



The Corporation of the City of Courtenay

Bylaw No. 3212

A bylaw for the licencing and regulation of business

Council of the City of Courtenay, in open meeting assembled, enacts as follows:

1 Citation

- 1.1 This Bylaw shall be cited as “Business Licence Bylaw No. 3212, 2026”.

2 Definitions

- 2.1 In this Bylaw the following definitions apply. Terms not defined herein shall be as defined in the City of Courtenay Zoning Bylaw as adopted by Council, as amended from time to time:

“Auctioneer” means a Person who conducts auctions for the sale of goods by calling for bids and declaring goods sold;

“Applicant” means any Person who makes an application for a Licence under the provisions of this Bylaw;

“Bed and Breakfast Accommodation” means the accessory use of a residence in which temporary overnight accommodation and the first meal of the day served in a common room is provided to tourists;

“Building Official” means the Person designated in or appointed to that position by the City, and includes a building inspector, plan checker, plumbing inspector gas inspector, or electrical inspector designated or appointed by the City, and for certainty the building official is the “building inspector” referred to in the *Community Charter S.B.C. 2003, c.26* and *Local Government Act R.S.B.C. 2015, c.1*, and a “qualified building official” or “exempt building official” as applicable, under the *Building Act S.B.C. 2015, c.2*;

“Business” means the carrying on of a commercial or industrial undertaking or trade of any kind, or the provision of professional, personal, or other services for the purpose of gain or profit but does not include an activity carried out by the government, its agencies, or government owned corporations;

“Business Day” means a day other than Saturday, Sunday or another holiday listed in the definition of “holiday” in the *Interpretation Act R.S.B.C. 1996, c.238* as amended or replaced from time to time;

“Business Owner” means the Person or Persons that are legally responsible for the Business and are the Licence Holder;

“Bylaw Enforcement Officer” means any Person appointed from time-to-time by Council as a Bylaw Enforcement Officer or an individual responsible for the purpose of enforcing or carrying out the provisions of this Bylaw, or members of the RCMP;

“City” means the Corporation of the City of Courtenay;

“Council” means the Council of the City of Courtenay;

"Dwelling Unit" has the same meaning as given in the BC Building Code, as may be amended or replaced from time to time;

"Fire Inspector" means a City Fire Inspector designated by Council by name of office or otherwise;

"Food Cart" means a non-motorized mobile cart with a maximum area of 4.65m² from which food and/or drink is dispensed, and where the entire stock of goods offered for sale is carried and contained in the cart and which may change locations from time to time, and which is not located in a permanent building or structure, and is removed from public access when not in use;

"Food Trailer" means a portable, self-contained trailer that is equipped to cook, prepare and/or serve food or beverages, but does not include a Food Cart or Food Truck;

"Food Truck" means a motorized, mobile, self-contained vehicle that is equipped to cook, prepare and/or serve food or beverages but does not include Food Trailers or Food Carts;

"Food Service Business" means a Business primarily engaged in the sale of food and beverages for immediate public consumption on the Premises of the Food Service Business;

"Garage Sale" means the sale of used furniture, clothing, toys, appliances or other household or personal items owned by the individual holding the sale where the sale:

(a) is held at an individual's usual place of residence;

(b) carries on for no more than two consecutive days; and

(c) occurs no more than four times per calendar year;

"Inter-Community Business Licence" means a Licence issued for the purpose of conducting Business in a municipality that participates in the Inter-Community Business Licence program as described in the City's Inter-Community Business Licence Bylaw No. 2769, 2013 as amended or replaced from time to time;

"Initial Licence" means a Licence issued to an Applicant that did not previously hold a valid and subsisting Licence for the subject Business under this Bylaw.

"Licence" means a Business licence issued by the City to operate a Business under this Bylaw, and is limited to an Initial Licence or a Renewal Licence;

"Licence Holder" means the Person to whom the Licence was issued;

"Licence Inspector" means a Person appointed by Council for the purpose of enforcing and carrying out the provisions of this Bylaw and includes Fire Inspectors, Building Officials and Bylaw Enforcement Officers;

"Mobile Food Vending" means the operation of a Food Service Business from a Food Cart, Food Trailer or Food Truck;

"Non-Resident Business" means a Business, other than a Resident Business, carried on in the City, or with respect to which any work or service is performed in the City;

"Participating Municipality" means the local governments listed in the City of Courtenay Inter-Community Business Licence Bylaw, as amended from time to time;

