

BYLAW NO. 1556

A bylaw to regulate business licences in the Town of Creston

WHEREAS the Local Government Act authorizes Council, by bylaw, to provide for a system of business licences and regulations,

NOW THEREFORE the Council of the Town of Creston, in open meeting assembled, enacts as follows:

Part 1 Title

1. This bylaw may be cited as "Business Licence Bylaw No. 1556, 2002".

Part 2 Definitions

In this bylaw, unless the context otherwise requires,

"**Business**" means

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

but does not include an activity carried on by the Provincial government, its agencies or corporations owned by the Provincial government, by agencies of the Provincial government or by the Greater Vancouver Transportation Authority or any of its subsidiaries.

"**Bylaw Enforcement Officer**" means the person appointed by Council as the Bylaw Enforcement Officer for the Town of Creston.

"**Council**" means the Council of the Town of Creston

"**Chief Licence Inspector**" shall mean the Licence Inspector appointed by Council as the Chief Licence Inspector. **BL#1714**

"**Fee**" and "**Fees**" means the fees and charges prescribed by the *Fees and Charges Bylaw*. **BL#1764**

"**Fees and Charges Bylaw**" means the Fees and Charges Bylaw in force from time to time and adopted by the Council under section 194 of the *Community Charter* or similar successor legislation. **BL#1764**

"**Licence Inspector**" means the person appointed by Council as Licence Inspector for the Town of Creston.

"**Municipality**" means the Town of Creston.

Part 3 Powers of the Licence Inspector

1. The Licence Inspector may issue a business licence when satisfied that the applicant has complied with the bylaws of the municipality regulating building, zoning, health, sanitation and business.
2. The Chief Licence Inspector may suspend a business licence for reasonable cause and without limiting the generality of this authority, the following circumstances may constitute reasonable cause;

-
- (a) the holder fails to comply with a term or condition of the licence;
 - (b) the holder is convicted of an offence indictable in Canada;
 - (c) the holder is convicted of an offence under an Act or municipal bylaw in respect of the business for which the holder is licenced or with respect to the premises named in the licence;
 - (d) the holder is deemed, under the Local Government Act or the Offence Act, to have pleaded guilty to an offence referred to in Part 3 Section 2(c) of this bylaw.
 - (e) the holder has ceased to meet the lawful requirements to carry on the business for which the holder is licenced or with respect to the premises named on the licence.
 - (f) the holder has, in the opinion of the Licence Inspector,
 - (i) conducted the holders business or performed a service in a manner that may be harmful or dangerous to the health or safety of a person actually or apparently under the age of 16 years, or
 - (ii) has sold, offered for sale, displayed for sale or distributed to a person actually or apparently under the age of 16 years any thing that may be harmful or dangerous to the health or safety of a person actually or apparently under the age of 16 years.
3. The Licence Inspector or Bylaw Enforcement Officer may enter at all reasonable times upon any land within the municipality to ascertain whether the regulations or directions of this bylaw are being observed.

Part 4 Revocation or Refusal of a Licence

1. Council may revoke a business licence for reasonable cause after giving notice to the licence holder and after giving the holder an opportunity to be heard.
2. The notice and opportunity to be heard as per Part 4, Section 1 of this bylaw is not required for a licence holder who cannot be found by reasonable efforts.
3. A person who has applied for but failed to be granted a business licence may appeal to Council.
4. A person whose business licence has been suspended by the Chief Licence Inspector may appeal to Council, which may confirm the suspension, set aside the suspension, or impose any terms and conditions it deems appropriate.
5. Despite the Local Government Act or the bylaws of the municipality, a Council may, on the affirmative vote of at least 2/3 of its members, refuse in any particular case to grant the request of an applicant for a licence, but the granting or renewal of a licence must not be unreasonably refused.

Part 5 Licences and Applications

1. No person shall carry on any business within the municipality unless he is the holder of a valid and subsisting licence issued to him under this bylaw by the Licence Inspector.
2. The Licence Inspector may impose terms and conditions on any licence and failure to comply with those terms will constitute grounds for licence suspension and/or revocation.
3. The application for a business Licence shall be in the form of Schedule "A" attached hereto and forming a part of this bylaw, and shall be delivered to the Licence Inspector and signed by the owner of the business or his duly authorized agent, provided that in the case of partnership 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 of the owners or of the partnership.

4. The fee for the business licence is prescribed in the *Fees and Charges Bylaw*. **BL#1764**
5. Every business Licence issued pursuant to this bylaw shall be in the form of Schedule "B" attached hereto and forming a part of this bylaw.
6. For the purposes of this bylaw, if a business is carried on in or from more than one premises in the municipality, the business carried on from or in each location is deemed to be a separate business.
7. Except as specified in the *Fees and Charges Bylaw*, business licences shall be issued so as to terminate on December 31st in each year. **BL#1764**
8. **BL#1764**
9. Except as specifically permitted in this bylaw, no proportionate reduction or refund of any licence fee shall be made on account of any person commencing or ceasing to do business at any particular time.
10. If the owner of a business sells or otherwise changes the ownership or location of a business, or alters any of licence classifications listed in Part 5 section 4 of this bylaw, it shall be incumbent on the licence holder to immediately inform the Licence Inspector.

