



City of Armstrong

Business Licensing and Regulation Bylaw No. 1845, 2019

Adopted: October 28, 2019

CONSOLIDATED WITH AMENDMENTS
FOR CONVENIENCE ONLY

Amending Bylaws:

Bylaw No. 1938, 2025 – Adopted June 16, 2025

- Replacing Section 30(i)(ii)
- Replacing Section 30(i)(v)

CITY OF ARMSTRONG

BYLAW No. 1845

**A Bylaw to Provide for the Licensing of
Businesses within the Boundaries of the City of Armstrong**

The Council of the City of Armstrong, in an open meeting assembled, enacts as follows

TITLE:

1. This bylaw may be cited as "The City of Armstrong Business Licensing and Regulation Bylaw Number 1845."

DEFINITIONS:

2. In this bylaw:
 - a. "**Applicant**" means any person who makes an application for a Business License under the provisions of this bylaw.
 - b. "**Application Fee**" means a non-refundable fee that is to be remitted by the applicant to the City upon submitting a written request in the form of an application for a business license and is separate from the business license fee.
 - c. "**Business**" means the carrying on of a commercial or industrial undertaking of any kind or the providing of professional, personal, or other services for the purpose of gain or profit.
 - d. "**Business Entity**" includes any sole proprietorship, partnership, cooperative, not-for-profit organization or limited/incorporated company.
 - e. "**Cart**" means a non-motorized mobile cart with a maximum floor area of 4.65m², from which food and/or drink is dispensed or goods and services are offered for sale and which may change locations from time to time, and which is not located in a permanent building or structure, and is removed from public access when not in use.
 - f. "**City**" means the City of Armstrong.
 - g. "**Commercial Location**" means any mobile vending unit or a property zoned, according to the City of Armstrong Zoning bylaw and its amendments as:
 - i. C1 – Town Centre Commercial
 - ii. C2 – Highway and Service Commercial
 - iii. C3 – Neighbourhood Commercial
 - iv. C4 – Recreation Commercial
 - v. I1 – General Industrial
 - vi. P1 – Park and Open Space
 - vii. P2 – Administration, Service and Assembly

- h. "**Council**" means the municipal Council of the City of Armstrong.
- i. "**Exhibition or Fair**" means a use providing a variety of shows, games and/or rides in which patrons take part which may include a circus, or carnival.
- j. "**Farmer's Market**" means a designated area containing stalls and structures for the direct sale to the public of farm and food products including but not limited to fresh, dried or frozen fruit, vegetables, meat, poultry, seafood, dairy products, plants, baked goods, prepared and ready-to-eat foods by producers (or their representatives) and arts and crafts.
- k. "**Flea Market**" means an occasional or periodic sales activity held within a building, structure or open area where groups of individual sellers offer goods, new and used, for sale to the public.
- l. "**License and Business License**" means a license to operate a business as approved by the License Approver;
- m. "**License Approver and Approver**" means the person or persons from time to time duly appointed by Council for the purpose of approving business licenses within the provisions of this bylaw, and will apply to their designates as appropriate and includes:
 - i. The Chief Administrative Officer of the City
 - ii. The Chief Financial Officer of the City
- n. "**License Inspector and Inspector**" means the person or persons from time to time duly appointed by Council for the purpose of enforcing the provisions of this bylaw and will apply to their designates as appropriate and includes:
 - i. The Chief Administrative Officer of the City
 - ii. The Chief Financial Officer of the City
 - iii. Bylaw Enforcement Officer of the City
 - iv. Building Inspector of the City
 - v. Fire Chief of the City
 - vi. Planner of the City
- o. "**Location**" means the property or physical premise where a business is or is intending to operate.
- p. "**Mobile Unit**" means the truck, trailer or cart used to provide the mobile vending service.
- q. "**Mobile Vendor**" means any business entity who, from a truck or trailer as defined and licensed under the Motor Vehicle Act, or from a cart sells, or offers for sale food, merchandise or a service, or who advertises or takes orders for goods or services.
- r. "**Pawn shop**" means a business where goods or chattels are taken in pawn;
- s. "**Pawn broker**" means a person who keeps a shop for the purchase or sale of goods or chattels or for taking in goods or chattels by way of security for money advanced on them, and purchases, receives or takes in goods or chattels and pays, advances or lends on them a sum of money under an agreement expressed, implied or to be from

