



## DISTRICT OF INVERMERE

### BYLAW NO. 1647, 2023

A bylaw to authorize the issuance of Business Licences and to regulate businesses within the boundaries of the District of Invermere

**WHEREAS** pursuant to the Community Charter, the Council may, by bylaw, regulate in relation to business;

**AND WHEREAS** the Council deems it desirable to authorize the issuance of Business Licences and to regulate businesses;

**NOW THEREFORE** the Council of the District of Invermere, in open meeting assembled, enacts as follows:

#### 1. INTERPRETATION

- 11 Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time and any Bylaw referred to herein is a reference to an enactment of the Council of the District of Invermere as amended, revised, consolidated, or replaced from time to time.
- 12 Unless otherwise defined herein, all words or expressions used in this bylaw shall have the same meaning as defined in the *Local Government Act*, *Community Charter*, *Interpretation Act*, or any successor legislation when used in this Bylaw.
- 13 The headings contained in this bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this Bylaw.

#### 2. DEFINITIONS

**“Applicant”** means any person who makes an application for a Business Licence under the provisions of the bylaw.

**“Body-Rub Parlor”** includes any premises or part thereof where body-rub services are performed, offered, or solicited and 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 licenced or registered under any statute of the Province of British Columbia governing such activities or therapeutic touch technique.

**“Body-Painting Studio”** includes any premises or part thereof where directly or indirectly a fee is paid for any activity including the application of paint, powder, or similar materials to the body of another person.

**“Business”** means the:

- (a) carrying on of a commercial or industrial undertaking of any kind;
- (b) providing professional, personal, or other services for the purpose of gain or profit;
- (c) carrying on a home occupation pursuant to the bylaws of the District of Invermere; or
- (d) operating a non-profit society or organization.

**“Business Licence”** means a licence or permit, issued by the municipality that authorizes a Business to be carried on within the jurisdictional boundaries of that municipality.

**“Dating Service”** means any persons carrying on the business of providing information to persons, not employed by the Dating Service, desirous of meeting other persons for the purpose of social outings.

**“District”** means the organization of the District of Invermere or the area within the municipal boundaries as the context may require.

**“Licence Inspector”** includes the Director of Development Services and their designate, every Building Official, Plumbing Official, Fire Inspector, Bylaw Enforcement Officer, staff-person designated to manage business licensing, and the Chief Administrative Officer and their designate.

**“Licensee”** means a person who has received a District of Invermere Business Licence.

**“Mobile Vendor”** means any person who, from a motor vehicle, trailer, or cycle, as defined and licenced under the *Motor Vehicle Act* sells, or offers for sale food or merchandise, or who advertises or takes orders for goods or services.

**“Pawnbroker”** includes every person who carries on the business of taking goods and chattels in pawn.

**“Retail Sale of Cannabis”** means the use of a site for the sale or distribution of *cannabis*, including for medical purposes in any form, including a *medical cannabis dispensary*, but excludes a *medical cannabis production facility*.

**“Second-hand dealer”** or “dealer” means a person who carries on the business of retailing or wholesaling used or second-hand property, or who operates a second-hand dealer’s premises, except for a person who carries on the business of retailing or wholesaling used property limited to:

- (a) used clothing, furniture, costume jewellery, knickknacks, footwear, and houseware items such as dishes, pots, pans, cooking utensils, and cutlery; or
- (b) used clothing, furniture, costume jewellery, footwear, and houseware items such as dishes, pots, pans, cooking utensils, and cutlery, obtained only from or through a “registered charity” defined under the *Income Tax Act* (Canada) or by donation; or
- (c) used books, papers, magazines, vinyl records, or long-playing records (LP’s).

**“Social Escort Service”** includes any person carrying on the business of providing or furnishing male or female escorts for social occasions.

**“Trade Show”** means the business of organizing a group of merchants, suppliers, tradespeople, or professionals together as a group in one location or building for a period of up to fourteen (14) days to display and offer their products or services for sale and includes Flea Markets.

### **3. LICENCE REQUIREMENTS**

- 3.1 Except as otherwise permitted in the *Community Charter*:
- (a) A person will not carry on business in the District without first having obtained and paid for a municipal Business Licence.
  - (b) A person who owns or operates any business within the District must apply for, obtain, and hold a licence for each business.
  - (c) A person who carries on business from more than one premise in the District must obtain a separate licence for each premise.

