



VILLAGE OF HARRISON HOT SPRINGS NOTICE OF MEETING AND AGENDA

REGULAR COUNCIL MEETING

Date: Monday, April 1, 2019
Time: 7:00 p.m.
Location: Council Chambers, 495 Hot Springs Road
 Harrison Hot Springs, British Columbia

1. CALL TO ORDER		
Meeting called to order by Mayor Facio.		
2. INTRODUCTION OF LATE ITEMS		
3. APPROVAL OF AGENDA		
4. ADOPTION OF COUNCIL MINUTES		
(a) THAT the Regular Council Meeting Minutes of March 18, 2019 be adopted.		Item 4(a) Page 1
5. BUSINESS ARISING FROM THE MINUTES		
6. CONSENT AGENDA		
i. Bylaws	(a) Bylaw Notice Enforcement Amendment Bylaw No. 1137, 2019	Item 6.i(a) Page 7
ii. Agreements		
iii. Committee/ Commission Minutes		
iv. Correspondence		
7. DELEGATIONS/PETITIONS		
8. CORRESPONDENCE		
(a) Letter dated March 25, 2019 from the District of Kitimat Re: Coalition of Riders Educating Youth (C.O.R.E.Y) Support Letter Request		Item 8(a) Page 15
9. BUSINESS ARISING FROM CORRESPONDENCE		

10. REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS

11. REPORTS FROM MAYOR

- (a) 2019 Grants to Groups recipient presentation
- Agassiz Baseball Association
 - Agassiz Harrison Community Services
 - Fraser Valley Paddling Club
 - Kent Harrison Arts Council
 - Miami River Streamkeepers

12. REPORTS FROM STAFF

13. BYLAWS

- (a) Notice of Intent – Business Licence and Regulation Bylaw No. 1128, 2018 Item 13(a)
Page 17
- Public submissions
-
- (b) Report of the Deputy Chief Administrative Officer / Corporate Officer – March 28, 2019 Item 13(b)
Page 19
Re: Business Licence Bylaw No. 1128, 2018

THAT Business Licence and Regulation Bylaw No. 1128, 2018 receive third reading.

14. QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)

15. ADJOURNMENT

VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE REGULAR MEETING OF COUNCIL

4(a)

DATE: Monday, March 18, 2019
TIME: 7:00 p.m.
PLACE: Council Chambers
495 Hot Springs Road, Harrison Hot Springs, BC

IN ATTENDANCE: Councillor Samantha Piper, Deputy Mayor
Councillor Ray Hooper
Councillor Gerry Palmer
Councillor Michie Vidal

Chief Administrative Officer, Madeline McDonald
Deputy Administrative Officer/Corporate Officer, Debra Key
Tracey Jones, Financial Officer
Rhonda Schell, Community Services Coordinator
Ken Cossey, Planning Consultant

ABSENT:
Mayor Leo Facio

Recording Secretary: Nicole Sather

1. **CALL TO ORDER**

Deputy Mayor Piper called the meeting to order at 7:00 p.m.

2. **INTRODUCTION OF LATE ITEMS**

None

3. **APPROVAL OF AGENDA**

Change the order of item 12(b) with item 12(c).

Moved by Councillor Palmer
Seconded by Councillor Vidal

THAT the agenda be approved, as amended.

**CARRIED
UNANIMOUSLY**
RC-2019-03-13

4. **ADOPTION OF COUNCIL MINUTES**

Moved by Councillor Palmer
Seconded by Councillor Hooper

THAT the Regular Council Meeting Minutes of March 4, 2019 be adopted.

**CARRIED
UNANIMOUSLY**
RC-2019-03-14

5. **BUSINESS ARISING FROM THE MINUTES**

None

6. CONSENT AGENDA

iii. (a) Draft Resort Development Strategy Committee Meeting Minutes of March 12, 2019

Moved by Councillor Vidal
Seconded by Councillor Palmer

THAT the draft Minutes of the Resort Development Strategy Committee meeting be received.

**CARRIED
UNANIMOUSLY**
RC-2019-03-15

7. DELEGATIONS/PETITIONS

None

8. CORRESPONDENCE

None

9. BUSINESS ARISING FROM CORRESPONDENCE

None

10. REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS

Councillor Vidal

- Attended the signing ceremony of the Economic and Community Development Agreement between the Province of British Columbia and Sts'ailes First Nation held on March 8, 2019
- Reported on a meeting with the Fraser Valley Charitable Gaming Association
- Reported on engagements with residents concerning the proposed Business Licence and Regulation Bylaw and the Bylaw Notice Enforcement Bylaw
- Attended an In Camera Council Meeting held on March 15, 2019

Councillor Hooper

- Attended a webinar hosted by the Federation of Canadian Municipalities held on March 6, 2019
- Attended the Agassiz Harrison Social Club meeting held on March 7, 2019
- Attended the signing ceremony of the Economic and Community Development Agreement between the Province of British Columbia and Sts'ailes First Nation held on March 8, 2019
- Attended the Agassiz-Harrison Historical Society meeting held on March 12, 2019
- Attended an In Camera Council Meeting held on March 15, 2019
- Attended an event with the author Becky Citra at the Agassiz-Harrison Museum held on March 16, 2019

Councillor Palmer

- Reported on the recent Strategic Planning Session held at the Fraser Valley Regional Library and commented on his interest to create library resources within Harrison Hot Springs

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Councillor Piper

- Attended the Towards Parity in Canadian Politics consultation webinar hosted by the Federation of Canadian Municipalities (FCM) and Union of British Columbia Municipalities (UBCM) held on March 5, 2019
- Chaired the Resort Development Strategy Committee meeting held on March 12, 2019
- Attended the Agassiz Harrison Chamber of Commerce meeting held on March 12, 2019
- Attended the Canada Day planning meeting held on March 13, 2019
- Attended the Correction Canada Citizen's Advisory Committee meeting held on March 13, 2019

On behalf the Mayor, presiding Deputy Mayor Piper read the Mayor's Report.

- Chaired the Resort Development Strategy Committee meeting held on March 12, 2019
- Thanked Resort Development Strategy Committee members for their work on developing the Resort Development Strategy
- Reported that the Committee has fulfilled its purpose and will be dissolved

11. MAYOR'S REPORT

Absent

12. REPORTS FROM STAFF

- (a) Report of the Deputy Chief Administrative Officer – March 7, 2019
Re: Memorial Recognition Policy 1.03

Moved by Councillor Hooper
Seconded by Councillor Vidal

THAT Memorial Recognition Policy No. 1.03 be rescinded.

**OPPOSED BY DEPUTY MAYOR PIPER/
OPPOSED BY COUNCILLOR PALMER/
OPPOSED BY COUNCILLOR VIDAL
MOTION DEFEATED**

- (b) Report of the Community Services Coordinator – March 13, 2019
Re: Aquatic Safety Audit

Moved by Councillor Hooper
Seconded by Councillor Vidal

THAT Council approves the use of Resort Municipality Initiative funds for the implementation of Aquatic Safety Projects.

