CITY OF VANCOUVER
BRITISH COLUMBIA

LICENSE BY-LAW NO. 4450

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(Consolidated for convenience only to October 18, 2011)

BY-LAW NO. 4450

A By-law to provide for the issuing of licenses and regulation of business, trades, professions and other occupations within the City of Vancouver

[Consolidated for convenience only, amended to include By-law No. 10368 effective October 18, 2011]

THE COUNCIL OF THE CITY OF VANCOUVER in open meeting assembled, enacts as follows:

1. This By-law may be cited as the "License By-law".

DEFINITIONS

2. Whenever the following words occur in this By-law they shall have the following meaning, unless a contrary intention appears or unless such meaning is inconsistent with the context:

"Acupuncturist" means any person who pierces any part of a client's body with needles as a means of treating disease or pain.

"Adult Entertainment Store" means any premises wherein the business of selling or offering for sale either 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 Motion Picture" means a motion picture which comes within the definition of "Adult Motion Picture" contained in the *Motion Picture Act*

"Adult Publication" means any book, pamphlet, magazine or printed matter however produced which contains a visual image or representation of a person or portion of the human body depicting nudity, sexual conduct, or sadomasochistic behaviour.

"Applicant" means any person who makes an application for any license under the provisions of this By-law.

"Amusement Park" means any premises where mechanical, electrical or other devices or exhibits, designed for the entertainment of the public, are permanently affixed.

“Animal” means a mammal, reptile, amphibian, or bird.

“Antique Dealer” means a person who carries on the business of retailing or wholesaling articles, except for alcohol, produced or crafted more than 50 years before the date of the retail or wholesale sale.

"Apartment Building" means any building or premises not being a hotel, motel or rooming house, and which is divided into not less than three dwelling units, occupied or equipped to be occupied as rental accommodation.

"Approved Parking Ticket Machine" means a machine situate at a commercial parking lot which upon deposit of the fee required issues a ticket and a receipt with date and time of issuance stamped on the ticket, or on the receipt, or both.

"Arcade" means any premises containing four or more machines on which mechanical, electrical, automatic or computerized games are played for amusement or entertainment and for which a coin or token must be inserted or a fee is charged for use, but does not include an Entertainment Centre or a Family Sports and Entertainment Centre.

“Artist Live/Work Studio” means the use of premises for the production of dance, live music, moving or still photography except for video, creative writing, painting, drawing, pottery, or sculpture, in association with a residential use.

"Auction Sale" means offering or putting up for sale any real or personal property whereat the public is invited to make competitive bids for the property offered for sale.

"Backyard Pay Parking" means the use of residential premises for the purpose of providing, for a fee, 2 or more spaces for the parking of motor vehicles which are not the property of a resident of the residential premises.

"Bank Machine" means any machine which permits a customer to access and use certain financial services customarily associated with a financial institution except for bank machines physically located in or affixed to the premises in which a financial institution operates its principal business.

"Banker" means any person who carries on business as a chartered bank or carries on the business of accepting money on deposit for custody, subject to cheque or draft, or carries on the business of discounting bills, notes or drafts.

“Barber Shop or Beauty Salon” means any premises where the primary purpose is the styling, cutting, or chemical treatment of hair.

“Beauty and Wellness Centre” means the use of premises to improve beauty and wellness through styling, cutting , or chemical treatment of hair and through skin and body treatments, including pedicures, manicures, facials, microdermabrasion, electrolysis, waxing, laser, hydrotherapy, anti-aging, skin rejuvenation therapy, aromatherapy, stone therapy massage, and relaxation massage but excludes fitness centre and personal training centre.

"Bed and Breakfast Accommodation" means the use of a dwelling unit as temporary accommodation for tourists or transients where the room rate includes breakfast provided on the premises.

"Bicycle Courier Service" means a person carrying on the business of conveying goods by means of a bicycle.

"Bill Poster" means any person carrying on the business of erecting or maintaining painted, posted, illuminated or other advertising signs on property which does not belong to the advertiser.

"Billiard-room Keeper" means any person who has for hire or makes any charge for the use of any billiard table or pool table on any premises occupied by such person or who uses or keeps any such table; whether for hire or otherwise in any place of public entertainment or resort whether or not such table or tables are used.

“Bingo Hall” means the use of premises for the purpose of playing bingo and where the operation is conducted and managed by, and the proceeds are distributed to, one or more charitable organizations, but does not include bingo where the player is not playing the same game and responding to the same caller as and with other players in the hall or the use of player-operated video lottery terminals or slot machines.

"Body-painting Studio" includes any premises or part thereof where, directly or indirectly, a fee is paid for any activity involving the application of paint, powder, or similar materials to the body of another person.

"Body-rub" includes the manipulating, touching or stimulating by any means, of a person's body or part thereof, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing such activities other than the *Vancouver Charter*, or a therapeutic touch technique.

"Body-rub Parlour" includes any premises or part thereof where a body-rub is performed, offered or solicited.

"Book Agent" means any person who sells or offers for sale, books, magazines or other periodicals, not being Bibles or religious tracts, by canvassing from house to house or place to place within the City.

"Bottle Depot" means any premises where bottles are submitted for a deposit refund, but does not include a grocery store or a liquor retail store.

"Broker" means any person holding out as an agent, factor or commission merchant for the purpose of buying or selling on account of other persons, and who charges or receives a commission for so doing, or who transacts any business for any person and charges or receives a commission for such transaction, and shall include customs brokers.

"Builder" means a person who constructs or erects or causes to be constructed or erected, houses or other buildings with the object of selling or otherwise disposing of the same at a profit.

"Business School" means any building or place where the business of giving instruction in the learning of any business, trade or occupation is carried on.

"Canvasser" means any person who canvasses or solicits business within the City, from cards or samples or in any other manner whatsoever, for the sale of any goods, wares or merchandise, or any article or thing, for future delivery, for, or on behalf of, a bona fide resident merchant or retail dealer who holds a license from the City as such, and which order for any goods, wares, merchandise, article or thing so sold by canvas or solicitation, is to be filled from the regular stock of merchandise continuously being carried and offered for sale by such licensed merchant or retail dealer.

“Casino - Class 1” means the use of premises for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered and for which authority has been given under the Gambling Control Act of British Columbia or successor Act, but does not include player-operated video lottery terminals, slot machines, bingo halls, pari-mutuel betting, non-player-operated video lottery terminals, or Casino - Class 2.

“Casino - Class 2” means the use of premises for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered and for which authority has been given under the Gambling Control Act of British Columbia or successor Act, and may include player-operated video lottery terminals or slot machines, but does not include bingo halls, pari-mutuel betting, and non-player-operated video lottery terminals.

“Cat” means a member of the feline species, regardless of age or sex.

"Caterer" means any person who prepares and offers for sale food for consumption at premises other than where that person carries on the business.

"Cheque Cashing Centre" means any premises where the business of cashing cheques or negotiable instruments for a fee charged or chargeable to the payee of the cheque or the payee's agent is carried on, but does not include a chartered bank or a credit union.
"Chief Constable" means the Chief Constable of the Police Department of the City and includes any member of the Police Department authorized to act on behalf of the Chief Constable.

“Club” means an incorporated or unincorporated organization that is not for profit, that is organized solely for the promotion of some common object, and that is operated for club members and their guests only but does not include a club lounge.

"C.N.I.B. Concession Stand" means a restaurant or a booth or stand for the retail sale of magazines, tobacco, confectionary and similar items, which is operated exclusively by the Canadian National Institute for the Blind, or a subsidiary thereof.

"Collection Agent" means a person carrying on the business of collecting debts for others, or a person who offers or undertakes to collect debts for others, or who solicits accounts for collection, or who carries on the business of doing such work either in whole or in part as is ordinarily done by bailiffs.

"Commercial Parking Lot" means an area of land or any building or part thereof where the lawful parking of motor vehicles is provided for a fee, and shall include, where no fee is charged, areas provided specifically for customers of a business, or tenants in buildings other than buildings used exclusively for residential purposes.

"Community Association" means a society or organization incorporated and in good standing under the Society Act, or registered as a charitable society or organization under the Income Tax Act.

"Contractor" includes any person who undertakes to do or perform any construction, building, carpentry, plastering, lathing, shingling or concrete work, or any other work or service at a certain price or rate or for a fixed sum, except where such other work or service is specifically defined and for which a license fee is specifically imposed elsewhere in this By-law.

"Core Area" means all that part of the City north of False Creek east of English Bay south of Burrard Inlet and west of Carrall Street and specifically includes all of District Lot One hundred and eighty-five (D.L. 185) and all of District Lot Five hundred and forty-one (D.L. 541) and all of old Granville Townsite.

"Courier/Messenger" means any person that provides pick-up and delivery service of correspondence, messages and goods, excluding alcoholic beverages.

"Dance Hall" means any building, room, or place where public or private dances are held or permitted for hire or profit.

"Dancing Academy" means any building, room or place where dancing is taught for profit.

"Dating Service" means any person carrying on the business of providing information to persons desirous of meeting other persons for the purpose of social outings.

"Discotheque - Teenage" means a dance hall exclusively for patrons of a minimum age of thirteen years and under the age of nineteen years.

“Dog” means a member of the canine species, regardless of age or sex.

"Drug Paraphernalia" means any product, equipment, thing or material of any kind primarily used or intended to be primarily used to produce, process, package, store, inject, ingest, inhale or otherwise introduce into the human body a controlled substance as defined in the *Controlled Drugs and Substances Act*, R.S.C.

"Dwelling Unit" means a self-contained housekeeping unit.

"Duplex" means any building or premises containing two dwelling units.

"Electrical Treatments" means electric or magnetic treatments given to or for the human body, but where no massage or bath of any kind is given.

"Electrician" means any person who contracts to do electrical work for any person but does not include a person employed by a licensed electrician.

"Enclosure" means a cage, kennel, tank, container, receptacle, or other enclosure used to contain or confine animals.

"Entertainment Centre" means premises where a minimum of 55 percent of the total floor area is used for simulated sports, simulated games and similar activities and associated circulation space, and the balance is used for the administration of the space, the sale of food and retail products, and the provision of vending machines offering games for amusement or entertainment.

"Extended Hours" means the difference between the time at which any particular class of standard hours liquor establishment opens or closes for business in any particular area, and the time at which the same class of extended hours liquor establishment opens or closes for business in the same area.

"Extended Hours Liquor Establishment" means an Extended Hours Liquor Establishment – Class 1, Extended Hours Liquor Establishment – Class 2, Extended Hours Liquor Establishment – Class 3, Extended Hours Liquor Establishment – Class 4, Extended Hours Liquor Establishment – Class 5, Extended Hours Liquor Establishment – Class 6, and Extended Hours Liquor Establishment – Class 7.

"Extended Hours Liquor Establishment – Class 1" means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity does not exceed 65, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

"Extended Hours Liquor Establishment – Class 2" means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity does not exceed 150, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

“Extended Hours Liquor Establishment – Class 3” means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity does not exceed 300, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

“Extended Hours Liquor Establishment – Class 4” means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity does not exceed 500, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

“Extended Hours Liquor Establishment – Class 5” means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity does not exceed 950, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

“Extended Hours Liquor Establishment – Class 6” means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity exceeds 950, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

“Extended Hours Liquor Establishment – Class 7” means a business located in a club which includes the sale and service of alcoholic drinks to customers for consumption on the premises, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

"Family Sports and Entertainment Centre" means premises where a minimum of 55 percent of the total floor area is used for simulated sports and associated circulation space, and the balance is used for the administration of the centre, the sale of food and retail products, and the provision of games and automatic machines offering games for amusement or entertainment.

“Farmers’ Market” means an open air or fully or partly covered market, for the sale directly by the producers, or their representatives who are involved in the production, of local fresh, dried or frozen fruit and vegetables, local dried or frozen meat and seafood, local dairy products, local plants, local prepared and ready–to–eat foods and local artisan crafts.

"Film Viewer" means any machine capable of showing film, video, tape or electronic medium to a customer for a fee or by way of insertion of a coin or slug.

"Financial Agent" means any person who carries on the business of lending money, or financing for other persons the sale or purchase of goods or services.

"Financial Institution" means a bank, credit union, trust company, or other similar business that, among other things, accepts deposits, invests money, and lends money.

“Fitness Centre” includes Fitness Centre - Class 1 and Fitness Centre - Class 2.

“Fitness Centre – Class 1” means the use of premises, which do not exceed 200 m^2 of gross floor area, for the development, on a one-to-one basis or in a group session, of physical fitness including health centres, gymnasia, racket and ball courts, reducing salons, yoga, pilates, weight loss, dance, self-defence, and sports.

“Fitness Centre – Class 2”, means the use of premises, which exceed 200 m^2 of gross floor area, for the development, on a one-to-one basis or in a group session, of physical fitness including health centres, gymnasia, racket and ball courts, reducing salons, yoga, pilates, weight loss, dance, self-defence, and sports.

"Fund Raiser" means any person who assists registered non-profit groups to raise funds.

“Gasoline Station” means a Gasoline Station – Full-Serve, Gasoline Station – Self-Serve, and Gasoline Station – Split Island.

“Gasoline Station – Full Serve” means any real property used or equipped to be used for the retail sale of motor fuels and motor oils in or upon which the dispensing of motor fuels and motor oils is or is intended to be carried out only by an attendant for the customers and not by the customers serving themselves.

“Gasoline Station – Self-serve” means any real property any part of which is used or equipped to be used for the retail sale of motor fuels and motor oils where the dispensing of gasoline is intended to be carried out by the customer.

“Gasoline Station - Split Island” means the use of premises for the retail sale of motor fuels and lubricants that are dispensed by the customer, and which includes at least one pump island at which all types of gasoline and diesel fuels sold by the station are dispensed by an attendant for the customer at all times the station is open for business, and where staff are available to provide other services such as checking tire pressure and fluid levels, cleaning windows, and doing minor repairs.

"Graphic Sexual Material" means any book, magazine, film, movie or videotape which depicts a person or persons engaging in real or simulated sex acts.

"Hairdresser" means any person who rents one or more chairs in a hairdressing salon to provide hairdressing services.

"Hairdressing Salon" means any premises where the primary use is the styling, cutting or chemical treatment of hair.

"Hair Stylist" means any person who styles, cuts or treats hair in their clients' residence or place of business or premises other than a hairdressing salon.

