



CITY OF KAMLOOPS

BUSINESS LICENCE AND REGULATION BYLAW NO. 9-60, 2012 Effective Date - October 2, 2012

Consolidated for Convenience Only

This is a consolidation of “City of Kamloops Business Licence and Regulation Bylaw No. 9-60, 2012.” The amendment bylaw listed below has been combined with the original bylaw for convenience only. This consolidation is not a legal document. The original bylaws should be consulted for all interpretations and applications on this subject.

Amendment Bylaw		Effective Date
Bylaw No. 9-61	Good Neighbour Agreements	October 2, 2012
Bylaw No. 9-62	Food Truck or Trailer	May 27, 2014
Bylaw No. 9-63	Food Truck or Trailer	May 5, 2015
Bylaw No. 9-64	Food Truck or Trailer	February 28, 2017
Bylaw No. 9-65	Cannabis Regulations	December 19, 2017
Bylaw No. 9-66	Cannabis Regulations	August 28, 2018
Bylaw No. 9-67	Residential/Secondary Suites	July 9, 2019
Bylaw No. 9-68	Inter-Community Business Licences	October 22, 2019
Bylaw No. 9-69	Cannabis Licence Fee Amendments	January 17, 2023
Bylaw No. 9-70	Application Fee	October 17, 2023
Bylaw No. 9-71	Medium- and Short-Term Rentals	May 6, 2025
Bylaw No. 44-13	Consequential amendments due to adoption of <i>Fees and Charges Bylaw No. 44-14.</i>	July 29, 2025

The bylaw numbers in the margins of this consolidation refer to the bylaws that amended the principal bylaw “City of Kamloops Business Licence and Regulation Bylaw No. 9-60, 2012.”

This is a consolidated bylaw prepared by the City of Kamloops for information only. To verify the accuracy and currency of this information, please contact Legislative Services at 250-828-3483 or email legislate@kamloops.ca.

CITY OF KAMLOOPS

BYLAW NO. 9-60

A BYLAW GOVERNING LICENCES AND REGULATIONS FOR CARRYING ON BUSINESS WITHIN THE CITY OF KAMLOOPS

WHEREAS in accordance with Subsection 8(6) of the *Community Charter*, a municipality may, by bylaw, regulate in relation to business;

AND WHEREAS in accordance with Section 15 of the *Community Charter*, a municipality may provide for a system of licences;

AND WHEREAS in accordance with Division 9 of Part 3 of the *Community Charter*, a municipality has additional powers in respect of business regulation.

The Municipal Council of the City of Kamloops, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "City of Kamloops Business Licence and Regulation Bylaw No. 9-60, 2012".
2. This bylaw shall come into force and effect on the 1st day of January, 2013.
3. City of Kamloops Business Licence and Regulation Bylaw No. 9-38, and all amendments thereto, are repealed effective as of the 31st day of December, 2012.
4. This bylaw is divided into the following divisions:

Division One	Interpretation
Division Two	Definitions
Division Three	General Regulations
Division Four	Business Licence Regulations
Division Five	Specific Business Regulations
Division Six	Offences and Penalties
Division Seven	Schedules

DIVISION ONE - INTERPRETATION

100. If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the bylaw and such invalidity shall not affect the validity of the remaining portions of this bylaw.
101. Words or phrases defined in the British Columbia *Interpretation Act*, *Community Charter*, or *Local Government Act*, or any successor legislation shall have the same meaning when used in this bylaw unless otherwise defined in this bylaw. Unless otherwise stated, and notwithstanding the case used (upper case or lower case), when words or phrases that are defined in Division Two of this bylaw are used in the body or schedules of this bylaw, they have the meaning ascribed to them as set out in Division Two.

102. The headings contained in this bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this bylaw.
103. Metric units and imperial measurements are used for all measurements in this bylaw.
104. Any act or enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time, and any bylaw or Council policy referred to herein (as may be cited by short title or otherwise) is a reference to an enactment of the Council of the City of Kamloops, as amended, revised, consolidated, or replaced from time to time.

DIVISION TWO - DEFINITIONS

200. In this bylaw, unless the context requires otherwise:

“ACCESSORY RESTAURANT” means a restaurant which is subordinate or accessory to the use associated with the primary business licence within a premises and which restaurant is located in the same premises as the primary business and is owned by the same owner as the primary business, and also includes school meal program kitchens.

“ARCADE” means an area containing three or more machines in which mechanical, electrical, automatic, or computerized games are played for a fee, but does not include casinos.

“BODY RUB STUDIO” means the use of premises for the practice of manipulating, touching, or stimulating by any means of a person's body, but excludes medical, therapeutic, or cosmetic massage treatment given by a person duly licensed or registered under any applicable enactments.

“BUSINESS” means:

- a) Carrying on of a commercial or industrial undertaking of any kind; or
- b) Providing professional, personal, or other services with a purpose of gain or profit, but does not include any activity carried on by the provincial government, or by corporations owned by the provincial government, or by agencies of the provincial government, or by the City of Kamloops.

“BUSINESS LICENCE” means a licence issued by the Business Licence Inspector in a form approved by the Business Licence Inspector, which licence is required to operate a business in the City of Kamloops.

(9-68) “BUSINESS LICENCE FEE” means a Primary Business Licence Fee, a Secondary Business Licence fee, or an Inter-Community Business Licence fee, as the context requires.

