



BUSINESS LICENSE AND REGULATION
BYLAW NO. 2916

A Bylaw concerning the issuance of business licenses and the regulation
of businesses within the City of Langley.

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Consolidated as of July 29, 2016

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CITY OF LANGLEY
BUSINESS LICENSE AND REGULATION BYLAW
NO. 2916

A Bylaw concerning the issuance of business licenses and the regulation of businesses within the City of Langley.

The Council of the City of Langley, in open meeting assembled, ENACTS AS FOLLOWS:

1. Short Title

- (1). This Bylaw may be cited for all purposes as "City of Langley Business License and Regulation Bylaw, 2013, No. 2916."

2. Definitions

In this Bylaw:

- (1). **Applicant** means a person or corporation who makes application for a business license under this Bylaw.
- (2). **Adult Publication** means a book, pamphlet, magazine or printed matter however produced which contains a visual image or representation of a person or portion of the human body depicting nudity, sexual conduct or sadistic, masochistic or sadomasochistic behavior.
- (3). **Authorized Identification** means any one or more of the following:
 - (a) valid provincial or state driver's license integrated with a photograph of the bearer;
 - (b) British Columbia identification card issued to the bearer within five (5) years of the date it is produced by the bearer as evidence of identification;
 - (c) valid passport; and
 - (d) any other form of provincial or federal government identification integrated with a photograph of the bearer.
- (4). **Beauty and Wellness Center** means premises used to provide beauty and wellness improvement services through hair styling, cutting or chemical treatment or through skin or other body

treatments including pedicures, manicures, facials, microdermabrasion, waxing, and laser, hydro, anti-aging, or skin rejuvenation therapy.

- (5). **Business** means:
- (a) carrying on a commercial or industrial activity or undertaking of any kind; and
 - (b) providing professional, personal or other services for the purpose of gain or profit,
- but does not include an activity carried on by the Provincial Government, by corporations owned by the Provincial government, by agencies of the Provincial government or by the South Coast British Columbia Transportation Authority or any of its subsidiaries.
- (6). **Chief License Inspector** means any person appointed from time to time by the City as the Chief License Inspector.
- (7). **City** means the City of Langley.
- (8). **Council** means the City Council of the City of Langley.
- (9). **Crime Free Residential Rental Property** means a Residential Rental Property in respect of which the Langley RCMP has issued a current certification under the Crime Free Multi Housing program.
- (10). **Dog Daycare Facility** means premises used for the commercial care of dogs during the day by persons other than the owner of the dog, excluding veterinary clinics, dog kennels and dog grooming services which include the provision of washing, hair trimming and nail clipping services and ridding dogs of fleas and other parasites or pests.
- (11). **Fire Inspector** means a member of Langley Fire Rescue Service authorized by the Council or the Fire Chief to inspect premises.
- (12). **Highway** includes a street, road, lane, bridge, viaduct and any other way open to the use of the public but does not include a private right-of-way on private property.
- (13). **Hotel** means premises providing temporary accommodation in the form of furnished sleeping, housekeeping or dwelling units and includes motels.
- (14). **Ice Cream Vendor** means a person who sells or offers to sell ice cream and related food items from a vehicle to the general public for immediate consumption. For the purposes of this definition, vehicle includes, without limitation, carts, wagons, trailers, trucks and bicycles, regardless of the type of motive power employed to move the vehicle from one point to another.
- (15). **Inspector** includes the Chief License Inspector and any authorized deputy including any Building Inspector, Fire Inspector, Bylaw Enforcement Officer or Peace Officer.

- (16). **LAPS** means Langley Animal Protection Society.
- (17). **Mobile Vendor** means a business that is not carried out or operated from a permanent building or structure and includes, as an example, a business in which items such as – flowers, food and beverages, seasonal items [fruit and vegetables, pumpkins, Christmas trees] – are sold from any non-permanent structure [a cart, stand or trailer] or a motor vehicle [truck or van] located on private property in the City.
- (18). **Peace Officer** means any member of the Royal Canadian Mounted Police responsible for policing in the City.
- (19). **Peddle** means peddle, sell, or offer for sale merchandise to be immediately delivered to the customer.
- (20). **Pedlar** means a person who peddles by going from door to door, or by appointment and demonstration.
- (21). **Personal Health Enhancement Center** means premises used for the provision of therapies intended to enhance health through such techniques as Shiatsu, acupressure, reflexology, bio-kinesiology, hellework, polarity, reiki, rolfing and trager approach and includes body rub parlours other than Registered Massage Therapy Clinics, but does not include Beauty and Wellness Centers.
- (21a) **“Pharmacy”** includes any portion of a supermarket or other retail store in which prescription drugs are dispensed for a fee.
- (22). **Premises** means land or a building or structure or portion of a building or structure on or in which a business is carried on.
- (23). **Proprietor** means the person who ultimately controls, governs or directs the business activities carried on in premises regulated by this Bylaw and includes the person actually in charge of the premises.
- (24). **Residential Rental Property** means a building containing more than two Residential Units which are occupied by persons other than the registered owner of the units and excludes buildings subdivided under the *Strata Property Act* regardless of how the strata lots are occupied,
- (25). **Residential Unit** means an apartment, townhouse, or row house unit or any other dwelling unit other than a secondary suite or a dwelling unit in a Single Family Dwelling or Two Family Dwelling.
- (26). **Registered Massage Therapy Clinic** means premises in which clients receive treatment from a person who is a “Registrant” as defined in the *Health Professions Act*.
- (27). **Scrap Metal Dealer** means means the business of selling, purchasing or otherwise dealing in Scrap Metal as defined in Scrap Metal Dealer Regulation Bylaw, 2007, No. 2686.

