



THE CORPORATION OF THE VILLAGE OF FRASER LAKE

BUSINESS LICENSE BY-LAW No. 774, 2016

The Council of the Corporation of the Village of Fraser Lake in open meeting assembled enacts the following:

1. INTERPRETATION

- 1.1 In this bylaw, unless the context otherwise requires, the following terms shall have the assigned meaning:
- a. Business means carrying on a commercial or industrial activity or undertaking of any kind, or providing professional, personal or other services for the purpose of gain or profit or providing any other services in exchange for money or other considerations but does not include any activity carried out by the federal or provincial governments.
 - b. Resident Business means a business carried on in or from premises within the municipality.
 - c. Non-Resident Business means a business, other than a resident business carried on in the municipality or with respect to which any work or service is performed in the municipality.
 - d. Licence Inspector means the person or persons designated by the Chief Administrative Officer to carry out the administration and enforcement of this bylaw.
 - e. Council means the Council of the Corporation of the Village of Fraser Lake.
 - f. Village means the municipality of the Corporation of the Village of Fraser Lake.
 - g. Premises means a building or part of a building with its appurtenances or grounds
 - h. Person means a person, corporation, partnership or other legal entity.
 - i. Non-Profit Organization means an organization operated solely by an organization recognized as such by the Societies Act or Canada Not-For-Profit Corporations Act.
 - j. Temporary Vendor means any resident business or non-resident business who sells or offers goods, wares, merchandise, or foodstuff that is operating up to a maximum of 21 calendar days (e.g. temporary food carts, non-resident vendors at public events, non- resident contractors working less than 21 days.)
 - k. Seasonal Business means any business that by the nature of the business is prevented from operating for more than 21 calendar days but less than 6 months of the year due to seasonal conditions.
 - l. Community or Farmer's Market means a group of stalls or booths where farmers and other local vendors sell their products directly to consumers on a temporary or seasonal basis.
 - m. Community Events means specifically Canada Day, Bicycle Rodeo, Small Business Fair and Halloween celebrations which are held annually.
 - n. Social Media means an internet-mediated tool that allow people to create, share or exchange information, ideas and pictures/videos in virtual communities and networks.

2. GENERAL REGULATIONS

- a. No person shall carry on any business within the Village of Fraser Lake unless that person holds a valid and subsisting licence issued pursuant to this bylaw for the business activity that is being

licence and wishing to operate at special events are required to attend the Village of Fraser Lake Office and submit an application on the approved Business Licence application/renewal form.

- f. Temporary Vendors present at Community Events are exempt from the requirement of a *temporary vendors permit* as long as the event organizers grant them permission to be at the event. The event organizers are required to provide a list of Temporary Vendors they have invited to be present at the Community Event to the Village of Fraser Lake prior to the event.
- g. If any person or organization wishes to conduct a farmer's market on Village owned property, they must obtain written permission from the Village of Fraser Lake. In their submission to the Village, the applicant must specify the dates and times during which the farmer's market will operate. Following receipt of written permission from the Village, No licence will be required for the farmer's market participants during the authorized dates and time periods.
- h. A mobile vendor shall not do business within thirty (30) meters of other like retail vendors.

5. LICENSE FEES AND LICENSE PERIOD

- a. No licence will be issued or renewed to a person until that person has paid the Village the prescribed fee for the classification of business set out in the current Village of Fraser Lake Fees and Charges bylaw.
- b. Licences fees are based on the type of business being operated. The categories include *Full Annual Licence*, *Temporary Vendor Permit* and *Non-Profit Organization Licence*.
- c. Unless a licence is refused by the Village of Fraser Lake, no licence fee paid under this bylaw will be refunded.
- d. A full annual licence issued pursuant to this bylaw is in effect for a period of twelve (12) months; valid on the first day of January and expiring on the 31st day of December each year.
- e. The licence fee prescribed in Section 5 of this bylaw will be reduced by ½ for any person who becomes liable for a full licence after June 30 of any year; excluding seasonal licences and temporary permits.

6. TRANSFER OF A LICENCE

- a. In the event of a change of ownership of the business for which a licence is issued, the new owner must apply for a new licence.
- b. No person to whom a licence has been issued under this bylaw shall change the location of the premises named on the business licence without making application to the Village of Fraser Lake to transfer the existing licence and having that request granted.
- c. The Village of Fraser Lake may refuse the transfer of a business licence if the operation of the business or new premises does not comply with this and/or other bylaws of the Village.
- d. A person must notify the Village of Fraser Lake when a business no longer requires a licence.

7. REFUSAL OF LICENCE

7.1 The Village of Fraser Lake may refuse an application for a license if:

- a. The premises of the proposed business does not meet the requirements of the Village's bylaws regulating business, land use or fire;
- b. The business is prohibited by another Village of Fraser Lake bylaw or federal or provincial act or regulation;
- c. A license for the same business is currently cancelled or suspended under this bylaw, and the terms for reinstatement have not been met;
- d. The applicant has not provided a copy of current certification, license or letter of approval from the governing Provincial or Federal Agency or body before a license may be issued

8. SUSPENSION OF LICENSE

- b. Issue or transfer a license if satisfied that the person for which application pertains has complied or is in the process of complying with a bylaw or bylaws of the Village regulating, business, building land use or fire;
- c. Renew a license, unless he/she is aware at the time of the renewal that the licensee or premises from which the business is operated is no longer in compliance with such terms or conditions regulating, business, building land use or fire;
- d. Impose terms and conditions in respect to the issuance, transfer, renewal or reinstatement of a license under this bylaw and require the licensee to provide evidence to the satisfaction of the License Inspector of compliance with such terms or conditions;
- e. Suspend or cancel a license for reasonable cause, including where a person:
 - i. Has failed to comply with a term or conditions of a license;
 - ii. The person's premises cease to comply with a bylaw regulating business, building, land use, or fire;
 - iii. Is convicted of an offence under an Act or bylaw in respect to the business for which the license has been issued or with respect the premises named in the license;
 - iv. Is deemed, under the Offence Act to have plead guilty to an offense under a bylaw in respect to the business or with respect to the premises named in the license;
- f. Refuse a license where satisfied that the applicant or premises named in the application are not in compliance with this bylaw.

12. CITATION

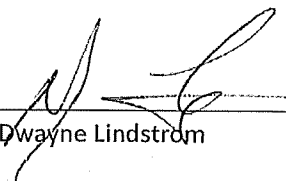
- a. The Corporation of the Village of Fraser Lake Business License Bylaw No. 454, 1994 is hereby repealed.
- b. The Corporation of the Village of Fraser Lake Business License amendment Bylaw No. 471, 1995 is hereby repealed.
- c. This Bylaw may be cited for all purposes as the "Corporation of the Village of Fraser Lake Business License Bylaw No. 774,2016"

READ A FIRST TIME this 13 day of January, 2016

READ A SECOND TIME this 13 day of January 2016

READ A THIRD TIME this 13 day of January 2016

ADOPT this 27 day of January, 2016



Mayor Dwayne Lindstrom



Rodney J. Holland, Chief Administrative Officer

Certified to be a true copy of the "Corporation of the Village of Fraser Lake Business Licence Bylaw No. 774, 2016"