“BUSINESS LICENCE INSPECTOR” means the officer(s) appointed as such from time to time by the City of Kamloops and any person delegated to assist in carrying out his/her duties under this bylaw.

“CABARETS/NIGHTCLUBS” means an establishment where a full range of liquor products are sold for consumption on the premises and where a dance floor and entertainment (not including exotic dancing) may be provided.

- (9-65)
(9-66) “CANNABIS” has the same meaning as in the *Cannabis Act* (Canada), subject to any prescribed modifications.
- “CITY” means the City of Kamloops.
- (9-65) “COMMERCIAL LANDLORD” means a person or entity who holds a legal or beneficial interest in any premises within city boundaries and leases, lets, or rents such premises to any other person or entity for the purposes of operating a business.
- “COUNCIL” means the Municipal Council of the City of Kamloops.
- “DEVELOPMENT AND ENGINEERING SERVICES DIRECTOR” means the person appointed as such from time to time by the City of Kamloops and any person delegated to assist in carrying out his/her duties under this bylaw.
- “ESCORT/DATING SERVICE” means any person carrying on a business of furnishing escorts or partners for social occasions.
- (9-68) “EXCLUDED BUSINESSES” means Business types that are excluded from application for an Inter-Community Business Licence and includes:
- a) Escort/dating services
 - b) Body rub services and exotic dancing services
 - c) Vehicles for hire (taxi, limousine, passenger delivery vehicle, bus)
- “EXOTIC DANCING” means any person carrying on the business where exotic dancing services are provided.
- “FLOOR AREA” means that area within a building that is used for display purposes, or to service customers, but shall not include those areas set aside exclusively for the storage of supplies or for the exclusive use of the employees of the business.
- (9-62) “FOOD TRUCK OR TRAILER” means a food truck or mobile trailer with a maximum length of 12.2 m, from which food and/or drink is prepared internally and dispensed externally.
- (9-68) “INTER-COMMUNITY BUSINESS LICENCE” means a Business Licence that authorizes a Mobile Business to be carried on within the boundaries of any or all of the Participating Municipalities in accordance with this bylaw.
- (9-68) “INTER-COMMUNITY BUSINESS LICENCE FEE” means those fees as described in Division Five, Section 524, Inter-Community Business Licence Regulations, which are payable by a person or entity in addition to a Primary Business Licence Fee.
- “LICENSEE RETAIL STORE” means a business licensed under the regulations of the *Liquor Control and Licensing Act*, and where the principal business is the retail sale of beer, wine, and liquor products for consumption off site.
- “LOUNGE” means an establishment where liquor products are sold for consumption on the premises and where entertainment (not including a dance floor or exotic dancing) may be provided.

- (9-71) "MEDIUM-TERM RENTAL ACCOMMODATION" means the use of a Dwelling Unit for monthly rental accommodation for a period of less than 90 days, where the unit is listed on an online short-term rental platform.
- (9-68) "MOBILE BUSINESS" means a Business that performs a service or activity within more than one Participating Municipality but not from or in Premises in one or more participating municipalities, and who provides the service or activity by moving from client to client.
- "MOBILE FOOD CONCESSION" means pushcart, mobile trailers, mobile coffee wagons, or other vehicle conversions for the purpose of selling prepared foods and/or beverages.
- "NEIGHBOURHOOD PUB" means an establishment where liquor products are sold for consumption on the premises only, but where entertainment is not permitted unless otherwise varied under the provisions of the City of Kamloops Zoning Bylaw.
- (9-68) "PARTICIPATING MUNICIPALITY" means those local governments within the identified "Thompson Nicola Intercommunity Business Licence" area and whom chose to adopt an Inter-Community Business Licence Bylaw and participate in this program.
- (9-68) "PERSON" includes an individual, corporation, organization, partnership, proprietorship, firm and the personal or other legal representative of a person to whom the context may apply under this bylaw.
- "PREMISES" means a building or portion of a building or an area of land occupied, or capable of being occupied, by a person or business entity for the purpose of carrying on a business, including, but not limited to: stores, offices, warehouses, factory buildings, houses, enclosures, yards, or other places.
- (44-13) "PRIMARY BUSINESS LICENCE FEE" means those fees, as described in *Fees and Charges Bylaw No. 44-14* and determined by the Business Licence Inspector, which are payable by a person or entity for the business category is the dominant or most known use by the person or entity.
- (9-68) "PRINCIPAL MUNICIPALITY" means the Participating Municipality where a Business is located or has a Premises, or where the licensee does not maintain a Premises in any of the Participating Municipalities the jurisdiction that issues the Inter-Community Business Licence.
- (9-66) "CANNABIS RETAIL STORE" means a business licensed under the regulations of the *Cannabis Control and Licensing Act* and where the principal business is the retail sales of cannabis products for the consumption off site.
- "RCMP" means the Royal Canadian Mounted Police.
- (9-67) "RESIDENTIAL SUITE" means a secondary suite, garden suite, or carriage suite, as defined in the Zoning Bylaw.
- (44-13) "SECONDARY BUSINESS LICENCE FEE" means those additional fees, as described in *Fees and Charges Bylaw No. 44-14* and determined by the Business Licence Inspector, which are payable by a person or entity in addition to a Primary Business Licence Fee if the business owner and location are the same as the primary licence holder.