"Person" includes a corporation, partnership, proprietorship, firm and the personal or other legal

representative of a person to whom the context may apply under this Bylaw;

"Premises" means a building, portion of a building, legal parcel, and may include more than one parcel where the parcels are within a single civic address, or within a single strata development;

"Pub" means a licensed establishment whose Principal Use is the sale and service of alcoholic beverages for consumption on the Premises, and which may also provide food service and entertainment as accessory uses;

"RCMP" means the Royal Canadian Mounted Police;

"Renewal Licence" means a Licence issued to a Business under this Bylaw for each calendar year after the expiry of the Initial Licence for the Business;

"Resident Business" means a Business carried on, in or from a Premises or place located within the City;

"Short-Term Rental Accommodation" means the rental of a Dwelling Unit or any portion of it for a period of less than 90 days. This use does not include Bed and Breakfast Accommodation;

"Society" means:

(a) a society incorporated and in good standing under the *Societies Act* S.B.C. 2015, c. 18 as amended or replaced from time to time; or

(b) a society or organization which is registered as a charitable society or organization under the *Income Tax Act* of Canada as amended or replaced from time to time;

"Special Event" has the same meaning as in the City Special Events Regulation Bylaw as may be amended or replaced from time to time.

2.2 Except as otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the *Community Charter, Local Government Act* R.S.B.C. 2015, c.1 and *Interpretation Act*, as the context and circumstances may require.

2.3 Any enactment referred to herein is a reference to an enactment of British Columbia and its regulations, as amended or replaced from time to time.

3 General Regulations

3.1 No Person shall carry on any Business within the City without first:

- a) paying the fee for a Licence as described under Schedule A of this Bylaw; and
- b) obtaining a Licence.

3.2 Every Person who owns or operates a Business at more than one Premises must apply for, obtain, and maintain a separate Licence in respect of each separate Premises.

3.3 Section 3.2 of this part does not apply to an operator of a Mobile Food Vending unit and is only required to obtain one Licence per vending unit in operation.

3.4 Every Person who owns or operates more than one Business at a single Premise must apply for, obtain, and maintain a separate Licence in respect of each Business at that Premises.

- 3.5 No Licence Holder shall contravene, permit, or allow the contravention of any term of this Bylaw in relation to their Business.
- 3.6 No Licence Holder shall contravene, permit, or allow the contravention of any term or condition of their Licence.
- 3.7 The regulations for specific Businesses identified in Schedule B of this Bylaw shall apply to those types of Businesses.

4 **Licence Exemptions**

- 4.1 Notwithstanding any other provisions of this Bylaw, a Licence is not required for:
 - a) fundraising activities;
 - b) a Society provided that the entire proceeds of the activity are for the Society's purposes;
 - c) rental of a Dwelling Unit, secondary suite or accessory dwelling unit to residential tenants, for periods of more than 90 days;
 - d) a Garage Sale; or
 - e) being a holder of a valid Inter-community Business Licence from a Participating Municipality.

5 **Licence Applications**

- 5.1 An application for a Licence shall be submitted electronically on the form provided by the Licence Inspector for that purpose providing complete, accurate and current information.
- 5.2 Every application for a Licence under this Bylaw may be required by the Licence Inspector to contain the following information when applicable:
 - a) the name, address and phone number of the Applicant and the Business Owner;
 - b) the Business classification;
 - c) a description of the Business to be conducted;
 - d) a description of the Business Premises, including the civic address, floor plans and parking plans;
 - e) proof of ownership, a lease or other arrangement permitting the Business to use the Business Premises for the term of the Licence;
 - f) proof of any certification, licence, permit, approval, qualification, or plan that may be required by a federal, provincial or local authority with respect to the Business;
 - g) reasonable proof of insurance if insurance is required under this Bylaw or any other bylaw or enactment;
 - h) the type of liquor licence, including any endorsements, issued to the Business under the *Liquor Control and Licensing Act*, S.B.C. 2015, c.19;
 - i) proof of a cannabis retail store licence, including any conditions, issued to the Business under the *Cannabis Control and Licensing Act*, S.B.C. 2019, c.29;
 - j) proof of a permit issued to the business under the Food Premises Regulation under the *Public Health Act*, S.B.C. 2008, c.28; and

