

**City of Chilliwack**

**Bylaw No. 1484**

**A bylaw to provide for the granting, issuing and transferring  
of Business Licences and the fixing, imposition and collection  
of Business Licence fees**

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The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as "Business Licence Bylaw 1990, No. 1484".
2. The "Business Licence Bylaw 1985, No. 628" and amendments thereto are hereby repealed.

**INTERPRETATION:**

3. In this Bylaw unless the context otherwise requires:

“Adult Entertainment Facility” means an Adult Entertainment Store, Adult Movie Theatre, Adult Video Store, Body-rub Parlour, Doll Brothel or Escort Service as defined in this Section.

"Adult Entertainment Store" means a portion of or the entire premises wherein the business of selling or offering for sale sex paraphernalia or graphic sexual material is carried on, or wherein one or more pornographic film viewers are made available for use by the public.

"Adult Movie Theatre" means a motion picture theatre where adult or restricted designated motion pictures (as defined by the Motion Picture Act and Regulations) are shown.

"Adult Video Store" means a video store wherein adult videos (as defined by the Motion Picture Act and Regulations) exclusively are offered for sale or rent or viewing.

“Ancillary Liquor Service” means that service of alcoholic beverages for consumption that is ancillary to the principal business on the same Business Premises, as indicated in a valid and subsisting business licence issued pursuant to this Bylaw.

“Body-rub” means the manipulating, touching or stimulating by any means all or part of a person’s body, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly qualified, licensed or registered to do so under the enactments of the Province of British Columbia.

“Body-rub Parlour” means a portion of or the entire premises where a Body-rub is performed, offered or solicited.

"business" means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit.

“Business Premises” means a store, office, shop, enclosure or other definite area occupied or capable of being occupied by a person for the purpose of a business except a building occupied as a residence.

“Cannabis Retail” means the retail sales of cannabis or cannabis accessories as lawfully permitted and authorized under the Cannabis Control and Licensing Act.

"City" means the City of Chilliwack.

"Council" means the Council of the City of Chilliwack.

“Director of Development and Regulatory Enforcement Services” means the person appointed by Council to that position, and includes their lawful deputy or a person designated by Council to act in their place.

“Doll Brothel” means a portion of or the entire premises where a business of selling or renting, or offering for sale or rent, dolls or other inanimate objects for the purpose of sexual acts takes place.

“Escort Service” means a business that includes arranging dates or social companionship between persons providing the service and those who request the service.

“Gathering for an Event” means gathering for an event as defined in Agricultural Land Reserve Use, Subdivision and Procedure Regulation, Part 1- INTERPRETATION, as amended from time to time.

"Licence Inspector" means the Director of Development and Regulatory Enforcement Services.

“Liquor Licence” means a valid and subsisting liquor licence issued pursuant to the Liquor Control and Licencing Act and regulations.

"non-resident business" means a business, other than a resident business, carried on within the City or with respect to which any work or service is performed within the City.

"operator" means the owner or proprietor of a business.

"premise" means a store, office, shop, building, home, warehouse, factory, enclosure, yard or other definite area occupied or capable of being occupied by a person for the purpose of a business and includes any area situated within any of the foregoing where a separate class or type of business is carried on, by a separate operator.

4. For the purpose of this bylaw, any person who:

(1) advertises or indicates by any means as being open for business of any kind, or

- (2) deals in, or buys, sells, barter, rents, or displays any commodity or offers by advertisement or otherwise, on behalf of himself or others; to buy, sell, barter or rent any commodity, or
  - (3) renders or offers to render professional, personal, contractual, or other service to any person for the purpose of gain or profit, or
  - (4) lets for rent more than two residential suites or units in any one complex, or
  - (5) engages in repairing, restoration or servicing of automobiles, appliances or other commodities not owned or registered in the name of that person or firm,
- within the City shall be deemed to be carrying on a business in the City.

