charter*.

SECTION 2 – DELEGATION OF COUNCIL POWERS AND RECONSIDERATION

2.1 **Council** delegates to the **Authorized Person** the powers of **Council** to grant **licenses** under this Bylaw.

Amended by BL8534, 2013

2.2 **Council** delegates to the **Authorized Person** the powers of **Council** to refuse, suspend or cancel **licenses** under this Bylaw after having given the **licensee** written notice of the decision and an opportunity to be heard in accordance with Section 2.3.

Amended by BL8534, 2013

2.3 Within 7 days of receipt of a notice of the Authorized Person's decision to refuse, suspend or cancel any license under this Bylaw, the applicant may request that Council review the decision subject to the following:

- (a) the request shall be in writing, and include reasons in support of the review;
- (b) upon receipt of a complete written request for **Council's** review, the **Authorized Person** shall prepare and forward a report to both the **applicant** and **Council** attaching the **application** and setting out the reasons for the proposed decision;
- (c) at a date and time set by **Council** the **applicant** shall have the opportunity to appear before **Council** and be heard regarding the **Authorized Person's** proposed decision; and
- (d) following this, **Council** shall review the decision proposed by the **Authorized Person** and either uphold the decision or substitute the **Council's** decision for the **Authorized Person's**.

Amended by BL8534, 2013

2.4 For the purpose of Section 2.2, the Authorized Person may deliver a notice,

- (a) if the named person is a corporation, by delivering the notice to a director, manager or other executive officer of the corporation, or of a branch of it,
- (b) if the named person is an extraprovincial company as defined in the Business Corporations Act, by delivering the notice to the attorney for the extraprovincial company, or
- (c) by delivering the notice to the place of business as provided on the business license or the application for business license,

and if a notice is delivered in accordance with paragraph (a), (b) or (c), the bylaw notice is presumed to have been received by the named person, if delivered personally, on the date of delivery and, otherwise, on the seventh day after mailing.”

SECTION 3 – BUSINESS LICENSE

3.1 License Requirement

3.1.1 Except as otherwise provided for in Section 3.1.3 of this Bylaw, no **person** shall operate a **business** within the **City** unless the **owner** holds a current **license** for that **business**.

3.1.2 No **person** shall operate a **business** after receiving notice from the **City** that the **license** for that **business** has been suspended or cancelled.

3.1.3 A **license** is not required for:

Amended by BL8534, 2013

- a) real estate services unless the **licensee** occupies or uses premises in the **City** for carrying on the **licensee's** real estate business; or
- b) a **garage sale**.

3.2 License Application

3.2.1 An **applicant** who wishes to obtain a **license** shall complete an **application** in a form prescribed by the **Authorized Person** and submit it to the **Authorized Person** together with the applicable **license fee**.

3.2.2 The **applicant** shall provide true and accurate information respecting the **application** to the **Authorized Person**.

- 3.2.3** Upon receipt of a complete application and the applicable **license fee**, the **Authorized Person** may review the **application** to verify general compliance with this Bylaw and other enactments, but will not necessarily check the adequacy or accuracy of the information provided by the **applicant**. Any errors or omissions are the sole responsibility of the **applicant**.
- 3.2.4** The **applicant** must provide the following information, at the **applicant's** expense, to the **Authorized Person** at the time of **application** submission, except to the extent that the **Authorized Person** determines that the provision of the information is not required to assist the **Authorized Person** in his or her consideration of the **application**:
- (a) name, address, phone number and signature of the **applicant**;
 - (b) name, address, phone number and signature of the **owner** if different from the **applicant**;
 - (c) name, phone number and signature of a person whom the City may contact in the absence of the **owner** in the event of an emergency involving the **business**;
 - (d) proof or incorporation, partnership, or society registration and address and phone number of the **business** if different from that of the **applicant**;
 - (e) description of the **business**;
 - (f) civic address of the **parcel** on which the **business** is being operated;
 - (g) number of vehicles involved in the **business**;
 - (h) number of **vending machines** involved in the **business**;
 - (i) number of employees involved in the **business**;
 - (j) number of rental units involved in the **business**;
 - (k) proof of certification, licensing, registration or other evidence of proficiency or competence for any trade or occupation required under an enactment for any **business, premises** on which the **business** is being operated, and any **person** engaged in the **business**;
 - (l) classification and description of any dangerous goods, as defined in *Transportation of Dangerous Good Act*, that are manufactured, stored, or transported by the **business**, including the location and transportation routes for those dangerous goods;
 - (m) a detailed description of the **premises** in or upon which the **applicant** intends to carry on **business** including but not limited to **gross floor area**, and **gross leasable floor area** of the **premises**;
 - (n) legal title search for the **parcel** dated no more than 5 business days from the date of **application**;

