

Bylaw 15848

A Bylaw to Amend the Business Licence Bylaw 13138

Recommendation:

That Executive Committee recommend to City Council:

That Bylaw 15848 be given the appropriate readings.

Purpose

To amend the Business Licence Bylaw 13138 to implement the recommendations from the Business Licence Process Redesign Report.

Readings

Bylaw 15848 is ready for three readings.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree "That Bylaw 15848 be considered for third reading."

Position of Administration

Administration supports this Bylaw.

Report Summary

This amendment will add and change licence categories, address referral procedures, and add new regulations to the Business Licence Bylaw.

Previous Council/Committee Action

At the September 21, 2011, Executive Committee meeting, Bylaw 15848 was forwarded to City Council for the appropriate readings.

Report

Administration engaged process specialists to review and redesign the procedures for issuing business

licences. This resulted in the Business Licence Process Redesign Report which included recommendations that were brought forward in 2010.

Many recommendations have an impact on the existing Business Licence Bylaw 13138 and amendments are necessary. Amending the bylaw will streamline the business licensing process, incorporate multi-stakeholder input into the issuance of a licence, and increase regulations to address issues of public interest.

Summary of Changes

- Consultations - Licensing will consult with the Edmonton Police Service and Fire Rescue Services for input on the appropriateness of issuing a licence.
- New Categories - The creation of new categories will allow special referral requirements and regulations for specific businesses (see Attachment 1).
- Regulations - Regulations for certain types of businesses will be implemented to better protect public safety (see Attachment 1).
- Exemption/Fee Reduction - Certain businesses may qualify for a licence fee reduction or exemption, including some vendors and some non-profit organizations (see Attachment 2).

Impacts

- Processes & Roles- Amendments will change the procedures for issuing licences including the process for consultation with referral agencies (such as Edmonton Police Service and Fire Rescue Services).
- Technology Modifications - Business system changes will be made to implement the new procedures.
- Forms & Documentation - Application forms, online information

Please retain Attachments 1, 2 and 3 of this report for future meetings

and applicant checklists will be created and updated.

- Communications - Will update Web and brochure information.
- Training - Will necessitate training Customer Information and Support Services Representatives, Development Planners, Municipal
- Enforcement Officers and referral agencies.

Corporate Outcomes

This Bylaw supports the following goals of *The Way Ahead* – City of Edmonton Strategic Plan 2009-2018:

- Improving Edmonton's Livability
- Ensuring Edmonton's Financial Stability.

Public Consultation

Multi-agency stakeholder consultations consisted of input from the following organizations:

- Edmonton Police Services
- Fire Rescue Services
- Alberta Gaming & Liquor Commission
- Alberta Health Services
- Community Standards Branch
- Current Planning Branch
- Responsible Hospitality Edmonton
- Alberta Motor Vehicle Industry Council
- Public Safety Compliance Team

Budget/Financial Implications

The proposed bylaw amendments and regulatory practices will require some process and technology modifications. These modifications (\$100,000 of one-time expenditures) can be rolled into the business licence process redesign that is being carried out.

These amendments will contribute to increased resource requirements. Administration will put forward a service package for consideration in the 2012 budget (\$200,000 annually for 2 full-time employees funded by business license fees). The increases will be included in the 2012 Business License Bylaw Fee Schedule and the 2012 Operating Budget submission to City Council.

Attachments

1. Summary of Changes & Impacts
2. Business Licence Bylaw Amendment – Tracked Changes
3. Bylaw 15848

Background Information Available on Request from Department

1. Business Licence Process Redesign – Findings and Recommendations

Others Reviewing this Report

- L. Rosen, Chief Financial Officer and Treasurer
- D. H. Edey, General Manager, Corporate Services

Summary of Changes & Impacts

The Business Licence Process Redesign Report included recommendations that were brought forward to address identified issues. Many recommendations have an impact on Business License Bylaw #13138 and amendments are necessary. These amendments will streamline the business licence process, incorporate multi-stakeholder input and develop regulations to govern certain business types.

Summary of Changes- The principles and goals to support the changes are as follows:

1. General Changes	
Application	<ul style="list-style-type: none"> Corporate applicants must submit a current Corporate Registry Search. An approved Development Permit will be a pre-requisite to the Business Licence application approval.
Referrals	<ul style="list-style-type: none"> Applicants for certain types of businesses should be investigated to uphold the standards of the community when operating their business. Licensing will consult with the Edmonton Police Service and Fire Rescue Services to gather their input in the appropriateness of issuing a licence. Referrals sent with the expectation that the appropriate agency will respond with a recommendation will be called "Consultations". Referrals sent out for information only with no opportunity to respond will be called "Notifications". Timelines will be established for each agency as to when they must respond. Establishing timelines for referral responses will raise the accountability and effectiveness of the referrals. Defining procedures and time limits for referrals to ensure that applications do not sit indefinitely. In general, referrals to the Edmonton Police Service and Fire Rescue Services need to be dealt with consistently and in a timely manner. The categories requiring referrals need review and updating.
Regulations	<ul style="list-style-type: none"> Regulations for certain types of businesses will be implemented better protect public safety. There will be a new requirement for all corporate applicants to supply a recent Corporate Registry Search, and provide the full name and date of birth for all officers of the company for certain business licence categories.
Exemptions / Fee Reduction	<ul style="list-style-type: none"> Certain non-profit organizations can qualify for a business licence fee reduction. This will develop a way to identify charitable organizations that allows standards and regulations to be enforced without requiring a full fee. Safety and community standards would be upheld if charitable organizations followed certain licensing regulations. New exemptions will allow vendors at farmers' markets and

1. General Changes	
	festivals to operate under the licence of the organizing body.
Fees	<ul style="list-style-type: none"> Fees are adjusted in certain categories to capture the additional resources needing in managing and enforcing regulations. The recommended standard licence fee increase will be approximately 5% for 2012. Business license categories and services requiring more resource and processing will be recommended to increase by a greater rate.
2. Public Safety Compliance Team Related Changes	
Category Changes	<p>Former Categories removed:</p> <ul style="list-style-type: none"> Bar/Lounge Dance Club Nightclub <p>New Categories include:</p> <ul style="list-style-type: none"> Alcohol Sales [Consumption On Premises/Minors Allowed] Alcohol Sales [Consumption On Premises/Minors Prohibited] <p>Current Categories amended:</p> <ul style="list-style-type: none"> Alcohol Sales to Alcohol Sales[Off Premises] <p>These changes will create a distinction for the type of businesses that need referrals and regulations. The distinction will be based on whether a premises prohibits minors rather than whether they allow dancing.</p>
Referrals	<ul style="list-style-type: none"> In the past, applicants who have had criminal records with the Edmonton Police Service were able to successfully obtain new business licences with no scrutiny, creating potentially unsafe or criminally-supported situations. Applicants for establishments that prohibit minors and after hours dance clubs/events will be reviewed by the Edmonton Police Service, giving the police the ability to recommend refusal of a business licence application for those categories. The Chief Licensing Officer will make the final decision to approve or refuse the application based on the Edmonton Police Service recommendation. The current bylaw requires a referral to the Edmonton Police Service for all Bar/Lounge applications. Restaurants which serve liquor require this category. The Public Safety Compliance Team is not interested in restaurants which allow minors into the premises. The Edmonton Police Service will have 3 days to respond with an initial 'yes' or 'no' recommendation. If they recommend that a licence is not issued (or issued with conditions) they will be given additional time (up to 21 days total) to build a case for their recommendation.

