

DISTRICT OF NEW HAZELTON

BY-LAW NO. 7

A By-Law pursuant to the "Municipal Act" being Chapter 290 Sections 497 to 513 of the Revised Statutes of British Columbia 1979 as amended and also of the Offense Act, Chapter 305 R.S.B.C. 1979, to provide for the licencing and regulating of all business within the District of New Hazelton.

The Municipal Council of the District of New Hazelton, in open meeting assembled,
ENACTS AS FOLLOWS:

Citation: This By-Law shall be cited as the "District of New Hazelton Business By-Law Number 7."

General Regulations: Division One
1. No person shall carry on within the District of New Hazelton any business set forth in Division Three of this By-Law without first having obtained a District of New Hazelton Business Licence and paid a licence fee as provided for such business under Division Three of this By-Law.

2. Every person carrying on any business not specifically set forth in Division Three of this By-Law shall pay the fees prescribed under Schedule "A" of Division Three of this By-Law, provided however, that this Section shall not apply to any business which is exempted by a Statute of the Province of British Columbia from being required to hold a Municipal Business or Trade Licence.

Licence: 3. (a) Every licence granted pursuant to this By-Law shall state that the holder is licenced to carry on the business stipulated therein in a lawful manner for the period specified at the place therein stated.

(b) Any person who carries on more than one business in or from any one premise shall obtain a separate licence for each business.

(c) For the purpose of this By-Law, where a business is carried on, in, or from, more than one premise in the District, the business carried on, from, or in each premise shall be deemed a separate business.

Transfer: (d) No licence shall be transferred from one person in respect of certain premises to that same person in respect of other premises, without the prior approval of the Licence Inspector, and the payment of Five (\$5.00) Dollars for the required transfer fee.

Such transfer shall be refused by the Licence Inspector where the premises to which the applicant wishes to transfer the licence do not comply with the requirements of the By-Laws of the Municipality regulating building, zoning, health, sanitation and business.

(e) The licence holder or person in charge or control of the premises where the business is carried on or practiced shall at all times keep the licence or licences prominently displayed in the sales or reception area of the premises to which the public have access.

(f) Every holder of a licence shall notify the Licence Inspector of any change in the mailing and/or business address, the classification of the business, area of premises, the number of people, or machines used in operation of the business or any alteration to the premises in which the business is carried out, and upon the termination of the business, shall notify the Licence Inspector that the licence is no longer required and shall surrender the licence to the Licence Inspector.

(g) Where the licence fee for any business licenced herein is based on the number of chairs, seats, units, tables, apartments, rooms, or the capacity of accomodation available every person shall immediately after the completion of any change in the number of chairs, seats, units, tables, apartments, rooms or the capacity of accomodation available or any other condition upon which the said licence fee is based, notify the Licence Inspector and pay the additional fee which may be payable under this By-Law as a result of this change.

(h) Every person carrying on a business under Division Three of this By-Law, in which the licence fee is based upon the number of persons employed or engaged in the business, shall, before the first day of January of each and every year, advise the Licence Inspector as to the number of persons engaged in his respective businesses and the names and addresses of such persons.

(i) Every person who is the owner or operator of any vending machine shall notify the Licence Inspector before the first day of January in each and every year as to the number of machines in operation.

i) Provided that where the owner of such vending machines is the holder of a licence as a retail trader under this By-Law for the line of goods vended by the machine; no further licence shall be required for the machine when it is operated exclusively on the said licenced retail premises.

If the vending machine is operated, or allowed to be operated, in any other place than the owner's licenced premises, a charge for each machine will apply

ii) Provided further that no licence shall be payable under this section in respect to vending machines which dispense to, or serve only the owner of such machines or his employees.

iii) Except as provided in (i) and (ii) above no person shall own, keep or maintain any vending machine unless there has been imprinted thereon by the use of a metal punch or a die a SERIAL NUMBER or NUMBERS assigned to that person by the Licence Inspector.

Application:

4. (a) Every person applying for a licence shall complete the forms supplied by the District for such purpose.

(b) No licence shall be issued until the fee therefore, as set out in this By-Law, has been paid to the District.

Enforcement

5. The Licence Inspector or By-Law Compliance Officer is hereby authorized to enter, at all reasonable times, upon any property in order to ascertain whether the provisions of the By-Law are being obeyed.

Period:

6. (a) Except as hereinafter provided, licences shall be granted for a one year period, to commence on the first day of January and to terminate on the thirty-first day of December in each and every year. The licence fee prescribed in this By-Law shall be reduced by one-half in respect of a person who becomes liable to be licenced after the 31st day of July in any year. No licence fee paid hereunder shall be refundable.

Theatres:

(b) The period for a licence in respect of a theatre, including Drive-In theatre, amusement hall, concert hall, music hall, opera house, rink, amusement park, or other such place of amusement or exhibition shall be for such length of time as stated upon the licence, and may be for one (1) year, six (6) months, three (3) months, one (1) month, one (1) week, or one (1) day.

Shows:

(c) The period for a licence with respect to a circus, horse show, dog show or pony show, exhibition, elsewhere than in a licenced theatre or licenced place, shall be for one day.

(d) This By-Law shall apply to all billings for the licence year 1980 and thereafter unless amended, regardless of when said billings may be issued or payment received thereafter.

Form:

7. (a) Every licence granted pursuant to this By-Law shall be deemed a personal licence to the licensee therein named. In the event of a sale of the business for which such licence is issued the Inspector may permit an assignment of the licence to the purchaser of the business on an application for transfer and upon payment of five (\$5.00) dollars for the required transfer fee. Such transfer shall not, however, be approved if the proposed assignee is not a person qualified under the terms of this or any other By-Law to carry on the business for which the licence was issued.

(b) The form of renewal of a valid and subsisting licence from year to year may take the form of a sticker or attachment to the original licence.

