



BUSINESS LICENCE BYLAW

2563, 2021

Adopted January 1, 2023

**CONSOLIDATED VERSION
FOR CONVENIENCE ONLY**

Includes Amendment Bylaw:

2600, 2024

Adopted January 27, 2025

CITY OF FORT ST. JOHN
BYLAW NO. 2563, 2021
BUSINESS LICENCE BYLAW

WHEREAS, Council may, pursuant to the *Community Charter*, regulate in relation to business;

AND WHEREAS, pursuant to the *Community Charter*, Council may provide that terms and conditions be imposed for obtaining, continuing to hold, or renewing a business licence permit, or approval and specify the nature of the terms and conditions and who may impose them;

AND WHEREAS, pursuant to the *Community Charter*, Council may delegate its powers and functions to an officer or employee of the City, which delegation may under the *Community Charter* include the authority to suspend or cancel a business licence;

NOW THEREFORE, pursuant to the above-recited and other authority, the Council of the City of Fort St. John, in open meeting assembled, enacts as follows:

SECTION 1 – TITLE

1.1 This Bylaw may be cited as “City of Fort St. John Business Licence Bylaw No. 2563, 2021.”

SECTION 2 – REPEAL

2.1 The following Bylaw(s) are hereby repealed as of December 31, 2022:

- (a) City of Fort St. John Business Licence Bylaw No. 2372, 2017;
- (b) City of Fort St. John Business Licence Amendment Bylaw No. 2411, 2018; and
- (c) City of Fort St. John Business Licence Amendment Bylaw No. 2562, 2021.

SECTION 3 – DEFINITIONS

3.1 The following words and phrases shall have the following meanings:

“applicant” means any person who makes application for a *business licence* under the provisions of this *Bylaw*.

SECTION 3 – DEFINITIONS (continued)

3.1 The following words and phrases shall have the following meanings:

“Bed and Breakfast” means a *Bed and Breakfast* as defined in the *City’s Zoning Bylaw*.

“Business” means carrying on a commercial or industrial activity or undertaking of any kind including professional, personal or other services for gain or for profit, but does not include any activity carried on by *Government*.

“Business Licence” means a valid and subsisting *business licence* issued in accordance with this *Bylaw*.

“Bylaw” means this *Bylaw*, including all schedules attached hereto.

“Bylaw Enforcement Officer” means any person appointed by council or designate to administer and enforce the provisions of this *Bylaw*.

“City” means the City of Fort St. John, or the lands lying within the corporate boundaries of the City of Fort St. John, as the context may require.

“Council” means the *Council* of the City of Fort St. John.

“Director of Development Services” means the Director of Planning, Building, Economic Development and Engineering for the *City*, or their designate.

“Employee” means an *employee* of a *business* as of the first *business* day in January of each year.

“Event Permit” means a permit for the use of City property for an organized gathering for the purpose of commercial endeavors, community special events, or moderate-to high risk activities such as, but not limited to, sporting events.

“Government” means Municipal, Provincial, and Federal levels of *Government*, as well as Crown Corporations and agencies owned by said *Government*.

“Home Occupation – Business” means a *Home Occupation – Business* as defined in the *City’s Zoning Bylaw*.

“Home Occupation – Office” means a *Home Occupation – Office* as defined in the *City’s Zoning Bylaw*.

This section amended by Bylaw 2600, 2024

This section amended by Bylaw 2600, 2024

This section amended by Bylaw 2600, 2024

SECTION 3 – DEFINITIONS (continued)

3.1 The following words and phrases shall have the following meanings:

This section amended by Bylaw 2600, 2024

“Inter-Community Business” means a business that performs a service or activity within more than one Participating *Government(s)* by moving from client to client rather than having clients come to them. This does not include *businesses* identified in Schedule ‘A’ of the *City’s Inter-Community Business Licence*.

“Licencee” means a person who holds a *business licence*.

“Licence Inspector” means the *Director of Development Services* or their designate.

This section amended by Bylaw 2600, 2024

“Markets” means the *business* of providing for rent stalls, tables, or spaces to *market vendors* displaying for sale, offering for sale, and selling goods to the public.

This section amended by Bylaw 2600, 2024

“Market Vendor” means a person, who is engaged in the business of distributing samples, taking orders, or offering for sale goods, wares, or merchandise of any kind at markets.

“Mobile Food Vendor” means the business of operating a motor vehicle equipped for sale of prepackaged foods and or preparation of foods and beverages and from which the foods and beverages may be made in the truck and offered for sale directly to the public.