### **4. LICENCE FEE**

- 4.1 A person who applies for a licence must pay the applicable licence fee as set out in Schedule A of this bylaw, as amended from time to time.

### **5. POWERS**

- 5.1 The Licence Inspector may grant a Business Licence upon being satisfied that the Applicant has complied with the bylaws of the District regulating building, zoning, health, sanitation, water, life safety, nuisance, and business.
- 5.2 A person licenced or seeking to be licenced pursuant to this bylaw must admit entry to the premises for the purpose of inspection by the District or the Royal Canadian Mounted Police and must not in any way hinder or obstruct the inspection and must, on request, supply information relevant to the inspection for the purpose of determining compliance with this bylaw.
- 5.3 The Licence Inspector may suspend or cancel any Business Licence for reasonable cause.
- 5.4 The suspension of a Business Licence shall be made in writing, signed by the authorized staff member.
- 5.5 A notice that a Business Licence has been suspended under this section may be posted by the District upon the Premises whose licence has been suspended.
- 5.6 A person whose Business Licence has been suspended may appeal a suspension of the licence, and the appeal shall be governed by section 24 of this bylaw.

### **6. INSPECTIONS**

- 6.1 The Licence Inspector may enter at all times on any property that is subject to this bylaw to ascertain whether regulations in this bylaw are being observed.

## **7. INITIAL LICENCE APPLICATIONS**

- 7.1 A person must apply for a Business Licence on the application form prescribed by the District and must be signed by an owner or operator of the business, or the owner or operator's duly authorized agent.
- 7.2 The application for an initial Business Licence must include a detailed description, including existing and/or proposed floor plans of the premises in or upon which the Applicant intends to carry on business.
- 7.3 In considering whether to issue a business licence, the Licence Inspector may take into account advice received from the following persons prior to the District issuing a Licence:
- (a) District Fire Inspector, except for home-based businesses;
  - (b) District Building Official, except for home-based businesses;
  - (c) District Bylaw Enforcement Officer, except for home-based businesses; and
  - (d) The Health Authority and a public health inspector where the business operates in premises serviced by a private sewage disposal system, the business involves the handling of food or drinks, or the business is a personal service establishment as defined by the Province of BC.
- 7.4 If an Applicant applies for more than one Business Licence the particulars of each licence applied for must be included on a separate application form.
- 7.5 Application forms must be delivered to the Licence Inspector and must be accompanied by the associated fee as set out in the District's Fee bylaw, as amended from time to time.

## **8. LICENCE PERIODS**

- 8.1 Business Licences will be granted annually for a period commencing January 1 and expiring December 31.

## **9. LICENCE FORMS**

- 9.1 The Licence Inspector shall prescribe the application forms for municipal business licensing purposes.

## **10. DISPLAY OF LICENCE**

- 10.1 A licensee must keep a copy of the Business Licence posted in a conspicuous place on the premises in respect of which the licence is used.
- 10.2 If the licensee has no business premises in the District the licence must be carried upon the licensee's person at all times when the licensee is engaged within the District in the business for which the licence was issued.

**11. EFFECTS OF LICENCE**

- 11.1 A Business Licence authorizes only the person named in the licence to carry on only the business described in the licence and only at the premises or locations described in the licence.
- 11.2 A Business Licence is not a representation or warranty that the licenced business or the business premises comply with District bylaws or with any other regulations or standards.

**12. LICENCE RENEWAL**

- 12.1 The Licence Inspector will forward an annual business licence invoice to every licensee at the address listed on the existing licence.
- 12.2 The licensee will be responsible for maintaining a Business Licence for each current period.
- 12.3 Prior to issuing a Business Licence renewal, the persons listed in Section 7.3 (a) through (d) must endorse the application for renewal.
- 12.4 Prior to issuing a Business Licence renewal, applicable fees as set out in the District's Fees Bylaw, as amended from time to time, must be paid prior to January 31 in the licence year.
- 12.5 If the Licensee does not renew their Business Licence as required by this bylaw, the Licence Inspector may cancel the licence.
- 12.6 The receipt of a Business Licence will serve as a confirmation that the licence has been renewed.

