

## DISTRICT OF HIGHLANDS

### BYLAW NO. 152

#### **A BYLAW TO ESTABLISH AN INTERMUNICIPAL BUSINESS LICENCE SCHEME**

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WHEREAS pursuant to Section 653 of the *Local Government Act*, Council may, by bylaw, regulate businesses, business activities and persons engaged in business and establish different classes of business and make different regulations for different classes of business;

AND WHEREAS pursuant to Section 658 of the *Local Government Act* Council may provide for a system of business licenses and make different provisions for different classes of business;

NOW THEREFORE the Council of the District of Highlands, in open meeting assembled, enacts as follows:

1. For the purpose of this Bylaw, unless the context otherwise requires;

**“ACT”** means the Local Government Act;

**“ADMINISTRATOR”** means the person appointed by Council to serve as the Administrator for the District of Highlands and also any duly authorized representative lawfully acting in that capacity;

**“BUSINESS”** has the meaning as defined by Section 652 of the Act;

**“COUNCIL”** means the Council of the District of Highlands;

**“DISTRICT”** means the District of Highlands;

**“INTERMUNICIPAL BUSINESS LICENCE”** means a business licence issued by the Administrator of the District or by another Participating Municipality, to carry on business within the boundaries of any participating Municipality, and issued pursuant to the Intermunicipal Business Licence Agreement;

**“INTERMUNICIPAL BUSINESS LICENCE AGREEMENT”** means the agreement attached to and forming part of the “Intermunicipal Business Licence Agreement Authorization Bylaw No.153, 2001” and any amendments thereto;

**“PARTICIPATING MUNICIPALITY”** means a municipality, which is a party to the Intermunicipal Business Licence Agreement;

**“PERSON”** shall include a corporation, partnership, proprietorship, firm, and the personal or other legal representative of a person to whom the context may apply under this bylaw;

**“RESIDENT BUSINESS”** means a business carried on, in or from premises within the District of Highlands.

2. Every person owning or operating a Resident Business that also operates that business in any Participating Municipality may make application to the Administrator for an Intermunicipal Business Licence.
3. The Administrator shall have power to grant, issue or transfer licenses as hereinafter provided and subject to the provisions of Sections 663 and 667 of the Act.
4. The application for a licence for the first time shall be in the form or forms prescribed from time to time by the Administrator. The application shall be completed 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 only authorized agent of all the owners or partners.
5. The application form shall be delivered to the Administrator and shall be accompanied by a fee of \$100.00.
6. Where the applicant for more than one Licence is one and the same person, as many applications of the same kind as may conveniently be made on the form prescribed may be combined in one such form without the necessity for the completion of separate application forms for each business for which a licence is sought.
7. Notwithstanding the provisions of this bylaw, the Administrator is hereby authorized to modify the forms prescribed, or any of the administrative procedures prescribed as deemed necessary by him when dealing with any owner applying for licenses for more than one business.
8. Licenses issued hereunder shall be annual licenses for the period January 1st to December 31st in each and every year, and no proportionate reduction shall be made on account of any person commencing or ceasing to do business at any particular time.
9. No person who has obtained an Intermunicipal Business Licence from the District shall change his place of business without first obtaining a transfer of his licence in respect thereto and the particulars of such transfer shall be endorsed on the licence by the Administrator.

- 10. The Administrator shall have power to suspend licenses subject to the provisions of Section 662 of the Act.
- 11. The Administrator is hereby authorized to enter at all reasonable time upon any property for the purpose of administering and enforcing this bylaw.
- 12. Every licence shall be considered as a personal licence to the licensee and shall not be transferable to any other person.
- 13. Provided that there has been no change in any of the particulars of the business as noted on the original application form, and without derogating from the authority of Council to refuse a business licence under the *Local Government Act*, an application form is not required to renew an Intermunicipal Business Licence.
- 14. Except where the penalty is otherwise provided for in the *Local Government Act*, every person who offends against any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this bylaw, or who does so or refrains from doing anything 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 shall be liable on conviction, to a fine or penalty of not less than \$100.00 and costs in respect of the first offence, \$200.00 and costs in respect of the second offence, and in the case of subsequent offences to a fine of not less than \$300.00 and costs.
- 15. This bylaw may be cited for all purposes as “District of Highlands Business Licence Bylaw No. 152, 2001”.

READ A FIRST TIME THIS	15 <sup>TH</sup>	DAY OF	JANUARY	2001
READ A SECOND TIME THIS	15 <sup>TH</sup>	DAY OF	JANUARY	2001
READ A THIRD TIME THIS	15 <sup>TH</sup>	DAY OF	JANUARY	2001
ADOPTED THIS	5 <sup>TH</sup>	DAY OF	FEBRUARY	2001

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MAYOR

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CLERK