

VILLAGE OF CHASE

BY-LAW NO. 538

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A Bylaw to provide for the Licencing of Businesses in the Village of Chase.

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WHEREAS it is the purpose of this bylaw to:

(a) require an owner or operator of a business within the Village of Chase to hold a valid and subsisting licence for the carrying on of such business;

(b) to fix and impose licence fees for licences, and;

(c) to provide for the collection of licence fees and the granting, issuing and transferring of licences, subject to the limitations contained in the bylaw;

The Municipal Council of the Village of Chase, in open meeting assembled, ENACTS AS FOLLOWS:

DIVISION ONE - DEFINITIONS

1.0 In this bylaw, unless the context otherwise requires:

ACT: means the Municipal Act of British Columbia R.S.B.C. Chapter 290.

APPLICANT: means any person who makes application for a business licence under the provisions of this bylaw.

BUSINESS: means 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.

VILLAGE: means the Corporation of the Village of Chase in British Columbia.

COLLECTOR: means the Collector for the Municipality and shall include any Acting or Deputy Collector.

COUNCIL: means the Council of the Village of Chase.

LICENCE: means a licence issued under this bylaw.

LICENCE INSPECTOR: means the Clerk Treasurer or persons from time to time duly appointed by the Council for the purpose of enforcing the provisions of this bylaw and shall include any Licence Inspector, Deputy or Assistant Licence Inspector.

MEDICAL HEALTH OFFICER: shall mean the Medical Health Officer duly appointed by the South Central Health Unit.

NON RESIDENT BUSINESS: means a business, other than a resident business, carried on within the Village or with respect to which any work or service is performed within the Village.

PERSON: shall, in addition to its ordinary meaning, mean and include a firm or partnership, association, company, or Corporation and the singular shall be held to mean and include the plural, but shall not include a firm or partnership or association or persons carrying on in any of the professions.

RESIDENT BUSINESS: means a business carried on or from premises or any one of them.

DIVISION TWO - GENERAL REGULATIONS

2.0 LICENCING PERIOD

(a) Except as hereinafter otherwise provided, licences shall be granted for a One (1) year period to commence on the first day of January and to terminate on the 31st. day of December, in each and every year.

(b) Subject to the provisions of the Act, the period for a Licence in respect of any theatre, including drive-in theatre, amusement hall, concert hall, music hall, opera house, rinks, amusement park or exhibition may be six months, three months or one month, or one day, and the period requested shall be by written application under the signature of the applicant.

(c) Subject to the provisions of the Act, the period for a Licence with respect to a circus, horse show, dog or pony show, exhibition or other itinerant show or entertainment, when held elsewhere than in a licenced theatre or other licenced place, shall be one day.

2.1 LICENCE REQUIRED

In accordance with the Act, no person shall carry on, within the Village, any business unless he is the holder of a valid and subsisting licence issued to him under the Bylaw by the Licence Inspector and shall pay in advance, to the Licence Inspector, the sum specified in Schedule "A" attached hereto and forming part of this bylaw and it shall be incumbent upon each person to renew such licence at the beginning of each licencing period as long as such business is being carried on. Annual Licence fees are due and payable on March 31 in each year.

2.2 LICENCE FEE

Every person applying for a licence shall complete the application form supplied by the Village for such purpose and no licence shall be issued until the fee as set out in Schedule "A" of this bylaw has been paid to the Municipality. No Licence fee paid shall be refundable.

2.3 FORM OF LICENCE

Every licence granted pursuant to this Bylaw shall state that the holder is licenced to carry on the business stipulated in a lawful manner for the period specified in the licence at the place stated in the licence.

2.4 SEPARATE LICENCE

Where a business is carried on, in, or from more than one premise in the Village, the business carried on, from, or in each such premise(s) shall be deemed to be a separate licence.

2.5 TRANSFER

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 a transfer fee of Twenty Dollars (\$20.00). The Licence Inspector shall refuse to issue a transfer of licence where the premises to which the applicant wishes to transfer the licence does not comply with the requirements of the bylaws of the Village regulating building, zoning, health, sanitation and business.

2.6 GRANTING AND SUSPENSION OF LICENCES

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

- a) is convicted of an indictable offence in Canada;
- b) has, in the opinion of the official, been guilty of such gross misconduct in respect of the business or in or with respect to the premises named in his licence that it warrants the suspension of his licence.

2.7 PORTABLE CONCESSION

For the purpose of a portable/mobile concession operation in the Village of Chase, a permit in the form prescribed in "Schedule "B" attached hereto is required for all holders of Concession Business Licences in the current year and subsequent years. The permit and associated fee noted in Schedule "B" is in addition to the annual Business Licence fee.

2.8 LICENCE TO BE DISPLAYED

The Licencee or person in charge or control of premises where the business for which the licence is issued is carried on, shall at all times keep the licence or licences prominently displayed in the business area of the premises to which the public have access.