**13. LICENCE TRANSFERS - NEW PREMISES**

- 13.1 A person will not carry on a business upon any premises other than those described in the initial licence application without making an application for a new licence or for a transfer of the original licence to a new premises.
- 13.2 Applications for the transfer of a Business Licence with respect to a change of premises shall be made on the form prescribed by the Licence Inspector.

**14. LICENCE TRANSFERS - PERSON TO PERSON**

- 14.1 Any person who acquires a business or a controlling interest in any business from any person licenced under this bylaw must not carry on such business without first having obtained approval for a transfer of the Business Licence – person to person.
- 14.2 Any person proposing to obtain a transfer of a licence held by any other person is required to make application on the form prescribed by the Licence Inspector. The powers, conditions, requirements, and procedures, relating to the initial licence application apply.

**15. TRANSFER FEES**

15.1 Fees payable in respect of any transfer of a Business Licence are set out in Schedule “A” of this bylaw, as amended from time to time.

15.2 A Business Licence is not required for the provision of daycare or babysitting services for up to two unrelated children, or to the children of one family, by a person who is not related to those children.

## **16. MOBILE VENDORS**

16.1 Mobile Vendors must operate in accordance with the following provisions:

- (a) Mobile Vendors must obtain the necessary licence and permit(s) from the District, the Regional Health Authority and other relevant or applicable licensing or regulatory agency approvals prior to conducting any business operation;
- (b) All required permits and licences must be displayed on-site during business operation;
- (c) Mobile Vendors are responsible for all garbage and recycling associated with the business and ensuring the area is free of litter;
- (d) When the hours of operation terminate, recycling and garbage containers must be removed from the premises;
- (e) Where a Mobile Vendor is catering to or delivering to a residential site, business or construction site, they must not park or stop on the travelled portion of a highway or road right of way, must not be stopped at one location longer than is necessary to serve customers, and at no time may the vendor remain stopped for longer than twenty (20) minutes at any one location, unless prior approval has been provided by the District through the Mobile Vendor Application; and
- (f) Mobile Vendors must not carry on business within 50-metres of a licenced business within a property tax-applicable structure offering similar goods, unless they receive, and provide to the District, prior written permission from the registered owner of said business.

16.2 In addition to the conditions set out in section 16.1, Mobile Vendors on private land must also adhere to the following requirements:

- (a) Provide a letter of permission to the District from the property owner permitting the Mobile Vendor to operate on the proposed site; and
- (b) Provide a detailed site plan showing the proposed location of the Mobile Vendor on the proposed site, which may be reviewed and approved at the discretion of the Licence Inspector.

16.3 In addition to the conditions set out in section 16.1 and 16.2, Mobile Vendors on District land must also meet the following requirements:

- (a) Complete and submit a Mobile Vendor Application, as amended from time to time, for consideration by the District;
- (b) The approved permit area will be granted in consideration of public safety, traffic, and competing, property-tax paying businesses;
- (c) Mobile Vendors must be self-contained, portable, and removed from the permit area each night;
- (d) Mobile Vendors must operate only on hours scheduled within the permit;
- (e) At any time, the District has the right to require a Mobile Vendor to vacate or relocate from the designated permit area;
- (f) No Mobile Vendors will be allowed to operate in any park when District concessions are operating unless invited to do so by the group hosting the event.

- 164 In addition to the other regulations as set out by the District in this bylaw, a Mobile Vendor serving or operating from a motor vehicle must adhere to the following requirements:
- (a) Mobile Vendors operating from or requiring a motor vehicle to transport the mobile vending unit must obtain Motor Vehicle Liability Insurance with a minimum coverage of five million dollars (\$5,000,000);
  - (b) Mobile Vendors are required to carry a minimum of five million dollars (\$5,000,000) public liability insurance and property damage insurance with the District of Invermere saved harmless and named “additionally insured”;
  - (c) Proof of the required insurance must be provided to the District prior to the issuance of the Business Licence.

**17. SOCIAL ESCORT SERVICES, DATING SERVICES, BODY-RUB PARLOUR/BODY-PAINTING STUDIO**

- 17.1 Every person or individual carrying on the business of operating a Social Escort Service, Dating Service, Body-Rub Parlor, or Body-Painting Studio must:
- (a) Supply the Licence Inspector and the Columbia Valley Royal Canadian Mounted Police (RCMP) with the name, age, address, photo identification and description of every individual proposed to be employed or engaged in the said business together with such additional information as the Licence Inspector or RCMP may require;
  - (b) Notify the Licence Inspector within seventy-two hours of any change in personnel employed or engaged in the business;
  - (c) Not employ any person on the licenced premises unless such person is eighteen (18) years of age or older;
  - (d) Not permit any person to be on the licenced premises at any time unless such person is eighteen (18) years of age or older.