PART I – BUSINESS LICENSING

3. License Required

- (1). No person shall carry on a business in the City without holding a current license for the business carried on, except for those businesses specifically exempted in this Bylaw.
- (2). Where a business is carried on in or from more than one premises in the City, the business carried on in or from each premises is deemed to be a separate business.
- (3). Where more than one business is carried on in or from a single premises in the City, each business shall be deemed to be a separate business and shall require a separate business license.
- (4). Where a business is carried on as a partnership, it will be sufficient compliance with the licensing requirements of this Bylaw if one license is taken out in the name of the partnership or firm.
- (5). No person shall in the course of that person's business or otherwise operate or permit to be operated any gaming activity except as otherwise expressly permitted by this Bylaw or by any other bylaw of the City as may be in existence at any time, or from time to time.
- (6). A business license is required for every business carried on in the City or with respect to which any work or service is performed in the City, whether or not the business is carried on in or from premises in the City.

4. General Exceptions

- (1). No license is required for a performance, concert, exhibition, or entertainment where the entire proceeds less the actual cost are contributed to a charity for a non-profit charitable purpose, an application for an exemption is made to the Chief License Inspector on a form prescribed for that purpose, and an exemption is approved prior to the event.
- (2). No license is required with respect to a performance, concert, exhibition, entertainment or concession that is held in a licensed theatre or other licensed premises.
- (3). No license is required for a garage or yard sale which is conducted on a person's own residential premises, provided that not more than three sales are conducted per calendar year on the premises over a period of not more than six days in total.
- (4). No license is required for the business of letting or renting rooms if not more than 2 rooms are available for letting or renting, or for the business or renting a single family dwelling, a secondary suite, a dwelling unit in a two-family dwelling, or a residential strata lot.
- (5). No License Fee is required for a non-profit organization registered in BC, where an application for an exemption has been made to the Chief License Inspector on a form prescribed for that purpose, the Chief License Inspector has received confirmation that the business activity is permitted by the Zoning Bylaw, and the building inspector and fire inspector have advised that the activity may safely be undertaken in the premises proposed.

5. Application for License

- (1). All applications for licenses under this Bylaw must be made to the Chief License Inspector on the application form provided for that purpose.
- (2). Every applicant must make a true and correct statement in writing on the application form disclosing the nature and character of the business to be carried on, the address of the business, and all other information required by the application form.

6. Form of License

- (1). Every license issued under this Bylaw shall state that the holder is licensed to carry on the business stipulated in the license in a lawful manner for the periods specified in the license at the premises specified in the license, subject to the terms and conditions specified on the license and in this Bylaw.
- (2). Every license issued under this Bylaw shall be made out in duplicate and one copy shall be delivered to the person licensed.

7. Posting of License

- (1). The holder of a license must post the license and keep the license posted in a conspicuous place on the premises or on the thing or article in respect of which the license was issued.

8. Period of License

- (1). Each license issued under this Bylaw shall be valid for a maximum period of one year and shall expire on December 31.
- (2). The license holder is responsible to renew the license on or before the expiry date in each year as long as the business authorized by the license is being carried on.

9. License Fees

- (1). Every person applying for a new license or the renewal of an existing license shall at the time of making the application or before the expiry date of an existing license pay to the City:
 - (a) the business license application administration fee specified in the Fees and Charges Bylaw and the license fee applicable to the applicable business classification specified in that Bylaw, in the case of an application for a new license, or
 - (b) the license fee applicable to the business classification specified in the Fees and Charges Bylaw and all outstanding fees, charges and penalties due and payable to the City in respect of the business, before issuance or renewal of a license.
- (2). Every person applying for a change in the name, mailing address or other information provided on the application for the license of an existing business shall pay the business license application administration fee specified in the Fees and Charges Bylaw in addition to the business license fee