(9-71) "SHORT-TERM RENTAL ACCOMMODATION" means the use of a Dwelling Unit or one or more Sleeping Units within a Dwelling Unit for temporary overnight accommodation for a period of less than 30 consecutive days, provided the property is the principal residence of the registered property owner.

"SIDEWALK ARTIST" means any person who produces fine art on site and sells the product on the sidewalk. The fine art products shall only include paintings and drawings on canvas or other paper medium. No secondary sales of any type are permitted.

DIVISION THREE - GENERAL REGULATIONS

Appointment of Business Licence Inspector

300. Council shall, by resolution, appoint a person(s) to be the Business Licence Inspector for the purpose of enforcing and carrying out the provisions of this bylaw.

Authority of Business Licence Inspector

(44-13) 301. The Business Licence Inspector shall classify and interpret each application for a business licence in accordance with the business categories listed in *Fees and Charges Bylaw No. 44-14*.

302. The Business Licence Inspector shall have the authority to grant or refuse a business licence in any specific case, provided that a business licence shall not be unreasonably refused and, in the case of refusal, upon request, the Business Licence Inspector must provide written reasons for refusal.

(9-71) 303. The Business Licence Inspector shall assess factors, including the applicant's compliance with the requirements of all acts, enactments, regulations, and bylaws governing building, zoning, fire, health, sanitation, business, property use and strata bylaws, if applicable when considering a business licence application.

304. The Business Licence Inspector may establish the terms and conditions of a business licence, or the terms and conditions that must be met for obtaining, continuing to hold, or renewing a business licence.

305. In accordance with Section 16 of the *Community Charter*, the Business Licence Inspector shall have the authority to enter onto and into property to inspect and determine whether all regulations, prohibitions, and requirements established by this bylaw are being met.

Compliance With Other Enactments

306. Where any Federal/Provincial Act or Regulation or any other City bylaw applies to any matter covered by this bylaw, the issuance of a business licence under the provisions of this bylaw shall not relieve the business licence holder from complying with the provisions of such other enactments.

307. The issuance of a business licence shall not be deemed to be a representation by the City to the business licence holder that the business or proposed business complies with any or all applicable bylaws or enactments. The business licence holder remains responsible to ensure compliance with all bylaws and enactments.

Suspension or Cancellation of a Business Licence

308. Pursuant to Section 154 of the *Community Charter*, Council hereby delegates the authority, in accordance with Section 60 of the *Community Charter*, to suspend or cancel a business licence to the Business Licence Inspector, including the authority, in accordance with Subsections 60(3) and 60(4) of the *Community Charter*, to give notice of the proposed suspension or cancellation and to hold a hearing at which the business licence holder may be heard from before suspending or cancelling a business licence.
309. The Business Licence Inspector may suspend or cancel a business licence for:
- a) Failure by a business licence holder to comply with a term or condition of a business licence;
 - b) Failure by a business licence holder to comply with this bylaw; or
 - c) Reasonable cause,
- provided that the Business Licence Inspector has, before the suspension or cancellation, given the business licence holder notice of the proposed suspension or cancellation and has given the business licence holder an opportunity to be heard.
310. Notice of suspension or cancellation of a business licence:
- a) Shall be issued to the business licence holder by the Business Licence Inspector, in writing, outlining:
 - i) the reasons for the suspension or cancellation;
 - ii) the time, date, and place of the hearing at which the business licence holder will have an opportunity to be heard;
 - b) Shall be served or delivered by registered mail to the business licence holder to the address of the business shown on the business licence application; and
 - c) May be posted by the Business Licence Inspector upon the premise(s) for which the business licence was issued and such notice shall not be removed until the business licence is reinstated, the former business licence holder ceases to occupy the premise(s), or a new business other than the one carried on by the business licence holder is started in the premise(s).

Council Reconsideration of Refusal to Grant, Suspension or Cancellation of a Business Licence

311. If the Business Licence Inspector exercises his or her authority to refuse, suspend, or cancel a business licence, the applicant or business licence holder who is subject to the decision is entitled to have Council reconsider the matter in accordance with Subsection 60(5) of the *Community Charter*.
312. An applicant or business licence holder who wishes to have Council reconsider the refusal, suspension, or cancellation of a business licence shall give written notice of its request for reconsideration to the City's Corporate Officer and such notice must include a description of the grounds upon which the request for Council reconsideration is made.
313. Upon receipt of a written notice for reconsideration by the City's Corporate Officer, the Corporate Officer shall schedule the time, date, and place for Council to hear the reconsideration.

314. In reconsideration of a decision made by the Business Licence Inspector to refuse, suspend or cancel a business licence, Council may confirm or set aside the Business Licence Inspector's decision as it may deem appropriate in the circumstances.

DIVISION FOUR - BUSINESS LICENCE REGULATIONS

Business Licence Required

400. No person or entity shall carry on a business within the City without having obtained a valid business licence issued by the Business Licence Inspector.