- (o) copies of all relevant charges registered on the legal title of the **parcel**;
- (p) the proposed **business** opening date; and
- (q) any additional information the **Authorized Person** reasonably determines is required to assist the **Authorized Person** in his or her consideration of the **application**.

3.3 Effective Period of License

3.3.1 Except as otherwise provided for in this Bylaw, **licenses** may be granted for an effective period no greater than one year to commence on the first day of January and to terminate on the thirty-first day of December of that year.

3.3.2 For **licenses** issued after the first day of January, the **license** shall be granted for an effective period to commence on the day of **license** issuance and to terminate on the thirty-first day of December of that year.

3.3.3 Notwithstanding Sections 3.3.1 and 3.3.2, a **license** shall terminate on the earlier of:

- (a) the end of the effective period of the **license**, as determined by the **Authorized Person** under Section 4.1.1;
- (b) the thirty-first day of December of that year; and
- (c) that date on which the operation of the business ceases.

3.4 License Renewal

Every **licensee** must renew its **license**, and pay the applicable **license fee** before the beginning of each and every year for as long as the **business** is operated.

3.5 Separate License

3.5.1 Where there is more than one business category, as defined in Schedule "A" to this Bylaw, operating in or from one **premises**, each business category shall have a separate **license**.

3.5.2 Where a **business** is operated in or from more than one **premises** within the City, the **business** operated in or from each **premises** shall be deemed a separate **business** for which a separate **license** is required, except for **mobile businesses**.

3.5.3 Where there is more than one separate and distinct **trade name** displayed within one **premises**, each **trade name** shall be deemed to indicate the operation of a separate **business**, for which a separate **license** is required.

3.6 Change of Business

A **license** issued under this Bylaw is not transferable from one **person** to another.

3.7 Display of License

The **licensee** shall post, and keep posted, a current **license** in a prominent and conspicuous location to which the public has access, at the place of **business** for which the **license** was issued, except that:

- a) any **person** who operates a **mobile business** must display the **license** on the vehicle or **push cart**; and
- b) Any person who operates a business for which a **non-resident license** has been issued must carry the **license** on his or her person.

3.8 Compliance with Other Bylaws or Enactments

3.8.1 Any **person** operating or carrying on a **business** that is regulated, controlled, permitted, or licensed by any other bylaw, or Federal, Provincial, Local Government or First Nation's enactment, shall obtain the necessary approvals from the appropriate authority prior to submitting a **license** application.

3.8.2 The issuance of a **license** shall not be deemed to be a representation by the **City** to the **licensee** or to anyone else that the business complies with all applicable bylaws or other enactments. The **licensee** remains responsible to ensure compliance with all bylaws and other enactments.

SECTION 4 – BUSINESS REGULATION

4.1 General Regulations

4.1.1 The **Authorized Person** may impose terms and conditions that must be met for obtaining, continuing to hold, or renewing a **license**, respecting the following matters:

- a) employee and patron behavior at the **business premises**;
- b) employee, patron and public health, safety and security at the place of **business**;
- c) physical condition of the place of **business**;
- d) types of entertainment that may be provided in or on the **premises**;
- e) hours of operation; and
- f) the effective period of any **license**.

4.2 Adult Entertainment

4.2.1 A **person** must not carry on the **business** of selling, giving or otherwise supplying **adult entertainment** products or services to a **minor**.

4.2.2 No **adult entertainment licensee** shall:

- a) authorize or permit a **minor** to enter on or be on **premises** where **adult entertainment** products or services are sold, kept for sale, or offered;
- b) authorize or permit the display of **adult entertainment** paraphernalia and material except when the paraphernalia and material is not visible from outside the **premises**; or
- c) allow or permit a **minor** to be employed or engaged in an **adult entertainment business**.