- (3). Where more than one re-inspection must be conducted in order to approve a business license application, the applicant shall pay the re-inspection fee specified in the Fees and Charges Bylaw for each additional inspection subsequent to the first re-inspection.
- (4). Where an existing business license has not been renewed and the license fee has not been paid by December 31, and
 - (a) the fee is paid between January 1 and January 31, the license fee is increased by 25%; and
 - (b) the fee is paid after January 31, the license fee is increased by 50%.
- (5). The license fee shall be pro-rated on a monthly basis for any business license that is issued for a new business after January 1.
- (6). The fees specified in the Fees and Charges Bylaw in respect of this Bylaw shall be increased on January 1 of each year, commencing in 2015, by the greater of 2% and any percentage increase in the Statistics Canada Consumer Price Index for Vancouver between August 1 in the year prior to the preceding year and August 1 in the preceding year.

10. Refund of License Fees

- (1). A business license fee shall not be refunded after the issuance of a license.
- (2). A business license fee shall be refunded in full on the applicant's request where the license has not been issued and the City has not conducted any inspections of the proposed business premises, and 50% of the license fee shall be refunded where the City has conducted one or more inspections.
- (3). For a home occupation where a license has been issued and the business has ceased to operate within 3 months of the date of issuance of the license, 75% of the license fee shall be refunded where the license holder has requested the Chief License Inspector to make the refund on a form prescribed for that purpose.
- (4). No portion of a business license application administration fee is refundable.

11. Transfer of License

- (1). A business license issued under this Bylaw is non-transferable.
- (2). No person who purchases the interest of, or part of the interest of, a person licensed under this Bylaw must not carry on or continue the business without first obtaining a new license and all of the same powers, conditions, procedures, fees and other requirements relating to the granting and refusal of licenses and reconsideration shall apply to the application.
- (3). An applicant to whom a license has been issued under this Bylaw who wishes to change the location of the premises in which the business is carried on must first apply to the Inspector for a new license and all of the same powers, conditions, procedures, fees and other requirements, relating to the granting and refusal of licenses and reconsideration shall apply to the application.

- (4). The holder of a license who changes the name, mailing address, business description or other information provided on the application for the license of an existing business other than the location of the business premises shall make a business license application and pay the business license application administration fee specified in the Fees and Charges Bylaw, and obtain approval from the License Inspector. The City shall issue a revised business license but no additional business license fee is required.

12. Inspection

- (1). Every Inspector and every Medical Health Officer is authorized to enter at all reasonable times, any house, place, premises, vehicle, or other place in respect of which a license has been applied for or granted or may be required under this Bylaw, to ascertain whether the regulations and provisions of this Bylaw are being obeyed.
- (2). No person shall prevent, obstruct or attempt to prevent or obstruct the entry of a person authorized under this Section.

13. Delegation to Chief License Inspector

- (1). The Council delegates to the Chief License Inspector the authority to grant, suspend, refuse or cancel a business license, including the authority to impose terms and conditions on the granting of a license.

14. Granting of a License

- (1). The Chief License Inspector may grant a license under this Bylaw where the Chief License Inspector is satisfied that the applicant has complied with the requirements of this Bylaw and other City Bylaws pertaining to the operation of the business including, without limitation, building, zoning, health and sanitation bylaws.
- (2). The Chief License Inspector may require that an applicant for a license provide proof of any certification, approval or qualification required by a federal, provincial or local government authority having jurisdiction over the proposed business.
- (3). The granting and issuance of a license under this bylaw shall not be construed as a representation by the Chief License Inspector or the City that the license holder is competent in the business operation for which they are licensed.

15. Refusal of a License

- (1). An application for a license may be refused by the Chief License Inspector in any specific case, provided that:
 - (a) the application must not be unreasonably refused; and
 - (b) the Chief License Inspector must, on request, give written reasons for the refusal.
- (2). If the Chief License Inspector has refused to grant a license, the applicant who is subject to the decision is entitled to have Council reconsider the matter.

- (3). Upon reconsideration the Council must provide written reasons for refusal if so requested.

16. Terms and Conditions of a License

- (1). The Chief License Inspector may impose such terms and conditions as the Inspector considers reasonable, including without limitation those specified in subsection (2), on the granting or renewal of a license under this Bylaw, in addition to the terms and conditions imposed in Part II of this Bylaw.
- (2). The terms and conditions imposed on a license may include any one or more of the following:
 - (a) a requirement that the license holder comply with a particular provision of a City Bylaw or any other provincial or federal enactment within a specified period of time;
 - (b) a requirement that the license holder provide to the Chief License Inspector within a specified period of time evidence satisfactory to the Chief License Inspector of compliance with a particular provision of a City Bylaw or any other provincial or federal enactment applicable to the class of business proposed.
- (3). The Council may by resolution impose such terms and conditions as the Council considers reasonable on a business license application, in addition to the terms and conditions imposed in Part II of this Bylaw and in addition to or in place of those imposed by the Chief License Inspector.
- (4). If the Chief License Inspector has imposed terms and conditions on a license, the applicant who is subject to the decision is entitled to have Council reconsider the matter.
- (5). It shall be a term of every licence issued under this Bylaw that is on the business premises there is located any form of receptacle for the collection of used or donated goods, the holder of the licence shall keep the area around the receptacle free of any such goods, or any other rubbish or debris, and for that purpose shall inspect and clean up the area before 11:00 am every day except Sundays and holidays.