Separate Business Licence

401. Except as provided in Section 420 (Temporary Business Licence) of this bylaw, where a business is carried on in or from more than one premises in the City, the business carried on in or from each premises shall be deemed to be a separate business and shall require a separate business licence.
402. A separate business licence shall not be required for additional premises in circumstances where the premises used in carrying on a single business are comprised of multiple contiguous parcels of land or multiple portions of a building that are each accessible to each other through internal doorways without leaving the building.
403. Where there is more than one separate and distinct business category located within the same premises, each business category shall have a separate business licence.
404. Where a business operates with more than one distinct trade name within the same premises, only a single Business Licence Fee will be required - subject to the following:
- a) The business licence issued must include both trade names on one licence;
 - b) The second trade name business activity must fall within the same business category and sub-category as the first licence;
 - c) The ownership for both trade names must be the same;
 - d) The second trade name business activity must be in the same location as the primary business;
 - e) Only businesses with flat rate Business Licence Fee calculations are eligible; and
 - f) Businesses requesting separate licences for each trade name will be required to pay an additional fee or a Secondary Business Licence Fee (as determined by the Business Licence Inspector).

Business Licensing Period

405. Except as otherwise provided, business licences shall be granted for a one year period, to commence on the first day of January and to terminate on the 31st day of December in each and every year.

Business Licence Refunds

406. Business Licence Fees are not refundable after issuance. A Business Licence Fee paid prior to issuance is refundable with a \$35 processing fee which shall be deducted from the paid Business Licence Fee prior to refund.

Business Licence Renewal

407. Business licence holders must renew their business licence by submitting the required Business Licence Fee prior to the beginning of each licence period, regardless of whether a business licence holder has received a renewal invoice or not. Business licence renewal payments received after January 15th in a given year will be subject to a \$25 late payment charge.
408. Businesses that do not renew their business licence may be removed from the business licence file and be considered no longer in business where the City has determined, through reasonable efforts, that the business is no longer active.

Business Licence Application Forms

409. Every person applying for a business licence or a transfer of a business licence shall complete the business licence application form approved by the Business Licence Inspector. Applications may be signed by the owner or a duly authorized representative.
- (9-71) 410. Business licence applications received through approved online processes may be made without signatures.
411. Applications for change of location of home occupation businesses or applications made for change of mailing address for commercial and non-resident business can be made by telephone or email.
- (9-71) 412. Submission of additional documentation may be required to process a business licence application, which may include, but is not limited to the following:
- a) a current title search or certificate of title;
 - b) any legal charges registered on title;
 - c) other forms of proof that the property is the primary residence of the applicant;
 - d) written authorization from the strata corporation where a business would be located within a strata.

False Declarations

413. Any person making an application for a business licence shall, on the business licence application form approved by the Business Licence Inspector, give true and correct details in respect of the business for which the business licence is being applied. Any false declaration or concealment of material facts by a person making an application for a business licence shall be deemed a contravention of this bylaw.

Business Licence Fees

- (44-13) 414. Business Licence Fees are described in *Fees and Charges Bylaw No. 44-14* and shall be paid to the City by the applicant with a business licence application. Invoicing and e-commerce transactions of a new Business Licence Fee, transfer fees, and other fees may be permitted if approved by the Business Licence Inspector.
415. Registered provincial and federal non-profit societies, who through donations, fundraising or membership fees, collect 50% or more of their annual budget and whom are raising funds for a public service, can apply to the Business Licence Inspector to reduce the annual Business Licence Fee to \$15 per year. Copies of the current annual budget, society registration, and a description of the objectives or purpose may be requested by the Business Licence Inspector.
- (44-13) 416. The Business Licence Inspector shall determine and distinguish where Primary Business Licence Fees and/or Secondary Business Licence Fees are payable in accordance with the provisions of *Fees and Charges Bylaw No. 44-14*.

Business Licence Fees Pro-Rated

417. Business Licence Fees for new businesses starting after the first, second, and third quarter periods of a business licensing period may be pro-rated accordingly. Pro-rating shall not apply to existing businesses which obtain temporary licences pursuant to section 420 or to other temporary businesses or businesses which have closed and re-opened within six months.

Form of Business Licence

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

Display of Business Licence

- (9-62) 419. Business licences shall be permanently displayed at all times in the business area of the premise(s) for businesses which have public access. All other businesses shall produce the business licence certificate when requested for public inspection. Mobile Food Concessions, and Food Trucks and Trailers must display the business licence on the Mobile Food Concession, or the Food Truck or Trailer.

Temporary Business Licences

420. A temporary business licence is permitted where an existing business is carried on from a fixed premise in the City and the business wishes to independently carry on for a temporary period of time from a commercial premise elsewhere.
- (44-13) 421. Temporary Business Licence Fees are set out in *Fees and Charges Bylaw No. 44-14*.
422. Temporary Business Licences Fees shall not be not pro-rated.

Change of Location

- (44-13) 423. Changes of location in respect of a business licence shall not be permitted unless and until the business licence holder completes a new application for a business licence and pays a change of location fee to the City in the amount as set out in *Fees and Charges Bylaw No. 44-14*.
424. Home-based businesses that change their location to another home are exempt from the requirement to pay a change of location fee, but must submit a new business licence application prior to the change of location.
- (44-13) 425. In applying for a business licence, if the applicant changes the location of the business prior to approval and issuance of a business licence by the Business Licence Inspector, then the applicant must submit a revised business licence application and pay a change of location fee in the amount as set out in *Fees and Charges Bylaw No. 44-14* for each new location.

Assignment/Transfer of a Business Licence

426. Business licences shall not be assignable or transferrable and, when ownership of a business changes (including change in control of a business entity), the new business owner must apply to the City for a new business licence.
427. Notwithstanding that a new business owner must apply for a new business licence, if all outstanding Business Licence Fees are paid to date in respect of the existing business licence, then there will be no additional Business Licence Fee payable by the new owner for the current licensing period.