**OPPOSED BY DEPUTY MAYOR PIPER/
OPPOSED BY COUNCILLOR HOOPER/
OPPOSED BY COUNCILLOR PALMER/
OPPOSED BY COUNCILLOR VIDAL
MOTION DEFEATED**

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Moved by Councillor Hooper
Seconded by Councillor Vidal

THAT the Aquatic Safety Audit report be referred back to staff for further review and information.

**CARRIED
UNANIMOUSLY**
RC-2019-03-16

- (c) Report of the Community Services Coordinator – February 26, 2019
Re: Beach and Lagoon Improvements

Moved by Councillor Palmer
Seconded by Councillor Vidal

THAT Council approves the use of Resort Municipality Initiative funds in the approved 2019 Budget for the implementation of Beach and Lagoon Improvements.

**CARRIED
UNANIMOUSLY**
RC-2019-03-17

Councillor Vidal excused herself from Chambers at 7:50 p.m. due to a potential conflict of interest stating she is currently a patron of the marina as she moors her boat at the facility.

- (d) Report of the Planning Consultant – March 18, 2019
Re: Development Variance Permit for 102 Rockwell Drive

Moved by Councillor Hooper
Seconded by Councillor Palmer

THAT Development Variance Permit DVP 11/18 be issued to Harrison Hot Springs Marina Ltd. for the property located at 102 Rockwell Drive, Harrison Hot Springs and legally described as:

DL 5031, Group 1, New Westminster District. (PID 002-410-257)

**OPPOSED BY DEPUTY MAYOR PIPER/
OPPOSED BY COUNCILLOR PALMER/
OPPOSED BY COUNCILLOR HOOPER
MOTION DEFEATED**

Moved by Councillor Hooper
Seconded by Councillor Palmer

THAT the DVP application be referred back to staff for further review and to recommend to the proponent that a public information meeting be held.

**CARRIED
UNANIMOUSLY**
RC-2019-03-18

Councillor Vidal re-entered the Chambers at 8:08 p.m.

Village of Harrison Hot Springs
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- (e) Report of the Planning Consultant – March 18, 2019
Re: Development Variance Permit for 875 Hot Springs Road

Moved by Councillor Hooper
Seconded by Councillor Vidal

That Development Variance Permit DVP 01/19 be issued to Friedhelm and Evelyn Marks for land located at 875 Hot Springs Road and legally described as:

Lot G, Sec 12, Twp 4, Rge 29, W6M, New Westminster District Plan 16245
(PID 010-168-745)

**CARRIED
UNANIMOUSLY**
RC-2019-03-19

13. BYLAWS

- (a) Report of the Deputy Chief Administrative Officer/ Corporate Officer – February 21, 2019
Re: Unnamed Municipal Pathway Bylaw No. 1132

Moved by Councillor Palmer
Seconded by Councillor Vidal

THAT Unnamed Municipal Pathway Bylaw No. 1132, 2019 be given first, second and third reading.

**CARRIED
UNANIMOUSLY**
RC-2019-03-20

- (b) Report of the Deputy Chief Administrative Officer/CO – March 6, 2019
Re: Amendments to the Bylaw Notice Enforcement Bylaw No. 855, 2006

Moved by Councillor Vidal
Seconded by Councillor Hooper

THAT Bylaw Notice Enforcement Amendment Bylaw No. 1137, 2019 be given first, second and third reading.

**CARRIED
UNANIMOUSLY**
RC-2019-03-21

Village of Harrison Hot Springs
Minutes of the Council Meeting
March 18, 2019

14. QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)

Questions from the public were entertained.

15. ADJOURNMENT

Moved by Councillor Palmer
Seconded by Councillor Vidal

THAT the meeting be adjourned at 8:34 p.m.

**CARRIED
UNANIMOUSLY**
RC-2019-03-22

Leo Facio
Mayor

Debra Key
Corporate Officer

DRAFT

VILLAGE OF HARRISON HOT SPRINGS

BYLAW NO. 1137

A bylaw to amend the Bylaw Notice Enforcement Bylaw No. 855

WHEREAS the Village of Harrison Hot Springs has deemed it advisable to amend Bylaw Notice Enforcement Bylaw No. 855 by replacing the Schedule of Designated Bylaw Contraventions and Penalties;

NOW THEREFORE in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as the "Village of Harrison Hot Springs Bylaw Notice Enforcement Amendment Bylaw No. 1137, 2019".

2. The Schedule of Designated Bylaw Contraventions and Penalties is attached hereto as Schedule "A" and forms part of this bylaw.

3. REPEAL

That the Schedule of Designated Bylaw Contraventions and Penalties attached as Schedule "A" to the Village of Harrison Hot Springs Bylaw Notice Enforcement Bylaw No. 855 is hereby repealed in its entirety.

READ A FIRST TIME 18th DAY OF MARCH, 2019

READ A SECOND TIME THIS 18th DAY OF MARCH, 2019

READ A THIRD TIME THIS 18th DAY OF MARCH, 2019

ADOPTED THIS DAY OF APRIL, 2019

Mayor

Corporate Officer

SCHEDULE "A" TO BYLAW NO. 1137
SCHEDULE OF DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES

BYLAW	SECTION	DESCRIPTION	A1 Penalty	A2 Early Payment	A3 Late Payment
Business Licencing and Regulation Bylaw No. 945	3(a)	Carry on business without a licence	200.00	190.00	210.00
	3(e)	Fail to secure premises; carry alcohol between premises, building and other locations	400.00	390.00	410.00
	Buskers 21(b)i	Perform busking without a licence	200.00	190.00	210.00
Business Licencing and Regulation Amendment Bylaw No. 1074	21(b)ii	Busking with amplified music	200.00	190.00	210.00
	21(b)iii	Vending goods or wares	400.00	390.00	410.00
	21(b)iv	Busking outside hours of 11:00 a.m. and 9:00 p.m.	200.00	190.00	210.00
	21(b)viii	Promoting "cause" or any issue of a controversial nature	400.00	390.00	410.00
	Vendors 25(h)	Selling prohibited goods	400.00	390.00	410.00
Business Licencing and Regulation Bylaw Amendment No. 998	25(n)	Vend on the beach outside hours of 11:00 a.m. and 8:00 p.m.	100.00	90.00	110.00
Fireworks Regulation Bylaw No. 871	1.2.1	Possess fireworks without permit	100.00	90.00	110.00
	1.2.2	Ignite, explode, set off or detonate fireworks in such a manner as may endanger or create a nuisance	100.00	90.00	110.00
Abatement and Control of Noise Bylaw No. 474	3	Disturb the peace with excessive noise	100.00	90.00	110.00
	4(a)	Disturb the peace with radio noise, stereo noise or other amplified noise between 11:00 p.m. and 7:00 a.m.	100.00	90.00	110.00
	4(b)	Disturb the peace with bird or animal noise in excess of one- half hour.	100.00	90.00	110.00
	4(c)	Operate power lawnmower or power saw between the hours of 10:00 p.m. and 8:00 a.m.	100.00	90.00	110.00
	4(h)	Motor vehicle which disturbs	100.00	90.00	110.00
	4(i)	Erect, demolish, construct, alter or repair any of building or structure on Sunday or weekdays between the hours of 10:00 p.m. and 8:00 a.m.	100.00	90.00	110.00
Highway and Traffic Bylaw No. 974	16(d)	Interfere with any traffic control device	210.00	190.00	210.00
	16(e)	Fail to comply with any lawful direction, command or order of a Bylaw Enforcement Officer, Peace Officer or a member of the Fire Department	100.00	90.00	110.00
	16(f)	Commercial vehicles in excess of 5500 kg (tare weight) on residential street	300.00	290.00	310.00
	27(b)	Fail to park in designated parking between lines or markings	100.00	90.00	110.00
	27(c)	Park in loading zone and beyond maximum of 30 minutes	100.00	90.00	110.00