17. Insurance and Safety of Amusement Rides

- (1). No license will be granted for the operation of a spectator or sports event, or any public entertainment, including, without limitation, any exhibition, zoo, circus, carnival, rodeo, demolition derby, automobile or motorcycle race, car rally, go-cart race, horse race, public animal ride, or other similar function, or the operation of a ferris wheel, merry-go-round or other amusement rides until the applicant has provided proof in a form and amount satisfactory to the City that the applicant has comprehensive general liability insurance, with coverage of not less than \$5,000,000 per occurrence, which includes a cross-liability clause and specifies the City as an additional insured.
- (2). The applicant for a business license for a carnival must supply to the City a copy of the current certification from the Province of British Columbia showing all amusement rides have been inspected and are approved for use.

18. Suspension or Cancellation of a License

- (1). A license may be suspended or cancelled by the Chief License Inspector for:
 - (a) failure to comply with a term or condition of a license;
 - (b) failure to comply with this Bylaw; or
 - (c) reasonable cause.
- (2). Without limiting Subsection (1), any one of the following circumstances may constitute reasonable cause:
 - (a) the holder is convicted of an offence under an Act or City Bylaw in respect of the business for which the holder is licensed or with respect to the premises named in the license;
 - (b) the holder is deemed, under the *Community Charter* or the *Offence Act*, (or their Regulations) to have pleaded guilty to an offence referred to in paragraph (a);
 - (c) the holder has ceased to comply with a Bylaw or has otherwise ceased to meet the lawful requirements to carry on the business for which the holder is licensed or with respect to the premises named in the license;
 - (d) in the opinion of the Chief License Inspector, the holder has engaged in misconduct that warrants the suspension or cancellation of the license, if the misconduct is:
 - i. in respect of the business;
 - ii. in or with respect to the premises named in the license; or
 - iii. in respect of that business or another business, or in or with respect to the premises of that business or other business, carried on by the holder inside or outside the City.
- (3). Before suspending or cancelling a license, the Chief License Inspector must give the license holder notice of the proposed action and an opportunity to be heard.
- (4). A suspension under Section 31 is for the period determined by the Chief License Inspector, and the Chief License Inspector may impose additional conditions on the license that relate to the reasons for the suspension and apply after the period of suspension.
- (5). In the case of a suspension or cancellation of a license by the Chief License Inspector, the Chief License Inspector must notify the holder of the right to reconsideration by Council.
- (6). The obligations under Subsections (3) and (5) are satisfied if a reasonable effort was made to mail or otherwise deliver a notice.

- (7). If the Chief License Inspector has suspended or cancelled a license, the license holder who is subject to the decision is entitled to have Council reconsider the matter.

PART II – SPECIFIC BUSINESS REGULATIONS

19. Adult Entertainment Publications

- (1). Except where the business is an adult entertainment store licensed under this Bylaw, no person carrying on any business shall display or permit to be displayed an adult publication except as follows:
 - (a) all adult publications must be located on a shelf the bottom edge of which is at least 120 cm from the floor; and
 - (b) all adult publications must be placed behind a sheet of opaque plastic or other opaque substance which extends for the full length of the shelf on which the publications are placed and which extends vertically for at least 20 cm from the bottom of the shelf.

20. Adult Entertainment Stores

- (1). No proprietor of an adult entertainment store shall permit any person to be on the store premises at any time unless the person is 18 years of age or over.
- (2). No proprietor of an adult entertainment store shall exhibit or permit to be exhibited in any window on or about the premises any adult publication or sex paraphernalia.

21. Internet Gaming Stores

- (1). Every proprietor of a business that offers equipment to the public to access the internet must use such blocking devices on the equipment as are required to prevent access to internet gaming from the business location to any person under the age of 19 years.
- (2). Every proprietor of such a business must post a notice of the age restriction concerning internet gaming in a conspicuous place at the entrance to the premises and inside the premises within one metre of each piece of equipment.
- (3). Every proprietor of such a business must require every patron wishing to access the internet for internet gaming to produce Authorized Identification to the proprietor before the proprietor may deactivate the blocking device for that patron.