**18. PAWN BROKER/SECOND-HAND DEALER**

- 18.1 A person carrying on the business of or operating as a pawn broker or second-hand dealer must:
- (a) Disclose to the Licence Inspector the names, addresses, and photo identification of all persons who will be actively engaged in the management and operation of the business;
  - (b) Notify the Licence Inspector within seventy-two hours of any change in the personnel; and
  - (c) Provide the Columbia Valley RCMP with a copy of the Business Licence application respecting the pawn broker or second-hand dealer’s business.
- 18.2 A person must not purchase or receive pawn goods or chattels, unless the person depositing the goods or chattels is:
- (a) Eighteen years of age or older;
  - (b) not under the influence of alcohol or drugs; and
  - (c) able to produce valid, photographic identification.
- 18.3 A person licenced as a pawn broker or second-hand dealer must deliver a statement of all goods and chattels purchased or received by the licensee during the previous week to the Columbia Valley RCMP prior to 9:30 a.m. on the Monday of each week. Statements will not be required on public holidays but

must be submitted on the following business day and must disclose the whole period subsequent to 9:30 a.m. of the day on which the preceding statement was made. Statements shall be submitted on a form acceptable to the Licence Inspector and shall include the following information:

- a) A description including any descriptive mark, name, and serial number of the goods and chattels;
- b) the price paid and whether the item was deposited in pawn or purchased;
- c) the date and time of purchasing or receiving the goods and chattels;
- d) the name, date of birth, address and contact telephone number of the person depositing the goods and chattels and, if available, a copy of any photographic identification produced;
- e) if available, the make, description and licence number of any vehicle used by the person depositing the goods and chattels;
- f) the name of the employee or licensee receiving the goods and chattels; and
- g) in the case of jewellery, the description of the type, colour, style of jewellery and apparent type of gem, as well as a photograph of the item.

184 A Licensee will not permit any entry made in the record of goods to be erased, obliterated, or defaced in any way or removed from the premises, except upon the request of the Royal Canadian Mounted Police and the Licence Inspector.

185 A Licensee will not alter, sell, exchange, or otherwise dispose of goods or chattels deposited with or delivered to the licensee until after the expiration of seven (7) clear days, exclusive of Sundays and holidays, provided that the licensee may, upon request, return goods or chattels to the person who originally deposited them with the Licensee.

186 The Licensee must keep newly received goods and chattels segregated for one week from other goods and chattels located on the premises to allow inspection at any time during regular hours by the Royal Canadian Mounted Police.

## **19. TRADE SHOWS**

191 A Business Licence for a Trade Show will be considered to cover all vendors within the Trade Show.

192 Trade Shows will be limited to operating three (3) days per week at the specific premises.

193 The Business Licence for a Trade Show will be considered to cover all vendors within the show for a period not exceeding fourteen (14) days.

194 Trade Shows are required to carry a minimum of five million dollars (\$5,000,000) public liability insurance and property damage insurance with the District of Invermere saved harmless and named "additionally insured".

195 Proof of the required insurance must be provided to the District prior to the issuance of the licence.



**20. GARAGE/YARD SALES**

20.1 A person holding a garage/yard sale at a residential premise is not required to obtain a Business Licence, provided that a person does not hold more than five (5) sale days per year.

**21. RENTAL/LEASE OF WATERCRAFT**

21.1 Operators of premises which rent, or lease watercraft must include the following statements in their rental/lease agreements with their patrons:

- (a) That the hours of operation for watercraft rentals be limited to the hours between 9:00 a.m. and 9:00 p.m.;
- (b) That the operators of the watercraft while on plane or overtaking keep their watercraft at least forty-five (45) metres away from all other watercraft that are on the water; if the watercraft is not on full plane, it can come up to other boats;
- (c) That rented watercraft must be operated a minimum of one-hundred fifty (150) metres away from the shoreline, and never over the littoral shelf, unless using the most direct route to and from shore, except when entering a launch point or marina; and
- (d) The name of the renter and the unit number of the watercraft which is being rented clearly recorded.