This section amended by Bylaw 2600, 2024

“Mobile Vendor” means a person, who is engaged in the *business* of selling direct to the public by setting up a *temporary business* within the *City* in order to distribute samples, take orders, or offer for sale goods, wares, or merchandise of any kind.

“Non-Resident Business” means a *business* which operates in whole or in part, within the *City’s* limits, but which does not maintain a permanent Premises within the *City* limits.

“North American Industry Classification” means (NAICS) an industry classification system developed by the statistical agencies of Canada, Mexico, and the United States to define industrial (employment) classifications established and collected for all sectors of the economy.

This section amended by Bylaw 2600, 2024

“Owner” means the person registered on title as the owner of a parcel at the Land Title Office.

“Premises” means a *building* or portion of a building or area of land where business is conducted.

SECTION 3 – DEFINITIONS (continued)

3.1 The following words and phrases shall have the following meanings:

“Registered Non-Profit Business” means an organization or society which is defined as a registered charity under the Income Tax Act with an active registration number.

“Rental” means: A dwelling unit, as defined in the Zoning Bylaw, that is rented or offered for rent for more than 30 continuous days and not occupied by the owner; and Does not include commercial temporary accommodation as defined in Zoning Bylaw.

“Rental Manager” means a person or business, who may be the owner, that is responsible for management of the rental.

“Resident Business” means a *business* which maintains a permanent *Premises* within the City limits

“Temporary Business” means a *business* that is licenced to operate in the *City* for no greater than 28 consecutive days.

“Zoning Bylaw” means the current *City’s Zoning Bylaw*.

This section amended by Bylaw 2600, 2024

This section amended by Bylaw 2600, 2024

SECTION 4 – GENERAL INTERPRETATION

4.1 All references to statutes, regulations, bylaws, orders, policies or guidelines of a Federal, Provincial, Municipal or other governmental authority is a reference to such statute, regulation, bylaw, order, policy or guideline as amended or replaced from time to time.

The schedules to this *Bylaw* are attached to and form an integral part of this *Bylaw*.

SECTION 5 – GENERAL REGULATIONS

5.1 No person shall carry on a *business* for which a *licence* is required by this Bylaw within the City without holding a valid and subsisting *business licence* or *Inter-Community Business Licence* for that *business*.

5.2 Every person who operates a business from more than one premises in the City shall obtain a separate *business licence* for each *premises*, whether or not the *premises* are located in the same building.

This section amended by Bylaw 2600, 2024

SECTION 5 – GENERAL REGULATIONS (continued)

This section amended by Bylaw 2600, 2024

5.3 Every person who holds a *business licence* shall renew that *business licence* annually for so long as that person carries on a *business* within the *City* limits. The *business licence* period shall be one (1) year to commence on the 1st day of January and to terminate on the 31st day of December in each and every year. If a *business licence* is issued after the 1st day of January, such *business licence* will be valid for the remaining portion of the calendar year from issuance of such *business licence* to the 31st of December of the same year.

5.4 The *business licence* fees described in this Bylaw may be reduced pro-rata in accordance with Schedule 'A' in respect of any person who becomes liable to be licenced after the commencement of a *business licence* period.

This section amended by Bylaw 2600, 2024

5.5 The *Licence Inspector* may grant a *business licence* upon receipt of a completed, signed application form and payment of the applicable fee(s), as set out in Schedule 'A' to this *Bylaw*, and upon being satisfied that the applicant has complied with all applicable bylaws of the *City* regulating building, zoning, health, sanitation, signage, fire, and *business*.

5.6 Every holder of a *business licence* shall comply at all times with every *City* bylaw or enactment of the Province or Canada or other governmental authority in respect to the business and the business premises named in the *business licence*.

This section amended by Bylaw 2600, 2024

5.7 Application and fees for Inter-Community Business Licences shall be determined by the *City's Inter-Community Business Licence Bylaw*.

5.8 Records of all *business licences* issued shall be maintained and updated annually by the *Licence Inspector*.

5.8.1 All such records shall be considered public and may be viewed under the provisions of the Freedom of Information and Protection of Privacy Act.

5.9 The following *businesses* are exempt from the requirement of obtaining a *business licence*:

(a) Markets: A *business licence* is not required of any person who rents a stall, table, or space in a *licenced* market and operates within the market hours of

SECTION 5 – GENERAL REGULATIONS (continued)

operation, except where such person sells tobacco cannabis, or liquor products.

- 5.10 Every person who carries on a *business* for which a *business licence* is required by this *Bylaw* within the *City* shall post their *business licence* in a conspicuous and visible location.

