

OFFICE CONSOLIDATION

BYLAW NUMBER 32M98

BEING A BYLAW OF THE CITY OF CALGARY TO LICENSE AND REGULATE BUSINESSES

(Amended by 52M99, 1M2000, 33M2000, 38M2003, 40M2003, 42M2004, 24M2005, 39M2005, 50M2005, 60M2005, 61M2005, 41M2007, 48M2007, 57M2008, 58M2008, 59M2008, 51M2009, 50M2011, 70M2011, 38M2013, 72M2011, 40M2014, 56M2014, 12M2015, 7M2016, 30M2016, 43M2016, 22M2018, 51M2018, 31M2019, 36M2019, 60M2021, 72M2021, 25M2022, 29M2022, 40M2022, 29M2023, 30M2023, 45M2023, 53M2023)

WHEREAS under the provisions of the *Municipal Government Act*, the Council of The City of Calgary may pass bylaws respecting businesses and provide for a system of licensing;

AND WHEREAS it is deemed expedient to provide for the licensing of certain businesses operating in Calgary;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

PART I

GENERAL LICENSING PROVISIONS

SHORT TITLE

1. This Bylaw may be cited as the "Business Licence Bylaw".

INTERPRETATION AND DEFINITIONS

2. (1) In this Bylaw:
 - (a) "*agent*" means every *person* who, by mutual consent, acts for the benefit of another, including a sales representative or a *person* in care and control of the *premises* where a *business* is being conducted;
 - (b) "*amusement, sport or arcade machine*" means any machine, equipment or device operated for amusement or entertainment for a fee and includes equipment or device and includes coin operated or token operated machines for the showing of pictures, photos or slides;
 - (c) "*apartment building*" means a building comprised of three or more *dwelling units* with shared entrance facilities, where the *dwelling units* are rented or available for rent or occupation for periods of more than THIRTY (30) days;
 - (d) "*applicant*" means a *person* who applies for a *licence* or renewal of a *licence*;

(e) “*apprentice electronic technician*” means a *person* serving apprenticeship as an *electronic technician* under the *Apprenticeship and Industry Training Act* of Alberta;

(f) “*business*” means:

- (i) a commercial, merchandising or industrial activity or undertaking,
- (ii) a profession, trade, occupation, calling or employment; or
- (iii) an activity providing goods or services;

Whether or not for profit and however organized or formed, including a co-operative or association of *persons*, and includes those *businesses* defined in Part II of this Bylaw;

(f.1) DELETED BY 72M2021, 2022 JANUARY 01;

(f.2) “*cannabis*” has the meaning given to that term in the federal *Cannabis Act* (Bill C-45, *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts*, 1st Sess, 42nd Parl, 2017);

(22M2018, 2018 April 24)

(g) “*carry on*”, “*carrying on*”, “*carried on*” and “*carries on*” means to conduct, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or *agent*;

(g.1) “*catalytic converter*” means a device through which exhaust from a motor is passed in order to prevent or lessen the emission of contaminants;

(30M2023, 2023 July 04)

(h) “*charitable organization*” means any incorporated or unincorporated organization that is formed for a *charitable purpose*;

(i) “*charitable purpose*” includes a philanthropic, benevolent, educational, health, humane, religious, cultural, artistic or recreational purpose;

(j) DELETED BY 72M2021, 2022 JANUARY 01;

(k) “*City*” means The City of Calgary, a municipal corporation in the Province of Alberta, and includes the area contained within the boundaries of the City of Calgary where the context requires;

(k.1) “*Chief Administrative Officer*” means the *Chief Administrative Officer* of The City of Calgary or the employee of The City of Calgary who has been delegated the authority to exercise the powers, duties, and functions of the *Chief Administrative Officer* under this Bylaw;

(72M2021, 2022 January 01)
(45M2023, 2023 October 17)

- (l) “*container*” means a bottle, can, plastic cup or paperboard carton or package made of metal, plastic, paper, glass or other material that contains or has contained a beverage;
- (l.1) “*Director, Development, Business & Building Services*” or “*Director*” means the *Chief Administrative Officer*,
(72M2021, 2022 January 01)
(45M2023, 2023 October 17)
- (m) DELETED BY 40M2014, 2014 APRIL 28.
- (n) “*downtown*” means that area in the *City* bounded in the north by the Bow River, in the west by 14th Street west, in the south by 14th Avenue south and in the east by the Elbow River;
- (o) “*dwelling unit*” means one or more rooms used or designed to be used as a residence by one or more *persons* and containing kitchen, living, sleeping areas and includes access to sanitary facilities;
- (p) “*employee*” means an individual employed to do work or provide a service for a *business*, whether or not that *person* is in receipt of or is entitled to remuneration for the work or service;
- (q) “*electronic products*” means any type of consumer electronic equipment, including radios, television receivers and monitors, video cassette recorders, video cameras, digital audio players, tape recorders, stereo systems and associated equipment, microwave appliances, video and audio disc players, music systems, but excluding personal computer systems and associated equipment;
- (r) “*electronic technician*” means the holder of either an Electronic Technical Certificate of Proficiency, issued under the *Apprenticeship and Industry Training Act* of Alberta, or an inter-provincial Electronic Technician Certificate;
- (s) “*hold area*” means a facility, not accessible or visible to the public and separate from any sales or storage area, located at the *premises* designated on the *Licence*;
- (t) “*improvement*” means anything built, placed, altered or repaired which is in, upon, over or under land or water, including a building and any clearing, dismantling, digging, drilling, excavating, grading, filling or tunneling;
- (u) “*inventory number*” means a sequential number assigned to every item of:
 - (i) *second-hand property*, or
 - (ii) *personal property* accepted as a pledge or pawn;

- (v) *“Land Use Bylaw”* means The City of Calgary Land Use Bylaw 1P2007 as amended or successor legislation;
- (w) *“licence”, “licensed” and “Licence”* means a *licence* or reference to a *licence* issued under this Bylaw;
- (x) *“Licence and Community Standards Appeal Board”* means the Licence and Community Standards Appeal Board as established by the Licence and Community Standards Appeal Board Bylaw Number 50M2011;
- (y) *“licence fee”* means those fees prescribed in Schedule “A”;
- (z) *“Licence Inspector”* means a person to whom the *Chief Administrative Officer* has delegated the authority to assist in carrying out the administration and enforcement of this Bylaw and includes, for the purposes of this Bylaw, an *Officer* and any other person, inspector, or City Business Unit whose consultation, approval of certificate is required under this Bylaw;
(72M2021, 2022 January 01)
(45M2023, 2023 October 17)
- (aa) *“Licensee”* means a *person* holding a valid and subsisting *licence*;
- (bb) DELETED BY 72M2021, 2022 JANUARY 01;
- (cc) *“liquor”* has the meaning given to that term in the *Gaming, Liquor and Cannabis Act*, R.S.A. 2000, c G-1;
(22M2018, 2018 April 24)
- (cc.1) *“minor”* means a *person* under the age of 18 years;
(22M2018, 2018 April 24)
- (dd) *“mobile business unit”* means a *motor vehicle*, temporary structure or display, or stand from which a *business* is *carried on*;
(51M2018, 2019 January 01)
- (ee) *“motor vehicle”* means:
 - (i) a vehicle propelled by any power other than muscular power, or
 - (ii) a moped,

but does not include a bicycle, motorized wheel chair, an air craft, a water craft, farm and construction equipment or a *motor vehicle* that runs only on rails;
- (ee.01) *“Officer”* means a officer appointed under the Bylaw Enforcement Officers Appointment Bylaw 60M86, or an officer appointed under the *Peace Officer Act*, S.A. 2006, c. P-3.5 or under the *Police Act*, R.S.A. 2000, c. P-17;
(72M2021, 2022 January 01)

- (ee.1) “*park*” means a park as defined in the Parks and Pathways Bylaw 20M2003;”
- (ff) “*person*” means a individual human being or a corporation and includes a partnership, an association or a group of *persons* acting in concert unless the context explicitly or by necessary implication otherwise requires;
- (gg) “*personal property*” means all property capable of ownership including goods, chattels, money, notes, bonds, stocks and intangible property but not land or any interest in land;
- (gg.1) “*Planning, Development & Assessment*” means the *City’s* Planning, Development & Assessment department;
(40M2014, 2014 April 28)
- (hh) “*premises*” means a store, office, *dwelling unit*, warehouse, factory, building, enclosure or other place occupied or capable of being occupied, by any person for the purpose of *carrying on any business*;
- (ii) “*property*” means goods, wares, merchandise, effects, articles or items of any kind or nature which may be worn, used or purchased by a *person*;
- (jj) “*recyclable material*” means any product utilized for any purpose which would otherwise be disposed of or dealt with as waste, including glass, metal, plastic, rubber and paper products;
- (kk) “*retail sales*” means the sale or offering for sale of tangible *personal property* to a consumer or user for purposes of consumption or use, and not for resale, but does not include the sale of food or food products;
- (kk.1) “*street*” means a street as defined in the Street Bylaw 20M88;
- (ll) “*used household furniture*” means any previously owned *personal property* commonly used or enjoyed within a home but does not include *property* which has or should have a unique manufacturer identification or serial number;
- (mm) “*wholesale*” means the *business* of selling or distributing tangible *personal property*, all or part of which is stored on the premises, to any *person* for the purpose of resale or to any institutional, industrial or commercial consumer.
- (2) Nothing in this Bylaw relieves a *person* from complying with any Federal or Provincial law or regulation, other bylaw or any requirement of any lawful permit, order or *licence*.
- (3) Any headings or subheadings in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- (4) Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent

jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

- (5) All Schedules attached to this Bylaw shall form part of this Bylaw.
- (6) Any reference in this Bylaw to a Part, Section or Clause, unless otherwise specified, is a reference to a Part, Section or Clause in this Bylaw.
- (7) Specific references to laws in this Bylaw are meant to refer to the current laws applicable within the Province of Alberta as at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.

(52M99, 1999 October 04)
(1M2000, 2000 January 24)
(38M2003, 2003 October 06)
(42M2004, 2004 June 21)
(41M2007, 2007 September 10)
(48M2007, 2007 October 23)
(38M2013, 2013 September 16)
(12M2015, 2015 March 06)

LICENCE

- 3. (1) *A person shall not carry on a business listed in Part II of this Bylaw unless that person has a valid and subsisting licence.*
- (2) (a) Notwithstanding Subsection (1), a *licence* is not required:
 - (i) for a *business carried on* by the *City*;
 - (ii) or a *business carried on* by any *person* on the grounds of the Calgary Stampede during the period in any year when the Calgary Stampede is being held; or
 - (iii) for a *business carried on* by the Government of the Province of Alberta or the Government of Canada or a Crown Corporation created by either Government.
- (b) *A person who contracts with any of the Governments, persons or organizations designated in Subsection (2)(a) will be subject to all the requirements of this Bylaw.*
- (3) No *person* shall contravene a condition of a *licence*.
- (4) A *business licence* is required for each *premises* or *mobile business unit* where the *business* is *carried on*.
- (5) A *licence to carry on* two or more *businesses* at one *premises* by one *person* may be issued on one *licence* form, but each *business* shall be deemed to hold a separate *licence*.

(41M2007, 2007 September 10)

LICENCE REQUIREMENTS

4. Every *applicant* for a *licence* pursuant to this Bylaw must provide the following information, in the form prescribed by the *Director*.
(72M2021, 2022 January 01)
- (1) The address for the proposed place of *business*;
 - (2) The trade name or trade names under which the proposed *business* will operate;
 - (3) Where the *applicant* is a sole proprietorship or partnership, the full name, residential address, date of birth and telephone number of the *applicant* or *applicants*;
 - (a) Confirmation of this information may be required through presentation of two pieces of identification, one of which must be government issued picture identification;
 - (4) Where the *applicant* is a corporation, the full name, residential address, date of birth and telephone number of the principal managing *employee* or *employees*;
 - (a) Confirmation of this information may be required through presentation of two pieces of identification, one of which must be government issued picture identification;
 - (5) The name or names and residential address of any other *person* or *persons* having any financial interest in the *business* for which the application is made;
 - (6) Proof, satisfactory to the *Director*, that the proposed place of *business* complies with all applicable land use regulations and health and safety regulations that may affect the use of the proposed place of *business*;
(72M2021, 2022 January 01)
 - (7) Such other information as the *Director* may reasonably require; and
(72M2021, 2022 January 01)
 - (8) No person shall give false information in an application pursuant to the provisions of this Bylaw.
(41M2007, 2007 September 10)

LICENCE FEES

5. (1) An application for a licence will not be considered by the *Director* unless and until the *applicant* pays the *licence fee* set out in Schedule "A" and any other fees, including fees for inspections, required by this or any other bylaw.
(72M2021, 2022 January 01)
- (2) Fees paid by an *applicant* pursuant to this section are not refundable.
 - (3) REPEALED BY 40M2003, 2003 NOVEMBER 10.

- (4) Where a *licence* has been issued in error without payment of the fees required pursuant to this section by an *applicant*, the *licence* may be revoked by the *Director*.
(72M2021, 2022 January 01)
- (5) Where the holder of an existing *licence* applies for an additional *licence*, the fee payable for the additional *licence* shall be adjusted so that the renewal date for the additional *licence* falls on the same renewal date as the *applicant's* existing *licence*.
- (6) When a form of *licence* is issued to *carry on* two or more *businesses*, the *licence fee* for all *businesses* listed on the *licence* shall be calculated as the *licence fee* shown in Schedule "A" for the highest cost *licence*.
- (7) DELETED BY 36M2019, 2020 JANUARY 01.
- (8) Where a fee is paid and approvals required pursuant to Section 8 are not obtained within twelve months of the application date, those fees may be forfeited to the *City* and the application may be closed by the *Director*.
(40M2003, 2003 November 10)
(24M2005, 2005 March 07)
(41M2007, 2007 September 10)
(72M2021, 2022 January 01)

NON-RESIDENT

6. (1) Non-Resident means a *business* which is *carried on*, in whole or in part, within the *City*, but which neither maintains a permanent residence within the *City* nor is listed on any current *City* tax assessment roll.
- (2) A Non-Resident *business* shall pay to the *City* the *fee* for a Non-Resident *business* set out in Schedule "B" prior to being issued a *licence*.
- (3) The following *businesses* are not required to pay a *fee* for a Non-Resident *business*:
 - (a) Food Service - No Premises; and
 - (b) Retail Dealer - No Premises.