21.2 In addition to requiring that all renters have a valid licence to operate the watercraft the business agent must provide the persons renting such watercraft basic operating, water safety rules and instructions on the use and operation of the personal watercraft, prior to allowing that person to operate such personal watercraft.

21.3 Operators of premises which rent watercraft must ensure that the watercraft are permanently marked with a minimum of three (3) inch high letters or numbers which identify the name of the rental operator and the unit number of the watercraft.

21.4 Operators of premises which rent watercraft must patrol the areas in which their rented watercraft are operated, in order to enforce compliance with the requirements of this bylaw.

**22. RETAIL CANNABIS AND GROW OPERATIONS**

22.1 Operators of retail cannabis and grow operations, including those operated by non-profit societies, will not be permitted to locate within a one hundred metres radius from the nearest property line of any existing school.

22.2 Operators of cannabis dispensaries and grow operations, including those operated by non-profit societies, may only operate if permitted to do so by the Federal, Provincial, and Municipal governments.

**23. SHORT-TERM RENTAL ACCOMMODATION REGULATIONS**

**The provisions of Section 23 in Bylaw 1647 come into force and effect on May 1, 2024.**

## 23.1 DEFINITIONS

In this section:

**Designated Person** means the following:

- (a) District's Director of Development Services;
- (b) Bylaw Enforcement Officer of the District;
- (c) District's Fire Chief;
- (d) District's Building Official;
- (e) District's Plumbing Official;
- (f) District's Chief Administrative Officer;
- (g) a delegate of any of the above;
- (h) any person designated by Council to be a Designated Person for the purpose of this section;

an on-duty member of the Royal Canadian Mounted Police or other Peace Officer.

**Director** means the person holding the position of Director of Development Services of the District and includes that person's delegate.

**Dwelling Unit** means a *building* or portion thereof containing one or more **Habitable Rooms** used or intended to be used for living and sleeping purposes and containing sleeping, sanitary facilities, and not more than one (1) set of cooking facilities.

**Fire Chief** means that person appointed to perform the duties of the chief of the Invermere Fire-Rescue Department and includes that person's delegate.

**Guest** means natural person(s) occupying a Short-Term Rental Accommodation unit which they have rented.

**Habitable Room** means a room designed for living or sleeping, but does not include a bathroom, kitchen, storage room, laundry room, utility room or closet.

**Licence** means a Business Licence issued to the **Operator** of a **Short-Term Rental Accommodation Unit** in accordance with this section.

**Manager** means a natural person who serves as the **Responsible Person** for a **Short-Term Rental Accommodation Unit**, and which may include the **Owner** of the **Short-Term Rental Accommodation Unit**.

**Marketing** means to advertise, promote, canvass, solicit, arrange, or facilitate a rental of a Short-Term Rental Accommodation Unit, and includes placing, posting or erecting advertisements physically or on the internet in relation to the rental of a Short-Term Rental Accommodation Unit, but does not include the provision of a neutral space or location for such marketing activities in newspapers, bulletin boards or on the internet.

**Municipal Ticket Information Bylaw** means the District of Invermere Municipal Ticket Information Bylaw No. 1130, 2002 as amended from time to time and including any successor thereto.

**Operator** means a **Person** who rents out, or offers for rent, a **Short-Term Rental Accommodation Unit**. For certainty, an Operator does not include a **Person** who acts as an intermediary between any **Guest** and the **Person** who receives the rent for Short Term Rental Accommodation.

**Owner**, when used with reference to real property, has the same meaning as defined in the *Community Charter (BC)*.

**Peace Officer** see Interpretation Act (BC) for Expressions defined.

**Person** means a natural person, a company, corporation, partnership, firm, association, society, or party and the personal or other legal representatives of a person to whom the context can apply according to law.

**Principal Residence** means a **Dwelling Unit** that is inhabited by a Principal Resident the majority of each calendar year.

**Principal Resident** means a natural person who inhabits a **Dwelling Unit** that is owned or leased by that person for the majority of each calendar year.

**Responsible Person** means a natural person designated by an Operator under this section.

**Short-Term Rental Accommodation Unit** means temporary accommodation for one or more persons for not more than twenty-eight consecutive days but does not include such accommodation at a hostel; hotel; motel or Bed & Breakfast.