“Health Care Office” means the use of premises by professions in which persons exercise skill or judgment or provide service related to the preservation or improvement of the physical, mental, or emotional health of individuals, or the treatment or care of individuals who are injured, sick , disabled or infirm, including chiropractors, dentists, optometrists, physicians, surgeons, dental hygienists, dental technicians, denturists, dietitians, licensed practical nurses, massage therapists, midwives, naturopathic physicians, nurses (registered), nurse practitioners, occupational therapists, opticians, physical therapists, psychologists, registered psychiatric nurses, traditional Chinese medicine practitioners, and acupuncturists, and other health care and social service practitioners including counsellors and herbalists but excludes beauty and wellness centre, detoxification centre, hospital, health enhancement centre, hospital, laboratory, social service centre, and special needs residential facility.

“Health Enhancement Centre” means the use of premises to enhance health through therapeutic touch techniques including shiatsu, reflexology, bio-kinesiology, hellework, polarity, reiki, rolfing, and trager but excludes Fitness Centre, Beauty and Wellness Centre, and Personal Training Centre.

“Homecraft” means a craft or occupation conducted as an accessory use subordinate to the principal residential use of a dwelling unit.

"Hotel" means premises providing temporary accommodation by way of furnished sleeping, housekeeping or dwelling units.

"Housekeeping Unit" means a sleeping unit containing facilities for cooking.

"Inspector" means the person appointed from time to time as Chief License Inspector of the City of Vancouver.

"Janitor Service" means any business that provides cleaning services, but does not include auto washing or a carpet/upholstery cleaner, a laundry or a window cleaner.

"Junk" includes any of the following used articles or things: rubber, tires, metal, paper, sacks, wire, ropes, rags or machinery.

"Junk Dealer, Mobile" means any person who carries on the trade or business of going from place to place, collecting, buying or selling junk.

"Late Night Dance Event" means an event involving dance or music and any part of which occurs between the hours of 2:00 a.m. and 6:00 a.m. on any day but does not include an event taking place in a private residence.

"Late Night Dance Event Permit” means a permit issued under section 5 of this By-law.

"Laundry" means any building or premises wherein the business of washing clothes or other fabrics is carried on, or wherein the business of supplying linen to others is carried on.

"Laundry Office" means any building, room or place where the business of distributing laundered clothing, or of collecting clothing to be laundered is carried on apart and separate from the premises where the business of a laundry is actually carried on.

"Limited Service Food Establishment" means any premises where food that is not prepackaged is prepared and served, where no more than sixteen seats of any kind, including chairs, stools and seats or benches, whether inside or outside, are provided for customers consuming food purchased in the establishment, and that does not include the sale of alcoholic drinks to customers for consumption on the premises.

"Liquor Delivery Service" means any person who delivers alcoholic beverages to residential and commercial premises.

"Liquor Establishment" means a Standard Hours Liquor Establishment and an Extended Hours Liquor Establishment.

"Liquor Retail Store" means a business that sells liquor at retail to customers for consumption off the premises.

"Live-aboard Boat" includes any vessel, houseboat, floathouse, raft, float, dock or similar structure which floats or which is designed to float upon the water and which is equipped and fitted as a place of human abode but does not include a tugboat, fishing boat, pile driver, dredger, scow, barge or cargo-carrying vessel which is primarily used for non-residential purposes and does not include any structure which is taxed as an improvement under Part XX of the *Vancouver Charter*.

"Lodging House" means any building or separate portion thereof with 3 or more units or rooms, which are separately occupied or intended to be occupied as rental living accommodation, and includes a rooming house but does not include a one-family dwelling, a duplex dwelling, or a building comprised exclusively of dwelling units each with its own kitchen sink and bathroom.

"Marina" means any place where a marina operator carries on business.

"Marina Operator" includes any person who is in the business of providing moorage, dockage or berthage for one or more boats, but does not include a privately incorporated yacht club.

"Maximum Occupant Load" means the lesser of the number of persons that may be permitted in premises under the provisions of the *Fire By-law*, the *Building By-law*, or the *Health By-law*.

“Mobile Food Vending” means the business of operating one or more mobile motorized or pedal powered vehicles, bicycles, or other units on city streets for the sale of non-alcoholic drinks and prepared pre-packaged foods including items such as sandwiches, potato chips, and chocolate bars, and frozen novelty products including items such as ice cream bars, popsicles, yogurt bars, and similar products, subject to the requirements and conditions set out in the Street Vending By-law.

"Mock Auction" means:

(1) The sale by auction of new goods normally sold by retail dealers other than by order of the court, instructions from a trustee in bankruptcy or by authority of statute; provided that if at the said sale by auction used goods are also sold and the total value of such goods sold exceeds the total value of new goods sold, such auction shall be deemed not to be a mock auction.

(2) A sale in which a price at which the seller or auctioneer will sell one or more articles of merchandise is announced and then if no sale occurs, additional articles of merchandise are added to those originally offered, with or without varying the previously announced price, until a buyer is induced to buy the accumulated articles at the price originally fixed or as varied.

"Model Studio" includes any premises or part thereof where, directly or indirectly, a fee is paid for the furnishing of persons as models who pose in the nude on the premises for the purpose of being sketched, painted, drawn, sculptured, photographed, or otherwise depicted, but does not include any studio which functions as an educational institution authorized under any legislation of the Province of British Columbia governing educational institutions, nor to any studio which functions to provide models who are sketched, painted, drawn, sculptured, photographed, or otherwise depicted and such depiction is produced for commercial purposes, or to any studio which is being operated for purely artistic purposes.

"Moving/Transfer Service" means any person that provides the transfer of furniture, goods and equipment, excluding alcoholic beverages.

"Multiple Conversion Dwelling" means a building containing any combination of sleeping units, housekeeping units or dwelling units.

"Neighbourhood Theatre" means a theatre not situated in the Core Area of the City and which is situated less than 150 feet from property which is zoned for residential use.

“Non-Profit Housing” means a non-profit, rental housing project on a site, designed for independent living, owned by a government, society, or housing cooperative, where the ability of residents to pay, rather than the market, determines rents.

"Nudity" means the showing of the human male or female genitals or pubic area with less than a full opaque covering.

"Occupied Live-aboard Boat" means any live-aboard boat which is used as a place of abode within the City by one or more persons for a minimum of sixty consecutive or non-consecutive days, during a calendar year.

“Pawnbroker” means a person who carries on the business of taking property in pawn, or who operates a pawnbroker’s premises.

"Peddler" means any person who goes from place to place or house to house selling or offering for sale, goods, wares, merchandise, or foodstuffs but the same shall not be deemed to mean or include any person required to take out and procure a license with respect to the manufacture or sale of any milk, bread or bakery products of any employee of such person who goes from place to place or house to house selling or offering for sale any milk, bread or bakery products.

"Peddler - Food" means any person who goes from place to place or house to house selling or offering for sale foodstuffs, but does not include any person required to be licensed with respect to the manufacture or sale of any milk, bread or bakery products or any employee of that person.

"Personal Care Home" means a building where care or assistance is provided for three or more persons who, on account of age, infirmity or physical disability, require personal care or assistance.

“Pet Store” means the use of premises to offer to sell or to sell, at retail or wholesale, animals, except for animal shelters and commercial kennels.

"Picture Identification" means any one or more of the following provided it is integrated with a photograph of the bearer:

(1) valid Driver’s Licence issued by a Canadian province or territory;

(2) identity card issued by a Canadian province or territory;

(3) passport issued by the Government of origin;

(4) Certificate of Indian Status issued by the Government of Canada;

(5) Certificate of Canadian Citizenship issued by the Government of Canada;

(6) Conditional Release Card issued by Correctional Services Canada.

"Plumber" means any person who contracts or offers to do plumbing work for any person but does not include a person employed by a licensed plumber.

"Postal Box" means a box or other receptacle suitable for containing postal mail.

"Postal Rental Agency" means any premises containing one or more postal boxes made available for rent, lease, sale or possession to a person who is not normally an occupant of the premises, or any premises where mail is received and then either delivered to or picked up by a person who is not normally an occupant of the premises, but does not in either case include Canada Post.

"Private School" means an institution of learning regularly giving to children instruction accepted as equivalent to that furnished in a public school, provided such institution is wholly in use for the purpose of furnishing such instruction, but shall not include a Business or Trade School.

"Prize Game" means a game or automatic machine, the successful playing of which entitles the player to money, goods, wares or merchandise and the player pays money or other valuable consideration to play the game or machine.

"Psychic or Astrological Service" means any person who provides services in palm reading, fortune telling, psychic readings, astrology, or any other field in which supernatural powers are professed to be used.

"Public Market" means any building or premises containing stalls, tables, spaces, divisions or compartments individually rented, occupied or operated for the purpose of displaying or selling merchandise.

"Real Estate Agent" means any person licensed or required to be licensed as such under the British Columbia *Real Estate Act*.

"Rental Agency" includes any person who, by contract or agreement and for a fee, provides information respecting residential accommodation which is available for rent or lease.

"Rental Dealer" means a person not otherwise defined herein who carries on the business of renting commodities directly to the public.

"Residential Rental Unit" includes a:

(1) dwelling unit;

(2) housekeeping unit which means a sleeping unit containing facilities for cooking; or

(3) sleeping unit which means one or more rooms equipped to be used for sleeping and sitting purposes;

that a person rents, intends to rent, or customarily rents to a tenant, except for a unit in an apartment building, duplex, hotel, lodging house, rooming house, or bed and breakfast.

“Restaurant Use” means the use of premises for the primary purpose of selling and serving prepared food to the public during all hours of operation, where the premises include at least 17 indoor or outdoor seats for customers consuming food purchased on the premises, and where live entertainment, including the use of non-amplified or amplified musical instruments and disc jockey mixing turntables may be available.

“Restaurant” means, collectively, Restaurant – Class 1, Restaurant – Class 1 with Liquor Service, Restaurant – Class 2, and Restaurant – Class 2 with Liquor Service.

“Restaurant – Class 1” means Restaurant Use that does not include customer participation such as karaoke, dancing, or open microphone performing, or the sale, or offering for sale, of liquor.

“Restaurant – Class 1 with Liquor Service” means Restaurant Use that that does not include customer participation such as karaoke, dancing, or open microphone performing, and does include the sale or offering for sale, of liquor to customers for consumption on the premises, as part of a meal, or in a lounge approved by way of endorsement under Liquor Control and Licensing BC Regulation No. 244/2002.

“Restaurant – Class 2” means Restaurant Use that includes customer participation such as karaoke, dancing, or open microphone performing, and does not include the sale or offering for sale of liquor.

“Restaurant – Class 2 with Liquor Service” means Restaurant Use that includes customer participation such as karaoke, dancing, or open microphone performing, and the sale or offering for sale, of liquor to customers for consumption on the premises as part of a meal, or in a lounge approved by way of endorsement under Liquor Control and Licensing BC Regulation No. 244/2002.

“Retail Dealer” means any person not otherwise herein defined who carries on the business of selling commodities other than foodstuffs directly to the public, but does not include a retail dealer - market outlet or the holder of a street vending permit.

“Retail Dealer - Food” means any person not otherwise herein defined who carries on the business of selling commodities including foodstuffs directly to the public but does not includes a retail dealer - grocery or a retail dealer - market outlet.

“Retail Dealer - Grocery” means any person not otherwise herein defined who carries on the business of selling commodities including foodstuffs directly to the public and whose business customarily includes two or more of a bakery, butcher, delicatessen, and food service (snack bar) but does not include a retailer dealer - market outlet.

“Retail Dealer - Market Outlet” means any person not otherwise herein defined who carries on the business of selling commodities which may include foodstuffs directly to the public from premises having a total floor area greater than 4,645 square metres.

“Rodent” means each species of chinchilla, degu, hamster, gerbil, hedgehog, mouse, or rat.

"Rooming House" means a building not being a hotel or motel containing rooms used exclusively as sleeping units where lodging for three or more persons is provided.

"Scavenging" means the collection, removal, transportation, salvage or disposal of any garbage, ashes, refuse or other discarded matter.

"School" means an elementary school or a secondary school providing an educational programme in accordance with the *School Act* of British Columbia.

“Secondhand Dealer - Class 1” means a person who carries on the business of retailing or wholesaling a variety of used property including:

(1) used electronic equipment including, without limitation, audio or visual equipment or accessories, computers, printers, or fax machines; or

(2) two or more of the following types of used property, namely, bicycles, sports equipment, luggage, jewellery, cameras, musical equipment, or tools;

but does not include antique dealer.

“Secondhand Dealer - Class 2” means a person who carries on the business of retailing or wholesaling only one type of used property, except for used electronic equipment including, without limitation, audio or visual equipment or accessories, computers, printers, or facsimile transmission machines, but does not include antique dealer.

“Secondhand Dealer - Class 3” means a person who carries on the business of retailing or wholesaling used property limited to compact discs (“CD’s”), digital video discs (“DVD’s”), video tapes, cassette tapes, video games, or music, concert, movie, or television memorabilia, but does not include antique dealer.

“Secondhand Dealer - Class 4” means a person who carries on the business of retailing or wholesaling used property limited to used furniture, clothing, costume jewellery, knickknacks, footware, and houseware items such as dishes, pots, pans, cooking utensils, and cutlery, but does not include antique dealer.

“Secondhand Dealer - Class 5” means a person who carries on the business of retailing or wholesaling used property limited to used clothing, furniture, costume jewellery, footware, and houseware items such as dishes, pots, pans, cooking utensils, and cutlery, and who obtains all such property only from or through a “registered charity” defined under the Income Tax Act (Canada) or by donation.

“Secondhand Dealer - Class 6” means a person who carries on the business of retailing new property but who takes in trade or buys used property that is similar to the new property being retailed, but does not include antique dealer.

"Sexual Conduct" means sexual intercourse or physical contact with a person's clothed or unclothed genitals or pubic area.

"Sex Paraphernalia" means any item which simulates or is a reproduction of any human sex organ and includes dildos, vibrators, marital aids, or any other item designed to promote or assist any type of sexual activity.

"Shooting Gallery" means any building, room or place where the shooting or firing of any gun, rifle, or similar device is permitted for hire or gain, whether the said building, room or place is devoted exclusively to the shooting of guns, rifles or similar devices or not.

"Simulated Games" means machines or activities which simulate an experience, and includes but is not limited to virtual reality experiences, but does not include simulated sports or games or machines displaying a sex object.

"Simulated Sports" means games or activities involving the use of baseball batting cages, basketball courts, hockey rinks, golf simulators, miniature golf, climbing walls and similar sports related games and activities.

"Sleeping Unit" means a separate unit of one or more rooms equipped to be used for sleeping and sitting purposes.

“Small Bird” means a canary, cockatiel, finch, parakeet, or lovebird.

"Social Escort" means any person who, for a fee or other form of payment, escorts or accompanies another person, but does not mean a person providing assistance to another person because of that other person's age or handicap.

"Social Escort Service" means any person who carries on the business of providing, or offering to provide, the services or the names of persons to act as escorts for other persons.

