

**OFFICE CONSOLIDATION**

**BYLAW NUMBER 48M90**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO REGULATE AND LICENSE BICYCLE  
COURIERS AND BICYCLE COURIER AGENCIES  
\*\*\*\*\***

(Amended by 58M94, 34M97, 40M2003, 40M2005, 50M2005, 60M2005, 61M2005, 57M2008, 58M2008, 59M2008, 50M2011, 70M2011, 71M201, 72M2011, 56M2014, 43M2016, 51M2018, 36M2019, 72M2021, 40M2022, 45M2023)

**WHEREAS** the *Municipal Government Act* permits a municipality to control and regulate business through the issuance of business licenses;

**AND WHEREAS** it is deemed expedient to regulate and control the bicycle courier business;

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

1. This Bylaw may be cited as the "Bicycle Courier Licensing Bylaw".

**INTERPRETATION**

2. In this Bylaw,
  - (a) "*Act*" means the *Municipal Government Act* of the Province of Alberta as amended or replaced from time to time;
  - (b) "*applicant*" means a person who applies for a license or renewal of a license required by this Bylaw and shall also mean a person who is appealing the refusal, revocation, or suspension of a license;
  - (c) "*bicycle courier*" means anyone who conveys goods or information by means of a bicycle propelled solely by the foot power of the bicycle's operator;
  - (d) "*bicycle courier agency*" means any business which employs or acts for or on behalf of a bicycle courier;
  - (e) "*carry on*" means operate, perform, keep, hold, occupy, deal in or use, for gain whether as principal or agent;
  - (f) "*City*" means the City of Calgary, a municipal corporation of the Province of Alberta, and where the context so requires means the area contained within the corporate boundaries of the said municipality;

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- (f.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)
- (f.2) *“Director, Development, Business & Building Services”* or *“Director”* means the Chief Administrative Officer;  
(72M2021, 2022 January 01)  
(45M2023, 2023 October 17)
- (g) *“License Bylaw”* means Bylaw 32M98 of The City, as amended or replaced from time to time;  
(72M2021, 2022 January 01)
- (h) *“Licensee”* means a person holding a valid and subsisting license issued pursuant to the provisions of this Bylaw;
- (i) *“Licence and Community Standards Appeal Board”* means the Board authorized to hear license appeals pursuant to the Licence and Community Standards Appeal Board Bylaw;  
(50M2011, 2011 September 19)
- (j) *“License 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)
- (k) DELETED BY 72M2021, 2022 JANUARY 01;
- (k.1) *“Officer”* means a Bylaw Enforcement 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)
- (l) *“person”* means a natural person or a body corporate and includes a partnership, a group of persons acting in concert or an association unless the context explicitly or by necessary implication otherwise requires.
3. Except where inconsistent with this Bylaw, the provisions of the License Bylaw shall apply mutatis mutandis to this Bylaw and licenses issued pursuant to this Bylaw.
4. Except as provided in this Bylaw, no person shall carry on the business of a bicycle courier agency without having a valid and subsisting license issued by the City's Director pursuant to the provisions of this Bylaw.  
(72M2021, 2022 January 01)

5. Every application for a license to carry on the business of a bicycle courier agency issued pursuant to this Bylaw shall be made to the Director and shall include the following information:

- (a) The name, residential address and telephone number of the applicant or, in the case of a body corporate, the names, residential addresses and telephone numbers of all Officers and Directors;
- (b) The address for the proposed place of business;
- (c) The name and residential address of the principal managing employee thereof; and
- (d) When the applicant is a body corporate, its registered address and proof of due incorporation.

(72M2021, 2022 January 01)

6. (1) A license to carry on the business of a bicycle courier agency shall not be issued or renewed until the applicant furnishes the City with a policy or public liability insurance in a form satisfactory to the City Solicitor.

(2) Every policy of public liability insurance required to be furnished by an applicant pursuant to this section shall

- (a) be issued by an insurance company registered and licensed to do business in the Province of Alberta, and
- (b) be in the amount of not less than ONE MILLION DOLLARS (\$1,000,000.00) to provide for personal injury and property damage which may occur by reason of the operation of said business and such insurance is endorsed
  - (i) so as to add the City as an additional named insured with thirty (30) days written notice to be given to the City prior to cancellation or material change to the policy
  - (ii) so that the City is to be advised immediately should such insurance lapse or otherwise discontinue,
  - (iii) to include a cross liability clause reading as follows:

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, and

- (vi) so as to cover the actions of bicycle couriers hired under contract by the applicant.