2. Public Safety Compliance Team Related Changes

Regulations	<ul style="list-style-type: none"> Creates a distinction in businesses that sell alcohol between establishments that prohibit minors and establishments that allow minors. Police Information Checks will be required for all primary managers, owners, partners, directors and/or officers of any corporation where alcohol is served and minors are prohibited. Minors prohibited establishments and after-hours clubs will need an approved Patron Management Plan, Noise Control Plan, Security Plan, and Safety/Medical Plan.
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3. Flea Market, Second Hand Store & Pawn Shop Related Changes

Category Changes	<p>New Categories include:</p> <ul style="list-style-type: none"> Farmers' Market Festival Flea Market Flea Market Vendors <p>Former Categories Removed:</p> <ul style="list-style-type: none"> Public Market <p>These changes require certain referrals and regulations specific to Flea Markets and exemptions for Farmers' Markets and Festivals.</p>
Referrals	<ul style="list-style-type: none"> Applicants for Flea Markets will be referred to the Edmonton Police Service for a consultation. Applicants for Flea Markets, Pawn Shops and Second Hand Stores will require an active review by the Edmonton Police Service. The current practice is to send them for information only and not for a recommendation. The current practice assumes that the Edmonton Police Service approves a business licence application if no response is received in 21 days. At times, this means that business owners are not made aware of laws that apply to their new business. Having the police actively review each application will give them the opportunity to educate new business owners about special requirements, like the need for these businesses to subscribe to Business Watch International. The current bylaw requires referrals for all Bingo Establishment, Carnival, Gaming Establishment and Public Market applications. The Edmonton Police Service no longer wants referrals for these categories.
Regulations	<ul style="list-style-type: none"> Police Information Checks for all primary managers, owners, partners, directors and/or officers of any corporation that falls within these categories. Adds regulations for Flea Market operators to record all vendors and types of goods sold or bought, and to make that information available to the Edmonton Police Service upon request.

3. Flea Market, Second Hand Store & Pawn Shop Related Changes

	<ul style="list-style-type: none"> Currently Flea Markets are categorized as Public Markets, which is a broad category that includes Farmers' Markets. There are no reporting requirements in the current bylaw for Public Markets. The Edmonton Police Service will request sub-vendor information from operators of Flea Markets as required. Identification of sub-vendors as well as types of goods sold and bought must be recorded by the operators. Flea Market Vendors each need their own licence to operate their business. Although vendors at approved Festivals and Farmers' Markets can operate under the licence of the organizing body.
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4. Other Changes

Category Changes	<ul style="list-style-type: none"> Adult Mini-Theatre definition change and clarification. Funeral, Cremation, Cemeteries and Interment Services changed to Funeral, Cremation and Cemetery Services. Gaming Establishment name change to Casino Establishment. Indoor Participant Recreation Services changed to Participant Recreation Services. This category will now include recreational dance clubs. Rental Accommodation definition change to omit the reference to a private residence. Tobacco Sales to include the sale of tobacco-related products. Vehicle Repair definition change to include vehicle painting and body repair. Addition of a 1-3 day licence for Traveling or Temporary Sales, and Traveling or Temporary Food Sales.
Regulations	<ul style="list-style-type: none"> Alberta Motor Vehicle Industry Council approval as a pre-application requirement for Vehicle Repair & Vehicle Sales/Rentals.

5. Impact of Changes

Processes & Roles	<ul style="list-style-type: none"> The bylaw amendment will impact the internal procedures in issuing business licenses and will necessitate internal changes. Service Level Agreements between the Sustainable Development Department and the referral agencies will establish clear criteria for overdue referrals and will specify how overdue referrals are to be handled.
Technology Modifications	<ul style="list-style-type: none"> Information Technology changes will need to be made to implement the new policies & procedures. Update categories that require referrals. Automate referral distribution. Allow recommendations to be recorded in POSSE with documentation.
Forms & Documentation	<ul style="list-style-type: none"> Will need to update application forms, online information and applicant checklists.

5. Impact of Changes	
	<ul style="list-style-type: none"> • FOIP updates to inform applicants of any FOIP rights and uses (e.g. referrals to agencies). • Update questions on templates to more accurately guide the applicant as to what is required.
Communications	<ul style="list-style-type: none"> • Web and brochure updates. • Direct mail to affected businesses.
Training	<ul style="list-style-type: none"> • Will need to train Customer Information and Support Services Representatives and other internal staff. • Will need to train agencies receiving referrals.
Budget	<ul style="list-style-type: none"> • \$100,000 one time IT expenditures, can be rolled into the business licence process redesign that the branch is carrying out. • \$200,000 ongoing for 2 full-time employees. The increases will be included in the 2012 Bylaw Fee Amendment Schedule and the 2012 Operating Budget submission to City Council this fall. • These requirements will be funded from revenues so there will be no impact on the tax levy.

Business Licence Bylaw Amendment – Tracked Changes

CITY OF EDMONTON

BYLAW 13138

BUSINESS LICENCE BYLAW

Whereas, pursuant to Section 7(a) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

Whereas, pursuant to section 7(e) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business; and

Whereas, pursuant to section 7(i) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all of the matters listed therein; and

Whereas, pursuant to section 8 of the *Municipal Government Act*, a council may in a bylaw:

- (a) regulate or prohibit;
- (b) deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways;
- (c) provide for a system of licences, permits or approval including any or all of the matters listed therein;

Edmonton City Council enacts:

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

PURPOSE	1	The purpose of this bylaw is to establish a system of licensing for businesses, business activities and persons engaged in business.
DEFINITIONS	2	In this bylaw:
	(a)	“Business” means:
	(i)	a commercial, merchandising or industrial activity or undertaking,
	(ii)	a profession, trade, occupation, calling or employment, or

- (iii) an activity providing goods or services, as described in Schedule “A”, and whether or not for profit and however organized or formed, including a co-operative or association of Persons;
- (a.1) “Non-Profit Organization” means an association, club, or society that is operated exclusively for social welfare, civic improvement, pleasure, recreation, or any other purpose except profit.
- (b) “City” means the City of Edmonton;
- (c) “City Manager” means the chief administrative officer of the City or his delegate;
- (c.1) “Consultation Fee” means a fee payable for referring an application to issue or renew a Licence to a regulatory authority as established in Schedule “B”;
- (d) “Licence” means a licence issued pursuant to this bylaw;
- (e) “Licence Fee” means a fee payable for a Licence as established in Schedule “B”;
- (f) “Municipal Tag” means a ticket alleging an offence issued pursuant to the authority of a bylaw of the City;
- (f.1) Repealed
(S.2(a), Bylaw 13821, as amended, March 1, 2005)
(S.2, Bylaw 14129, November 29, 2005)
- (g) “Peace Officer” means a peace officer as defined in the *Provincial Offences Procedure Act*;
- (h) “Person” means a person as defined in the *Interpretation Act*;
- ~~(i) “Referral Fee” means a fee payable for referring an application to issue or renew a Licence to a regulatory authority as established in Schedule “B”;~~
- (i.1) Repealed
(S.2, Bylaw 14129, November 29, 2005)
- (i.2) Repealed
(S.2(b), Bylaw 13821, as amended, March 1, 2005)
(S.2, Bylaw 14129, November 29, 2005)

(j) “Subsequent Offence” means any offence under this bylaw committed by a Person after that Person has already been convicted of an offence under this bylaw or has voluntarily paid a fine for such an offence;

(j.1) Repealed
(S.2(c), Bylaw 13821, as amended, March 1, 2005)
(S.2, Bylaw 14129, November 29, 2005)

(k) “Violation Ticket” means a violation ticket as defined in the *Provincial Offences Procedure Act*;

RULES FOR INTERPRETATION

3 The marginal notes and headings in this bylaw are for reference purposes only.

PART II - LICENSING

LICENCE REQUIRED

4 No Person shall engage in or operate a Business in the City unless the Person holds a Licence authorizing the Person to engage in or operate that Business.

MULTIPLE LOCATIONS

5 No Person shall engage in or operate a Business at more than one location in the City unless the Person holds a separate Licence that authorizes the Person to engage in that Business for each location.

