



**THE CORPORATION OF THE VILLAGE OF TELKWA  
BUSINESS LICENCE BYLAW NO. 748, 2022**

A Bylaw to provide for the issuance of Business Licences.

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Pursuant to the Community Charter, Council may, by bylaw, regulate matters in relation to business;

The Council of the Village of Telkwa, in open meeting assembled, enacts as follows:

**1. ADMINISTRATIVE PROVISIONS**

- 1.1 This bylaw may be cited as "Bylaw No. 748 - Business Licence Bylaw" and takes effect as of the date of adoption.
- 1.2 The "Bylaw No. 714 - Business Licence Bylaw" and all amendments are hereby repealed.
- 1.3 If any portion of this bylaw is found to be invalid by a court of competent jurisdiction, it shall be severed and the severance shall not affect the validity of the remainder of this bylaw.

**2. DEFINITIONS**

2.1 In this bylaw:

**"Apartment Rental"** means any lodging establishment that has two (2) or more rooms being leased or rented for residential use - designed, used, or occupied as dwelling units.

**"Applicant"** means any person who makes application for a licence under the provisions of this bylaw.

**"Approved"** means accepted by the Licence Inspector of the Village or designated authority.

**"Auto Body Shop"** means any business that performs structural or body repairs or painting to any motor vehicle.

**"Bed and Breakfast"** means the accessory use of a single detached dwelling or half of a side-by-side duplex dwelling, for the temporary accommodation of guests, operated as a Home Business.

**“Boarding House”** means any lodging establishment that has two (2) or more rooms being leased or rented for residential use with no provision for cooking in the rooms, but does not include Bed and Breakfast, Apartment Rental, Hotel Complex or Motel as defined herein.

**“Business”** means the carrying on of a commercial or industrial undertaking of any kind or the provision of professional, personal, or other services for the purpose of gain or profit.

**“Business, Non-Resident”** means a business other than a resident business carried on in the Village of Telkwa, or with respect to which any work or service is performed in the Village.

**“Business, Resident”** means a business carried on in or from premises in the Village.

**“Bylaw Enforcement Officer”** means the person or designate appointed by the Council of the Village of Telkwa as Bylaw Enforcement Officer.

**“Cannabis”** means Cannabis as defined in the *Cannabis Act* and includes any products containing Cannabis.

**“Cannabis Retail Store”** means a business licensed under the *Cannabis Control and Licensing Act* (Province of BC) for the sale of cannabis and cannabis accessories.

**“Catering”** means the act of preparing or serving food or drink for public functions or gatherings.

**“Commercial Landlord”** means any person who leases or rents property containing two or more units that are used for commercial or industrial purposes.

**“Contractor”** means any one or a combination of the following:

- a) General Contractor means a person who undertakes a work of construction, either on his own behalf or by agreement with others and who in the course of such work employs more than one of the distinct classes of sub-contractors listed below or whose business incorporates three or more of the distinct classes of sub-contractors.
- b) Sub-Contractor includes any of the following, but is not limited to, trades classed as separate and distinct sub-contractors:

- |                  |                   |  |
|------------------|-------------------|--|
| 1. Acoustics     | 9. Mason          | 17. Waterproofing                          |
| 2. Carpentry     | 10. Pipe Fitting  | 18. Excavating, Filling, Landscaping       |
| 3. Drywall       | 11. Well Drilling | 19. Painting/Décor                         |
| 4. Electrical    | 12. Welding       | 20. Sheet Metal                            |
| 5. Refrigeration | 13. Siding        | 21. Ornamental Metal                       |
| 6. Flooring      | 14. Roofing       | 22. Structural Steel Fabrication           |
| 7. Framing       | 15. Paving        | 23. Heating, Ventilation, Air Conditioning |
| 8. Glazing       | 16. Plumbing      | 24. Mechanical Equipment Install           |

- c) Contractor or Sub-Contractor may include the sale of goods from a business premises located in a commercial or industrial zone pursuant to the regulations contained in the Village's Zoning Bylaw.

**"Dairy"** means an establishment for the bottling, sale, and/or distribution of milk or milk products.

**"Delivery Service"** means local transportation of merchandise from stores to business or residential areas.

**"Direct Seller"** means a person who, through personal contact as defined in the provincial Direct Sellers Regulation and being the agent for a person not resident within the Village: sells; offers for sale; or solicits sales orders, goods, wares, merchandise, foodstuffs; or exposes samples or patterns of; or quotes prices for the selling of any goods, wares, merchandise, or foodstuffs, where the purchase price, including any taxes, equals or exceeds \$50.00 to be afterwards delivered within the Village to a person not being a wholesale or retail dealer in such goods, wares, merchandise or foodstuffs.