5. (1) Except as hereinafter provided, no person shall carry on, within the City, any business unless they hold a valid and subsisting licence for the carrying on of the business issued to them by the City.
- (2) Each person who holds a valid licence shall renew such licence before the beginning of each licensing period as long as they are carrying on a business in the City.
- (3) Any person who carries on business in the City shall comply with all applicable bylaws of the City of Chilliwack and all applicable enactments, laws, rules, codes, regulations or orders of the Government of Canada, the Province of British Columbia, and any other authority having jurisdiction over the proposed business.

**6. EXEMPTIONS:**

- (1) No licence is required for the business of renting apartment suites where not more than two (2) suites are available for renting.
- (2) No licence is required by a farmer or orchardist with respect to the sale in an unprocessed, natural state of produce grown by them upon their own land or lands which they rent or lease within the City.
- (3) No licence is required with respect to the door-to-door sale of newspapers published in Canada.
- (4) No licence is required with respect to the teaching of music, handicrafts or art as a home occupation where such teaching involves not more than one class of five (5) students at one time.

7. Upon application to the City by a non-profit organization whose revenues are used solely for charitable or benevolent purposes, the Licence Inspector may waive the licence fee payable.

- 8.** For the purpose of this Bylaw, where a business is carried on in or from more than one premise in the City, the business carried on in or from each premise shall be deemed to be a separate business.
- 9.** Every person applying for a licence to carry on a business for the first time shall make application to the City on the prescribed application form. The application form shall be signed by the person who is the owner of the business, or by their duly authorized agent. Each application for a licence shall be accompanied by the fee as hereinafter set out and shall be delivered to the City. The following information must be included within the business licence application form:

  - (1) name of business
  - (2) business owner name and contact information
  - (3) business address
  - (4) gross floor area of the business space
- 10.** Any false or misleading information given in order to obtain a licence to do business in the City is an offence against this Bylaw and shall make such licence invalid.
- 11.** A person ceasing to carry on business before June 30 shall be entitled to a refund of one-half the annual fee. No other refunds shall apply.
- 12.**

  - (1) Any person to whom a resident business licence is issued, shall post such licence and keep it posted in a conspicuous place on the premises for which it is issued.
  - (2) Any person to whom a non-resident business licence is issued shall carry the licence with them at all times while carrying on business in the City.
- 13.**

  - (1) The Licence Inspector may grant a licence hereunder where they are satisfied that the applicant and the proposed business comply with all applicable bylaws of the City of Chilliwack, and all applicable enactments, laws, rules, codes, regulations or orders of the Government of Canada, the Province of British Columbia, and any other authority having jurisdiction over the proposed business.
  - (2) The issuance of a licence under this bylaw shall not be deemed to be a representation by the Licence Inspector or the City of Chilliwack to the applicant or the licensee that the business complies with any or all applicable bylaws of the City of Chilliwack or any applicable enactments, laws, rules, codes, regulations or orders of the Government of Canada, the Province of British Columbia, or any other authority having jurisdiction over the proposed business.
  - (3) The Licence Inspector may require an applicant or licensee to provide proof of certification, approval or qualification required by an authority having jurisdiction over the business or proposed business, including but not limited to the Government of Canada, the Province of British Columbia and the City of Chilliwack.