Bonding
Resident:

8. (a) Subject to subsection (f) of this section as a condition of granting a licence, a person applying for a licence to carry on a Resident Business of any class or classes specified in this By-Law for the first time with respect to that particular business, shall give security to the District in the sum of Two Hundred (\$200.00) dollars, the return of which shall be conditional upon the applicant carrying on business continuously in the District for at least six (6) months. The security to be in the form of cash or a certified cheque payable to the District of New Hazelton.

(b) A person applying for a licence to carry on a business that he has not carried on continuously during the previous six (6) months as a Resident Business shall be deemed to be applying for a licence for the first time.

Non-Resident:

(c) As a condition of granting a licence to a person applying for a licence to carry on a Non-resident Business of any class or classes specified in this By-Law, the applicant shall give security to the District in the sum of One Thousand (\$1,000.00) dollars, conditional on his carrying on whatever business he carries on in the District without deceit, misrepresentation or fraud on his part. The security to be in the form of cash or a certified cheque payable to the District of New Hazelton or an irrevocable letter of credit together with a duly completed agreement in the form specified by the District.

(d) Security under subsection (c) of this section shall be given for the period from the date of issuance of the licence until:

- i) six (6) months after the licensee ceases to hold a licence to carry on the non-resident business; or
- ii) the date upon which the licensee is issued a licence by the District to carry on the business as a Resident Business, whichever is the earlier; or
- iii) three (3) consecutive years have elapsed during which no order has been made respecting the security under subsection (c) above.

Upon the expiration of the period referred to above the security shall be returned to the licensee subject to subsection (e) of this section.

(e) If, during the period referred to in subsection (d), the District receives notice that a Civil action based on deceit, misrepresentation, or fraud on the part of the licensee who has posted security under this section, and arising out of carrying on in the District, the business in respect of which the security is held, has been initiated in any Court of competent jurisdiction, the security shall be held subject to the Order of the Court.

Alternate to
Security:

(f) Where an applicant under subsection (a) of this section states that he does not intend to carry on a Resident Business continuously in the District for at least six (6) months, he may instead of giving security, pay a fee equal to twice the fee payable in respect of any other Resident Business of the same class carried on in this District.

Granting or
Suspension:

9. (a) The Licence Inspector may grant a licence where he is satisfied that the applicant therefore has complied with the requirements of the By-Laws of the Municipality regulating building zoning, health, sanitation, and business, and may suspend for such period as he may determine any licence if the holder of the licence:

- i) is convicted of an offence indictable in Canada
- ii) is convicted of any offence under any Municipal By-Law or Statute of the Province in respect of the business for which he is licenced or with respect to the premises named in his licence;
- iii) has, in the opinion of the Licence Inspector been guilty of such gross misconduct in respect of the business or in respect to the premises named in his Licence as to warrant the suspension of his licence;
- iv) has ceased to meet the lawful requirements to carry on the business for which he is licenced or with respect to the

premises named in his licence.

- v) has, in the opinion of the Licence Inspector, sold, offered for sale, displayed for sale, or distributed to a person actually or apparently under the age of sixteen years anything that may be harmful or dangerous to the health or safety of a person actually or apparently under the age of sixteen years.

Appeal:

(b) Any person whose licence has been suspended under this section may appeal to the District Council by submitting a written request to appear before Council at the next Regular Council Meeting, and upon notification of the meeting time and place, he shall appear before Council and present his reasons for the appeal, and upon such appeal the Council may confirm or set aside such suspension on such terms as it may deem fit.

Revoke:

(c) The Council may revoke a licence for reasonable cause after giving notice to the licensee and after giving the licensee an opportunity to be heard.

(d) The notice and opportunity to be heard referred to in subsection (c) of this section is not required in respect of the licensee who by reasonable efforts cannot be found.

(e) The suspension of a licence by the Licence Inspector shall be made in writing, signed by the Inspector, and served on the person holding such licence or delivered to the holder of such licence by registered mail to the address given by the licensee on the Application for the Licence. A notice of such revocation or suspension of licence may be posted by the Licence Inspector upon the premises for which the licence was issued and such notice shall not be removed until the licence is reinstated, the former licensee ceases to occupy the premises, or a new business other than the one carried on by the former licensee is started in the premises.

Offence:

10. (a) Any person who carries on a business for which a licence is required pursuant to this By-Law, without holding a valid and subsisting licence for the business is guilty of an offence and is punishable upon summary conviction therefore.
- (b) Notwithstanding anything herein contained the amount of any and every licence payable by any person pursuant to the provisions of this By-Law shall be a debt due by that person to the Municipality which shall be recoverable together with costs in any Court of competent jurisdiction.

Penalty: 11. Every person who:

- i) violates or does any act or thing which violates any provision of this By-Law;
- ii) suffers or permits any act or thing to be done in violation or contravention of any of the provisions of this by-law;
- iii) neglects or refrains from doing anything required to be done by any of the provisions of this by-law;
- iv) is guilty of an offence and is liable upon summary conviction to a fine not exceeding Five Hundred (\$500.00) dollars and costs, and in default of payment, to imprisonment for a term not exceeding six (6) months, or to both fine and imprisonment and where conviction is for failure to pay the licence fee required, then the amount which should have been paid for such licence fee shall be added to the said penalty and shall form part of the penalty.

Licence
Inspector:

12. The Council may, by resolution, appoint a person to be the Licence Inspector, whose duty it shall be to carry out and administer the provisions of this By-Law.

Assistant
Licence
Inspector:

13. a) The Council may, by resolution, from time to time appoint a person or persons as Assistant Licence Inspector or Inspectors with like duties and powers as delegated to the Licence Inspector by the provisions of this By-Law.
- b) The Assistant Licence Inspector of Inspectors shall, at all times, be subject to the control and direction of the Licence Inspector.

14. It shall be the duty of the Licence Inspector, and he is hereby authorized and empowered to inspect, compel and require that all the regulations and provisions prescribed in this By-Law, and any such regulations and provisions which may from time to time be appended to this By-Law, shall be carried out.