**"Director of Finance"** means the person appointed by the Council of the Village of Telkwa as Finance Officer for the Village.

**"Distributor"** means a person selling kitchen accessories, fashion, beauty aids, books, or other small catalogue items primarily through home parties or leaving samples at business establishments and who are registered through the provincial *Consumer Protection Act*. Sales can be completed without face-to-face contact.

**"Express or Freight Company"** means the transportation of goods, etc. other than as defined under delivery service.

**"Floor Area"** means, for the calculation of a licence fee, the area of all floors within the exterior walls or tenant separation walls that encompass the business premises.

**"Food Premises"** means any place or vehicle where food or drink is prepared, handled, served, or dispensed with or without charge, but does not include a private

dwelling where food is prepared or served for consumption by the occupant, his family, his servants, or his guests.

**“Fuel Sales”** means:

- a) Bulk - storage for wholesale and may or may not deliver to the retail trade.
- b) Retail - the delivery or sale of fuel by retail.

**“Hairdresser/Barber”** means any person carrying on business of cutting, bleaching, colouring, dressing, curling, waving, permanently waving, cleansing, or the performance of similar work upon the hair of any person either by hand or by the use of any mechanical application or appliances.

**“Hall”** means any building, room, or place rented for profit (other than those located in a cabaret) where the proprietor retains a permanent liquor licence.

**“Heavy Equipment”** means any vehicle or equipment larger than passenger cars or light trucks.

**“Home Business”** means a small-scale business that provides professional or Personal Services carried out within the Principal Dwelling Unit or an Accessory Building. Home Businesses must be Accessory to the use of the Principal Dwelling for Residential purposes and must be operated solely by residents of the Principal Dwelling.

**“Hotel”** means a Building that provides rooms or suites for Temporary Accommodation where each room or suite is accessed by an enclosed common interior corridor. A Hotel may include an Office for administration, and it may contain assembly spaces, indoor recreation, a Restaurant (including Licensed Premises) as Accessory uses.

**“Itinerant Show” or “Entertainment”** includes a circus, midway, animal show, horseracing, exhibition, and other events of a transient nature, when held elsewhere than in a licensed theatre or licensed place, excluding events organized by and for the sole benefits of recognized charities.

**“Junk”** means any of the following used or old articles or things: rubber tires, metal, plastics, plastic containers, glass, paper, sacks, wire, ropes, rags, machinery, cans, or any other article or thing commonly found in a junk shop.

**“Junk Dealer”** means a person who carries on the business of purchasing or selling junk or who carries on the business of a junk store or junk shop.

**“Laundry/Drycleaner”** means any business, trade, or occupation of pressing, dyeing, or washing of clothing or other fabrics.

**“Laundromat”** means coin-operated or operator-operated laundry or drycleaning service having a machine or series of machines with a capacity not in excess of forty pounds.

**“Licence Inspector”** means the person appointed as Licence Inspector by the Council of the Village of Telkwa to administer this bylaw.

**“Liquor Outlet”** means premises licensed under the Revised Statutes of British Columbia providing and/or serving primarily alcohol, including, but not limited to: pub, lounge, beer and wine store.

**“Manufacturing”** means a person who carries on, maintains, owns, or operates a business, trade, occupation or calling of assembling, manufacturing, producing, or finishing goods, substances, or things or any part thereof.

**“Miscellaneous”** means any business not specifically classified in Schedule "A" of this bylaw.

**“Manufactured Home Park”** means the use of a Parcel to accommodate one (1) or more Manufactured Homes that are occupied exclusively for Residential purposes. This use includes Accessory Buildings and Structures used or intended to be used as part of such Manufactured Home Park such as administrative, storage or maintenance Buildings.

**“Mobile Vendor”** means a person who, either on their own account or as an agent, servant, or employee of another, sells or offers for sale goods, wares, merchandise or foodstuffs from a motor vehicle, bicycle, pushcart or other self-contained vehicle or trailer that is designed to be mobile when not serving customers.

**“Motel”** means a Building that provides rooms or suites for Temporary Accommodation where each room or suite has individual exterior access. A Motel may include an Office for administration, and it may contain assembly spaces, indoor recreation, a Restaurant (including Licensed Premises) as Accessory uses.