14. The Licence Inspector may suspend any licence for reasonable cause for the period they decide, if the holder:
  - (1) is convicted of an offence indictable in Canada;
  - (2) is convicted of an offence under any City Bylaw or Statute in the Province of British Columbia in respect of the business for which they are licensed or with respect to the premises named in their licence;
  - (3) has, to the satisfaction of the Inspector, been guilty of such gross misconduct in respect of the business or in or with respect to the premises named in their licence as to warrant the suspension of their licence;
  - (4) has ceased to meet the lawful requirements to carry on the business for which they are licensed or with respect to the premises named in their licence;
  - (5) has failed to renew their licence within 60 days of the expiry thereof;
  - (6) has, in the opinion of the Licence Inspector:
    - (a) conducted their business or performed a service in a dangerous or harmful manner
15. Any person whose licence has been suspended in accordance with this bylaw may appeal to the Council and upon such appeal the Council may confirm or may set aside such suspension on such terms as it may think fit.
16. Notwithstanding anything contained in the Act or in the Bylaws of the City:
  - (1) The Council may, by a 2/3 vote of all members refuse in any particular case to grant the request of an applicant for a licence, but the granting or renewal of a licence shall not be unreasonably refused;
  - (2) The Council may revoke, suspend or cancel a licence for reasonable cause after giving notice to the licensee of the proposed action and after giving the licensee an opportunity to be heard;
  - (3) An application for reconsideration of the revocation, suspension or cancellation of the business licence must be delivered in writing to the City Clerk’s office and must set out:
    - (a) the nature of the business or proposed business;
    - (b) the date of the request;
    - (c) the reasons why the person requesting reconsideration believes Council should overturn or amend the decision of the Licence Inspector; and,

- (d) the decision that the person requesting reconsideration considers Council ought to make.
- (4) The notice and opportunity referred to in subsection 16 (2) is not required in respect of a licensee who by reasonable efforts cannot be found.
- (5) Any person who has applied for but failed to be granted a licence may appeal to the Council and on such appeal the provisions of subsection 16 (1) shall apply.
17. Any person who purchases the controlling interest in a business of any other person licensed under this Bylaw and who desires to continue said business shall make application to the Licence Inspector for a transfer of the licence within 60 days of the purchase. A licence not transferred in accordance with the provisions of the Bylaw is invalid. The business licence may be transferred upon the approval of the Licence Inspector.
18. No person to whom a licence has been granted under the provisions of this Bylaw shall change the location of the premises in which he carries on business without first applying to the Licence Inspector in writing to have the licence transferred to the new premise and no person shall carry on business at a premise other than those specified in the licence. The business licence may be transferred upon the approval of the Licence Inspector.
19. Any person soliciting for any purpose which requires that they hold a valid licence and who solicits door-to-door or in any manner other than in an established place of business, shall carry a valid business licence on their person.
20. Except as provided for in the City's Highway and Traffic Bylaw in force from time to time, no person shall in any manner, carry on business or solicit for charity, or any other purpose, on any highway within the City.
21. No person shall operate an amusement centre except as permitted under the City's Zoning Bylaw in force from time to time.
22. No person shall, in any bar, lounge, cabaret or any other premises in which alcoholic beverages are sold or offered for sale, install or operate any video lottery terminal, electronic bingo, or other electronic gaming device, or any device for the viewing of any sports or racing event in connection with wagering conducted on the same premises, on the outcome of the event.
23. **ADULT ENTERTAINMENT FACILITY:**
- (1) An Adult Entertainment Facility can only be located in a single location and cannot include delivery services.
- (2) No person shall operate an adult entertainment facility within 1 km of any school.

- (3) No person carrying on the business of an Adult Entertainment Facility shall permit any person to be on the licensed premises at any time unless such person is 18 years of age or over.
- (4) No person carrying on the business of an Adult Entertainment Facility shall exhibit or permit to be exhibited in any window on or about the licensed premises any graphic sexual material or sex paraphernalia.
- (5) Where a portion of the premises is established and operates as an Adult Entertainment Store:
  - (a) the owner shall clearly designate and sign the area as "Adults Only";
  - (b) sex paraphernalia and graphic sexual material shall not be displayed in such a manner to be viewed from other locations within or from outside the premises;
  - (c) only persons 18 years of age or older shall be permitted in the designated "Adults Only" area.
- (6) A person shall not sell or offer for sale sex paraphernalia or graphic sexual material to any person unless such person is 18 years of age or older.