"Soliciting for Charity" means the act of canvassing or soliciting for the purpose of collecting or receiving money or property of any kind, the whole or any part of which either directly or indirectly is, or is intended to be, used or disposed of for any charity, relief or benefit, or any philanthropic, patriotic, religious or educational purpose.

“Specialty Wine Store” means a business that sells wine at retail to customers for consumption off the premises, except for a liquor retail store.

“Standard Hours Liquor Establishment” means a Standard Hours Liquor Establishment – Class 1, Standard Hours Liquor Establishment – Class 2, Standard Hours Liquor

Establishment – Class 3, Standard Hours Liquor Establishment – Class 4, Standard Hours Liquor Establishment – Class 5, Standard Hours Liquor Establishment – Class 6, and Standard Hours Liquor Establishment – Class 7.

"Standard Hours Liquor Establishment – Class 1" means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity does not exceed 65, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

"Standard Hours Liquor Establishment – Class 2" means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity does not exceed 150, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

"Standard Hours Liquor Establishment – Class 3" means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity does not exceed 300, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

"Standard Hours Liquor Establishment – Class 4" means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity does not exceed 500, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

"Standard Hours Liquor Establishment – Class 5" means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity does not exceed 950, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

"Standard Hours Liquor Establishment – Class 6" means a business the primary purpose of which is the sale and service of alcoholic drinks to customers for consumption on the premises where the seating capacity exceeds 950, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

"Standard Hours Liquor Establishment – Class 7" means a business located in a club which includes the sale and service of alcoholic drinks to customers for consumption on the premises, and to which certain impact reduction measures and other requirements set out in section 19.2A apply.

"Steam Bath" means any building or premises wherein a charge is made in consideration for any Turkish, Russian, vapour, sweat, salt or sauna bath.

"Talent/Model Agency" means any person who acts as an agent for or assists a person in seeking employment as an entertainer or a model.

"Tanning/Skin Care Salon" means any premises where skin treatment, including the acquisition of sun tans via artificial means, is provided.

"Taxbuyer" means a person carrying on the business of purchasing or otherwise acquiring, by way of assignment or any other method, another person's right to claim and receive a refund of tax paid pursuant to the *Income Tax Act* of Canada which is due to such other person, but shall not include a person licensed under any statute other than the Vancouver Charter to perform that or a similar function, nor shall it include a "broker" or "collection agent" as defined in this By-law.

"Tenant Listing Service" means any person who, by contract or agreement and for a fee, provides information to landlords respecting persons seeking residential accommodation.

"Theatre" means a building or premises used or intended to be used for the purpose of theatrical, operatic or dramatic performances, vaudeville or similar exhibitions, or for the projection or display of moving pictures.

"Therapeutic Touch Technique" includes but is not limited to shiatsu, reflexology, biokinesiology, hellework, polarity, reiki, rolfing and trager approach.

"Transient Peddler" means any person who, being an agent for any non-resident manufacturer or dealer, sells any goods, wares or merchandise in the City, or who offers the same for sale by sample or description or otherwise, for or on account of any merchant or other person selling direct to the consumer and not having a principal place of business within the City. Any commercial traveller or canvasser, whether acting by himself or herself or as an agent for any firm or corporation, who takes orders for any goods or for any finished article whatsoever to be delivered to the consumer, and which are to be manufactured, made or completed in some place outside the Province by any merchant or manufacturer or other person not having his or her principal place of business within the City, shall be deemed to be a transient peddler. A bona fide commercial traveller in the ordinary course of business selling or taking orders from bona fide merchants carrying on trade or business either wholesale or retail within the City shall be deemed not to be a transient peddler.

"Transient Trader" means any person who by themselves or through an agent occupies premises or trades in the City for temporary periods and who offers for sale goods or merchandise of any description by auction or any other manner whatsoever and whether or not such sale is conducted by themselves or a licensed auctioneer.

"Vehicle" means any device, in, upon or by which any person or property is, or may be transported or drawn upon a street irrespective of the motive power.

“Vehicle Dealer” means a person who carries on the business of selling or renting motor vehicles including cars, trucks, motorcycles, mopeds, boats, recreation vehicles, and recreation trailers.

"Vending Machine" means any machine or device operated by or requiring for the operation thereof the insertion of any coin, slug, or card including, without limitation, any machine or device operated mechanically or otherwise for the purpose of selling or disposing of any goods, merchandise, or articles or providing music, games, amusement, or services but excluding any machine or device physically located in or affixed to any premises in which the principal business carried on is the sale of goods or merchandise or the dispensing of services through the operation of vending machines, and also excluding washers, dryers, and bank machines.

“Venue” means a business, located in a stadium, arena, or theater, that provides live sporting or entertainment events, and that sells alcoholic drinks to customers attending such events for consumption on the premises.

“Veterinarian” means a veterinarian registered under the Veterinarians Act of British Columbia.

"Warehouse Operator" means a person engaged in the business of receiving and storing goods, wares, merchandise or personal property of others for payment or compensation.

Wedding Chapel means the use of premises for wedding ceremonies only.

"Wholesale Dealer" means any person who carries on the business of dealing in any commodity by selling such commodity to retail dealers or to other wholesale dealers or to contractors or to manufacturers for use in their business, provided that a warehouse operator, where the owner of such warehouse does not employ a representative other than such warehouse operator to solicit orders for, or to handle or distribute such commodities, shall be deemed not to be a wholesale dealer.

DUTIES AND RESPONSIBILITIES

3. (1) No person shall carry on within the City any business, trade, profession or other occupation without holding a subsisting City license therefor.

(2) Every person applying for a license shall, at the time of making the application, pay to the City the fee for such business, trade, profession or other occupation as specified in Schedule "A" of this By-law.

(3) Every person who operates more than one store, branch, premises or place of business in respect of any business, trade, profession or other occupation shall take out a separate license in respect of each such separate store, branch, premises or other place of business.

(4) A person who is employed on a salary basis by some other person shall be deemed not to be carrying on a profession.

4. (1) All applications for licenses pursuant to this By-law shall be made to the Inspector on the form provided for that purpose.

(2) On receipt of an application and before issuing any license thereon, the Inspector shall ascertain whether the applicant has at any time within the preceding 5 years been convicted of any offence under any Statute of Canada, the Province of British Columbia or elsewhere, or under any By-law of the City of Vancouver and the Inspector, if of the belief that the nature of the offence relates to the business, trade, profession or other occupation for which the application has been made, shall refuse to issue the license. If the Inspector refuses to issue such license the applicant may appear before Council who may grant or refuse the application.

(2a) Notwithstanding any other section of this By-law, the Inspector may refer any application for a license to Council who may grant or refuse the application.

(3) All applications for licenses shall give the description in detail of the premises in or upon which the applicant intends to carry on the business, trade, profession or other occupation in respect of which the application for a license has been made; and no person to whom a license has been granted shall carry on such business, trade, profession or other occupation in or upon any premises other than those set forth on the said application and license without first making an application pursuant to this section for a new license or a transfer of such license as hereinafter provided.

(4) All premises in or upon which the applicant proposes to carry on or conduct any business, trade, profession or other occupation in respect of which a license is required to be held pursuant to this By-law shall comply with all relevant by-laws of the City before any such license is granted; and the applicant shall, upon request, produce certificates or letters of approval as may be required by federal, provincial or municipal authorities.

(5) Subject to the provisions of this section the Inspector shall issue a license to an applicant.

(6) Where a license has not been issued to an applicant the Inspector shall not be required to refund to the applicant the amount of the applicable fee which is referred to in Schedule "A" of this by-law as the "Non-Refundable Portion of Fee.

5. (1) Any person desiring to obtain a transfer of any license, or interest in any license, issued pursuant to this By-law and held by any other person, shall make an application the same as that required to obtain a license under this By-law; and the powers, conditions, requirements and procedures relating to the granting and refusal of licenses and appeals thereon, shall apply.

(2) No person who purchases the interest of, or part of the interest of, any person licensed pursuant to this By-law shall carry on or continue such business, trade,

profession or other occupation without first having obtained a transfer of license or a new license.

(3) No person to whom a license has been issued under this By-law shall change the location of the premises in which the business, trade, profession or other occupation is carried on without first having applied to the Inspector to have the license altered to reflect the new location; and the powers, conditions, requirements and procedure relating to the granting or refusal of licenses and appeals thereon, shall apply to all such applications.

(4) No license shall be transferred from one person to another more than once during any calendar year.

(5) A person applying for the transfer of a license shall pay the fee as specified in Schedule "A" of this By-law.

6. (1) All licenses issued under this By-law will be for the calendar year current at the time of the issuance of such license, and will expire on December 31 of that calendar year except if:

(a) a license is sooner forfeited under this By-law;

(b) a license is issued on a daily, weekly, or monthly basis; or

(c) the Inspector, under subsection (6) of this section 6, sets a different term for a license.

(2) Every person whose license expires on the 31st day of December in any year shall make application for a license for the next year by the 1st day of January of that year or as soon thereafter as the business, trade, profession or other occupation is proposed to be conducted.

(3) If a person commences any business, trade, profession, or other occupation after January 1 in any calendar year and if the annual license fee payable by that person for the whole calendar year would be $10.00 or more then, despite section 3 of this By-law, the license fee payable by that person is to be the product arrived at by multiplying the applicable annual license fee for the whole calendar year by a fraction, the numerator of which is the number of whole or partial months the business, trade, profession, or other occupation is to operate during the calendar year and the denominator of which is 12 plus the application fee set out in Part 3 of Schedule B to this By-law.

(4) Where the license fee for any business, trade, profession or other occupation required to be licensed under this By-law is based on the capacity or accommodation of the premises, no person shall change the capacity or

accommodation available without first having notified the Inspector and paid any additional license fee payable as a result of such change.

(5) Every license issued pursuant this By-law shall be posted in a conspicuous place on the premises or on the thing or article in respect of which the license is issued.

(6) Council hereby delegates to the Inspector the authority to set the term of a license, subject to the forfeiture of a license under this By-law, as follows:

(a) if a person applies for a license in November or December of any calendar year, that person may pay the pro rated license fee under subsection (3) of this section 6 or may pay that pro rated fee and the license fee for the next calendar year, in which latter case the Inspector may issue a license for a term equal to the aggregate of the one or two months of the then current calendar year that person operates the business, trade, profession, or other occupation and the next calendar year; and

(b) if a person operates a business, trade, profession, or other occupation that requires periodic certification or licensing under the authority of a statute of the Province of British Columbia, the Inspector may issue a license for a term that expires on the same date the provincial certification or licensing expires.

7. Every owner or occupier of any real property in the City shall give to the Inspector and to any member of his or her staff authorized by the Inspector for the purpose, such access at any reasonable hour to such real property and every part thereof and such information with respect thereto as may be reasonably required to enable necessary inspection to be made.

7.1 Every person who requires a copy of a license must pay to the City a fee set out in Schedule B to this By-law.

7.2 Every person who requires a change of business name or business trade name under a license must pay to the City a fee set out in Schedule B to this By-law.

7.3 Every person who requires a change of business address under a license must pay to the City a fee set out in Schedule B to this By-law.

7.4 Every person who requires a change of business license category must pay to the city a fee set out in Schedule B to this By-law.

APPEALS FROM LICENSE SUSPENSION

8. DELETED

9. [Reserved]

COMMENTS UNDER LIQUOR CONTROL AND LICENSING ACT

9A.1 (1) Council assigns to the Inspector the executive or administrative power of Council, under the Liquor Control and Licensing Act, to provide to the general manager under that Act comments, or views of residents, on any proposed:

(a) amendment to a liquor licence issued under that Act so long as the proposed amendment does not have force or effect for more than one year from the date of its issuance;

(b) issuance of a food primary licence referred to in Liquor Control and Licensing BC Regulation No. 244/2002; or

(c) amendment to a food primary licence;

and so long as the Inspector may choose to refer any particular amendment or issuance to Council for comments.

(2) Every applicant for a liquor licence or a permanent liquor licence amendment under the *Liquor Control and Licensing Act*, in respect of which Council or the Inspector provides to the general manager under that Act comments, or views of residents, must pay the city the applicable fee specified in Part 1 of Schedule B to this By-law.

(3) The level of public consultation referred to in Schedule B for each application is in the discretion of Council or the Inspector.

(4) Every applicant for a temporary liquor licence amendment under the *Liquor Control and Licensing Act*, in respect of which Council or the Inspector provides to the general manager under that Act comments, must pay the city the fee specified in Part 2 of Schedule B to this By-law.

ADULT ENTERTAINMENT STORE

10.1 (1) No person carrying on the business of an adult entertainment store shall permit any person to be on the licensed premises at any time unless such person is 18 years of age or over.

(2) No person carrying on the business of an adult entertainment store shall exhibit or permit to be exhibited in any window on or about the licensed premises any graphic sexual material or sex paraphernalia.

(3) No person carrying on the business of an adult entertainment store shall open or permit to be opened or allow any person to remain in the store between the hours of 1:00 a.m. and 6:00 a.m.

ADULT PUBLICATIONS

10.2 Except where the business is an adult entertainment store licensed under this By-law, no person carrying on any trade, business or occupation shall display or permit to be displayed an adult publication except as herein provided:

(a) no adult publication shall be located on any shelf the bottom edge of which is less than 47 inches from the floor;

(b) all adult publications shall be placed behind a sheet of opaque plastic or other opaque substance which extends for the full length of the shelf on which such publications are placed and which extends vertically for at least 8" from the bottom of the shelf.

ARCADE AND SHOOTING GALLERY

10.3 No person carrying on the business of an arcade or shooting gallery shall permit any machine on which mechanical, electrical, automatic or computerized games are played and for which a coin or token must be inserted or a fee is charged for use to be operated, or any customer, person or onlooker to remain in such arcade or shooting gallery, or any place where such a machine as aforesaid is operated, between the hours of 1:00 a.m. and 6:00 a.m.; and no such person shall permit any person under the age of eighteen years to enter or remain at any time in any room in which any such machine is kept.

AUCTIONEERS

10.4 (1) REPEALED

(2) No auctioneer's license shall be granted in the name of more than one person, nor in the name of any firm, company or corporation; and no license shall be used except by the person to whom it has been issued.

(3) When goods are put into an auctioneer's hands for sale, the auctioneer shall give a receipt containing an itemized statement of all such goods. When such goods, or any of them, are sold the auctioneer shall, on demand, strictly account to the person who entrusted the goods to the auctioneer.

(4) Every auctioneer shall keep books of account of all business transactions of the auctioneer, whether in a public Auction Room or elsewhere. The books shall record:

(a) the names and addresses of all persons entrusting goods to the auctioneer for sale;

(b) an itemized list of all such goods; and

(c) the names and addresses of all persons purchasing any goods from the auctioneer.