15. a) The Licence Inspector shall, subject to the provisions of the Officer By-Law, make rules and regulations for the management of the Business Licence function.
- b) i) The Licence Inspector shall maintain and keep records of all licences issued.

- ii) All such records shall be considered public records,
and shall be open for inspection at reasonable times
to any person having business with the Licence Inspector.

Citation: 16. This By-Law may be cited as "District of New Hazelton Business
Licence By-Law No. 7, 1981."

READ A FIRST TIME THIS 9th DAY OF June, 1981.

READ A SECOND TIME THIS 9th DAY OF June, 1981.

READ A THIRD TIME THIS 24th DAY OF November , 1981.

RECONSIDERED AND FINALLY ADOPTED THIS 27th DAY OF November , 1981.




Mayor



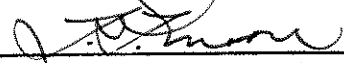
Deputy Clerk/Treasurer

I HEREBY CERTIFY THIS TO BE A TRUE
COPY OF BY-LAW NO. 7 AS ADOPTED.



Deputy Clerk/Treasurer

A true copy of By-Law No. 7
registered in the office of the Inspector
of Municipalities this 7th day of
December 1981.



Deputy Inspector of Municipalities

BY-LAW NO. 7

DIVISION TWO

INTERPRETATIONS

In this By-law, unless the context otherwise requires, the following words or terms shall have the meaning hereby assigned to them:

1. Agent
A person who is the sole local appointed representative of a company who sells or offers for sale, solicits, or takes orders for any person not doing business within the District.
2. Amusement Establishments
Any building, hall or park used in and for the entertainment of the public — except bowling alleys, carnivals, circuses, dance halls, theatres, pool rooms and billiard halls.
3. Ambulance Service
A person operating a vehicle, or vehicles equipped for transporting sick or injured persons.
4. Auto Parking
A person renting space for the purpose of storing motor vehicles by the hour, day, week, or month for payment.
5. Automobile Towing
A person operating a vehicle or vehicles equipped for hoisting and/or towing other vehicles, trailers, machinery or equipment.
6. Banks
A business concern which receives, lends, and otherwise takes care of money, and is governed by the "Bank Act".
7. Banquet Rooms or Halls
Any building or establishment not defined as a restaurant where catering service is available.
8. Barbers or Beauty Parlour Operators
As defined in the "Hairdresser Act" (R.S.B.C.)
9. Bowling Alleys
Means any building or place where the game of ten-pins or five-pins and other bowling games may be played and where the participant is charged a fee therefor.
10. Building Rentals
 - a) Apartment Houses
Includes any building or portion of any building containing more than one rental unit (not being a Lodging House, Hotel or Motel as defined herein) designed, used or occupied as a home of persons living independently of each other.
 - b) Hotels - Motels
Means any building other than apartments or lodging houses as defined herein comprising of not less than two sleeping or rental units normally occupied temporarily by tourists or transients.
 - c) Lodging Houses
Includes boarding and rooming houses, kennels, and any building or portion of a building whether completely or partially furnished, used or designed for the purpose of accommodating for consideration boarders or lodgers. But does not include Apartment, Houses, Hotels and Motels as defined herein.

d) Office - Commercial

The letting of rental, offices, suites or rooms for commercial purpose in any building where two or more rental units are available for rental purposes.

e) General

For the purposes of this section a person occupying space in the said building of which they are the owners or members of a holding company for the building, shall not be required to obtain a licence or pay a fee for the space they occupy.

11. Business

The carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal, or other services for the purpose of gain or profit.

12. Carrying on Business

Without restricting the generality of the term shall include any person who advertises himself by newspaper publicity or otherwise, as open for business of any kind, or who deals in, or buys, sells, barter or displays, or offers by advertisement or otherwise, to buy, sell or barter commodities or other things of any kind, either on behalf of himself or of any other person, or who advertises himself as open to render professional or other services to any other person.

13. Carnivals

Any show having any ferris wheel, round-a-bout, crack-the-whip, aeroplane ride or game of skill or chance, excluding booths or concessions operated by and for the sole benefit of recognized charities.

14. A) Catering Service

The providing of prepared food and beverages and served to other persons by persons other than the holders of a licence to operate a restaurant, banquet room or hall and mobile restaurants.

B) Catering Service

With all proceeds going to charitable organization.

15. Circus

Any exhibit, exhibition or show where animals are made to perform and also includes menagerie, hippodrome, horse show, dog or pony show, where an admission fee is charged, but shall not include a carnival.

16. Clothing Repairs and Alterations

The repairing or alterations of women's, men's and children's clothing or any article where the material is supplied by the customer.

17. Communication Service

Shall mean and include telephone, telegraph, and any other means of transmitting and receiving messages or information where persons making use of such service are charged a fee.

18. Contractors

a) General

A person primarily engaged in the business of general building construction or general engineering construction in the sense that contracts are entered into for substantially complete services involving responsibility for a number of recognized building or engineering trades under one contract and shall include such person carrying out

general building construction whether such construction is carried out for himself or for others. General building construction shall include the erection, finishing, alteration and addition to buildings and structures wherein more than one recognized building trade is involved at any one time. General engineering construction shall include the construction of towers, bridges, pipeline works and the like, when more than one recognized engineering trade is involved at any one time.

Sub-Contractors

b) The following trades are classed as separate and distinct sub-contractors and are required to pay a separate fee for each of the following classes or group of classes as numbered below:

1. Accoustics
2. Concrete, Masonry, Bricklaying
3. Electrical
4. Excavating, Filling, Landscaping
5. Framing, Insulation, Carpentry, Fitting Siding.
6. Flooring, Wall Covering, Terrazo and Composite Flooring.
7. Glazing
8. Gyproc Installations, Plastering and Stucco.
9. Heating, Ventilations, Air-Conditioning and Refrigeration.
10. Mechanical Equipment Installations
11. Metal Door and Windows
12. Ornamental Metal Work
13. Painting and Decorating
14. Paving
15. Plumbing, Sanitation, Hot Water Heating
16. Roofing, Waterproofing, Damp-proofing, Sheet Metal.
17. Structural Metal Fabrication and Welding.