APPLICATION

6 Before the issue or renewal of a Licence a Person must submit to the City Manager:

- (a) an application in a form established by the City Manager;
- (b) the Licence Fee;
- (c) any applicable Consultation/Notification Fee or Non Resident Licence Fee;
- (d) a current corporate registry search for all corporate applicants; and
- (e) any additional information required by the City Manager.

CONSULTATION PROCEDURE

6.1 When an application to issue or renew a Licence must be referred to a regulatory authority for consultation as established in Schedule “B”, the agency receiving the referral with have an opportunity make a non-binding recommendation to the City Manager.

<u>NOTIFICATION PROCEEDURE</u>	6.2	When an application to issue or renew a Licence must be sent as a <u>notification to a regulatory authority as established in Schedule “B”, it is sent only for purposes of informing the agency receiving the notification that a Licence application has been received.</u>
POWERS	7	<p>The City Manager may refuse to issue or renew a Licence, may suspend or cancel a Licence and may impose any conditions on a Licence for the following reasons:</p> <ul style="list-style-type: none"> (a) the applicant of Licensee does not or no longer meets the requirements of this bylaw with respect to the Licence applied for or held;a (b) the applicant or Licensee or any of it’s officers or employees: <ul style="list-style-type: none"> (i) furnishes false information or misrepresents any fact or circumstance to a Peace Officer or the City Manager; (ii) has, in the opinion of the City Manager based on reasonable grounds, contravened this bylaw whether or not the contravention has been prosecuted; (iii) fails to pay a fine imposed by a court for a contravention of this bylaw; (iv) fails to pay any fee required by this <u>or any applicable</u> bylaw; or (v) in the opinion of the City Manager based on reasonable grounds it is in the public interest to do so.
NOTICE	8	<p>Before refusing to issue or renew a Licence, and before a Licence is suspended or cancelled or conditions are imposed, other than conditions imposed by this bylaw, the applicant or Licensee must be given:</p> <ul style="list-style-type: none"> (a) notice of the proposed refusal, suspension or cancellation or the proposed conditions with reasons, and (b) an opportunity to make written representations to the City Manager.
DECISION	9	If a decision is made to refuse the issue or renewal of a Licence, to suspend or cancel a Licence or to impose conditions on a Licence, other than conditions imposed by this bylaw, notice of the decision

may be served on the applicant or Licensee:

- (a) in Person on the applicant or Licensee or any of it's officers or employees; or
- (b) by ordinary mail to the address in the application or in the records of the City for the Licence.

APPEAL

10 (1) A Person:

- (a) who has been refused the issue or renewal of a Licence;
- (b) whose Licence has been suspended or cancelled; or
- (c) whose Licence is made subject to conditions, other than conditions imposed by this bylaw;

may appeal the decision within fourteen days under the provisions of the Community Standards and License Appeal Committee Bylaw.

(S.4, Bylaw 15165, April 29, 2009)

- (2) A Person may not appeal a refusal to issue or renew a Licence if the reason for the refusal is the failure to pay any fee or provide any required information.

TERM

11 (1) Unless otherwise specified in this bylaw the term of a Licence is one year from the date it is issued or renewed.

- (2) The City Manager may issue a Licence for a limited term or for a specified date in any case where the City Manager considers it appropriate to do so.

- (3) A Person may not appeal a decision to issue a Licence for a limited term or for a specified date.

- (4) A Licence expires at the end of its term.

PARTNERSHIP	12	The term of a Licence issued to a partnership expires when there is a change in the partners.
DEATH OF LICENSEE	13	<p>If a Licensee dies during the term of the Licence, the Licence is deemed to be held by:</p> <ul style="list-style-type: none"> (a) The Licensee's executor; (b) the administrator of the Licensee's estate, or (c) the Licensee's next of kin where letters of administration have not been granted, until the Licence expires or the business ceases to be engaged in or operated by any of those Persons, whichever event occurs first.
<u>CONSULTATION/NOTIFICATION FEE</u>	14	<p>(1) When an application to issue or renew a Licence must be referred to a regulatory authority <u>for consultation or notification</u> as established in Schedule "B", the <u>Consultation/Notification Fee</u> is the amount specified in Schedule "B" as the <u>Consultation/Notification Fee</u> for each regulatory authority contacted regardless of the number of referrals made to a particular regulatory authority. (S.4(a), Bylaw 14427, December 6, 2006)</p> <p>(2) In the case of a Licence renewal, the City Manager may waive any referral to a regulatory authority if it is not contrary to the public interest to do so.</p> <p><u>(3) There will be no referrals for consultation to Fire Rescue Services for any application to issue or renew a Licence for a Home Based Business or a Licence to which the Non-Resident Fee would apply.</u></p>
NON RESIDENT LICENCE FEE	15	<p>A Person who does not reside or maintain a permanent Business premises in the City shall pay a Non Resident Licence Fee in the amount specified in Schedule B as the Non Resident Licence Fee in addition to the total of any Licence Fees required. (S.4(b), Bylaw 14427, December 6, 2006)</p>
SERVICE FEE	16	<p>(1) A <u>licensee</u> who changes the address of the Business premises, or who changes any name on a Licence or who makes any other change requiring an alteration of the Licence shall pay a Service Fee in the amount specified in Schedule "B" as the Service Fee each time such a change is made.</p> <p><u>(2) No Service Fee is payable for changes to the phone number, e-mail or web page information on a Licence.</u></p>
<u>CHARITABLE</u>	16.1	<u>A Business that is recognized by the City Manager as a Charitable</u>

**ORGANIZATION
FEE**

Organization will pay the amount specified in Schedule “B” as the Charitable Organization Fee instead of a Licence Fee.

REFUNDS

- 17 (1) Unless otherwise specified in this bylaw, Licence Fees, Referral Fees, Non Resident Licence Fees and Service Fees are not refundable.
- (S.4.(a), Bylaw 13821, as amended, March 1, 2005)
- (2) The City Manager may refund a Licence Fee if the Licence is not issued or renewed.
- (3) The City Manager may refund a Non Resident Licence Fee if every Licence applied for or held by that Person is not issued or renewed.
- (4) Repealed
- (S.4.(b), Bylaw 13821, as amended, March 1, 2005)
(S.4.(a),(b), Bylaw 14129, November 29, 2005)

PART III - LICENSEE OBLIGATIONS**TRANSFER OF
LICENCE**

- 18 A Licence does not confer any property right and no Licensee may sell, transfer, assign, lease or otherwise dispose of or deal in a Licence.

**NOTIFICATION
OF CHANGES**

- 19 A Licensee shall forthwith notify the City Manager in writing of:
- (a) a change in the address or phone number of the Licensee’s Business premises;
 - (b) a change in the partners of the Business if the Licence is issued to a partnership; or
 - (c) a change in the officers or directors of the corporation if the Licence is issued to a corporation.

**POSTING OR
PRODUCTION OF
LICENCE**

- 20 A Licensee shall:
- (a) post the Licence in a prominent visible location in the Business premises; or
 - (b) if it is not practical to post the Licence, produce the Licence forthwith upon demand by a Peace Officer.

INSPECTIONS	21	A Licensee shall permit a Peace Officer to enter and inspect any Business premises for the purpose of determining compliance with this bylaw.
CONTRAVENTE CONDITION	22	A Licensee shall not contravene any condition on a Licence.