22. Day Care

- (1). A day care facility in a single-family dwelling with an occupant load of not more than 8 children under care may be issued a business license on the basis of compliance with Building Code requirements for Residential Use (Group C) occupancies, provided that:
 - (a) there is no secondary suite located in the premises;

- (b) the water heating equipment and any furnace are located in a secure area that is not accessible to children; and
 - (c) the premises are equipped with interconnected AC powered smoke alarms at each level of the dwelling in addition to the day care area; interconnected carbon monoxide detectors if the dwelling has an attached garage or fuel burning appliance; and all handrails and guards required by the Building Code.
- (2). A day care facility with an occupant load of more than 8 children where the children under care are all over the age of 30 months shall not be issued a business license unless it meets the requirements of Group A Division 2 occupancies under the Building Code.
- (3). A day care facility with an occupant load of more than 8 children where the children under care are under the age of 30 months shall not be issued a business license unless it meets the requirements of Group B Division 3 occupancies under the Building Code.
- (4). A day care facility with any occupant load shall not be classified as Group D occupancies as defined in the Building Code.
- (5). The purpose of subsections (1) through (3) is to ensure that the premises in which day care services are provided comply with the life safety requirements of the Building Code.
- (6). Every proprietor of a day care must:
- (a) provide the Chief License Inspector with the number of children intended for care, and whether meals are to be provided;
 - (b) keep a record of all children given care, including dates of arrival and departure;
 - (c) not operate the business between the hours of 7:00 PM and 7:00 AM;
 - (d) submit to the Chief License Inspector with the business license application the results of a criminal records search from the RCMP for each proprietor, employee or volunteer of the business, and after the issuance of a license must require any proprietor, employee or volunteer of the business to have the results of a criminal records search from the RCMP delivered to the Chief License Inspector prior to the person working with children; and
 - (e) submit to the Chief License Inspector with the business license application a traffic management plan clearly identifying existing on-site and on-street motor vehicle parking spaces and any proposed changes; vehicular access to and egress from the site; and the applicant's proposed strategy for reducing any impact the additional traffic may have on the neighborhood.

23. Contractors and Waste Haulers

- (1). Every person licensed as a construction or building contractor must, within two weeks of delivery of a written request by an Inspector, provide the Inspector with a list of all sub-trades engaged on each specific job, on a form prescribed by the Inspector.

- (2). Waste haulers picking up solid waste within the City shall deliver all such solid waste in accordance with Metro Vancouver's Integrated Solid Waste and Resource Management Plan and applicable bylaws for the transfer or deposit of such waste.

24. Licensed Establishments

- (1). The Chief License Inspector may impose terms and conditions for the granting or renewal of a license for a business that is licensed under the *Liquor Control and Licensing Act*, including but not limited to terms and conditions in respect of:
 - (a) patron behavior both inside and outside the business premises, including but not limited to orderly entrance and dispersal, noise, vandalism, unlawful activities, nuisance behavior and occupant load;
 - (b) safety and security of patrons and the public both inside and outside the business premises, including but not limited to patron screening and door control; installation and use of security cameras and the retention of recorded information; provision of security staff and monitoring the conduct of patrons; use of metal detectors and other screening devices; article and body searches of patrons; lighting; implementation of Crime Prevention Through Environmental Design elements in the premises and surrounding area; staffing requirements; and personal safety of employees and patrons including ejection and prevention of re-entry, by the proprietor or by a Peace Officer, of patrons whose conduct gives rise to a reasonable apprehension that they present a safety risk to other persons;
 - (c) responsible serving of alcoholic beverages, including but not limited to over-serving and patron capacity;
 - (d) condition of the premises and surrounding area, including but not limited to exterior condition and appearance of premises and inspection, cleanup and removal of litter;
 - (e) entertainment; and
 - (f) compliance with City bylaws.
- (2). The proprietor of every business holding a Liquor Primary Licence that operates an outdoor barbecue, shall not operate the outdoor barbecue except between the hours of 8:00AM and 11:00PM on any day.

25. Ice Cream Vendors

- (1). No ice cream vendor shall carry on business in a manner which is contrary to the *Motor Vehicle Act*, or any other City by-law or Provincial statute or regulation enacted to regulate traffic and the use of highways in the City.
- (2). Ice cream vendors may operate in all residential areas and park and open space areas designated in the Zoning Bylaw.
- (3). No ice cream vendor shall post, erect, or display a sign along a highway or on property except in compliance with a City bylaw.