19. Contractor Logging

A person primarily engaged in the business of logging in the sense that contracts with mills or quota holders are entered into for substantially comprehensive harvesting of timber lands, comprising the majority of phases involved as follows: skidding, sorting, bucking, decking, loading and hauling and may also include the preparation of the logging show by construction of roads and worksites and treatment of the logged-off area by slash burning or replanting.

20. Crematorium

A business premise used in the cremation of dead bodies.

21. Dance Halls

Shall mean any building, room or place where public or private dances are held or permitted for hire or profit other than those located in a cabaret.

22. Delivery Service

Local transportation of merchandise from store to residential areas.

23. District

The District of New Hazelton.

24. Door-to-Door Sales
- A person who being either a Resident or Non-Resident is engaged in the business of selling direct to the public by calling from premises to premises in order to expose samples, take orders, or offer for sale goods, wares, or merchandise of any kind.
25. Exhibition
- Shall mean any temporary display of wares, goods, products or services for the purpose of sale, trade or profit with the District of New Hazelton, other than by the current holder of a valid and subsisting District of New Hazelton Business Licence, provided such display is for no longer than one week.
26. Express or Freight Company
- The transportation of goods, etc., other than defined under Delivery Service and Transfer Company.
27. Film Exchange and Rental Service
- The renting of Motion Pictures and equipment.
28. Floor Space
- The floor area used for the carrying on of the business.
29. Fuel Sales
- a) Bulk
Storage for wholesale, and may or may not deliver to the retail trade.
- b) Retail Vendors
The delivery or sale of fuel by retail.
30. Ground Area
- The ground area used for the carrying on of the business.
31. Health Spas, Baths and Massage Parlours
- Any building, premises, room, establishment, or place in which any vapour, sweat salt, dry or steam bath is given and the services of an attendant are provided, or in which, in conjunction with such baths, facilities are provided for profit or gain.
32. Heavy Equipment
- Bulldozer, trencher, power shovel, dragline, clamshell, power grader, power hoe, or any other type of heavy equipment other than a commercial motor vehicle operating within the town limits.
33. Home Occupation
- An occupation or business carried out in a residential premises as permitted pursuant to the provisions of the Zoning By-law of the District of New Hazelton. Such business shall be carried on only by the occupant of the residence and the members of the immediate family.
34. Laundry and/or Dry Cleaning Establishments
- Means any building or part thereof where the business, trade, occupation or calling of pressing, cleaning, dyeing or washing of clothing or other fabrics is carried on and includes premises where the business of linen supply is carried on.
35. Laundromat
- Coin-operated or operator-operated laundry or drycleaning service having a machine or series of machines with a capacity in excess of forty (40) pounds.

36. Lease or Rental Agency
- Shall mean and include any person who, acting for himself, or on behalf of another rents, leases or otherwise lets (for gain or profit) any goods, wares, merchandise, or other equipment of any kind, but does not include "Vehicles for Hire".
37. Laundry & Dry Cleaning Office
- Includes any building, room or place where the business of collecting clothing to be cleaned or laundered or of distributing cleaned or laundered clothing is carried on separate and apart from the premises where the business of laundering or cleaning is actually carried on.
38. Licence Inspector
- That person appointed as Licence Inspector by the Council of the District of New Hazelton and such other person designated as his Deputy or Assistant.
39. Liquor Outlets
- Such establishments defined by the Government Liquor Act as a "Lounge" or "Public House".
40. Manufacturers
- Means a person who carries on, maintains, owns or operates the business, trade, occupation or calling of assembling, manufacturing, producing, finishing goods, substances or things or any part thereof.
41. Mobile Vendors and Mobile Restaurants
- A person who uses a motor vehicle to go from place to place offering for sale merchandise or service other than a delivery vehicle owned and operated by a licenced retailer or wholesaler within the District.
42. Music or Dance Teacher
- Every person engaged in the teaching of music or dance who receives payment for such teaching directly from the person taught or from the parent or guardian of the person taught, and shall not apply to music or dance teachers who receive the whole of their remuneration from teaching music from a University, Collegiate, Public or similar school.
43. Non-Resident Business
- A business, other than a Resident business, carried on within the District or with respect to which any work or service is performed within the District.
44. Part Time
- Shall mean other than prime occupation and/or less than 20 hours per week spent at the part time occupation.
45. Nurseries
- A person engaged in the business of growing, rearing, producing or harvesting for sale to others of plants, shrubs, or other garden supplies and may include as an ancillary business the sale of related garden tools, accessories or supplies.
46. People
- In addition to its usual connotation, shall mean a human being male or female who is engaged in or connected with any business, trade, occupation or calling within the District of New Hazelton, and shall include an employer as well as the employee.

47. Person
In addition to its ordinary meaning shall mean and include a firm or partnership, association, company, society, body corporate and in the singular shall mean and include the plural masculine and feminine and the converse.
48. Photo Studio
A business premises used in the photography trade for the taking of photographic portraits, and for the sale by retail of photographic material.
49. Pool and Billiard Halls
Shall mean a room or place where "Pool, Billiards", or similar games may be played and where a fee is charged for such play, whether by the game or on a time basis.
50. Premises
Shall include store, office, warehouse, factory building, enclosure, yard or other place occupied, or capable of being occupied by any person for the purpose of any business, trade or occupation and shall also mean any area situated within any of the foregoing where more than one separate, and/or distinct class or classification of business is carried on.
51. Printers & Publishers
A person who is in the business of publishing books, newspapers, magazines and periodicals, and/or the production of printed matter for gain or profit.
52. Resident Business
A business carried on, in or from premises within the District.
53. Restaurants, Cafes, Cabarets, Snack Bars, Drive-In Restaurants
Any business or establishment where prepared food and/or beverages are provided and served to the public for consumption on the premises in exchange for money or services. For the purpose of this By-law where facilities are provided for serving food in motor vehicles on the premises, the parking space for every vehicle that can be accommodated on such premises shall be considered as seating accommodation for two persons.
54. Retail Merchants
Direct sales to the consumer from properly established premises.

a) Automotive Sales and Service
Any and all types of businesses or trades engaged in the automotive and/or recreational vehicle business.

b) Bakery
Includes any building or part of a building or any premises, workshop, room or place principally used for the preparation, making and baking of bread or any bakery product for sale, but does not include the kitchens or restaurants, in so far as the bread or any bakery product there made is sold for consumption on the premises or otherwise than in loaves.
55. Taxi
Means any motor vehicle which is employed in the conveyance of passengers for hire, excepting ambulances, hearses, drive-yourself vehicles, and motor buses, which are rented solely by the hour or chartered solely by the trip.