**“Non-profit Organization”** means a business operated solely by a bona fide educational, charitable, or religious organization recognized as such by the Provincial or Federal Government with the exception of Cannabis Dispensary.

**“Peace Officer”** means any active member of the RCMP, a constable, or person having the powers of a constable and includes a Bylaw Enforcement Officer or other public officer appointed or designated by the Village.

**“Person”** means, in addition to its usual connotation, a firm or partnership, association, company, society, or body corporate and in the singular shall mean and include the plural masculine and feminine and the converse.

**“Premises”** means a store, office, warehouse, factory, building, house, 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 or distinct classification of business is being carried on.

**“Professional”** includes any one or a combination of the following but is not limited to:

- |                                 |   |
|---------------------------------|---|
| 1. Appraiser                    | 14. Insurance Agent                               |
| 2. Architect                    | 15. Medical practitioner (General or Specialized) |
| 3. Barrister/Solicitor          | 16. Notary Public                                 |
| 4. B.C. Land Surveyor           | 17. Optometrist                                   |
| 5. Barber                       | 18. Orthodontist                                  |
| 6. Business or Tax Consultant   | 19. Photographer                                  |
| 7. Chartered Accountant         | 20. Planner                                       |
| 8. Certified General Accountant | 21. Psychiatrist                                  |
| 9. Chiropractor                 | 22. Real Estate Agent                             |
| 10. Conservation Forester       | 23. Registered Nurse                              |
| 11. Consulting Engineer         | 24. Undertaker                                    |
| 12. Dentist                     | 25. Veterinarian                                  |
| 13. Hairdresser                 |   |

**“Restaurant”** means the use of land, Building or other Structures for the serving of food and beverages which are consumed by customers on or off the Parcel. This use may include a coffee shop or sit-down restaurant but not a drive-through restaurant. This use may include the sale of alcoholic beverages where a food primary licence is required pursuant to the *Liquor Control and Licensing Act*. This use does not include a Licensed Establishment.

**“Retail”** means the sale of commodities or goods directly to the consumer.

**“Seasonal Business”** means any business that by the nature of the business is prevented from operating throughout the year due to seasonal conditions.

**“Seasonal Vendors”** are classified as a person or business that makes sales at retail from a stand that is intended to be temporary; and that their vendor stand remains at a specified location for a period of less than six (6) months per annum.

**“Second-hand Dealer”** includes every person carrying on the trade or business of purchasing or selling any second-hand goods or who keeps a store, shop, or other place of business for the purpose of carrying on such trade or business, but does not include a retail merchant or trader who in good faith accepts as a trade in any chattel as part only of the consideration for the sale by him of another chattel where the balance of the sale consideration is paid or payable in money, the lawful currency of Canada, and who subsequently sells the trade-in. Second-hand goods include: antiques, clothing, jewels, coins, postage stamps, paintings, sketches and other chattels whether of a similar kind or not.

**“Service Station”** means the use of land, Building or other Structures for the sale of motor fuel, which may include electricity, gasoline, diesel, biodiesel, ethanol, natural gas, hydrogen, and propane. This use may include one (1) or more of the following Accessory uses:

- the servicing, repair, and replacement of parts and fluids for vehicles; and
- the sale of automotive accessories, convenience items and packaged foods.

**“Taxi”** means any motor vehicle that is employed in the conveyance of passengers for hire, excepting ambulances, hearses, drive-yourself vehicles, and motorbuses.

**“Village”** means the Corporation of the Village of Telkwa.

**“Vending Machine”** means any machine or device operated by, or requiring for operation, the insertion of any slug or coin, for the purpose of selling or dispensing of any music, games, amusement, food, drink, or service.

**“Warehousing”** means the use of land, Building or other Structures for the storage and distribution of goods, wares, merchandise, substances, articles, or other things, including the storage of goods in separately occupied, secured storage areas and lockers. This use does not include storage of goods for retail sales, Wrecking and Salvage or a Waste Disposal Site.

**“Wholesale”** means the selling or offering for sale of goods, wares, or other merchandise to retailers, other wholesalers, contractors, or manufacturers for resale or for use in their business.

### 3. GENERAL REGULATIONS

#### 3.1 Licence Required

- a) Except as provided in the *Community Charter*, no person shall carry on business within the Village without first having obtained and paid for a Municipal Business

Licence. The business classifications and fees payable for a Business Licence are set out in the Village of Telkwa Fees, and Charges Bylaw.