- the nature and character of the dealing reasonably inferred, that those goods or chattels may be afterwards redeemed or repurchased on any terms.
- t. "**Premises**" means any building, structure, highway or open area where a business entity operates.
 - u. "**Public Health Officer**" means the official so appointed by Ministry of Health of the Province of British Columbia and includes any Acting, Assistant or Deputy Health Inspector.
 - v. "**Residential Location**" means any property zoned, according to the City of Armstrong Zoning bylaw and its amendments as:
 - i. A1 – Agriculture 1
 - ii. CR1 Country Residential 1
 - iii. R1 – Single Detached Residential 1
 - iv. R1A Single Detached Residential 1a (Small Lot)
 - v. R2 – Duplex Residential 2
 - vi. RM1 Multiple Unit Residential (Ground Oriented)
 - vii. RM2 Multiple Unit Residential (Apartment)
 - viii. RM3 Multiple Unit Residential (Bareland Strata)
 - ix. RMP Mobile Home Park
 - w. "**Special Event**" means a temporary event which operates for three (3) or fewer consecutive days, as approved by the License Inspector and includes trade shows, flea markets, concerts, craft sales, exhibition, multi-level marketing sales, and any other like event, show or activity.
 - x. "**Trade Name**" means the operating or commonly known name of a business.
 - y. "**Trade Show**" means the business of organizing a group of merchants, suppliers, trades people or professionals together as a group in one location or building to display and offer their products or services for sale.

GENERAL REGULATIONS:

License Requirement

- 3. Except as provided in this bylaw:
 - a. Every business entity who owns or operates any business within the City will apply for, obtain and hold a Business License for their business.
 - i. Every business entity who carries on business from more than one premise in the City will obtain a separate Business License for each premise.

- ii. A business entity that operates in separate premises where the premises are accessible to each other through internal doorways will be considered as one premise for the purpose of the license fee.
 - iii. Where there is more than one business entity located within the same premise, each separate and distinct business entity will have a separate license.
- b. Business Licenses will be issued annually, to commence on the 1st day of January and to terminate on the 31st day of December in each and every year.
- i. This does not apply to special event licenses which will be valid only for the dates indicated on the Business License.

Exempt from a Business License

4. Agricultural producers not involved in retail sales are not required to obtain a business license.

Initial Business License Applications

5. An application for the initial Business License will be made on the prescribed application form and will be signed by an owner or operator of the business or an authorized agent.
- a. Information provided on the Business License application may be subject to “Freedom of Information and Protection of Privacy Act” enquiries.
 - b. All business activities, services and goods for sale must be disclosed on the Business License application.
 - i. At the time a Business undertakes any new activity, service or goods that would alter the information previously provided on the Business License application form, the holder of the Business License will notify the License Inspector of such change, pursuant to sections 28 and 29 of this Bylaw and a new Business License may be required for the new activity as determined by the License Inspector.
6. An application for a Business License will be referred to the local Health Authority Licensing or Public Health Officer where:
- a. the business operates in premises served by a private sewage disposal system,
 - b. the business involves the handling of food or drinks,
 - c. the business is a personal service establishment as defined by the Health Act regulation, or
 - d. pursuant to regulations and legislation adopted or enacted by the Regional District of North Okanagan, the Government of British Columbia, or the Government of Canada.
7. All premises in or upon which the applicant proposes to carry on any business, may be subject to inspections and approval by any City Department or Government Agency as deemed necessary by the License Approver before a Business License is granted.