- k) any additional information the Licence Inspector reasonably requests in order to assist in determining whether the Licence may be issued.
- 5.3 Upon submission of a Licence application to the City, the Applicant shall pay to the City the Licence application fee as prescribed in Schedule A.
- 5.4 Where an Applicant applies for more than one Licence, they must submit a separate application and must pay to the City the Licence application fee as prescribed in Schedule A for each Licence application.
- 5.5 No Person shall knowingly submit false or misleading information or documents in support of a Licence application for the purpose of obtaining a Licence.
- 5.6 If a Business involves multiple Business Owners or partners, any one of the registered Business Owners or partners may apply for a Licence on behalf of the Business Owners and that Person will be deemed to be the authorized agent for that Business for the purposes of this Bylaw.
- 5.7 Where an Applicant applies for a Licence, they must obtain and complete any permits required by the Business, including but not limited to building, plumbing and fire suppression prior to the issuance of a Licence.
- 5.8 Where a Licence application is submitted for which additional information or documentation is required by the Licence Inspector, the Applicant shall supply all required information and documentation within 30 days of the request made by the Licence Inspector, after which time the application will be refused and a new application for a Licence must be submitted.

6 Licence Fees.

- 6.1 In the case of Renewal Licences, prior to issuance, Licence renewal fees prescribed in Schedule 'A' shall be paid in full by the Licence Holder to the City by January 31st in each calendar year for which the Licence has been renewed.
- 6.2 For Initial Licences, the annual Licence fee prescribed in Schedule 'A' shall be prorated, based on the total number of quarters remaining in the duration of the calendar year, as calculated from date of the issuance of the Initial Licence. Partial quarters shall be treated as full quarters, and shall be prorated as follows:

Four quarters: 100% of the fee shall apply:

Three quarters: 75% of the fee shall apply;

Two quarters: 50% of the fee shall apply; and

One quarter: 25% of the fee shall apply.

- 6.3 Section 6.2 of this part does not apply to a Business that did not satisfy the requirements for renewal of a Licence and has reapplied for a Licence.
- 6.4 For the purpose of confirming ownership of a Business Premises, the Licence Inspector may conduct a title search, in which case the Licence Holder must pay the fee prescribed in Schedule A.
- 6.5 The annual Licence fee applicable to a Business is the fee prescribed at Table 1 to Schedule A, provided, however, that if the Business is a type of Business specified in Table 2, Table 3 or Table 4 of Schedule A, then the applicable Licence fee specified in Table 2, 3 or 4 (as the case may be) shall apply. For clarity, only one annual Licence fee will apply to each Business.
- 6.6 The annual Licence fee applicable to a Business in accordance with Schedule A is based upon the Principal Use of the Business. Where a business has multiple commercial components, the annual

licence fee is based on the Principal Use of the business.

7 Refunds

7.1 The City will not refund the Initial Licence application fee where the Initial Licence application is refused by the City.

7.2 Licence fees are not refundable after the Licence has been issued.

8 Terms, Form and Display of Licence

8.1 A Licence authorizes only the Person named on the Licence to operate the Business described on the Licence and is subject to any condition(s) of the Licence.

8.2 The granting or issuance of a Licence under this Bylaw is not a representation or warranty by the City that the Licence Holder is competent in the Business for which they are licensed, nor that the licensed Business or the Business Premises comply with the bylaws of the City or with any other enactments, regulations, or standards.

8.3 A Licence issued under this Bylaw to a Business is subject to every term and condition applicable to that Business stated in the Licence and this Bylaw.

8.4 Every Person who owns or operates a Business must comply with all bylaws, policies, and enactments applicable to that Business as a term and condition of their Licence.

8.5 No Person who owns or operates a Business may cause, allow, or permit that Business to cause a nuisance to other Businesses, resident(s), or member(s) of the public.

8.6 No Person shall market goods, services or carry on any Business without first acquiring any applicable Licences, permits or approval(s) required by the City authorizing the activity at the times and locations indicated therein.

8.7 Every Licence granted pursuant to this Bylaw shall be in the form prescribed by the City.

8.8 Every Licence Holder must keep a copy of their valid Licence posted in a place that is visible to the public and that is within the Premises to where the Business is operated unless an exception is permitted under this Bylaw.

9 Initial Licence and Licence Renewal Period.

9.1 In this part, “renewal year” means the calendar year following the year in which an Initial Licence or Renewal Licence was issued.

9.2 Unless otherwise specified or earlier cancelled in accordance with this Bylaw:

a) an Initial Licence is valid until December 31 of the year in which the Initial Licence is issued;
and

b) a Renewal Licence is valid from January 1 to December 31 of the year in respect of which the Renewal Licence is issued.