Notification of Business Changes/Closure

428. Every business licence holder shall notify the Business Licence Inspector in writing or by email of any change in the name, ownership, mailing and/or business address, the business practice, the floor area of the premise(s), the number of people, rental units, games machines, or vehicles used in the operation of the business or any alteration to the premises in which the business is carried on.
429. Upon the termination or closing of a business, the business licence holder shall notify the Business Licence Inspector that a business licence is no longer required.

DIVISION FIVE - SPECIFIC BUSINESS REGULATIONSMobile Vendors/Solicitation

- (9-62) 500. No person shall:
- a) Sell or offer for sale any book, magazine, or periodical, other than a newspaper, on any street in the City;
 - b) Without express instructions from the owner or occupier of a premise(s), attend upon or canvass at any residential premise(s) for the purpose of soliciting business that is in any way connected with home repairs, home improvements, home alterations, or home landscaping. Delivery of mailbox flyers is not included in this restriction;
 - c) Carry on any business on any sidewalk, except:

- i) mobile food concessions that are pushcarts in the Central Business District (CBD) or the Tranquille Road Commercial (C-1T) zones (as per City of Kamloops Zoning Bylaw) for a maximum of a two-hour period at any one location; or
- ii) licensed sidewalk artists at a specified location approved by the Business Licence Inspector;

d) Carry on any food truck or trailer business:

- i) on any street without obtaining a Right-of-way Usage Permit from the Development and Engineering Services Director;
- ii) on private property, subject to the City of Kamloops Zoning Bylaw, without written approval from the property owner; or
- iii) on any City park or City playing field without obtaining approval from the Parks, Recreation, and Cultural Services Director.

(9-62) 501. Mobile food concessions, food trucks and trailers, and sidewalk art sales must not impede pedestrian or vehicle traffic.

(9-62) 502. Mobile food concessions, food trucks and trailers, and equipment required by sidewalk artists must meet the approval of the Business Licence Inspector.

(9-62) 503. The Business Licence Inspector may require mobile food concessions, food trucks and trailers, and sidewalk artists to obtain and maintain comprehensive general liability insurance in the amount of not less than Two Million Dollars (\$2,000,000) and in conjunction with such insurance:

- a) The City shall be included as an additional insured in the insurance policies that are obtained;
- b) The business licence holder shall hold the City harmless against claims, actions for injury, damage, loss, or death arising out of or resulting from the operation of a mobile food concession or a display by a sidewalk artist;
- c) The business licence holder's insurer must recognize, in writing in the insurance policy, the existence of the above hold harmless clause;
- d) An endorsement that the policy shall not be cancelled, lapsed, or materially altered without giving thirty (30) days' written notice to the City of Kamloops; and
- e) Proof of such insurance to the satisfaction of the City shall be submitted to the Business Licence Inspector prior to the issuance of a business licence.

(9-62) 504. No person shall:

- a) Sell or solicit business on a door to door basis between 2100 hours (9:00 pm) and 0900 hours (9:00 am);
- b) Operate a mobile food concession between 2300 hours (11:00 pm) and 0900 hours (9:00 am) except in the Central Business District (CBD) and the Tranquille Road Commercial (C-1T) zones (as per City of Kamloops Zoning Bylaw) where mobile food concessions that are pushcarts shall not operate between 0300 hours (3:00 am) and 0900 hours (9:00 am);

- (9-64) c) Produce or sell art on the sidewalk between 2200 hours (10:00 pm) and 0900 hours (9:00 am); or
- (9-64) d) Operate a food truck or trailer on:
- i) private property between 0000 hours (12:00 midnight) and 0700 hours (7:00 am); or
 - ii) any permitted City street location between 0000 hours (12:00 midnight) and 0900 hours (9:00 am), Monday through Friday; or between 0000 hours (12:00 midnight) and 0700 hours (7:00 am), Saturday and Sunday, except where permission is granted by the Development and Engineering Services Director or designate to allow alternative hours or days of operation, in the case of special events.
- (44-13) 505.1 Businesses classified as “Sale from Mobile Vehicle” (as set out in *Fees and Charges Bylaw No. 44-14*) shall be permitted to offer the sale of groceries and household items from private property only with the permission of the owner, at a location where such use is permitted under the City of Kamloops Zoning Bylaw, and for no longer than two consecutive days per week in any one location.
- (9-62) 505.2 Businesses classified as “Food Trucks or Trailers” offering the sale of food and beverage products must:
- a) not be permanently affixed to any building or structure;
 - b) keep the surrounding area clean and clear of all waste, grease, and food stains;
 - c) ensure any grease or oil used for cooking purposes is collected and deposited in an approved manner and not deposited into a municipal sewer; and
 - d) not disturb persons on adjacent properties with noise and/or odours produced by generators and other business-related devices or equipment.
- (9-64) 505.3 Businesses classified as “Food Trucks or Trailers” located on private property must:
- a) not operate more than five days in one week (Sunday to Sunday) and must be removed from the property on any days that the food truck or trailer is not in operation;
 - b) not locate within 50 m of an established restaurant café or neighbourhood pub on a separate legal parcel of land (measured by the shortest path between two aerial points on a map or “as the crow flies” from the primary entrance of the establishment to the food truck or trailer) while the establishment is open for business, unless the food truck or trailer operator has written permission from the establishment’s owner; and

- c) ensure that any furniture, signage, solid waste, and recycling receptacles and other business-related paraphernalia are sited on private property adjacent to the vehicle do not obstruct vehicle or pedestrian movement and are removed each day at close of business (off-vehicle paraphernalia is limited to two tables, eight chairs or four benches, one garbage receptacle, one recycling receptacle, one umbrella, and one sandwich board sign).