SECTION 6 – BUSINESS APPLICATION PROCESS

Approval

- 6.1 Approval shall be conditional upon the receipt of:

- (a) A fully completed application form;
- (b) Payment of all applicable fees;
- (c) Approvals from any other *Government* agencies as applicable;
- (d) The completion of all applicable inspections; and
- (e) The *applicant's* declaration of compliance of land use/*business* activities with zoning requirements.

- 6.2 Upon *business licence* approval, the *Licence Inspector* approves the issuance of a *business licence*, such approval shall be granted in writing with or without conditions in the form of a *business licence*.

Approval

- 6.3 A *business licence* authorizes only the *business* named in the *licence* to carry on the *business* described in the *licence*, and only at the premises described in the *business licence*.

- 6.4 A *business licence* is not a representation or warranty that the *business* or the *business* premises comply with the *bylaws* of the *City* or with any other regulations, standards or enactments.

SECTION 6 – BUSINESS APPLICATION PROCESS (continued)

Refusal and Appeal

This section amended by Bylaw 2600, 2024

- 6.5 Should the *Licence Inspector* refuse issuance of a *business licence* the *applicant* may appeal the decision to *Council* by submitting a letter of appeal to Corporate Services at 10631 – 100 Street, Fort St. John, BC V1J 3Z5.
- 6.6 *Council* may refuse to grant the request of an *applicant* for a *business licence* in accordance with the Community Charter, and such decision shall be deemed as final.

Renewal

- 6.7 A *licencee* who proposes to renew a *business licence* shall pay to the *Licence Inspector* the applicable fee(s) set out in Schedule 'A' of this *Bylaw*, prior to the expiry of the *business licence* on December 31st of that year.
- 6.8 If an expired *business licence* is not renewed as required by February 28th of the renewal year, the option to renew the *business licence* shall then be terminated on March 1st and a *licencee* who wishes to continue to carry on the *business* shall submit a new application form in accordance with this *Bylaw*.

Suspension and Cancellation of a Licence

- 6.9 The *Licence Inspector* may grant a *business licence* under the terms of Section 1.2 of this *Bylaw* and may suspend for such period as determined at the reasonable discretion of the *Licence Inspector*, or cancel any *business licence* if the *licencee* or *business*:
- (a) Has failed to comply with the *Bylaw* or a term or condition of the *business licence*;
 - (b) Is convicted of any offence under any municipal bylaw, enactment of the Province or Canada in respect of the *business* for which they are *licensed* or with respect to the *premises* named in their *business licence*;
 - (c) Has ceased to carry on the *business* for which they are *licensed* or with respect to the *premises* named in the *business licence*;
 - (d) Has altered the *premises* without obtaining the appropriate permits and inspections; and
 - (e) Has been determined to cause a public safety hazard.

This section amended by Bylaw 2600, 2024

This section amended by Bylaw 2600, 2024

SECTION 6 – BUSINESS APPLICATION PROCESS (continued)

This section amended by Bylaw 2600, 2024

- 6.10 The suspension or cancellation of a *business licence* by the *Licence Inspector* shall be communicated to the person holding such *business licence* via the contact information provided to the *City* at the time of application or renewal, which may include, but is not limited to, e-mail, telephone number, or mailing address.
- 6.11 A notice of suspension or cancellation of a *business licence* shall be posted by the *Licence Inspector* upon the premises for which the *business licence* was issued and such notice shall not be removed until:
- (a) The *business licence* is reinstated; or
 - (b) The former *licencee* ceases to occupy the *premises*.
- 6.12 If the *Licence Inspector* cancels or suspends a *business licence*, the applicant will be entitled to have *Council* reconsider the *Licence Inspector's* decision, in accordance with the Community Charter.
- 6.13 *Council* may cancel or suspend a *business licence* for reasonable cause after giving notice to the *licencee* and after giving them an opportunity to be heard, in accordance with the Community Charter.
- 6.14 A *licencee* may cancel their *business licence* if they cease to operate their *business*. No refund for any fee, pro-rated or otherwise is available.
- 6.15 Notification of a *business licence* cancellation must be submitted along with the date of closure in writing (letter or email) to the *Licence Inspector*, 30 days prior to the business ceasing operations.

Changes to a Licence And Transfers

This section amended by Bylaw 2600, 2024

- 6.16 Every *licencee* shall notify the *Licence Inspector* in writing when any of the following changes occur:
- (a) Any change in the type, nature or intensity of the *business*;
 - (b) Any change in the type or nature of goods or services provided;
 - (c) Any change in location; and
 - (d) Any change in *owner*.
- 6.17 *Business licences* are non-transferrable from one person to another or from one *premises* to another.
- 6.18 When a *licencee* undertakes activities that are not included in the existing *business licence*, a new *business licence* application must be completed.

