

THE CORPORATION OF THE VILLAGE OF NEW DENVER  
BYLAW NO. 580

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A Bylaw respecting licences for carrying on Business within  
the Municipality and for fixing the fees for such licences.

The Council of the Corporation of the Village of New Denver in open meeting assembled, enacts as follows:

1. For the purpose of this Bylaw, unless the context otherwise requires:

"Charter" means the Community Charter;

"Business" means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal, or other services for the purpose of gain or profit;

"Resident Business" means a business carried on in or from premises within the municipality;

"Non-resident Business" means a business other than a resident business, carried on within the municipality or with respect to which any work or service is performed within the municipality;

"Temporary Residential Vacation Rental" shall mean a single/two-family dwelling used for short term rental for tourist accommodation that does not exceed four (4) weeks per year;

"Treasurer" means the person from time to time duly appointed as Treasurer for the municipality and also any person lawfully acting in that capacity;

"Licence Inspector" means the person from time to time duly appointed as Licence Inspector for the municipality;

"Municipality" means the Corporation of the Village of New Denver.

2. Subject to Section 59 of the Charter no person shall carry on, with the municipality, any business unless she/he is the holder of a valid licence issued to him/her under this bylaw, and shall pay in advance therefore, to the Treasurer the sum specified in Schedule "A" attached hereto and made part of this bylaw and it shall be incumbent upon each person to renew such licence prior to February 15<sup>th</sup> of the current licencing period as long as such business is being carried on.
3. The Licence Inspector shall have power to grant, issue or transfer licences as hereinafter provided and subject to the provisions of Section 59 of the Charter.
4. All fees collected under this bylaw shall be paid forthwith to the Treasurer of the municipality who shall deal with the said fees in the manner provided in the Charter.
5. (1) Except as hereinafter provided, licences shall be issued on an annual basis to terminate on the 31<sup>st</sup> day of December. The annual licence fee may be reduced by one-half in respect of a person who becomes liable to be licenced after the 31<sup>st</sup> day of July in any year.  
  
(2) Subject to Section 59(1)(e) of the Charter the period for a licence in respect of a theatre, including drive-in theatre, amusement hall, concert hall, music hall, opera house, rink, amusement park, or other place of amusement, entertainment, or exhibition may be six months, three months, one month or one day.  
  
(3) Subject to Section 59(1)(d) of the Charter the period for a licence with respect to a circus, horse show, dog or pony show, exhibition or other itinerant show or entertainment, when held elsewhere than in a licenced theatre or other licenced place, shall be one day.

- (4) The period for a licence in respect of horse racing shall be one day.
  - (5) The period for a licence in respect of Temporary Residential Vacation Rental shall be for a term not to exceed four (4) weeks per year. Rentals running for the duration of four consecutive weeks shall require one business licence. Rentals not running for a period of four consecutive weeks shall require one business licence for each rental.
6. (1) Every licence granted pursuant to this bylaw shall be in the form of Schedule "B" attached hereto and made part of this bylaw.
    - (2) No person shall carry on business at two or more premises at the same time under one licence.
    - (3) No person shall change his place of business without first obtaining a transfer of his licence in respect thereto and the particulars of such transfer shall be endorsed on the licence by the Licence Inspector.
    - (4) The issuance of a licence shall not be deemed to be a representation by the municipality to the licensee that the business or proposed business complies with any or all applicable bylaws or enactments. The business owner remains responsible for ensuring compliance with all bylaws and enactments.
    - (5) The issuance of every Business Licence shall be accompanied by a Notice in the form of Schedule "C" attached hereto and shall be signed by the Licensee.
    - (6) No person operating a Temporary Residential Vacation Rental shall allow the operation of such business to disturb the peace and tranquillity of neighbouring residences. Such disturbances could result in the cancellation of present and future business licences.
  7. Subject to the provisions of Section 59(1)(a) of the Charter, any person applying for a licence to carry on a "Resident Business" for the first time with respect to that particular business may be required by the Licence Inspector to give as security to the municipality by way of cash or a bond issued by a Bonding Company of Canada up to, but not exceeding, the amount of Five Hundred Dollars (\$500.00).
  8. Subject to the provisions of Section 59(1)(b) of the Act, any person applying for a licence to carry on a "Non-resident Business" may be required by the Licence Inspector to give as security to the municipality by way of cash or a bond issued by a Bonding Company of Canada up to, but not exceeding, the amount of One Thousand Dollars (\$1,000.00).
  9. The security referred to in Sections 7 and 8 of this bylaw shall be taken in the name of the municipality and shall be deposited with the Licence Inspector, together with the application for a licence and the prescribed fee.
  10. Those businesses as provided under Section 61 of the Charter shall be exempt from

licencing requirements.

11. The Licence Inspector shall have the power to suspend licences subject to the provisions of Section 60(5) of the Charter.
12. Every licensee under this bylaw shall permit reasonable access to the Licence Inspector to the premises at which the licenced business is being carried on for the purpose of ensuring that the requirements of this bylaw are being fulfilled.
13. PENALTY
  - 13.1 Any person who violates any provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any provision of this bylaw, shall be guilty of an infraction thereof and upon summary conviction therefore, shall be liable to a fine and penalty not exceeding two thousand dollars (\$2,000.00), or in the alternative, to imprisonment for a period of time not exceeding six (6) months.
  - 13.2 If any section, sub-section, sentence, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.
14. This bylaw may be cited for all purposes as "Village of New Denver Business Licence Bylaw No. 580, 2004 and shall take effect on January 1, 2005.
15. Bylaw No. 515 cited as "Business Licence Bylaw No. 515,1999" and all amendments thereto are hereby repealed.

READ A FIRST TIME this 14<sup>th</sup> day of December, 2004.

READ A SECOND TIME this 14<sup>th</sup> day of December, 2004.

READ A THIRD TIME this 14<sup>th</sup> day of December, 2004.

RECONSIDERED AND FINALLY ADOPTED this 17<sup>th</sup> day of December, 2004.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

Certified to be a true copy of Village of New Denver Business Licence Bylaw No. 580, 2004 and amendments thereto.

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CORPORATE OFFICER

List of Amending Bylaws:

<u>Bylaw:</u>	<u>Effective Date:</u>
Village of New Denver Business Licence Amendment Bylaw No. 616, 2007	June 26, 2007
Fees and Charges Bylaw No. 699, 2016	April 26, 2016

SCHEDULE " B "

BYLAW NO. 580



SCHEDULE B

**Corporation Of The Village Of New Denver**  
 LICENCE ISSUED UNDER "COMMUNITY CHARTER"

**No.**

\_\_\_\_\_ has paid the sum of  
 \_\_\_\_\_ in respect of a License under "Division 9 – Business Regulation" of said  
 act, and is entitled to carry on the Business, Occupation or Profession set forth therein, namely

\_\_\_\_\_

for the period of \_\_\_\_\_ from the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ to the \_\_\_\_\_ day of  
 \_\_\_\_\_, \_\_\_\_\_

\$ \_\_\_\_\_ Collector

Dated this \_\_\_\_\_ day of \_\_\_\_\_