- (4). Every ice cream vendor must obtain written approval from the provincial agency responsible for health and the safe handling of food products before obtaining a business license.
- (5). No ice cream vendor shall stand or locate within 100 metres of any premises offering for sale the same or similar items as the ice cream vendor.
- (6). Every ice cream vendor must provide a garbage container for the use of patrons and must pick up all garbage and debris located within 25 metres of the vehicle which results from the ice cream vendor's operation.
- (7). Every vehicle used by an ice cream vendor must be kept in good repair.
- (8). An ice cream vendor must not operate before 8:00 AM or after 9:00 PM.
- (9). The amplified sound from an ice cream vendor's vehicle must not be played at a higher level than 60 dBA measured at 15 metres in front of the vehicle and the amplified sound system must be set within the unit so that it cannot be adjusted to a higher level than 60 dBA measured at 15 metres in front of the vehicle.
- (10). An ice cream vendor at his expense must, upon request by an Inspector provide certification from an acoustical engineer or other qualified person verifying that the amplified sound system complies with this Bylaw.
- (11). The amplified sound system in an ice cream vendor's vehicle must be shut off when the vehicle is stopped.
- (12). An ice cream vendor must only stop the ice cream vendor's vehicle in the course of business while actively engaged in making a sale and must move to another location after all customers have been served.
- (13). No member of the general public shall be permitted inside an ice cream vendor's vehicle and all food must be served to customers while they stand at the exterior of the vehicle.
- (14). Every applicant for a license to operate an ice cream vendor business must supply the Chief License Inspector with the name, age, address, birth date and gender of all persons employed in the business and the results of a current criminal records search obtained from the RCMP for each such employee.

26. Mobile Vendors

- (1). For the purposes of this Section an ice cream vendor is deemed not to be a mobile vendor.
- (2). A Business Licence for a Mobile Vendor may be issued for the following purposes:
 - (i) as part of a Farmers Market;
 - (ii) in conjunction with community events; or

- (iii) operated by and proceeds going towards a non-profit organization or Langley community group;
- (iv) a mobile catering service business which is described as a business in which a motor vehicle [truck or van] is used to carry prepared food items and beverages for sale to businesses in the I1 and I2 Industrial Zones and/or the C2 Service Commercial Zone as well as to building construction sites on a contracted/prearranged route.

27. Pedlars

- (1). For the purposes of this Section a Mobile Vendor or an Ice Cream Vendor is deemed not to be a Pedlar.
- (2). Subject to Subsection 3, no person shall peddle:
 - (a) on or from a highway;
 - (b) from a vehicle that is stopped or parked on a highway or on public or private property;
 - (c) on or from a sidewalk;
 - (d) on or from a parking lot;
 - (e) outside of a building; or
 - (f) on or from City property or a City right-of-way.
- (3). The City may issue a license to occupy a highway or other City property to a pedlar to peddle and in such case the provisions of Subsections 2(a)(b)(c) and (f) do not apply.
- (4). No pedlar shall carry on business in a manner which is contrary to the *Motor Vehicle Act*, or any other City bylaw or Provincial statute or regulation enacted to regulate traffic and the use of highways in the City.
- (5). No pedlar shall post, erect, or display a sign along a highway or on property except in compliance with a City bylaw.
- (6). Every pedlar, when selling or offering for sale to the public a commodity which is sold by weight or measure, must have a lawful scale or measure capable of weighing or measuring the commodity.
- (7). Every pedlar who peddles food or food products must obtain written approval from the provincial agency responsible for health and the safe handling of food products.

28. Tow Trucks

- (1). Every proprietor and operator of a tow truck must ensure that the following requirements are followed:
 - (a) Every driver of a tow truck shall, before towing any motor vehicle from the scene of an accident, supply the owner or driver of the vehicle being towed, a card which identifies the driver and the towing company by whom such driver is employed. Each such card shall be signed by the driver of the tow truck and shall state clearly the destination to which the motor vehicle will be towed, provided however, that where the owner or driver of a vehicle is injured or has been removed from the scene of the accident, such card shall be given to an attending Peace Officer.
 - (b) No driver of a tow truck shall deliver a vehicle to any destination other than the one stated on the card referred to in subsection (1).
 - (c) Every driver of a tow truck which has been engaged to tow a motor vehicle from the scene of an accident shall clear the streets and public areas of all broken glass and other debris resulting from the accident so that the debris will not cause injury or damage to any person or property of any person using the area.
 - (d) No driver of any tow truck who has been requested to tow a vehicle from the scene of an accident shall solicit or suggest a specific destination for the vehicle being towed.
 - (e) No driver of a tow truck shall attend at the scene of a motor vehicle accident, whether by coincidence or otherwise, unless the driver has been requested to do so by the owner or driver of any motor vehicle involved in that accident or by an attending Peace Officer.
 - (f) Every tow truck shall have painted or otherwise permanently affixed on each side of the cab, a business name, or if no such name, the name of the owner of the tow truck, and such names shall be printed in lettering not less than two 5 cm high and shall be kept clear, clean and distinguishable at all times.