56. Theatres and Amusement Halls and Drive-in Theatres
- a) Theatres and Amusement Halls
Includes any place which is used for the showing of theatrical, operatic, or vanderbille performances or moving pictures or television shows or for similar purposes.
- b) Drive-In Theatres
For the purpose of this By-law the parking space for every vehicle that can be accommodated on such premises shall be considered as seating accommodation for two persons.
57. Trailer Courts
- Means any land used for a trailer camp, used for the parking of mobile homes - providing it has services installed in accordance with the Provincial Trailer Camp Regulations.
58. Trust, Brokerage, Credit Union, Finance Loan, Mortgage or Acceptance Company
- A financial institution other than those governed by the Bank Act.
59. Vehicles
- Means any vehicle used by any person upon any highway in a participating municipality which is a commercial vehicle defined as such by and licenced under the Department of Commercial Transport Act, and any vehicle not so licenced but which is used for the collection or delivery, or both, of goods, wares, merchandise, or other commodity in the ordinary course of a business undertaking.
60. Vehicle Hire
- A person renting out individual items of machinery or Motor Vehicles on an hourly basis but does not include vehicles licenced under freight, hauling, express, delivery trucking, omnibus, taxi, towing or wrecking company and drive-yourself vehicles.
61. Vending Machines
- Any device operated by the insertion of a slug or coin and operated mechanically whether or not goods are dispensed.
62. Warehousing
- The storage of goods, etc. for which payment is usually made.
63. Wholesale
- Shall mean any person who carries on the business of dealing in any commodity by selling such commodity to retail dealers or to other wholesale dealers or to contractors or to manufacturers for resale or for use in their business.

BY-LAW NO. 7

DIVISION THREE

FEES

The maximum fee under this division shall be unless otherwise stated.

<u>CLASSIFICATION</u>	<u>FEES</u>
1. Agent	\$ 40.00
2. Amusement Establishments	\$ 40.00
3. Ambulance Service (stationed within the District)	\$ 15.00 first vehicle \$ 10.00 each additional vehicle
4. Automobile Parking Lots	\$ 1.00 per parking space \$ 20.00 minimum
5. Automobile Towing (other than operated in connection with an automotive business)	\$ 40.00 first vehicle \$ 10.00 each additional vehicle
6. Auto Wreckers	\$ 40.00
7. Banks	\$ 50.00
8. Banquet Rooms or Halls	\$ 40.00
9. Bowling Alleys	\$ 5.00 per lane
10. Building Rentals	
a) Apartment Houses	\$ 5.00 per rental unit
b) Hotels - Motels	\$ 3.00 per rental unit
c) Lodging Houses	\$ 3.00 per rental unit
d) Office - Commercial	\$ 6.00 per 1,000 sq. ft. of floor space \$ 40.00 minimum
11. Carnivals	\$100.00 per day
12. a) Catering Service	\$ 10.00 per day
b) Catering Service - Charitable	No Charge
13. Circus	\$100.00
14. Clothing Repairs and Alterations	\$ 10.00
15. Communication Service	\$ 25.00
16. Contractors	
a) General	\$ 40.00
b) Sub-Contractor	\$ 40.00 each classification
17. Contractors (Logging)	
a) General	\$ 40.00
b) Sub-Contractor	\$ 40.00
18. Crematorium	\$ 40.00
19. Curling Rink	\$ 10.00 per sheet
20. Dance Halls	\$ 40.00
21. Delivery, Express, Freight, Moving Transfer, Transportation Service or Company and Vehicle Hire	\$ 40.00
22. Door-to-door Salesman (all classifications)	\$ 10.00 per person

Or in the alternative, a company may license all representatives within the District for a flat fee of twice the fee applicable to classification in the above list. Minimum for a company license shall be \$100.00.

23. Exhibitions - maximum duration 1 week	\$ 10.00
24. Farmer - Retail	\$ 10.00
25. Film Exchange and Rental Service	\$ 40.00
26. Fuel Sales	
Bulk Sales	\$ 40.00
Retail Vendors	\$ 40.00
27. Herbalist	\$ 10.00
28. Home Occupation	\$ 10.00
29. Laundry and Dry Cleaning Establishments	\$ 40.00
30. Laundry and Dry Cleaning Call Office	\$ 10.00
31. Lease or Rental Agency	
a) Lease Auto Rental	\$ 5.00 per unit or vehicle
b) Other Leasing or Rental Agency	\$ 40.00
32. Liquor Outlets	\$ 40.00
33. Mail Order	\$ 40.00
34. Manufacturers	
a) Lumber Processing Plants	\$ 40.00
b) Other Manufacturers	\$ 40.00
35. Mobile Vendors	
a) Mobile Stores and Restaurants	\$ 40.00 per vehicle
b) Bakery and Dairy	\$ 40.00
36. Music and/or Dance Teacher	\$ 10.00 per person
37. Nurseries	\$ 10.00
38. Photo Studio	\$ 40.00
39. Pool and Billiard Halls	\$ 10.00 per table
40. Printers and Publishers	\$ 40.00
41. Public Utility Company	\$ 40.00
42. Radio or T. V. Broadcasting	\$ 40.00
43. Restaurants, Cafes, Cigarrets, Snack Bars, and Drive-In Restaurants	\$ 40.00
44. Retail Merchants	
a) Automotive and/or Recreational Vehicle Sales & Service	\$ 40.00
b) Food Stores and Sales	\$ 40.00
c) Heavy Industrial and Mill Equipment Sales & Service	\$ 40.00
d) Jewellers	\$ 40.00
e) Retail Merchants	\$ 40.00
45. Taxi	\$ 10.00
46. Theatres and Amusement Halls	\$ 40.00

