

THE CORPORATION OF THE VILLAGE OF SALMO

BUSINESS LICENSE BYLAW NO. 645, 2013

As Amended by Bylaws #668 and 733

**CONSOLIDATED FOR CONVENIENCE ONLY
Not Official Version**

Bylaw No.	Adopted	Amendment	Purpose
668	May 12, 2015	Section 12.2 & Section 20.1	To clarify renewal date and reword penalty section
733	April 27, 2021	Section 4 of Schedule "A"	To add fees for an Outdoor Patio area and Sidewalk Table area

THE CORPORATION OF THE VILLAGE OF SALMO

BYLAW #645

A Bylaw to Provide for Licensing of Businesses in the Village of Salmo

WHEREAS pursuant to Section 59 of the *Community Charter*, Council is empowered to regulate in relation to business;

AND WHEREAS Council is empowered to provide for granting of business licenses, to fix and impose license fees and regulate certain trades, occupations and businesses in the Village of Salmo;

NOW THEREFORE, the Council of the Village of Salmo, in open meeting assembled, enacts as follows:

Part 1. TITLE

- 1.1 This Bylaw may be cited for all purposes as “**Village of Salmo Business License Bylaw No. 645, 2013.**”

Part 2. DEFINITIONS

Business means engaging in a trade, occupation, profession, commercial or industrial activity or an undertaking of any kind for the purpose of gain or profit; but does not include an Employee, or an activity carried on by the Provincial Government, by Corporations owned by the Provincial Government or by agencies of the Provincial Government.

Business Category means the classification of Businesses as set out and identified as being a business Category within Schedule A of the bylaw.

License Inspector means the Chief Administrative Officer, and in their absence the Deputy Clerk/Treasurer.

Premises means stores, offices, warehouses, factories, buildings, houses, enclosures, yards, lands or other places occupied in full or in part, or capable of being occupied in full or in part, by a Business entity for the purpose of carrying on a Business.

Mobile Vendor means a transportable business consisting of food or other goods or services being sold, using a cart or stand or a mobile business operating from a motor vehicle or a trailer designed to be pulled by a motor vehicle on a highway. This does not include licensed delivery vehicles.

Owner means any person or persons who is or are the registered owner as indicated in the records of the Kamloops, British Columbia Land Title Office, and includes any person in actual or apparent possession of Real Property under a lease, license, or other agreement and includes any authorized representatives of the aforesaid.

Real Property means land, with or without improvements so affixes to the land as to make them in fact and law part of it.

Special Event means a Business Type involving short term or temporary events, performances, concerts, exhibitions, entertainment or concessions that, except as otherwise provided in the bylaw, does not exceed seven (7) days within the calendar year and includes but is not limited to retail sale, auction, flea market, craft fair, circus or carnival.

Ticket Information means municipal ticket information issued in accordance with the Municipal Ticket Information Bylaw.

Village means The Corporation of the Village of Salmo.

Traffic Bylaw means the Village of Salmo Traffic Bylaw No. 630, 2011 and as amended from time to time or superceded.

Zoning Bylaw means the Village of Salmo Zoning Bylaw No. 489, 2001 and as amended from time to time or superceded.

Part 3. ADMINISTRATION

- 3.1 The Chief Administrative Officer, and in their absence the Deputy Clerk/Treasurer, are hereby appointed to be the License Inspector and administer and carry out the provisions of this Bylaw.
- 3.2 Words defining responsibilities and authority shall be construed to be an internal administrative direction and not as creating a duty.

Part 4. AUTHORITY

- 4.1 The License Inspector is authorized to grant, issue, transfer, suspend or cancel a Business License as herein provided or refuse to grant, issue or transfer a Business License.
- 4.2 All Premises from which an applicant for a Business License proposes to carry on or conduct any Business in respect of which a Business License is required to be held pursuant to this Bylaw shall comply with all relevant Bylaws of the Village before a Business License is granted; and the applicant shall upon request produce such certificates or letters of approval as may be required by Federal, Provincial or Village authorities with respect to the Business.
- 4.3 The License Inspector may only issue a Business License if the Business License Fee has been paid.
- 4.4 The License Inspector may require confirmation of approval, in a form satisfactory to the License Inspector, from the Ministry of Health, R.C.M.P. or the Salmo Fire Department respecting a Business License application and in such

cases the License Inspector must not issue such Business License until he has received such approvals. A Business License holder shall immediately notify the License Inspector of any suspension or cancellation for any such approvals and the Chief Administrative Officer may suspend the Business License pending reinstatement of such approvals.