(5) No person conducting an auction sale shall employ any person to make any noise or public outcry in or near any auction room or place where any auction is taking place for the purpose of attracting the attention of the public, nor install or use or permit the use or installation of any automatic or electric alarm, bell or loudspeaker in or near any auction sale. Provided, however, that nothing herein shall prevent the auctioneer from using a microphone and loudspeaker within a public auction room if such loudspeaker cannot be heard outside the auction room.

(6) No auctioneer shall, directly or indirectly, bid or employ any other person to bid on the goods offered for sale at any auction sale.

(7) No person conducting an auction shall proceed to offer for sale any watch, plate or jewellery before first announcing to the persons present whether the watch, plate or jewellery is gold or gold plate, silver or silver plate or base metal and, in the case of a watch, also announcing the maker's name, the number of jewels contained in the said watch and whether the jewels are diamonds, rubies, sapphires or glass.

(8) A purchaser at any auction sale shall have the right to return the goods to the auctioneer at any time within three (3) days of the date of sale if they be not of the quality or value represented, and the auctioneer shall return the price of the goods to the purchaser.

(9) No person shall sell at public auction any prize packages or dispose of any goods in any form without disclosing the nature of the goods in question. Provided, however, that this subsection shall not apply to the public auction of goods pursuant to statute.

(10) No person shall conduct, carry on or suffer or permit to be conducted or carried on any mock auction without having first obtained a permit from the Council.

(11) No person shall sell or offer for sale by auction any new jewellery, watches, clocks, binoculars, optical instruments, cameras, luggage, leather goods, plastic goods, imitation leather goods, cigarette cases, compacts, mechanical pencils, mechanical pens, precious stones, semi-precious stones, gold, silver, platinum or plated ware, or any of them, without first having obtained a permit for such sale from the Council.

(12) Application for the permit referred to in subsections (10) and (11) shall be made in writing to the Inspector and any such application shall include an inventory of the

goods to be sold showing the cost to the applicant. Such inventory shall be verified by statutory declaration.

(13) No person shall erect, display or exhibit any sign or advertising of any nature using the word or words "auction", "action", "auction sale", "action sale" or any other word or words similar to the word auction, in connection with any sale other than a bona fide auction sale conducted by a licensed auctioneer.

AUTO PARKING LOTS

10.5 (1) It shall be a condition of the granting of a license to any person to carry on the business of an auto parking lot that one sign shall be posted at each entrance to the parking lot and one sign at each exit of such parking lot, stating in wording clearly legible by day or night, the circumstances under which a vehicle may be removed from the lot and the address of the place at which it may be reclaimed. The provisions of this subsection shall also apply to unlicensed Commercial Parking Lots.

(2) Except as hereinafter provided, no person shall cause any motor vehicle to be removed from a commercial parking lot without the authority of the owner of the vehicle.

(3) Subject to the regulations hereinafter provided, an owner, occupier or operator of a commercial parking lot, or a duly authorized agent of such owner, occupier or operator, may cause a motor vehicle to be removed from a commercial parking lot where

(a) there is no contract or permission to park in respect of such vehicle; or

(b) the vehicle constitutes a hazard or an obstruction to the free and normal use of the parking lot; or

(c) more than twelve hours have elapsed since the expiration time indicated on the ticket purchased to authorize such parking; or

(d) the motor vehicle is parked in a space designated, by way of the international symbol for the disabled, for disabled persons parking only and such motor vehicle does not bear a disabled persons parking placard authorized by the City.

(4) Notwithstanding subsection (3) of this section, where the fee at any commercial parking lot is collected by an approved parking ticket machine, the owner, occupier or operator may cause a motor vehicle to be removed when such vehicle remains parked more than two hours after the expiration time indicated by the ticket.

(5) Before authorizing any removal pursuant to this section, the owner, occupier, operator, or a duly authorized agent of such owner, occupier or operator, shall first complete and issue a Tow-away Notice in the form prescribed in Schedule "D" of this By-law.

(6) Every Tow-away Notice shall be issued in triplicate. The original and the duplicate copy shall be placed on the windshield of the vehicle described in the Notice and the triplicate copy shall be kept by the person issuing the same for a period of thirty days and shall be subject to inspection upon demand by the Inspector.

(7) No person may be authorized as an agent who is an employee or agent of any person or company engaged in the business of automobile towing, or who is a principal therein.

(8) Every ticket issued by a machine for a fee between the hours of 6:00 p.m. on one day and 1:00 a.m. of the following day shall be deemed not to expire before the aforesaid hour of 1:00 a.m.

BACKYARD PAY PARKING

11.1 (1) No person who carries on the business of backyard pay parking shall cause, or permit to be caused by any person in his or her control or acting on his or her behalf, a noise or public outcry for the purpose of attracting the attention of the public to such business.

(2) No person who carries on the business of backyard pay parking shall for a fee place or permit to be placed on his or her premises more motor vehicles than the number of spaces permitted by his or her license.

BEAUTY PARLOURS

11.2 No person shall carry on the business or trade of a beauty parlour or hairdressing or services commonly associated with such business or trade, except on the premises licensed for such purposes provided however, that this section shall not apply where it can be shown that the customer was unable to attend at the premises licensed as aforesaid by reason of age, illness or infirmity.

BICYCLE COURIER SERVICE

11.3 No person carrying on the business of a bicycle courier service shall employ or offer the services of any person required to be licensed as the operator of a courier bicycle pursuant to the Vehicles for Hire By-law unless that person is so licensed.

BILLIARD-ROOM KEEPER

11.4 No billiard-room keeper shall permit any person to play on any billiard or pool table between the hours of 1:00 a.m. and 6:00 a.m.

BODY-RUB PARLOUR, BODY-PAINTING STUDIO, AND MODEL STUDIO

11.5 (1) Every applicant for a license to operate a body-rub parlour, body-painting studio or model studio shall supply the Chief Constable and the Inspector with the name, age, address and sex of all persons employed by the applicant.

(2) REPEALED

(3) No person carrying on the business of operating a body-rub parlour, a body-painting studio or a model studio shall

(a) employ any person on the licensed premises unless such person is 19 years of age or over;

(b) permit any person to be on the licensed premises at any time unless such person is 19 years of age or over.

(4) Every applicant for a license for a body-rub parlour, body-painting studio or model studio shall be accompanied by a floor plan of the entire premises in such scale and detail as may be prescribed by the Inspector, and when any alterations are made to the licensed premises, plans thereof shall be filed with the Inspector forthwith.

(5) All rooms used for body-rub, body-painting or nude photography shall comply with the following condition:

(a) shall not be less than 2.4 metres by 2.4 metres;

(b) shall not be equipped with any locking device on any door thereto;

(c) other than a door providing entrance thereto, shall not have any means by which any person may view the interior thereof;

(d) shall be equipped with lighting of at least 50 candle power which shall remain "on" when the door is closed.

(6) No person who carries on the business of operating a body-rub parlour, a body-painting studio or a model studio shall permit any person to enter or remain thereon between the hours of 12:00 midnight and 8:00 a.m.

(7) No person carrying on the business of a body-rub shall permit any person engaged in providing a body-rub in the licensed premises to perform the same unless such person is wearing clean, washable, non-transparent outer garments covering his or

her body between the neck and the top of the knee, the sleeves of which do not reach below the elbows.

(8) No body-rub parlour proprietor shall exhibit himself or herself nor permit other persons to exhibit themselves, in any window on or about the licensed premises, or exhibit or permit to be exhibited any sign outside of the premises showing any nude male or female body, or any part thereof, nor any printed words that might indicate that the licensed premises is a place that offers any form of sexual or nude entertainment.

(9) No person carrying on the business of a body-rub parlour shall practice or provide or permit the practice or provision therein of a therapeutic touch technique or advertise in any way that a therapeutic touch technique is available or being practiced on the premises.

(10) Any club subject to regulation under By-law No. 2647 providing any services similar to a body-rub parlour, body-painting studio or model studio shall, in addition to any other licensing requirement, obtain a body-rub parlour, body-painting studio or model studio license pursuant to Schedule "A" and shall comply with the regulations set forth in this section.

BOWLING ALLEY

11.6 (1) No person who carries on the business of operating a bowling alley shall permit any person under the age of nineteen years to enter or remain in the said bowling alley between the hours 1:00 a.m. and 6:00 a.m.

(2) No person who carries on the business of operating a bowling alley shall permit any person to enter or remain therein between the hours of 4:00 a.m. and 6:00 a.m.

CHEQUE CASHING CENTRE

12.1 No person carrying on the business of a cheque cashing centre shall charge different fees for the cashing of a cheque or negotiable instrument depending on the payor or payee thereof, and no person shall supplement, discount or otherwise vary the uniform rate charged for such service.

DATING SERVICE

13.1 Every person carrying on the business of or operating a dating service shall:

(a) supply the Inspector with the name, age, address and description of every person proposed to be employed or engaged in the said business;

(b) notify the Inspector within seventy-two hours of any change in the personnel employed or engaged in the said business;

(c) maintain a written and legible record of all persons registered with the dating service showing their name and address and the name and address of the person to whom they have been referred for a social engagement.

DANCE HALLS

13.2 (1) Except as provided in subsection 14 of this section no person under the age of 19 shall be permitted in or about a dance hall unless accompanied by a parent or an adult.

(2) All dance halls shall be closed and no dancing shall be permitted therein between the hours of two o'clock and seven o'clock in the forenoon of each week day; provided, however, that upon application the Inspector may, for an event scheduled during a holiday or for a special occasion, permit a person, organization or society to operate the dance hall until a time specified in such permit, but no tickets shall be sold or accepted for admission to such dance hall between the hours aforesaid.

(3) No person who is an employee in a dance hall or who acts as a hostess in a dance hall shall dance with patrons or guests while they are attending such dance hall.

(4) The provisions of this section shall not apply to nor be held to mean or include dancing on the stage of any theatre or other place of amusement or entertainment where such dancing is incidental to or part of any performance given at such theatre or other place of amusement or entertainment.

(5) The provisions of subsection (2) of this section shall not apply on the first day of January in any year.

(6) All employees of a dance hall shall wear clearly visible nameplates showing their first name and a number.

(7) The manager of every dance hall shall maintain a list showing the full identification of each person required to wear a nameplate pursuant to subsection (12) of this section, and shall make such list available to the Inspector or Chief Constable at any time.

(8) Notwithstanding the provisions of subsection (1) of this section, the Inspector may, after consultation with the Chief Constable, and subject to the following conditions, grant a permit to the licensed operator of a dance hall to allow persons under the age of 19 to attend the said dance hall:

(a) the operator shall provide a detailed written statement as to the proposed method of operation;

(b) the operator has provided a written undertaking to prohibit alcohol or drugs in any form and to be responsible for the behaviour of the participants and, if so requested by the Inspector, to employ a sufficient number of adult supervisory or security personnel to maintain law and order on the premises, but in any event there must be at least one of such persons for each 50 patrons on the premises;

(c) the permit shall provide for a closing hour not later than one o'clock in the forenoon.

(9) Notwithstanding any of the provisions of subsection (2) of this section, during the months of May and June of any year, the Inspector may by permit extend the closing hour for a dance hall for any period up to 4:30 o'clock in the forenoon for a high school graduation dance, provided:

(a) the organizer or sponsor of the dance is a member of the School Council or school staff, or is a parent of a student involved, and

(b) the operator has undertaken to be responsible for the behaviour of the participants to prohibit alcohol or drugs in any form, and to employ security personnel acceptable to the Chief Constable if requested so to do by the Inspector.

(10) Any permit issued pursuant to this section shall be subject to immediate cancellation if there has been a violation of any conditions of the permit, or the proprietor has failed to maintain law and order on the premises.

DISCOTHEQUE - TEENAGE

13.3 (1) No person shall operate a teenage discotheque except in accordance with the following regulations:

(a) at all times during which a teenage discotheque is open there must be present on the premises a sufficient number of adult supervisory or security personnel to maintain law and order on the premises, but in any event there must be at least one of such persons for each 50 patrons on the premises;

(b) the licensee shall not permit any person to enter the premises who is in possession of or under the influence of liquor or drugs;

(c) notwithstanding section 16.1 of this By-law electrical or mechanical amusement machines may be permitted, but shall be in a separate games room, and each type of machine must be specifically approved by the Inspector;

(d) the licensee shall not permit any patron who leaves the premises to re-enter the premises on the same day.

(2) No person shall operate a teenage discotheque except during the hours herein specified:

(a) from six o'clock in the afternoon to ten o'clock in the afternoon on any Monday, Tuesday, Wednesday or Thursday during the term when public schools are in session;

(b) from six o'clock in the afternoon on Friday, Saturday and any day preceding a statutory holiday until one o'clock in the morning of the following day;

(c) from four o'clock in the afternoon to midnight from Monday to Friday during periods when public schools are not in session.

(3) No person under the age of fifteen years or over the age of eighteen years shall enter a teenage discotheque, and the licensee shall take adequate precautions to ensure that all patrons are not under fifteen years of age or over eighteen years of age. Provided however that between the hours of one o'clock in the afternoon and five o'clock in the afternoon on any Saturday the licensee may open the teenage discotheque exclusively for persons who are under fifteen years of age.

(4) REPEALED

(5) Notwithstanding any other provisions of this By-law a license for a teenage discotheque may only be issued by Council.

(6) Any person aggrieved by a decision of the Chief Constable made under this section may appeal to City Council and the provisions of section 8 shall apply, mutatis mutandis.

DOGS

DELETED

DRUG PARAPHERNALIA

13.5 No person carrying on a business shall:

(a) display or permit to be displayed on a street or in any window facing a street, or elsewhere where it can be seen by a person outside the premises, any drug paraphernalia; and

(b) except where the premises are licensed as a pharmacy under the Pharmacists Act, sell drug paraphernalia to any person under the age of 19 years.

ENTERTAINMENT CENTRE

14.1 (1) The provisions of this section apply to all persons carrying on the business of operating an entertainment centre.

(2) No operator of an entertainment centre shall install, allow to be installed or otherwise provide for use on the premises less than 4 or more than 150 vending machines offering games for amusement or entertainment.

(3) (a) No operator of an entertainment centre shall install, allow to be installed or otherwise provide for use on the premises any machine if it, or the operator, redeems successful play with money or with prizes that can be redeemed for money on the premises.

(b) No operator of an entertainment centre shall install, provide or conduct prize games if the outcome of such game is determined by chance or mixed chance and skill.