9.3 A Licence Holder may renew an Initial Licence or a Renewal Licence for a renewal year by:

a) paying to the City the annual fees specified for that Business in Schedule A;

- b) paying to the City any outstanding fees or fines imposed upon the Business under this Bylaw, including court-ordered fines and costs in favor of the City for breaches of this Bylaw; and
- c) providing any information which the Licence Inspector reasonably requests to assist in determining whether the Licence may be renewed,

no later than the 31st January of the renewal year.

9.4 Each Business operator whose Business activity is intended to or does continue in the year following issuance of their Licence must ensure that their Licence is renewed annually by January 31st, whether notice is given by the City or not, and the Business operator must pay the annual renewal fee as set out in Schedule A.

9.5 If a Licence Holder does not make all payments and satisfy all requirements for renewal of the Licence indicated in Section 9.3 by January 31st of the renewal year, the licence will be cancelled by the Licence Inspector.

9.6 If a Licence is not renewed as required by this Bylaw, the Licence shall be terminated and the licensee who wishes to continue to carry on the Business shall submit a new application form and supporting documentation in the same manner as an application for an Initial Licence.

10 **Change of Licence**

10.1 A Licence Holder must notify the City in writing of any change to information provided on the Licence application form for which the Licence was issued.

10.2 A Licence Holder must not change or operate in contravention to any condition upon which the Licence was originally issued, including the type or nature of the Business, goods or services provided, or Business location, without first making an application and obtaining a new Licence.

10.3 Despite Section 10.1, Mobile Food Vending, except for those located on private property, are not required to advise the Licence Inspector of a change in location.

10.4 A Licence is deemed to belong to the Licence Holder and must not be transferred to any other Person without notifying the City in writing and paying the licence transfer fee prescribed in Schedule A.

11 **Authority**

11.1 The Licence Inspector may issue, renew, or change a Licence upon being satisfied that the application for the issuance, renewal, or change meets the requirements of this Bylaw.

11.2 No Licence shall be issued or renewed unless the Licence Inspector is satisfied with the information available that:

- a) the zoning of the Business Premises permits the proposed Business activity;
- b) the owner and the Business are in compliance with this Bylaw, all other City bylaws and enactments that are applicable to the Business and the Business Premises;
- c) all Licence and inspection fees, and any other outstanding fees or fines owed to the City in relation to the Business, or any other Business operated by the same Business Owner, have been paid.

11.3 Subject to section 16 of the *Community Charter* as amended or replaced from time to time, the Licence Inspector or Bylaw Enforcement Officer may enter a Business Premises during normal Business hours or request entry within 24 hours to inspect and determine whether the regulations and requirements of this Bylaw or a Licence are being met.

- 11.4 At any time, the Licence Inspector may require a Licence Holder to provide proof of any certification, Licence, permit, approval, qualification, or plan, including drawings, that may be required by this Bylaw, or by a federal, provincial, or other local authority with respect to the Business.
- 11.5 Upon request by the Licence Inspector, a Licence Holder must provide photo identification to verify the identity of the Licence Holder.
- 11.6 The Licence Inspector may establish terms and conditions that must be met for obtaining, continuing to hold, or renewing a Licence, including conditions related to:
- a) the duration of the Licence;
 - b) the hours or days of operation of the Business;
 - c) the maximum number of occupants allowed at the Premises; or
 - d) any other terms or conditions related to compliance with this Bylaw or other applicable bylaw(s) or enactment(s).
- 11.7 The Licence Inspector may order:
- a) a Person who contravenes any provision of this Bylaw to comply with that provision;
 - b) the correction of any unsafe condition in respect to a Business or Business Premises; and
 - c) the cessation of any activity that contravenes the terms or conditions of the Licence for the Business or this Bylaw, and every Person issued an order under this section must comply with that order, within the time period ordered.
- 12 Refusal, Suspension or Cancellation of Licence**
- 12.1 The Licence Inspector may refuse an application, or cancel or suspend a Licence for any length of time, where the Licence Inspector is satisfied that there is reasonable cause, including without limitation where the Applicant or Licence Holder:
- a) has failed to meet the Initial Licence application requirements as provided by this Bylaw;
 - b) has failed to meet the requirements for a Renewal Licence as provided by this Bylaw;
 - c) has ceased operation of the Business;
 - d) fails to comply with this Bylaw or a term or condition of the Licence;
 - e) intends to or does operate a Business or occupies or uses a Business Premises that does not comply with a City bylaw, or any enactments of provincial, federal or other governmental authorities.
 - f) is convicted of an indictable offence in Canada which relates to the nature of the Business or in respect of the Business;
 - g) fails to comply with any City bylaws, is convicted of an offence under any of the City’s bylaws, or has been convicted of an offence under a provincial or federal enactment in respect of the Business or Premises for which the Licence was issued;
 - h) ceases to meet the lawful federal or provincial requirements to carry on the Business or with respect to the Premises for which the Licence was issued;