- 4.5 A Business License issued under this Bylaw is not a representation or acknowledgement by the Village to an applicant or holder of a Business License that the proposed business complies with any or all applicable laws or other enactments.

Part 5. APPLICATION FOR BUSINESS LICENSE

- 5.1 Every Person applying for a Business License shall complete the Business License application form provided as Schedule B of this bylaw.
- 5.2 Information provided on the Business License application may be subject to “*Freedom of Information and Protection of Privacy Act*” enquiries.

Part 6. ISSUING OF BUSINESS LICENSE

- 6.1 Subject to the *Community Charter*, and unless exempted under Provincial Government or Federal legislation or specifically exempted under this Bylaw, any Person carrying on Business in the Village must first hold a valid and subsisting Business License issued by the Village.
- 6.2 No Business, Person or representative shall advertise, solicit or promote for a Business activity without first obtaining a Business License.
- 6.3 Except as outlined hereafter, where a Business is carried on in or from more than one Premises within the boundaries of the Village, the Business carried on in or from each Premises shall be deemed to be a separate business and shall require a separate business license in respect of each said Premises. A Business shall only be carried on at the Premises for which the Business License has been issued.
- 6.4 A business may conduct or offer any number of different Business Types within the Business Category for which the Business License is issued provided, however, that each business type is disclosed and included in the Business License application and the Business License which is issued indicates that each Business Type is approved.
- 6.5 At the time a Business undertakes any new activity that would alter the information previously provided on the Business License application form, the holder of the Business License shall notify the License Inspector of such change, pursuant to the Transfer, Change, or Cancellation AT THE REQUEST of the Business section of this Bylaw and a new Business License may be required for the new activity as determined by the License Inspector.

Part 7. INSPECTION OF PREMISES

- 7.1 Every Owner, occupier or Business License holder of any business in the Village shall give the License Inspector and to such Persons as the License Inspector may designate from time to time such access at any reasonable hour to such Premises from which such business is carried on or any part thereof and such information with respect thereto as may be reasonably required to enable inspections of the Premises.

- 7.2 The License Inspector may inspect the Premises for which a Business License application is made, or a Business License is issued, and such inspection shall be for the purpose of and limited to:
 - 7.2.1 observe that the Business Category and/or Business Type is in accordance with the land uses permitted in the Village Zoning Bylaw.
 - 7.2.2 observe the Business and Premises for compliance with the Village Building Bylaw, and the Village Fire Prevention Bylaw.

Part 8. TRANSFER, CHANGE OR CANCELLATION OF BUSINESS LICENCE AT THE REQUEST OF THE BUSINESS

- 8.1 A holder of a Business License shall notify the License Inspector, in writing or on the form provided prior to:
 - 8.1.1 closing of the Business;
 - 8.1.2 changing the Business Name, phone number and/or fax number, emergency contact name, mailing address (Business Information)
 - 8.1.3 changing the Business Owner or Business License holder;
 - 8.1.4 changing the location of the Business;
 - 8.1.5 changing or adding to the Business, Business Type, or Business Category;
 - 8.1.6 change to a liquor license or addition of a liquor license for the Business.

- 8.2 A holder of a Business License shall pay the applicable transfer and change fee as set out in Schedule A of this bylaw.

- 8.3 Where more than one change is contemplated involving the Business Owner, Business Location, Business Category or Business Type, the existing Business License shall be deemed to be cancelled and a new Business License application shall be made by the Business License holder.

Part 9. – PERIOD OF BUSINESS LICENCE

- 9.1 All Business License issued under this Bylaw shall be for an annual basis from January 1st through December 31st of any year, and will expire on the last day of the year except if:
 - 9.1.1 a Business License is previously forfeited under this Bylaw;
 - 9.1.2 a Business License is issued on a daily, weekly or monthly basis.