(4) No operator of an entertainment centre shall permit any customer, person or onlooker to enter or remain on the premises between the hours of 1:00 a.m. and 8:00 a.m. except that in the case of a person under the age of fifteen years no operator shall permit that person to enter or remain on the premises between the hours of 10:00 p.m. and 8:00 a.m. An operator of an entertainment centre shall be deemed to permit such play, operation or use if it occurs while the operator or an employee of the operator is present on the premises.

(5) No operator of an entertainment centre shall permit any person apparently or actually under the age of fifteen years to enter or remain on the premises between the hours of 8:00 a.m. and 3:00 p.m. on Mondays to Fridays inclusive, unless the day is a school holiday or unless the underage person is accompanied at all times by the person's parent, legal guardian or school teacher.

(6) Where reasonable doubt exists as to the age of a person desiring to enter or remain in an entertainment centre the operator shall not permit the person to enter or remain on the premises if the person is unable to provide documented proof of age.

(7) No operator of an entertainment centre shall allow any intoxicated person on the premises or allow any person on the premises to drink alcoholic beverages or take drugs or take part in any gambling.

(8) Every operator of an entertainment centre shall keep the premises clean, shall not cover up any windows in a manner so as to prevent a clear view of the interior of the premises, and shall not enclose individual activity areas in a manner which prevents views into the activity area.

(9) Every operator of an entertainment centre shall post in a conspicuous place a summary of the rules of conduct for customers, including the rules contained in this section 14.1.

EXOTIC DANCERS AND STRIPPERS

14.2 No person carrying on business in any premises, except for premises licensed under the *Liquor Control and Licensing Act*, shall permit a person to entertain others by stripping themselves of all or most of their clothing, or being naked, except in compliance with all of the following:

(a) there must be no physical contact between the entertainer and any person who is not an entertainer;

(b) the entertainer must remain in or on a stage area located outside of the general seating area;

(c) the entertainer and all persons viewing the performer must be 19 years of age or older;

(d) no animals, reptiles or birds must be involved in any aspect of the performance; and

(e) the premises must not be open between the hours of 2 in the morning and 8 in the morning.

FILM VIEWERS

15.1 No person carrying on a business shall offer for use or permit to be used any enclosed space containing a film viewer unless at least one side of the enclosure remains open and unobstructed for a distance of 7 feet measured vertically from the floor and at least two other sides are open for a distance of at least 30 inches measured in the same way.

15.2 No person carrying on a business shall permit any person to enter or remain in an enclosed space containing a film viewer between the hours of 1:00 a.m. and 6:00 a.m.

FAMILY SPORTS AND ENTERTAINMENT CENTRE

15.3 (1) The provisions of this section apply to all persons carrying on the business of operating a family sports and entertainment centre.

(2) No operator of a family sports and entertainment centre shall install, allow to be installed or otherwise provide for use on the premises less than 4 or more than 150 vending machines offering games for amusement or entertainment.

(3) (a) No operator of a family sports and entertainment centre shall install, allow to be installed or otherwise provide for use on the premises any machine if it, or the operator, redeems successful play with money or with prizes that can be redeemed for money on the premises.

(b) No operator of a family sports and entertainment centre shall install, provide or conduct prize games if the outcome of such game is determined by chance or mixed chance and skill.

(4) No operator of a family sports and entertainment centre shall permit any customer, person or onlooker to enter or remain on the premises between the hours of 1:00 a.m. and 8:00 a.m. except that in the case of a person under the age of fifteen years no operator shall permit that person to enter or remain on the premises between the hours of 10:00 p.m. and 8:00 a.m. An operator of a family sports and entertainment centre shall be deemed to permit such play, operation or use if it occurs while the operator or an employee of the operator is present on the premises.

(5) No operator of a family sports and entertainment centre shall permit any person apparently or actually under the age of fifteen years to enter or remain on the premises between the hours of 8:00 a.m. and 3:00 p.m. on Mondays to Fridays inclusive, unless the day is a school holiday or unless the underage person is accompanied at all times by the person's parent, legal guardian or school teacher.

(6) Where reasonable doubt exists as to the age of a person desiring to enter or remain in a family sports and entertainment centre the operator shall not permit the person to enter or remain on the premises if the person is unable to provide documented proof of age.

(7) No operator of a family sports and entertainment centre shall allow any intoxicated person on the premises or allow any person on the premises to drink alcoholic beverages or take drugs or take part in any gambling.

(8) Every operator of a family sports and entertainment centre shall keep the premises clean, shall not cover up any windows in a manner so as to prevent a clear view of the interior of the premises, and shall not enclose individual activity areas in a manner which prevents views into the activity area.

(9) Every operator of a family sports and entertainment centre shall post in a conspicuous place a summary of the rules of conduct for customers, including the rules contained in this section 15.3.

GAMES ROOM

16.1 (1) The provisions of this section apply to all persons carrying on any business except that of an arcade or shooting gallery.

(2) For the purposes of this section, an "amusement machine" is a machine on which a mechanical, electrical, automatic or computerized game is played and for which a coin or token must be inserted or a fee is charged for use.

(3) Any person who keeps three or less amusement machines is, for the purpose of this section, the operator of a "games room" and the premises in which such machines are kept is, for the purposes of this section, a "games room".

(4) (a) No person shall be the operator of a games room unless they are at least 19 years of age. No operator of a games room shall employ any person to work in a games room who is under nineteen years of age.

(b) This subsection does not apply to a person working in business premises containing both amusement machines and any other unrelated business so long as the person's duties do not include supervising the operation of the amusement machines or providing services to users of the machines.

(5) No operator of a games room shall permit an amusement machine to be played, used or operated between the hours of 10:00 o'clock in the afternoon (10:00 p.m.) and 10:00 o'clock in the morning (10:00 a.m.) of the following day from Sunday to Thursday or between the hours of 11:30 in the afternoon (11:30 p.m.) and 10:00 o'clock in the morning (10:00 a.m.) of the following day on Fridays or Saturdays. An operator of a games room shall be deemed to permit such play, operation or use if it occurs while the operator or an employee of the operator is present on the premises.

(6) No operator of a games room shall permit any person apparently or actually under the age of fifteen years to use, play or otherwise operate an amusement machine or loiter about an amusement machine between the hours of 10:00 o'clock in the morning (10:00 a.m.) and 3:00 o'clock in the afternoon (3:00 p.m.) on Mondays to Fridays inclusive or after 9:00 o'clock in the afternoon (9:00 p.m.) on Saturdays to Thursdays inclusive, unless such day is a weekday and a school holiday. An operator of a games room shall be deemed to permit such use, play or operation if it occurs while the operator or an employee of the operator is present on the premises.

(7) Where reasonable doubt exists as to the age of a person desiring to play an amusement machine, the operator or person having responsibility for the amusement machine shall not permit any person who is unable to provide documented proof of age to play an amusement machine.

(8) No operator of a games room shall allow any intoxicated person on the premises or allow any person on the premises to drink alcoholic beverages or take drugs or take part in any gambling, swearing or use of offensive language, or fight, or create any kind of disturbance; no operator of a games room shall do anything or

neglect to do anything that may cause the games room to become a place of vice, drunkenness, profane swearing, or indecent, obscene, blasphemous or grossly insulting language, or other immorality and indecency.

(9) Every operator of a games room shall keep the premises well lit and clean and shall not cover up any windows in a manner so as to prevent a clear view of the interior of the premises.

(10) Every operator of a games room shall post in a conspicuous place, near the amusement machines, a summary of the rules of conduct for customers including those rules contained in this By-law.

(11) The provisions of this section shall not apply to an establishment licensed under the *Liquor Control and Licensing Act*.

GASOLINE STATION

16.2 No person carrying on the business of a gasoline station shall employ any person as an attendant unless that person has successfully completed a training programme in fire safety and protection designed for service station employees and approved by the Fire Chief of the City of Vancouver.

GUARD DOGS

16.2A A person who uses, or suffers or permits the use of, a dog to secure, guard, or patrol the premises of a business, trade, profession, or other occupation must not permit, suffer, or allow the dog to:

(a) carry out its functions on a street or other public place;

(b) interfere with police or other emergency incidents; or

(c) chase or guard suspects other than on the property the dog is securing, guarding, or patrolling.

HEALTH ENHANCEMENT CENTRE

17.1 (1) The Inspector shall not issue a license for a health enhancement centre unless satisfied that either the applicant for the license or an officer of the applicant demonstrates a knowledge and understanding of the art and practice of reflexology, shiatsu, biokinesiology, hellework, polarity, reiki, rolfing or the trager approach, or any other therapeutic touch technique, and the Inspector may, in that regard, require the applicant or officer to take and pass an examination.

(2) Every person carrying on the business of a health enhancement centre shall ensure that all persons hired to administer a therapeutic touch technique are qualified in

that respect and have not been convicted of an offence under sections 212 or 213 of the *Criminal Code*.

(3) No person carrying on the business of a health enhancement centre shall employ any person to administer a therapeutic touch technique unless that person is at least 19 years of age.

(4) No person carrying on the business of a health enhancement centre shall remain open for business or administer a therapeutic touch technique between the hours of 12:00 midnight and 8:00 a.m.

(5) No person carrying on the business of a health enhancement centre shall allow any employee or other person on the premises to engage in or offer to engage in an act of prostitution.

HOME REPAIR CONTRACTORS

17.2 No person shall without express instructions from the owner or occupier of the premises, attend upon or canvass at any residential premises for the purpose of soliciting business that is any way connected with home repairs or alterations.

18. [Reserved]

LANDLORDS

19.1 (1) In this section,

"Landlord" means a person engaged in the business of providing residential accommodation in an unsubdivided multiple suite building whether personally, through an agent or otherwise, but does not include an association incorporated under the *Cooperative Association Act*;

"Rental Agreement" means an agreement, whether written or oral, express or implied, having a predetermined expiry date or not, providing for the occupation of residential accommodation;

"Unsubdivided Multiple Suite Building" means a building containing suites which have not been converted into strata lots pursuant to the *Strata Property Act*.

(2) No landlord, or person acting on behalf of a landlord, shall enter into a Rental Agreement or offer to enter into a Rental Agreement for a term, or series of terms, exceeding in total 20 years.

(3) No landlord, or person acting on behalf of a landlord, shall require a person occupying a suite pursuant to a Rental Agreement, to vacate that suite with the intention of granting possession of that suite under a Rental Agreement having a term, or series of terms, exceeding in total 20 years.

(4) REPEALED

LATE NIGHT DANCE EVENT

19.2 (1) No person shall promote, organize, or hold a late night dance event without having first obtained a late night dance event permit from the Inspector.

(2) No person shall

(a) advertise a late night dance event, or

(b) offer, distribute, or sell tickets for a late night dance event,

unless a late night dance event permit has been issued for that event.

(3) No person shall permit a late night dance event to be held on premises owned, operated, or controlled by that person unless a late night dance event permit has been issued for the event.

(4) A person applying for a late night dance event permit must make the application on the form provided by the Inspector and must submit it to the Inspector no less than six weeks before the day the event is to be held.

(5) The Inspector may, subject to subsections (6) and (7), issue a late night dance event permit for a single event which permit shall not be transferable and shall be valid only for the dates, times, and location specified in the permit.

(6) The Inspector must not issue a late night dance event permit unless the person applying for the permit is licensed under this By-law and has submitted

(a) a plan, approved by the Chief Constable, describing procedures to be put in place during a late night dance event to ensure the safety and security of all persons attending or participating in the event,

(b) a plan, approved by the Fire Chief, describing procedures for evaluating potential emergencies, contacting emergency service providers, and conducting an evacuation of the premises, and including floor plans of the premises showing all emergency exits, and

(c) a plan, approved by the Medical Health Officer, describing procedures for noise abatement and for dealing with health related matters.

(7) The Inspector must not issue a late night dance event permit if, in the opinion of the Inspector, the event would unreasonably affect a community or the City at large because of

(a) proximity to residential areas,

(b) lack of parking at or near the proposed location, or

(c) inadequate access to public transport.

(8) Notwithstanding the provisions of this By-law, the Inspector may refuse to issue or may cancel a late night dance event permit if

(a) in the opinion of the Chief Constable, the holding of the late night dance event could endanger public safety, or

(b) the applicant has failed to comply with a plan submitted under subsection (6) of this section.

(9) Every person applying for a late night dance event permit shall pay the prescribed fee set out in Schedule A upon approval of the application for the permit but before issuance of the permit.

(10) All sound amplification equipment and musical instruments used during a late night dance event must be contained completely within the building or structure described in the permit.

(11) The person organizing, promoting, or holding a late night dance event shall not permit

(a) the number of tickets offered, sold, distributed, or advertised for the late night dance event to exceed the maximum occupant load of the premises by more than ten percent, or

(b) the number of people in the premises to exceed the maximum occupant load.

LIQUOR ESTABLISHMENT

19.2A (1) The licensee of a liquor establishment must:

(a) wear, and cause each employee who works in the liquor establishment as a manager, door attendant, server, busser, or security person to wear, a name plate that is clearly visible and that shows an identification number;

(b) maintain a list showing the full name, address, telephone number, and identification number of any person required to wear such a name plate;

(c) allow the Inspector or Chief Constable to inspect and copy such list at any time;

(d) require that all serving and bar staff participate in a training program, satisfactory to the Inspector, that includes responsible serving practices, emergency procedures, preventing and managing aggressive behaviour, awareness of drug use and abuse, and city and provincial operating regulations;

(e) ensure that each new employee completes the training program referred to in section 19.2A(1)(d) within 120 days from his or her date of commencing employment;

(f) maintain a list showing the full name of each employee including the employee's date of employment, and completion date of training;

(g) allow the Inspector, Chief Constable, or city Fire Chief to inspect and copy such list at any time;

(h) refrain from selling, or offering for sale, an alcoholic beverage at a retail price of less than $3.00 per standard serving, inclusive of taxes, being:

(i) one fluid ounce of spirits having an alcoholic content of 17% or more, served on its own or in a mixed beverage,

(ii) five fluid ounces of wine having an alcoholic content of 1.5% or more, or

(iii) 20 fluid ounces of beer, cider or a cooler, having an alcoholic content of 1.5% or more;

(i) calculate pro rata the minimum price of an alcoholic beverage containing a fraction of one standard serving;

(j) use all reasonable efforts to conduct business in such a manner that customers awaiting entry into the liquor establishment do not obstruct sidewalks or entry or exit areas;

(k) if any part of the liquor establishment is less than 61 metres from any exterior wall of a residential use, ensure that:

(i) except in case of emergency, customers enter or exit the liquor establishment only by doors that have direct street access or access to a legal patio, and

(ii) except for the purpose of entering or exiting, all doors and windows of the liquor establishment remain closed between 11 p.m. and 9 a.m.;

(l) be present, or appoint a designate who has management experience to be present, in the liquor establishment when it is open;

(m) post signage that is clearly visible to customers, and satisfactory to the Inspector:

(i) on the interior wall of the liquor establishment, directly adjacent to all exits, requesting customers to respect the adjacent neighbourhood as they leave, and

(ii) outside each entry to the liquor establishment, providing a management contact number for complaints during operating hours; and

(n) after closing each day and before 7 a.m., clean up all litter associated with the liquor establishment in and about the exterior of the liquor establishment.