LIABILITY INSURANCE

7. (1) The *Director* may require a policy of liability insurance to be held in connection with the *carrying on* of any *business*:
 - (a) The *applicant* shall furnish the *Director* with documentary evidence of such insurance in a form satisfactory to the *Director*.
(72M2021, 2022 January 01)
- (2) The liability insurance policy required to be held by an *applicant* under this section must:

- (a) be issued by an insurance company registered and *licenced* to do *business* in the Province of Alberta; and
 - (b) be in an amount sufficient, in the opinion of the *City* Solicitor, to cover public liability for all personal injury and property damage which may occur by reason of the operation of the *business*, and the insurance shall be endorsed:
 - (i) to add the *City* as an additional named insured with 30 days written notice to be given to the *City* prior to cancellation of, or material change to, the policy; and
 - (ii) to include the following cross liability clause:

"This policy, subject to the limits of liability stated herein, shall apply to each Insured in the same manner and to the same extent as if a separate policy had been issued to each. Any act or omission on the part of one or another of the Insured under this policy shall not prejudice the right or interests of any other Insured."
- (3) Notwithstanding the existence of any liability insurance or the failure of the *City* to require the acquisition of such insurance, neither the *City* nor any official, servant, *employee* or *agent* of the *City* is liable for any damage or loss sustained or suffered by any *person* by reason of:
- (a) the issuance of any *licence*;
 - (b) any acts or omissions of a *licensee* or *person* acting on his behalf; or
 - (c) anything done or not done in any way connected with a *licence* or this Bylaw.
- (4) Where a policy of liability insurance expires during the *licence* year, the *Licensee* shall provide the *City* with the renewal and where the policy of insurance expires or is cancelled or terminated, then the applicable *licence* shall be automatically revoked and the *Licensee* shall cease *carrying on business* until the revocation is lifted or a new *licence* is issued.

(72M2021, 2022 January 01)

- (5) Where the *Director* requires a policy of liability insurance in connection with the *carrying on* of any *business*, a *licence* to *carry on* the *business* shall not be issued or renewed unless the *applicant* indemnifies and saves harmless the *City* against any and all loss, damage, claims, actions, judgments, costs and expenses suffered or sustained by reason of or in connection with the *carrying on* of the *business*.

(1M2000, 2000 January 24)
(41M2007, 2007 September 10)
(72M2021, 2022 January 01)

CONSULTATIONS AND APPROVALS

8. (1) The *Director* may consult, prior to issuing or renewing a *licence*, with the Province of Alberta, the Calgary Police Service, Alberta Health Services, *Planning, Development & Assessment*, and the Calgary Fire Department, as listed in Schedule "A", and may consult with other bodies the *Director* deems advisable, to determine whether they are in possession of information which, in the opinion of the *Director*, renders it inappropriate to issue or renew a *licence*.
(40M2014, 2014 April 28)
(12M2015, 2015 March 06)
(72M2021, 2022 January 01)
- (2) Where an *applicant* intends to *carry on business* at a specific *premises* or location within the *City*, the *applicant* shall, prior to the *Director* issuing a *licence*, ensure that all necessary approvals required under the *Land Use Bylaw* have been obtained and shall provide satisfactory proof thereof to the *Director*.
(72M2021, 2022 January 01)
- (3) The *Director* may determine that it is inappropriate to issue a *licence* to an *applicant* where the safety, health or welfare of the public may be at risk due to the issuance of a *licence*.
(72M2021, 2022 January 01)
- (4) Where a *licence* has been issued in error without all the necessary approvals required pursuant to this Bylaw, the *licence* may be immediately revoked or suspended by the *Director*.
(1M2000, 2000 January 24)
(38M2003, 2003 October 06)
(41M2007, 2007 September 10)
(12M2015, 2015 March 06)
(72M2021, 2022 January 01)

INSPECTIONS

9. (1) Where a *business* requires a consultation or approval for *licencing* or is *licenced*, then the *business premises* and surrounding lot may be inspected by a *Licence Inspector*.
- (2) A *person* who a *Licence Inspector* reasonably believes is *carrying on a business* requiring a *licence*, or an *applicant*, shall,
 - (a) permit and assist in all inspections requested by a *Licence Inspector*;
 - (b) immediately furnish to a *Licence Inspector* all identification, information, or documentation related to the inspection or licensing requirement; and
 - (c) not provide to a *Licence Inspector* false or misleading information or information intended to mislead with regard to any matter or thing arising in connection with the *licencing* of the *business*.
- (3) No *person* shall attempt to prevent, obstruct or hinder a *Licence Inspector* from making an inspection authorized by this Bylaw.

- (4) During an inspection authorized under this section, a *Licence Inspector* may examine any *business* record or document for the purpose of enforcing this Bylaw, remove any relevant record or document from the *business premises* for the purpose of copying it, and will provide a receipt for any document or record so removed.
- (5) No *person* shall allow any false or misleading information to appear on any record required to be kept or prepared pursuant to this Bylaw.

(41M2007, 2007 September 10)
(12M2015, 2015 March 06)

PROOF OF BUSINESS

- 10. (1) Proof of one transaction or offer to transact in a *business* is sufficient to establish that a *business* is being *carried on*.
- (2) Any advertising of a *business* listed in Part II of this Bylaw is sufficient to establish that the *person* advertising is *carrying on* the *business*.

RESPONSIBILITIES OF LICENSEE AND EMPLOYEES

- 11. (1) A *Licensee* or *business* operator shall be responsible for the act or acts of its *agents* in the *carrying on* of the *business* in the same manner and to the same extent as though the act or acts were done by the *licensee* or *business* operator.
- (2) When the information required to be provided to the *Director* becomes inaccurate, updated and accurate information must be promptly provided by the *licensee* to the *Director*.
- (3) A *Licensee* shall maintain, on a continuous basis the standards and requirements necessary to obtain a *licence*.
- (3.1) A *Licensee* shall maintain any standards or requirements imposed by a bylaw, or a Federal or Provincial Act or regulation, after the *licence* is issued.
- (3.2) A *Licensee* shall maintain any additional standards and requirements that are necessary because of any change in the operations of the *Licensee* after the *licence* is issued.
- (4) An *employee* of any *business licenced* hereunder must comply with all sections of this *Bylaw* which relate to that *business*.

(72M2021, 2022 January 01)

(12M2015, 2015 March 06)

REFUSAL, REVOCATION, SUSPENSION

- 12. (1) Subject to an appeal to the *Licence and Community Standards Appeal Board*, the *Director* may, if in his opinion there are just and reasonable grounds:
 - (a) refuse to grant any *licence* required by this Bylaw;

- (b) impose conditions on a *Licensee* or *licence* issued pursuant to this Bylaw; or
 - (c) suspend or revoke any *licence* issued pursuant to this Bylaw.
(50M2011, 2011 September 19)
- (2) The *Director* may:
 - (a) convene a hearing to determine whether there are just and reasonable grounds for the refusal of an application, a revocation or a suspension of a *licence*, or for imposing conditions on the *licence* or *Licensee*; or
 - (b) suspend a *licence* prior to convening a hearing to determine whether there are just and reasonable grounds for the suspension or revocation of a *licence* where, in the sole discretion of the *Director*, the safety, health or welfare of the public may be at risk if the *licence* is not suspended immediately. In the case of such suspension, the date scheduled for a hearing must be within TEN (10) DAYS of the suspension.
(72M2021, 2022 January 01)
- (3) Where any certificate, authority, *licence* or other document of qualification under this or any other bylaw, or under any Federal or Provincial Act or regulation, is suspended, cancelled, terminated, surrendered or ceases to have effect, the *Director* shall, without convening a hearing, suspend any *licence* based in whole or in part on the certificate, authority, *licence* or other document of qualification.
(12M2015, 2015 March 06)
(72M2021, 2022 January 01)
- (4) Upon a licence application being refused, a licence being revoked or suspended, or conditions being applied to a licence, the *Director* shall notify the applicant or Licensee of the refusal, revocation, suspension or conditions and the reasons for it:
 - (a) by delivering a notice to him personally; or
 - (b) by mailing a registered letter to his place of business or residence as shown on his licence or licence application.
(12M2015, 2015 March 06)
(72M2021, 2022 January 01)
- (5) A suspension of a *licence* issued pursuant to this Bylaw may be:
 - (a) for a period of time not exceeding the unexpired term of the *licence*; or
 - (b) where the suspension is for non-compliance with a bylaw, or a Federal or Provincial Act or regulation, until the holder of the suspended *licence* has, in the opinion of the *Director*, complied with that legislation.
(12M2015, 2015 March 06)
(72M2021, 2022 January 01)

- (6) A *licence* may be suspended or revoked for a non-compliance with any Bylaw of the City of Calgary notwithstanding that the holder of the *licence* has not been prosecuted for a contravention of that Bylaw.
- (7) The *Director*, after providing the *applicant* the opportunity for a fair hearing, may refuse to renew a licence if the *applicant* or a corporation named in the application has outstanding fines owing to the *City* for an offence under this Bylaw relating to the operation of the same category of business for which the renewal is sought.

(72M2021, 2022 January 01)

- (8) Where the *Director* has suspended or revoked a *licence* pursuant to this Bylaw, then, unless such suspension or revocation is overturned in the whole by the *Licence and Community Standards Appeal Board*, the *Licencee* shall, as a condition of any reinstatement or renewal of the *licence*, including any reinstatement on the conclusion of a suspension for a fixed term, and before receiving a *licence* if the *Licencee* applies for a new *licence*, pay a reinstatement fee as follows:

<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
\$1,363	\$1,363	\$1,363	\$1,363

(50M2011, 2011 September 19)
 (70M2011, 2011 November 29)
 (72M2011, 2011 November 29)
 (56M2014, 2014 November 28)
 (43M2016, 2017 January 01)
 (51M2018, 2019 January 01)
 (72M2021, 2022 January 01)
 (40M2022, 2023 January 01)

- (9) Notwithstanding subsection (8) where the *licence* was suspended or revoked by the *Director* pursuant to subsection (3), the reinstatement fee shall be as follows:

<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
\$409	\$409	\$409	\$409

(70M2011, 2011 November 29)
 (72M2011, 2011 November 29)
 (56M2014, 2014 November 28)
 (43M2016, 2017 January 01)
 (51M2018, 2019 January 01)
 (72M2021, 2022 January 01)
 (40M2022, 2023 January 01)

- (10) Fees paid by an *applicant* pursuant to this Section are non-refundable.

- (11) Where a *licence* is suspended or revoked by the *Director*, pursuant to this Bylaw, the *Licensee* shall surrender the *licence* to the *Director* immediately.
(39M2005, 2005 July 25)
(41M2007, 2007 September 10)
(72M2021, 2022 January 01)
- (12) A *person* shall not *carry on* a *business* listed in Part II of this Bylaw where the *licence* for that *business* has been suspended or revoked by the *Director*.
(12M2015, 2015 March 06)
(72M2021, 2022 January 01)

APPEAL

13. (1) The provisions of the Licence and Community Standards Appeal Board Bylaw Number 48M2007 apply to an appeal of a decision of the *Director* to refuse, suspend or revoke or attach conditions to a *Licence*.
(72M2021, 2022 January 01)
- (2) Where a *Licensee* has given notice of an intention to appeal the revocation, suspension or condition of a *licence*, the *Director* may, in the *Director's* sole discretion, stay the revocation, suspension or condition pending the hearing of the appeal if the continued operation of the *business* does not create a danger to the safety, health or welfare of the public.
(72M2021, 2022 January 01)
- (3) All notices of appeal shall be accompanied by a notice of appeal deposit in the amount specified in the Licence and Community Standards Appeal Board Bylaw, as amended.
(41M2007, 2007 September 10)
(48M2007, 2007 October 23)
(51M2009, 2009 September 28)

CHARITABLE ORGANIZATIONS

14. (1) Where any *charitable organization* wishes to be exempted from the requirements of this Bylaw to pay the full *licence fee*, it shall apply to the *Director* for an exemption providing the name of the organization and such other information as the *Director* requires to determine that the organization is a *charitable organization*.
(72M2021, 2022 January 01)
- (2) Where an exemption to pay the full *licence fee* has previously been granted to the *charitable organization* applying under the same or similar circumstances or a similar relief or benefit was granted to the same or a similar *charitable organization* pursuant to a provision of this Bylaw, the *Director* may issue a *licence* without requiring the payment of the full *licence fee* from the *charitable organization*.
(72M2021, 2022 January 01)
- (3) A *charitable organization* may, at the discretion of the *Director*, be granted a *licence* to operate a *business* upon paying to the *City* the "*charitable organization*" fee set out in Schedule "B".
(72M2021, 2022 January 01)

- (4) A *charitable organization* which receives an exemption under this section must otherwise comply with all provisions of this Bylaw.
- (5) REPEALED BY 24M2005, 2005 MARCH 07.

LICENCE IDENTIFICATION

- 15. (1) A *licence* must be issued on a form bearing the identification of the *City* and all *licences* issued pursuant to this Bylaw are and shall remain the property of the *City*.
- (2) A *licence* must bear on its face the date on which it is issued and the date on which the *licence* will expire.
- (3) A *licensee* who holds a *licence* which applies to specific *premises* or a *mobile business unit* must keep it posted in public view in the *licenced premises* or on the *mobile business unit*.
- (4) A *licensee* who does not *carry on business* at a specific *premises* must carry or have immediately available, the *licence*, and shall, upon request, immediately produce the *licence* to a *Licence Inspector*, or any *person* with whom they are *carrying on business*.
- (5) A person must not:
 - (a) alter or deface a *licence*; or
 - (b) be in possession of a *licence* that has been altered or defaced.