29. Residential Rental Properties

- (1). An owner of Residential Rental Property who wishes to qualify for the reduced license fee applicable to Crime Free Residential Rental Property must provide at the time of application or renewal of the business license a current certification of the property issued by Langley RCMP under the Crime Free Multi-Housing Program.
- (2). The owner of Residential Rental Property other than Crime Free Residential Rental Property:
 - (a) must appoint as Property Manager a person who resides at the property,
 - (b) must provide the Property Manager's name, phone number, and emergency phone number to the Chief License Inspector at the time of making a business license application or on the change of Property Manager, post the information at the main entrance of the premises where it is readily visible to the Inspector, and notify the Inspector in writing of any changes in such information,
 - (c) must permit the Inspector to have access to all common areas of the premises at the Inspector's request, to inspect the premises for compliance with City Bylaws, the Building Code and other applicable regulations,

- (d) must permit the Inspector to have access to a Residential Unit in the premises upon 24 hours' notice given by the Inspector to the Property Manager or posting of such notice at the main entrance of the premises, to inspect the residential unit for compliance with City Bylaws, the Building Code and other applicable regulations.

30. Scrap Metal Dealer

- (1). A scrap metal dealer must operate the business in accordance with the provisions of the Scrap Metal Dealer Regulation Bylaw.

31. Dog Daycare Facilities

- (1). The proprietor of a Dog Daycare Facility must:
 - (a) not care for more than 30 dogs at any one time;
 - (b) not operate or keep dogs on the premises outside the hours of 7 AM and 7 PM Monday to Saturday;
 - (c) not keep a dog in a pen that is less than double the length or height of the dog;
 - (d) not permit dogs outside the business premises other than when they are being picked up or dropped off;
 - (e) provide to the Chief License Inspector when applying for a license or license renewal an animal care plan complying with Canadian Kennel Association or LAPS guidelines;
 - (f) maintain a daily register of the dogs under care, including dog license number and owner's name, address and telephone number;
 - (g) permit the Inspector or LAPS inspector to view the animal register and animal care plan and inspect the premises to ensure the proprietor's animal care plan is being followed;
 - (h) provide to the Chief License Inspector when applying for a license or license renewal, and implement, an animal waste disposal plan; and
 - (i) comply with all requirements of the City's Animal Control Bylaw.

32. Pet Stores

- (1). The proprietor of a pet store must:
 - (a) comply with all requirements of the City's Animal Control Bylaw;
 - (b) not keep more than 10 dogs on the premises at any time;
 - (c) not keep more than 10 cats on the premises at any time;

- (d) not keep a dog or cat in a cage that is less than double the length or height of the animal;
- (e) maintain an animal register recording the place and kennel of origin and breeding information for each dog and cat that is kept for sale, and the name, address and telephone number of the purchaser of each dog or cat, for inspection by the Inspector and any LAPS inspector;
- (f) maintain the premises in accordance with Canadian Kennel Association or LAPs guidelines;
- (g) have a service agreement with a Veterinary Clinic and post a sign on the premises indicating the name, telephone number and address of the Veterinary Clinic with whom the proprietor has a service agreement, visible to all employees, members of the public, any LAPS inspector and the Inspector;
- (h) maintain a register of all service visits to the premises under the Veterinary Clinic service agreement, and provide the register to the Inspector or LAPS inspector upon request; and
- (i) not sell or display for sale aquatic turtles or turtle eggs.

33. Hotels

- (1). Every Hotel proprietor must make available to the Inspector upon request the guest register maintained pursuant to the *Hotel Guest Registration Act*.
- (2). Upon request by the Inspector, the proprietor of a Hotel shall obtain Authorized Identification from any guest whose name has been recorded in the guest register, for inspection by the Inspector.
- (3). A staff member must be present at all times at the front desk of every Hotel licensed under this Bylaw.
- (4). The proprietor of a Hotel must post the business license holder's name, telephone number, and emergency telephone number at the main entrance of the Hotel.

34. Personal Health Enhancement Centers

- (1). Every person making an application for a license, or renewal of an existing license, to carry on business as a Personal Health Enhancement Center shall, at the time of the application or renewal, provide to the Chief License Inspector:
 - (a) a copy of Authorized Identification for each person proposed to be employed in the business or involved in the business as an owner;
 - (b) a current criminal records search provided by the RCMP for each person described in subsection 34 (1) (a);
 - (c) evidence satisfactory to the Chief License Inspector that written approval of the business has been given by the Fraser Health Authority and any other provincial authority or body having jurisdiction;

- (d) a letter from the owner of the business premises, if the applicant is not the owner, confirming the nature of the business, the proprietor's name, and the length of any lease the owner has given the proprietor;
 - (e) any additional information the Chief License Inspector reasonably requires to ensure that the proposed business complies with all applicable City bylaws.
- (2). The license holder must provide to the Chief License Inspector, within 30 days of any such change, the information described in Subsection (1)(a) and (b) for each person becoming employed in the business or involved in the ownership of the business after issuance of the license, and pay to the City an administrative fee equivalent to the business license application administration fee specified in the Fees and Charges Bylaw in respect of each such additional employee or owner.
- (3). The license holder must post the name of the business and hours of operation at each entrance to the business premises, and permit the Inspector to inspect the business premises and the Authorized Identification of each employee during the hours of operation.