PART IV - REGULATIONS PERTAINING TO PARTICULAR BUSINESSE

After Hours Dance Club

APPLICATION	23	<p>In addition to any other requirements, before the issue or renewal of a Licence for an After Hours Dance Club a Person must submit to the City Manager, <u>in a form acceptable to the City Manger:</u></p> <p>a) <u>if the applicant is a corporation:</u></p> <p>(i) <u>the full name and date of birth of all primary managers, owners, partners, directors and officers of the corporation; and</u></p> <p>(ii) <u>a recent Police Information Check issued by the Edmonton Police Service for all primary managers, owners, partners, directors and officers of the corporation;</u></p> <p>b) <u>if the applicant is an individual:</u></p> <p>(i) <u>the full name and date of birth of the applicant; and</u></p> <p>(ii) <u>a recent Police Information Check issued by the Edmonton Police Service for the applicant;</u></p> <p>(c) <u>a proposed noise control plan for the Business premises;</u></p> <p>(d) <u>a proposed patron management plan for the Business premises including the provisions regarding patron management outlined in this Part;</u></p> <p>(e) <u>a proposed security plan for the Business premises; and</u></p> <p>(f) <u>a proposed medical/safety plan for the Business premises.</u></p>
<u>REGULATIONS</u>	24	<p><u>It is a deemed condition of every Licence for an After Hours Dance Club that the licensee must:</u></p> <p>(a) <u>comply with an approved noise control pan;</u></p>

- (b) comply with provisions regarding patron management outlined in this Part;
- (c) comply with an approved security plan;
- (d) comply with an approved medical/safety plan;
- (e) provide patrons with unrestricted access to a supply of fresh running water at no charge;
- (f) provide patrons with unrestricted access to an indoor cool off area where dancing is not permitted;
- (g) not have alcohol on the Business premises; and
- (h) not operate the Business contiguous to an event that has alcohol service.

PATRON MANAGEMENT

25 The following provisions regarding patron management apply to every Licence for an After Hours Dance Club:

- (a) refusing entry to or removing from the Business Premises Persons who appear to be intoxicated or under the influence of drugs;
- (b) removing Persons whose behaviour becomes quarrelsome, riotous or disorderly;
- (c) removing Persons who are involved in illegal activities such as drug possession or trafficking;
- (d) refusing entry to Persons who have been removed from the premises repeatedly;
- (e) reporting illegal activities such as drug possession or trafficking to the Edmonton Police Service;
- (f) refusing entry to Persons identified by the Edmonton Police Service who, within the past three years, have been convicted of an indictable criminal offence; and
- (g) refusing entry to Persons who were inside the Business premises in the previous eight hours.

After Hours Dance Event

APPLICATION

26 In addition to any other requirements, before the issue or renewal

of a Licence for an After Hours Dance Event a Person must submit to the City Manager, in a form acceptable to the City Manger:

- (a) an application at least 30 days before the proposed event;
- (b) if the applicant is a corporation:
 - (i) the full name and date of birth of all primary managers, owners, partners, directors and officers of the corporation; and
 - (ii) a recent Police Information Check issued by the Edmonton Police Service for all primary managers, owners, partners, directors and officers of the corporation;
- (c) if the applicant is an individual:
 - (i) the full name and date of birth of the applicant; and
 - (ii) a recent Police Information Check issued by the Edmonton Police Service for the applicant;
- (d) the name of an individual to be responsible as the event co-ordinator;
- (e) the proposed venue for the event;
- (f) the proposed days and hours of operation for the event;
- (g) a copy of the contract with the operator of the venue, unless the operator is the applicant;
- (h) the maximum number of proposed attendees, including staff, to be allowed at the event;
- (i) a proposed noise control plan for the event;
- (j) a proposed patron management plan for the event including the provisions regarding patron management outlined in this Part
- (k) a proposed security plan for the event; and
- (l) a proposed medical/safety plans for the event.

DEPOSIT

- 27 Prior to issuing a Licence for an After Hours Dance Event the City Manager may require a deposit in an amount sufficient to offset the

anticipated costs of any services to be provided by the City.

REGULATIONS

28 It is a deemed condition of every Licence for an After Hours Dance Event that the licensee must:

- (a) comply with an approved noise control plan;
- (b) comply with provisions regarding patron management outlined in this Part;
- (c) comply with an approved security plan;
- (d) comply with an approved medical/safety plan;
- (e) provide patrons with unrestricted access to a supply of fresh running water at no charge;
- (f) provide patrons with unrestricted access to an indoor cool off area where dancing is not permitted;
- (g) not have alcohol at the event; and
- (h) not operate the event contiguous to an event that has alcohol service.

PATRON MANAGEMENT

29 The following provisions regarding patron management apply to every Licence for an After Hours Dance Event:

- (a) refusing entry to or removing from the Business premises Persons who appear to be intoxicated or under the influence of drugs;
- (b) removing Persons whose behaviour becomes quarrelsome, riotous or disorderly;
- (c) removing Persons who are involved in illegal activities such as drug possession or trafficking;
- (d) refusing entry to Persons who have been removed from the premises repeatedly;
- (e) reporting illegal activities such as drug possession or trafficking to the Edmonton Police Service;
- (f) refusing entry to Persons identified by the Edmonton Police Service who, within the past three years, have been convicted of an indictable criminal offence; and

- (g) refusing entry to Persons who were inside the Business premises in the previous eight hours.

Nightclub

- APPLICATION** 30 ~~— In addition to any other requirements, before the issue or renewal of a Licence for an Nightclub a Person must submit to the City Manager:~~
- (a) ~~— the proposed noise control plans for the Business premises including volume levels of music, power of the music system, sound insulation within the building, location of any exterior line-ups, maximum numbers of people to be in line, security personnel monitoring line-ups, and the exit and return policy for patrons.~~
- CONDITIONS** 31 ~~— The following conditions must be included on, and hereby form part of, every Licence for a Nightclub:~~
- (a) ~~— compliance with an approved noise control plan.~~

Alcohol Sales [Consumption on Premises / Minors Prohibited]

- APPLICATION** 30 In addition to any other requirements, before the issue or renewal of a Licence for Alcohol Sales [Consumption on Premises / Minors Prohibited] a Person must submit to the City Manager, in a form acceptable to the City Manger:
- (a) if the applicant is a corporation:
- (i) the full name and date of birth of all primary managers, owners, partners, directors and officers of the corporation; and
- (ii) a recent Police Information Check issued by the Edmonton Police Service for all primary managers, owners, partners, directors and officers of the corporation;
- (b) if the applicant is an individual:
- (i) the full name and date of birth of the applicant; and
- (ii) a recent Police Information Check issued by the Edmonton Police Service for the applicant;

- (c) a proposed noise control plan for the Business premises;
- (d) a proposed patron management plan for the Business premises including the provisions regarding patron management outlined in this Part;
- (e) a proposed security plan for the Business premises; and
- (f) a proposed medical/safety plan for the Business premises.

REGULATIONS

30.1 It is a deemed condition of every Licence for Alcohol Sales [Consumption on Premises / Minors Prohibited] that the licensee must:

- (a) comply with an approved noise control plan ;
- (b) comply with provisions regarding patron management outlined in this Part;
- (c) comply with an approved security plan; and
- (d) comply with an approved medical/safety plan.

PATRON MANAGEMENT

30.2 The following provisions regarding patron management apply to every Licence for an Alcohol Sales [Consumption on Premises / Minors Prohibited]:

- (a) refusing entry to or removing from the Business premises Persons who appear to be intoxicated or under the influence of drugs;
- (b) removing Persons whose behaviour becomes quarrelsome, riotous or disorderly;
- (c) removing Persons who are involved in illegal activities such as drug possession or trafficking;
- (d) refusing entry to Persons who have been removed from the Business premises repeatedly;
- (e) reporting illegal activities to the Edmonton Police Service;
- (f) refusing entry to Persons identified by the Edmonton Police Service who, within the past three years, have been convicted of an indictable criminal offence.

Farmer's Market

- APPLICATION** 30.3 In addition to any other requirements, before the issue or renewal of a Licence for a Farmer's Market, a Person must submit to the City Manager proof of membership in the Alberta Approved Farmer's Market Program administered by Alberta Agriculture and Rural Development.
- VENDORS** 30.4 A Licence for a Farmer's Market is a valid Licence for vendors operating within the Farmer's Market while the Farmer's Market is in operation.