(36M2019, 2020 January 01)
- (6) DELETED BY 36M2019, 2020 JANUARY 01.

TRANSFER OF LICENCES

- 16. (1) A *licence* is not transferable from one *person* to another.
 - (2) A *licence* may be transferred from a *person's business premises* to another *business premises* owned or occupied by that *person*. Where a *person* applies to transfer a *licence* to a new *business premises*, the *Director* may require that the new *business premises* be inspected and may consult with any body or agency as set out in subsection 8(1) regarding the new premises.
- (36M2019, 2020 January 01)
(72M2021, 2022 January 01)

PART II

LICENCED BUSINESSES AND REGULATIONS

ADULT MINI-THEATRE

17. "Adult Mini-Theatre" means the *business* of selling or offering for sale the viewing of live performances, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any *person*, which are performed or shown as a principal use or an accessory to some other *business* activity which is conducted on the *premises*, and where each separate viewing area has a capacity of less than 20 seats.

ADVERTISING CANVASSER OR DISTRIBUTOR

18. (1) "Advertising Canvasser or Distributor" means the *business* of
- (a) soliciting orders for,
 - (b) selling or attempting to sell, or
 - (c) collecting money for advertising space in any type of printed publication published in the *City*, or
 - (d) distributing advertising material, samples or merchandise from building to building.
- (2) A *person* who *carries on a business* in the *City* may make a door-to-door distribution of advertising material which advertises that *business* only and is distributed by that *person* or its *employees* without obtaining an Advertising Canvasser or Distributor *licence*.

ALCOHOL BEVERAGE MANUFACTURER

19. (1) "Alcohol Beverage Manufacturer" means the *business* of operating a brewery, distillery, winery, or other facility for manufacturing *liquor*.
- (2) An Alcohol Beverage Manufacturer does not require a *licence* for Alcohol Beverage Sales if the *business* of Alcohol Beverage Sales is *carried on* at the same *premises*.

ALCOHOL BEVERAGE SALES

20. Alcohol Beverage Sales means the *business* of selling or offering to sell *liquor* to any *person* to be consumed on the *premises* of the seller and includes manufacturing *liquor* on the *premises* for sale and consumption on the *premises* and the *retail sale* of *liquor* manufactured by the *business*.

AMUSEMENT ARCADE

21. (1) Amusement Arcade means the *business* of providing amusement or

entertainment to the public, where four or more *amusement, sport or arcade machines* are provided, but does not include an Adult Mini-Theatre.

- (2) A manager of an Amusement Arcade must be at least 18 years of age.
- (3) With the exception of an athletic and recreational facility as defined in the *Land Use Bylaw*, an Amusement Arcade must not permit any *person* under the age of 16 years to operate any *amusement, sport or arcade machine* between the hours of 9:00 p.m. and 9:00 a.m. unless accompanied by a parent or guardian, or between the hours of 9:00 a.m. and 12:00 noon and 1:00 p.m. and 3:00 p.m. on any day when the school attended by that *person* is in operation.

APARTMENT BUILDING OPERATOR

22. Apartment Building Operator means the *business* of operating an *apartment building*.

AUTO BODY SHOP

- 23. (1) Auto Body Shop means the *business* of repairing, sanding or painting *motor vehicles* and includes repairs or adjustments incidental to the trade of an auto body mechanic and the *retail sale* of incidental products, but does not include Fuel Sales/Storage.
- (2) An Auto Body Shop must obtain a Motor Vehicle Dealer - Premises *licence* prior to
 - (a) displaying a *motor vehicle* which is advertised for sale, or
 - (b) selling or offering to sell *motor vehicles* other than the *licensee's* personal *motor vehicle* which is registered in the *Licensee's* name
 on any part of its *business premises* or surrounding lot.

CANNABIS FACILITY

- 23.1 (1) Cannabis Facility means the *business* of growing, producing, processing, testing, destroying, storing, or distributing *cannabis*.
- (2) A *licensed* Cannabis Facility does not require a *licence* for Cannabis Store if the *business* of Cannabis Store is carried on at the same *premises*.
- (3) A *licensed* Cannabis Facility that carries on the *business* of Cannabis Store at the same *premises* is subject to sections 23.2 (4), (5) and (6).
- (4) A Cannabis Facility *licence* must not be issued to:
 - (a) a residential *dwelling unit* or any *premises* located in a residential land use district as described in the *Land Use Bylaw*; or
 - (b) a *mobile business unit*.

(22M2018, 2018 April 24)

CANNABIS STORE

- 23.2 (1) Cannabis Store means the *business* of displaying, selling, or offering for sale *cannabis*.
- (2) A Cannabis Store *licence* does not authorize the growing, producing, processing, testing, destroying, storing, or distribution of *cannabis*.
- (3) A Cannabis Store *licence* must not be issued to:
- (a) a residential *dwelling unit* or any *premises* located in a residential land use district as described in the *Land Use Bylaw*; or
 - (b) a *mobile business unit*.
- (4) A Cannabis Store *licensee*, *employee* or *agent* must not permit a *minor* to enter or be in a Cannabis Store *premises*.
- (5) A Cannabis Store *licensee*, *employee* or *agent* must not provide, sell or permit any *person* to give or sell *cannabis* to a *minor* in a Cannabis Store *premises*.
- (6) A Cannabis Store *licensee* must:
- (a) keep on the *premises* an accurate and current list of all *employees* employed in the Cannabis Store;
 - (b) immediately provide to a *Licence Inspector* upon demand the list kept pursuant to subsection (6)(a).

(22M2018, 2018 April 24)

CARNIVAL/CIRCUS

24. Carnival/Circus" means the *business* of providing to the public a collection of side shows, mechanical rides, trained animal acts, games of chance or other forms of entertainment.

CHRISTMAS TREE VENDOR

25. DELETED BY 36M2019, 2020 JANUARY 01.

CINEMA

26. Cinema means the *business* of showing motion pictures to be viewed by the public within a building, but does not include an Adult Mini-Theatre.

CLEANING SERVICE

27. Cleaning Service means the *business* of contracting for the cleaning of the interior of offices, homes and other *premises* including the washing of the exterior or interior of windows and walls, or for cleaning rugs, carpets, upholstery, chimneys and furnaces, or for the supply of janitorial and caretaker services, but does not include any *person* who is an *employee* of the owner or occupier of the *dwelling unit* or *premises* cleaned.

CONTAINER DEPOT

28. "Container Depot" means the *business* of collecting and storing empty *containers*.

CONTRACTOR

29. (1) "Contractor" means the *business* of offering to any *person* to perform or arrange to perform work involving an *improvement*.
- (2) A Contractor that makes application for a permit from the *Planning & Building Department* including but not limited to a Building Permit, a Development Permit, Plumbing and Gas Permit, an Electrical Permit or a Mechanical Permit, must have a *licence*.
- (3) A *Licence Inspector* may inspect the *business premises* or the site at which a Contractor is working.
- (4) Notwithstanding Section 10(1), proof of one offer to perform or offer to arrange to perform work on an *improvement* is sufficient to establish that the *business* of a Contractor is being *carried on*.
- (5) Every *Licensee* under this section of this Bylaw must supply to each *person* who solicits work on behalf of that *Licensee* a card containing the following information printed legibly:
- (a) the full name of the *person* in possession of the card,
 - (b) the name, business address, telephone number and *business* identification number of the *Licensee*, and
 - (c) the expiry date of the *licence*.
- (6) Each *person* who solicits work on behalf of a *licence* holder under this Bylaw must, when requested to do so by a *Licence Inspector* or any member of the public, produce the card referred to in subsection (5).
- (7) No *person carrying on* the *business* of a Contractor is permitted to advertise or arrange for any form of advertising as a Contractor unless *licenced* under this Bylaw.

- (8) A *licensee* who advertises or causes advertising to be placed, or distributed, respecting the *licensee* or the services offered by the *licensee*, must include in the advertisement, in a readable manner, the valid *business licence* number or trade name of each *licensee* referenced in the advertisement.

DISTRIBUTION MANAGER

30. (1) "Distribution Manager" means the *business* of directing, managing, or coordinating the distribution and sale of goods, including food products, where one or more *agents*, including the *Licensee*, *carry on business* at a location other than the *Licensee's premises*.
- (2) A Distribution Manager must supply all of its *agents* with legible identification cards showing:
- (a) the salesperson's full name,
 - (b) the name, business address, phone number and business identification number of the *Licensee*,
 - (c) the expiry date of the *licence*, and
 - (d) the words "NOT A CHARITY" in upper case letters,
- and will not permit an *agent* to *carry on business* on its behalf without the *agent* having the identification card fully visible to the public at all times.
- (3) A *person carrying on business* on behalf of a Distribution Manager will:
- (a) *display* the identification card referred to in subsection (2) while *carrying on business*; and
 - (b) upon the request of a prospective customer or *Licence Inspector*, immediately present the identification card referred to in subsection (2).
- (4) Upon request, a Distribution Manager must make available to the *Director* a list of current *agents*, including full names, dates of birth, addresses and phone numbers.
- (72M2021, 2022 January 01)
- (5) A Distribution Manager or *agent* must not sell or solicit *business* at a *dwelling unit* between the hours of 9:00 p.m. and 9:00 a.m. daily.
- (6) A Distribution Manager or *agent* is not permitted to *carry on business*
- (a) from private property without the prior written consent of the property owner, or
 - (b) from a *mobile business unit*.
- (7) No Distribution Manager or *agent* will sell or attempt to sell any goods,

merchandise or food products to the driver or passengers of any *motor vehicle* that is in motion.

- (8) A Distribution Manager must, upon request:
- (a) submit, for review, a printed sales script to the *Director* indicating exactly what words are to be used when selling or attempting to sell to a prospective customer; and
 - (b) submit any badges, literature, brochures or any other product representations for review, to the *Director*;

and if, in the sole opinion and discretion of the *Director*, the operating name, trade style, sales script, product representations, or *business* operations implies a *charitable organization*, a *licence* shall be refused.

(72M2021, 2022 January 01)

ELECTRONIC REPAIR SHOP

31. DELETED BY 36M2019, 2020 JANUARY 01.

ENTERTAINMENT ESTABLISHMENT

32. Entertainment Establishment means the *business* of providing entertainment to the public, including live entertainment, patron dancing, games rooms, a bowling alley, billiard/pool hall, and drive-in theatre, but does not include an Adult Mini-Theatre, Cinema, or *business* where the entertainment provided is ancillary to other *licenced* activities.

FABRIC CLEANING

33. Fabric Cleaning means the *business* of cleaning, from a *premises*, clothing, draperies, fabrics or textiles of any kind by spraying or immersion and agitation or immersion only in a non-aqueous solvent or by washing or steaming, and includes the *retail sale* of incidental products.

FOOD SERVICE - NO PREMISES

34. (1) Food Service - No Premises means the *business* of manufacturing, preparing, storing, serving, selling or offering for sale any food or food product for human consumption including vitamins and food supplements operated from a *mobile business unit*, and does not include a Distribution Manager.
- (2) A Food Service - No Premises must not *carry on business* on private property without obtaining the prior written consent of the property owner.
- (3) A Food Service - No Premises may only *carry on business* in the *downtown* during the hours between 7:00 a.m. to 3:00 a.m.

(33M2000, 2000 July 24)

FOOD SERVICE – PREMISES

35. Food Service - Premises means the *business* of manufacturing, preparing, storing, serving, selling, or offering for sale any food or food product for human consumption including vitamins and food supplements to any *person* from a *premises*.
(51M2018, 2019 January 01)

FUEL SALES/STORAGE

36. Fuel Sales/Storage means the *business* of storing, distributing or selling liquid fuel, lubricating oils and associated fluids for *motor vehicles*, and includes the *retail sale* of incidental products.

FULL SERVICE FOOD VEHICLE

- 36.1 (1) Full Service Food Vehicle means the *business* of operating a *motor vehicle* equipped for the storage and preparation of foods and beverages which is used as a mobile food premises and from which the foods and beverages are offered for sale directly to the public but does not include a *motor vehicle* which offers for sale primarily pre-packaged or pre-prepared foods and beverages.

Size

- (2) A *motor vehicle* used as a Full Service Food Vehicle must not be:
- (a) more than 10 metres in length;
 - (b) configured to permit customers to order or consume foods and beverages inside the *motor vehicle*.

Exemption

- (3) Notwithstanding section 3(1), a *licence* is not required and the provisions of this Bylaw do not apply to a Full Service Food Vehicle participating:
- (a) in a *City*-approved festival or event; or
 - (b) in an event approved by the Calgary Downtown Association pursuant to the Stephen Avenue Mall Bylaw 52M87 or The Barclay Mall Bylaw 17M84.

Operating Hours

- (4) (a) A Full Service Food Vehicle may only *carry on business* daily from 7:00 a.m. to 3:00 a.m. the following day.
- (b) Notwithstanding subsection 36.1(4)(a), a Full Service Food Vehicle may only *carry on business* daily from 7:00 a.m. to 10:00 p.m. at the following locations:
- (i) 10th Avenue between Centre Street and 4th Street S.W.

Operations

- (5) A Full Service Food Vehicle *Licensee* must ensure that receptacles for waste and recycling are provided for customers at all times when the Full Service Food Vehicle is operating.
- (6) A Full Service Food Vehicle *Licensee* must ensure that any canopy or awning affixed to the Full Service Food Vehicle does not interfere with or impede:
 - (a) the use of a sidewalk by pedestrians; or
 - (b) the use of a *street* by vehicles.