Amended by BL8915, 2017

4.2.3 Every **adult entertainment licensee** shall display, in a prominent and conspicuous location, a sign at each entranceway into the interior of the **premises** that contains the words “**ADULTS ONLY**”.

4.3 Dating or Escort Service

4.3.1 A **person** must not carry on the **business** of selling, giving or otherwise providing **dating or escort services** to a **minor**.

4.3.2 No dating or escort services licensee shall:

- a) in or at a place under its control, permit a **minor** to purchase or use **dating or escort services**;
- b) authorize or permit a **minor** to enter on or be on a **premises** where **dating or escort services** are sold, or offered;
- c) authorize or permit the display of **dating or escort services** paraphernalia and material except when the paraphernalia and material is not visible from outside the **premises**; or
- d) allow or permit a **minor** to be employed or engaged in any **dating or escort services**.

4.3.4 Every dating or escort services licensee shall display, in a prominent and conspicuous location, a sign at each entranceway into the interior of the premises that contains the words "ADULTS ONLY".**4.4 Amusement Parks, Circus, Carnival or Midway****4.4.1 Every applicant for an amusement park, circus, carnival or midway license shall provide written verification, satisfactory to the Authorized Person, that the business has obtained and will maintain comprehensive general liability insurance:**

- a) in an amount not less than two million dollars (\$2,000,000) all-inclusive per occurrence for bodily injury, death and property damage or loss; and
- b) naming the **City** as an additional insured party.

SECTION 5 – SEVERABILITY

- 5.1** If any section, subsection, clause, sub-clause or phrase of this Bylaw is for any reason held to be invalid, unlawful or unenforceable by the decision of any Court of competent jurisdiction, that section, subsection, clause, sub-clause or phrase shall be struck from the Bylaw and its severance shall not affect the validity of the remaining portions of this Bylaw.

Amended by BL8915, 2017

SECTION 6 – OFFENSE AND PENALTY

- 6.1** This Bylaw may be enforced,
- a) by an Information laid in accordance with the *Offence Act*;
 - b) by a Bylaw Notice in accordance with the *“Local Government Bylaw Notice Enforcement Act”*; or
 - c) by a combination of the above noted methods in a) or b).

- 6.2 With respect to enforcement further to a Bylaw Notice issued pursuant to the *Local Government Bylaw Notice Enforcement Act*, the fines outlined in Schedule "B" of the "City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016", as amended or replaced from time to time, shall apply.
- 6.3 Except as otherwise provided in this Bylaw or the "City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016", and amendments thereto, any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, or omits or neglects to fulfill, observe, carryout or perform any duty or obligation imposed by the Bylaw shall be liable on summary conviction to a fine not less than Two Thousand (\$2000.00) and not exceeding Ten Thousand Dollars (\$10,000.00), the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter*, S.B.C., 2003, c.26 or the *Offence Act*, R.S.B.C., 1996, c.338.
- 6.4 Each day that an offence against the Bylaw continues or exists shall be deemed to be a separate and distinct offence."

READ A FIRST TIME THIS THE 4th DAY OF DECEMBER , 2006.

READ A SECOND TIME THIS THE 4th DAY OF DECEMBER , 2006.

First Two readings passed by a **unanimous** decision of Members of City Council present and eligible to vote.

FIRST TWO READINGS RESCINDED ON THIS THE 5th DAY OF MARCH , 2007, BY A **UNANIMOUS** DECISION OF MEMBERS OF COUNCIL PRESENT AND ELIGIBLE TO VOTE.

READ A FIRST TIME THIS THE 5th DAY OF MARCH , 2007.

READ A SECOND TIME THIS THE 5th DAY OF MARCH , 2007.

First Two readings passed by a **unanimous** decision of Members of City Council present and eligible to vote.

READ A THIRD TIME THIS THE 2nd DAY OF APRIL , 2007.

Third reading passed by a **unanimous** decision of Members of City Council present and eligible to vote.

Certified correct as passed Third Reading, this the 18th day of April , 2007.

Don Schaffer
CLERK OF THE CITY OF PRINCE GEORGE

APPROVED BY THE MINISTER OF TRANSPORTATION PURSUANT TO THE PROVISIONS OF SECTION 52(3)(a) OF THE TRANSPORTATION ACT THIS THE **24th** DAY OF **APRIL** , **2007**.