SECTION 6 – BUSINESS APPLICATION PROCESS (continued)

Liability Insurance

- 6.19 Vendor events occurring on municipal property require both a valid *business licence* and a *City* issued event permit.
- 6.20 The *Licence Inspector* may require as a condition of a *business licence* that the applicant obtain and hold a liability insurance policy in connection with the carrying on of any *business* within the *City*.
- 6.20 The applicant shall provide the *Licence Inspector* with documentary evidence of such insurance, if deemed necessary, in a form satisfactory to the *Licence Inspector*.

SECTION 7 – SPECIAL BUSINESS LICENCE REQUIREMENTS

Bed and Breakfast

- 7.1 *Bed and Breakfasts* shall be permitted in accordance with the *Zoning Bylaw* and all persons operating a *Bed and Breakfast* must comply with the regulations in the *Zoning Bylaw* and must obtain and hold a valid and subsisting *business licence*.

Direct Sales (Door to Door)

- 7.2 Every person conducting a *business* utilizing direct sales shall obtain a *business licence*.

This section amended by Bylaw 2600, 2024

SECTION 7 – SPECIAL BUSINESS LICENCE REQUIREMENTS (continued)

Direct Sales (Door to Door)

- 7.3 No person shall attend any residence between the hours of 8:00 p.m. and 8:00 a.m. for the purpose of selling, soliciting or taking orders for goods, materials, publications or services of any kind, unless the owner or occupier of the residence has previously consented.
- 7.4 No person shall attend any residence on a Sunday or Statutory Holiday for the purpose of selling, soliciting or taking orders for goods, materials, publications or services of any kind, unless the owner or occupier of the residence has previously consented.

Home Occupation – Business and Office

- 7.5 *Home Occupation – Business and Home Occupation – Office* entities shall be permitted in accordance with the *Zoning Bylaw* and all persons operating a *Home Occupation – Business and Home Occupation – Office* must comply with the regulations in the *Zoning Bylaw* and must obtain a valid and subsisting *business licence*.

Markets

- 7.6 Every *mobile food vendor* conducting business within the *City* shall operate in accordance with the requirements of the *City's Fire Prevention Bylaw*.

Mobile Vendor

- 7.7 Any *owner* operating a *rental*:

- (a) Shall obtain and maintain a single *business licence* for each of the following *rentals*;
- i. Apartment
 - ii. Condominium
 - iii. Detached Suite
 - iv. Duplex
 - v. Multiple Dwelling Housing
 - vi. Single-Detached Dwelling
 - vii. Townhouse Dwelling
- (b) Shall provide to the *Licence Inspector* the full name, telephone number and other applicable contact information for the *rental manager*, and notify the

This section amended by Bylaw 2600, 2024

SECTION 7 – SPECIAL BUSINESS LICENCE REQUIREMENTS (continued)

Licence Inspector if there is a change in *rental manager* or their contact information.

Rental Property

7.8 Any owner operating a *rental*:

(a) Shall obtain and maintain a single *business licence* for each of the following *rentals*;

- i. Apartment
- ii. Condominium
- iii. Detached Suite
- iv. Duplex
- v. Multiple Dwelling Housing
- vi. Single-Detached Dwelling
- vii. Townhouse Dwelling

(b) Shall provide to the *Licence Inspector* the full name, telephone number and other applicable contact information for the *rental manager*, and notify the *Licence Inspector* if there is a change in *rental manager* or their contact information.

SECTION 8 – EXEMPTIONS

Markets

8.1 A *market vendor* is exempted from obtaining a *business licence* if:

- a) the person coordinating the market holds a valid *business licence* for the participating *market vendors*, except where a *market vendor* sells tobacco, cannabis, or liquor products.

SECTION 9 – BYLAW AND ENFORCEMENT

Right of Entry

9.1 Any designated *Bylaw Enforcement Officer* may enter on and inspect any premises, in accordance with the Community Charter, at any time in order to ascertain whether the requirements of this *Bylaw* are being met.