SCHEDULE "A" TO BYLAW NO. 1137
SCHEDULE OF DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES

BYLAW	SECTION	DESCRIPTION	A1 Penalty	A2 Early Payment	A3 Late Payment
	27(d)	Park in bus zone	100.00	90.00	110.00
	27(e)	Park in designated physically disabled motorist stall without valid placard	100.00	90.00	110.00
	27(f)	Park on sidewalk or boulevard	100.00	90.00	110.00
	27(g)	Park in front of a public or private driveway	100.00	90.00	110.00
	27(h)	Park within 5 meters of a hydrant	100.00	90.00	110.00
	27(i)	Park on crosswalk or within 5 meters of the approach side of a crosswalk	100.00	90.00	110.00
	27(j)	Park within 6 meters of either side of an entrance to or exit from public meeting place, fire hall or playground	100.00	90.00	110.00
	27(k)	Obstruct traffic alongside or opposite of highway excavation or obstruction	100.00	90.00	110.00
	27(l)	Park on highway side of a motor vehicle stopped or parked parallel to the curb side of a highway	100.00	90.00	110.00
	27(m)	Park on a bridge or other elevated structure on a highway	100.00	90.00	110.00
	27(n)	Park which obstructs the visibility of traffic or a traffic control device	100.00	90.00	110.00
	27(o)	Park on cycle path on any portion of a highway for a longer period of time than indicated on the traffic control device	100.00	90.00	110.00
	27(p)	Park on a highway for a continuous period exceeding 48 hours without movement	100.00	90.00	110.00
	27(q)	Commercial vehicle parked longer than 24 hours in a given area	100.00	90.00	110.00
	27(r)	Park adjacent to a yellow curb	100.00	90.00	110.00
	27(s)	Face wrong direction from the normal flow of traffic on the highway	100.00	90.00	110.00
	27(t)	Park where prohibited	100.00	90.00	110.00
	27(u)	Park in lane less than 3.5 meters of the travelled portion of the lane for other vehicle	100.00	90.00	110.00
	27(v)	Park in boat launch area without permit	100.00	90.00	110.00
	27(w)	Park in close proximity to other vehicle to obstruct or unduly restrict movement	100.00	90.00	110.00
	29(a)ii	Exceed total weight of the vehicle and/or trailer in excess of 5500 kg and is in a residential zone between the hours of 7:00 p.m. and 7:00 a.m.	100.00	90.00	110.00
	29(b)	Recreational vehicle parked on any street in excess of 8 hours regardless if it is moved or not to another location	100.00	90.00	110.00
	29(c)	Park unattached utility, boat or RV trailer on any street	100.00	90.00	110.00
	31(a)	Park a vehicle in a stall for a period of time greater than the time indicated by the traffic control device	100.00	90.00	110.00
Nuisance, Noxious or	3	Disconnect meter	500.00	490.00	510.00
	5	Divert or install exhaust fans	500.00	490.00	510.00
	6	Store or use dangerous goods	500.00	490.00	510.00

SCHEDULE "A" TO BYLAW NO. 1137
SCHEDULE OF DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES

BYLAW	SECTION	DESCRIPTION	A1 Penalty	A2 Early Payment	A3 Late Payment
Offensive Trades, Health and Safety Bylaw No. 829	7	Construct or install trap	500.00	490.00	510.00
	8	Construct or install obstruction to an exit	500.00	490.00	510.00
	10(1)	Interfere or obstruct inspector	500.00	490.00	510.00
	10(2)	Remove, alter, mutilate posted notice	500.00	490.00	510.00
	11	Allow growth of mold or fungus	500.00	490.00	510.00
	12(1)	Cause or permit a nuisance	500.00	490.00	510.00
	12(2)	Cause or permit water, rubbish or unsightly matter to accumulate	500.00	490.00	510.00
	13	Cause or permit a noxious or offensive trade	500.00	490.00	510.00
	16(1)	Fail to inspect residential premises subject to Tenancy Agreement	500.00	490.00	510.00
	16(2)(a)	Failure to give written notice of contravention	500.00	490.00	510.00
	16(2)(b)	Failure to comply with notice	500.00	490.00	510.00
Open Burning and Outdoor Fire Regulation Bylaw No. 1110	3.1	Set, start or kindle fire or permit open burning of wood, wood pellets, rubbish, refuse, tires, oil, plastics, synthetics, asphalt shingles, battery boxes, or construction material or waste of any kind	500.00	490.00	510.00
	3.1.2	Light or burn a tiki torch	100.00	90.00	110.00
	3.1.3	Use or fly a sky lantern	100.00	90.00	110.00
	3.1.4	Use fireworks without display permit	100.00	90.00	110.00
	3.1.5	Use BBQ, hibachi using wood or charcoal briquettes on public property	100.00	90.00	110.00
	5.7	Communal Campfire exceeding allowable size	100.00	90.00	110.00
	5.8	Communal Campfire within 10 meters of building or property line	100.00	90.00	110.00
	5.10	Communal Campfire within 20 meters of municipal road	100.00	90.00	110.00
	5.11	Communal Campfire during high winds	200.00	190.00	210.00
	5.12	Communal Campfire to spread	200.00	190.00	210.00
	5.13	Leave Communal Campfire unattended	200.00	190.00	210.00
	5.14	Fail to extinguish Communal Campfire	100.00	90.00	110.00
	Littering and Dumping and Snow Bylaw No. 870	2, 9, 11	Dispose or deposit garbage or rubbish in a public place	50.00	40.00
2(c)		Deface, damage any property owned by or in care of the Village	100.00	90.00	110.00
3		Damage or kill a tree, shrub, turf, and flower in a public place	100.00	90.00	110.00
4(b)		Fail to remove snow, ice and litter from any sidewalk in front of or adjacent property no later than 4:00 p.m.	100.00	90.00	110.00
7		Deface, destroy any building, structure, facility, fence, sign, seat or bench or ornament on public property	100.00	90.00	110.00
Waste	3(b)	Dump or dispose of any waste	100.00	90.00	110.00
	3(c)	Deposit or use waste for lot filling or levelling purposes.	100.00	90.00	110.00

SCHEDULE "A" TO BYLAW NO. 1137
SCHEDULE OF DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES

BYLAW	SECTION	DESCRIPTION	A1 Penalty	A2 Early Payment	A3 Late Payment
Collection and Disposal Bylaw No. 1100	3(d)	Allow waste of any kind whatsoever to leak, spill, blow, drop from any vehicle or container onto any street within the Village	100.00	90.00	110.00
	3(e)	Place or cause to be placed any waste upon any street or public land other than in accordance with the Residential Waste Collection Service conditions	100.00	90.00	110.00
	3(f)	Dispose of waste into a container belonging to another person unless given the authority to do so by the owner or occupier of the premises	100.00	90.00	110.00
	3(g)	Open Container, add, disturb, tamper, handle, interfere with Container placed for collection	100.00	90.00	110.00
	4(f)(v)	Place any other Waste other than Domestic Waste, recyclable or organics/green waste into Container	100.00	90.00	110.00
Park Regulation Bylaw No. 915	3	Enter public beach or park after curfew	100.00	90.00	110.00
	4	Set up or occupy shelter in park, on street or public property	100.00	90.00	110.00
	5	Carry in or set up camping equipment	100.00	90.00	110.00
Park Regulation Amendment Bylaw No. 1040	6	<i>Park, store, place or abandon any unlicensed or licensed boat, golf cart, motor vehicle, motorcycle, off-road vehicle, trailer or other matter on any public land, unless expressly permitted</i>	100.00	90.00	110.00
	7	Remove gravel, sand or earth from beach or shore	100.00	90.00	110.00
	8	Litter on beach or in water	100.00	90.00	110.00
Park Regulation Amendment Bylaw No. 1060	9	Move or remove buoys, rafts, signs from any beach or from water	100.00	90.00	110.00
	10	Kindle, build, light, maintain any fire, barbeque, hibachi or any other form of cooking apparatus that uses wood, charcoal, briquettes or any other form of natural burning product on any beach or park	100.00	90.00	110.00
	11	Operate water vehicle inside buoyed areas	100.00	90.00	110.00
Park Regulation Amendment Bylaw No. 1106	11	Operate water vehicle in excess of buoyed signs	100.00	90.00	110.00
	13	Occupy roof of building in park	50.00	40.00	60.00
	14	Occupy building, swimming pool, tennis court or other structure in park outside posted hours	100.00	90.00	110.00
Park Regulation Amendment Bylaw No. 1130	15	Break, injure or damage locks, gates, bolts, fences, seats, benches, buildings, structures or other property in public areas on beaches, boulevards or in parks or grounds	100.00	90.00	110.00
	16	Willfully destroy, mutilate, efface, deface or remove posted sign	100.00	90.00	110.00
	17	Bark, break, peel, cut, deface, remove, injure, root up or otherwise damage trees, shrubs, flowers, roots or grass planted or growing in public areas, beaches, boulevards or in parks or grounds	100.00	90.00	110.00
	17(a)	<i>Smoke any tobacco, cannabis, electronic cigarette, cigar, cigarillo, pipe or any substance that replicates smoking in buildings, structure, park or public space where prohibited</i>	100.00	90.00	110.00
	17(b)	Possess open liquor in park	100.00	90.00	110.00

SCHEDULE "A" TO BYLAW NO. 1137
SCHEDULE OF DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES

BYLAW	SECTION	DESCRIPTION	A1 Penalty	A2 Early Payment	A3 Late Payment
	18	Play or practice golf in public park	50.00	40.00	60.00
	19	Cause, allow or permit dogs in prohibited area	100.00	90.00	110.00
	20	Ride or drive any horse in, upon or through public areas, parks, boulevards or beaches	100.00	90.00	110.00
	21	Ride or drive any carriage, wagon, bicycle, motorcycle, scooter, rollerblades, skateboards, automobile, sleigh, snowmobile, all-terrain vehicle or other vehicle in public areas, parks or grounds	100.00	90.00	110.00
	22	Break, injure, dig or destroy any tree, sod, grass of any boulevard or any box, stake or guard which protects	100.00	90.00	110.00
	23	Park unhitched trailers, boats, RV's or any other equipment at any boat launch ramp or designated parking area within the Village	100.00	90.00	110.00
	24	No person shall intentionally feed or attempt to feed, or otherwise use any attractant to encourage the feeding of any wild animal or bird, including a Canada Goose	100.00	90.00	110.00
Tree Management and Preservation Bylaw No. 1015	6(a)	Remove tree without permit	200.00	190.00	210.00
Property Maintenance Bylaw No. 1072	3(a)	Place graffiti on building, wall, fence sign or other structure	500.00	490.00	510.00
	3(b)i	Throw, deposit, leave or place rubbish in or upon any public space or private property	500.00	490.00	510.00
	3(b)ii	Allow accumulation of noxious weed or invasive plant or other material on public or private property that could cause infestation	200.00	190.00	210.00
	3(b)iii	Abandon vehicle, household appliance or furniture on any highway, sidewalk, ditch, parking lot, waterway, park or other public place or private property	500.00	490.00	510.00
	3(c)i	Cause or allow property or premises to become unsightly	500.00	490.00	510.00
	3(c)ii – a,b,c,d,e&f	Cause or permit accumulation of rubbish, broken or dilapidated furniture or bedding or appliances, vehicle parts or equipment, unused wood or wood products, construction materials or equipment, standing water where unsanitary conditions could develop or remain	500.00	490.00	510.00
	4(a)	Fail to brush vegetation and weed, remove invasive species	200.00	190.00	210.00
Sign Bylaw No. 1126	2.1a)	Erect, place, construct or alter a sign without permit	500.00	490.00	510.00
	2.1b)	Maintain or allow sign to remain, be affixed to lands or building without a permit	500.00	490.00	510.00

SCHEDULE "A" TO BYLAW NO. 1137
SCHEDULE OF DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES

BYLAW	SECTION	DESCRIPTION	A1 Penalty	A2 Early Payment	A3 Late Payment
	2.1e)	Sign located, erected or lighted that interferes with visibility of traffic control device or access/egress to highway	300.00	290.00	310.00
	2.1f)	Sign affixed to fence where not permitted	100.00	90.00	110.00
	2.1h)	Sign which obstructs doorway, window or sidewalk where prohibited	300.00	290.00	310.00
	2.1j)	Sign within 100 metres of prohibited area	500.00	490.00	510.00
	2.1k)	Sign left abandoned more than 30 days	50.00	60.00	40.00
	2.1l)	Sign attached to tree, light pole, provincial highway or utility pole	100.00	90.00	110.00
	2.1m)	Sign which contains holographic image or projection of image	100.00	90.00	110.00
	3a)	Erect, construct, place, alter or maintain sign where prohibited	500.00	490.00	510.00
	5.12a)i)	Fail to remove sign within specified time period of 7 days	200.00	190.00	210.00
	5.12a)ii)	Sign which interferes pedestrian movement or visibility of any Traffic Control Device	200.00	190.00	210.00
Municipal Docks Bylaw No. 991	11	Possess an open container of liquor on a dock	100.00	90.00	110.00
	15	Deposit or leave garbage, refuse, bottles, cans, paper, animal excrement or other waste material on a dock or in the water surrounding a dock	100.00	90.00	110.00
	18	Cause a vessel, watercraft or seaplane to remain moored in a posted loading zone for a period in excess of 60 minutes unless otherwise authorized by the Village	100.00	90.00	110.00
Municipal Docks Bylaw Amendment No. 1008	21(1)(a)(b)	Moor a vessel, watercraft or seaplane at a dock for a period in excess of 12 hours and moored overnight unless approved by special permit issued by the Village	500.00	490.00	510.00
Boat Launch and Regulation Bylaw No. 1075	12	Fail to properly display vehicle hanger	50.00	40.00	60.00
	14	Leave boat, tow vehicle, boat trailer or vehicle unattended at boat launch or on wharf	50.00	40.00	60.00
	15	Moor boat in excess of 15 minutes	40.00	30.00	50.00
	16	Accelerate boat motor while loading or unloading a boat on or off a trailer	200.00	190.00	210.00
Zoning Bylaw No. 1115	3.3a)	Keep or permit on any lot in any zone, object or chattel which is unsafe, unsightly, or adversely affects zone	500.00	490.00	510.00
	3.3b), c)	Use prohibited in Zone	500.00	490.00	510.00
	3.3d)	Land use that produces malodorous, toxic or noxious matter or generates vibrations, heat, glare or radiation discernible beyond boundaries of lot	200.00	190.00	210.00
	3.3e)	Tourist accommodation in residential zone	500.00	490.00	510.00

SCHEDULE "A" TO BYLAW NO. 1137
SCHEDULE OF DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES

BYLAW	SECTION	DESCRIPTION	A1 Penalty	A2 Early Payment	A3 Late Payment
	3.3f)	Operation of gaming and gambling establishments in any zone	500.00	490.00	510.00
	3.5b)	Use prohibited unless approved by Agricultural Land Commission or subject to Agricultural Land Commission Act	500.00	490.00	510.00
	3.6b)	Non-compliance of required setback and siting requirements	500.00	490.00	510.00
	3.7a)	Building or structure placed, constructed, sunk into, erected, moved, sited, altered or enlarged that exceeds height	200.00	190.00	210.00
	3.8a)	Sight line requirements at intersection exceeds height	100.00	90.00	110.00
	4.1a)	Use of Marihuana Facility and Marihuana Operation in any zone where prohibited	500.00	490.00	510.00
	4.1b)	Use of Medical Marihuana Production Facility in any zone where prohibited, except where authorized	500.00	490.00	510.00
	4.4c)	Use of barbed wire, razor wire, electric current or hazardous material where prohibited	200.00	190.00	210.00
	4.4d)	Retaining wall exceeds height	50.00	40.00	60.00
	4.5b)	Home Occupation that discharges or emits	100.00	90.00	110.00
	4.6	Temporary Building or structure that exceeds duration	50.00	40.00	60.00
	4.7b)i)	Intermodal storage container exceeds permitted number	50.00	40.00	60.00
	4.7b)ii)	Intermodal storage container in prohibited area	100.00	90.00	110.00
	4.7c)	Accessory storage building or structure not permitted	500.00	490.00	510.00
	6.7a)	Exceed number and type of motor vehicles permitted in residential zone	500.00	490.00	510.00

8(a)

March 25, 2019

Dear Mayor and Council

VIA EMAIL



On March 3, 2005, a motorcycle accident occurred that would forever change the life of Ms. Denise Lodge. Her 21-year old son Corey bought his first motorcycle, a high speed 1000cc racing sport bike. He wrote his learners license on the same day. In less than 24 hours he was involved in a fatal accident on the Malahat Highway. Unable to navigate the turn, the worst possible outcome was realized.

From this fateful event grew a movement affectionately known as The Coalition of Riders Educating Youth (C.O.R.E.Y). This alliance was organized by a mother who vowed to change an outdated system of motorcycle laws in an effort to advance motorcycle safety initiatives. Over the past 14 years C.O.R.E.Y has been working with the Government asking for them to give New Riders the Skills to have a safe ride.

In 2016, C.O.R.E.Y started working with the RCMP and RoadSafetyBC, presenting to over 7,900 Grade 9 – 12 high school students in Northern and Central BC. The interactive discussion brings full awareness of motorcycles to the new drivers as half of the deaths occur because the driver of the other vehicle does not see the motorcyclist. To further highlight the need of this program a recent statistic from the coroner indicates that there were thirty (30) motorcyclist deaths from January to July 2018. This is a 114% increase over the number of motorcyclist deaths occurring from January to July 2017.

At the 2016 UBCM Conference the following resolution was submitted by the District, and adopted by the North Central Local Government Association at the conference in Dawson Creek. Due to time constraints the resolution was not considered by the UBCM membership; however, it was endorsed post-conference by the UBCM Community Safety Committee:

Graduated Licensing for Motorcycles

DISTRICT OF KITIMAT

WHEREAS many changes and improvements have occurred regarding the operation of motorcycles including: increased fines for dangerous behavior while riding, mandatory approved helmet laws, and new seating regulations which require that the passenger's feet must remain on the foot pegs to prevent children who are too small from riding as passengers;

AND WHEREAS motorcycles make up three per cent of BC's insured vehicles, yet they are involved in approximately eleven per cent of all road fatalities:

THEREFORE BE IT RESOLVED that the Provincial Government implement the final phase of the graduated licensing program for motorcycles including power restrictions and mandatory training.

As the program has not yet been implemented, The District of Kitimat Mayor and Council are requesting letters of support be written to the Province to finalize and implement the Graduated Licensing Program for Motorcycles (GLP-M), including Power Restrictions and Mandatory Training.

We ask that letters of support be forwarded to:

Honourable Mike Farnworth, MLA
pssg.minister@gov.bc.ca

CoreySafe Society
coreysafe@outlook.com

Sincerely,

A handwritten signature in black ink that reads "Phillip Germuth". The signature is written in a cursive style with a large initial "P".

Mayor Phillip Germuth
District of Kitimat

13(a)



HARRISON HOT SPRINGS

Naturally Refreshed

NOTICE OF INTENT

BUSINESS LICENCE AND REGULATION BYLAW NO. 1128

TAKE NOTICE THAT the Council of the Village of Harrison Hot Springs intends to adopt new Business Licence and Regulation Bylaw No. 1128 pursuant to Section 59(1) and (2) of the Community Charter;

AND TAKE NOTICE THAT the bylaw proposes new provisions to provide for the collection of licence fees, granting and issuance of Business Licences, establish different classes of Businesses, regulate the conduct of Businesses, or refuse to issue a Business Licence within the Village for the protection of the public and prevent and minimize nuisances and misleading Business practices.

The draft Business Licence and Regulation Bylaw No. 1128 is available for inspection on the Village Office website at www.harrisonhotsprings.ca or at the Village Office located at 495 Hot Springs Road, Harrison Hot Springs, during business hours Monday – Friday, 8:30 a.m. – 4:30 p.m.