- i) has engaged in serious misconduct which warrants the refusal, cancellation, or suspension of the Licence, if the misconduct is:
 - i. with respect to the Business; or
 - ii. occurred in or with respect to the Business Premises;
 - j) has engaged in conduct resulting in the Licence Inspector concluding that there is reasonable cause to do so;
 - k) has not responded to the Licence Inspector in the time frame outlined in Sections 5.8 and 9.3.
- 12.2 The Licence Inspector may impose conditions on a Licence in relation to the refusal, suspension, or cancellation of the Licence.
- 12.3 Before cancelling or suspending a Licence, the Licence Inspector must notify the Licence Holder of the intended action, the date on which the intended action will take place and provide reason(s) the Licence will be suspended or cancelled.
- 12.4 If the Licence Inspector refuses to grant a Licence, the Licence Inspector must provide the Applicant with written reason(s) for the refusal upon the Applicant’s request.
- 12.5 No Person shall operate, market or promote a Business during a period in which the Licence for that Business is suspended or if the Licence has been cancelled.

13 **Appeal of Decision**

- 13.1 An Applicant or Licence Holder who wishes Council to reconsider the Licence Inspector’s decision to refuse, suspend, or cancel a Licence must, within ten (10) Business Days of the date of the refusal, suspension, or cancellation, deliver to the Corporate Officer of the City a written request stating the grounds upon which the request is based.
- 13.2 The Corporate Officer must refer a request made under Section 13.1 to a regular or special Council meeting and notify the Applicant or Licence Holder of the time and place at which Council will reconsider the decision of the Licence Inspector.
- 13.3 If Council elects to uphold the Licence Inspector’s decision to refuse, suspend, cancel, or place conditions on the Applicant or Licence Holder, the Corporate Officer will provide the Applicant or Licence Holder with written notice of Council’s decision, and the Applicant or Licence Holder must comply with any terms, restrictions, and requirements imposed by Council.

14 **Enforcement, Penalties and Deemed Offences**

- 14.1 Without limiting Part 3 of this Bylaw, any Person who:
- a) contravenes or permits a contravention of any provision of this Bylaw;
 - b) suffers or permits any act or thing to be done in contravention of this Bylaw;
 - c) refuses, omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed under this Bylaw; or
 - d) fails to comply with any order or notice issued to them by a Bylaw Enforcement Officer, or who allows a contravention of this bylaw to continue after such an order or notice has been issued to them by a Bylaw Enforcement Officer,
- commits an offence, and each day that a contravention continues amounts to a separate offence.

14.2 A Person found guilty of an offence under this Bylaw is liable:

- a) if proceedings are brought under the *Offence Act* R.S.B.C. 1996, c.338, to pay a fine up to the maximum fine amount of \$50,000 and not less than \$3,000, in addition to any other penalties, compensation and costs authorized by the *Offence Act*.

15 Severability

15.1 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

16 Schedules

16.1 Schedules attached to this Bylaw form part of, and are enforceable in the same manner as this Bylaw.

17 Repeal

17.1 “Business Licence Bylaw No. 2523, 2008”, as amended, is repealed effective end of day December 31, 2026.

17.2 “Intermunicipal Business Licence Agreement Authorization Bylaw No. 2464, 2006”, as amended, is repealed effective end of day December 31, 2026.