Mobility

- (7) A Full Service Food Vehicle may only *carry on business* at any location on a *street* for no more than 5 consecutive hours, subject to such shorter time as specified by any traffic control device that limits the length of time that a *motor vehicle* may be parked at that location.
- (8) If, in the sole discretion of a *Licence Inspector* or *Officer*:
 - (a) the safety of the Full Service Food Vehicle operator or of the general public is at risk; or
 - (b) the operation of the Full Service Food Vehicle unreasonably impedes the movement of vehicles or pedestrians along a *street*;

the *Licence Inspector* or *Officer* may direct that the Full Service Food Vehicle either relocate or cease *carrying on business* from the place it is located.

(72M2021, 2022 January 01)

Clustering

- (9) No more than 2 Full Service Food Vehicles may *carry on business* on any *street* along a single block face as measured from corner to corner.

Proximity to Restaurants

- (10) (a) In this subsection, “*restaurant*” means any of the following uses as defined in the Land Use Bylaw 1P2007:
 - (i) Drinking Establishment – Large;
 - (ii) Drinking Establishment – Medium;
 - (iii) Drinking Establishment – Small;
 - (iv) Night Club;
 - (v) Restaurant: Food Service Only – Large;
 - (vi) Restaurant: Food Service Only – Medium;
 - (vii) Restaurant: Food Service Only – Small;
 - (viii) Restaurant: Licensed – Large;

- (iv) Restaurant: Licensed – Medium;
 - (x) Restaurant: Licensed – Small;
 - (xi) Take Out Food Service.
- (b) A Full Service Food Vehicle must not *carry on business* on a *street* within 25 metres of a premises located at grade at which a *restaurant* is open and operating measured from the nearest point of the Full Service Food Vehicle to the nearest:
- (i) public entrance to the *restaurant*, or
 - (ii) public entrance of the building in which the *restaurant* is located.
- (c) Despite subsection 36.1(10)(b), a Full Service Food Vehicle may *carry on business* on a *street* within 25 metres of a *restaurant* that is open and operating if the *Licensee* obtains the written permission of the operator of the *restaurant*.

Proximity to schools

- (11) A Full Service Food Vehicle must not *carry on business* on a *street* within 100 metres of an elementary school, junior high school or high school during school days between 7:30 a.m. and 5:00 p.m., measured from the nearest point of the Full Service Food Vehicle to the nearest point of the parcel on which the school is located.

Private Property

- (12) (a) A Full Service Food Vehicle must not *carry on business* on private property without obtaining the prior written consent of the property owner or occupier.
- (b) The written permission of the property owner or occupier must be immediately provided to a *Licence Inspector* upon request.

Streets

- (13) (a) The *Director* is authorized to designate *streets* in the *City* upon which a Full Service Food Vehicle must not *carry on business*.
- (b) The *Director* must keep a record of every *street* that has been designated pursuant to subsection 36.1(14)(a) and the record must be available for public inspection at the office of the *Director* during normal business hours.
- (c) A Full Service Food Vehicle must not *carry on business* on a *street* that has been designated pursuant to subsection 36.1(14)(a).

(72M2021, 2022 January 01)

City property

- (14) A Full Service Food Vehicle must not *carry on business* on property owned or occupied by the *City* without the written permission of the *City* business unit that has care, control and management of that property, as set out in the following table:

City Property	Approving Authority
Calgary Transit parking lots	Director, Transit
City of Calgary parking lots	Director, Mobility
Parks	Director, Calgary Parks

(38M2013, 2013 September 16)
(7M2016, 2016 February 18)
(60M2021, 2021 September 15)

FURNITURE REFINISHING

37. Furniture Refinishing means the *business* of repairing, restoring, refinishing, stripping and re-upholstering furniture, and includes the *retail sale* of incidental products.

HOTEL/MOTEL

38. Hotel/Motel means the *business* of providing temporary sleeping accommodation and ancillary services primarily for the travelling public and includes any building approved by the *Planning & Building Department* as a hotel or motel and any *business* which advertises as being a hotel or motel.

KENNEL SERVICE/PET DEALER

39. (1) Kennel Service/Pet Dealer means the *business* of caring for, boarding, breeding or selling of animals, and includes the *retail sale* of incidental products.
- (2) Kennel Service/Pet Dealers *licence* is not required for:
- (a) a veterinary clinic where animals are only kept on the *premises* while receiving medical treatment;
 - (b) a *person* who owns three or fewer animals kept as personal pets and sells not more than one litter of offspring from each animal in any calendar year;
 - (c) the Calgary Humane Society; and
 - (d) the Alberta Society for the Prevention of Cruelty to Animals.
- (3) A Kennel Service/Pet Dealer must comply with the following requirements:
- (a) The *business* must be maintained, at all times, in a sanitary, well-ventilated and clean condition;

- (b) Every animal must be kept in sanitary, well-bedded, well-lit, well-ventilated facilities, kept at an appropriate temperature, and shall be adequately fed and watered, and kept in a clean, healthy condition;
- (c) Every cage or container housing an animal will be of sufficient size to permit the animal to move about easily so as to maintain its physical well-being;
- (d) No Kennel Service/Pet Dealer will sell or attempt to sell a diseased animal; and
- (e) A Kennel Service/Pet Dealer must keep a record, by written or electronic means, in which shall be permanently and legibly recorded the following information:
 - (i) The name and address of the supplier for each animal purchased;
 - (ii) The date of such purchase;
 - (iii) A full description of the animal;
 - (iv) The name and address of the buyer of each animal; and
 - (v) The date of each such sale.
- (4) A Kennel Service/Pet Dealer must:
 - (a) not erase, deface or alter an entry in the record kept pursuant to subsection (3);
 - (b) not direct or allow any *person* to erase, deface or alter an entry in the record kept pursuant to subsection (3); and
 - (c) immediately provide on demand to a *Licence Inspector* the record kept pursuant to subsection (3).

LIQUOR STORE

40. Liquor Store means the *business* of selling *liquor* for off-*premises* consumption and does not include
- (a) an Alcohol Beverage Manufacturer, and
 - (b) a Hotel/Motel where *liquor* is sold for off-*premises* consumption and the sale of *liquor* for off-*premises* consumption is incidental to the primary activity of on-*premises* sales and consumption of *liquor*.

LODGING HOUSE

41. (1) Lodging House means the *business* of providing sleeping or lodging accommodation for compensation for three or more *persons* in the same *dwelling unit* for periods of 31 or more consecutive days, where each person has entered into a separate rental agreement.

Tenant Record

- (2) A Lodging House *licensee* must keep a record in the English language in a form satisfactory to the *Director*, including by electronic means, in which must be permanently recorded at the time of each transaction the following information:
- (a) the full name of any *person* who is a paying tenant in the Lodging House and the email address of such *persons*;
 - (b) the room of the Lodging House in which the *person* is a tenant;
 - (c) the duration of the person's tenancy.

(72M2021, 2022 January 01)

- (3) A Lodging House *licensee* must provide on demand to a *Licence Inspector* the record kept pursuant to subsection (2).

(31M2019, 2020 February 01)

MANUFACTURER

42. (1) Manufacturer means the *business* of fabricating, processing, assembling, disassembling, producing or packaging materials, goods, products or *recyclable material* but does not include the manufacturing of food or food products.
- (2) A Manufacturer does not require a Retail Dealer - Premises or Wholesaler *licence* for *retail sales* or *wholesale* sales of its manufactured products on the *premises*.

MARKET

43. (1) Market means the *business* of providing for rent, stalls, tables or spaces to merchants displaying for sale, offering for sale and selling goods to the public.
- (2) A Market *Licensee* must, upon request, furnish to a *Licence Inspector* the following:
- (a) the name and address of any operator of any stall, table or space; and
 - (b) the type of goods, wares or merchandise sold by the operator.
- (3) The operator of any stall, table or space must comply with the provisions of this Bylaw relating to the *business* to be *carried on* including record-keeping requirements.

- (4) A *licence* is not required of a *person* who rents a stall, table or space in a Market and operates within the Market's hours of operation, except for the sale of tobacco products, *liquor* or *cannabis*.

(22M2018, 2018 April 24)

MOTOR VEHICLE DEALER – NO PREMISES

44. Motor Vehicle Dealer - No Premises means the *business* of acquiring *motor vehicles* and selling or attempting to sell *motor vehicles* where the *business* does not advertise, store or display *motor vehicles* for sale.

MOTOR VEHICLE DEALER - PREMISES

45. Motor Vehicle Dealer - Premises means the *business* of acquiring *motor vehicles* and selling or attempting to sell such *motor vehicles* where the *motor vehicles* are stored, displayed or sold from a *premises* or surrounding lot within the *City*.

MOTOR VEHICLE REPAIR AND SERVICE

46. (1) "Motor Vehicle Repair and Service" means the *business* of servicing and repairing *motor vehicles* including alignment shops, muffler shops, transmission repair shops, brake shops, rust-proofing shops, and car washes, and the *retail sale* of incidental products, but excluding Fuel Sales/Storage and Auto Body Shop.
- (2) A Motor Vehicle Repair and Service must obtain a Motor Vehicle Dealer - Premises *licence* prior to
- (a) directing or allowing any *person* to place a *motor vehicle* that is advertised for sale, or
- (b) selling or offering to sell *motor vehicles* other than the *Licensee's* personal *motor vehicle* which is registered in the name of the *Licensee*
- on any part of the *business premises* or surrounding lot.

OFFICE BUILDING OPERATOR

47. DELETED BY 36M2019, 2020 JANUARY 01.

OUTDOOR PATIO

48. Outdoor Patio means the *business* of providing food or beverages for consumption on or within a *premises* which is not fully contained within an enclosed building.

PAWNBROKER

49. (1) Pawnbroker means the *business* of loaning or holding oneself out as ready to loan money on the security of the pledge or pawn of *personal property* but does not include banks, trust companies, credit unions or other similar institutions.

- (2) A Pawnbroker must not *carry on* the *business* of a *Second-hand Dealer* on the same *premises*.
- (3) A *person carrying on* the *business* of Pawnbroker shall not:
 - (a) acquire *personal property* through any source other than as a security for a pledge or pawn, and later offer that *property* for sale, or
 - (b) acquire *personal property* for a pledge or pawn, except at the *premises* designated on the Pawnbrokers *licence*.
- (4) A Pawnbroker must keep a record in the English language in a form satisfactory to the *Director*, including by electronic means, in which will be permanently recorded at the time of each transaction the following information:
 - (a) the full name of the *employee* who accepted the *personal property*;
 - (b) the *inventory number* of the pledge or pawn;
 - (c) the date and time the pledge or pawn was accepted as security;
 - (d) the rate of interest which is to be charged on the loan which is made on the security of the pledge or pawn;
 - (e) a description of each item of *personal property* taken as a pledge or pawn including the following:
 - (i) serial numbers and all markings on the property where serial number is defined as a unique number placed on property by the manufacturer;
 - (ii) the make and model placed or marked on the property by the manufacturer or vendor;
 - (iii) all other markings and numbers placed on the property; and
 - (iv) in case of jewellery, the description shall be in a form approved by the Calgary Police Service.
 - (f) the information of the *person* pledging the *property*, including the following:
 - (i) the first name, middle name and surname of the *person* pledging the *property*;
 - (ii) a current address and telephone number of the *person* pledging the *property*;
 - (iii) a description of the *person* pledging the *property* including height, weight, hair colour and eye colour; and

- (iv) two pieces of numbered identification, one piece of the identification being issued by a government body and containing a picture of the *person* tendering the property.

(72M2021, 2022 January 01)

- (5) A Pawnbroker must:
 - (a) not erase, deface or alter an entry in the record kept pursuant to Subsection (4);
 - (b) not direct or allow any *person* to erase, deface or alter an entry in the record kept pursuant to Subsection (4);
 - (c) immediately provide on demand to a *Licence Inspector* the record kept pursuant to Subsection (4); and
 - (d) not direct or allow any *person* other than the *Licensee* or *employee* of the *Licensee* to make an entry into the record kept pursuant to Subsection (4).
- (6) At the time a borrower deposits or delivers any *personal property* as security for a loan, the Pawnbroker must in addition to making the record required under Subsection (4), complete a contract that contains:
 - (a) the terms of the agreement;
 - (b) a summary of the information required to be inserted into the record pursuant to Subsection (4) excluding the description of the borrower; and
 - (c) a statement asserting that the borrower is the owner of the *personal property* and has the lawful authority to offer the *personal property* as security for a loan.
- (7) A Pawnbroker using written records:
 - (a) in addition to making the record required under Subsection (4), must make a true, accurate and legible copy of each record in a form satisfactory to the Calgary Police Service;
 - (b) shall ensure the form referred to in Subsection (4) is delivered to a location designated by the Calgary Police Service for the collection of records by the first Monday of the following week of acquiring the *property*, unless it is a statutory holiday in which case delivery of the records is required by the Tuesday of the following week of acquiring the *property*;
 - (c) must not sell, offer for sale or otherwise dispose of any *property* received as security for a loan and which has not been redeemed within the time allowed to the borrower for redemption, until ONE HUNDRED AND TWENTY (120) DAYS have elapsed from the time the *property* was furnished to the Pawnbroker as pledge or pawn;