**24. GATHERING FOR AN EVENT IN THE AGRICULTURAL LAND RESERVE (ALR):**

- (1) For certainty, no person may hold a Gathering for an Event unless they hold a valid and subsisting licence for that event.
- (2) An application for a business licence for a Gathering for an Event must include the following:
  - (a) events details, including, but not limited to: number of guests, hours of operation, site plan, structures to be utilized, etc.;
  - (b) liquor licence approval, if applicable;
  - (c) approval from relevant government agencies including Fraser Health, Fire Department, Building Department, etc.;
  - (d) liability insurance;
  - (e) security/Business plan; and,
  - (f) proof of public notification.
- (3) A business licence for a Gathering for an Event in the ALR is valid for the duration of said event, to a maximum of 24 hours.
- (4) A property may have a maximum of 10 events per calendar year.
- (5) A separate business licence is required for each event, and the applicant must pay the associated fee as detailed within Schedule “A” of this Bylaw.
- (6) The responsibility to obtain a business licence for an event falls to the owner of the property on which the event will be held.

- (7) No person shall operate an event venue in the ALR without first entering into a Good Neighbour Agreement with the City in the form attached as Schedule “B” of this Bylaw.
  - (a) The Good Neighbour Agreement is only valid for one (1) calendar year.
  - (b) The Good Neighbour Agreement must be completed on an annual basis, prior to issuance of a business licence for the first event of the calendar year.
- (8) A Gathering for an Event in the ALR must operate in compliance with Policy Directive G-29 “Gathering for an Event in the ALR”, as amended from time to time.
- (9) In addition to the powers under Section 14 of this Bylaw, The Licence Inspector may revoke a business licence or refuse to issue a licence based on prior violations of City Bylaws in relation to past events on the subject property. The granting or renewal of a licence shall not be unreasonably refused.
  - (a) The revocation or cancellation of a business licence under this Section must be done in accordance with Sections 14, 15 and 16 of this Bylaw.

**25. CANNABIS RETAIL:**

- (1) An application for a business licence for a Cannabis Retail use must include the following:
  - (a) Proof of ownership or legal possession of the premises or lease agreement.
- (2) A Cannabis Retail Use must, in addition to the above, implement the following measures to deter criminal activity while the business is open to the public:
  - (a) A minimum of two employees must be on duty, one of whom is a manager.
- (3) A Cannabis Retail Use must, in addition to the above:
  - (a) Install and maintain an air filtration system to ensure odour impacts on neighbouring properties are minimized.

**26. LIQUOR SERVICES:**

- (1) Every person who carries on a business that includes the service of alcoholic beverages for consumption, including Ancillary Liquor Service, must have a valid and subsisting business licence, issued by the City to the person, that allows for the service of alcohol.
- (2) Subject to Section 26(1), every person applying for a City business licence allowing for service of alcohol must include, in their application to the City, a copy of a valid and subsisting licence issued to them pursuant to the Liquor Control and Licencing Act and regulation.



27. Each annual renewal business licence imposed by this Bylaw shall be discounted by \$10.00 if payment is received by the City or postmarked on or before the 15th day of December of the year preceding the commencement of the licence period. Should the 15th day of December fall on other than a normal working day, the next working day shall be the final day of discount.
- (1) Except as hereinafter provided, annual licences shall be granted to commence on the 1st day of January and terminate on the 31st day of December in each year;
  - (2) Except as provided for below, no licence shall be granted for a period spanning more than one licensing period as herein set out;
  - (3) Any person who applies for an annual business licence after the commencement of the licensed period shall pay the licence fee prescribed in Schedule "A";
  - (4) A seasonal licence may be issued to a person who intends to carry on business temporarily which seasonal licence shall be granted so as to commence on the 1st day of May and terminated on the 31st day of October in the same year or, in the alternative, so as to commence on the 1st day of November and terminate on the 30th day of April in the following year.
  - (5) The period for a licence for a theatre, including drive-in theatre, amusement hall, concert hall, music hall, opera house, rink, amusement park or other place of amusement, entertainment, or exhibition may be 6 months, 3 months, 1 month or 1 day.