Festival

- APPLICATION** 30.5 In addition to any other requirements, before the issue or renewal of a Licence for a Festival, a Person must submit to the City Manager proof of support and acknowledgement from the Edmonton Arts Council and the Civic Events Office.
- VENDORS** 30.6 A Licence for a Festival is a valid Licence for vendors operating within the Festival while the Festival is in operation.

Flea Market

- APPLICATION** 31 In addition to any other requirements, before the issue or renewal of a Licence for a Flea Market a Person must submit to the City Manager, in a form acceptable to the City Manger:
- (a) if the applicant is a corporation:
- (i) the full name and date of birth of all primary managers, owners, partners, directors and officers of the corporation; and
- (ii) a recent Police Information Check issued by the Edmonton Police Service for all primary managers, owners, partners, directors and officers of the corporation;
- (b) if the applicant is an individual:
- (i) the full name and date of birth of the applicant; and
- (ii) a recent Police Information Check issued by the Edmonton Police Service for the applicant.

RECORD

31.1 (1) A Person holding a Licence for a Flea Market must maintain a record of all vendors including the full name, date of birth, residential address, telephone number and the information from one piece of government issued identification.

(2) A Person holding a Licence for a Flea Market must maintain a record of the type of goods sold by each vendor.

Flea Market Vendor**LICENCE
REQUIRED**

31.2 Every vendor at a Flea Market must have Business Licence to operate as a Flea Market Vendor.

RECORD

31.3 (1) A Person holding a Licence as a Flea Market Vendor must maintain an inventory of all goods bought and sold.

(2) A Person holding a Licence as a Flea Market Vendor must produce the inventory of all goods bought and sold when requested to do so by a peace officer.

**GOODS BOUGHT
AND SOLD**

31.4 Only the following goods may be purchased by a Person holding a Licence as a Flea Market Vendor at a Flea Market or sold by a Person holding a Licence as a Flea Market Vendor as second hand goods at a Flea Market:

(a) goods donated to a Person holding a Licence as a Flea Market Vendor for the purpose of re-sale to raise funds for a charitable cause; or

(b) any of the following goods:

(i) books, magazines, comic books or other similar publications;

(ii) furniture;

(iii) rugs or carpets;

(iv) clothing;

(v) sports trading cards;

(vi) building supplies such as windows, doors, flooring, fixtures or other similar items;

(vii) auto parts other than stereo systems;

- (viii) antiques, other than jewellery;
- (ix) household goods such as cutlery, dishes, glassware, lamps or other similar items;
- (x) large electrical appliances such as refrigerators, freezers, stoves, washing machines, clothes dryers, dishwashers or other similar items; or
- (xi) any other goods permitted by the City Manager.

Pawn Shop

APPLICATION

32 In addition to any other requirements, before the issue or renewal of a Licence for a Pawn Shop a Person must submit to the City Manager, in a form acceptable to the City Manger:

- (a) if the applicant is a corporation:
 - (i) the full name and date of birth of all primary managers, owners, partners, directors and officers of the corporation; and
 - (ii) a recent Police Information Check issued by the Edmonton Police Service for all primary managers, owners, partners, directors and officers of the corporation;
- (b) if the applicant is an individual:
 - (i) the full name and date of birth of the applicant; and
 - (ii) a recent Police Information Check issued by the Edmonton Police Service for the applicant;
- (c) the full name, date of birth and job title of every Person working in the Pawn Shop.

INFORMATION ON RECEIPT OF GOODS

33 Whenever goods are received and held as security for an advance of money the following information shall be accurately recorded:

- (a) the date and time the goods were received;
- (b) the full name, date of birth, residential address, telephone number, gender, eye and hair colour of the Person delivering the goods;

- (c) details from at least 2 pieces of identification provided by the Person delivering the goods, at least one of which must be government issued and have a photograph of the Person;
- (d) a complete description of each good including where available, the make, model and serial number of the good, the manufacturers name and any distinguishing marks;
- (e) the amount of money advanced in respect of each good; and
- (f) the name of the Person working in the Pawn Shop that conducted the transaction.

ALTERATIONS

- 34 No goods shall be received and held as security for an advance of money if the make, model, serial number, manufacturers name or any other distinguishing mark has been altered or in any way obliterated.

RECEIPT

- 35 (1) Whenever goods are received and held as security for an advance of money a written receipt shall be provided to the Person delivering the goods, containing at least the following information:
- (a) the day, month and year on which the money advanced is due;
 - (b) the amount of money advanced;
 - (c) the interest rate charged with respect to the advance; and
 - (d) the name and address of the Business.
- (2) The receipt required by this section must be signed by the Person delivering the goods and a copy of the signed receipt shall be retained by the Pawn Shop for a minimum of two years.

RETENTION OF GOODS

- (S.2, Bylaw 13213, November 26, 2002)
- 36 (1) No Person shall alter, repair, forfeit, sell, dispose of or part with possession of any goods received and held as security for an advance of money until the expiration of 45 days from the date such goods were received.
- (1.1) The holding period in this section may be extended by up to 60 days upon the written direction of a Peace Officer having a reasonable suspicion that particular goods may have been acquired through the commission of a criminal offence.

(S.3, Bylaw 13213, November 26, 2002)

- (2) This section does not apply to goods redeemed by the Person who delivered them.

REMOVAL OF GOODS

- 37 (1) No Person shall, during the period goods received and held as security for an advance of money are required to be retained, remove or permit the removal of such goods from the Business premises of the Pawn Shop.

- (2) Notwithstanding this section a Person may store goods received and held as security for an advance of money at a location other than the Business premises of the Pawn Shop if the location has been authorized by the City Manager.

(S.4, Bylaw 13213, November 26, 2002)

GOODS KEPT SEPARATE

- 38 All goods received and held as security for an advance of money shall be kept separate and apart from all other merchandise in a Pawn Shop and shall not be mixed with any other merchandise during the period the goods are required to be retained.

- 38.1 All goods received and held as security for an advance of money shall be identified with a tag or sticker in a manner sufficient to allow the association of a good with the information recorded with respect to its receipt.

(S.5, Bylaw 13213, November 26, 2002)

REDEEMED GOODS

- 39 Whenever goods received and held as security for an advance of money are redeemed the same information required to be recorded upon the receipt of the goods shall be recorded at the time of redemption.

RECORD OF INFORMATION

- 40 The information required to be recorded by this Part:

- (a) shall be recorded in a form and manner acceptable to the City Manager; and
- (b) shall be made available to a Peace Officer forthwith upon request.

- 40.1 No Person shall receive and hold goods as security for an advance of money from an individual under 18 years of age.

(S.6, Bylaw 13213, November 26, 2002)

Second Hand Store

- 40.15 In addition to any other requirements, before the issue or renewal

APPLICATION

of a Licence for a Second Hand Store a Person must submit to the City Manager, in a form acceptable to the City Manger:

(a) if the applicant is a corporation:

(i) the full name and date of birth of all primary managers, owners, partners, directors and officers of the corporation; and

(ii) a recent Police Information Check issued by the Edmonton Police Service for all primary managers, owners, partners, directors and officers of the corporation;

(b) if the applicant is an individual:

(i) the full name and date of birth of the applicant; and

(ii) a recent Police Information Check issued by the Edmonton Police Service for the applicant; and

(c) the full name, date of birth and job title of every Person working in the Second Hand Store.