- b) Non-profit Organizations are required to obtain a Business Licence, but no fee shall be charged.
- c) A person conducting the following types of activities shall not have to obtain a Business Licence:
  - i) Religious organizations
  - ii) Registered charities
  - iii) Telkwa service clubs
  - iv) Telkwa community organizations offering goods or merchandise for sale to raise funds for local community projects
  - v) Distributors registered under the *Business Practices and Consumer Protection Act*

### **3.2 Application**

- a) Every applicant shall complete an application in the form attached as Schedule "B" and tender the appropriate licence fee as set out in the Village of Telkwa Fees and Charges Bylaw.
- b) Every person applying for a licence to carry on a business must comply with all federal, provincial and municipal laws, bylaws and regulations applicable to that type or class of business.

### **3.3 Transfers & Charges**

- a) 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 \$50.00 for the required transfer fee. Such transfer shall be refused by the Licence Inspector where, upon inspection of the business premises to which the applicant wishes to transfer the licence, the premises do not comply with the requirements of the bylaws of the Village regulating building, zoning, health and safety, sanitation, and business.
- b) Every licence issued pursuant to this bylaw shall be personal to the licensee named therein and in the event of a change of ownership of the business for which such licence was issued, the new owner shall apply for a transfer of ownership and be required to pay a transfer fee of \$50.00. Such transfer shall be refused by



the Licence Inspector where, upon inspection of the business premises, the premises do not comply with the requirements of Village bylaws regulating building, zoning, health and safety, sanitation and business.

- c) Every holder of a licence shall notify the Village office of any changes in the mailing and/or business address, the classification of the business, and, where applicable, the area of premises, or any alteration to the premises in which the business is carried out, and upon the termination of the carrying on of the business by the licence holder shall notify the Licence Inspector that the licence is no longer required and shall surrender the licence to the Licence Inspector.

### **3.4 Period**

- a) Except as provided, a licence will be granted to the applicant for a one-year period, to commence on the first day of January and terminate on the 31st day of December in each and every year.
- b) Seasonal businesses may be issued a temporary Business Licence for which the fees shall be prorated monthly based on the length of time the business will operate, with a minimum of five (5) months.

### **3.5 Display**

The licence holder or person in charge of the premises where a business operates shall at all times keep the licence prominently displayed in the sales or reception area of the premises to which the public have access.

### **3.6 Payment of Fees**

- a) No person shall be issued or renewed a licence until the fee has been paid to the Village in accordance with the fee schedule set out in the Village of Telkwa Fees and Charges Bylaw.
- b) The licence fees for new businesses starting after the month of January shall be prorated monthly to a minimum of three months or 25% of the full fee.
- c) Previously licensed businesses that are required to renew their licence in January of any year and who fail to pay the licence fee within:
  - i) 60 days of receiving the renewal invoice, a 10% penalty shall be added to the licence fee; or
  - ii) 90 days of receiving the renewal invoice, an additional 20% penalty shall be added to the licence fee.

- d) The Village shall not refund a licence fee.

#### **4. ISSUING, SUSPENSION, REVOCATION & REPEAL**

##### **4.1 Issuing Licence**

- a) The Licence Inspector may grant a licence where, upon inspection of the business premises, is satisfied that the applicant has complied with Village bylaws regulating building, zoning, health and safety, sanitation, and business.
- b) Where permitted to operate a business within a public highway or parkland, the applicant shall comply with section 6.2 (d) prior to the Licence Inspector granting a licence.

##### **4.2 Suspension**

- a) The Licence Inspector may suspend any licence for such period to decide if the holder of the licence:
  - i) is convicted of any offense indictable in Canada;
  - ii) is convicted of an offense under any municipal bylaw or statute of the Province in respect of the business for which he/she is licensed or with respect to the premises named in his/her licence;
  - iii) has, in the Licence Inspector's opinion, been guilty of such gross misconduct in respect of the business or with respect to the premises named in his/her licence that it warrants the suspension of his/her licence;
  - iv) has ceased to meet the lawful requirements to carry on the business for which he/she is licensed or with respect to the premises named in his/her licence; or
  - v) has, in the Licence Inspector's opinion, conducted his/her business in a manner, performed a service in a manner, or sold, offered for sale, displayed for sale or distributed to a person actually, or apparently under the age of 16 years, anything, that may be harmful or dangerous to the health or safety of a person actually or apparently under the age of 16 years.
- b) The suspension of a licence by the Licence Inspector shall be made by notice 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 of the licence or such other address of which the Village has actual prior written notice. A notice of 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 duly licensed business other than the one carried on by the former licensee is started in the premises, whichever first occurs.