Part 10. – BUSINESS LICENCE FEES

- 10.1 The License Inspector shall classify and interpret the Business Category and Business Type of each application for a Business License and shall calculate and levy a Business License Fee as set out in Schedule A of this Bylaw.
- 10.2 An applicant for a Business License must pay to the Village the applicable Business License Fee for that Business and a Business License is not valid until it has been issued by the License Inspector and the Business License Fee has been paid.
- 10.3 The Village shall refund Business License Fees only as follows:
- 10.3.1 where a Business License application is withdrawn by the applicant prior to the Business License being issued, or the Business License is refused by the Village, the Village will refund any Business License Fees paid on account of the Business License application, less an administration fee of 50% of the Business License Fee.
- 10.3.2 where a Business License holder requests the cancellation of a Business License as provided herein within 185 calendar days of being issued a Business License for the same anniversary year, the Village shall refund 50% of the Business License fee for that calendar year.

Part 11. FORM AND DISPLAY OF LICENSE

- 11.1 Every Business License issued pursuant to this Bylaw shall be in such a form as prescribed by the License Inspector from time to time.
- 11.2 Every Business shall permanently display the current Business License in a prominent location within the Premises for which the Business License has been issued. Every Person doing Business in other than a fixed or permanent place of Business shall carry such Business License on his person and prior to the commencement of Business or solicitation shall display the Business License in such a manner as will allow the Business License to be viewed and read.

Part 12. RENEWAL OF BUSINESS LICENSE

- 12.1 Each Business shall ensure that their Business License is renewed annually, whether notice is given by the Village or not, and the Business shall pay the annual Business License Fee.
- 12.2 (BL 668) Every business shall renew their Business License on or before February 1st of the calendar year. In the event the Business fails to renew their Business License on or before the aforementioned date, the Business shall pay, in addition to the annual Business License Fee for the renewal period, a penalty as set out in Schedule A of this Bylaw.

Part 13. REFUSAL, SUSPENSION OR CANCELLATION OF BUSINESS LICENSE

- 13.1 An application for a Business License may be refused by the License Inspector in any specific case but:
- 13.1.1 the application cannot be unreasonably refused; and

- 13.1.2 on request, the License Inspector must give written reasons for the refusal.
- 13.2 A Business License may be suspended or cancelled, by the Chief Administrative Officer or Council, for reasonable cause including, but not limited to, failure to comply with a term or condition of a Business License or failure to comply with this or any other Bylaw of the Village.
- 13.3 Before suspending or canceling a Business License, the License Inspector shall:
- 13.3.1 give written notice to the holder of the Business License indicating that the Business License is suspended or cancelled and that the Business must cease operations within 7 days of the date of the written notice. The written notice shall indicate the reasons for the suspension or cancellation and provide instructions to the License holder for the removal of the suspension or cancellation of the Business License.
- 13.3.2 give the date and time of a show cause hearing and invite the Business License holder to attend the hearing to speak before Council regarding the suspension or cancellation of the Business License.
- 13.4 Written notice of intention to cancel or suspend shall be delivered by registered mail to the address of the Business and the address of the contact Person as indicated on the Business License application.
- 13.5 No person shall carry on a Business for which a Business License is required by this Bylaw during a period of suspension of such Business License.

Part 14. APPEAL OF DECISION OF LICENSE INSPECTOR

- 14.1 Any Person, who wishes to appeal a decision of the Chief Administrative Officer as it pertains to the authority exercised by the License Inspector under this Bylaw, may appeal to have Council reconsider the decision by giving written notice of appeal to the Chief Administrative Officer. Such written notice of appeal shall state the grounds upon which the appeal is made. Upon written notice of appeal the Chief Administrative Office shall set a time and place for a hearing of the appeal pursuant to the Delegations section of the Procedure Bylaw. After hearing the appeal, Council may confirm, vary or set aside such decision made by the License Inspector, as it may deem appropriate.

Part 15. SPECIAL EVENTS

- 15.1 Unless otherwise provided herein, every Person desirous of holding a Special event shall obtain a business License prior to holding the Special Event.
- 15.2 A Business License is not required for a Special Event held at premises that hold a valid Business License for a Special event and the Premises are zoned to hold Special Events.