**SECOND HAND
STORE
REPORTING FEES**

40.16 Repealed
(S.6, Bylaw 14129, November 29, 2005)

**DEEMED
CATEGORY**

40.17 Repealed
(S.7, 40.15 – 40.17, Bylaw 13821, as amended, March 1, 2005)
(S.6, Bylaw 14129, November 29, 2005)

40.2 Whenever previously owned goods are acquired or received by a Second Hand Store for re-sale, the following information shall be accurately recorded:

(a) the date and time the goods are acquired or received;

(b) the full name, date of birth, residential address, telephone number, gender, eye and hair colour of the person from whom the goods are acquired or received;

(c) details from at least two pieces of identification provided by the Person from whom the goods are acquired at least one of which must be government issued and have a photograph of the Person;

- (d) a complete description of each good including, where available, the make, model and serial number of the good, the manufacturer's name and any distinguishing marks;
 - (e) the amount of money paid in respect of each good; and
 - (f) the name of the Person working in the Second Hand Store that conducted the transaction.
- 40.3 No previously owned goods shall be acquired or received by a Second Hand Store for re-sale if the make, model, serial number, manufacturers name or any other distinguishing mark has been altered or in any way obliterated.
- 40.4 (1) No Person shall alter, repair, forfeit, sell, dispose of or part with possession of any previously owned goods acquired or received by a Second Hand Store for re-sale until the expiration of 45 days from the date such goods were acquired or received.
- (2) The holding period in this section may be extended by up to 60 days upon the written direction of a Peace Officer having a reasonable suspicion that particular goods may have been acquired through the commission of a criminal offence.
- 40.5 (1) No Person shall, during the period previously owned goods acquired or received by a Second Hand Store for re-sale are required to be retained, remove or permit the removal of such goods from the Business premises of the Second Hand Store.
- (2) Notwithstanding this section a Person may store previously owned goods acquired or received by a Second Hand Store for re-sale at a location other than the Business premises of the Second Hand Store if the location has been authorized by the City Manager.
- 40.6 All previously owned goods acquired or received by a Second Hand Store for re-sale shall be kept separate and apart from all other merchandise in the Second Hand Store and shall not be mixed with any other merchandise during the period the goods are required to be retained.
- 40.7 All previously owned goods acquired or received by a Second Hand Store for re-sale shall be identified with a tag or sticker in a manner sufficient to allow the association of a good with the information recorded with respect to it's acquisition or receipt.
- 40.8 The information required to be recorded by this Part:

- (a) shall be recorded in a form and manner acceptable to the City Manager; and
 - (b) shall be made available to a Peace Officer forthwith upon request.
- 40.9 The provisions in Part IV regulating Second Hand Stores do not apply to:
- (a) goods donated to a Second Hand Store for the purpose of re-sale to raise funds for a charitable cause; or
 - (b) any of the following goods:
 - (i) books, magazines, comic books or other similar publications;
 - (ii) furniture;
 - (iii) rugs or carpets;
 - (iv) clothing;
 - (v) sports trading cards;
 - (vi) building supplies such as windows, doors, flooring, fixtures or other similar items;
 - (vii) auto parts other than stereo systems;
 - (viii) antiques;
 - (ix) household goods such as cutlery, dishes, glassware, lamps or other similar items;
 - (x) large electrical appliances such as refrigerators, freezers, stoves, washing machines, clothes dryers, dishwashers or other similar items; or
 - (xi) any other good declared exempt by the City Manager.
- 40.10 No Person shall acquire or receive previously owned goods for re-sale by a Second Hand Store from an individual under 18 years of age.

(S.7, 40.2-40.10, Bylaw 13213, November 26, 2002)

Vehicle Repair and Vehicle Sales/Rentals

APPLICATION

- 40.11 In addition to any other requirements, before the issue or renewal of a Licence for Vehicle Repair or Vehicle Sales/Rentals, a Person must submit to the City Manager an approved Alberta Motor Vehicle Industry Council Licence.

PART V - ENFORCEMENT

OFFENCE

- 41 A Person who contravenes this bylaw is guilty of an offence.

CONTINUING OFFENCE

- 42 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such day.

VICARIOUS LIABILITY

- 43 For the purposes of this bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

CORPORATIONS AND PARTNERSHIPS

- 44 (1) When a corporation commits an offence under this bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- (2) If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

FINES AND PENALTIES

- 45 (1) A Person who is guilty of an offence is liable to a fine in an amount not less than that established in this section, and not exceeding \$10,000.00, and to imprisonment for not more than six months for non-payment of a fine.
- (2) Without restricting the generality of subsection (1) the following fine amounts are established for use on Municipal Tags and

Violation Tickets if a voluntary payment option is offered:

- (a) \$200.00 for any offence for which a fine is not otherwise established in this section;
 - (b) \$400.00 or two times the Licence Fee for each Business being engaged in or operated without a Licence, whichever is greater, for an offence under section 4 or 5;
 - (c) \$2,000.00 for an offence under section 22; or
 - (d) \$2,000.00 for an offence under Part IV.
- (3) If a Person is guilty of a Subsequent Offence, the fine amounts established in this section are doubled.
- (4) In addition to any fine imposed for an offence under section 4 or 5 a court may impose a penalty in the amount of the Licence Fee for each Business being engaged in or operated without a Licence plus any applicable Non Resident Licence Fee.

MUNICIPAL TAG	46	If a Municipal Tag is issued in respect of an offence the Municipal Tag must specify the fine amount established by this bylaw for the offence.
PAYMENT IN LIEU OF PROSECUTION	47	A Person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this bylaw for the offence and if the amount is paid on or before the required date, the Person will not be prosecuted for the offence.
VIOLATION TICKET	48	<p>(1) If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:</p> <ul style="list-style-type: none"> (a) specify the fine amount established by this bylaw for the offence; or (b) require a Person to appear in court without the alternative of making a voluntary payment.
VOLUNTARY PAYMENT	49	<p>A Person who commits an offence may:</p> <ul style="list-style-type: none"> (a) if a Violation Ticket is issued in respect of the offence; and (b) if the Violation Ticket specifies the fine amount established by this bylaw for the offence;
<u>OBSTRUCTION</u>	49.1	<p>make a voluntary payment equal to the specified fine.</p> <p><u>A person shall not obstruct or hinder any person in the exercise or</u></p>

performance of the person's powers pursuant to this bylaw.

PART VI - GENERAL

PROOF OF LICENCE	50	The onus of proving that a Person has a valid and subsisting Licence for a Business is on the Person alleging the Licence on a balance of probabilities.
PROOF OF EXEMPTION	51	The onus of proving that a Person is exempt from the provisions of this bylaw requiring a Licence is on the Person alleging the exemption on a balance of probabilities.
ENGAGING IN OR OPERATING A BUSINESS	52	In a prosecution for a contravention of this bylaw against engaging in or operating a Business without a Licence, proof of one transaction in the Business or that the Business has been advertised is sufficient to establish that a Person is engaged in or operates the Business.
CITY MANAGER	53	Without restricting any other power, duty or function granted by this bylaw, the City Manager may: <ul style="list-style-type: none"> (a) carry out whatever inspections are reasonably required to determine compliance with this bylaw; (a.1) <u>require a Person holding a Licence to provide any information required to make a decision regarding that Licence;</u> (b) delegate any powers, duties or functions under this bylaw to an employee of the City; and (c) establish forms for the purposes of this bylaw.
CERTIFIED COPY OF RECORD	54	A copy of a record of the City, certified by the City Manager as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the Person signing it.
EXISTING LICENCE	55	An existing licence issued under Bylaw 6124, The City of Edmonton License Bylaw, remains valid until the term of such licence expires.
REPEAL	56	Bylaw 6124, The City of Edmonton License Bylaw, is repealed.
EFFECTIVE DATE	57	This bylaw comes into force November 29, 2002.