Persons who deem that they are affected by the proposed Business Licence and Regulation Bylaw may make representations to Council at the Regular meeting of April 1, 2019 or may send a written submission to the Village Office, PO Box 160, Harrison Hot Springs, BC V0M1K0 Attention: Corporate Officer no later than 4:00 p.m. April 1, 2019 for Council's consideration.

Debra Key
Corporate Officer



BUSINESS LICENCE AND REGULATION BYLAW
For the Village of

HARRISON HOT SPRINGS

BYLAW No. 1128, 2018



(Draft #6)

Bylaw 1128, 2018
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VILLAGE OF HARRISON HOT SPRINGS BYLAW NO. 1128

A Bylaw to provide for the regulation and licencing of Businesses in the Village of Harrison Hot Springs

WHEREAS section 8(6) of the *Community Charter, SBC 2003, c.26*, as amended from time to time, allows the Council to establish by bylaw, the ability to regulate in relation to Business;

AND WHEREAS the Council is authorized and empowered, under sections 15, 59(1) and 60(1) of the *Community Charter, SBC 2003, c.26*, as amended from time to time, to provide for the collection of licence fees, granting and issuance of Business Licences, establish different classes of Businesses, regulate the conduct of Businesses, or refuse to issue a Business Licence within the Village for the protection of the public and prevent and minimize nuisances and misleading Business practices;

AND WHEREAS section 154 of the *Community Charter, SBC 2003, c.26*, as amended from time to time, Council may, by bylaw, delegate its powers, duties and functions to an employee of the Village;

NOW THEREFORE in open meeting assembled, the Council of the Village of Harrison Hot Springs enacts as follows:

PART 1 TITLE, PURPOSE, APPLICATION AND DEFINITIONS

1.1 Title

- a) This Bylaw may be cited for all purposes as the Village of Harrison Hot Springs, "Business Licence and Regulation Bylaw No. 1128, 2018".

1.2 Purpose

- a) The purpose of this Bylaw is to regulate the conduct of Business within the Village of Harrison Hot Springs for the benefit of the community.

1.3 Application of this Bylaw

- a) This Bylaw applies to all Lands, including the surface of water, and all uses, Buildings and other Structures located within the boundaries of the Village of Harrison Hot Springs, as amended from time to time, and as shown on Schedule "A", the Zoning Map contained within the *Village of Harrison Hot Springs Zoning Bylaw 1115, 2017*, as amended from time to time.

1.4 Definitions

- a) The following definitions, and this includes the applicable definitions contained within the *Village of Harrison Hot Springs Zoning Bylaw 1115, 2017*, as amended from time to time, apply to this Bylaw;

Building or Structure

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw 1115, 2017*, as amended from time to time;

Business and Professional Services

means the carrying on or the provision of any Commercial undertakings within the Village Boundaries, whether for profit or not. For the purposes of this Bylaw it does not include any activity carried out on or by either the Federal or Provincial governments including corporations or agencies owned by them, or by any public transit authority. For the purposes of this Bylaw it also includes any Contractor related activities; such as but not limited to any or any combination of the following:

- i) construction,
- ii) alteration,
- iii) repairs, or
- iv) maintenance,

upon a Building or Structure;

Business Licence

means a valid and subsisting Business Licence issued and approved pursuant to this Bylaw;

Busker or Busking

means a performance in any of the performing arts, and must be an approved part of an event in which an individual or a group provide free entertainment to the public;

Bylaw Enforcement Officer

means the person duly appointed by Council or under contract with the Village to enforce the regulations of any Village Bylaw;

Cannabis

has the same meaning as outlined in the *Cannabis Act, SC 2018, c 16*, as amended from time to time and includes any product containing Cannabis;

Cannabis Dispensary

means a use of Land, a room, Building or Structure where cannabis or any cannabis by-product is prepared and provided to any member of the Community for a fee or if applicable to any club member that may or may not include any payment of club fees. This includes but is not limited to the delivery of the product and the operation of any club, or any not for profit or profit organization, that provides this type of product or service, but excludes a Medical Cannabis Production Facility;

Cannabis Operation

means the cultivating, growing, producing, packaging, storing, distributing, retail sales, advertising, trading, the performance of any research and innovation activities on legal cannabis or its derivatives but excludes a Medical Cannabis Processing Facility;

Commercial Uses

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw, 1115, 2018*, as amended from time to time;

Contractor

means an individual or a company that provides any or any combination of the following types of functions within the Village:

- i) the construction of any Building or Structure;
- ii) any Alteration of any Building or Structure;
- iii) any repairs to a Building or Structure; or

- iv) any maintenance on a Building or Structure;

and this includes any improvements that run with the Land or are within or attached to any Building or Structure;

Council

means the Council of the Village of Harrison Hot Springs;

Daycare

means either a Commercial Use that provides care for a child under the *Community Care and Assisted Living Act, SBC 2002, c 25*, as amended from time to time or the provision of care without the approval as outlined through the *Community Care and Assisted Living Act, SBC 2002, c 25*, as amended from time to time;

Farmers' Market

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw, 1115, 2018*, as amended from time to time, but excludes any reference to a Mobile Food Truck;

Fire Safety Inspection

means an inspection of any Lands Buildings or Structures, that is under consideration for a Business Licence, conducted by either the Village of Harrison Hot Springs Fire Department or a qualified individual or company that can assess the fire hazards of the Lands, Building or Structure.

Franchisee Licence Holder

means either a person or company that has been granted the ability or is legally entitled to do business under a specific trademark, trade name and/or business model, by the owner of the trademark, trade name or business model.

Highway

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw 1115, 2017*, as amended from time to time;

Home Occupation

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw 1115, 2017*, as amended from time to time;

Land

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw 1115, 2017*, as amended from time to time;

Licencee

means the person who holds a Licence issued pursuant to this Bylaw;

Licensed Premises

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw, 1115, 2018*, as amended from time to time;

Medical Cannabis Production Facility

means the use of Buildings and Structures for the purposes of growing, processing, packaging, testing, destroying, storing or shipping Marihuana as authorized by a license issued under the *Access to Cannabis for Medical Purposes Regulations, SOR/2016-230*, as amended from time to time;

Micro-Brewery, Winery, Distillery

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw, 1115, 2018*, as amended from time to time;

Mobile Vendor

means a person who, either on his own account or as an officer, servant, or agent of another, sells or offers for sale food items, excluding liquor, from a Mobile Vending Cart;

Mobile Vending Cart or Food Truck

means a self-contained hand mobile apparatus or other vehicle, used for the sale of food items only and does not include any selling of liquor;

Neighbourhood Pub

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw, 1115, 2018*, as amended from time to time;

Non-Profit Society

means a charitable society or organization that is incorporated and in good standing under the *Societies Act, SBC 2015 c. 18*, as amended from time to time;

Non-Resident Business

means a Business that is carried on in or from premises located outside the Village with respect to which any work or service is performed or offered in the Village;