47. Trailer Courts

Minimum of \$10.00

\$ 1.50 per trailer space

48. Trust, Brokerage, Credit Union, Finance, Loan, Mortgage or Acceptance Company

\$ 40.00

49. Vending Machines

a) Music or Recreation

\$ 5.00 first machine

\$ 1.00 each additional machine

b) Confectionery, Tobacco, Cigarettes, Beverages, Goods or Service of any kind

\$ 5.00 first machine

\$ 1.00 each additional machine

50. Warehousing

\$ 40.00

51. Wholesale

\$ 40.00

52. The following shall be classed as professional businesses and shall pay the following prescribed fees to a maximum of \$100.00:

1 - 4 people	\$ 25.00
5 - 6 people	\$ 30.00
7 - 8 people	\$ 40.00
9 - 10 people	\$ 50.00
Over 10 people	\$100.00

Acupuncturist

Agrologist

Architect

Audiologist

Barber or Beauty Parlour Operator

Barrister and Solicitor

Business and/or Tax Consultant

Certified General Accountant

Chiropractor

Custom Broker

Dental Surgeon

Dentist

Engineer

Geologist

Dental Technician

Insurance Agent and/or Salesman

Investment Agent

Laboratory Technician

Land Surveyor

Massage Practitioner

Medical Practitioner

Naturopathic Physician

Natural Gas Technician

Notary Public

Ophthalmologist

Optician

Optometrist

Osteologist

Osteopath

Pharmacist (Not in Drug Store)

Photographer

Physician

Practical Nurse

Private Detective

Psychologist

Psychiatrist

Real Estate Agent or Salesman

Public Accountant

Refractionist

Registered Nurse

Surgeon

Undertaker

Veterinarian

Unclassified

Persons making application for a licence under Division One, Section 1 & 2 shall pay the following fees, to a maximum of \$100.00.

1 - 4 people	\$ 25.00
5 - 6 people	\$ 30.00
7 - 8 people	\$ 40.00
9 - 10 people	\$ 50.00
Over 10 people	\$100.00

REGULATIONS OF BUSINESS

DIVISION FOUR

Health Spa, Bath &
Massage Parlours

1. Every person owning, keeping, maintaining, conducting or carrying on any Health Spa, Bath Parlour, or Massage Parlour, shall provide and keep therein a suitable register for the registration of all persons using the facilities of said Health Spa, Bath Parlour or Massage Parlour, and shall require every such person to enter his or her name and home address together with the date and time of registration in such register.

Auctioneers

2. a) Auctioneers licenses shall be granted to an individual, and not to a firm, partnership or company.
- b) Every Auctioneer shall, whenever goods are put into his hands for sale, give a receipt containing an itemized statement of all such goods. When such goods, or any of them, are sold, the Auctioneer shall, on demand, strictly account to the person entrusting the goods to him. The Auctioneer may first deduct from the amount received from the sale of the goods his commission at the rate agreed upon between himself and the owner of the goods. In the absence of such agreement at a rate not exceeding 10% of the amount received from the sale of the goods.
- c) Every Auctioneer shall keep proper books of accounts of the business transacted by him as such Auctioneer, whether in a public auction or elsewhere. The said books shall record:
 - i) the names and addresses of persons entrusting goods to him for sale;
 - ii) an itemized list of all such goods;
 - iii) the names and addresses of the persons purchasing any goods from him.
- d) Every Auctioneer shall permit any Police Officer or the Licence Inspector to inspect the books referred to in the preceding paragraph, at all times during business hours, and to take extracts therefrom.

Second-hand Dealers and
Junk Dealers

3. a) Every licenced Second-hand Dealer shall keep a record, on sheets supplied by the District, to be known as "The Second-hand Dealer's Register", in which shall be entered in either of the official languages, written in ink in a plain legible hand, or typewritten, a record of all goods received, purchased, or taken in exchange. The entry must be made at the time of the receipt, exchange, or purchase, or immediately thereafter, and shall include, in addition to the date and the hour of the purchase, receipt or exchange a full description of the article or articles, including the name of the maker and the serial number, if known, or can be ascertained, the price paid therefor, and the name, address and description of the person from whom the purchase was made.

Goods of every description received, purchased or taken in exchange by said licenced Dealers shall be treated as purchases and may be so entered in this record.

- b) The Second-hand Dealer's record shall be a permanent record and the Dealer shall be responsible for ensuring that it is not mutilated or destroyed.. It shall be open to inspection by members of the Police Force and the Licence Inspector at all times during which the business is open and may be removed at any time by members of the Police for inspection, or for use in Courts, if necessary.
- c) All licenced Dealers must notify the Police Force having jurisdiction in the Municipality within twenty-four hours of the purchasing, taking or receiving of any used or second-hand goods, and shall not alter the form of, or sell, exchange or otherwise dispose of such goods within seventy-two hours after the hour of purchasing the same. Such notification to the Police Force shall comprise of the copy of the Second-hand Dealer's Register for the day in question, and must be mailed or delivered in person to the Police Office within the time set out above.
- d) For the purpose of this section, Second-hand Dealers shall include Junk Dealers and operators of Second-hand Stores, Junk Stores, Junk Yards, and Pawn Brokers.