SCHEDULE "A"

BUSINESS CLASSIFICATIONS

BUSINESS

DESCRIPTION

Adult Mini-Theatre	<u>A facility offering video entertainment of an erotic nature, the main feature of which is the nudity or partial nudity of any person. A facility with visual entertainment, live or otherwise, a primary feature of which is the exposure of naked breasts, buttocks or genitalia of any person and where the viewing area for patrons has a seating capacity of 10 persons or less.</u>
After Hours Dance Club	A facility with dancing to live or recorded music between the hours of 2 a.m. and 8 a.m.
After Hours Dance Event	A commercial event with dancing to live or recorded music between the hours of 2 a.m. and 8 a.m. that takes place other than in an After Hours Dance Club.
Alcohol Sales	Selling alcoholic beverages for consumption off the premises.
<u>Alcohol Sales [Consumption Off-Premises]</u>	<u>Selling alcoholic beverages for consumption off the premises; typical examples are liquor stores.</u>
<u>Alcohol Sales [Consumption On Premises / Minors Allowed]</u>	<u>Selling alcoholic beverages for consumption on the premises in which minors are allowed in all areas of the premises during all hours of operation.</u>
<u>Alcohol Sales [Consumption On Premises / Minors Prohibited]</u>	<u>Selling alcoholic beverages for consumption on the premises in which minors are prohibited from at least some portion of the premises during at least some portion of the hours of operation.</u>
Amusement Establishment	A facility with any table or electronic games, including video lottery terminals.
Auction Establishment	Selling goods by auction or the storage of such goods.
Bar/Lounge	Selling alcoholic beverages for consumption on the premises but without offering dancing to live or recorded music.
Bed And Breakfast	Providing accommodation within a private residence, not including the complete rental of such private residence.

Bingo Establishment	A facility requiring a bingo facility licence pursuant to the <i>Gaming and Liquor Act</i> .
Carnival	Operating a variety of live shows, games or amusement rides.
Casino Establishment	A facility requiring a casino facility licence pursuant to the <i>Gaming and Liquor Act</i> .
Commercial Schools	Any business set up for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. Typical examples include secretarial, business, hairdressing, beauty culture, driving, dancing or music schools and private education services.
Construction Vehicle And Equipment Sales/Rentals	Selling or renting new or previously owned motor vehicles, machinery or equipment used in the construction of buildings, roads, pipelines and other such undertakings, in oilfield or mining operations, in manufacturing, assembling or processing operations or in agricultural production.
Dance Club	A facility with dancing to live or recorded music but without the sale of alcoholic beverages for consumption on the premises.
Delivery/Transportation Services	Providing vehicles for the delivery or transportation of people or goods.
Exhibition Hall	Providing facilities for meetings, conferences, sales or seminars on a temporary basis.
<u>Farmer's Market</u>	<u>A market as approved by the Alberta Approved Farmers' Market Program administered by Alberta Agriculture and Rural Development.</u>
<u>Festival</u>	<u>An event that is supported by the Edmonton Arts Council or is recognized by the Civic Events Office.</u>
Firearm/Ammunition Dealer	Selling, purchasing, manufacturing, importing, exporting, repairing or altering of any firearm or ammunition.
<u>Flea Market</u>	<u>The sale of new or used goods by multiple vendors renting tables or space in an enclosed building. Vendors may vary from day to day, although the general layout of space to be rented remains the same. The goods sold are generally household items, tools, electronic equipment, food products or concessions, plants, clothing and furniture. Such operations are usually conducted on weekends and holidays only. Does not include Farmers' Markets, Festivals or Second Hand Stores.</u>
<u>Flea Market Vendor</u>	<u>Individual vendor that is operating within a Flea Market.</u>
Food Processing	Processing food or beverages in preparation for human

	consumption <u>including catering services.</u>
Funeral, Cremation, Cemeteries and Interment Services	The preparation of the dead for burial, the purification and reduction of the human body by heat and the keeping of bodies in a cemetery and the holding of associated services. Including; funeral homes, crematoriums, mausoleums, cinerariums and columbariums, memorial parks, burial grounds and gardens of remembrance.
Gaming Establishment	A facility requiring a casino facility licence pursuant to the Gaming and Liquor Act.
General Business	Any Business not otherwise specified in this Schedule.
General Contractor	Providing services with respect to the erection, alteration, cleaning, moving, repair or demolition of buildings or structures; excavation; landscaping; concrete preparation or delivery; electrical systems; drilling; heating or air conditioning systems; plumbing; paving; and road, sewer or other such construction.
General Industrial	Processing of raw materials; manufacturing, assembly, cleaning, servicing, testing, repairing, storage, shipping or distribution of commercial or industrial materials, goods or equipment; and vehicle painting or body repair.
Home Based Business	Any Business conducted out of a residential premises <u>including a live work unit.</u>
Indoor Participant Recreation Services	An indoor facility for sports or active recreation where patrons are predominantly participants and spectators are generally incidental.
Livestock Operation	Breeding (including any associated sale), boarding (whether for sale, shipment, inspection, appraisal, slaughter, or any other purpose), training or sale of any animal other than an animal normally considered as a domestic household pet.
Major Retail Store	Any business that sells any goods on a retail basis that has a total space that is greater than or equal to 600m ² or has an occupancy load higher than 60 persons or stores flammable materials; such as high fire load materials, major chemicals or hazardous materials.
Minor Retail Store	Any business that sells any goods on a retail basis that has a total space that is less than 600m ² and has an occupancy load of 60 persons or less and does not store flammable materials; such as high fire load materials, major chemicals or hazardous materials.
Nightclub	Selling alcoholic beverages for consumption on the premises and offering dancing to live or recorded music.
<u>Participant Recreation Services</u>	<u>An indoor or outdoor facility for sports or active recreation where patrons are predominantly participants and spectators are</u>

	<u>generally incidental.</u>
Pawn Shop	Receiving goods held as security for an advance of money.
Personal Service Shop	Providing services related to the care and appearance of the body or the cleaning or repair of personal effects.
Public Market	A facility used on a temporary basis by a number of vendors for the sale of new or previously owned goods.
Rental Accommodation	Providing accommodation <u>on a temporary or permanent basis other than within a private residence.</u>
Restaurant or Food Service	Selling prepared food or non-alcoholic beverages for consumption on or off the premises.
Second Hand Store	Selling previously owned goods other than by Auction, Travelling or Temporary Sales or in a <u>Flea Market or Farmer's Market</u> Public Market.
Small Animal Breeding/Boarding Establishment	Breeding (including any associated sale), boarding or training of any animal normally considered as a domestic household pet.
Spectator Entertainment Establishment	A facility offering live theatrical, musical or dance performances or showing motion pictures.
Tobacco Sales	Selling tobacco or tobacco products including the sale of such items by vending machine.
Travelling or Temporary Sales	Selling goods or services other than food or beverages place to place, or from a temporary location in any place where the public has an expected right of access, but not including sales to a wholesale or retail dealer in any such goods.
Travelling or Temporary Food Sales	Selling food or beverages place to place, or from a temporary location in any place where the public has an expected right of access, but not including sales to a wholesale or retail dealer in any such goods.
Vehicle Fueling Station	On-site sale of gasoline, propane or any other motor vehicle fuel product.
Vehicle Repair	The general maintenance or repair of motor vehicles or non-motorized recreational vehicles such as tent trailers, boats and other similar craft, but not including vehicle painting or body repair.
Vehicle Sales/Rentals	Selling or renting new or previously owned motor vehicles, or non-motorized recreational vehicles such as tent trailers, boats and other similar craft, but not including Construction Vehicle

	and Equipment Sales/Rentals or the sale of less than 5 previously owned vehicles per calendar year
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(S.2(a,b), Bylaw 13446, August 26, 2003)
(S.8,9, Bylaw 13821, March 1, 2005, as amended)
(S.7,8, Bylaw 14129, November 29, 2005)
(S.2, Bylaw 14383, November 14, 2006)
(S.2, Bylaw 15112, January 21, 2009)
(S.2, Bylaw 15694, April 27, 2011)