(2) The licensee of a standard hours liquor establishment - class 7 or extended hours liquor establishment - class 7 must:

(a) maintain, at the liquor establishment, a current list of names and addresses of members of the club in which the liquor establishment is situate;

(b) allow only members of the club and their guests, as permitted by this section, to attend the liquor establishment;

(c) require members to sponsor guests, and to sign in the guests in a guest register including the name and address of the guest and the date; and

(d) allow the Inspector or Chief Constable to inspect and copy the guest register at any time, and retain any guest register for two years.

(3) The licensee of a standard hours liquor establishment – class 3, standard hours liquor establishment – class 4, standard hours liquor establishment – class 5, standard hours liquor establishment – class 6, extended hours liquor establishment – class 3, extended hours liquor establishment – class 4, extended hours liquor establishment – class 5, or extended hours liquor establishment – class 6 must:

(a) require that each employee the licensee hires to provide security, and uses to satisfy the requirements of subsection (c), participates in a training program, satisfactory to the Inspector, that includes access control, search techniques, personal safety, conflict management and incident report writing;

(b) ensure that each employee referred to in subsection (a) completes the training program referred to in section 19.2A(3)(a) within 120 days from his or her date of commencing employment;

(c) ensure that at least one trained security employee for every 150 customers, based on the total liquor license capacity of the liquor establishment, and at least two staff members, are on duty in the liquor establishment from and after the earlier of:

(i) 9 p.m., and

(ii) the number of customers exceeding 150,

until closing.

(4) The licensee of an extended hours liquor establishment must:

(a) install and maintain surveillance cameras at all entrances and exits to and from the liquor establishment, and in any parking lot on the property of the liquor establishment;

(b) position and maintain the surveillance cameras to record all activities at the entrances, exits, and any parking lot referred to in subsection (a) during all hours the liquor establishment is open for business and during all hours customers are entering or exiting the liquor establishment or parking lot;

(c) ensure that the surveillance cameras produce useable images; and

(d) retain the video tapes for at least 21 days.

(5) The licensee of a standard hours liquor establishment – class 5, standard hours liquor establishment – class 6, extended hours liquor establishment – class 5, or extended hours liquor establishment – class 6 must ensure that one employee who

has first aid certification is on duty in the liquor establishment from and after the earlier of:

(a) 9 p.m., and

(b) the number of customers exceeding 500,

until closing.

(6) The licensee of an extended hours liquor establishment – class 3, extended hours liquor establishment – class 4, extended hours liquor establishment – class 5 or extended hours liquor establishment – class 6 must:

(a) between 9 p.m. and closing, at each entrance, screen, by use of a metal detector, every person who wishes to enter or re-enter the liquor establishment, and that person's belongings;

(b) if using a hand-held metal detector, complete a full, front and back, head to toe body scan of each person; and

(c) if a metal detector positively indicates metal in connection with a person or his or her belongings and if the person cannot eliminate the positive indication, refuse the person entry to the liquor establishment.

(7) The licensee of an extended hours liquor establishment, except for an extended hours liquor establishment – class 1, must:

(a) submit, with the application for a license, an acoustical report, prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the design and construction of the establishment is capable of ensuring identified maximum permissible sound levels generated from the liquor establishment will comply with the noise or sound level requirements of the Noise Control By-law that apply to the liquor establishment; and

(b) if the acoustical report requires the installation of bass and sound-level limiting equipment on sound systems, set such equipment to warn the licensee when the sound levels of such sound systems are within five decibels (dBA or dBC) of the limits set out in sections 11D and 11E of the Noise Control By-law.

(8) If the Inspector or Council suspends a license for an extended hours liquor establishment, and states that the suspension results from or is in connection with the extended hours of that establishment or would not have occurred but for such extended hours:

(a) the licensee may apply for a license for a standard hours liquor establishment of the same class for the balance of the calendar year in which the suspension occurs, and, if the suspension carries over into the next calendar year, may apply for a license for a standard hours liquor establishment of the same class for the next calendar year as well;

(b) Council deems any license for a standard hours liquor establishment referred to in subsection (a) to take effect immediately after the date and hour the suspension of the license for the extended hours liquor establishment takes effect; and

(c) once the suspension ends, the licensee may surrender any then current license referred to in subsection (a), and resume operating under the license for the extended hours liquor establishment.

(9) If Council revokes a license for an extended hours liquor establishment, and states that the suspension results from or is in connection with the extended hours of that establishment or would not have occurred but for such extended hours, the licensee may apply for a license for a standard hours liquor establishment of the same class for the balance of the calendar year.

(10) If:

(a) a person applies for a license for a standard hours liquor establishment under subsection 8 or 9, and

(b) in the case of a suspension that carries over into the next calendar year, also applies and pays the fee set out in Schedule A for the suspended extended hours license,

then, despite anything to the contrary in this By-law, the fee for the temporary license for the standard hours liquor establishment will be as set out in Part 3 of Schedule B to this By-law.

LODGING HOUSE OPERATOR

19.3 (1) Every person carrying on the business of a lodging house shall, before allowing any lodger to take possession of accommodation, enter into a register kept for such purpose, in at least the English language:

(a) the full name and permanent or last address of every such lodger;

(b) an identification, either by number or description, of the accommodation allotted to every such lodger;

(c) the hour and date every such lodger takes possession;

and shall also enter into the register:

(d) the hour and date every such lodger gives up possession.

(2) Every person carrying on the business of a lodging house shall keep a book containing copies of receipts for all rental monies received for accommodation in the lodging house.

(3) The register and receipt book referred to in subsections (1) and (2) shall:

(a) be kept at all times on the lodging house premises; and

(b) upon request be made available for inspection by the Inspector or the Chief Constable.

(4) Every person carrying on the business of a lodging house, or someone authorized by such person, shall once in every 24 hours satisfy himself or herself that every lodger on the premises is alive and able to call for medical help if necessary.

(5) Where a lodger urgently requiring medical help is unable to make a call for such help, the person carrying on the business of lodging house, or someone authorized by such person, shall immediately so notify the Chief Constable.

(6) For the purpose of this section a person named as an operator in a permit to operate a lodging house granted by the Director of Permits and Licenses pursuant to the Standards of Maintenance By-law shall be deemed to be a person carrying on the business of a lodging house.

MARINA OPERATORS

20.1 (1) The initial fee payable in each year for a marina operator's license shall be based upon the number and lengths of occupied live-aboard boats moored at the marina at any time in December of the preceding year and the same shall be calculated as provided in Schedule "A" of this By-law.

(2) The initial fee shall be paid on or before the last day of January and it shall be a credit on account of the final fee.

(3) The final fee payable in each year for a marina operator's license shall be based upon the number and lengths of occupied live-aboard boats moored at the marina during the current license year, and the duration of such moorage and the same shall be calculated as provided in this section and Schedule "A" of this By-law.

(4) The final fee shall be paid on or before the last day of December of the license year.

(5) If a live-aboard boat becomes an occupied live-aboard boat at any time in the license year, for each such boat there shall be included in the final fee the sum calculated by multiplying that part of the initial fee prescribed in Schedule "A" for an occupied live-aboard boat of that length by a certain fraction the numerator of which is the number of whole months in the year counted from the day before the first day in the year when such live-aboard boat stood moored at the marina and the denominator of which is twelve (12).

(6) If an occupied live-aboard boat departs from the marina, the marina operator shall pay to the party who last paid moorage fees for that boat the sum calculated by multiplying that part of the initial fee prescribed in Schedule "A" for an occupied live-aboard boat of that length by a certain fraction the numerator of which is the number of whole months remaining in the year counted from the day of departure, and the denominator of which is twelve (12). Any sums paid pursuant to this subsection (6) shall be a credit on account of the final fee.

(7) For each license year every marina operator shall keep and preserve a written and legible record in journal form in which shall be recorded in respect of each occupied live-aboard boat moored at the marina the following information:

(a) its description including length and name, if named, and number, if numbered, and letters, if lettered;

(b) its owner;

(c) the name of the party paying the moorage fees if the same are not paid by its owner;

(d) the name, number, letter or other feature which identifies the berth at which it is moored;

(e) whether it was moored at the marina on the first day of the year;

(f) the first day it moored at the marina;

(g) the number of days it was occupied as a place of human abode;

(h) the date of its departure from the marina;

(i) that part of the initial fee payable in respect of the boat;

(j) the amount, if any, paid pursuant to subsection (6) and the full name of the party to whom such sum was paid;

(k) that part of the final fee payable in respect of the boat.

(8) Contemporaneously with the application for the current year's license, every party who, at any time during the immediately preceding license year, held a license issued pursuant to this By-law to operate the marina which is the subject of the application shall lodge with the Chief License Inspector a statutory declaration which includes a true copy of the records covering the preceding year as required pursuant to subsection (7) and which declares whether the facts so disclosed are true. If one of the parties who held the marina operator's license at any time during the preceding license year is an incorporated body, then each and every of its directors shall file a statutory declaration as aforesaid. Each statutory declaration shall be in a form satisfactory to the Chief License Inspector who may refuse the issuance of a marina operator's license until the provisions of this subsection (8) are satisfactorily complied with.

(9) If the initial fee exceeds the final fee the difference shall be refunded to the licensee.

(10) A marina operator must:

(a) post and maintain notices that are visible to users of the marina, in conspicuous locations:

(i) in the marina prohibiting the discharge of sewage or oil,

(ii) in the marina stating the location of garbage containers, and that a person may dispose of garbage only at the garbage container area, and

(iii) on the docks of a marina indicating the location of sanitary facilities and laundry rooms;

(b) provide an adequate number of covered containers for the collection of garbage located conveniently where they are readily visible and available for use;

(c) provide for the regular servicing and emptying of garbage containers so as to prevent overflowing, foul odours, fly breeding, and the attracting of pests;

(d) provide containers designed for the collection and disposal of special waste from the marina operation;

(e) maintain the marina and property and buildings free of pests and conditions which attract, provide harbourage for, or promote the

propagation of, pests;

(f) ensure that there is at least one public telephone available at all times within the marina for emergency use; and

(g) ensure that separate sanitary facilities are available for use 24 hours each day while the marina is operating.

NEIGHBOURHOOD THEATRE

21.1 No person shall permit any theatrical, operatic or dramatic performance, vaudeville or similar exhibitions, or the projection or display of moving pictures in a neighbourhood theatre between the hours of 1:00 a.m. and 8:00 a.m. on any day.

22. [Reserved]

PEDDLERS

23.1 Every peddler engaged in carrying on such business or trade must carry their business licence and must produce it to the Inspector, a police officer, or a customer upon request.

PET STORES

23.2 A licensee of a pet store must:

(a) give each animal in the pet store sufficient water, food, shelter, warmth, lighting, cleaning, sanitation, exercise, grooming, and any other care required to maintain the health, safety, and well-being of the animal;

(b) prohibit any member of the public, except under the supervision of an employee, from handling any animal in the pet store;

(c) maintain each enclosure in the pet store in good repair;

(d) keep each enclosure in a clean and sanitary condition;

(e) disinfect each enclosure and keep it free of offensive or disagreeable odours;

(f) keep each enclosure free of all animal waste;

(g) keep each enclosure appropriately ventilated to maintain acceptable air quality and humidity;

(h) keep each enclosure suitably lighted;

(i) cause each enclosure to be proportionate in size to the size and species of animal contained or confined in it, and to allow room for the animal to stand to its full height, turn around with ease, and perform any other normal postural or behavioural movement;

(j) equip each enclosure with a clean water source accessible at all times by any animal contained or confined in it, and with a food container suitable for the species of animal;

(k) cause each enclosure which contains or confines a cat to:

(i) have a floor with an impermeable surface,

(ii) be able to support the weight of a cat without bending, and

(iii) include a litter pan made from non-absorbent material or a disposable pan containing sufficient litter;

(l) cause each enclosure which contains or confines more than one cat to include an elevated platform or surface of adequate size to hold the number of cats in the enclosure;

(m) cause each enclosure which contains or confines a dog to:

(i) have a floor with an impermeable surface, and

(ii) be able to support the weight of a dog without bending;

(n) cause each enclosure which contains or confines a bird to:

(i) consist of materials which are impervious to moisture,

(ii) have a removable and impermeable bottom, and

(iii) be of sufficient size and dimension to enable all birds perched in the enclosure at the same time to extend their wings fully in every direction;

(o) cause each enclosure which contains or confines a finch or canary to:

(i) contain two perches, mounted so as to encourage flight between each perch, and

(ii) be of sufficient size and dimension to enable all birds perched in the enclosure at the same time to sit;

(p) cause a veterinarian to examine and treat promptly any ill or injured animal in the pet store;

(q) perform any necessary euthanasia of any animal in the pet store, and dispose of any dead animal from the pet store, under the supervision of a veterinarian, or cause a veterinarian to undertake such euthanasia or disposal;

(r) post in a conspicuous place, and make accessible to all employees of the pet store, the name and telephone number of a veterinarian whom an employee may contact to provide all necessary health-related services;

(s) provide an area in the pet store for the segregation, from other animals, of any animal who is injured, ill, or in need of special care, treatment, or attention;

(t) if an animal in the pet store is, or appears to be, suffering from a disease transmittable to humans or other animals:

(i) if a veterinarian is not available, cause any person qualified and experienced in the care and treatment of the species concerned to examine and treat the animal promptly, and, when a veterinarian is available, comply with subsection (p),

(ii) if instructed to do so by a veterinarian after examination of such an animal, notify the Medical Health Officer, and

(iii) isolate such an animal from healthy animals until a veterinarian or the Medical Health Officer has determined that such animal is free from the disease in question;

(u) upon receipt of confirmation from a veterinarian or the Medical Health Officer, that an animal:

(i) has a disease, not permit such animal to come into contact with, or be in danger of transmitting the disease to, other animals, or

(ii) is suffering from an incurable disease, make arrangements to have it immediately destroyed in a manner approved by the Medical Health Officer;

(v) keep and maintain a legible pet store register in the pet store containing a record of each transaction in which the licensee has acquired or disposed of a dog or cat, except for a dog or cat owned by and sold for the BC SPCA, including the following information:

(i) the name and address of the person from whom the licensee acquired the dog or cat,

(ii) the date of the acquisition,

(iii) a description of the sex and colouring of the dog or cat, and of any tattoo, microchip number, or other identifying marking,

(iv) the date the licensee disposed of the dog or cat, and

(v) if the disposition is other than by sale, the method of and reason for such disposition;

(w) produce the pet store register referred to in subsection (v) for inspection at the request of a the Inspector and provide copies of any entries required by the Inspector;

(x) retain each transaction recorded in the pet store register for at least 12 months from the date of the transaction;

(y) at the time of the sale of an animal, except for a rodent or small bird, provide the purchaser with a written record of sale including the following information:

(i) a description of the animal,

(ii) the date of sale,

(iii) the name and address of the pet store,

(iv) a description of the animal, including its species, sex, age, colour and markings,

(v) a description of any tattoo,

(vi) the breed or cross breed, if applicable, and

(vii) a record of all vaccinations;

(z) at the time of the sale of a dog or cat, except for a dog or cat owned by and sold for the BC SPCA, provide the purchaser with a current certificate indicating the proof and date of inoculation and de-worming;

(aa) at the time of the sale of an animal, except for a rodent or small bird, provide the purchaser with written instructions on the proper care and feeding of the animal, including:

(i) appropriate diet including any special dietary needs,

(ii) proper handling techniques,

(iii) basic living environment and type of enclosure, if applicable, including appropriate temperature, lighting, humidity control, or other requirements specific to the animal,

(iv) any exercise needs, and

(v) any other care requirements to maintain the health and well-being of the animal;

(bb) not confine incompatible species of animals in the same enclosure;

(cc) not separate any animal from its mother prior to it being weaned, except for birds which the licensee separates for the purpose of hand feeding; and

(dd) not sell, offer to sell, or display to the public:

(i) any animal which suffers from or exhibits signs of an infectious or contagious disease, a nutritional deficiency, parasitism, fractures, or congenital deformities, or

(ii) any dangerous or exotic animal prohibited under the Animal Control By-Law or Business Prohibition By-Law.

