



RESORT MUNICIPALITY OF WHISTLER

CONSOLIDATED "BUSINESS LICENCE BYLAW NO. 567, 1987"

THIS BYLAW IS CONSOLIDATED BY:

Bylaw No.	Bylaw Name	Date Adopted
567	Business Licence Bylaw No. 567, 1987	25-May-1987
694	Business Licences Amendment Bylaw No. 694, 1988	26-Sep-1988
740	Business Licence Amendment Bylaw No. 740, 1989	24-Apr-1989
771	Business Licence Amendment Bylaw No. 771, 1989	11-Dec-1989
1330	Business Licence Amendment Bylaw No. 1330, 1998	4-May-1998
1554	Business Licence Amendment Bylaw No. 1554, 2001	19-Nov-2001
1730	Business Licence Amendment Bylaw No. 1730, 2005	21-Nov-2005
2040	Business Licence Amendment Bylaw No. 2040, 2014	18-Mar-2014

Individual copies of any of the above bylaws are available from the Resort Municipality of Whistler.

This copy of "Business Licence Bylaw No. 567, 1987" has been consolidated and printed by the authority of the Corporate Officer of the Resort Municipality of Whistler pursuant to Section 139 of the *Community Charter* and Bylaw Consolidation and Revision Bylaw No. 1957, 2010.

Dated this 26 day of October, 2015.

Signed original on file.

Shannon Story
Corporate Officer

**CONSOLIDATED
RESORT MUNICIPALITY OF WHISTLER BYLAW NO. 567**

**A BYLAW TO PROVIDE FOR THE LICENCING OF BUSINESSES CARRIED ON WITHIN
THE RESORT MUNICIPALITY OF WHISTLER,
AND THE FIXING, IMPOSING AND COLLECTING OF LICENCE FEES.**

WHEREAS Council, subject to the limitations and provisions contained in Division (1) Part 11 of the Municipal Act of the Province of British Columbia, may by Bylaw require the owner or operator of a business to hold a licence for carrying on the business, provide for the fixing, imposing and collecting of licence fees and for prescribing regulations therefore;

AND WHEREAS the Municipal Act defines:

"business" as carrying on a commercial or industrial undertaking of any kind or nature or the providing of professional, personal, or other services for the purpose of gain or profit, but does not include an activity carried on by the government, its agencies, or government owned corporations;

"non-resident business" as a business, other than a residential business, carried on in the Municipality or with respect to which any work or service is performed in the Municipality;

"residential business" as a business carried on in and from premises within the Municipality;

"highway" as including a street, road, lane, bridge, viaduct and any other way open to public use, but does not include a private right of way on private property;

NOW THEREFORE the Council of the Resort Municipality of Whistler, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "Business Licence Bylaw No. 567, 1987".
2. In this Bylaw:
 - "Act" means the Municipal Act, being Chapter 290 of the Revised Statutes of British Columbia, 1979, as amended;
 - "Council" means the Municipal Council of the Resort Municipality of Whistler;
 - "Licence Inspector" means the person duly appointed from time to time as Licence Inspector for the Municipality;
 - "Municipality" means the Resort Municipality of Whistler;
 - "Occupant Load" means the number of persons permitted in a floor area, pursuant to the Building and Fire Code regulations.
3. No person shall carry on, within the Municipality, any business unless he is the holder of a valid licence issued to him under this Bylaw by the licence Inspector.
4. All applications for a licence under this Bylaw shall be:

- (a) *Deleted by Bylaw 1554.*
 - (b) completed in full and signed by the owner of the business or an agent authorized in writing by the owner; provided that in the case of partnerships or multiple owners any one such owner or partner shall be deemed to be the duly authorized agent of all of the owners of the partnership;
 - (c) accompanied by the licence fee applicable to that business 's class and to the time of the application, as prescribed in Schedule "A" (amended by Bylaw 1554)
- 5. The Licence Inspector may grant, suspend, or transfer licences.
- 6.
 - (a) Except as otherwise provided in this Bylaw, the period for a licence shall be January 1 to December 31 in any year;
 - (b) *Deleted by Bylaw 1554.*
- 7. The period for a licence in respect of a theatre, amusement hall, concert hall, music hall, rink, amusement park, or other place of amusement, entertainment or exhibition may be six months, three months, one month or one day, and the period requested shall be specified by the applicant in Schedule "B".
- 8. Every person to whom a licence is issued under this Bylaw shall:
 - (a) permit the Licence Inspector reasonable access to his business premises, during business hours, for the purpose of ensuring that the requirements of this Bylaw and Division (1) of Part 11 of the Act are being fulfilled;
 - (b) ensure that the licence is posted in a conspicuous location on the business premises or carried by the person in respect of whom the licence was issued.
- 9. All licences issued under this Bylaw shall:
 - (a) be made out in duplicate, with one copy being mailed to the applicant and the other retained by the Licence Inspector;
 - (b) apply only to the person to whom it was issued and no other person shall have the right to use such licence; however, when two or more persons are carrying on a business in partnership only one licence, taken out in the name of the partnership, is required.
- 10.
 - (a) No person shall change their place of business without first obtaining a transfer of licence from the Licence Inspector.
 - (b) A transfer of licence may be applied for by notifying the Licence Inspector, in writing, of the intent to change location and providing the address of the proposed new location of the business.