Part 7 Offences and Penalties

1. Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding Ten Thousand (\$10,000.00) Dollars and not less than Two Thousand Five Hundred (\$2,500.00) Dollars, and is guilty of a separate offence each day that a violation continues or exists. **BL#1773**

Part 8 General

1. Town of Creston Business Licence Bylaw No. 1010, 1985 and amendments thereto, are hereby repealed.
2. This bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME AND A SECOND TIME THIS 15th day of October, 2002.

READ A THIRD TIME THIS 15th day of October, 2002.

ADOPTED THIS 28th day of October, 2002.

“Joe Snopek”

Mayor

“Gwen Mason”

Director of Corporate Administration Services



Schedule "A"
Bylaw No. 1556

TOWN OF CRESTON
BUSINESS LICENCE APPLICATION FORM

Please check applicable:

- | | | | |
|--|---|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> Commercial / Industrial | <input type="checkbox"/> Home Based | <input type="checkbox"/> Contractor | <input type="checkbox"/> Professional |
| <input type="checkbox"/> New Application | <input type="checkbox"/> Name Change | <input type="checkbox"/> New Location | <input type="checkbox"/> Non Profit |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Proprietorship | <input type="checkbox"/> Partnership | |

Business Name _____

Corporate Name (if different) _____

Business Address _____
Unit No. Street No. Street Postal Code

Business Phone: _____ Fax: _____ Cell or Other: _____

Mailing address (if different than above) _____

Name and address of owner(s) or principal(s)

Surname First Name Initial Contact Phone No.

Surname First Name Initial Contact Phone No.

Number of employees at Creston location: Owner(s) _____ Full Time _____ Part Time _____

Fully describe the proposed business activity: _____

Are there any vending machines on the premises? Yes No

Floor Area: Commercial / Industrial (in square meters)

Total Floor Area: _____ Public Access area: _____ Storage Area: _____ Washrooms _____

Floor Area: Home Based Businesses (in square meters)

Total Floor Area: _____ Total Area Used for Business _____

Will any building alterations be done? Yes No If YES, a Building Permit may be required.
Please contact the Building Inspector for information. In some cases a change of building use may affect the current
Utility rate. Please contact the Finance Department for further information.

Will any business signs be installed? Yes No If YES, a Sign Permit may be required.
Please contact the Business Licence Inspector for information.

SCHEDULE "B"

TOWN OF CRESTON
P.O. Box 1339
238 - 10th Avenue North
CRESTON, BC V0B 1G0
Telephone: (250) 428-2214
Fax: (250) 428-9164



TOWN OF CRESTON LICENCE BYLAW 1556 AND AMENDMENTS THERETO

OFFICE COPY

TYPE OF BUSINESS

LOCATION OF BUSINESS

NAME AND ADDRESS OF BUSINESS

LICENCE EFFECTIVE

FROM:

TO:

LICENCE NO.:

CUSTOMER:

Licence Fee:

TOWN OF CRESTON
P.O. Box 1339
238 - 10th Avenue North
CRESTON, BC V0B 1G0
Telephone: (250) 428-2214
Fax: (250) 428-9164



TOWN OF CRESTON LICENCE BYLAW 1556 AND AMENDMENTS THERETO

BUSINESS LICENCE

TYPE OF BUSINESS

LOCATION OF BUSINESS

NAME AND ADDRESS OF BUSINESS

LICENCE EFFECTIVE

FROM:

TO:

LICENCE NO.:

CUSTOMER:

Licence Fee:

THIS IS TO CERTIFY THAT THE LICENCEE HAS PAID THE REQUIRED LICENCE FEE AND IS ENTITLED TO CARRY ON BUSINESS AS INDICATED WITHIN THE TOWN OF CRESTON, IN A LAWFUL MANNER AND SUBJECT TO THE PROVISIONS OF ALL BYLAWS IN EFFECT. This Licence cannot be transferred, except as the Bylaws direct.

BILL DOELEMEN, BYLAW ENFORCEMENT OFFICER

THIS LICENCE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES

SCHEDULE "C"

BL#1764

INDEX OF AMENDING BYLAWS

Bylaw 1561.....	Adopted February 10, 2003
Bylaw 1614.....	Adopted January 31, 2005
Bylaw 1714.....	Adopted August 11, 2009
Bylaw 1722.....	Adopted May 11, 2010
Bylaw 1764.....	Adopted December 13, 2011
Bylaw 1773.....	Adopted December 13, 2011

NOTE TO USERS

"WHEREAS each bylaw consolidation shall be proof, in the absence of evidence to the contrary, of the original bylaw, of all bylaws amending it and of the fact of passage of the original and all amending bylaws", pursuant to 'Authority to Consolidate Municipal Bylaws No. 1533', which was adopted on the 11th day of June, 2001.