- (d) notwithstanding any other provision in this Bylaw, a Pawnbroker must not redeem, offer for sale or otherwise dispose of, *property* offered as security for a loan for a period of THIRTY (30) DAYS when requested to do so by a *Licence Inspector*;
 - (e) must keep all *property*, received as security for a loan and which has not been redeemed within the time allowed to the borrower for redemption in the *hold area*, separate and apart from any other goods which are offered for sale or stored on the *premises* until ONE HUNDRED AND TWENTY (120) DAYS have elapsed from the time the *property* was furnished to the Pawnbroker as a pledge or pawn;
 - (f) must not allow any *person* other than the *Licensee*, *employees* of the *business* or a *Licence Inspector* access to the *property* received as security for a loan and which has not been redeemed within the time allowed to the borrower for redemption for the ONE HUNDRED AND TWENTY (120) DAY period referred to in Subsection (7)(e);
 - (g) not direct or allow any *person* to repair, alter, dispose of, part with possession of, or remove from the Pawnbroker's *premises* the item of *property* received as security for a loan and which has not been redeemed within the time allowed to the borrower for redemption for the ONE HUNDRED AND TWENTY (120) DAY period referred to in Subsection (7)(e);
 - (h) must label all *personal property* received as security for a loan at the time of acquisition with the date of acquisition and *inventory number*;
 - (i) must ensure the label referred to in Subsection (7)(h) remains on the *personal property* for as long as the *personal property* remains in the possession of the Pawnbroker; and
 - (j) who exceeds ONE HUNDRED (100) transactions or FIVE HUNDRED (500) pieces of *personal property* within a 365 day period, shall immediately commence using electronic records and Subsection (8) shall apply.
- (8) A Pawnbroker using electronic records:
- (a) will obtain the written approval of the Calgary Police Service prior to utilizing electronic records;
 - (b) will transmit electronically the record required under Subsection (4) in a format approved by the Calgary Police Service, to a location designated by the Calgary Police Service at the time of acquiring the *personal property* to which the electronic record relates;
 - (c) in addition to making the record required under Subsection (4), will make a true and accurate copy of the record in written form at the time of acquiring the *personal property* to which the record relates;

- (d) must not sell, offer for sale or otherwise dispose of any *property* received as security for a loan and which has not been redeemed within the time allowed to the borrower for redemption until THIRTY (30) DAYS have elapsed from the time the *property* was furnished to the Pawnbroker as a pledge or pawn;
 - (e) notwithstanding any other provision within this Bylaw, a Pawnbroker must not redeem, offer for sale or otherwise dispose of, *personal property* offered as security for a loan for a period of THIRTY (30) DAYS when requested to do so by a *Licence Inspector*;
 - (f) must keep all *personal property* received as security for a loan and which has not been redeemed within the time allowed to the borrower for redemption, in the hold area, separate and apart from any other goods which are offered for sale or stored on the *premises* until THIRTY (30) DAYS have elapsed from the time the *personal property* was furnished to the Pawnbroker as a pledge or pawn;
 - (g) must not allow any *person* other than the *Licensee*, *employees* of the business or a *Licence Inspector* access to the *property* received as security for a loan and which has not been redeemed within the time allowed to the borrower for redemption for the THIRTY (30) DAY period referred to in Subsection (8)(e);
 - (h) not direct or allow any *person* to repair, alter, dispose of, part with possession of, or remove from the Pawnbroker's premises the item of *property* received as security for a loan and which has not been redeemed within the time allowed to the borrower for redemption for the THIRTY (30) DAY period referred to in Subsections (8)(d), (e) or (f);
 - (i) must label all *personal property* received as security for a loan at the time of acquisition with the date of acquisition and inventory number; and
 - (j) must ensure the label referred to in Subsection (8)(i) remains on the *personal property* for as long as the *personal property* remains in the possession of the Pawnbroker.
- (9) A Pawnbroker must not accept personal property as a pledge or pawn from the following:
- (a) a *person* who is or who appears to be under the influence of *liquor* or any drug;
 - (b) a *person* under 18 years of age;
 - (c) a *person* failing to provide identification as required under Subsection (4)(f) at the time of each transaction; or
 - (d) a *person* who is not the owner of the *personal property*.

- (10) A Pawnbroker must not accept *property* on which the manufacturer's identification number or serial number has been removed, defaced, tampered with or in any way altered, unless the prior written approval of the Calgary Police Service has been obtained.
- (11) A Pawnbroker must not *carry on business* in a *dwelling unit* or any *premises* located in a residential land use district as described in the *Land Use Bylaw*.
- (12) A Pawnbroker must not acquire, sell or offer for sale a *motor vehicle* without first obtaining a Motor Vehicle Dealer – Premises *licence*.
- (13) No *person* shall offer *personal property* as a pledge or pawn, when not in lawful possession of the *personal property*.

(41M2007, 2007 September 10)
(12M2015, 2015 March 06)

PAYDAY LENDER

- 49.1 (1) Payday Lender means the *business* of offering, arranging or providing payday loans, as that term is defined in the Payday Loans Regulation, AR 157/2009.
- (2) A Payday Lender must prominently display a sign providing information regarding money management support and debt counselling, in the form and containing the content prescribed by the *Director*.
- (a) in a location that is visible to a *person* immediately upon entering the *premises*; and
 - (b) in all locations within the *premises* where transactions are negotiated.
- (3) A Payday Lender must ensure that each *person* that attends at its *premises* is given, immediately upon that *person* expressing interest in a payday loan, information regarding money management support and debt counselling, in the form and containing the content prescribed by the *Director*.

(30M2016, 2016 October 01)
(72M2021, 2022 January 01)

PERSONAL SERVICE

50. (1) Personal Service means the *business* of providing the following services or the use of equipment to provide the following services:
- (a) hair removal, including electrolysis, waxing and laser treatment;
 - (b) aesthetics, including manicures, pedicures and facials;
 - (c) shampooing, cutting or removing, colouring, styling or otherwise treating hair;
 - (d) hair replacement;

- (e) shaving, massaging or otherwise treating the face or scalp;
- (f) baths including a steam cabinet, steam bath, hot tub, sauna or similar bath;
- (g) body or ear piercing;
- (h) physical fitness conditioning;
- (i) tanning;
- (j) tattooing;

and includes the *retail sale* of incidental products, but does not include a *business* where medical or therapeutic treatment is performed or offered by a *person* duly qualified and *licenced* to do so under the laws of the Province of Alberta.

- (2) No Personal Service shall tattoo any *person* under 18 years of age without the prior written consent of a parent or guardian of the *person* to be tattooed.

PHOTOGRAPHER

- 51. Photographer means the *business* of photographing, video taping, or computer imaging for compensation, and includes the *retail sale* of incidental products, but does not include the *retail sale* of photographic equipment.

PRIVATE HOME-BASED CHILD CARE

- 51.1 (1) Private Home-based Child Care means the *business* of offering, arranging or providing temporary care or supervision in a residence for six (6) or fewer children under the age of thirteen (13) years, not including the operator's children, that provides care or supervision for more than six (6) hours per week.
- (2) Private Home-based Child Care does not include:
 - (a) a facility-based program or family day home that is licensed under the *Early Learning and Child Care Act*, SA 2007, c E-0.1;
 - (b) care or supervision of a child that is provided by a family member or friend of the child's guardian and that is provided without the expectation of compensation; and
 - (c) supervision of a child provided by a babysitter or nanny in the home where the child resides.
- (3) In addition to other requirements in this Bylaw, an *applicant* must provide the following to the *Director* within ninety (90) days of the application for a *licence* being made:

- (a) a Criminal Record Check with Vulnerable Sector Search for the care provider and any *employee* of the *business* who is at the residence where care is being provided on a regular basis during operating hours;
 - (b) a Criminal Record Check with Vulnerable Sector Search for every other *person* over the age of eighteen (18) who resides in the residence where care is being provided regardless of whether they are providing care to children; and
 - (c) a First Aid Certificate including CPR for the care provider and any *employee* of the *business* that was obtained within three (3) years of the application being made.
- (4) When applying for a renewal of a *licence* a Private Home-based Child Care *licensee* must provide the following to the *Director* if applicable:
 - (a) an annual Criminal Record Check for the operator and any *employee* of the *business*; and
 - (b) a First Aid Certificate including CPR and Vulnerable Sector Search for the operator and any *employee* of the *business* every three (3) years after the initial application.
- (5) A Private Home-based Child Care *licensee* must:
 - (a) advise the *Director* if the *business* becomes licensed under the *Early Learning and Child Care Act*, SA 2007, c E-0.1;
 - (b) provide a Criminal Record Check with Vulnerable Sector Search to the *Director* for:
 - (i) any *person* over the age of eighteen (18) who moves into the residence where care is provided within ninety (90) days of the *person* moving in; and
 - (ii) any new *employee* of the *business* prior to that *employee's* start date;
 - (c) not operate with more than six (6) children under the age of thirteen (13) years, not including the operator's own children; and
 - (d) not leave a child unsupervised with a resident over the age of eighteen (18) or a visitor of the residence where care is provided, not including the operator's own children.
- (6) For the purposes of this Bylaw, a "First Aid Certificate including CPR" means documentation from an organization approved by the *Director* that confirms a *person* has completed a course of instruction the organization provides in both first aid and cardiopulmonary resuscitation.

(29M2022, 2023 January 01)

PSYCHIC PRACTITIONER

52. (1) Psychic Practitioner means a *person carrying on the business* of a card reader, fortune teller, graphologist, palmist, phrenologist, numerologist or other similar activity.
- (2) A Psychic Practitioner shall not require a *licence* where the *business* is *carried on* only at a Trade Show.

RETAIL DEALER - NO PREMISES

53. (1) Retail Dealer - No Premises means the *business* of *retail sales* operated from a *mobile business unit* and does not include a Distribution Manager.
- (2) A Retail Dealer - No Premises must not *carry on business* on private property without obtaining the prior written consent of the property owner.

RETAIL DEALER - PREMISES

54. Retail Dealer - Premises means the *business* of *retail sales* from a *premises*.
(51M2018, 2019 January 01)

SALVAGE COLLECTOR

55. (1) Salvage Collector means the *business* of acquiring scrap metal, scrapped or wrecked *motor vehicles*, *motor vehicle* parts, material from demolished buildings or structures, *recyclable material*, junk or salvage for the purpose of selling or offering for sale in the *City*.
(30M2023, 2023 July 04)
- (2) A Salvage Collector is only permitted to store acquired material on any land *licenced* as a Salvage Yard/Auto Wrecker or a Container Depot.
- (3) A Salvage Collector must not accept damaged *catalytic converters*.
(30M2023, 2023 July 04)
- (4) A Salvage Collector must not remove or deface:
- (a) a vehicle identification number or serial number that has been marked on or attached to a *catalytic converter*;
 - (b) the make and model marked on or attached to the *catalytic converter*; and
 - (c) all other markings and numbers placed on the *catalytic converter*.
(30M2023, 2023 July 04)
- (5) A Salvage Collector shall keep, in the English language, a record in a form satisfactory to the Director, including by electronic means, in which shall be permanently recorded at the time any *property* is acquired, a detailed description of *motor vehicle* parts acquired including the following:

- (a) the full name of the employee who accepted the *property*;
- (b) the date and time of day the *property* is acquired; and
- (c) the information of the *person* selling the *property*, including the following:
 - (i) the first name, middle name, and surname of the *person*;
 - (ii) a current address and telephone number of the *person*;
 - (iii) a description of the *person* including height, weight, hair colour and eye colour;
 - (iv) two pieces of numbered identification, one piece of the identification being issued by a government body and containing a picture of the *person* tendering the *property*;
- (d) a detailed description of the *property* acquired;
- (e) a detailed description of any *motor vehicle* acquired including the following:
 - (i) the vehicle identification number; and
 - (ii) the make, model, colour and year of the *motor vehicle*.
- (f) a detailed description of any *catalytic converter* acquired including the following:
 - (i) the vehicle identification number of the *motor vehicle* from which the *catalytic converter* was acquired; and
 - (ii) the make, model, colour and year of the *motor vehicle* from which the *catalytic converter* was acquired.

For greater certainty, nothing in the above detracts from the requirements set out in the Scrap Metal Dealers and Recyclers Regulation AR 124/2020.

(30M2023, 2023 July 04)

- (6) If the information required pursuant to subsection 5(f) is not provided, a Salvage Collector must not accept a *catalytic converter*.

(30M2023, 2023 July 04)

- (7) A Salvage Collector must:

- (a) not erase deface or alter an entry in the record kept pursuant to subsection (5);
- (b) not direct or allow any *person* to erase, deface or alter an entry in the record kept pursuant to subsection (5);

- (c) immediately provide on demand to a *Licence Inspector* the record kept pursuant to subsection (5); and
 - (d) not direct or allow any *person* other than the *Licensee* or *employee* of the *Licensee* to make an entry into the record kept pursuant to subsection (5).
(30M2023, 2023 July 04)
- (8) A Salvage Collector using electronic records:
- (a) must obtain the written approval of the Calgary Police Service prior to utilizing electronic records;
 - (b) must transmit electronically the record required under subsection (5) in a format approved by the Calgary Police Service, to a location designated by the Calgary Police Service upon demand of the Calgary Police Service; and
 - (c) in addition to making the record required under subsection (5), must make a true and accurate copy of the record in written form at the time of acquiring the *property* to which the record relates.
(30M2023, 2023 July 04)

SALVAGE YARD/AUTO WRECKER

56. (1) Salvage Yard/Auto Wrecker means the *business* where scrap metal, material from demolished buildings or structures, *recyclable material*, scrapped or demolished *motor vehicles*, junk or salvage of any type is received, processed, stored or dismantled prior to being sold or disposed of, but does not include a Container Depot.
- (2) A Salvage Yard/Auto Wrecker shall keep, in the English language, a record in a form satisfactory to the *Director*, including by electronic means, in which shall be permanently recorded at the time any *property* is acquired, the following information:
- (a) the full name of the *employee* who accepted the property;
 - (b) the date and time of day the *property* is acquired; and
 - (c) the information of the *person* selling the property, including the following:
 - (i) the first name, middle name, and surname of the *person*;
 - (ii) a current address and telephone number of the *person*;
 - (iii) a description of the *person* including height, weight, hair colour and eye colour;
 - (iv) two pieces of numbered identification, one piece of the identification being issued by a government body and containing a picture of the person tendering the property.