Pop-Up Retailer

means a temporary use of Public Space, or the temporary authorized use of Land or a Building or Structure to sell retail items, for a short period of time, and the method of sales may or may not include from the back of a truck, a tractor trailer unit, some other type of Motor Vehicle, a trailer or a portable storage unit. This does not include any Tourist Kiosk Sales Booth or any retailer that is affiliated with a sanctioned event;

Public Space

means any real property or portions of real property owned or subject to a right of occupation by the Village to which the public is ordinarily invited or permitted to be in or on, and includes, but is not necessarily limited to, the grounds of any community Building or Structure, boulevard, sidewalk and public parking lots;

Real Estate Licencee

means a person who is a Licencee under the *Real Estate Services Act, SBC 2004, c. 12*, and who occupies or uses Buildings or Structures or Land in the Village for the carrying on of that Business

Tourist Accommodation

has the same meaning as outlined in the *Village of Harrison Hot Springs Zoning Bylaw, 1115, 2017*, as amended from time to time;

Tourist Kiosk Sales Booth

means a stand alone booth, generally placed in a high traffic area to advertise, sell or provide information on tourism related businesses or events;

Restaurant

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw, 1115, 2018*, as amended from time to time;

Retail Establishment

has the same definition as outlined in the *Village of Harrison Hot Springs Zoning Bylaw, 1115, 2018*, as amended from time to time; and

Village

means the Village of Harrison Hot Springs.

PART 2 BUSINESS LICENCING REGULATIONS

2.1 Business Licence Requirements

- (a) Unless specifically exempted by this Bylaw, as outlined in section 2.13 (a)(i) and (ii), a person must not carry on or perform any Business, in the Village unless there is a valid Business Licence issued under this Bylaw.
- (b) Every person who owns or operates any Business must apply for, obtain and hold a Business Licence for each type of Business.
- (c) Every person who operates a Business from more than one Building or Structure, in the Village, must obtain a separate Business Licence for each Business that they own or operate.
- (d) Every person who operates a Business in the Village, must comply with all the applicable Bylaws of the Village and all applicable laws, rules, codes, regulations and orders of all Federal or Provincial authorities having jurisdiction over such Business.
- (e) Unless specifically exempted in this Bylaw, a person must have a separate Business Licence for each type of Business that they are operating, own or set up as the authorized franchise licence holder, even if the Businesses are located in the same Building or Structure.
- (f) Every Non-Profit Society that carries on a Business, in addition to its primary purpose, is required to hold a valid Business Licence.
- (g) Notwithstanding section 2.0(f) above and the provisions of Schedule "A" of this Bylaw, where a Non-Profit Society is registered as a charity under the *Income Tax Act, RSC 1985, c.1 (5th Supp.)*, as amended from time to time, no fee will be charged by the Village for such Business Licence.

2.2 Business Licence Application Requirements and Fees

- (a) An application for a Business Licence must be made on the prescribed application form, as amended from time to time, and be accompanied by the required Business Licence fee, as prescribed in Schedule "A" as attached to and forming a part of this Bylaw.
- (b) Every application must include a detailed description of the Building or Structure in or upon which the applicant intends to carry on Business. This includes any or all of the following:
 - i) square footage information;
 - ii) a floor plan;
 - iii) the proposed parking area for the required number of parking spaces
- (c) The Village reserves the right to request a letter of authorization from the property owner for which the Business will be operated from, if the applicant is not the property owner.
- (d) Every application form, as applicable, must be accompanied with a copy of all the necessary approvals from Federal, Provincial or Municipal government authorities such as, but not limit to a:
 - i) Health Certificate, from the appropriate Health Inspector;
 - ii) Fire Safety Inspection. The inspection report must be in writing and must contain any required mitigation requirements of any potential fire hazards;
 - iii) Liquor and Cannabis Regulatory Branch approval or certificate for all Licenced Premises.
- (e) Where an applicant applies for more than one Business Licence, the particulars of each Business Licence applied for must be included on a separate application form.
- (f) Notwithstanding the annual Business Licence fee prescribed in Schedule "A", as attached to and forming a part of this Bylaw, a refund may be applicable. If applicable, any refund of the Business Licence fee must be calculated in the following manner:
 - i) 100-percent of the fee paid minus a \$25.00 non-refundable application fee equals the refundable balance.
- (g) If applicable, the refundable balance must be provided, only under the following conditions:

- i) if the application is withdrawn prior to the issuance of the Business Licence; or if
- ii) the Business Licence application has been refused.

2.3 Enforcement, Severability and Administration of this Bylaw

2.3.1 Enforcement and Implementation Provisions

- a) This Bylaw is designated under the provisions of Section 260 of the *Community Charter, SBC 2003, c. 26*, as amended from time to time, as a Bylaw that may be enforced by means of a ticket issued under the provisions of the Bylaw Notice Enforcement Bylaw;
- b) Any person who violates any provision of this Bylaw or who suffers or permits any act or thing to be done in contravention of or in violation of any of the provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this Bylaw commits an offence is subject to penalties under the Bylaw Notice Enforcement Bylaw;
- c) Each day that a contravention or violation of or failure to perform any provision of this Bylaw continues to exist will be deemed to be a separate offence; and
- d) Failure to renew a Business Licence for a Business that continues to operate, may be subject to a fine under the Bylaw Notice Enforcement Bylaw for operating a Business without a Business Licence. In addition to the fine, the License holder must pay the penalty fee, as outlined in Schedule "A", that is attached to and forms a part of this Bylaw.
- e) The following individuals are hereby authorized and empowered to enter upon any Lot, or Building or Structure, outlined on the Business Licence, between the hours of 8:30 am to 4:30 pm, to ascertain whether the provisions of this Bylaw are being adhered to:
 - i) Chief Administrative Officer or their delegate;
 - ii) Bylaw Enforcement Officer; and
 - iii) Fire Chief.

2.3.2 Severability

- a) If any part, section, subsection, paragraph, sentence, clause, phrase or schedule of this Bylaw is for any reason found invalid by the decision of any Court of competent jurisdiction, such decision must not affect the validity of the remainder of this Bylaw or the validity of the Bylaw as a whole.

2.3.3 Administration

- a) The Chief Administrative Officer or their delegate is hereby appointed by Council to administer this Bylaw,

2.4 Term of the Business Licence

- a) Each Business Licence issued, pursuant to this Bylaw, must be considered as an annual Business Licence for one calendar year that starts on January 1st and expires on the 31st day of December of each year.

2.5 Display of the Business Licence

- a) Every Licencee must keep a copy of their Business Licence posted in a conspicuous place in the Building or Structure for which the Licence is issued.
- b) Where the Licencee has no Business operating from a Building or Structure in the Village, the Business Licence must be carried upon the Licencee's person at all times when the Licencee is engaged within the Village in the Business for which the Licence was issued.

2.6 Effect of the Business Licence

- a) A Business Licence authorizes the Business owner/operator or the franchisee licence holder to provide only the Business described in the Business Licence, and only in the Building or Structure or location provided in the Business Licence.
- b) The issuance of a Business Licence is not a representation or warranty that the Licenced Business or the Business operation complies with the Bylaws of the Village or with any other Federal, Provincial regulations or standards.
- c) A Business Licence is not transferable to another individual, or any other third party or for use at another location.