8. The applicant will, upon request by the License Inspector or Approver, produce certificates, letters of approval or other documentation as may be required by Federal, Provincial or Local Government authorities.
9. An applicant whose business is governed by Federal or Provincial Acts or Regulations will, upon request, supply proof to the License Inspector or Approver, of their employees' qualifications under those Acts or Regulations.
10. When the issuance of a license requires insurance coverage, proof of that insurance coverage in a form acceptable to the License Approver will be submitted prior to the issuance of the License.
11. Where an applicant applies for more than one Business License, the particulars of each Business License applied for will be included on a separate application form for each license.
12. The application form will be delivered to the License Approver and will be accompanied by all required fees, approvals, information and/or insurance documentation.

Business License Fee

13. Every applicant who applies for a Business License will pay the applicable fees as set out in the current City of Armstrong Rates, Fees and Charges Establishment Bylaw and its amendments:
 - a. Commercial Location:
 - i. Application fee
 - ii. Commercial location annual fee
 - iii. Inspection fee
 - b. Residential Location:
 - i. Application fee
 - ii. Residential location annual fee
 - iii. Inspection fee as required
 - c. Special Event
 - i. Application fee
 - ii. Special Event fee
 - iii. Inspection fee as required
14. Where a new business commences operation after July 31st of any year, the annual fee will be reduced by fifty percent (50%).
 - a. This proration does not apply to Special Event Licenses, Application fee, and Inspection fee
15. No refund of Business License fee will be made on account of a business entity ceasing to do business.

16. A Business License fee will be refunded only if the Business License application is withdrawn prior to applicable inspections being completed or in the case no inspections are applicable, final license being issued.
17. Where any fees are paid by an applicant and the approvals required to finalize a Business License are not obtained within six (6) months of the application date, those fees are forfeited to the City and the application cancelled by the License Approver.
18. The License Approver may waive the applicable fees for a Business License where the applicant is a not-for-profit organization.

Display of Business License

19. Every Licensee will keep the Licensee's copy of the Business License posted in a conspicuous place on the premises in respect of which the Business License is used.
20. Where the Licensee has no business premises in the City, the Business License will be carried upon the Licensee's person at all times.

Effects of Business License

21. A Business License authorizes the business entity named in the Business License to carry on only the business described on the Business License, and only at the location described on the Business License.
22. A Business License is not a representation or warranty that the licensed business or the business premises comply with the bylaws of the City or with any other regulations or standards.

Business License Renewal

23. Each Business will ensure that their Business License is renewed annually, whether notice is given by the City or not, and the Business will pay the applicable annual Business License Fee.
24. Every Business will renew their Business License by March 1st of each year.
25. Receipt of a Business License will serve as a confirmation that the Business License has been renewed.
26. In the event the Business entity fails to renew their Business License on or before March 1, the Business entity will pay, in addition to the applicable annual Business License Fee for the renewal period, a penalty as set out in the current City of Armstrong Rates, Fees and Charges Establishment Bylaw and its amendments.
27. Businesses that do not renew their business license by September 1st of each year may be removed from the business license file and if removed will be considered no longer active.
 - a. Should a Business be found to still be in operation after the Business License has been deactivated:

- i. The business will be subject to all penalties for operating without a license
- ii. The applicant will be required to complete a new Business License application including all applicable fees for that new application and submit any required supporting documentation required to approve the Business License.

Business License Transfers or Closures

28. Every licensee will notify the License Approver in writing of any change in:
 - a. the type or nature of the business;
 - b. the type or nature of the goods, services, or activities provided;
 - c. location or contact information;
 - d. ownership; or
 - e. company name or trade name.
29. The license approver will review all written change notifications and notify the business entity of any applicable fees, required actions or documents based on the change(s) indicated under section 28 of this bylaw.