(58M94, 1994 November 21)

- (3) Notwithstanding any public liability insurance or the failure of any bicycle courier agency to obtain 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 license,
- (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 license or this Bylaw.

- (4) Where a policy of public liability insurance expires during the license year, the licensee shall provide the City with a renewal thereof and where such policy of insurance expires or is cancelled or terminated, then the license for which such policy of insurance is required shall be automatically revoked and the licensee shall cease carrying on business until the revocation is lifted or a new license is issued.

(72M2021, 2022 January 01)

- (5) A license to carry on the a business of a bicycle courier agency shall not be issued or renewed unless the applicant indemnifies and saves harmless the City against any and all loss, damage, claims, actions, judgements, costs and expenses suffered or sustained by reason or in connection with the carrying on of the business in respect of which the license is applied for or issued or in connection with any breach of any provision of this Bylaw.

- 7. (1) Every application for a bicycle courier agency license under this Bylaw must contain true and accurate information and be made by a bona fide applicant.

- (2) Any license required to be obtained by this Bylaw shall only be issued to the applicant by the Director upon proof satisfactory to the Director that the applicant is the person named in the application and that the information required to be provided herein by Sections 5 and 8 is true and accurate in all respects.

(72M2021, 2022 January 01)

- 8. (1) Every person licensed to carry on the business of a bicycle courier agency shall keep in the office from which he or she operates the business a current list of all persons who actually provide bicycle courier service for such agency, which said list shall contain the following information:

- (a) The true name of each such person;
- (b) The birth date of each such person;
- (c) The residential address and telephone number of each such person; and

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- (d) Such person's Birth Certificate or other documentary confirmation of identity other than the Social Security or Social Insurance Number.
- (2) Every person carrying on the business of a bicycle courier agency shall furnish on demand to any Officer or the Director or any person authorized to act on his behalf a list of all employees currently in their employment, such request to be reasonably related to the enforcement of this Bylaw.  
(72M2021, 2022 January 01)
- 8.1 (1) All bicycles utilized by bicycle couriers shall have numbered identification plates as approved by the Director,
  - (a) on both the front and rear of the bicycle, and
  - (b) which are clearly visible,
 at all times while the bicycle is utilized in the business of a bicycle courier.  
(72M2021, 2022 January 01)
- (2) No person shall operate a bicycle while carrying on the business of a bicycle courier without identification plates as required by subsection (1).
- (3) No bicycle courier agency shall permit a bicycle to be operated in its business as a bicycle courier agency without identification plates as required by subsection (1).
- 8.2 (1) Every bicycle courier shall carry on his person or have immediately available a form of picture identification as specified in subsection (2) and shall upon request produce same to an Officer, a License Inspector, or any person with whom he is doing business as a bicycle courier.  
(72M2021, 2022 January 01)
- (2) Picture identification shall include a photograph, name and current address of the bicycle courier, in a form approved by the Director, and includes a current motor vehicle operator's license.  
(58M94, 1994 November 21)  
(72M2021, 2022 January 01)
- 9. Every person to whom a license has been issued to carry on the business of a bicycle courier agency shall post the license in a conspicuous place in the premises where the business is operated.
- 10. No licence shall be issued pursuant to this Bylaw until the applicant has paid to the *Chief Administrative Officer* a licence fee as follows:  
(45M2023, 2023 October 17)

<b><u>New Application Fee</u></b>				<b><u>Renewal Fee</u></b>			
<b><u>2023</u></b>	<b><u>2024</u></b>	<b><u>2025</u></b>	<b><u>2026</u></b>	<b><u>2023</u></b>	<b><u>2024</u></b>	<b><u>2025</u></b>	<b><u>2026</u></b>
\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131

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(34M97, 1997 September 22)  
(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)  
(71M2011, 2013 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)

- 10.1 (1) The Director is not required to consider any application for a licence or licence renewal unless and until the licence fee and any other fees, including fees for inspections and consultations required by this or any other bylaw or regulation, have been paid by the applicant.