18 Effective Date

18.1 This Bylaw comes into effect on January 1, 2027.

Read a first time this 13th day of May, 2026

Read a second time this 13th day of May, 2026

Read a third time this 24th day of June, 2026

Adopted this [day] day of [month], [year]

Mayor Bob Wells

Corporate Officer Adriana Proton

SCHEDULE A
Fees and charges

Non-Refundable Initial Licence Application Fee	
All Licence Types	\$50

Table 1 - Standard Business licence Annual Fee		
Licence Type	New	Renewal
Resident Business	\$350	\$250
Non-Resident Business	\$150	\$150

Table 2 - Commercial Business Licence Annual Fee		
Licence Type	New	Renewal
Financial Institutions	\$1500	\$1500
Nightclubs/Pubs	\$1000	\$1000
Retail store having 1000m ² to 2000m ² (Floor Area, Net)	\$400	\$450
Retail Store Over 2000m ² (Floor Area, Net)	\$600	\$650

Table 3 - Accommodation Business Licence Annual Fee		
Licence Type	New	Renewal
Home Occupation	\$150	\$150
Short Term Rental	\$300	\$300

Table 4 - Mobile Food Vending Annual Fee		
Licence Type	New	Renewal
Mobile Food Vending (Private Property)	\$250	\$250
Mobile Food Vending (City Park)	\$450	\$450

Table 5 – Other Licence Fees	
Inter-Community	Inter-Community Business Licence Bylaw fee in addition to applicable annual fee noted above
Licence Transfer fee	\$100
Title Search fee	At cost + \$25

SCHEDULE B

Regulations For Specific Businesses

1. Auctioneers

- 1.1 Every Auctioneer shall, whenever goods are put into his hands for sale, give a receipt containing an itemized statement of all such goods.
- 1.2 Every Auctioneer shall keep proper books of accounts of the Business transacted by him as an Auctioneer, whether in public auction or elsewhere. The books shall record:
 - (a) the names and addresses of Persons entrusting goods to him for resale;
 - (b) an itemized list of all such goods; and
 - (c) the names and addresses of the Persons purchasing any goods from him.
- 1.3 Every Auctioneer shall permit any police officer or a Licence Inspector to inspect the books referred to in the preceding sections, at all times during business hours, and to take extracts therefrom.

2. Childcare Centre, Day Care and/or Baby-sitting Service

- 2.1 A Licence issued under this Bylaw for a childcare centre, day nursery, nanny, or baby-sitting service will be required to:
 - (a) specify whether or not the Licence Holder is eligible to have children under the age of thirty (30) months on the Premises, as per the Licence issued by the local health authority in relation to the Licence Holder; and
 - (b) specify the number of children the Licence Holder is permitted to have on the Premises at any given time, as per the Licence issued by the local health authority in relation to the Licence Holder.

3. Circuses and carnivals

- 3.1 No Licence shall be issued to any Person for the purpose of holding an exhibition, circus or carnival, using ferris wheels, merry go rounds, or other similar rides until such Person has filed with the Licence Inspector, evidence of his holding a Comprehensive Liability Policy of insurance for five million dollars (\$5,000,000.00) inclusive limits covering bodily injury, death, and property damage including loss of use thereof. The insurance shall name the City as an additional insured.

4. Door to Door and/or Direct Sales

- 4.1 Any door to door or direct sales Person shall:
 - (a) state to any Person with whom he is conducting or attempting to conduct Business, the name of the Business or other organization with whom he is associated, affiliated or representing;
 - (b) state to any Person with whom he is conducting or attempting to conduct Business, his full legal name consisting of all personal names and his surname;
 - (c) when conducting or attempting to conduct Business, have affixed to his clothing and clearly visible to the public, an identification card on which is printed his full legal name and on which is affixed his photograph, said photograph being of passport size, namely 5 cm x 5cm (2" x 2");
 - (d) display to any Person with whom he is conducting or attempting to conduct Business, a copy of the Licence issued hereunder.