**“Business Licence Bylaw 1990, No. 1484” adopted on the 26<sup>th</sup> day of November, 1990.**

- Amendment Bylaw No. 1529 adopted on the 28<sup>th</sup> day of January, 1991.
- Amendment Bylaw No. 2143 adopted on the 19<sup>th</sup> day of September, 1994.
- Amendment Bylaw No. 2251 adopted on the 5<sup>th</sup> day of June, 1995.
- Amendment Bylaw No. 2645 adopted on the 12<sup>th</sup> day of October, 1999.
- Amendment Bylaw No. 3081 adopted on the 21<sup>st</sup> day of February, 2005.
- Amendment Bylaw No. 4347 adopted on the 16<sup>th</sup> day of May, 2017.
- Amendment Bylaw No. 4427 adopted on the 17<sup>th</sup> day of October, 2017.
- Amendment Bylaw No. 4607 adopted on the 2<sup>nd</sup> day of October, 2018,
- Amendment Bylaw No. 4674 adopted on the 2<sup>nd</sup> day of April, 2019.
- Amendment Bylaw No. 4702 adopted on the 2<sup>nd</sup> day of July, 2019.
- Amendment Bylaw No. 5090 adopted on the 1<sup>st</sup> day of June, 2021.

“John Les”

.....  
Mayor

“E.J. Tisdale”

.....  
Clerk

**“Business Licence Bylaw 1990, No. 1484” Schedule “A”**

**Schedule "A"**

**BUSINESS LICENCE FEES**

1. Mobile, non-resident or home occupation	\$ 100.00
2. Apartment blocks, tourist accommodation and mobile home parks	\$ 100.00 plus \$2.00 per unit
3. Restaurants & Commercial Assembly (bingo, rental halls, private and semi private entertainment clubs)	\$ 100.00 plus \$0.50 per m <sup>2</sup> gross floor area
4. Ancillary Liquor Service	N/A
5. Night Clubs and Neighbourhood Pubs (including other establishments with a Liquor Primary Licence under the Liquor Control and Licensing Act)	\$ 1,000.00
6. Secondary Licence Dealer Fee	\$ 1,000.00
7. Regional Automated Property Information Database (RAPID) Licence Fee	\$ 300.00*
8. Cannabis Retail	\$ 2,500.00
9. Other Commercial (retail, personal service etc, not described elsewhere)	\$ 100.00 plus \$0.25 per m <sup>2</sup> gross floor area
10. Industrial	\$ 100.00 plus \$0.10 per m <sup>2</sup> gross floor area
11. Commercial/Breeding Kennel	\$ 100.00
12. Gathering for an Event in the Agricultural Land Reserve	\$ 175.00
13. Part year business licence - seasonal	1/2 annual fee
Business starting before June 30	annual fee
Business starting after June 30	1/2 annual fee
3 month licence (where applicable)	1/4 annual fee
1 month licence (where applicable)	1/10 annual fee
1 day licence (where applicable)	\$ 25.00

\* This fee is in addition to the regular business licence fees defined in Sections 5 and 10

**Schedule “B”**



**GOOD NEIGHBOUR AGREEMENT Between  
THE CITY OF CHILLIWACK and \_\_\_\_\_**

This is a Good Neighbour Agreement made on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

WHEREAS representatives of the City of Chilliwack (The “City”) and \_\_\_\_\_ (the “Business”) have met in recognition of the principle that the Business has a civic responsibility beyond legislative requirements to conduct gatherings for events in the Agricultural Land Reserve (ALR) in an orderly manner;

WHEREAS the Business wishes to demonstrate to the citizens of Chilliwack its desire to be a responsible corporate citizen; and

WHEREAS the Business wishes to promote Chilliwack as a vibrant, safe and attractive community for the enjoyment of everyone, including residents and visitors;

NOW THEREFORE the Business agrees with the City to enter into this Good Neighbour Agreement, the terms and conditions of which follow:

**Preamble**

The following provisions are accepted by the parties in the belief that they are relevant to acceptance of the use of the property for a gathering for an event by the surrounding neighbours. No criticism of the Business’s past or present operational policies is intended or implied.