2.7 Business Licence Renewal

- a) If a Licencee fails to renew a Business Licence prior to February 1st of the next year, then, in addition to the annual Licence fee, that person

must pay a late payment penalty prescribed in Schedule "A" of this Bylaw.

2.8 Changes in the Business Licence Conditions

- a) If an applicant, Business owner/operator or Franchisee Licence Holder proposes any changes to the Business Licence with respect to location or conditions of a licence, the applicant, Business owner/operator or franchisee licence holder must advise the Village Office of such changes, in writing.

2.9 Granting or Reissuing a Business Licence

- a) The Village may grant a Business Licence under this Bylaw when the Village is satisfied that the applicant has complied with the requirements of this Bylaw and any other Village Bylaw related to the conduct of the Business.
- b) In granting or renewing a Business Licence, the Village may impose terms and conditions in relation to the following aspects of the Business:
 - (i) hours of operation; and or
 - (ii) occupant load.
- c) When issuing or reissuing a Business Licence, the Chief Administrator or their delegate must be satisfied that all the Bylaw requirements of the Village have been met. This includes any Bylaws or required inspections that addresses any or all of the following issues:
 - i) Building regulations;
 - ii) Zoning regulations;
 - iii) Health requirements;
 - iv) Sanitation requirements;
 - v) Business regulations; and
 - vi) Fire Inspections.
- d) Notwithstanding 2.9(c) above, the Village may refer the Business Licence application to any third party regulatory or review authority as required, to impose any additional terms and conditions. If it referred out the regulatory or receiving agency has 30 Working Days in which to responded to the referral. The Village may extend this referral deadline, if requested in writing.

- d) In addition to the above, the Chief Administrative Officer or their delegate may also refer the Business Licence application to Council to impose any additional terms and conditions.

2.10 Refusal of a Business Licence

- a) An application for a Business Licence or renewal of a Business Licence may be refused in any specific case, but
- i) the application must not be unreasonably refused; and
 - ii) the reasons for the refusal must be provided to the applicant in writing.

2.11 Suspension or Cancellation of a Business Licence

- a) One or more of the following circumstances may, without limitation, constitute reasonable cause for suspension or cancellation of a Licence:
- i) the Licencee has made a false declaration or has misrepresented or concealed a material fact with respect to the application for a Business Licence;
 - (ii) the Licencee fails to maintain the standard of qualification required to carry on the Business for which the Business Licence was issued or with respect to the Lot or the Building or Structure for which the Business Licence was issued;
 - (iii) the Licencee has failed to comply with this Bylaw or with a term or condition of the Business Licence;
 - (iv) in the opinion of the Village, the Licencee has engaged in misconduct with respect to the Business or Building or Structure named in the Business Licence, which misconduct warrants the suspension or cancellation of the Business Licence;
 - (v) the Licencee is found to have committed a violation of any applicable Village Bylaw or is convicted of an offence under a Federal or Provincial enactment in respect of the Business for the which the Licence was issued or with respect to the Premises for which the Licence was issued;
 - (vi) the Licencee is convicted of an indictable offence in Canada, which offence is, in the opinion of the Village, directly related to the conduct of the Business.
- b) A Business Licence that has been suspended may be reinstated, subject to 2.11(a), when the suspension conditions of the Business Licence

have been satisfied and applicable fees as prescribed in Schedule "A" of this Bylaw are paid prior to the Business Licence being reissued.

2.12 Right of Reconsideration of Council

- a) If the Village suspends, cancels the Business Licence or has refused to grant a Licence, or has imposed a term or condition that the applicant considers is unreasonable, the applicant who is subject to the decision is entitled to have Council reconsider the matter.
- b) On reconsideration of the application, Council may either sustain, refuse or amend the application, its terms or the conditions of approval.

2.13 Exemptions to the Business Licence Requirements

- a) Notwithstanding section 2.0(b) and 2.5(b) above, the following Businesses are exempt from the requirements of this Bylaw:
 - i) Any Day Care Operations; any
 - ii) Real Estate Licencee, subject to the following conditions; no Business Licence is required to carry on any real estate Business unless the realtor occupies Land or uses a Building or Structure in the Village to carry on its Business,
 - iii) any type of school, or any
 - iv) Apartment Business with five or less Dwelling Units for rent.

2.14 Street Address Numbers

- a) Every Licencee who operates from premises located in the Village must prominently display, in figures not less than 100 mm (4 inches) in height, the street address assigned to such premises under the street numbering system of the Village.

2.15 Fire Inspection Reviews for the Transfer of a Business Licence

- a) The Business Licence applicants must pay the applicable Fire Inspection fee as prescribed in an applicable Bylaw, as amended from time to time, prior to the Business Licence being transferred.

PART 3 BUSINESS TYPES PROHIBITED IN THE VILLAGE OR A PORTION OF THE VILLAGE

3.1 Types of Business Prohibited or Prohibited in Certain Zones

- a) The following types of Businesses are prohibited from operating within the Village boundaries, as amended from time to time:

- i) animal shows;
- ii) Buskers or Busking in an unsanctioned event;
- iii) Cannabis Dispensary;
- iv) Cannabis Operations;
- v) Door-to-door sales of any type;
- vi) Medical Cannabis Production Facility, located on any non-ALR land;
- vii) Mobile Vendor;
- viii) Mobile Vending or Food Truck;
- ix) Pawnbrokers;
- x) Pop-up Retailers – in an unsanctioned event;
- xi) Tourist Accommodations in any Residential Zone

PART 4 – REPEAL AND EFFECTIVE DATE

4.1 Repeal

- a) With the adoption of this Bylaw, the *Village of Harrison Hot Springs Business Licencing and Regulation Bylaw No. 945, 2010* and any amendments thereto are hereby repealed in their entirety.

4.2 Effective Date

READINGS AND ADOPTION

READ A FIRST TIME THIS 19th DAY OF FEBRUARY, 2019

READ A SECOND TIME THIS 19th DAY OF FEBRUARY, 2019

NOTICE OF INTENT was published on the 21st and 28th days of March, 2019 pursuant to section 59(2) of the *Community Charter*.

REPRESENTATIONS TO COUNCIL GIVEN THIS DAY OF , 2019

READ A THIRD TIME THIS DAY OF , 2019

ADOPTED THIS DAY OF , 2019

Mayor

Corporate Officer

SCHEDULE "A"
BUSINESS LICENCE AND REGULATION
BYLAW NO. 1128, 2018

ANNUAL FEES & CHARGES¹

1	Business Licence non-refundable application fee	\$25.00
2	Business Licence fee	\$100.00
3	Fire Inspection fee	\$75.00
4	The late penalty fee, must be applied on any renewed application received after January 31 st	10% of licence fee

Notes:

- 1/. Notwithstanding the fees in the above referenced table, the final required fee can be any combination of the above.