- (d) the licence number and the description of any vehicle in which such *property* is delivered;
- (e) a detailed description of the *property* acquired; and
- (f) a detailed description of any *motor vehicle* acquired including the following:
 - (i) the vehicle identification number; and
 - (ii) the make, model, colour and year of the *motor vehicle*.
(72M2021, 2022 January 01)
(30M2023, 2023 July 04)
- (g) a detailed description of any *catalytic converter* acquired including the following:
 - (i) the vehicle identification number of the *motor vehicle* from which the *catalytic converter* was acquired; and
 - (ii) the make, model, colour and year of the *motor vehicle* from which the *catalytic converter* was acquired.

For greater certainty, nothing in the above detracts from the requirements set out in the Scrap Metal Dealers and Recyclers Regulation AR 124/2020
(30M2023, 2023 July 04)

- (3) A Salvage Yard/Auto Wrecker shall not accept *second-hand property* from the following:
 - (a) a *person* who is or who appears to be under the influence of *liquor* or any drug;
 - (b) a *person* under 18 years of age;
 - (c) a *person* failing to provide identification as required under Subsection (2) at the time of each transaction; or
 - (d) a *person* who is not the owner of the *property*.
- (3.1) A Salvage Yard/Auto Wrecker must:
 - (a) not accept damaged *catalytic converters*; and
 - (b) not remove, deface or obliterate
 - (i) a vehicle identification number or serial number that has been marked on or attached to a *catalytic converter*;
 - (ii) the make and model marked on or attached to the *catalytic*

converter, and

- (iii) all other markings and numbers placed on the *catalytic converter*.
(30M2023, 2023 July 04)

- (4) A Salvage Yard/Auto Wrecker must:
 - (a) not erase, deface or alter an entry in the record kept pursuant to Subsection (2);
 - (b) not direct or allow any person to erase, deface or alter an entry in the record kept pursuant to Subsection (2);
 - (c) immediately provide on demand to a *Licence Inspector* the record kept pursuant to Subsection (2); and
 - (d) not direct or allow any person other than the *Licensee* or *employee* of the *Licensee* to make an entry into the record kept pursuant to Subsection (2).
- (5) A Salvage Yard/Auto Wrecker using electronic records:
 - (a) will obtain the written approval of the Calgary Police Service prior to utilizing electronic records;
 - (b) will transmit electronically the record required under Subsection (2) in a format approved by the Calgary Police Service, to a location designated by the Calgary Police Service upon demand of the Calgary Police Service; and
 - (c) in addition to making the record required under Subsection (2), will make a true and accurate copy of the record in written form at the time of acquiring the *property* to which the record relates.
- (6) A Salvage Yard/Auto Wrecker is not required to have a Second-hand Dealer *licence* if the *business* is *carried on* at the *premises* of the Salvage Yard/Auto Wrecker.
- (7) A Salvage Yard/Auto Wrecker is not required to have a Salvage Collector *licence*.
- (8) A Salvage Yard/Auto Wrecker must not offer for sale or otherwise dispose of the *property* for a period of THIRTY (30) DAYS when requested to do so by a *Licence Inspector*.
- (9) No *person* shall *carry on business* of a Salvage Yard in a *dwelling unit* or any *premises* located in a residential land use district as described in the *Land Use Bylaw*.

(41M2007, 2007 September 10)
(12M2015, 2015 March 06)

SCHOOL

57. School means the *business* of providing instruction in commercial, business, clerical, manual, mechanical, technical or other skills or practices, but does not include a private, public or separate school or other school system maintained at public expense.

SECONDHAND DEALER

58. (1) Second-hand Dealer means the *business* of acquiring *second-hand property* or taking on consignment *second-hand property* of any kind including *property* purchased or traded in private homes or garage sales and includes *second-hand property* purchased or traded through any sales advertisement, for the purpose of selling or offering for sale the *second-hand property* but does not include auction sales authorized under Provincial legislation, Salvage Collector, Salvage Yard/Auto Wrecker or Container Depot.
- (2) The *Director* may, in writing, exempt a *Licensee* from any or all of the provisions of Section 58.
(72M2021, 2022 January 01)
- (3) Notwithstanding Subsection (2) the *Director* may, in writing, rescind any exemption previously granted to a *Licensee* pursuant to Section 58.
(72M2021, 2022 January 01)
- (4) A Second-hand Dealer shall not *carry on* the *business* of a Pawnbroker nor buy or otherwise deal in pawn tickets on the same *premises*.
- (5) A Second-hand Dealer must keep a record in the English language in a form satisfactory to the *Director*, including by electronic means, in which shall be permanently recorded at the time of each transaction the following information:
- (a) the full name of the *employee* who accepted the property;
 - (b) the *inventory number* of the acquisition;
 - (c) the price paid for the *property*;
 - (d) the date and time of day the *property* was acquired;
 - (e) a description of each item of *property* acquired including the following:
 - (i) serial numbers and all markings on the *property* where the serial number is defined as a unique number placed on *property* by the manufacturer;
 - (ii) the make and model placed or marked on the *property* by the manufacturer or vendor;
 - (iii) all other markings and numbers placed on the *property*; and

- (iv) in the case of jewellery, the description shall be in a form approved by the Calgary Police Service.
- (f) the information of the *person* selling the *property* including the following:
 - (i) the first name, middle name and surname of the *person*;
 - (ii) a current address and telephone number of the *person*;
 - (iii) a description of the *person* including height, weight, hair colour and eye colour;
 - (iv) two pieces of numbered identification, one piece of the identification being issued by a government body and containing a picture of the *person* tendering the property.

(72M2021, 2022 January 01)
- (6) A Second-hand Dealer must:
 - (a) not erase, deface or alter an entry in the record kept pursuant to Subsection (5);
 - (b) not direct or allow any *person* to erase, deface or alter an entry in the record kept pursuant to Subsection (5);
 - (c) immediately provide on demand to a *Licence Inspector* the record kept pursuant to Subsection (5); and
 - (d) not direct or allow any *person* other than the *Licensee* or *employee* of the *Licensee* to make an entry into the record kept pursuant to Subsection (5).
- (7) A Second-hand Dealer using written records:
 - (a) in addition to making the record required by Subsection (5) must make a true and accurate copy of each record in a form satisfactory to the Calgary Police Service;
 - (b) shall ensure the form referred to in Subsection (5) is delivered to a location designated by the Calgary Police Service by the first Monday of the following week of acquiring the *property*, unless it is a statutory holiday in which case delivery of the records is required by the Tuesday of the following week of acquiring the *property*;
 - (c) must not sell or offer for sale any *property* acquired through purchase or trade, except property on consignment, until ONE HUNDRED AND TWENTY (120) DAYS have elapsed from the time the *property* was acquired;
 - (d) notwithstanding any other provision in this Bylaw, a Second-hand Dealer must not redeem or offer for sale, *property* for a period of THIRTY (30)

DAYS when requested to do so by a *Licence Inspector*;

- (e) must keep all *property* in a hold area, separate and apart from any other goods which are offered for sale or stored on the premise until ONE HUNDRED AND TWENTY (120) DAYS have elapsed from the time the *property* was acquired;
 - (f) must not allow any *person* other than the *Licensee*, *employees* of the *business* or a *Licence Inspector* access to the *property* for the ONE HUNDRED AND TWENTY (120) DAY period referred to in Subsection (7)(c);
 - (g) not direct or allow any *person* to repair, alter, dispose of, part with possession of or remove from the *licenced premises* the *property* for the ONE HUNDRED AND TWENTY (120) DAY period referred to in Subsection (7)(c)(d)(e);
 - (h) must label all *property* at the time of acquisition with the date of acquisition and inventory number;
 - (i) must ensure the label referred to in Subsection (7)(h) remains on the *property* for as long as the *property* remains in the possession of the Second-hand Dealer; and
 - (j) who exceeds ONE HUNDRED (100) transactions or FIVE HUNDRED (500) pieces of property within a 365 day period, shall immediately commence using electronic records and Subsection (8) shall apply.
- (8) A Second-hand Dealer using electronic records:
- (a) will obtain the written approval of the Calgary Police Service prior to utilizing electronic records;
 - (b) will transmit electronically the record required under Subsection (5), in a format approved by the Calgary Police Service, to a location designated by the Calgary Police Service at the time of acquiring the *property* to which the electronic record relates;
 - (c) in addition to making the record required under Subsection (5), will make a true, accurate copy of the record in written form at the time of acquiring the *property* to which the record relates;
 - (d) must not sell, offer for sale or otherwise dispose of any *property* received until THIRTY (30) DAYS have elapsed from the time the *property* was acquired by the Second-hand Dealer;
 - (e) notwithstanding any other provision within this Bylaw, a Second-hand Dealer must not offer for sale or otherwise dispose of, *property* for a period of THIRTY (30) DAYS when requested to do so by a *Licence Inspector*;

- (f) must keep all *property* received in the *hold area*, separate and apart from any other goods which are offered for sale or stored on the *premises* until THIRTY (30) DAYS have elapsed from the time the *property* was acquired by the Second-hand Dealer;
 - (g) must not allow any *person* other than the *Licensee*, *employees* of the *business* or a *Licence Inspector* access to the *property* received as security for a loan and which has not been redeemed within the time allowed to the borrower for redemption for the THIRTY (30) DAY period referred to in Subsection (8)(d);
 - (h) not direct or allow any *person* to repair, alter, dispose of, part with possession of, or remove from the *licensed premises* the item of *property* for the THIRTY (30) DAY period referred to in Subsection (8)(d);
 - (i) must label all *property* at the time of acquisition with the date of acquisition and *inventory number*; and
 - (j) must ensure the label referred to in Subsection (8)(i) remains on the *property* for as long as the *property* remains in the possession of the Second-hand Dealer.
- (9) The provisions of Subsections (5), (6), (7) and (8) do not apply to the sale of the following *property*:
- (a) sports cards and stamps;
 - (b) books and magazines;
 - (c) clothes (with the exception of furs, sporting goods or sports equipment); and
 - (d) used *household furniture*.
- (10) Subsections (8)(d) and (8)(f) do not apply to the sale or trade of the following *property*:
- (a) pre-recorded or recordable audio or video media; and
 - (b) coins or bullion.
- (11) A Second-hand Dealer must not accept or purchase *property* on which the manufacturer's identification number or serial number has been removed, defaced, tampered with or in any way altered unless the prior written approval of the Calgary Police Service has been obtained.
- (12) Where a *person* in the *business* of selling principally new *property* proves to the satisfaction of a *Licence Inspector* that all *property* offered for sale or sold by the *business* was acquired:
- (a) from *persons* who furnished the *property* as part of the consideration for

the purchase from him of *property* of the same or similar type; or

- (b) from government surplus stock in bulk lots;

then the *business* does not require a Second-hand Dealer *licence*.

- (13) A Second-hand Dealer must not accept *property* from the following:

- (a) a *person* under 18 years of age;
- (b) a *person* who fails to provide identification as required under Subsection (5)(f)(iv) at the time of each transaction;
- (c) a *person* who is or who appears to be under the influence of any *liquor* or any drug; or
- (d) a *person* who is not the owner of the *property*.

- (14) No *person* shall carry on *business* of a Second-hand Dealer in a *dwelling unit* or any *premise* located in a residential land use district as described in the *Land Use Bylaw*.

- (15) A Second-hand Dealer must not acquire, sell or offer for sale a *motor vehicle* without first obtaining a Motor Vehicle Dealer – Premises *licence*.

(41M2007, 2007 September 10)
(12M2015, 2015 March 06)

SHORT TERM RENTAL

- 58.1 (1) Short Term Rental means the *business* of providing temporary accommodation for compensation, in a *dwelling unit* or portion of a *dwelling unit* for periods of up to 30 consecutive days.
- (2) Despite subsection (1), Short Term Rental does not include the provision of temporary accommodation for compensation in a *dwelling unit* located in a building for which a development permit for a Bed and Breakfast has been issued pursuant to the Land Use Bylaw 1P2007.

Tier 1 and Tier 2

- (3) There shall be two classes of Short Term Rental:
 - (a) Short Term Rental Tier 1: 1 to 4 rooms offered for rent; and
 - (b) Short Term Rental Tier 2: 5 or more rooms offered for rent.
- (4) A Short Term Rental *licensee* must not:
 - (a) offer to provide temporary accommodation; or
 - (b) permit a guest to sleep;

in a room that does not have one or more windows which provide egress to the exterior of the *dwelling unit*.

Application Requirements

(4.1) In addition to other requirements for a *licence* under this bylaw, an applicant for a Short Term Rental *licence* (whether Tier 1 or Tier 2) must provide the following to the *Director* at the time of the initial application, or at the time of the renewal of an expiring *licence*:

- (a) a Fire Safety Plan for the *dwelling unit* or the portion of the *dwelling unit* offered for the compensation that includes:
 - (i) an evacuation plan
 - (ii) a floor plan of the *dwelling unit* that shows:
 - a. egress from the rooms offered for Short Term Rental;
 - b. all rooms offered for Short Term Rental including all rooms offered as bedrooms or otherwise offered to guests for the purpose of sleeping;
 - c. the location of smoke alarms, carbon monoxide alarms, and fire extinguishers;
 - d. the location of fire exits; and
 - e. notations indicating the dimensions of the floors and rooms;
- (b) proof of ownership of the *dwelling unit* offered for temporary accommodation, or proof that the applicant has obtained the property owner's consent for the *dwelling unit* or portion of the *dwelling unit* to be offered to guests for compensation; and
- (c) where the *dwelling unit* or portion of the *dwelling unit* is located in a building operated by a condominium corporation, proof of the condominium board's consent for the *dwelling unit* or portion of that *dwelling unit* to be used for temporary accommodation for compensation.

(29M2023, 2024 January 01)

(4.2) The *Director* may request an applicant revise the floor plan described in subsection 4.1(a) above if, in the *Director's* opinion, it is not sufficiently legible or clearly labeled.

(29M2023, 2024 January 01)

Maximum number of Guests

(5) A Short Term Rental *licensee* must not allow more than two guests, not including

minors under the age of 12, per room.