- 15.3 A Business License for each user or occupant at a Special Event is not required if the person holding the Special event holds a valid Business License for that Special Event.
- 15.4 The applicant for a Business License for a Special Event being held on Village property shall submit, along with the Business License application, written authorization from the Village to hold the Special Event on Village property.

Part 16. NON-PROFIT ORGANIZATIONS

- 16.1 Non-profit organizations are not required to obtain a business license but will be required to register with the Village.

Part 17. MOBILE VENDORS

- 17.1 A mobile business operating from a motor vehicle or a trailer designed and constructed to be pulled by a motor vehicle on a highway may only operate on commercially-zoned private property, subject to the permission of the property owner. Written evidence of the property owner's permission shall be submitted with the application for a business license. A mobile business shall not operate on other property at a distance of 50m or less from the established business selling similar products or services.

Part 18. GARAGE/YARD SALES

- 18.1 Residential premises holding garage/yard sales are not required to obtain a business license. Such garage/yard sales shall be limited to two (2) sale days per year per residence in single and two-family residential areas, or two sale days per building per year in multiple family areas.

Part 19. FARMER'S MARKETS

- 19.1 Farmer's Markets are required to obtain a business license that will cover all the vendors participating in the market.

Part 20. PENALTIES

- 20.1 (BL 668) Excepting the penalty related to the late payment of business license fees as outlined in Part 12.2, every person who violates any provision of this Bylaw is guilty of an offence and shall be liable on summary conviction to a fine of not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1,000.00) plus the cost of prosecution for each offence. Should this fine be unpaid, the fees shall be added to taxes in accordance with Section 260 of the *Community Charter*.
- 20.2 Every day or portion of day for which an offence continues shall constitute a new offence, provided however that where an offense consists of leaving a vehicle stopped or parked in excess of a specified time limit, the continuation of an offence beyond each elapsed period of time so specified shall constitute a new offence, and separate charges may be laid for each such time period in which an offence occurs.

THE CORPORATION OF THE VILLAGE OF SALMO
BYLAW #645

SCHEDULE "A"

BUSINESS LICENSE FEES

Section 1 – Financial Institutions – located in commercial premises	\$400.00
Banks/Credit Unions	
 Section 2 – Building Rentals	
Apartment Houses/ Hotel/Motel/ Lodging Houses	\$60.00
Per Room Charge (in addition to base charge)	\$10.00
Tourist Campgrounds/ Trailer Parks	\$100.00
 Section 3 – Professional Businesses – located in commercial premises	\$75.00
Personal Services/ Contractors/Sub Contractors	
Graphic Design	
Barrister & Solicitor / Notary Public	
Chartered Accountants/ General Accountant/ General Finance/ Business Office	
Chiropractor/ Physiotherapist/ Registered Massage Therapist/ Massage Therapy	
Dentist/Dental Surgeon/ Dental Mechanic/ Dental Technician	
Engineer/ Surveyor	
Insurance Agent and/or Salesman/ Insurance Adjuster	
Photography (Photo Studio)	
Medical Specialist/ Physician and/or Surgeon	
Veterinarian	
Barbers/Hairdressers/ Beauty/Cosmetics/Esthetics	
Courier/Delivery Service	
Video Exchange & Rental Service/ Video Productions	
Laundromat/ Laundry/Dry Cleaning Establishment	
Computer Service	
 Section 4 – Restaurants / Food Service Establishments	
Restaurant / Cafes/ Catering – Commercial (non licenced)	\$75.00
Restaurant / Cafes/ Catering – Commercial (licenced)	\$100.00
Outdoor Patio on Village Property including parking spaces (BL733)	\$75.00
Sidewalk Table Area on Village Property (BL733)	\$30.00
Snack Bars / Drive-In Restaurants/ Take-out/Delivery Service	\$75.00
Beer/Wine Sales	\$150.00
Neighbourhood Pub	\$300.00
 Section 5 – General Service Establishments (Home Based)	\$60.00
Home Based Businesses	