#### **4.3 Appeals**

- a) Any person whose licence has been suspended under Section 4.2 may appeal to the Council of the Village of Telkwa by submitting a written request to appear before Council at the next Regular Council meeting. Notice must be received by the Village office at least six (6) calendar days before the next Regular Council meeting and upon notification of the meeting time and place, the licensee shall appear before Council and present reasons for the appeal. Upon such appeal, Council may confirm or set aside the suspension on such terms as it may deem fit.
- b) Pursuant to the Act, a person who has applied for but failed to be granted a licence may appeal to Council in accordance with this section.

#### **4.4 Revocation**

- a) Council of the Village may revoke a licence for reasonable cause after giving notice to the licensee and after giving the licensee an opportunity to be heard.
- b) The notice and opportunity to be heard referred to in this section is not required in respect to the licensee who by reasonable efforts cannot be found.

### **5. ADMINISTRATION AND ENFORCEMENT**

#### **5.1 Administration**

- a) This bylaw shall be administered by the Director of Finance, Licence Inspector, Bylaw Enforcement Officer and/or Chief Administrative Officer or designate.
- b) An employee of the Village appointed to administer this bylaw may enter upon, at all reasonable times, any property in order to ascertain whether the regulations and provisions of this bylaw are being or have been complied with.
- c) The Licence Inspector shall maintain and keep records of all licences issued. 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. No person shall be entitled to inspect more than one licence at any one time without first paying a search fee of \$50.00 for each licence in excess of one.

## 5.2 Enforcement

a) Every person who:

- i) Carries on a business for which a licence is required pursuant to this bylaw without holding a valid and subsisting licence for the business;
- ii) Fails to display a valid and subsisting licence or licences as required by the provisions of this bylaw;
- iii) Fails to provide any information or documentation as required by the provisions of this bylaw;
- iv) Carries on or remains open for business after receiving notice that his licence has been revoked or suspended;
- v) Is governed by any regulation under the provisions of this bylaw and who fails to comply with those regulations;
- vi) Violates or does any act or thing which violates any provision of this bylaw;
- vii) Suffers or permits any act or thing to be done in violation or contravention of any of the provisions of this bylaw;
- viii) Neglects or refrains from doing anything required to be done by any of the provisions of this bylaw;

shall be deemed to be guilty upon summary conviction of an offense under this bylaw.

- b) Each day's continuation of an offense constitutes a new and separate offense.
- c) A person who commits an offense under this bylaw is liable on summary conviction to a fine not exceeding \$5,000.00 and the costs of prosecution.
- d) Where conviction is for failure to obtain and pay the licence fees required, then the amount which should have been paid for such licence fee, including any penalties imposed from section 3.6 (d), shall be added to the said fine and shall form part of the overall penalty.
- e) Notwithstanding anything herein contained, the amount of any and every licence payable by any person pursuant to the provisions of this bylaw shall be a debt due

by that person to the Village which shall be recoverable together with costs in any Court of competent jurisdiction.

- f) Notwithstanding anything contained in this bylaw, no person shall carry on any business, a purpose of which is to engage in or permit, allow, facilitate, encourage, or assist others to engage in, any activity which violates any of the provisions of the Criminal Code of Canada.

## **6. REGULATION OF BUSINESS**

### **6.1 Itinerant Show or Entertainment**

- a) A Business Licence shall be required for an Itinerant Show or Entertainment that uses non-profit organizations for promotional purposes even though they receive a contribution for doing so.
- b) No person shall be granted a business licence for the purpose of carrying on an Itinerant Show or Entertainment unless proof is submitted of the following insurance coverage in force for as long as that business is carried on within the municipality:
  - i) comprehensive public liability insurance and property damage insurance providing coverage of at least \$5,000,000.00 inclusive against liability for bodily injury or damage to property on an all-risk basis; and
  - ii) Automobile insurance for public liability and property damage providing coverage of at least \$1,000,000.00 inclusive of owned, non-owned, or hired vehicles.

### **6.2 Mobile Vendor & Seasonal Vendor**

- a) A mobile or seasonal vendor shall be permitted to locate on:
  - i) a private property only with the written permission of the owner, at a location where such use is permitted under the Village of Telkwa Zoning Bylaw.
  - ii) a Village owned-property upon issuance of a permit.
- b) A mobile vendor will operate for no longer than two (2) consecutive days per week in any one location, unless otherwise authorized in writing by the Licence Inspector.
- c) If operating within a municipal park, a mobile vendor will provide a written permission from any groups sponsoring sports events or activities upon permit application to the Village. Without written permission from the groups handling

sports events or activities, the mobile vendor shall be set up at least 150 metres away from the sports event or activity.