Karen Andrews
for MINISTER OF TRANSPORTATION

ADOPTED THIS THE **30th** DAY OF **APRIL** , **2007**, BY A **UNANIMOUS** DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.

Colin Kinsley
MAYOR

Don Schaffer
CLERK

SCHEDULE "A"

A.1 Defined Terms

"adult entertainment" means the business of providing or furnishing live performances, motion pictures, videos, or other electronic or photographic reproductions other than magazines, the central feature of which is the visual representation of a person's genitals, anus or pubic area, or physical contact with a person's genitals, anus or pubic area;

"application" means a written request by an **applicant** for the issue of a **license** required by this Bylaw in a form and with content prescribed by this Bylaw;

"applicant" means the **owner** or a representative of the **owner** duly authorized to act on the **owner's** behalf in relation to an **application**;

"Authorized Person" means the person appointed by Council as head of the Development Services Department, or a person designated in writing by the head of the Development Services Department to carry out any act or function under this bylaw.

Amended by BL8534, 2013

"building rental" means any building or portion of any building with 1 or more units, offices or space rented for commercial purposes.

"business" means:

- a) carrying on a commercial or industrial activity or undertaking of any kind, or
- b) providing professional, personal or other services for the purpose of gain or profit;

but does not include:

- i) an activity carried on by the Federal government, by corporations owned by the Federal government, or by agencies of the Federal government; or
- ii) an activity carried on by the Provincial government, by corporations owned by the Provincial government, or by agencies of the Provincial government; or
- iii) an activity carried on by a local government, by corporations owned by the local government, or by agencies of the local government; or
- iv) an activity carried on by a band (as defined by the Indian Act) or an organization composed exclusively of bands.

"business category" for the purpose of Section 3.5.1 of this Bylaw, means a business category found within Schedule "A" Section A.2 of this Bylaw that has a two digit code;

“Bylaw Enforcement Officer” means an officer or employee of the City who has responsibility for inspection and enforcement relating to bylaw compliance;

“Chief of Police” means the appointed Officer in Charge of the Prince George City Detachment of the Royal Canadian Mounted Police, or his or her designate;

“City” means the City of Prince George;

“Council” means the elected officials of the **City**;

“dating or escort service” means the business of providing or furnishing an escort or partner for a social occasion or function, but does not include a person providing assistance to another person because of that other person’s age, medical condition or disability;

Amended by BL8534, 2013

“dwelling unit” means accommodation providing sleeping, washroom and a kitchen facilities intended for domestic use, and used or intended to be used permanently or semi-permanently for a household.

“garage sale” means the occasional sale of secondhand household goods belonging to the owner or tenant of residential premises as an accessory use only to a single detached or two-unit dwelling, but does not include the sale of vehicles, new goods, or goods on consignment.

“gross floor area” means the total area of all the floors, measured to the extreme outer limits of the building, including all dwelling units and all areas giving access thereto, such as corridors, hallways, landings, foyers, staircases and stairwells, and includes enclosed balconies and mezzanines, enclosed porches or verandas, elevator shafts and accessory buildings, except those used for parking.

“gross leasable floor area” means the total floor area designed for tenant occupancy on which rent is paid or income produced, and includes basements, mezzanines and upper floors, if any, but excludes underground parking;

“highway” means any public street, road, bridge, or viaduct, but does not include private right of way or private walkway;

“license” means a business license required for a **business** under this Bylaw;

“license fee” means a fee or charge for a business **license** required by the City of Prince George Comprehensive Fees and Charges Bylaw No. 7557, 2004

“licensee” means a holder of a current **license** issued under this Bylaw;

“minor” means a **person** under the age of majority established by the *Age of Majority Act* and does not include any **person** who, when requested to do so by any

licensee, produces **picture identification** that on reasonable examination indicates that the **person** is not under the age of majority;

“mobile businesses”

“non-resident license” means a current **license** issued under this Bylaw to an applicant who does not reside in the **City**;

“owner” means a **person** who owns a **business**;

“parcel” means any lot or block into which land is subdivided and on which a **business** is operated;

Amended by BL8534, 2013

“pawn shop and second hand dealer” means a person who carries on the business of buying, selling, taking in trade, procuring, offering for sale or accepting in pawn second-hand or unused property.