(72M2021, 2022 January 01)

- (2) Fees paid by the applicant to The City as part of the licence application or renewal process are not refundable regardless of whether the application is refused or the licence is suspended or revoked.

(40M2003, 2003 November 10)

11. (1) A license issued pursuant to the provisions of this Bylaw is not transferable.

- (2) A licensee shall not allow his or her license to be used by any unlicensed person for the purpose of falsely representing that the licensing provisions of this Bylaw have been lawfully satisfied by an unlicensed person.

12. (1) All licenses issued pursuant to this Bylaw shall expire on December 31st of the year of issue unless revoked or suspended by the Director during that year or surrendered by the Licensee.

(72M2021, 2022 January 01)

- (2) Subject to an appeal to the Licence and Community Standards Appeal Board of the City, the Director may refuse to grant any license required by this Bylaw or he may suspend or revoke any license issued pursuant to this Bylaw if, in his opinion, there are just and reasonable grounds for the refusal of the application or the revocation or suspension of the license.

(50M2011, 2011 September 19)

(72M2021, 2022 January 01)

- (3) Upon a license being suspended or revoked as hereinbefore provided, the Director shall notify the licensee thereof:

- (a) by delivering a notice to the licensee personally, or  
(b) by mailing a registered letter to the licensee's place of business or residence as shown on the license or application for same,

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and after the delivery of such notice, the business or occupation, as the case may be, shall not be carried on until such time as the period of suspension ends or a new license is issued to replace the license which was revoked.

(72M2021, 2022 January 01)

- (4) A suspension of a license issued pursuant to this bylaw may be:
  - (a) For a period of time not exceeding the unexpired term of the license, or
  - (b) Where the suspension is for non-compliance with a Bylaw, until the holder of the suspended license has, in the opinion of the Director, complied with that Bylaw.

(72M2021, 2022 January 01)

- (5) A license may be suspended or revoked for non-compliance with any bylaw of the City notwithstanding that the holder of the license has not been prosecuted for a contravention of that bylaw.

- (6) Where any license issued pursuant to the terms of this Bylaw is suspended or revoked by the Director, such license shall be surrendered to the Director.

(72M2021, 2022 January 01)

- (7) Where the *Director* has suspended or revoked a *licence*, then, unless such suspension or revocation is overturned in 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>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
\$1363	\$1363	\$1363	\$1363

(70M2011, 2012 January 01)  
(71M2011, 2013 January 01)  
(72M2011, 2014 January 01)  
(56M2014, 2015 January 01)  
(43M2016, 2017 January 01)  
(51M2018, 2019 January 01)  
(72M2021, 2022 January 01)  
(40M2022, 2023 January 01)

- (8) A reinstatement fee is not refundable.

(40M2005, 2005 July 25)

- 13. A person who fails to do anything which he or she is required to do pursuant to this bylaw, or who does anything which he or she is prohibited from doing under this Bylaw is guilty of an offence and is liable on summary conviction:

- (a) For a first offence of a contravention of any of the provisions of this Bylaw to a fine of not less than THREE HUNDRED (\$300.00) DOLLARS or in default of

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payment of the fine and costs to imprisonment for not more than sixty (60) days;  
and,

- (b) For a second offence to a fine of not less than SIX HUNDRED (\$600.00) DOLLARS and not more than TEN THOUSAND (\$10,000.00) DOLLARS or in default of payment of the fine and costs to imprisonment for not more than six (6) months,

unless in either case the fine and costs, including the cost of committal, are sooner paid.  
(40M2005, 2005 July 25)

14. This Bylaw comes into force on January 1st, 1991.

READ A FIRST TIME THIS 15<sup>TH</sup> DAY OF OCTOBER, 1990.

READ A SECOND TIME THIS 15<sup>TH</sup> DAY OF OCTOBER, 1990.

READ A THIRD TIME THIS 15<sup>TH</sup> DAY OF OCTOBER, 1990.

(Sgd.) B. Longstaff  
DEPUTY MAYOR

(Sgd.) D. Garner  
ACTING CITY CLERK