- d) A mobile vendor vehicle or stand is not permitted to be parked overnight on municipal property.
- e) A seasonal vendor vehicle or stand is not permitted to be parked for longer than six (6) months in any one location.
- f) A mobile or seasonal vendor shall not do business within 30 metres of other like retail vendors, fixed restaurants, cafes, coffee shops, snack bars, dining lounges, drive-in restaurants, delicatessens and lunch counters unless written permission is provided by the like vendors or business owners.
- g) A mobile or seasonal vendor operating from a motor vehicle (under the *Motor Vehicle Act*) shall not park or stop for the purposes of doing business on any public highway, Village owned property, or within a residential zone, unless authorized by Council.
- h) If authorized by Council, a seasonal vendor may enter into a Licence of Occupation Agreement with the Village.
- i) A seasonal vendor shall provide proof of adequate coverage in accordance with WorkSafe BC Regulation if there are one or more employees.
- j) A mobile or seasonal vendor shall provide a proof of the following insurance coverage:
  - (a) Comprehensive public liability insurance and property damage insurance providing coverage of at least \$2,000,000 inclusive against liability for bodily injury or death or damage to property on an all-risk basis (including the Village as Additional insured for seasonal vendors only); and
  - (b) Automobile insurance for public liability and property damage providing coverage of at least \$1,000,000 inclusive on owned, non-owned, or hired vehicles.
- e. Mobile vendors operating as part of a Village approved Special Event are exempt from 6.2(b) and 6.2(c).
- f. Seasonal vendor permit application must be done at least three (3) months prior to the intended commencement of operation.

### **6.3 Restaurant**

- a) No licence shall be granted for the operation of any premises as a restaurant until such premises have been inspected and approved by the Provincial Health Inspector or representative and a copy of such approval in writing delivered to the Village office.
- b) Restaurant owners shall be required to install and properly maintain, waste and/or grease interceptors to the satisfaction of the Building/Licence Inspector, and in compliance with the Sewer Regulation Bylaw. Failure to do so may be grounds for suspending the Business Licence.

### **6.4 Liquor Outlet**

No licence shall be granted for the operation of any liquor outlet without having first obtained the approval of the Liquor Licensing Control Board and a copy of such approval in writing delivered to the Village office.

### **6.5 Cannabis Retail Store**

No licence shall be granted to a Cannabis Retail Store until a Provincial Licence is approved and a copy of such approval in writing is delivered to the Village office.

### **6.7 Pawnbroker, Second-hand Dealer & Junk Dealer**

- a) Every licensed second-hand dealer and pawnbroker shall keep a record on forms approved by the Licence Inspector to be known as "The Second-hand Dealer's Registrar", in which shall be entered in the English language, written in a plain legible hand or typed, a record of 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 of the purchase, receipt, or exchange, a full description of the article or articles including the name of the maker and serial number if known or can be ascertained, and the name and address, any two pieces of identification (Drivers Licence Number, BCID number) and general description of the person from whom the purchase was made. In addition, it shall be a requirement for pawnbrokers that customers must produce photo identification and that a videotape record be made of all transactions.
- b) Goods received, purchased or taken in exchange by licensed dealers shall be treated as purchased and will be so entered in this record. For the purposes of this section, goods which have to be entered in the record are used goods, and new

goods may not require listing if they are covered by receipt or invoice, provided however, that the onus is upon the licensee to prove that any goods are new.

- c) The Second-hand Dealer's Register shall be a permanent record and the dealer shall be responsible that it is not mutilated or destroyed. The register shall be open to inspection by the Licence Inspector or any Peace Officer at all times during which the business is open and may be removed at any time by members of the RCMP, the Bylaw Enforcement Officer, and Licence Inspector for inspection or for use in courts if necessary.
- d) All licensed dealers must notify the designated officer at the Smithers RCMP detachment within 24 hours of purchasing, taking, or receiving any used or second-hand goods and shall not alter the form of or sell, exchange or otherwise dispose of such goods within 72 hours after the hour of purchasing same. Such notifications to the RCMP shall consist of the copy of the Second-hand Dealer's Register for the day in question and must be delivered in person to the police office within the time set out above.
- e) Second-hand Dealers shall include junk dealers, operators of second-hand stores, junk stores, junkyards and pawnbrokers.
- f) Every person carrying on business as a Second-hand Dealer shall ensure that his/her premises are kept in a neat and tidy condition, and without limiting the generality of the foregoing, shall ensure that no part of the premises that are visible from outside of the premises are in an unsightly condition.