POSTAL RENTAL AGENCY

23.3 (1) No person carrying on the business of or operating a postal rental agency shall rent, lease, sell or otherwise deliver possession of a postal box or provide a pickup or delivery service of mail to any person without first

(a) verifying the name and current residential address, by means of picture identification, of the person requesting the rental, lease, purchase or other possession of a postal box or the pickup or delivery service, and

(b) receiving an indication in writing from the person requesting the rental, lease, purchase or other possession of a postal box of whether or not they intend to use the postal box for business purposes.

(2) Every person carrying on the business of or operating a postal box rental agency shall maintain a list containing

(a) the name and current residential address, confirmed by way of picture identification, of every person who rents, leases, buys or has possession of a postal box on the premises or who receives the pickup or delivery service,

(b) the type of picture identification used to confirm the particulars required in clause (a) and the date on which it was used to confirm these particulars, and

(c) in the case of a postal box, an indication of whether or not that person intends to use the postal box for business purposes

and shall make the list available for inspection by the Chief License Inspector or the Chief Constable.

PUBS

24.1 DELETED

RENTAL AGENCY

24.2 DELETED

RESTAURANTS

24.3 (1) DELETED

(2) Council prohibits live entertainment in a Restaurant – Class 1 or Restaurant – Class 2 after midnight and before 9 a.m.

(3) The owner or operator of a restaurant – class 1 with liquor service or restaurant – class 2 with liquor service must:

(a) not serve, or allow the serving of, liquor to any customer between:

(i) 1 a.m. and 9 a.m. on Monday to Friday, and

(ii) 2 a.m. and 9 a.m. on Saturday or Sunday;

(b) not allow liquor on tables between:

(i) 1:30 a.m. and 9 a.m. on Monday to Friday, and

(ii) 2:30 a.m. and 9 a.m. on Saturday or Sunday;

(c) during all hours of allowable liquor service, offer the full restaurant menu to customers;

(d) have financial records, and a ratio of receipts from food sales to liquor sales, that are consistent with a restaurant use;

(e) keep the records and receipts referred to in subsection (d) for at least one year, and show them to the Inspector upon request; and

(f) keep sales receipts for all sales of food and liquor for at least one year, and show them to the Inspector upon request.

RETAIL - DISPLAY OF KNIVES

24.4 (1) No person carrying on business as a retail dealer, a pawnbroker or a transient trader shall display or permit to be displayed on a street or in any window facing a street, or elsewhere where it can be seen by a person outside the premises, any of the following:

(a) throwing knife;

(b) combat knife;

(c) any knife possessing a stiletto blade;

(d) any other knife designed primarily as a weapon.

(2) No person carrying on business as a retail dealer, a pawnbroker or transient dealer shall display or permit to be displayed a knife in the immediate or close context with a weapon of any kind.

25.1 DELETED

SKATING RINK

25.2 No person who carries on the business of operating a skating rink shall permit any person to skate therein between the hour of midnight and the hour of six o'clock in the following morning.

SOCIAL ESCORT SERVICE

25.3 (1) Every applicant for a license to operate as a Social Escort Service shall include in the application the trade name or names under which such business will operate and advertise.

(2) Every person who intends to operate or advertise a Social Escort Service under a trade name other than that specified in the application for a license shall notify the Inspector in writing of the intended trade name at least 14 days prior to its use.

(3) No person carrying on the business of a Social Escort Service shall offer the services or name of any Social Escort, or introduce customers or potential customers to any Social Escort, unless that escort is at least 19 years old.

(4) No person carrying on the business of a Social Escort Service shall offer the services or name of any person required to be licensed pursuant to this By-law unless that person is so licensed.

(5) At all times during which the premises specified in the license application as the place of business of the Social Escort Service are open for business the operator or a licensee or employee shall be present on the premises.

(6) Every person carrying on the business of a Social Escort Service shall:

(a) maintain on the premises a list of all current employees and all persons being handled on an agency basis; and

(b) upon request make such list available for inspection by the Inspector or the Chief Constable.

SOLICITING FOR CHARITY

25.4 (1) No person shall carry on any soliciting for charity without first obtaining or being the holder of a license for the specific or particular object or purpose for which the soliciting is to be done.

(2) The provision of subsection (1) shall not apply to appeals made by church organizations, religious denominations or other bona fide societies where such appeals are made solely and exclusively to members of such organizations or societies.

(3) Notwithstanding any other provision of this By-law, a license to permit soliciting for charity on a street may only be issued by Council.

SOUND AMPLIFICATION EQUIPMENT

25.5 Where any sound amplification equipment is used for musical reproduction on any premises licensed under this By-law, all components of such equipment shall be contained within the building.

25.5A DELETED

STEAMBATH AND MASSAGE PARLOUR

25.6 (1) No person owning, keeping, maintaining or operating any bath, steam bath, or massage parlour shall allow or permit any person of the male sex to act therein as an attendant or employee in respect of any person, customer or patron of the female sex; or allow or permit any person of the female sex to act as an attendant or employee therein in respect of any person, customer or patron of the male sex; nor shall any person so owning, keeping, maintaining or operating any bath, steam

bath, or massage parlour attend, treat or serve any person, customer or patron thereof of the opposite sex.

(2) Every person owning, keeping, maintaining or operating any bath, steam bath, or massage parlour shall provide and keep therein a written and legible record in journal form of all persons using the facilities of the said bath, steam bath, or massage parlour, and shall require every such person upon entering the bath, steam bath, or massage parlour to record his or her name and home address together with the date and time of registration in such register.

(3) No person owning, keeping, maintaining or operating any steam bath shall allow persons of the opposite sex to occupy the same room or adjoining rooms with an inter-communicating door or which have doors opening into a common steam room. PROVIDED, however, that a person may maintain a steam bath having a family room intended to be occupied and occupied by members of the same family, if such room is closed off from the rest of the steam bath by a door.

(4) Every person owning, keeping, maintaining or operating any bath, steam bath, or massage parlour shall ensure that the interior of the premises is at all times during business hours illuminated to a minimum of ten foot candles in every part thereof.

TAXBUYER

26.1 (1) Where any person assigns his or her right to an income tax refund to a Taxbuyer, the amount that such Taxbuyer shall pay to such person in return for the assignment of such refund shall not be less than eighty-five per cent thereof where such refund exceeds One Hundred Dollars or where such refund is less than One Hundred Dollars, the amount of the refund less Fifteen Dollars.

(2) When a Taxbuyer receives such income tax refund and the amount exceeds the amount assigned by the taxpayer, such excess shall be remitted to the taxpayer.

(3) On or before the 30th day of September in each year, every Taxbuyer shall file a list of all income tax refunds where the sum actually refunded exceeded the amount assigned. Such filing shall state the name and address of the taxpayer, the
amount actually refunded, the amount actually assigned, and the disposition of the excess.

TENANT LISTING SERVICE

26.2 (1) No person carrying on the business of a Tenant Listing Service shall:

(a) accept information concerning a tenant unless the information is received in written form, and the source of the information is clearly identified;

(b) cause to be placed on their file any information about a person unless that person has been made aware of the information. In the event the person does not agree with the facts contained in the information, the Tenant Listing Service shall take the necessary steps to verify the information;

(c) divulge information on their file to any landlord or other person without the written consent of the person to whom the information concerns;

(d) charge a fee to any person wishing to be informed if their name is on the Tenant Listing file.

(2) Clause (c) of subsection (1) shall not apply to the Chief License Inspector or Chief Constable and all records of a Tenant Listing Service shall be open at all reasonable times for their inspection.

(3) Every person carrying on the business of a Tenant Listing Service shall cause to be removed from the Tenant Listing file, the name of any person who has not been subject of a report for a continuous period of one year.

THEATRES

26.3 (1) No person occupying or having control of a neighbourhood theatre located within 1000 feet of a school shall exhibit or permit to be exhibited an adult motion picture between the hours of 1:00 a.m. and 9:00 p.m.

(2) No person occupying or having control of a theatre other than a neighbourhood theatre, which is located within 1000 feet of a school, shall exhibit or permit to be exhibited an adult motion picture between the hours of 1:00 a.m. and 9:00 p.m.

VENDING MACHINES

27.1 (1) No person owning or occupying any building or premises shall keep or permit to be kept therein or thereon any vending machine or bank machine unless such machine is licensed under the provisions of this By-law.

(2) DELETED

(3) No person shall install or permit the installation of, nor shall any person maintain a tobacco or cigarette machine in or upon any premises that are not under the supervision or control of an adult person.

(4) No owner or occupier of any premises shall permit the number of vending machines or bank machines owned or kept upon the premises to be increased without first notifying the Inspector in writing of the increase in number.

VIDEO LOTTERY TERMINALS

27.2 [Declared Void - Order, Supreme Court of British Columbia. A963907(VR) - Dec. 18, 1996]

GENERAL

28. No person holding or required to hold a license for the carrying on of any trade, business or occupation under the provisions of any by-law of the City of Vancouver shall refuse to sell any goods or furnish any service, or supply any accommodation, to a person by reason only of such person's race, creed, colour, religion, sex, marital status, physical or mental disability, nationality, ancestry, place of origin or political beliefs.

PAYMENT OF FEES

29. (1) Every person required to be licensed under the provisions of this By-law shall pay the prescribed license fee on or before the date fixed for payment.

(2) The date fixed for payment shall be:

(a) in the case of a person required to be licensed by January 1 in any year, on or before the January 15 in that year; and

(b) in every other case, 30 days after the date of the notice billing a person for a license.

(3) Every person who has failed to pay the prescribed license fee on or before the date fixed for payment shall pay to the City an additional amount equal to the greater of $40.00 and an amount equal to 10% of the license fee.

(4) In the event that City Hall is closed on the date fixed for the payment of any license fee, such license fee may be paid without penalty on the next day on which the City Hall is open for business.

(5) Notwithstanding the provisions of this section no penalty shall be payable for late payment of a fee for a vending machine license.

OFFENCES AND PENALTIES

30. (1) Every person who violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-law or who neglects to do or refrains from doing anything required to be done by any of the provisions of this By-law or who does any act which violates any of the provisions of this By-law, shall be deemed to be guilty of an offence against this By-law and liable to the penalties hereby imposed.

(2) Every person who commits an offence against this by-law is punishable on conviction by a fine of not less than $250.00 and not more than $2,000.00 for each offence.

(3) Every person who commits an offence of a continuing nature is liable to a fine not exceeding $50.00 for each day such offence is continued.

(3) Despite the minimum fine referred to in subsection (2), every person who commits an offence against section 17.1 is liable to a fine of not less than $500.00 for each offence, and every person who commits an offence against section 25.3 is liable to a fine of not less than $1000.00 for each offence.

REPEAL CLAUSE

31. By-laws Numbers 1421, 1436, 2308, 2944, 3608, 3653, 3846, 4025, and 4082, and amendments thereto, are hereby repealed, but not so as to revive any provision not contained herein.

This by-law shall come into force and take effect on the 1st day of January, 1970.

DONE AND PASSED in open Council this 23rd day of September, 1969.