(29M2023, 2024 January 01)

Overlapping Bookings

- (6) A Short Term Rental *licensee* must not allow overlapping bookings, whereby 2 or more unrelated or unassociated *persons* are accommodated in the *dwelling unit* at the same time.

Advertising

- (7) A Short Term Rental *licensee* who advertises or causes advertising to be placed or distributed respecting the Short Term Rental must include in the advertisement, in a readable manner, the valid *business licence* number for the Short Term Rental.

Emergency Contact and Floor Plan

- (8) A Short Term Rental *licensee* must post, in a conspicuous location on the interior of the *dwelling unit* used for the *business*:

- (a) the name, phone number and email address of an emergency contact *person* who can be reached 24 hours per day during rental periods; and
- (b) the floor plan provided at the time of the *licence* application or renewal.

(29M2023, 2024 January 01)

Guest Record

- (9) A Short Term Rental *licensee* must keep a record in the English language in a form satisfactory to the *Director*, including by electronic means, in which must be permanently recorded at the time of each transaction the following information:

- (a) the full name of any *person* who is a paid guest in the Short Term Rental and the email address of such *persons*;
- (b) the duration of the *person's* tenancy.

(72M2021, 2022 January 01)

- (10) A Short Term Rental *licensee* must provide on demand to a *Licence Inspector* the record kept pursuant to subsection (9).

(31M2019, 2020 February 01)

Nuisance

- (11) The *Director* may refuse to issue a Short Term Rental *licence* (Tier 1 or 2), or may revoke or refuse to renew such a *licence*, where the applicant or *licensee* has operated the property where the *dwelling unit* or portion of a *dwelling unit* is offered for temporary accommodation in a manner that causes or permits a nuisance or is reasonably likely to disturb the peace of any other individual.

(29M2023, 2024 January 01)

- (12) For greater certainty, a nuisance for the purposes of subsection (11) above means any action or behaviour that is contrary to the Community Standards Bylaw 5M2004.

(29M2023, 2024 January 01)

TOBACCO RETAILER

59. (1) Tobacco Retailer means the *business* of selling, offering to sell or directing the sale to the public of any tobacco product including cigars, cigarettes or cigarette tobacco, chewing or pipe tobacco or snuff.
- (2) A Tobacco Retailer must *carry on business* from a *premises* but shall not *carry on business* from a *dwelling unit* or a *mobile business unit*.

TRADE SHOW

60. (1) Trade Show means the *business* of organizing a commercial exhibition:
- (a) of 10 or more participants,
 - (b) where the exhibition is less than one month in duration, and
 - (c) for the purposes of having the participants exhibit samples, demonstrate products or services, or sell products or services to the public.
- (2) Participants in a commercial exhibition are not required to be individually *licensed* to take part in the exhibition except for Alcohol Beverage Sales and Tobacco Retailer.

(12M2015, 2015 March 06)

TRADE SHOW FACILITY

- 60.1 (1) Trade Show Facility means the *business* of providing a venue to hold commercial exhibitions:
- (a) of 10 or more participants,
 - (b) where the exhibition is less than one month in duration, and
 - (c) for the purposes of having the participants exhibit samples, demonstrate products or services, or sell products or services to the public.
- (2) Any *person* holding a Trade Show *licence* is not required to hold a Trade Show Facility *licence* unless they also *carry on* the *business* of providing a venue to hold a commercial exhibition.
- (9) Participants in a commercial exhibition are not required to be individually *licensed* to take part in the exhibition except for Alcohol Beverage Sales and Tobacco Retailer.

- (10) A Trade Show Facility shall obtain the approval of the Calgary Fire Department prior to holding a commercial exhibition in a venue for which the Calgary Fire Department has issued an occupant load card for 300 people or more.
- (11) In subsection (4) “occupant load card” means the card issued by the Calgary Fire Department following an inspection to determine the maximum number of persons that may occupy a building or an area of a building at one time.
(12M2015, 2015 March 06)

VAPING RETAILER

- 60.2 (1) Vaping Retailer means the *business* of selling, offering to sell or directing the sale to the public of any vaping product including vaping equipment, liquids or other substances intended to be vaped, and items ancillary to the activity of vaping.
- (2) A Vaping Retailer must *carry on business* from a *premises* but shall not *carry on business* from a *dwelling unit* or a *mobile business unit*.
(25M2022, 2022 August 01)

WAREHOUSING

61. Warehousing means the *business* of renting, leasing or offering to rent or lease space in *premises* for the storing of goods, wares or merchandise excluding food or food products.

WHOLESALE

62. Wholesaler means the *business* of selling or distributing tangible *personal property* at *wholesale* but does not include the sale or distribution of food or food products.

PART III

OFFENCES AND PENALTIES

SUMMARY CONVICTION OFFENCE

63. (1) Any *person* who contravenes any provision of this Bylaw by:
- (a) doing any act or thing which the *person* is prohibited from doing; or
 - (b) failing to do any act or thing the *person* is required to do;
- is guilty of an offence, and any offence created pursuant to this Bylaw shall be considered to be a strict liability offence.
- (1.1) The owner of real property, who is registered on title at the Land Titles Office, shall be responsible for any act of a *licensee* or *person carrying on business* on the *premises* located on the property that constitutes an offence under this

Bylaw, in the same manner and to the same extent as though the act were done by the owner.

- (2) Any person who is convicted of an offence pursuant to Subsection (1) is liable on summary conviction to a fine not less than THREE HUNDRED (\$300.00) DOLLARS but not exceeding TEN THOUSAND (\$10,000.00) DOLLARS and in default of payment of any fine imposed, to a period of imprisonment not exceeding ONE (1) YEAR.

(39M2005, 2005 July 25)
(41M2007, 2007 September 10)
(12M2015, 2015 March 06)

REPEAT OFFENCES

64. (1) Notwithstanding Subsection 63(2):

- (1) if a *person* is convicted of the same provision of this Bylaw twice within one TWENTY FOUR (24) MONTH period, the minimum penalty that may be imposed in respect of the second violation shall be SIX HUNDRED (\$600.00) DOLLARS;
- (2) if a *person* is convicted of the same provision of this Bylaw three or more times within one TWENTY FOUR (24) MONTH period, the minimum penalty that may be imposed in respect of the third or subsequent violation shall be NINE HUNDRED (\$900.00) DOLLARS.

(41M2007, 2007 September 10)

SPECIFIED PENALTIES

65. (1) The specified penalty applicable for a first offence against a particular Section of this Bylaw shall be the specified penalty as set out in Schedule "C".

(41M2007, 2007 September 10)

VIOLATION TICKET

66. (1) Where a *Licence Inspector* reasonably believes that a *person* has contravened any provision of this Bylaw, the *Licence Inspector* may commence proceedings against the *person* pursuant to the provisions of the Provincial Offences Procedure Act, allowing for a voluntary payment in the amount of the specified penalty as set out in Schedule "C" in respect of the said offence;
- (2) This Section shall not prevent any *Licence Inspector* from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedure Act, or from laying an information in lieu of issuing a violation ticket.

(41M2007, 2007 September 10)

PART IV

MISCELLANEOUS

SCHEDULES

67. DELETED BY 41M2007, 2007 SEPTEMBER 10.

REPEAL

68. (1) Bylaw Number 8637, the Construction Contractors and Building Trades Licensing Bylaw and Bylaw Number 32M97, the Business Licence Bylaw, are repealed.
- (2) The repeal of Bylaw Number 8637, the Construction Contractors and Building Trades Licensing Bylaw and Bylaw Number 32M97, the Business Licence Bylaw, does not affect anything done or a right, privilege, obligation or liability acquired, or accrued or incurred under it.

COMMENCEMENT OF BYLAW

69. This Bylaw comes into force on September 28, 1998.

READ A FIRST TIME THIS 1ST DAY OF JUNE, A. D. 1998.

READ A SECOND TIME, AS AMENDED, THIS 1ST DAY OF JUNE, A. D. 1998.

READ A THIRD TIME, AS AMENDED, THIS 22ND DAY OF JUNE, A. D. 1998.

(Sgd.) A. Duerr
MAYOR

(Sgd.) D. Garner
CITY CLERK

SCHEDULE "A"

Licence Fees

<u>Section</u>	<u>Business</u>	<u>Consultation or Approval</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
			<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
17	Adult Mini-Theatre	Fire Planning Police	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
18	Advertising Canvasser or Distributor	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
19	Alcohol Beverage Manufacturer	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
20	Alcohol Beverage Sales	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
21	Amusement Arcade	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
22	Apartment Bldg Operator 1 to 3 storeys	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
22	Apartment Bldg Operator 4 or more storeys	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
23	Auto Body Shop	Fire Planning Police Province	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
23.1	Cannabis Facility	Fire Planning Police	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
23.2	Cannabis Store	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131

BYLAW NUMBER 32M98

24	Carnival or Circus	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
26	Cinema	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
27	Cleaning Service	Fire Planning Police Province	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
28	Container Depot	Fire Planning Province	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
29	Contractor	Fire Planning Police Province	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
30	Distribution Manager	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
32	Entertainment Establishment	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
33	Fabric Cleaning	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
34	Food Service – No Premises	Health	\$761	\$761	\$761	\$761	\$721	\$721	\$721	\$721
35	Food Service – Premises	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
36	Fuel Sales/Storage	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
36.1	Full Service Food Vehicle	Fire Health Building Regulations (plumbing & gas, HVAC)	\$761	\$761	\$761	\$761	\$721	\$721	\$721	\$721

BYLAW NUMBER 32M98

37	Furniture Refinishing	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
38	Hotel/Motel	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
39	Kennel Service/Pet Dealer	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
40	Liquor Store	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
41	Lodging House	Fire Health	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
42	Manufacturer	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
43	Market	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
44	Motor Vehicle Dealer – No Premises	Fire Police Province	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
45	Motor Vehicle Dealer – Premises	Fire Planning Police Province	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
46	Motor Vehicle Repair & Service	Fire Planning Province	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
48	Outdoor Patio	Health Planning	\$0	\$0	\$172	\$172	\$0	\$0	\$131	\$131
49	Pawnbroker	Fire Planning Police	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
49.1	Payday Lender	Fire Planning Police Province (Fair Trading Act designated business licence)	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131

BYLAW NUMBER 32M98

50	Personal Service	Fire Health Planning Police - (only for tattoo parlours)	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
51	Photographer	Fire Planning Police	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
51.1	Private Home-based Child Care	Planning Police	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
52	Psychic Practitioner	Planning Police	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
53	Retail Dealer – No Premises	N/A	\$761	\$761	\$761	\$761	\$721	\$721	\$721	\$721
54	Retail Dealer - Premises	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
55	Salvage Collector	Planning Police	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
56	Salvage Yard/Auto Wrecker	Fire Planning Police	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
57	School	Fire Health Planning Province	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
58	Secondhand Dealer	Fire Planning Police	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
58.1	Short Term Rental – Tier 1	Fire	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100
	Short Term Rental – Tier 2	Fire	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
59	Tobacco Retailer	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131

BYLAW NUMBER 32M98

60	Trade Show	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
60.1	Trade Show Facility	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
60.2	Vaping Retailer	Fire Health Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
61	Warehousing	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
62	Wholesaler	Fire Planning	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131

(24M2005, 2005 May 01)
(50M2005, 2006 January 01)
(60M2005, 2007 January 01)
(61M2005, 2008 January 01)
(57M2008, 2009 January 01)
(58M2008, 2010 January 01)
(59M2008, 2011 January 01)
(70M2011, 2012 January 01)
(38M2013, 2013 October 31)
(72M2011, 2014 January 01)
(56M2014, 2015 January 01)
(12M2015, 2015 March 06)
(30M2016, 2016 October 01)
(43M2016, 2017 January 01)
(22M2018, 2018 April 24)
(51M2018, 2019 January 01)
(36M2019, 2020 January 01)
(31M2019, 2020 February 01)
(25M2022, 2022 August 01)
(29M2022, 2023 January 01)
(40M2022, 2023 January 01)
(29M2023, 2024 January 01)
(53M2023, 2024 January 01)

SCHEDULE "B"**Other Fees**

<u>Section Number</u>	<u>Other Fees</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
		<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
6(2)	Non-Resident Business	\$785	\$785	\$785	\$785	\$785	\$785	\$785	\$785
14(3)	Charitable Organization	\$99	\$99	\$99	\$99	\$82	\$82	\$82	\$82

(57M2008, 2009 January 01)
 (58M2008, 2010 January 01)
 (59M2008, 2011 January 01)
 (51M2009, 2009 September 28)
 (70M2011, 2012 January 01)
 (72M2011, 2014 January 01)
 (56M2014, 2015 January 01)
 (43M2016, 2017 January 01)
 (51M2018, 2019 January 01)
 (36M2019, 2020 January 01)
 (40M2022, 2023 January 01)

SCHEDULE "C"**SPECIFIED PENALTIES**

	<u>Section</u>	<u>Specified Penalty</u>
Licence		
No <i>Licence</i>	3(1)	\$ 1000.00
Contravene condition of <i>licence</i>	3(3)	\$ 2000.00
Licence Requirements		
Give false information on application	4(8)	\$ 1000.00
Inspections		
<i>Business</i> failing to permit inspection	9(2)(a)	\$ 1000.00
<i>Business</i> failing to provide identification/information	9(2)(b)	\$ 1000.00
<i>Applicant</i> failing to provide accurate information or providing false/misleading information	9(2)(c)	\$ 1000.00
Obstructing a <i>Licence Inspector</i>	9(3)	\$ 1000.00
Allow false information to appear on record	9(5)	\$ 1000.00
Responsibilities of Licencee and Employees		
<i>Business</i> failing to provide updated information	11(2)	\$ 1000.00
Fail to maintain standards	11(3)	\$ 1000.00
Fail to maintain standards imposed after licence issued	11(3.1)	\$ 1000.00
Fail to maintain standards after change in operations	11(3.2)	\$ 1000.00