Pool Halls and Billiard Halls

- 4. a) No person under the age of 16 years shall be permitted by an owner, or any other person in charge thereof to be or remain in a pool Room or Billiard Hall or to play pool or billiards or any other game therein, and a notice prohibiting such persons from playing or remaining in such Pool Room or Billiard Halls shall be prominently displayed or exhibited in every such Pool Room or Billiard Hall.
- b) No person under the age of 16 years shall be employed in any Pool Room or Billiard Hall for any purpose by the owner, nor by any other person in charge thereof.
- c) The interior of all Pool Rooms or Billiard Halls shall be fully visible from the entrance.
- d) Every portion of all Pool Rooms or Billiard Halls shall be illuminated to a minimum of thirty foot candles.

Door-to-door Salesmen

- 5. a) No door-to-door salesman shall sell merchandise or take orders for merchandise door-to-door within the District after the hour of 6:00 P.M. on Saturday through Thursday inclusive: 9:00 P.M. on Friday and no person shall sell or take such orders at all on Sunday or Statutory or declared holidays.
- b) No person shall offer for sale any goods or merchandise except newspapers, on the highways within the boundaries of the District of New Hazelton unless they have first obtained a permit from the Council of the District of New Hazelton for that purpose.

Tag Days

- c) No person shall use any highway or portion thereof for the purpose of soliciting funds unless they have obtained, from the Council, a permit for the privilege of using such highway. Such permit shall specify the dates during which such soliciting may be carried out and the hours during which the soliciting may be carried out. No person granted a permit to use a highway for the purpose of soliciting funds shall use those funds for any purpose other than that set out within his application for the permit.

Laundromat and Coin-operated
Drycleaning

- 6. a) No Licence shall be issued for the use of any premises as a Laundromat unless the building premises are in good condition and meet the requirements of the zoning and building by-law and have been approved by the Fire Marshal's office.
- b) An interlock system must be provided on the machine to prevent the loading door from being opened during the normal cycle.
- c) A step-by-step instruction list must be posted in a conspicuous location near the machine for customers' use. A competent, trained operator must be available, or on call, as long as the premises are open for business. A telephone number must be listed for emergency assistance.
- d) Solvent control is to be such that under normal operation and use conditions, no solvent odor can be detected in the customer area.
- e) In drycleaning machines only the solvents specified by the equipment manufacturer shall be used.

Taxicabs

- 7. a) Taxicab Licences will be issued by the District on the basis of one licence for each taxicab whether or not the same shall be wholly and entirely owned by the applicant and any such Licences issued shall be posted by the said person, corporation or association in a conspicuous place in the Despatching Office from which the taxicab operates.
- b) Every applicant for a Taxicab Licence shall furnish proof in his application that he has sufficient off-street parking facilities to accommodate all of his Taxicabs while not in use.
- c) No driver of a Taxicab shall stop for the purpose of taking on or discharging passengers at any street intersection, or within fifteen (15) feet thereof.
- d) No driver of a Taxicab shall seek passengers by cruising on any street in the District. Provided however, that the driver of a Taxicab may accept passengers at any place of public gathering so long as his Taxicab is lawfully parked in the vicinity of the place or building where such public gathering is taking place.

- e) No Taxicab shall be operated as such except by the Owner and Licensee thereof, or by a driver employed by and directly responsible to such Owner and Licensee.
- f) No Licensee shall employ, engage or permit any person to operate or drive any Taxicab unless such person holds a valid and subsisting Chauffeur's Licence issued under the provisions of the Motor Vehicle Act of the Province of British Columbia.
- g) Every Licensee and every Taxicab shall operate out of an established place of business.
- h) Every Licensee shall have on each Taxicab, operated by him, an illustrated sign, complying in all respects with the regulations made pursuant to the Motor Vehicle Act and bearing the word "Taxi" or "Cab". Such sign shall be kept illuminated during the hours of darkness while the Taxicab is in operation. Every Taxicab shall have on its side, in lettering not less than two (2) inches high, the word "Taxi" and the name of the Licensee or the Licensee's business, and such lettering shall be kept clear, clean and distinguishable at all times.
- i) The interior and exterior of every cab shall be kept clean and in good repair. The Licensee of every Taxicab shall, prior to the 1st day of January and 1st day of July of each and every year, furnish a certificate signed by a Licensed Automechanic stating that the Taxi has been inspected and is in good mechanical condition in all respects.
- j) No person driving, operating, or in charge of any Taxicab shall charge, demand, collect or receive any fare or rate except those authorized by the Public Utilities Commission of the Province of British Columbia, if such can be obtained pursuant to the Motor Carrier Act, R.S.B.C. 1979 Chapter 286.

Private Patrol

- 8. a) Every person carrying on a business of, or operating a Private Patrol Agency shall supply the Senior Police Officer in the District with the name, age, address, and description of all persons employed by him and shall inform him when such persons leave the employ of the Private Patrol Agency, and in the event that automobiles are used by employees of a private Agency, the licence number of those vehicles shall also be supplied.
- b) No Private Patrol Agency or employee thereof shall use or wear, or suffer or permit its or his employees to use or wear any uniform, suit coat, or mode of dress being or having the appearance of a uniform of a member of the Royal Canadian Mounted Police, or other Police Officials of the District.
- c) All persons carrying on the business of or operating a Private Patrol Agency shall file with the Senior Police Officer, a list of the owners or occupants of all premises which he has agreed to guard or patrol and shall furnish a supplementary report each month of any additions to or deductions from such list.

- d) No Private Patrol Agency or any employee thereof shall wear, carry or exhibit any badge or insignia carried by any police force in the Province of British Columbia.
- e) No person shall be in the business of operating a Private Patrol Agency, or as an employee thereof, who has been convicted of an offence indictable in Canada.