2.9 LICENCE INSPECTOR

The Council may, by Resolution, appoint a person to be the Licence Inspector and may, in addition, appoint such persons as Council deems necessary to assist the Licence Inspector in the administration and enforcement of this bylaw.

2.10 INSPECTION

The Licence Inspector is hereby authorized to enter, at all reasonable times, upon any property subject to the regulations of this bylaw; in order to ascertain whether such regulations or directions are being observed.

DIVISION THREE - VIOLATIONS AND PENALTIES

3.0 (a) Every person who offends against any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this bylaw, or neglects to do or refrains from doing anything to be done by this bylaw, or who does any act or thing which violates any of the provisions of this bylaw shall be deemed to have committed an offence under this bylaw and shall be liable on conviction, to a fine in accordance with the Offense Act. Each day a violation continues shall be deemed to be a separate offense.

DIVISION FOUR - APPEAL PROCEDURES

4.0 Any person whose licence has been suspended under Section 2.6 of this bylaw may appeal to the Council and upon such appeal the Council may confirm or set aside such suspension or such terms as it may think fit.

DIVISION FIVE - AUTHORIZATION

5.0 Village of Chase Business Licence Bylaw #456 is hereby repealed.

5.1 In the event that any part of this Bylaw is declared ultravires by a Court of competent jurisdiction, then such part shall be deemed to be severed from the bylaw to the intent that the remainder of the bylaw shall continue in full force and effect.

5.2 This bylaw may be cited as "Village of Chase Business Licence Bylaw No. 538, 1995."

READ A FIRST TIME THIS 12th. day of December 1995.

READ A SECOND TIME THIS 12th. day of December 1995.

READ A THIRD TIME THIS 12th. day of December 1995.

RECONSIDERED AND FINALLY ADOPTED THIS 19th. day of December 1995.



\_\_\_\_\_  
Lee Fraser  
Mayor



\_\_\_\_\_  
Christopher D. Coates  
Acting Clerk

Certified a true copy of Bylaw No. 538, 1995 as adopted by the Council of Chase.



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Christopher D. Coates  
Acting Clerk

538.BYL

A true copy of By-Law No. 538  
registered in the office of the Inspector  
of Municipalities this 5<sup>th</sup> day of  
February 1996.

\_\_\_\_\_  
Deputy Inspector of Municipalities

VILLAGE OF CHASE

BYLAW NO. 538  
SCHEDULE "A"

1. Minimum Licence Fee \$20.00
2. Licence Fees prescribed herein for any business which becomes liable to be licenced after the commencement of the Licence year shall be reduced on a monthly pro-rata basis. The full month in which the Business Licence is issued shall be included in the pro-rata calculation.
- 3.(a) Except as hereinafter provided the annual licence fee payable for each business under this bylaw is \$70.00.  
  
(b) Annual Licence fees noted in 3(a) above, which are not subject to a pro-rata reduction shall be reduced by \$15.00 provided that payment is received by the due date noted in Section 2.1 of this Bylaw.
4. The daily licence fee for a circus, horse show, dog show, exhibition or other itinerant show or entertainment shall be \$55.00.
- 5.(a) The annual licence fee for every person soliciting sales on a door to door or business to business basis except as hereinafter provided shall be \$200.00.  
  
(b) The annual licence fee for every salesperson selling cosmetic and/or personal care supplies shall be \$30.00.
6. The annual licence fee for Hotels, Motels, Apartment Buildings, Campgrounds, Recreation Vehicle Parks and Mobile Home Parks shall be \$2.50 for each unit or space.

VILLAGE OF CHASE

BYLAW #538

SCHEDULE "B"

PERMIT TO OPERATE A PORTABLE/MOBILE UNIT IN THE VILLAGE OF CHASE  
PARKS: " \_\_\_\_\_ "

Name of Park

1. ALL UNITS must be totally portable and removed from the site each and every evening.
2. ALL UNITS must be parked off the roadways.
3. ANNUAL PERMITS will be issued from the Village Office.
4. CONCESSIONS must have a valid business licence from the Village of Chase, and a current Operation Permit from the Department of Health. Copies to be provided with the Application for Permit.
5. COST OF PERMITS are \$60.00 per unit.
6. STOVES, REFRIGERATORS, FREEZERS, ETC. should be operated by bottled gas as opposed to gas engines in order to preserve peace and quietness.
7. NO PARKING on grassed areas in any park at any time.
8. NO electrical services are available and will not be provided at any time.
9. CONCESSIONS will be allowed to park and operate in the designated areas; a map will be issued with the permit.

\_\_\_\_\_  
Licence Inspector

\_\_\_\_\_  
Name of Permittee

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone No.

\_\_\_\_\_  
Signature