5. Mobile Food Vending

- 5.1 No Person shall operate Mobile Food Vending within the City without first obtaining and maintaining a valid Mobile Food Vending Licence for each Mobile Food Vending unit in operation. Licences will be issued on a first come first served basis. Depending on demand for Mobile Food Vending, time limits on the duration of stay may be imposed by the Licence Inspector.
- 5.2 No Person shall operate Mobile Food Vending without providing proof satisfactory to the City that the following permissions have been obtained, and regulations met:
 - (a) Island Health approval;
 - (b) BC Safety Authority approval;
 - (c) Proof of motor vehicle insurance (Food Trucks and Food Trailers);
 - (d) Proof of liability insurance coverage which meets the following minimum requirements:
 - i. Inclusive limit of \$2,000,000 and public liability & property damage;
 - ii. Cross liability Clause;
 - i. City of Courtenay named as joint insured under the policy; and
 - ii. Provide that the coverage under the policy cannot be cancelled or any provisions changed or deleted unless thirty days' prior written notice is given to the City by the Insurer.
 - (e) A discharge management plan satisfactory to the City of Courtenay that describes how and where fats, oils and grease will be disposed.
- 5.3 No Person shall sell goods other than food and beverages from Mobile Food Vending.
- 5.4 No Person shall operate Mobile Food Vending on private property, without first supplying the Licence Inspector with a written letter of permission from the owner of the property on which the vendor will be located.
- 5.5 No Person shall carry on a Mobile Food Vending Business on public property unless located in a location specified in Schedule 'C' attached hereto and forming part of this bylaw, or under a permit issued by the City for Special Events.
- 5.6 No Person shall operate or provide Mobile Food Vending that is not maintained at all times in good sanitary and aesthetically pleasing condition.
- 5.7 No Person shall operate or provide Mobile Food Vending without its own power and water source. No Person shall operate generators used to provide power if they, in the opinion of the City, create a disturbance.
- 5.8 No Person shall operate or provide Mobile Food Vending without providing proper waste and recycling receptacles adequate to ensure the cleanliness of the adjacent area. No Person shall operate Mobile Food Vending without a cleanup within a 10 metre radius after service at a location and removing of all collected garbage from the location.
- 5.9 No Person shall operate Mobile Food Vending without maintaining clearance on all sides of the Mobile Food Vending unit such that pedestrians are able to easily and safely pass by without congestion.
- 5.10 No Person shall operate Mobile Food Vending in a manner that restricts or interferes with the ingress or egress of the adjacent property owner or constitute an obstruction to adequate access by emergency services, City services, or sanitation vehicles.
- 5.11 No Person shall leave Mobile Food Vending unattended.

- 5.12 No Person shall store Mobile Food Vending on public property overnight.
- 5.13 No Person shall operate Mobile Food Vending without maintaining a location log that tracks the time and duration of the Food Truck/trailer at each location and making the log available to the Licence Inspector upon request.
- 5.14 No Person who is providing or operating Mobile Food Vending shall use or allow to be used any polystyrene (Styrofoam), non-recyclable or non-biodegradable materials in relation to the sale or delivery of food.
- 5.15 No Person shall operate Mobile Food Vending in public locations except only during that period that:
- (a) begins at the later of 7:00 a.m. and the time the park opens to the public on any given day; and
 - (b) ends at the earlier of 10:00 p.m. and the time the park closes to the public on any given day.
- 5.16 No Person shall operate Mobile Food Vending within:
- (a) 100 metres of any elementary school;
 - (b) 150 metres of a Special Event or festival (except where permission from the event coordinator has been obtained); and
 - (c) Residentially zoned areas unless approved by the Licence Inspector for a special event such as a block party.

6. Food Trucks & Food Trailers

6.1 Size and Configuration:

No Person shall provide or operate a Food Truck or Food Trailer more than:

- (a) 2.5 metres in width; and
- (b) 8 metres in length.

7. Short-Term Rental Accommodation

7.1 Residential property owners who operate a Short-Term Rental Accommodation Business must not operate or advertise without obtaining a Short-Term Rental Accommodation Business Licence, and such Persons must operate in accordance with the following:

- (a) A Short-Term Rental Accommodation Business is only permitted within a single residential dwelling, an accessory dwelling unit, or a secondary suite that is part of a single residential dwelling.
- (b) Issuance of a Short-Term Rental Accommodation Business Licence will be specific to the Dwelling Unit on the property to be used for the Short-Term Rental Accommodation operation.
- (c) A valid Short-Term Rental Accommodation Business Licence must be displayed in a prominent place within the Short-Term Rental Accommodation unit, along with contact information for the operator, and telephone number to call on a 24-hour basis.
- (d) Only one booking is permitted at a time, with a maximum occupancy of three (3) bedrooms and six (6) guests.

- (e) A fire and safety plan is required to be posted at entrances and exits from the Dwelling Unit and in each bedroom that meets the minimum requirements of the BC Building Code, and must contain the following information:
 - i. Operators name;
 - ii. Address of property;
 - iii. Emergency contact locally available 24 hours a day to address immediate concerns;
 - iv. Emergency contact number (911);
 - v. Designated meeting point; and
 - vi. Location of fire extinguisher and smoke/carbon monoxide alarm(s).

7.2 Residential property owners who operate a Short-Term Rental Accommodation Business must pay the Licence fee for Short-Term Rental Accommodation prescribed in Schedule A.