Revocation or Suspension

Fail to return a <i>licence</i> that is suspended or revoked	12(11)	\$ 300.00
<i>Carry on business</i> while <i>licence</i> suspended or revoked	12(12)	\$ 3000.00

Licence Identification

Failing to post the <i>business licence</i> in public view	15(3)	\$ 300.00
Failing to produce a <i>licence</i> upon request	15(4)	\$ 300.00
Alter or deface a <i>licence</i>	15(5)(a)	\$ 300.00
Possession of a <i>licence</i> that has been altered or defaced	15(5)(b)	\$ 300.00

Amusement Arcade

Permitting a <i>person</i> under the age of 16 to operate an <i>amusement</i> , sport or arcade machine during specified hours on a school day	21(3)	\$ 300.00
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Auto Body Shop

Displaying motor vehicles for sale without a <i>licence</i>	23(2)	\$ 1000.00
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Cannabis Store

Permit a <i>minor</i> on Cannabis Store <i>premises</i>	23.2(4)	\$ 1000.00
Permit sale of <i>cannabis</i> to a minor on Cannabis Store <i>premises</i>	23.2(5)	\$ 1000.00
Fail to keep list of Cannabis Store <i>employees</i> on <i>premises</i>	23.2(6)(a)	\$ 1000.00
Fail to provide <i>employee</i> list to <i>Licence Inspector</i>	23.2(6)(b)	\$ 1000.00

Contractor

Failing to meet the requirements of a Contractor	29	\$ 1000.00
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Distribution

Failing to supply an agent with a valid/required identification card	30(2)	\$ 300.00
Failing to display a valid identification card	30(3)	\$ 300.00
Failing to produce a valid list of agents	30(4)	\$ 1000.00
<i>Carrying on business</i> between 9:00 p.m. and 9:00 a.m.	30(5)	\$ 1000.00
Selling from a <i>mobile business unit</i>	30(6)	\$ 1000.00
Selling to persons in a moving motor vehicle	30(7)	\$ 1000.00
Failing to submit a written sales script	30(8)	\$ 300.00
Failing to submit badges, literature or product representations to the <i>Director</i>	30(8)(b)	\$ 300.00

Electronic Repair Shop

Permitting an uncertified <i>electronic technician</i> to repair <i>electronic products</i>	31(3)	\$ 300.00
Removing an <i>electronic</i> product from the <i>business premises</i> without advising the customer in writing	31(4)	\$ 300.00

Full Service Food Vehicle

<i>Carry on business</i> outside of permitted operating hours	36.1(4)	\$ 300.00
Failing to provide waste and recycling receptacles	36.1(5)	\$ 300.00
Interfering with use of sidewalk or <i>street</i>	36.1(6)	\$ 300.00
Fail to obey direction of a <i>Licence Inspector</i> or <i>Officer</i>	36.1(8)	\$ 1000.00
More than 2 Full Service Food Vehicles operating along a block	36.1(9)	\$ 300.00
<i>Carry on business</i> within 25 metres of a <i>restaurant</i>	36.1(10)(b)	\$ 300.00

<i>Carry on business</i> within 100 metres of a school	36.1(11)	\$ 300.00
<i>Carry on business</i> on private property without consent	36.1(13)(a)	\$ 300.00
<i>Carry on business</i> on a prohibited <i>street</i>	36.1(14)(c)	\$ 1000.00

Kennel Service/Pet Dealer

Failing to meet the requirements of a Kennel Service/Pet Dealer	39	\$ 300.00
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Lodging House

Fail to keep record	41(2)	\$ 1000.00
Fail to provide records on demand	41(3)	\$ 1000.00

Market

<i>Business</i> fail to furnish information	43(2)	\$ 1000.00
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Motor Vehicle Repair Service

Advertising, storing or displaying <i>motor vehicles</i> for sale without a <i>licence</i>	46(2)	\$ 1000.00
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Pawnbroker

<i>Carry on business</i> as a Pawnbroker and Second-hand Dealer on the same <i>premise</i>	49(2)	\$ 1000.00
Acquire <i>property</i> through any other source	49(3)(a)	\$ 1000.00
Acquire <i>property</i> from another location	49(3)(b)	\$ 1000.00
Fail to keep satisfactory records	49(4)	\$ 1000.00
Erasing, defacing or altering records	49(5)(a), (b)	\$ 1000.00
Fail to provide records on demand	49(5)(c)	\$ 1000.00
Direct or allow entry into record other than <i>employee</i> or <i>Licencee</i>	49(5)(d)	\$ 1000.00

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Fail to complete contract as required	49(6)	\$ 1000.00
Fail to complete record as required	49(7)(a)	\$ 1000.00
Fail to deliver record	49(7)(b)	\$ 1000.00
Selling <i>property</i> prior to completing 120 day hold period	49(7)(c)	\$ 1000.00
Dispose of property prior to completing 30 day hold period requested by <i>Licence Inspector</i>	49(7)(d)	\$ 1000.00
Fail to keep property separate and apart for the 120 day hold period	49(7)(e)	\$ 1000.00
Allow <i>person</i> access to property prior to the 120 day hold period expiring	49(7)(f)	\$ 1000.00
Dispose, alter, repair <i>property</i> prior to completing the 120 day hold period	49(7)(g)	\$ 1000.00
Fail to label <i>personal property</i>	49(7)(h)	\$ 1000.00
Fail to ensure label remains on <i>property</i>	49(7)(i)	\$ 1000.00
Fail to commence using electronic records	49(7)(j)	\$ 1000.00
Fail to keep satisfactory records	49(8)(a)	\$ 1000.00
Fail to transmit records	49(8)(b)	\$ 1000.00
Fail to make copy of record	49(8)(c)	\$ 1000.00
Selling property prior to completing the 30 day hold period	49(8)(d)	\$ 1000.00
Dispose of property prior to completing 30 day hold period requested by <i>Licence Inspector</i>	49(8)(e)	\$ 1000.00
Fail to keep <i>property</i> separate and apart for the 30 day hold period	49(8)(f)	\$ 1000.00
Allow <i>person</i> access to <i>property</i> prior to 30 day hold period expiring	49(8)(g)	\$ 1000.00
Dispose, alter or repair <i>property</i> prior to completing the 30 day hold period	49(8)(h)	\$ 1000.00

BYLAW NUMBER 32M98

Fail to label <i>property</i>	49(8)(i)	\$ 1000.00
Fail to ensure label remains on <i>property</i>	49(8)(j)	\$ 1000.00
Accepting <i>property</i> from improper source	49(9)(a) to (d)	\$ 1000.00
Accepting improper <i>property</i>	49(10)	\$ 1000.00
<i>Carry on business</i> in <i>dwelling unit</i>	49(11)	\$ 1000.00
<i>Person</i> offering personal property while not in lawful possession of <i>property</i>	49(13)	\$ 1000.00

Payday Lender

Fail to display sign	49.1(2)	\$ 1000.00
Fail to provide information	49.1(3)	\$ 1000.00

Personal Service

Tattoo or pierce a <i>person</i> under 18 years of age without parental consent	50(2)	\$ 1000.00
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Private Home-Based Child Care

Fail to provide police check for new resident or new <i>employee</i>	51.1(5)(b)	\$ 1000.00
Operating with more than 6 children	51.1 (5)(c)	\$ 1000.00
Leave a child unsupervised with a resident or visitor	51.1(5)(d)	\$ 1000.00

Salvage Collector

Storing acquired material where not permitted	55(2)	\$ 300.00
Accept damaged <i>catalytic converter</i>	55(3)	\$ 3000.00
Remove, deface or obliterate markings proving ownership	55(4)	\$ 3000.00
Fail to keep satisfactory record	55(5)	\$ 3000.00

BYLAW NUMBER 32M98

Accept <i>catalytic converter</i> without required information	55(6)	\$ 3000.00
Erasing, defacing or altering records	55(7)(a)	\$ 3000.00
Not to direct any <i>person</i> to erase, alter or deface a record	55(7)(b)	\$ 3000.00
Fail to provide record on demand	55(7)(c)	\$ 3000.00
Allow access to record	55(7)(d)	\$ 3000.00
Fail to transmit record	55(8)(b)	\$ 3000.00
Fail to make copy of record	55(8)(c)	\$ 3000.00

Salvage Yard/Auto Wrecker

Fail to keep satisfactory record	56(2)	\$ 3000.00
Improper acceptance of <i>property</i>	56(3)(a) to (d)	\$ 3000.00
Accept damaged <i>catalytic converter</i>	56(3.1)(a)	\$ 3000.00
Remove, deface or obliterate markings proving ownership	56(3.1)(b)	\$ 3000.00
Erasing, defacing or altering records	56(4)(a)	\$ 3000.00
Not to direct any <i>person</i> to erase, alter or deface a record	56(4)(b)	\$ 3000.00
Fail to provide record on demand	56(4)(c)	\$ 3000.00
Allow access to record	56(4)(d)	\$ 3000.00
Fail to keep satisfactory record	56(5)(a)	\$ 3000.00
Fail to transmit record	56(5)(b)	\$ 3000.00
Fail to make copy of record	56(5)(c)	\$ 3000.00
Dispose of <i>property</i> prior to completing 30 day hold period requested by <i>Licence Inspector</i>	56(8)	\$ 3000.00

<i>Carry on business in a dwelling unit</i>	56(9)	\$ 3000.00
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Second-hand Dealer

Second-hand dealer <i>carry on business</i> of Pawnbroker on the same <i>premises</i>	58(4)	\$ 1000.00
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Fail to keep satisfactory record	58(5)	\$ 1000.00
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Erasing, defacing or altering records	58(6)(a)	\$ 1000.00
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Not to direct any <i>person</i> to erase, alter or deface a record	58(6)(b)	\$ 1000.00
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Fail to provide records on demand	58(6)(c)	\$ 1000.00
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Direct or allow entry into record other than <i>employee</i> or <i>Licensee</i>	58(6)(d)	\$ 1000.00
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Fail to keep satisfactory record	58(7)(a)	\$ 1000.00
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Fail to deliver record	58(7)(b)	\$ 1000.00
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Selling <i>property</i> prior to 120 day hold period expiring	58(7)(c)	\$ 1000.00
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Dispose of <i>property</i> prior to completing 30 day hold period requested by <i>Licence Inspector</i>	58(7)(d)	\$ 1000.00
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Failing to keep <i>property</i> separate and apart for the 120 day holding period	58(7)(e)	\$ 1000.00
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Allow <i>person</i> access to <i>property</i> prior to the 120 day hold period expiring	58(7)(f)	\$ 1000.00
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Dispose, alter or repair <i>property</i> prior to completing the 120 day hold period	58(7)(g)	\$ 1000.00
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Fail to label <i>personal property</i>	58(7)(h)	\$ 1000.00
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Fail to ensure label remains on <i>property</i>	58(7)(i)	\$ 1000.00
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Fail to commence using electronic records	58(7)(j)	\$ 1000.00
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Fail to keep satisfactory records	58(8)(a)	\$ 1000.00
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BYLAW NUMBER 32M98

Fail to transmit records	58(8)(b)	\$ 1000.00
Fail to make copy of record	58(8)(c)	\$ 1000.00
Selling <i>property</i> prior to completing the 30 day hold period	58(8)(d)	\$ 1000.00
Dispose of <i>property</i> prior to completing 30 day hold period requested by <i>Licence Inspector</i>	58(8)(e)	\$ 1000.00
Fail to keep <i>property</i> separate and apart for the 30 day hold period	58(8)(f)	\$ 1000.00
Allow <i>person</i> access to <i>property</i> prior to 30 day hold period	58(8)(g)	\$ 1000.00
Dispose, alter, repair <i>property</i> prior to completing the 30 day hold period	58(8)(h)	\$ 1000.00
Fail to label <i>personal property</i>	58(8)(i)	\$ 1000.00
Fail to ensure label remains on <i>property</i>	58(8)(j)	\$ 1000.00
Accepting improper <i>property</i>	58(11)	\$ 1000.00
Accepting <i>property</i> from a <i>person</i> under the age of 18 years	58(13)(a)	\$ 1000.00
Accepting <i>property</i> from a <i>person</i> without obtaining the required identification	58(13)(b)	\$ 1000.00
Accepting <i>property</i> from a <i>person</i> who appears to be under the influence of <i>liquor</i> or any drug	58(13)(c)	\$ 1000.00
Accepting <i>property</i> from a <i>person</i> who is not the owner of the <i>property</i>	58(13)(d)	\$ 1000.00
<i>Carry on business</i> from a <i>dwelling unit</i>	58(14)	\$ 1000.00
Short Term Rental		
Offer room without a window	58.1(4)(a)	\$ 1000.00
Permit guest to sleep in a room without a window	58.1(4)(b)	\$ 1000.00
Allow more than 2 adults per room	58.1(5)	\$ 1000.00

BYLAW NUMBER 32M98

Overlapping bookings	58.1(6)	\$ 1000.00
Fail to include <i>licence</i> number on advertisement	58.1(7)	\$ 1000.00
Fail to post emergency contact information or Floor Plan	58.1(8)	\$ 1000.00
Fail to keep record	58.1(9)	\$ 1000.00
Fail to provide records on demand	58.1(10)	\$ 1000.00

Tobacco Retailer

<i>Carry on business from a dwelling unit or mobile business unit</i>	59(2)	\$ 300.00
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Trade Show Facility

Failing to obtain Fire Department approval where number of people at venue exceeds 300	60.1(4)	\$ 1000.00
All other Sections		\$ 300.00

(39M2005, 2005 July 25)
(41M2007, 2007 September 10)
(38M2013, 2013 October 31)
(12M2015, 2015 March 06)
(30M2016, 2016 October 01)
(22M2018, 2018 April 24)
(36M2019, 2020 January 01)
(31M2019, 2020 February 01)
(72M2021, 2022 January 01)
(29M2022, 2023 January 01)
(30M2023, 2023 July 04)