(9-62) 505.4 Businesses classified as "Food Trucks or Trailers" located on City streets must:
(9-63)

- a) ensure all signage and business-related paraphernalia is attached to the food truck or trailer, including solid waste and recycling receptacles. Freestanding or sandwich board signs, tables, chairs, and benches are not permitted in conjunction with the business;
- b) maintain food trucks or trailers in clean condition and in good repair; and
- c) comply with the terms and conditions outlined in its Right-of-way Usage Permit, including consistent participation on scheduled days, as outlined in the permit. The Development and Engineering Services Director or designate reserves the right to cancel and/or reassign the permit without reimbursement of permit fees should the business fail to comply with the terms and conditions therein, including failure to show up for five or more consecutive permitted days.

(9-62) 506. Businesses who use commercial vehicles shall have their name, address, and telephone number affixed to a conspicuous place on both sides of each vehicle and shall be subject to the City of Kamloops Licensing of Commercial Vehicles Bylaw.

(9-62) 507. The soliciting of sales of any article, commodity, or thing, or any agreement for the provision of any service shall require a business licence issued under the provisions of this bylaw.

(9-62) 508. All operators of mobile food concessions and food trucks and trailers must provide on-site receptacles for solid waste and recyclables, keep their operating area clean, and dispose of solid waste to the City landfill in an appropriate manner.

Arcades

509. Arcades shall not be permitted to operate between the hours of 24:00 hours (12:00 midnight) and 09:00 hours (9:00 am).

Automobile Parking Lot

510. It is a condition of the granting of a business licence to any person to carry on the business of an automobile parking lot that one sign be posted at each entrance and each exit of each automobile parking lot used in operation of the business, with each sign stating in wording clearly legible by day or night to the satisfaction of the Business Licence Inspector, the circumstances under which a vehicle may be removed or towed from the lot and the address of the place to which the vehicle will be removed or towed.

Carnival/Circus - Insurance and Safety Standards

511. A person applying for a licence to hold a carnival or circus on public property may be required by the Business Licence Inspector to obtain and maintain comprehensive general liability insurance in the amount of not less than Five Million Dollars (\$5,000,000) and in conjunction with such insurance:

- a) The City shall be included as an additional insured in the insurance policies that are obtained;
 - b) The business licence holder shall hold the City harmless against claims, actions for injury, damage, loss, or death arising out of or resulting from the operation of the carnival or circus;
 - c) The business licence holder's insurer must recognize, in writing in the insurance policy, the existence of the above hold harmless clause;
 - d) An endorsement that the policy shall not be cancelled, lapsed, or materially altered without giving thirty (30) days' written notice to the City of Kamloops; and
 - e) Proof of such insurance to the satisfaction of the City shall be submitted to the Business Licence Inspector prior to the issuance of a business licence.
512. As a condition of issuance of a business licence in respect of a carnival or circus on public property, or at any time during the term of the licence, the Business Licence Inspector may require:
- a) Proof that all machines, rides, and equipment to be used by the public at the carnival or circus conform to the safety standards of the provincial authority having jurisdiction; or
 - b) A deposit with the City of a Standby Letter of Irrevocable Credit in the amount of Five Thousand Dollars (\$5,000) which shall be held by the City as security to reimburse any expenses incurred to carry out clean-up operations or repair damage caused by the operation of the carnival or circus, it being understood that the City may bring legal action or exercise other remedies against the licence holder if the clean-up operations or cost of repairs exceed the sum of Five Thousand Dollars (\$5,000). The security shall be returned to the business licence holder if the City is satisfied that the business licence holder has carried out the necessary clean-up operations or repairs.

Security and Patrol, Vehicles for Hire, and Tobacco and Liquor Home Delivery Service Businesses

513. As a condition of issuance of a business licence in respect of carrying on the business of watching, guarding or patrolling for the protection of persons or property, or as a private detective, the Business Licence Inspector may require each person involved in the business to:
- a) Hold a licence as set out in the *Security Services Act*; and/or
 - b) Provide confirmation of a satisfactory criminal record check.
514. Prior to the issuance of a business licence in respect of carrying on the business involving sales or services of security, patrol, liquor home delivery, tobacco home delivery, or vehicle for hire (as per the City's Vehicle for Hire Bylaw), the Business Licence Inspector may forward the business licence application to the RCMP for review and comment and the Business Licence Inspector may, as is reasonable in the circumstances, rely on the comments of the RCMP in determining whether to grant or refuse a business licence.