8 Special Events

8.1 A person intending to hold a Special Event must obtain a Special Event Licence for the location where the Special Event is to be held or conducted.

8.2 A Licence for each user or occupier is not required if the organizer of the Special Event holds a valid Licence for that location.

9 Storefront Cannabis Retailers

9.1 Every Storefront Cannabis Retailer must:

- (a) only open for business between the hours of 9am and 11pm;
- (b) install and maintain an air filtration system that effectively minimizes odour impacts on neighbouring properties;
- (c) not display any advertising or sign that is visible from the outside of the Premises except for a maximum of two signs which display no images and contain only:
 - i. alpha-numeric characters,
 - ii. the Business name, and
 - iii. is in a size as permitted under the City’s Sign Bylaw;
- (d) not install security bars that are located within one meter of a window which may be seen outside of the Premises; and
- (e) not install roll down or other shutters, which may be seen outside of the Premises.

10 Home Occupation

10.1 Operators of a Home Occupation Business must pay the Licence Fee for Home Occupation prescribed in Schedule A.

SCHEDULE C

Mobile Food Vending Locations on Public Property

Location	Total Mobile Food Vending Permitted
Rotary Air Park	2
Lewis Park	4
Martin Park	1
Puntledge Park	2
Simms Park	1

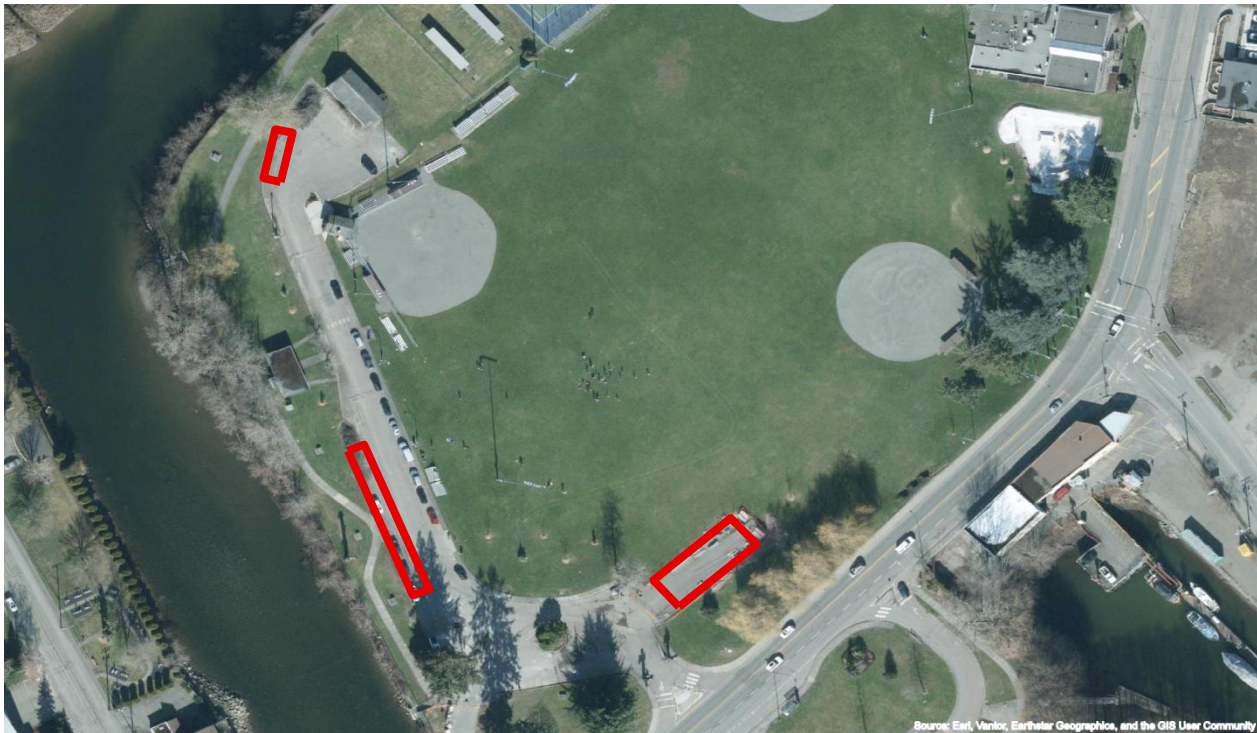
ROTARY AIR PARK



SIMMS PARK



LEWIS PARK



MARTIN PARK



PUNTLEDGE PARK