Section 6 - Retail	\$75.00
Grocery Sales / Retail Food Sales/ Pharmacy Sales	
 Section 7 – Motor Vehicle/Equipment/Machinery & Assorted Businesses	 \$75.00
Motor Vehicle Repair/ Service Station / Battery/Radiator Sales & Service	
New/Used Motor Vehicle Sales / Used Motor Vehicle Sales	
Motor Vehicle Parts & Accessories	
Motor Vehicle Washing (Other than by a Garage/Service Station)	
Motor Vehicle Towing	
Autobody & Paint Shop/ Automotive Cleaning/Detailing	
Small Machinery & Equipment Dealer	
Mobile Automotive Repair/ Mobile Welding/ Mobile Glass Repair	
Electrical Repair/Sales	
Mobile Pressure Washing	
Other Motor Vehicle/Equipment/Machinery not listed in this Section	
 Section 8 – Transportation	 \$100.00
Passenger Transportation Company/ Taxi and/or Limousine	
Freight Company	
Other Transportation Businesses not listed in this Section	
 Section 9 – Door to Door – Direct Sales – Without Premises	 \$150.00
Book or Magazine Agent	
Cosmetic Sales	
Incidental Household Products / Kitchenware Sales	
Building Maintenance Materials / Electrical Appliance Sales	
Professional Fund-raiser / Telephone Soliciting / Promotion Agency	
Clothing	
 Section 10 – Mobile Vendors	 \$250.00
Mobile Vendors – All	

A 10% penalty will be applied to business licenses unpaid by February first of the calendar year.



Corporation of the Village of Salmo

P.O. Box 1000
Salmo, British Columbia V0G 1Z0
Phone (250) 357-9433

www.salmo.ca
e-mail – info@salmo.ca
Fax: (250) 357-9633

Schedule "B" Business Licence Application Form Per Bylaw #645

Business Name: _____

Business Location: _____

Basic description of business:

Liquor Licence? Yes No

If yes, type? Food Primary Liquor Primary With Endorsement

No. Seats (Restaurants & liquor establishments): _____

No. Merchandise Machines: _____

Is this business: New Existing

Describe any Structural Changes to Business Premises: Proposed Completed None

Sharing Premises With: _____

Floor Area (In sq. ft.): Retail: _____ Wholesale: _____

Office: _____ Warehouse: _____

Outside: _____

Do you have sufficient parking: Yes No

Salmo Representative for Business: _____

Title: _____

Tel.: _____

Emergency Contact Name: _____

Tel.: _____

After Hours Number: _____

OWNERSHIP INFORMATION

(All owners to complete this section. Additional owners can be submitted on separate paper.)

Name: _____

Title/Position: _____

Owner's Home

Address: _____

City: _____ Province: _____ Postal Code: _____

Tel.: _____ Cell: _____

Email: _____

Identification Provided: _____ (DL/SIN/Birth Cert)

I hereby make application for a business licence in accordance with the above-stated information and declare that the statements are true and correct. I agree, if granted a licence, to comply with all relevant Bylaws now in force or which may come into force in the Village of Salmo.

Name: _____

Title: _____

Signature: _____

Date: _____

Note: This application will not be processed without the application fee. In order to receive the fee amount, please contact the Village of Salmo office at 250-357-9433 / info@salmo.ca. Business Licences are public records and are available for inspection on request at the Village office. The Village also makes business licence information available in various additional publications. If you do not wish your business information to be made available in any additional publications, a request in writing to decline publication must be received by the Licence Inspector. All information gathered for business licencing purposes is managed in accordance with the Freedom of Information and Protection of Privacy Act.

Office Use Only:

GN Code Type: _____ Sub Type: _____ Fee: _____

Received by: _____

Date: _____

Approved by Licence Inspector: _____

Department Checks:

Building Inspector: _____

Peace Officer: _____

Completed forms can be faxed to (250) 357-9633 or emailed to info@salmo.ca.

SCHEDULE "C"

BUSINESS LICENSE BYLAW No. 645, 2013

Offence	Section	Fine
Operating business with no license	6.1	\$100.00
Operating business with suspended business license	13.5	\$150.00
Unlawful location of mobile vendor	17.1	\$100.00

Designated Bylaw Enforcement Officers for Business License Bylaw #645:

Chief Administrative Officer (CAO)

Bylaw Enforcement Officer

Commissionaires BC

Royal Canadian Mounted Police