## **6.8 Personal Services**

No licence shall be granted to any personal services business class until a permit has been issued by Northern Health pursuant to the *Public Health Act*.

## **7. BUSINESS CLASSIFICATIONS & LICENCE FEES**

- 7.1 The business classifications set out in Schedule "A" to this bylaw are deemed to be separate and distinct businesses. A separate licence and fee is required and must be paid for each business classification.
- 7.2 Notwithstanding Section 7.1, a business that due to classification requires more than one licence, or due to an auxiliary business, shall only be required to pay a fee of \$25.00 for each licence in excess of the principal licence. The principal licence is the licence for which the greatest fee is due.
- 7.3 Notwithstanding Section 7.1, where a business is carried on, in, or from more than one premises in the Village and under the same business name, a \$25.00 fee is



chargeable for each additional premises as an Auxiliary Business (Classification 300).

7.4 In the case of commercial landlords, only one Business Licence fee will apply regardless of the number of buildings or premises being leased or rented. The area for Classification 400 in Schedule "A" is based on the total gross leasable area for all the buildings or premises owned by the commercial landlord.

READ A FIRST TIME this 11<sup>th</sup> day of January, 2022.

READ A SECOND TIME this 11<sup>th</sup> day of January, 2022.

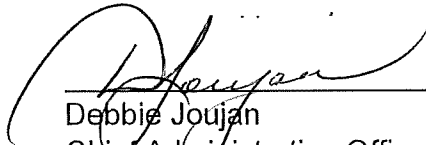
READ A THIRD TIME this 11<sup>th</sup> day of January, 2022.

ADOPTED this 25th day of January, 2022.



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Deputy Mayor



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Debbie Joujan  
Chief Administrative Officer /  
Corporate Officer, CMC

**SCHEDULE "A" Business Classifications**

<b>Classification</b>	<b>Type/Description</b>
100	<b>Accommodation</b>
	01 Apartment rental
	02 Hotel complex
	03 Motel
	04 Boarding House
	05 Bed and Breakfast
200	<b>Automotive</b>
	01 Auto body shop
	02 Automotive repair and service
	03 Automobile dealer
	04 Recreational vehicle dealer
	05 Mobile home dealer
	06 Heavy equipment dealer
	07 Farm equipment dealer
300	<b>Auxiliary Business</b>
400	<b>Commercial Landlord</b>
	01 up to 560 sq. m. (6028 sq. ft.)
	02 over 560 sq. m. (6028 sq. ft.)
500	<b>Contractor</b>
	01 General
	02 Sub-Contractor
600	<b>Direct Seller, Mobile Vendor</b>
	01 Direct Seller
	02 Mobile Vendors
	Or in the alternative, a company may license all representatives within the Village for a flat fee of twice the fee applicable to classification 600 above
700	<b>Fuel Sales, Storage</b>
	01 Bulk sales and storage
	02 Retail sales
	03 Service station
	04 Key lock station
800	<b>Garment Cleaning Service</b>
	01 Laundry
	02 Dry-cleaning
	03 Laundromat
900	<b>Home Occupation/Home-Based Business</b>
1000	<b>Itinerant Show or Entertainment</b>
1100	<b>Liquor outlet</b>

	01	Liquor Store/Beer and Wine Store
	02	Neighbourhood pub
	03	Cabaret
	04	Hall for events where liquor may be served
1200		<b>Manufacturing</b>
	01	Wood processing plant
	02	Cement plant
	03	Chemical refinery
	04	Electronics, precision instruments, small goods
	05	All other classifications
1300		<b>Merchant</b>
	01	Retail up to 930 sq. m. (10,011 sq. ft.) floor area
	02	Retail over to 930 sq. m. (10,011 sq. ft.) floor area
	03	Cannabis Retail Store
	04	Wholesale
	05	Mail Order
1400		<b>Miscellaneous</b>
1500		<b>Manufactured Home Park, Campgrounds</b>
	01	Manufactured Home Park
	02	Tent, Trailer and Campground
1600		<b>Non-profit Organization</b>
1700		<b>Personal Services</b>
	01	Massage Therapist
	02	Beauty Salon
	03	Fitness
1800		<b>Professional Business/Business Office</b>
	01	Professional
	02	Other business office
1900		<b>Recreation facility</b>
	01	Amusement establishment
	02	Bowling Alley
	03	Billiard Hall
	04	Arcade
	05	Dance Studio Performing Arts
	06	Fitness Studio
2000		<b>Restaurant</b>
	01	Restaurant
	02	Cafe
	03	Coffee Shop
	04	Snack bar
	05	Dining lounge
	06	Drive-in Restaurant