Restaurants

- 9. a) No Licence shall be granted for the operation of any premises as a restaurant, lunch counter, tea room, coffee shop, cabaret, banquet room, snack bar or drive-in restaurant until such premises have been inspected and approved by the Medical Health Officer or his representative. Every establishment where food is served for consumption on the premises shall have a separate washroom for each sex, such washrooms each to contain at least one water closet and one lavatory basin with hot and cold running water, soap dispenser and some form of towel service or air dryer.
- b) Provisions shall be made for the storage of all milk products, fresh and cured meats, fish or poultry in temperatures below 50 degrees fahrenheit. There shall be adequate hot water and sinks for washing and sterilizing all utensils and equipment.
- c) All glasses, cups, or other drinking vessels or utensils shall be thoroughly washed, sterilized and dried after every use, and no chipped or cracked vessels shall be used.
- d) All refrigerators shall be kept clean.
- e) All food and drink shall be so stored and displayed as to be protected from dust, vermin, unnecessary handling and other contamination.
- f) The floors, walls and ceilings of all rooms in which food is prepared shall be of such construction so as to be easily cleaned; the floors shall be tight, well drained, and shall be kept clean and in good repair.
- g) All personnel, while engaged in handling food, utensils or equipment shall wear clean, fresh, sanitary and unsoiled outer garments.
- h) All food products, meat, poultry, fish, bakery goods and dairy products shall be transported and stored in clean sanitary and dust free compartments.

Hotels, Motels and Lodging Houses

- 10. a) No premises shall be licenced for use as a Hotel, Motel or Lodging House unless the premises have first been approved by the Medical Health Officer, the Building Inspector and the Fire Chief.
- b) Every person operating a Hotel, Motel or Lodging House shall, whenever any child apparently under the age of Sixteen (16) years, unaccompanied by parent or guardian, becomes a guest, forthwith report to the Senior Police Officer, the name and registered address of such child, together with a description of the child.

- c) Every operator of a Hotel, Motel or Lodging House shall keep a register of guests in which shall be entered the name, address, date of arrival and date of departure of such guest, and such register shall be open to the Licence Inspector and any Peace Officer upon demand.
- d) Every operator of a Hotel, Motel or Lodging House shall once in every 24 hours, satisfy himself that every guest in his premises is alive and able to call for medical aid if required, and shall immediately report to the Medical Health Officer should he become aware of any case of infectious or contagious disease therein, or suspect any guest or person within the said premises to be suffering from an infectious or contagious disease.
- e) All Hotel, Motel and Lodging House premises shall be kept in a clean and safe condition at all times, and the operator of the premises shall ensure that all passageways and entrances are kept free and clear of all debris or an obstruction, and are properly lighted at all times.
- f) No operator of a Hotel, Motel or Lodging House shall rent any room to more than one (1) person without the consent of the first person to whom the room is rented.

Circuses, Carnivals

- 11. a) No licence shall be issued for a circus or carnival until the operator thereof has filed with the Licence Inspector, a Comprehensive Liability Policy of Insurance for \$1,000,000.00 inclusive limits covering bodily injury, death, and property damage to property including loss of use thereof. The insurance shall be in the joint name of the Licensee and the District of New Hazelton.
- b) No licence shall be granted to any person or persons for the purpose of holding an exhibition, circus or carnival, using ferris wheels, merry-go-rounds or other similar rides until such persons file with the Licence Inspector, insurance as is required in (a) above, previously mentioned and in the name of the District of New Hazelton and/or promotor as additional named insureds.

Catering Service

- 12. a) No licence shall be issued to a catering service unless it has a fixed place of business within the District. All utensils, dishes and food-stuffs supplied by a catering service shall be transported in sanitary containers.
- b) The premises in which food is prepared shall meet the requirements as to sanitation and health provided for in the By-laws of the District of New Hazelton and by the Provincial Statutes dealing with the preparation of food.

Delivery Service

- 13. a) Every vehicle used in a delivery service shall have the name of the licenced operator thereof printed in letters at least two (2) inches in height upon both sides of the vehicle, or upon cards attached to the sides of the vehicle, and such signs shall be kept free and clear of dirt.

- b) No vehicle used for the delivery of food products shall be used for the delivery of any other material unless it is thoroughly cleansed prior to its use for the transportation of food stuff.
- c) No prepared food product shall be carried in open vehicles unless such food is contained in sealed sanitary packages.

Trucks

- 14. a) No person shall operate a truck for commerical purposes unless the truck has written on its side, in letters at least two (2) inches in height, the name of the operator, the address or telephone number of the operator, the gross vehicle weight of the vehicles, and if the vehicle is adapted to bulk transportation, the load capacity.

Baby Sitting

- 15. a) No operator of a Baby-sitting Service shall employ any person under the age of 16 years as a baby-sitter.
- b) The operator of every Baby-sitting Service shall keep a register of its employees or agent, containing the full name, address, telephone number and age.
- c) The operator of every Baby-sitting Service shall supply each client with the full name, address, and home telephone of the baby-sitter supplied to the client.
- d) The operator of every Baby-sitting Service shall provide at least three references as to good character and financial worth to the Licence Inspector at the time of application for Licence.

Mobile Stores and Mobile Restaurants

- 16. a) Every Mobile Store and Mobile Restaurant shall be in good mechanical condition; shall have a dust-tight, well-lighted sanitary interior, from which their business is carried on.
- b) Mobile Restaurants can only serve hot beverages, bottled cold beverages, wrapped food, except doughnuts, which must be contained in a dust-free container. No heated foods may be kept for more than eight hours and shall be destroyed and not re-used the following day.
- c) All heated foods must be kept at a temperature in excess of 149 degrees fahrenheit at all times and no cooking or other food preparation may be carried on within such vending vehicles at any time.
- d) All Mobile Restaurants or Mobile Stores shall meet all the food handling requirements of the Provincial Government.

Contractors

- 17. All General Contractors shall post a list of all sub-trades employed by them on the building site in a conspicuous place where construction is being carried on.

18. No person shall operate a vehicle as a tow truck unless:

- a) That vehicle conforms to all of the requirements of the Motor Vehicle Act. R.S.B.C. 1979 Chapter 288 and Regulations made pursuant thereto and a certificate to that effect is obtained from the Chief of Police of the District of New Hazelton.
- b) The operator has produced to the Licence inspector proof that the vehicle and any driver thereof is covered by an Insurance Policy for Public Liability in an amount of at least \$250,000.00