The Business recognizes its role as a responsible corporate citizen and as a responsible neighbour within the community, and agrees to work with the City, and its departments to resolve mutual concerns.

The Business has agreed it will enter into this Good Neighbour Agreement with the City, which will be administered through the business license process.

**Purpose of the Agreement**

The purpose and goals of this Good Neighbour Agreement are:

- (1) To establish and ensure the continuation of open dialogue and communication between the Business and the City in relation to the operation of the business.
- (2) To maintain a safe livable environment for all members of the neighbourhood in the vicinity.
- (3) To establish and implement a dispute resolution process.

### **General**

A Gathering for an Event in the ALR must be conducted in accordance with the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, as amended from time to time.

### **Management**

The Business will ensure that:

- (1) The event is conducted in a professional manner.
- (2) Should issues arise within the neighbourhood regarding the operation of the Business, or regarding the conduct of its patrons, the Business owners will undertake to work with the community and the City to resolve these issues.
- (3) Should at any time the Business not comply with either this agreement, City bylaws and/or other statutes and legislation, the City may take steps to revoke the business licence of the Business, after giving appropriate notice to the licensee and after giving an opportunity to be heard before Council.

### **Complaint Mechanism**

The Business will:

- (1) Ensure that the responsible person receives, investigates, and deals effectively with any complaint made by a resident within the neighbourhood, including reporting back to the resident and the City on the disposition of the complaint; and,
- (2) Maintain a written record of neighbour complaints, related investigations, disposition of complaints, and follow-up reports to residents for inspection by the City, from time to time, at the City’s request.

### **Dispute Resolution Process**

If a complaint is received by the City, the Business will:

- (1) Be contacted and notified of the nature of the complaint and will be requested to meet with the City and provide information related to the complaint; and,
- (2) Will allow for an on-site inspection.

### **Conduct of Patrons**

The Business will ensure that the behaviour of persons attending the event (guests and staff) do not cause nuisance to neighbouring properties and will ensure that persons:

## **“Business Licence Bylaw 1990, No. 1484” Schedule “B”**

- (1) Do not, through shouting or other means, cause noise disturbances on adjacent properties;
- (2) Do not litter on adjacent properties or the City road right of way; and,
- (3) Do not trespass on adjacent properties.

### **Public Notification**

The Business must conduct a public notification for all properties within 30m of the property on which the event will be held. Said notification must include the following information:

- (1) Date, time and location of the event;
- (2) Number of people to attend the event;
- (3) Hours of operation; and,
- (4) Site plan of the property including parking layout, area to be utilized for the event, tent location and dimensions (if applicable), portable bathrooms (if applicable), existing structures, property lines, road frontage and north arrow.

A copy of the public notification information, as detailed above, must be provided at time of Business Licence application or at the request of City staff.

### **Traffic**

The Business will maintain off-street parking for all persons attending the event.

There is recognition that applicable City bylaws, permits, and other statutes and legislation shall at all times take precedence over this agreement.

WHEREAS the Business has voluntarily entered into this agreement, the City commend them for their recognition of their civic responsibilities and their commitment to fostering a good working relationship with the City, and their neighbours.

**“Business Licence Bylaw 1990, No. 1484” Schedule “B”**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at Chilliwack, B.C.

BUSINESS NAME

\_\_\_\_\_  
Business Owner name, signature and address

CITY OF CHILLIWACK

\_\_\_\_\_  
Mayor  
City of Chilliwack  
8550 Young Road  
Chilliwack, BC V2P 8A4

\_\_\_\_\_  
Corporate Officer  
City of Chilliwack  
8550 Young Road  
Chilliwack, BC V2P 8A4