35. Door to Door Canvassing

- (1). Door to Door Canvassing shall be in compliance with the Council Policy "Request to Conduct Door to Door Canvassing".

36. Home Occupations

- (2). Home occupation businesses must be in compliance with all home occupation regulations enacted in the City's zoning bylaw.

36A. Pharmacies

- (1) In addition to the other requirements of this Bylaw pertaining to license applications, an applicant for a license for a pharmacy must provide to the Chief License Inspector evidence that the applicant is a registrant in the B.C. College of Pharmacists, including photo identification enabling the Chief License Inspector to establish that the applicant is a registrant.
- (2) No holder of a license for a pharmacy may provide or offer to provide home delivery of methadone, except on the basis of written authorization by the prescribing physician in the form prescribed by the B.C. College of Pharmacists.
- (3) Every licensed pharmacy must provide indoor seating for at least 3 patrons, that is suitable and available for use by patrons recovering from the effects of any prescription dispensed orally to the patron on the premises and located such that the dispensing pharmacist may observe any patron using the seating.
- (4) An applicant for a license for a pharmacy must indicate in the application the hours and days of the week during which the pharmacy will be open to the public for business, which hours must be, at a minimum, from 10:00 a.m. to 5:00 p.m. each day other than Sunday and statutory holidays. The hours of operation shall

be clearly posted on the premises so as to be legible from the exterior, and every licensed pharmacy shall be open to customers via unlocked doors during, at a minimum, the hours stated in the license application and posted on the premises, without the customer having to request access to the premises by any means.

36B. Thrift Stores

- (1) The holder of a licence for any business offering used or donated goods for sale shall have an attendant present at the receiving area at all times that goods are being received.
- (2) The holder of a licence for any business offering used or donated goods for sale shall post clearly legible signage at or near any entrance to the premises stating the hours during which the delivery of goods will be accepted.

37. General Nuisance

- (2). No proprietor shall operate or permit the operation of a licensed business within the geographical boundaries of the City in such a manner so as to cause a nuisance to an owner or occupier of adjacent property whether in the form of noise or any substance or matter emanating from the business premises.
- (3). If an Inspector or a Peace Officer responds more than three times in any consecutive 12 month period to a complaint of nuisance or unlawful conduct in the use of a Residential Rental Property including without limitation, noise, use of firearms, controlled substances or alcohol, disorderly conduct, or mischief, the owner of the Residential Rental Property must upon notice by the Chief License Inspector or Inspector pay the Special Rental Residential Property Inspection Fee , specified in the Fees and Charges Bylaw. .
- (4). The Inspector or Peace Office must provide written notice to an owner of the Residential Rental Property of the time, and place of each of the first three responses being relied upon together with a brief description of the nuisance or other conduct that gave rise to the complaint.
- (5). The Special Rental Residential Property Inspection fee must be paid by the owner upon receipt of an invoice from the City. If the amount is not paid in full by the 31st day of December in the year received, the unpaid amount shall be added to and form part of the fee for renewal of the business license for the Rental Residential Property.
- (6). Nothing in this Section shall be construed to limit the City's authority to pursue other legal remedies under this Bylaw, or otherwise.

38. Offences and Penalties

- (1). Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw or neglects to do or refrains from doing any act or thing required to be done by this Bylaw or fails to comply with a term or condition of a license granted under this Bylaw is guilty of an offence and shall be liable upon summary conviction to a penalty of not less than \$50.00 and not more than \$10,000.00 plus the costs of the prosecution.

- (2). Each day that a violation is permitted to exist shall constitute a separate offence under this Bylaw.

39. Severability

- (1). The provisions of this Bylaw are severable. If any provision of the Bylaw is found by a court of competent jurisdiction to be unlawful or otherwise invalid, it shall be severed from the Bylaw and all other provisions of the Bylaw shall be enforceable to the same extent as if the unlawful or invalid provision had not been enacted.

40. Repeal

- (1). Business License and Regulation Bylaw, 2004, No. 2564 is repealed

41.

- (1). This Bylaw shall come into force and take effect on the 1st day of February, 2014.

READ A FIRST and SECOND TIME this second day of December, 2013.

READ A THIRD TIME this sixteenth day of December, 2013.

ADOPTED this thirteenth day of January, 2014.

MAYOR

CORPORATE OFFICER