(Signed) "Thomas J. Campbell"
Mayor

(Signed) "R. Thompson"
City Clerk

Year 2012 Business License Fees

SCHEDULE A

BUSINESS LICENSE FEES

	Licence Fee	Licence Term
ADULT ENTERTAINMENT STORE	317.00	per annum
AMUSEMENT PARK	4,687.00	per annum
ANIMAL/VETERINARY HOSPITAL	236.00	per annum
ANTIQUE DEALER	126.00	per annum
APARTMENT BUILDING	63.00	per annum per dwelling unit (EXCEPT that a dwelling unit that is actually occupied by the owner of the premises, or a dwelling unit that is leased for 99 years or more and the lessee is eligible for and has received the Provincial Home Owner Grant for the preceding year, shall not be included in the calculation of the fee payable)
ARCADE, EXHIBIT or SHOOTING GALLERY	317.00	per annum
ARTIST LIVE/WORK STUDIO	126.00	per annum
AUTO DEALER	154.00	per annum
AUTO PAINT/BODY SHOP	126.00	per annum
AUTO PARKING	126.00	per annum
AUTO WASHING	126.00	per annum
BACKYARD PAY PARKING	119.00	per annum for the first 2 spaces, and

	51.00	for each additional space
BANK MACHINE	51.00	per annum
BARBER SHOP OR BEAUTY SALON	233.00	per annum
BEAUTY AND WELLNESS CENTRE	301.00	per annum
BED AND BREAKFAST ACCOMMODATION	43.00	per annum
BILLIARD-ROOM KEEPER	256.00	per annum
BODY-RUB PARLOUR, BODY-PAINTING STUDIO & MODEL STUDIO	9,694.00	per annum
BOOK AGENT	154.00	per annum
BOTTLE DEPOT	154.00	per annum
BOWLING ALLEY	236.00	per annum
C.N.I.B. CONCESSION STAND	1.00	per annum
CANVASSER	126.00	per annum
CARPET/UPHOLSTERY CLEANER	154.00	per annum
CASINO - CLASS 1	247.00	per annum
CASINO – CLASS 2	11,098.00	per annum
CATERER	340.00	per annum
CHIMNEY SWEEP	154.00	per annum
CLUB	10.00	per annum
CLUB MANAGER	126.00	per annum
COIN-OPERATED SERVICES	340.00	per annum

COMMUNITY ASSOCIATION	2.00	per annum
CONTRACTOR	154.00	per annum
COURIER/MESSENGER	126.00	per annum
DAIRY	340.00	per annum
DANCE HALL	256.00	per annum
DANCING ACADEMY	154.00	per annum
DATING SERVICE	154.00	per annum
DRY CLEANER	126.00	per annum
DUPLEX	61.00	per annum for each dwelling unit (EXCEPT that no license is required for a dwelling unit that is actually occupied by the owner of the premises)
DWELLING UNIT that a person rents, intends to rent, or customarily rents to a tenant except for a dwelling unit for which a fee is payable under another part of this Schedule A	61.00	per annum
ELECTRICIAN	126.00	per annum
EXHIBITION		
(a) Circus or Rodeo EXCEPT that where the Circus or Rodeo is to be held or exhibited entirely within a permanent building, the fee shall be	145.00 291.00 2,731.00	per day per week per annum
(b) Horse Racing	11,098.00	per annum
(c) Automobile or Motorcycle Racing	145.00	per day

		291.00	per week
		1,111.00	per annum
(d)	Concert, lecture or a musical or theatrical performance staged or promoted by a person not holding a license, where the capacity of the facility.....		
	(A) does not exceed 500 seats	126.00	per day or
		250.00	per week or
		2,731.00	per annum
	(B) is greater than 500 seats but does not exceed 1000 seats	145.00	per day or
		291.00	per week or
		2,559.00	per annum
	(C) is greater than 1000 seats but does not exceed 2000 seats	170.00	per day or
		340.00	per week or
		3,413.00	per annum
	(D) exceeds 2000 seats	196.00	per day or
		385.00	per week or
		3,929.00	per annum
	EXCEPT that where no part of the proceeds from any event listed in (c) or (d) enures to the benefit or private gain of any person or proprietor or member thereof or shareholder therein, or to the person or persons organizing or managing such event, the fee shall be	34.00	per day or
		43.00	per week or
		1,707.00	per annum
(e)	Boxing, wrestling, game, show, contest or any other exhibit, performance or device not hereinbefore specifically		

mentioned	145.00 291.00 2,559.00	per day or per week or per annum
EXTENDED HOURS LIQUOR ESTABLISHMENT - CLASS 1 EXTENDED HOURS LIQUOR ESTABLISHMENT - CLASS 2 EXTENDED HOURS LIQUOR ESTABLISHMENT - CLASS 3 EXTENDED HOURS LIQUOR ESTABLISHMENT – CLASS 4 EXTENDED HOURS LIQUOR ESTABLISHMENT – CLASS 5 EXTENDED HOURS LIQUOR ESTABLISHMENT – CLASS 6 EXTENDED HOURS LIQUOR ESTABLISHMENT – CLASS 7	14.30	Per annum per seat, based on the number of seats set out on the Provincial liquor license for the establishment, except that despite the number of seats, the minimum fee will be $126.00 and the maximum fee will be $19,389.00
FAMILY SPORTS AND ENTERTAINMENT CENTRE	305.00	per annum
FARMERS' MARKET	10.00	per annum
FINANCIAL INSTITUTION	1,298.00	per annum
FITNESS CENTRE – CLASS 1	126.00	per annum
FITNESS CENTRE – CLASS 2	236.00	per annum
FUND RAISER	154.00	per annum
GASOLINE STATION	190.00	per annum
HAIR STYLIST	126.00	per annum per chair
HAIRDRESSER	126.00	per annum per chair
HEALTH CARE OFFICE	126.00	per annum
HEALTH ENHANCEMENT CENTRE	237.00	per annum
HOMECRAFT	65.00	per annum

HOTEL	65.00	per annum, plus
	61.00	per annum per dwelling unit
	45.00	per annum per housekeeping unit
	29.00	per annum per sleeping unit
JANITOR SERVICE	154.00	per annum
JUNK DEALER, MOBILE	126.00	per annum
KENNEL	126.00	per annum
LATE NIGHT DANCE EVENT	276.00	per event with patron capacity of less than 350
LATE NIGHT DANCE EVENT	488.00	per event with patron capacity of 350 or more but less than 750
LATE NIGHT DANCE EVENT	833.00	per event with patron capacity of 750 or more but less than 2000
LATE NIGHT DANCE EVENT	1,111.00	per event with patron capacity of 2000 or more
LAUNDRY (with equipment)	236.00	per annum
LIMITED SERVICE FOOD ESTABLISHMENT	460.00	per annum
LIQUOR DELIVERY SERVICE	154.00	per annum
LIQUOR RETAIL STORE	354.00	per annum
LIVERY AND FEED STABLES	236.00	per annum
LOCKSMITH	154.00	per annum

MANUFACTURER	126.00	per annum
MANUFACTURER – FOOD	666.00	per annum
MARINA OPERATOR	221.00	per annum plus
	1,157.00	for each occupied live-aboard boat 21 feet or less in length, at water line, plus
	1,399.00	for each occupied live-aboard boat more than 21 feet but not more than 26 feet in length, at water line, plus
	1,575.00	for each occupied live-aboard boat more than 26 feet but not more than 31 feet in length, at water line, plus
	1,797.00	for each occupied live-aboard boat more than 31 feet but not more than 37 feet in length, at water line, plus
	1,982.00	for each occupied live-aboard boat which is more than 37 feet in length at water line.
MILK VENDOR	236.00	per annum
MOBILE FOOD VENDING	123.00	per annum
MOVING TRANSFER SERVICE	126.00	per annum
MULTIPLE CONVERSION DWELLING	61.00	per annum per dwelling unit
	45.00	per annum per housekeeping unit
	29.00	per annum per sleeping unit

		(EXCEPT that a dwelling unit, sleeping unit or house keeping unit that is actually occupied by the owner of the premises shall not be included in the calculation of the fee payable)
NEWSPAPER VENDING MACHINE	33.00	per annum per machine
NON-PROFIT HOUSING	126.00	per annum
ONE-FAMILY DWELLING which is leased to and occupied by persons other than the building's owner	61.00	per annum
PACIFIC NATIONAL EXHIBITION - Annual Fair	15,541.00	per annum
PAINTER	126.00	per annum
PAWNBROKER	1,972.00	per annum
PEDDLER	126.00	per annum
PEDDLER – FOOD	236.00	per annum
PERSONAL CARE HOME	29.00	per annum per licensed bed
PET STORE	236.00	per annum
PLUMBER	126.00	per annum
PSYCHIC OR ASTROLOGICAL SERVICE	154.00	per annum
PUBLIC MARKET OPERATOR	1,314.00	per annum
PUBLIC MARKET OPERATOR who operates on a temporary basis only	462.00	per day
RENTAL DEALER	126.00	per annum

RESIDENTIAL RENTAL UNIT	61.00 per annum	
RESTAURANT – CLASS 1	666.00 per annum	
RESTAURANT – CLASS 1 with Liquor Service	666.00 +8.40 per seat	 per annum
RESTAURANT – CLASS 2	666.00	per annum
RESTAURANT – CLASS 2 with Liquor Service	666.00 +8.40 per seat	 per annum
RETAIL DEALER	126.00	per annum
RETAIL DEALER – FOOD	236.00	per annum
RETAIL DEALER – GROCERY	758.00	per annum
RETAIL DEALER - MARKET: 50,000 sq. ft. premises	 3,787.00	 per annum
ROOMING HOUSE	29.00	per annum per sleeping unit (EXCEPT that a sleeping unit that is actually occupied by the owner of the premises shall not be included in the calculation of the fee payable)
SCAVENGER	256.00	per annum
SCHOOLS - BUSINESS OR TRADE	236.00	per annum
SCHOOLS – PRIVATE	236.00	per annum
SCRAP METAL RECYCLER	126.00	per annum
SECOND-HAND DEALER -CLASS 1	1,972.00	per annum
SECOND-HAND DEALER -CLASS 2	1,083.00	per annum

SECOND-HAND DEALER-CLASS 3	747.00	per annum
SECOND-HAND DEALER -CLASS 4	282.00	per annum
SECOND-HAND DEALER -CLASS 5	282.00	per annum
SECOND-HAND DEALER -CLASS 6	465.00	per annum
SOCIAL ESCORT	154.00	per annum
SOCIAL ESCORT SERVICE	1,145.00	per annum
SOLICITING FOR CHARITY	10.00	per annum
SPECIALTY WINE STORE	236.00	per annum
STANDARD HOURS LIQUOR ESTABLISHMENT CLASS – 1 STANDARD HOURS LIQUOR ESTABLISHMENT CLASS- 2 STANDARD HOURS LIQUOR ESTABLISHMENT CLASS – 3 STANDARD HOURS LIQUOR ESTABLISHMENT CLASS – 4 STANDARD HOURS LIQUOR ESTABLISHMENT CLASS – 5 STANDARD HOURS LIQUOR ESTABLISHMENT CLASS – 6	5.25	per annum per seat, based on the number of seats set out on the Provincial liquor license for the establishment, except that despite the number of seats, the minimum fee will be $126.00 and the maximum fee will be $2,652.00
STANDARD HOURS LIQUOR ESTABLISHMENT CLASS – 7	5.25	per annum per seat, based on the number of seats set out on the Provincial liquor license for the establishment, except that despite the number of seats, the minimum fee will be $126.00 and the maximum fee will be $409.00
STEAM BATH/MASSAGE PARLOUR	256.00	per annum
SWIMMING POOL located in a hotel, apartment building, club, health spa or other business required to be licensed under this By-law	682.00	per annum

TALENT/MODEL AGENCY	154.00	per annum
TANNING/SKIN CARE SALON	236.00	per annum
TATTOO PARLOUR	236.00	per annum
TAXICAB PREMISES	126.00	per annum
THEATRE	236.00	per annum
TRAILER COURT	215.00	per annum per space
TRANSIENT PEDDLER OR TRANSIENT TRADER	631.00 3073.00	per week or per annum
UNDERTAKER	236.00	per annum
VENDING MACHINE	17.00	per annum per machine
VENUE	5.25	per annum per seat except that despite the number of seats, the minimum fee will be $61.00 and the maximum fee will be $409.00
WAREHOUSE OPERATOR	126.00 per annum	
WAREHOUSE OPERATOR – FOOD	340.00 per annum	
WEDDING CHAPEL	333.00 per annum	
WHOLESALE DEALER	126.00 per annum	
WHOLESALE DEALER – FOOD	340.00 per annum	
WINDOW CLEANER	126.00 per annum	
ANY BUSINESS, TRADE, PROFESSION OR OTHER OCCUPATION NOT SPECIFIED HEREIN	126.00 per annum	
TRANSFER OF A LICENSE	126.00	

NON-REFUNDABLE PORTION OF FEE	75.00 per license where the applicable fee is greater than $75.00

SCHEDULE B

MISCELLANEOUS SERVICE FEES

PART 1

Application fee for comments on a new liquor licence or a permanent amendment to the liquor license	Fee
Base fee	$817.00
Neighbourhood notification	$981.00
Staff-held neighbourhood public meeting	$1,689.00
Telephone survey	$926.00

PART 2

Application fee for comments on temporary amendment to liquor licence	Fee	Term
Application processing fee for comments on a temporary amendment to liquor license requesting later closing hours of operation	$0.37	per night per seat except that, despite the number of seats or the number of nights, the minimum fee will be $79.00 and the maximum fee will be $545.00
Application processing fee for comments on a temporary amendment to liquor license requesting earlier opening hours of operation	$79	
Application processing fee for comments on a temporary amendment to liquor license requesting any other change to a liquor license	$79	
Application processing fee for comments on new liquor license or a permanent or temporary amendment to a liquor license requesting liquor service hours past midnight, or patron participation entertainment, for food primary establishments	$79	

PART 3

Application fee (section 6.3)	$50
Request for copy of license (section 7.1)	$5
Request for change of business name or business trade name (section 7.2)	$10
Request for change of business address under license (section 7.3)	$22
Request for change in business license category (section 7.4)	$10
Temporary license fee for standard hours liquor establishment [Section 19.2A(10)]	$79

SCHEDULE "C"

REPEALED

SCHEDULE "D"
TOW-AWAY NOTICE FORM AND REGULATIONS

TOWAWAY NOTICE
ISSUED PURSUANT TO CITY OF VANCOUVER BY-LAW NO. 4450

PART A

TO: _____
(Name and Address of Towing Company)

_____

_____
(Phone Number)

This is your authority to remove the vehicle described below from the parking lot/area located at _____
(Street Address)
_____, Vancouver, B.C.

Type of lot [ ] Meter [ ] Customer Only [ ] Contract Reserved
[ ] Other _____

Vehicle Description Make _____ Model _____
[ ] B.C.
Colour _____ Lic. No. _____ [ ] Other _____

Date _____ Time _____[ ] A.M. [ ] P.M.

Reason for Removal [ ] No permission to occupy
[ ] No contract of occupancy
[ ] No meter ticket
[ ] Meter ticket expired over two hours
[ ] Vehicle is a hazard
[ ] Vehicle is an obstruction

By-Law No. 4450 prohibits completion of any portion of Part B before completion of Part A.

PART B

This Towaway Notice is issued by:

_____
(Print Name)

as: [ ] owner of lot
[ ] an operator
[ ] an occupier
[ ] an agent of [ ] owner
[ ] occupier
[ ] operator

_____
(Signature)

Tow Truck No. _____
Tow Truck Driver

_____

Towaway Date _____
Time _____

_____
(Driver's Initial)

1. Every Tow-away Notice shall be in the style and form shown above, and shall be approximately 8 inches long by 4 ½ inches wide except that additional information, including diagrams, may be added below part B.

2. The form shall be printed in triplicate and each page shall bear the notation described below at the foot of each page:

   i. "Original to be left on vehicle for tow truck driver"
   ii. "Duplicate - to be left on vehicle for owner"
   iii. "Triplicate - to be retained by issuer".

3. The printing stock shall be as follows:

(1) Original Notice - white - NCR Bond, white, C.B.
(2) Duplicate copy - pink - NCR Bond, pink, C.F.B.
(3) Triplicate copy - buff - NCR Ledger Sub 38 buff CF.

or such other paper stock as may be approved by the City.

4. No portion of Part B of the form shall be completed before completion of Part A.