	07	Delicatessen
	08	Lunch counter
	09	Catering service
	10	Mobile restaurant
2100		<b>Salvage</b>
	01	Junkyard
	02	Wrecking yard
	03	Second-hand Dealer
	04	Pawnbroker
2200		<b>Seasonal (May 1 – Sept 30)</b>
2300		<b>Transportation</b>
	01	Truck terminal
	02	Moving company
	03	Transportation service
	04	Vehicle hire
	05	Delivery service
	06	Taxi
	07	Public transport
2400		<b>Vending Machines</b>
		* A licence is not required under this classification if the owner is otherwise licensed in the Village.
2500		<b>Warehousing</b>

**SCHEDULE "B" Business Licence Application**

**The Corporation of The Village of**



**BUSINESS LICENCE APPLICATION**

**Application Type:**  New Licence     Non-Resident     Auxiliary Licence     Owner/Address Change

<p><b>Business Owner Information</b></p> <p>Business Name: _____</p> <p>Name of Owner(s): _____</p> <p>_____</p> <p>Street Address: _____</p> <p>Mailing Address: _____</p> <p>Phone: _____</p> <p>Email (optional): _____</p>	<p><b>Property Owner Information</b></p> <p>Name of Owner(s): _____</p> <p>_____</p> <p>Mailing Address: _____</p> <p>_____</p> <p>Phone: _____</p> <p>Email (optional): _____</p> <p>Property Tax Roll/Folio No. _____</p>
<b>General Information</b>	
<p><b>To be completed for all Business Licence Applications</b></p> <p>1. Description of Business to be conducted: _____</p> <p>2. Size of premises to be occupied: _____ m<sup>2</sup>/ft<sup>2</sup></p> <p>3. Previous use of space: _____</p> <p>4. Does your business conform to the Zoning Bylaw?    Yes    No</p> <p>5. Is your business a Home-Based Business?                Yes    No    (if yes, confirm compliance with Zoning Bylaw)</p> <p>6. Does your business have off-street parking?                Yes    No    (if yes, number of stalls _____)</p> <p>7. Is your business a Mobile Restaurant, Itinerant Show or Entertainment?                Yes    No    (if yes, submit a copy of insurance policy)</p>	
<b>Authorization</b>	
<p>I hereby make application for a business licence in accordance with the above-stated information and declare that the statements are true and correct. I agree, if granted a licence, to comply with all relevant bylaws now in force or which may come into force in the Village of Telkwa.</p> <p><b>Signature of Applicant:</b> _____                                <b>Date:</b> _____</p>	

Your personal information is maintained in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have any questions regarding the use of your personal information, please call the Chief Administrative Officer for the Village of Telkwa at 250-846-5212.

**FOR OFFICIAL USE ONLY**

**VERIFICATIONS**

Property Zoning: \_\_\_\_\_

Use Permitted?                      O Yes \_\_\_\_\_

   O No \_\_\_\_\_

**APPROVALS**

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APPROVING AUTHORITY

APPROVAL REQUIRED

APPROVAL RECEIVED

Building Inspector

O Yes              O No

O Yes              O No

Fire Dept.

O Yes              O No

O Yes              O No

Licensing & Control  
Board (Liquor Outlet,  
Cannabis Dispensary)

O Yes              O No

O Yes              O No

Northern Health  
Operating Permit  
(Restaurant/Food, Personal  
Services)

O Yes              O No

O Yes              O No

Copy of Insurance Policy  
(Iterant Show/Entertainment,  
Mobile Restaurant)

O Yes              O No

O Yes              O No

Copy of Owner Consent  
(Mobile Vendor/Restaurant)

**LICENCE ISSUANCE**

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Business Licence #: \_\_\_\_\_

Business Classification: \_\_\_\_\_

Billing Class #: \_\_\_\_\_

Licence Fee: \_\_\_\_\_

Payment Received: \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

**Licence Inspector**

\_\_\_\_\_

**Date**