BUSINESS CATEGORIES:

30. In addition to meeting the requirements previously mentioned in this bylaw, applicants for the following specific categories of licenses must satisfy the applicable requirements specified below at the time of application, before a license will be issued.
 - a. **Automobile Dealerships or Sales Lots** - every automobile dealer (new and used) applicant must provide the License Approver with a copy of the Motor Dealer's certificate of registration issued to such applicant under the Motor Dealer Act.
 - b. **Bulk Water Sales** - Every person carrying on the business of bottling and selling water supplied by the City will supply the License Inspector with all information pursuant to the City of Armstrong Water and Sewer Regulation Establishment Bylaw, and its amendments.
 - c. **Cannabis Retail Store** – a legal entity wishing to apply for a business license to operate a Cannabis Retail Store must first comply with current City Policies and Bylaws for Cannabis Retail Stores and all regulations for operating said store in the Province of British Columbia.
 - d. **Commercial Passenger Vehicle** – No business entity will operate, or permit to be operated, in the City a commercial passenger vehicle unless such commercial passenger vehicle is duly licensed under the provisions of the British Columbia Passengers Transportation Act.
 - i. No license is required for owners or operators of a commercial passenger vehicle who only discharge passengers in the City.
 - e. **Contractors and Developers** – Every business entity licensed as a contractor or developer will ensure that any sub-trades or consultants they engage to perform work in the City are licensed to do so and comply with this bylaw.

- i. In the event that a contractor or developer engage a sub-trade or consultant to perform work in the City and that sub-trade or consultant does not have a valid business license to work in the City, the Contractor or Developer who engaged them may be subject to penalties as outlined in the City of Armstrong Municipal Ticket Information System bylaw and its amendments.
- f. **Delivery Service** – no license is required for a delivery service that only unloads goods in the City.
- g. **Farmer’s Market** – The license for a Farmer’s Market will cover all the vendors participating in the market inclusive of mobile concessions.
 - i. Applications for a Farmer’s Market will be forwarded to the Public Health Officer for review.
 - ii. Farmer’s Market operators must not operate on City lands or premises until the Farmer’s Market applicant has provided a certificate of insurance that includes vendors’ product liability, in a form and on terms acceptable to the City naming the City as an additional insured.
- h. **Liquor Licensed Establishments** - a legal entity wishing to apply for a business license to operate a Liquor Licensed Establishment must first comply with the current City Policy regarding liquor sales and all regulations for operating said establishment in the Province of British Columbia.
- i. **Mobile Vendor** – applicants must have available; appropriate waste and recycling receptacles.
 - i. Mobile Vendor applicants must provide with their application, proof of:
 1. Permission from the property owner (including the City in the case of municipally owned property, boulevards or highways) to operate;
 2. Motor Vehicle Liability Insurance with a minimum coverage of \$2,000,000 for mobile truck and trailer operations;
 3. Comprehensive Public Liability and Property Damage Insurance for \$2,000,000 inclusive, with the City named as additionally insured when conducting business at public locations;
 4. BC Safety Authority Approval (as applicable based on provincial requirements for the operation of the specific type of mobile business applied for); and
 5. Interior Health approval (as applicable based on provincial requirements for the operation of the specific type of mobile business applied for).
 - ii. When operating within a municipally owned space, mobile vending units must always be attended (staffed) when on a site and must be removed from the location when not staffed.

(1938)

- iii. Where a mobile vendor is catering to or delivering to a residential site, business or construction site, such units will not park or stop on the traveled portion of a highway.
 - iv. Each mobile vending unit, even if owned by the same business entity will require its' own business license.
 - v. During the period of time that the Interior Provincial Exhibition and Stampede is operating, mobile vending units may only operate within the City of Armstrong if the Vendor has been operating within the City of Armstrong for an average of 4 days a week, for the 3 consecutive months prior to the fair (June, July & August) within the same calendar year. **(1938)**
- j. **Pawn Broker or Pawn Shop** - a legal entity wishing to apply for a business license to operate a Pawn Shop or as a Pawn Broker must first comply with the current City Policy regarding pawn brokers and all regulations for operating in said capacity in the Province of British Columbia.
- k. **Special Events** – an applicant must obtain a valid business license for the location where a special event is to be held or conducted and that license will be considered to cover all vendors within the special event.
- i. The applicant for a Business License for a Special Event being held on City property will submit, along with the Business License application, written authorization from the City to hold the Special Event on City Property with confirmation of acceptable comprehensive insurance coverage reflecting the City as an additional insured.
 - ii. An applicant that would otherwise qualify for as a Special Event but is going to be in operation for longer than 3 consecutive days will be subject to all regulations for Special Events in this bylaw but will pay the applicable Commercial Business License fees.

