



The Corporation of the Village of Slocan Memo

DATE: June 11, 2018
TO: Mayor and Village Council
FROM: Michelle Gordon, CAO
SUBJECT: Village of Slocan Business Licence Bylaw

ANALYSIS SUMMARY:

Attached for Council's consideration is a draft Business Licence Bylaw, to repeal the current Business Licence Bylaw No. 606, 2011.

Included in the agenda package, the Slocan Fees & Charges Bylaw has been amended to reflect the changes as applicable below, and have been modified to provide readability, consistency, and clarity.

BENEFITS OR DISADVANTAGES AND NEGATIVE IMPACTS:

The proposed bylaw shall replace the current Village of Slocan Business Licence Bylaw No. 606, adopted in 2011. The new bylaw:

- Provides for definitions of "bed & breakfast/vacation rental unit accommodation", "food cart/trailer/truck", "mobile food vending", "person", and "Village", all which were not previously listed or required further detail.
- Licence requirements added to regulate fee refunds, warranty, and changes to business.
- "Residential Business Licence" was changed to "Home-Based Business" to eliminate confusion with "Resident Business".
- Home-Based Business regulations added/changed to create consistency with the Village Zoning Bylaw (was previously contradicting).
- Mobile Food Vending regulations added and amended to provide applicants and operators with a clear understanding of what is permitted and required:
 - In the current bylaw, the Licence Inspector (CAO) has authority to approve all licences other than mobile vendor licences, which must be Council-approved. The proposed bylaw provides a system of regulation to allow for the Licence Inspector to approve mobile vendor applications.
 - In the current bylaw, no regulations are listed to enforce mobile food vendor location or number of carts permitted based on food type. Sections 10(b) and 10(f) of the proposed bylaw address this.
 - In the current bylaw, no regulations are listed for distance from existing permanent food service establishments, schools, or special events.
 - In the current bylaw, no regulations are listed for size of unit.
 - In the current bylaw, no regulations are listed for maintaining condition, providing own power/water source, management plan for garbage/recycling, clearance, and storage.
- Section 9, *Security for Non-Resident Licences*, listed in the current bylaw has been removed. Upon review of other municipal bylaws, this regulation is rarely used in small towns and would appear as though used for larger cities. The Village has not received the \$500 fee for such service since

included in the 2011 bylaw. The origin of this regulation carried forward from the previous Village Business Licence Bylaw, adopted in 1979, and applied to auctioneers, auto dealers, mobile retail stores, pawn brokers, peddlers, and scavengers.

- Included in the proposed bylaw as Schedule 'A' is an *Area Designation Map* for mobile food vendors.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

- The *Community Charter*, Section 8(6) provides municipalities the power to regulate businesses.
- Any municipality that wishes to exercise its authority to regulate businesses must give notice of its intention, and provide an opportunity for persons to make representations to Council. In addition, after adopting a business regulation bylaw, the municipality must make available, on request, a statement that explains Council's reasons for exercising its authority.
- Section 15 gives municipalities the ancillary power to require businesses to obtain business licences. Included in this is the authority to suspend or cancel a licence.

COSTS AND BUDGET IMPACT - REVENUE GENERATION:

Staff time to prepare the bylaw.

OPTIONS AND ALTERNATIVES:

1. Accept the report and staff recommendation
2. Refer the matter back to staff for further review ;
3. Do nothing.

RECOMMENDATION:

That the "Village of Slocan Business Licence Bylaw No. _____, 2018 be read a first, second, and third time, and that staff be directed to post notice of intention to adopt the bylaw on July 9th, 2018.

Michelle Gordon
Chief Administrative Officer