Escort/Dating Services, Body Rub Studios, and Exotic Dancing Services

515. As a condition of continuing to hold a business licence in respect of carrying on the business of escort/dating service, body rub studio or exotic dancing service, each business licence holder or business shall:
- a) Maintain, on the business premises or business licence holder's address, a list of all current employees, other people operating from the business premises and persons being handled on an agency basis, and upon request, make these lists available for inspection by the Business Licence Inspector or the RCMP;
 - b) In each two week period submit a list to the RCMP, in a form provided by the RCMP, of employees and other people operating from the business premises; noting names and ages, with each list to be signed by the owner or manager of the business and delivered to the RCMP in an approved process;
 - c) Not employ any person that is younger than 19 years of age;
 - d) Not permit any person that is younger than 19 years of age to be on or at the business premises at any time;
 - e) If the business is a body rub studio:
 - i) meet the requirements of the *Regulated Activities Regulation* pursuant to the *Public Health Act*; and
 - ii) not be open for business between the hours of 24:00 hours (12:00 midnight) and 8:00 hours (8:00 am);
 - f) Display in a location readily visible to the public a list of all rates and prices payable by the public for services;
 - g) Not exhibit or allow to be exhibited in any form showing a nude male or female body together with printed word(s) that might indicate that the business is a place that offers any sexual or nude entertainment;
 - h) Not engage in, or allow any employee or other person on the business premises, to engage in or offer to engage in any act of prostitution;
 - i) Not change the name or trade name identified in the business licence without first notifying the Business Licence Inspector in writing of the intended name change at least fourteen (14) days prior to the use of the new name;
 - j) Upon request by the RCMP, provide satisfactory confirmation of a criminal record check for all current employees, other people operating from the business premises, which criminal record checks confirm that all current employees, other people operating from the business premises have not been convicted of an offence under either Section 212 or 213 of the *Criminal Code of Canada* within the previous five years prior to the criminal record check; and
 - k) Include their business licence number in all media advertisements.

Businesses Licensed Under the Provincial Liquor Control and Licensing Act

516. A business licensed under the *Liquor Control and Licensing Act* must not sell, or offer for sale, alcoholic beverages at a retail price of less than \$3.00 per standard serving, inclusive of taxes.
517. For the purpose of Section 516 of this bylaw, a standard serving is:
- a) One (1) fluid ounce (28.41 ml) of spirits having an alcoholic content of 17% or more, served on its own or in a mixed beverage;
 - b) One (1) fluid ounce (28.41 ml) of sweet liqueur having an alcoholic content of 10% or more, served on its own or in a mixed beverage;
 - c) Five (5) fluid ounces (142.05 ml) of wine having an alcoholic content of 1.5% or more;
 - d) Twelve (12) fluid ounces (340.92 ml) of bottled beer, cider, or a cooler having an alcoholic content of 1.5% or more; or
 - e) Eighteen (18) fluid ounces (511.38 ml) of draft beer having an alcoholic content of 1.5% or more.
518. For the purpose of Section 516 of this bylaw, the minimum price of an alcoholic beverage containing a fraction of one standard serving is to be calculated pro-rata.
519. For the purpose of Section 516 of this bylaw, minimum drink prices shall be double for a double drink, triple for a triple drink, and so on.
- (44-13) 520. As a condition of issuance or annual renewal of a business licence in respect to carrying on a business that is classified in *Fees and Charges Bylaw No. 44-14* as Neighbourhood Pub, Nightclub, Cabaret (Provincial Liquor Primary), or Cannabis Retail Store, each licence holder or business shall:
- a) Enter into and maintain a mandatory Good Neighbour Agreement in the form established and approved by the Development and Engineering Services Director; and
 - b) Re-sign a Good Neighbour Agreement as may be requested by the Business Licence Inspector at any time during the licence period.
- (9-61) 521. If a Good Neighbour Agreement is not re-signed within 30 days upon request by the Business Licence Inspector, a business licence suspension will be implemented until such time a Good Neighbour Agreement is re-signed.

Commercial Landlord

- (9-65) 522. As a condition of continuing to hold a Business Licence in respect of carrying on business as a commercial landlord, no Business Licence holder or business shall permit a commercial tenant or renter to carry on business on the business holder's premises without a valid Business Licence.

(9-71) Accommodations - Good Neighbour Agreement

(9-71) 523. Where residential rental accommodation is provided:

- a) on a lot with a single-detached dwelling and a Residential Suite, and the registered owner does not occupy either the principal building or a residential suite located on the lot as their principal residence; or
- b) as a Short-Term Rental Accommodation;

the registered owner shall be required to obtain a Business Licence and enter into a Good Neighbour Agreement in the form established and approved by the Development, Engineering, and Sustainability Department Director.

Inter-Community Business Licence Regulations

(9-68) 524. As a condition of an application or issuance of an Inter-Community Business Licence, the following regulations apply:

- a) Subject to Sections b) and d), a Person who has obtained an Inter-Community Business Licence may carry on Business within a Participating Municipality for the term authorized by the Inter-Community Business Licence without obtaining a Municipal Business Licence in the other Participating Municipalities.
- b) Participating Municipality may issue an Inter-Community Business Licence to an applicant provided the Business type is not an Excluded Business, and the applicant meets the requirements of this bylaw in addition to the requirements of the Municipal Business Licence of that Participating Municipality.
- c) Notwithstanding that a Person may hold an Inter-Community Business Licence that would make it unnecessary to obtain a Municipal Business Licence in other Participating Municipalities, the Person must still comply with all other regulations of any Municipal Business Licence Bylaw or regulation in addition to any other bylaws that may apply within any jurisdiction in which the Person carries on Business.
- d) A Business that operates a Mobile Business may only apply for an Inter-Community Business Licence from the Participating Municipality in which they maintain a Premises.
- e) Neither this bylaw nor the issuance of an Inter-Community Business Licence eliminates a requirement of a holder of an Inter-Community Mobile Business Licence to obtain a Municipal Business Licence for each Premises that is maintained within the jurisdiction of the Participating Municipality.
- f) Notwithstanding Sections a), b), and c), the Participating Municipalities agree that where an applicant for an Inter-Community Mobile Business Licence does not maintain Premises in any of the Participating Municipalities, then the applicant may apply at any one of them. The Participating Municipality's Municipal Business Licence must be purchased prior to the application for an Inter-Community Business Licence.
- g) The fee for an Inter-Community Business Licence shall be retained by the Participating Municipality that issues the licence. The fee for an Inter-Community

Business Licence is separate and additional to any Municipal Business Licence that may be required.