Enforcement

This section amended by Bylaw 2600, 2024

This section amended by Bylaw 2600, 2024

This section amended by Bylaw 2600, 2024

This section amended by Bylaw 2600, 2024

- 9.2 Any person designated as a Bylaw Enforcement Officer pursuant to the *City's Bylaw Notice Enforcement Bylaw* is hereby authorized and empowered to enforce the provisions of this *Bylaw* pursuant to the *City's Bylaw Notice Enforcement Bylaw*.
- 9.3 A violation ticket is deemed sufficiently served if the processes under the Offence Act and Local Government Act have been followed.
- 9.4 A person must not obstruct or interfere with a designated *Bylaw Enforcement Officer* in the performance of their duties

SECTION 9 – BYLAW AND ENFORCEMENT (continued)

Offences and Penalties

- 9.5 Any person who contravenes, violates, or fails to comply with any provision of this *Bylaw*, or who suffers or permits any act or thing to be done in contravention or violation of this *Bylaw*, or commits an offence shall be subject to the following enforcement provisions:
- (a) The penalties imposed under the Offence Act; or
 - (b) To a penalty or order as imposed by the Community Charter or a bylaw notice under the Local Government Bylaw Notice Enforcement Act, plus the costs of the prosecution.
- 9.6 If an offence continues for more than one day, each day that the offence continues constitutes a separate and distinct offence.
- 9.7 Nothing in this *Bylaw* limits the *City* from utilizing any other remedy that is otherwise available to the *City* at law.
- 9.8 A violation of any of the provisions identified in this *Bylaw* being addressed within the provisions of Section 3.3(1)(b) shall result in liability for a penalty in the amount set out in Schedule 'B' of this *Bylaw* in respect of the provision and the imposition of the penalty shall be subject to the procedures, limits, obligations and rights established in the *City's Bylaw Notice Enforcement Bylaw* and the *Local Government Bylaw Notice Enforcement Act*.

This section amended by Bylaw 2600, 2024

SECTION 10 – INTERPRETATION

This
section
amended
by Bylaw
2600,
2024

Validity

- 10.1 The *City* has the discretion to enforce this *Bylaw*, and is not liable of any outcomes should the *City* or an authorized person not decide to enforce this *Bylaw* if acting in good faith.
- 10.2 If any portion of this *Bylaw* is held to be invalid by a Court of competent jurisdiction, the invalid section or subsection shall be severed from, and not affect the validity of the remaining portions of this *Bylaw*.

Effect of Bylaw

- 10.3 This Bylaw shall come into effect and operation on January 1, 2023.

INTRODUCED AND READ FOR THE FIRST THREE TIMES THIS 22 DAY OF November, 2021

ADOPTED THIS 13th DAY OF December, 2021

LORI ACKERMAN
MAYOR

BONNIE MCCUE,
CORPORATE OFFICER

SCHEDULE 'A' – FEES

Table 1.0

Licence Type	Fees
Regular Business Licence	\$150.00
Home Occupations – Business and Office	\$125.00
Mobile Vendor/Mobile Food Vendor	\$125.00
Temporary Licence (28 Days)	\$75.00
Business Name Changes and Business Licence Reprints	\$25.00
Registered Non-Profit	NO COST

This section amended by Bylaw 2600, 2024

Pro-Rated Licences

Any business licence applications submitted after and including April 1 annually are entitled to the reduced rates as follows in Table 2.0:

Table 2.0

Date of Reduction	Percent Reduction
April 1	25% Reduction
July 1	50% Reduction
October 1	75% Reduction

SCHEDULE 'B' – BYLAW AND ENFORCEMENT OFFENCES

Table 3.0

Column 1 OFFENCE	Column 2 SECTION	Column 3 PENALTY (15-30 Days)	Column 4 EARLY PAYMENT (1-14 Days)	Column 5 LATE PAYMENT (31-60 Days Collections 60+)	Column 6 COMPLIANCE AGREEMENT AVAILABLE (50% of Penalty)
Operating a Business without a Licence	5.1	\$200.00	\$150.00	\$250.00	Yes
Business Licence not Posted	5.10	\$100.00	\$50.00	\$150.00	Yes
Failure to provide Information for Application	6.1	\$200.00	\$150.00	\$250.00	Yes
Business at unauthorized Premises	6.3	\$200.00	\$150.00	\$250.00	Yes
Operating with a Suspended Licence	6.11	\$400.00	\$350.00	\$450.00	No
Failure to Notify Changes of Licence	6.16	\$200.00	\$150.00	\$250.00	Yes
Unauthorized Home Sales	7.3, 7.4	\$200.00	\$150.00	\$250.00	Yes
Failure to Meet Home Occupation – Business and Office Requirements	7.5	\$200.00	\$150.00	\$250.00	Yes
Obstructing Bylaw Enforcement Officer	8.4	\$300.00	\$250.00	\$350.00	No

SCHEDULE 'C' – DESIGNATED BYLAW ENFORCEMENT OFFICERS

<i>Bylaw Enforcement Officer</i>	<i>Licence Inspector</i>
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