“person” includes a firm or partnership, association, company, society, and body corporate;

“picture identification” means:

- a) identification including a driver’s license and passport issued by the Government of Canada or of a Province of Canada or a ministry, department, or agency of any such government;
- b) a driver’s license issued by the government of a state of the United States or a ministry, department or agency of any such government; or
- c) a passport issued by a government of a foreign state recognized by Canada;

that has not expired and includes a photograph of the bearer, and the date of issuance of which is not more than five years before the date of its production, under this Bylaw, for the purpose of identification;

“premises” means a building or place, or portion of a building or place where a **business** is operated;

“push cart” includes any device designed to be moved by human power and which may be used on a sidewalk or any portion thereof for the purpose of selling or offering for sale any commodity to the public;

Amended by BL8534, 2013

“residential building rental” means any building or portion of any building with 1 or more dwelling units rented for residential purposes.

Amended by BL8534, 2013

“scrap metal dealer” means a person that buys and sells waste or scrap materials and may or may not include a “Salvage or Wrecking Yard” business.

Amended by BL8534, 2013

“second hand dealer” means a person who carries on the business of buying, selling, taking in trade, procuring or offering for sale second-hand or unused property but does not include pawn shop.

“trade name” means the name supplied by an **applicant** and used to identify a **business** to patrons;

“vending machine” means any device intended or designed to dispense goods following insertion of slugs or coins.

Amended by BL8534, 2013

A.2 Business License Category
Animal Clinic
Banks and Financial Institutions
Bed & Breakfast
Body Rub Parlour/Relaxation Clinic
Building Rental
Building Rental – Civic (Annual)
Building or Garden Supplies
Bulk Storage or Distribution
Car or Truck Rental
Car Dealership
Car Sales or Service
Car Storage
Cemetery, Crematorium
Charitable/Non-Profit/Religious
Coffee Shop/Café/Deli (less than 30 seats)
Commercial Arcade
Commercial Auction
Commercial Office
Commercial Open-Land Recreation
Commercial Parking Lot or Parkade
Commercial Recreation
Commercial Retail (less than 1000m ²)
Commercial Retail-Department Store (greater than 1000 m ²)
Commercial Service (100 m ² or less floor area)

Commercial Service (more than 100 m ² floor area)
Contractor, General or Logging
Contractor/Trade
Courier/Delivery Service (per unit)
Day Care/Group Homes
Direct Sales, Group
Direct Sales, Individual
Escort Service
Exhibition
Exotic Dance Service
Farmers Retail
Flea or Farmers Market (year)
Gaming Facility
Gasoline Service Station
Home Business
Home Business General Contractor
Home Business Contractor/Trade
Home Craft
Home Occupation, Special
Hotel
Industrial Equipment Sales & Service
Industrial Equipment Service
Industrial Light Manufacturing/Retail
Industrial, Service (100 m ² or less floor area)
Industrial, Service (more than 100 m ² floor area)
Industrial, Special Heavy Manufacturing (8 hectares or less in site area)
Industrial, Special Heavy Manufacturing (more than 8 hectares in site area)
Liquor Primary Establishment
Medical or Dental Office
Mobile Home Park
Mobile Vendors (per unit)

Motel
Nursery or Greenhouse
Pawn Shop and Second Hand Dealer
Personal Care Home
Prefab/Manufactured Buildings
Printing or Publishing
Recreational Vehicle Sales & Service
Recreational Vehicle Service only
Residential Building Rental
Restaurant/Food Primary Establishment
Salvage or Wrecking Yard
Scrap Metal Dealer
Second Hand Dealer
Sidewalk Vendor
Studio, Radio or Television
Taxi/Limousine/Shuttle Service (per unit)
Transportation Depot
Travel Trailer Park
Truck or Rail Terminal
Truck Repair & Sales
Truck Repair
Vehicle Hire (per unit)
Vehicle Hire (Maximum Fee)
Vending Machines (per machine)
Vending Machines (Maximum)
Warehousing
Wholesale (500 m ² or less floor area)
Wholesale (more than 500 m ² floor area)

SCHEDULE "B"

Deleted by Amendment Bylaw No. 8915, 2017