- h) Every Inter-Community Business Licence shall be issued in a standard form to be agreed upon from time to time by the Participating Municipalities. Each Participating Municipality shall periodically provide the other Participating Municipalities with a list of Inter-Community Business Licences that it has issued during the calendar year.
- i) A Participating Municipality may exercise the authority of the Principal Municipality and suspend an Inter-Community Business Licence in relation to conduct by the holder within the Participating Municipality which would give rise to the power to suspend a business licence under the *Community Charter* or the business licence or regulation bylaw of the Participating Municipality. The suspension shall be in effect throughout all of the Participating Municipalities and it shall be unlawful for the holder to carry on the Business authorized by the Inter-Community Business Licence in any Participating Municipality for the period of the suspension.
- j) If the Council of a Participating Municipality is of the opinion that reasonable cause exists to cancel an Inter-Community Business Licence issued by another of the Participating Municipalities, then it may by resolution reciting the details of such reasonable cause request the Principal Municipality that issued the licence to consider whether or not the licence should be cancelled pursuant to Sections 11 or Section 60(2) of the *Community Charter* and amendments thereto.
- k) Any resolution made under Section i) shall be communicated in writing to the Principal Municipality that issued the Inter-Community Business Licence, together with such documentary evidence of the reasonable cause as may be available, and such Principal Municipality shall as soon thereafter as reasonably possible consider whether the Inter-Community Business Licence should be cancelled.
- l) In making any decision as to whether to cancel an Inter-Community Business Licence under Sections 10 or 60(2) of the *Community Charter* and amendments thereto, the Principal Municipality shall approach the matter as if the conduct complained of had occurred within its own boundaries.
- m) The Principal Municipality will retain the authority to hear related reconsiderations or appeals of suspensions and cancellations of Inter-Community Business Licences.
- n) Nothing in this bylaw affects the authority of a Participating Municipality to suspend or cancel any business licence issued by that municipality or to enact regulations in respect of any class of Business under Section 11 of the *Community Charter* or amendments thereto.
- o) A Participating Municipality may, by notice in writing to each of the other Participating Municipalities, withdraw from the Inter-Community Business Licence scheme established by this bylaw, and notice must:
 - i) set out the date on which the withdrawing municipality will no longer recognize the validity within its boundaries of business licences issued pursuant to this bylaw, which date must be at least six months from the date of the notice; and
 - ii) include a certified copy of the bylaw authorizing the withdrawal.

- p) An Inter-Community Business Licence issued prior to the effective date of the withdrawal shall, until it expires, remain valid within the boundaries of the withdrawing Municipality.
- q) The invalidity or unenforceability of any provision of this bylaw shall not affect the validity or enforceability of any other provisions of this bylaw and any such invalid or unenforceable provision shall be deemed to be severable.

DIVISION SIX - OFFENCES AND PENALTIES

600. No person shall do any act or permit any act or thing to be done in contravention of this bylaw.
601. Every person who violates any provision of this bylaw, or who permits any act or thing to be done in contravention of this bylaw, or who fails to do any act or thing required by this bylaw, shall be deemed to have committed an offence against this bylaw and:
- a) Shall be liable to a fine set out in the City of Kamloops Municipal Ticket Utilization Bylaw;
 - b) Shall be liable to a fine of not less than the amount identified in Schedule "B" attached hereto, in addition to any other penalty imposed under this bylaw;
 - c) Where a specific penalty has not otherwise been designated, shall be liable to a fine and/or penalty provided under the *Community Charter* of not less than One Hundred Dollars (\$100) and not more than Ten Thousand Dollars (\$10,000), plus the costs of prosecution, and any other order imposed pursuant to the *Community Charter*, or
 - d) Any combination of the above.
602. Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.
603. Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or regulation.

DIVISION SEVEN - SCHEDULES

The following Schedules are attached to and form part of this bylaw and are enforceable in the same manner as this bylaw:

- (44-13) Schedule "A" – *REPEALED*
Schedule "B" - Fine Schedule

ORIGINAL SIGNED BY P. G. MILOBAR

MAYOR

ORIGINAL SIGNED BY C. M. KENNEDY

CORPORATE OFFICER

(44-13)

SCHEDULE "A"

REPEALED

SCHEDULE "B"

FINE SCHEDULE

(9-65)

<u>Offence</u>	<u>Section</u>		<u>Fine</u>
No Business Licence	400		Not less than \$200 and not more than \$10,000
Failure to display a Business Licence	419	\$	50
Failure by an Escort/Dating Service, Body Rub Studio, or Exotic Dancing Service to include its Business Licence number in media advertisements	515(k)	\$	500
Non-compliance with alcoholic drink price	516	\$	100