



Policy No. 9.5
Adopted October 15, 2007

Business Licence Policy, 2007

Policy Statement:

The Business Licence Inspector will enforce, proactively and upon public complaint, Bylaw No. 301, *Business Licence Bylaw, 2007* and amendments with respect to licencing of business owners who are conducting their business or trade in the District of Sooke.

Policy Procedure:

1. In accordance with Bylaw No. 301, *Business Licence Bylaw, 2007* the District of Sooke accepts applications for Business Licences.
2. All applicants must complete an application form (Schedule A), available from the District of Sooke Municipal Hall or the District website (www.sooke.ca), submit all required information, and pay the designated fees.
3. The Business Licence Guide (Schedule B) provides guidance to the Licence Inspector as to the Business Licence Category that may be required for certain businesses under the *Business Licence Bylaw, 2007*.

Approval of Business Licence Applications

- 4.1 For the first year Bylaw 301, *Business Licence Bylaw, 2007* is in effect (2008) and upon receipt of a Business Licence Application and payment of the Business Licence fee, the Business Licence Inspector will issue a Business Licence without review.
- 4.2 After the initial start up year for the Business Licence Bylaw (2008) and upon Receipt of Business Licence Application, the Business Licence Inspector will forward the application for approval to the following departments:
 1. Planning
 2. Building
 3. Fire

- 4.3 The Planning department will review municipal bylaws and other development management regulations and approve the licence if it meets all applicable bylaws and regulations. If it does not, the application is returned to the Business Licence Inspector, along with a memorandum detailing why it was not approved. At this point, the Business Licence Inspector informs the applicant who either withdraws the application or addresses the non-approval issue.
- 4.4 After the Planning department has approved the application, the Building Inspector and the Deputy Fire Chief/Inspector will conduct a site visit and approve the licence if it meets all applicable bylaw and regulations (ie. *Building Regulation Bylaw, Fire Protection Services Bylaw, Fire Code, etc.*).
- a. If the application is not approved, the Building Inspector and the Deputy Fire Chief/Inspector will advise the applicant of the deficiencies, in writing, and a return inspection is scheduled within 7 to 28 days. The Building Inspector and the Deputy Fire Chief/Inspector will conduct the second inspection and approve the licence if all of the deficiencies have been corrected.
 - b. If the licence cannot be approved after the second inspection, the Building Inspector and the Deputy Fire Chief/Inspector will advise the applicant of the deficiencies and schedule a re-inspection within 7 to 28 days. The Building Inspector and the Deputy Fire Chief/Inspector will conduct the third inspection.
 - c. If the licence cannot be approved after the third inspection, the application is returned to the Business Licence Inspector, along with a memorandum detailing why it was not approved. The Business Licence Inspector will inform the applicant, who either withdraws the application or further addresses the non-approval issue, or if the business is already under way, forwards the application to the Bylaw Enforcement Officer to initiate enforcement procedures.
- 4.5 Upon approval of the licence by the Building Inspector and the Deputy Fire Chief/Inspector, the Business Licence Inspector will review the file to determine whether the application requires external approvals; ie. Health, RCMP, etc. Any external approvals are sought and the Business Licence Inspector will give the application a final review and issue the Business Licence.

Business Licence Enforcement

- 5.1 During 2008, the Bylaw Enforcement Officer will conduct regular inspections of residential, commercial and industrial areas in order to confirm compliance with the Business Licence Bylaw.
 - 5.2 The Bylaw Enforcement Officer will conduct regular inspections of residential, commercial and industrial areas in order to detect new businesses that may not be licenced in accordance with the Business Licence Bylaw.
 - 5.3 The Bylaw Enforcement Officer and/or the Business Licence Inspector will contact all business that do not renew their business licences by the first day of February in the calendar year following the expiration of the business licence. Enforcement measures under the Bylaw will be applied to all non-compliant resident businesses after February 1 of each calendar year.
 - 5.4 The Bylaw Enforcement Officer will conduct inspections, upon complaint or with notification from other departments, regarding new and unlicensed businesses.
 - 5.5 The Bylaw Enforcement Officer shall issue a Business Licence Application, by fax, mail or personal delivery, to an unlicensed business, and the business owner shall complete the application and return it, with proper remittance, to the Bylaw Services Division within fourteen (14) days of issuance. Provided an unlicensed business is in the correct zone, the business will be permitted to continue to operate until the business licence application has been approved and issued. Where applicable, the registered owner of the property shall be notified by mail that an unlicensed business is operating on their property.
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SCHEDULE A – BUSINESS LICENCE APPLICATION FORM

This application is submitted for the following:

- New Business Change of Address
 Change of Ownership Change of Name

Type of Business: (indicate one)	Fee
<input type="checkbox"/> Home Based	\$ 50.00
<input type="checkbox"/> Intermunicipal	\$100.00
<input type="checkbox"/> Commercial - Small (464.5 sq.m./5,000 sq.ft.) or less of gross floor area of buildings used for business	\$125.00
<input type="checkbox"/> Commercial - Large (more than 464.5 sq.m./5,000 sq.ft.) of gross floor area of buildings used for business	\$250.00
<input type="checkbox"/> Non-Resident	\$100.00
<input type="checkbox"/> Daily - per day	\$ 50.00
<input type="checkbox"/> Direct Seller	\$ 50.00
<input type="checkbox"/> Peddler	\$ 50.00

Business Name: _____

Nature of Business: _____

Owner(s) Licencee(s) Name(s) _____

Ownership type (check one): proprietorship corporation partnership

Contact Person: _____

Business Location: _____

Business Mailing Address: _____

Business Phone No. _____ Fax No. _____ Email _____

Business Start Date: _____

Trade Qualification Number _____

Are you renovating or altering the premises? YES _____ NO _____ Building Permit No. _____

The undersigned owner/authorized agent of the owner makes an application as specified herein, and declares that the information submitted in support of the application is true and correct in all respects.

Applicant's Signature _____ Date _____

FOR OFFICE USE ONLY:

Date:	Received By:	File No:	Total Fees:
<input type="checkbox"/> Required Documents and Plans		<input type="checkbox"/> Additional Information Required (see Page 2)	
Department	Approval	Date	Comments
Planning			
Engineering			
Building			
Fire			
Police			
Health			
Licence Number:		Licence Year:	

SCHEDULE B (Policy No. 9.5, *Business Licence Policy, 2007*)

Business Licence Guide

Business

Type of Business Licence Required

Special Event (Art in the Park,
Sooke Fine Arts) **

Not for Profit Organizer
For Profit Organizer
Each Vendor

NONE
Commercial or Non-Resident
Daily or Intermunicipal

Roadside Stands (ongoing)

Resident
Commercial undertaking non-resident
(location must be approved by
District of Sooke)

Home Based
Commercial or Peddler (vegetable & fruit)

**Home Party Sales (products, art,
crafts, etc.) ****

Not for Profit Organizer
Resident Organizer for Profit
Each Vendor
Door to Door

NONE
Home Based
Daily or Intermunicipal
Direct Seller

**Concerts, Exhibitions (School
events, Sooke Fall Fair) ****

Not for Profit Organizer
For Profit Organizer
Each Vendor

NONE
Commercial or Non-Resident
Daily or Intermunicipal

Garage Sale over 3 days

Resident
Non-Resident

Home Based
Commercial or Non-Resident

Street Market

(Licence is valid for the year in which the licence
is issued)

Not for Profit Organizer
For Profit Organizer
Each Vendor

NONE
Commercial or Non-Resident
Daily or Intermunicipal

**Period of Licence for craft fair, exhibition other itinerant show or entertainment is ONE DAY.