**SCHEDULE “B”
FEES AND REFERRALS
Effective January 1, 2012**

BUSINESS	LICENCE FEE	CONSULTATIONS	<u>NOTIFICATIONS</u>
Adult Theatre	<u>\$2,058</u>	Edmonton Police Service, Fire Rescue Services	
After Hours Dance Club	<u>\$548</u>	Capital Health Authority , Edmonton Police Service, Fire Rescue Services	<u>Alberta Health Services</u>
After Hours Dance Event	<u>\$343</u>	Capital Health Authority , Edmonton Police Service, Fire Rescue Services	<u>Alberta Health Services</u>
Alcohol Sales	<u>\$198</u>	Alberta Gaming & Liquor Commission, Capital Health Authority	
<u>Alcohol Sales [Consumption Off-Premises]</u>	<u>\$208</u>	<u>Fire Rescue Services</u>	<u>Alberta Health Services, Alberta Gaming & Liquor Commission</u>
<u>Alcohol Sales [Consumption On Premises / Minors Allowed]</u>	<u>\$208</u>	<u>Fire Rescue Services</u>	<u>Alberta Health Services, Alberta Gaming & Liquor Commission</u>
<u>Alcohol Sales [Consumption On Premises / Minors Prohibited]</u>	<u>\$548</u>	<u>Edmonton Police Service, Fire Rescue Services</u>	<u>Alberta Health Services, Alberta Gaming & Liquor Commission</u>
Amusement Establishment	<u>\$208</u>	<u>Fire Rescue Services</u>	
Auction Establishment	<u>\$208</u>	<u>Fire Rescue Services</u>	
Bar/Lounge	<u>\$198</u>	Alberta Gaming & Liquor Commission, Capital Health Authority, Fire Reseue Services	<u>Alberta Health Services, Alberta Gaming & Liquor Commission</u>
Bed And Breakfast	<u>\$208</u>	Capital Health Authority	<u>Alberta Health Services</u>

Bingo Establishment	<u>\$416</u>	Alberta Gaming & Liquor Commission, Edmonton Police Service, Fire Rescue Services (S.3, Bylaw 13446, August 26, 2003)	<u>Alberta Health Services, Alberta Gaming & Liquor Commission</u>
Carnival	a) 25 or more shows, games or rides - <u>\$1,638. / day</u> (max <u>\$16,380./ year</u>) b) less than 25 shows, games or rides, <u>\$687.</u>	Capital Health Authority, Edmonton Police Service, Fire Rescue Services	<u>Alberta Health Services</u>
<u>Casino Establishment</u>	<u>\$2,743</u>	<u>Fire Rescue Services</u>	<u>Alberta Gaming & Liquor Commission</u>
<u>Non-Profit Organization</u>	<u>\$40</u>		
<u>Commercial Schools</u>	<u>\$208</u>	<u>Fire Rescue Services</u>	
<u>Construction Vehicle And Equipment Sales/Rentals</u>	<u>\$208.</u>	<u>Fire Rescue Services</u>	
Dance Club	<u>\$198.</u>	Capital Health Authority, Edmonton Police Service, Fire Rescue Services	
<u>Consultation Fee</u>	<u>\$66</u>		
<u>Delivery/Transportation Services</u>	<u>\$67. / vehicle</u>		
<u>Exhibition Hall</u>	<u>\$208</u>	<u>Fire Rescue Services</u>	
<u>Festival</u>	<u>\$208</u>		
<u>Firearm/Ammunition Dealer</u>	<u>\$208</u>	Edmonton Police Service, Fire Rescue Services	<u>Edmonton Police Service</u>
<u>Flea Market</u>	<u>\$416</u>	<u>Edmonton Police Service, Fire Rescue Services</u>	
<u>Flea Market Vendor</u>	<u>\$208</u>		
<u>Food Processing</u>	<u>\$208</u>	Capital Health Authority, Fire Rescue Services	<u>Alberta Health Services</u>
<u>Funeral, Cremation, Cemeteries and Interment Services</u>	<u>\$208</u>	<u>Fire Rescue Services</u>	

Gaming Establishment	<u>\$2,612</u>	Alberta Gaming & Liquor Commission, Edmonton Police Service, Fire Rescue Services	
General Business	<u>\$208</u>		
General Contractor	<u>\$208</u>		
General Industrial	<u>\$208</u>	Fire Rescue Services	
Home Based Business	<u>\$172</u>		
Indoor Participant Recreation Services	<u>\$198</u>	Fire Rescue Services	
Livestock Operation	<u>\$208</u>	Fire Rescue Services	
Major Retail Store	<u>\$208</u>	Fire Rescue Services	
Minor Retail Store	<u>\$208</u>	Fire Rescue Services	
Nightclub	<u>\$787</u>	Alberta Gaming & Liquor Commission, Capital Health Authority, Edmonton Police Service, Fire Rescue Services,	
Non-Resident Fee	<u>\$500</u>		
Participant Recreation Services	<u>\$208</u>	Fire Rescue Services	
Pawn Shop	<u>\$416</u>	Edmonton Police Service, Fire Rescue Services	
Personal Service Shop	<u>\$208</u>		
Public Market	<u>\$198</u>	Edmonton Police Service, Fire Rescue Services	
Referral Fee	<u>\$63</u>	(For Each Referral Required)	
Rental Accommodation	<u>\$208</u>	Capital Health Authority, Fire Rescue Services	<u>Alberta Health Services</u>
Restaurant or Food Service	<u>\$208</u>	Capital Health Authority, Fire Rescue Services	<u>Alberta Health Services</u>
Second Hand Store	<u>\$418</u>	Edmonton Police Service	
Service Fee	<u>\$40</u>		
Small Animal Breeding/Boarding Establishment	<u>\$416</u>	Fire Rescue Services	

Spectator Entertainment Establishment	<u>\$416</u>	Fire Rescue Services	
Tobacco Sales	<u>\$416</u>		Health Canada
Travelling or Temporary Sales	<u>\$208</u>		
<u>Traveling or Temporary Sales (1–3 days)</u>	<u>\$50</u>		
Travelling or Temporary Food Sales	<u>\$208</u>	Capital Health Authority	<u>Alberta Health Services</u>
<u>Traveling or Temporary Food Sales (1–3 days)</u>	<u>\$50</u>		<u>Alberta Health Services</u>
Vehicle Fueling Station	<u>\$208</u>	Fire Rescue Services	
Vehicle Repair	<u>\$208</u>	Alberta Motor Vehicle Industry Council , Fire Rescue Services	
Vehicle Sales/Rentals	<u>\$208</u>	Alberta Motor Vehicle Industry Council	

(S.4(a), Bylaw 15040, December 10, 2008)

(S.3, Bylaw 15112, January 21, 2009)

(S.4(a), Bylaw 15327, December 01, 2009)

(S.4(a), Bylaw 15596, December 7, 2010)

(S.2,3,4, Bylaw 15668, February 2, 2011)

(S.3,4, Bylaw 15694, April 27, 2011)

(NOTE: Consolidation made under Section 69 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 and Bylaw 12005, and printed under the City Manager's authority.)

Bylaw 13138, passed by Council August 29, 2002

Amendments:

- Bylaw 13213, November 26, 2002
- Bylaw 13446, August 26, 2003
- Bylaw 13757, June 15, 2004
- Bylaw 13875, December 7, 2004
- Bylaw 13821, March 1, 2005, as amended
- Bylaw 14129, November 29, 2005
- Bylaw 14169, December 14, 2005
- Bylaw 14192, December 20, 2005
- Bylaw 14383, November 14, 2006
- Bylaw 14427, December 6, 2006
- Bylaw 14833, December 14, 2007
- Bylaw 15040, December 10, 2008
- Bylaw 15112, January 21, 2009
- Bylaw 15165, April 29, 2009
- Bylaw 15327, December 01, 2009
- Bylaw 15668, February 02, 2011
- Bylaw 15694, April 27, 2011