(Sections deleted as per Bylaw 740)

11. Notwithstanding anything herein and before contained, the amount of every licence fee payable by any person under the provisions of this Bylaw shall be a debt due by the person to the Municipality, recoverable with costs in any court of competent jurisdiction. (Renumbered as per Bylaw 694 and Bylaw 740)
12. Any person contravening any provisions of this Bylaw shall be deemed guilty of an offence punishable under the Offences Act R.S.B.C.1979, c.305 as amended and liable to a fine not exceeding \$2,000.00 and the costs of prosecution or to imprisonment for not more than six months, or both. (Renumbered as per Bylaw 694 and Bylaw 740)
13. Any person contravening any provisions of this Bylaw shall be deemed guilty of an offence punishable under the Offences Act R.S.B.C.1979, c.305 as amended and liable to a fine not exceeding \$2,000.00 and the costs of prosecution or to imprisonment for not more than six months, or both. (Bylaw 771, note: already in the bylaw as section 12)
13. If any section, subsection, sentence, clause or phrase of this Bylaw is held to be invalid by the decision of any Court of competent jurisdiction, this decision shall not effect the validity of the remaining portions of this Bylaw. (Renumbered as per Bylaw 694 and Bylaw 740)
14. "Business Licence Bylaw No. 203, 1981" is hereby repealed. (Renumbered as per Bylaw 694 and Bylaw 740)

SCHEDULE 'A' – Business Licence (Bylaw 1730)

BUSINESS LICENCE FEES

The following regulations apply to business licence fees:

1. The licence fee indicated for each business class in their schedule is for a 12 month period.
2. Fees are due to the Municipality on or before January 31, of the licence year.
3. No annual fee for a licence shall exceed \$1400.00.
4. Business Licence Fees:
 - a) **VENDING MACHINES**
From every operator of a vending machine, a licence fee of \$28.00 per machine to a maximum fee of \$420.00 with a minimum fee of \$165.00.
 - b) **HOTEL, INN, LODGE, PENSION, CHALET, VILLA OR RESORT CLUB**
From any person renting or offering for rent individual rooms, suites or lodging, a licence fee of \$10.00 per room with a minimum fee of \$165.00.
 - c) **RESTAURANTS**
From every operator of a restaurant a licence fee of \$2.00 per person based on occupant load with a minimum fee of \$165.00
 - d) **BAR, PUB, LOUNGE OR CABARET**
From every operator of a bar, pub, lounge or cabaret a licence fee of \$5.00 per person based on occupant load with a minimum fee of \$165.00.
 - e) **SKI AREA OPERATOR**
From every operator of a down hill ski/snowboard area, a licence fee of \$70.00 per lift with a minimum fee of \$165.00.
 - f) **BANK**
From every bank or credit union a licence fee of \$308.00.
 - g) **OTHER BUSINESS**
From every other business, trade, practice or profession a licence fee of \$165.00.



BUSINESS LICENCE APPLICATION FORM

Businesses operating in Whistler are required to have a valid business licence. The information requested in this application form is necessary to fully evaluate your request for a licence. Completion of this form does not guarantee approval of a business licence. Standard applications may be processed within five working days. More complex applications may take additional time.

TYPE OF APPLICATION

- ☐ New
- ☐ Change to existing business licence number _____

TYPE OF BUSINESS & LOCATION

- ☐ Resident – located in Whistler and operating from the following **commercial** location:

- ☐ Non-resident – doing business in Whistler but based outside of Whistler at this location:

- ☐ Home occupation – business operating from a residential location in Whistler
(including massage practitioner operating as a contract worker) at the following **home** address:

Is your business registered with the Province of British Columbia? Yes No

If yes, please provide copy of registration documents and CCRA Business number _____

INFORMATION

Name of business _____

Business description _____

Mailing address _____

Business telephone _____

E mail _____

Business Owner _____

Telephone _____ **Cell** _____

E mail _____

RESIDENT BUSINESS OWNERS OPERATING IN A COMMERCIAL SPACE

Building and Fire Code inspections must be conducted as part of the licence approval process. If you are leasing a space and plan on making any alterations, you must apply for a building permit and receive an occupancy permit before we will issue your business licence.

Opening in an existing improved space? The Building Department and Fire Department will still inspect to ensure that the premises match the building plans on file, and that the space meets current BC Building and Fire Codes.

- ✓ Please provide a copy of your lease agreement with this application.

HOME OCCUPATION APPLICANTS

Business operations must comply with the Zoning and Parking Bylaw No. 303, 1983 regulations for home occupation use:

- a) Alterations are not made to any building in a residential zone to indicate it is being used for any purpose other than its principal use;
- b) The maximum number of persons who do not normally occupy the dwelling unit engaged in home occupation use is one;
- c) No products or materials are stored outside of a principal building and auxiliary building; and
- d) No products or materials are sold from a home occupation use which is located in a residential zone.

If you live in a strata property, we require proof of approval by providing a signed strata waiver form.

The RMOW reserves the right to suspend or cancel a business licence where the applicant has knowingly provided false information to the RMOW regarding the operation, ownership or any other aspect of the business in question.

I _____ hereby make application for a licence in accordance with all of the information as above stated and declare that this is a true and correct statement; the information may be shared in accordance with the Freedom of Information Act and further agree to comply with all the relevant bylaws of the Resort Municipality of Whistler. **I understand that I cannot commence business until such time as a business licence has been approved and issued.**

Name of Applicant _____ Position in Business _____

Signature _____ Date _____

All licences will expire annually on 31 of December of each year. The annual fee in the first year will be pro-rated based on the business start date. Upon licence approval, we will send you an invoice for the licence fee. Your business licence will be processed after we receive payment for the licence fees.

4325 Blackcomb Way, Whistler BC V0N 1B4

E mail: businesslicences@whistler.ca
Phone 604 935 8249

Schedule "C"
Deleted by Bylaw 1554.

Schedule "D"
Deleted by Bylaw 1554.