Suspension/Refusal/Revoking of A Business License

31. The License Approver may suspend any Business License for the period decided by the License Approver if the Licensee:
- a. Is convicted of an offense indictable in Canada;
 - b. Is convicted of an offense under any Municipal bylaw or statute of the Province in respect of the business for which the person is licensed or with respect to the premises named in the Business License;
 - c. Has, in the opinion of the License Approver, been guilty of such gross misconduct in respect of the business or with respect to the premises named in the Business License that it warrants the suspension of the Business License; or
 - d. Has ceased to meet the lawful requirements to carry on the business for which the person is licensed or with respect to the premises named in the Business License.

31. The suspension of a Business License by the License Approver will be made, in writing, signed by the Approver and served on the person holding such Business License or delivered to the holder of such Business License by registered mail to the address given by the Licensee on the application for the Business License.
32. A Notice of Suspension of Business License may be posted as directed by the License Approver upon the premises for which the Business License was issued and such notice will not be removed until the Business License is reinstated, the former Licensee ceases to occupy the premises, or a new business other than the one carried on by the former Licensee is started in the premises.
33. The License Approver may also direct to have any Business License picked up which is held by the Licensee during such period of suspension.
34. Any person whose Business License has been suspended pursuant to this bylaw may appeal to the Council and, upon such appeal, the Council may confirm or set aside such suspension.
35. The Council may revoke a Business License for reasonable cause after giving notice to the licensee, and after giving the licensee an opportunity to be heard, but such notice and opportunity to be heard is not required in respect of the licensee who by reasonable efforts cannot be found.
36. Notwithstanding anything contained in the Local Government Act or in the Bylaws of the City, the Council may, upon the affirmative vote, refuse in any case to grant the request of an applicant for a business license pursuant to this Bylaw, but the granting or renewal of a business license will not be unreasonably refused.

Powers

37. The License Approver will have the power to grant a Business License to any applicant where they are satisfied that the applicant has complied with the bylaws of the City regulating building, zoning, and business.
38. The License Inspector is authorized and empowered to inspect, require, and compel that all the regulations and provisions prescribed in this bylaw are carried out.
39. No person will unreasonably obstruct or prevent a License Inspector from carrying out their duties as prescribed in this bylaw.

SEVERANCE:

40. If any portion of this bylaw is declared ultra vires by a Court of Competent Jurisdiction, that portion will be deemed to be severed from the bylaw to the extent that the remainder of the bylaw will continue in full force and effect.

OFFENCES:

41. A person or business entity who:
 - a. violates any provision of this bylaw;

- b. permits, suffers or allows any act to be done in violation of any provision of this bylaw; or
- c. neglects to do or refrains from doing anything required to be done by any provision of this bylaw;

commits an offence against this bylaw and:

- d. is liable to a fine as set out in the City of Armstrong Municipal Ticket Information System Bylaw; and
 - e. is liable, upon summary conviction, to the maximum fines plus costs under the Offence Act, Local Government Act and the Community Charter.
42. Each day that a violation continues to occur is deemed to be a separate offence against this bylaw.
43. Notwithstanding any other penalty, the City may recover from a person or business entity who contravenes the provisions of this Bylaw, any costs associated with repairing or restoring a public space to its previous condition, plus a 20% administration fee.

BYLAWS REPEALED:

44. This bylaw hereby repeals the City of Armstrong Business Licensing and Regulation Bylaw Number 1637 and its amendments.
45. This bylaw comes into force and effect on January 1, 2020.

READ a first time this 9th day of September 2019.

READ a second time, as amended, this 15th day of October 2019.

READ a third time this 15th day of October 2019.

ADOPTED this 28th day of October 2019.

Signature on File
CORPORATE OFFICER

Signature on File
MAYOR