**Strata Corporation and Strata Lot** have the same meaning as in the *Strata Property Act (BC)*.

## 23.2 GENERAL REGULATIONS

23.2.1 No person may carry-on business as an Operator, rent out, or offer to rent out a Short-Term Rental Accommodation Unit unless the person holds a valid Licence issued under this section.

23.2.2 A Short-Term Rental Accommodation business shall only operate on real property:

- (a) Where the use is permitted pursuant to the District of Invermere's Zoning Bylaw No. 1145, 2002, as amended; or
- (b) Where a Temporary Use Permit has been approved by the municipality, in which case the use is permitted for a period of up to three years, subject to a one-time renewal for up to three additional years.

- 23.2.3 The Director may grant a Licence to a person or transfer a Licence from one person to another person if the Director is satisfied that the person seeking to hold the Licence has complied with the requirements of this section.
- 23.2.4 A person applying for the issuance or renewal of a Licence to operate a Short-Term Rental Accommodation Unit must do the following:
- (c) submit an application to the Director on the application form provided by the District for that purpose;
  - (d) pay to the District the applicable fee prescribed in this Bylaw.
- 23.2.5 A person seeking a Licence must do the following to the satisfaction of the Director:
- (a) Provide evidence that the person is the:
    - 1. the Owner of the Dwelling Unit where the Short-Term Rental Accommodation Unit will be offered; or
    - 2. documentation confirming that the person is authorized by the Owner of the Dwelling Unit where the Short-Term Rental Accommodation Unit will be offered to make the application to be an Operator of Short-Term Rental Accommodation of the Dwelling Unit;
  - (b) if the Premises where the Short-Term Rental Accommodation Unit will be located is in a Strata titled property or development pursuant to the *Strata Property Act*, provide confirmation from the Strata Corporation that the Dwelling Unit may be used for Short-Term Rental Accommodation purposes under the bylaws of the Strata Corporation;
  - (c) provide evidence that the Short-Term Rental Accommodation Unit will comply with all bylaws of the District of Invermere.
  - (d) provide a completed Self-Evaluation Safety Audit & Attestation form;
  - (e) provide a floor plan at the entry ways to the Short-Term Rental Accommodation Unit identifying the location of smoke alarms and carbon monoxide alarms, fire extinguishers, fire exits, each Habitable Room, and the types of bed in each Habitable Room, including the location of any sofa beds;
  - (f) state the maximum number of Guests that will be allowed at any given time in the Short-Term Rental Accommodation Unit;
  - (g) specify the name and contact information for three Responsible Persons for the Short-Term Rental Accommodation Unit;
  - (h) provide a parking plan which complies with the parking requirements of the Zoning Bylaw; and
  - (i) provide any other information the Director may require for the purposes of ensuring compliance with the District's bylaws and other enactments.
- 23.2.6 A Licence issued for a Short-Term Rental Accommodation Unit may specify the following terms and conditions:
- (a) The civic address of the Short-Term Rental Accommodation Unit;
  - (b) The name of the Operator;
  - (c) The name, telephone number, and email address of the Responsible Persons for the Short-Term Rental Accommodation Unit;
  - (d) The maximum number of Guests permitted at the Short-Term Rental Accommodation Unit; and
  - (e) The number of motor vehicles that may be parked at the Real Property upon which the Short-Term Rental Accommodation Unit is located.

- 23.2.7 An Operator shall ensure that a Short-Term Rental Accommodation Unit is operated in accordance with the terms and conditions stated in its Licence and the provisions of subsections 23.5.1 and 23.5.2.
- 23.2.8 Each Licence issued under this section shall commence on January 1<sup>st</sup> of the year in which it is issued and terminate on December 31<sup>st</sup> of the same year, unless earlier renewed for the following calendar year by submission of a complete Licence renewal form and payment of the annual Licence fee prior to November 30<sup>th</sup>.
- 23.2.9 Every Person applying for a Licence shall, at the time of making the application, pay to the District *the applicable application fee and licencing fee*.
- 23.2.10 The Licence Inspector may suspend or cancel any Business Licence for reasonable cause.
- 23.2.11 The suspension of a Licence shall be made in writing, signed by the authorized staff member.
- 23.2.12 A notice that a Licence has been suspended under this section may be posted by the District upon the Premises whose Licence has been suspended.
- 23.2.13 A person whose Licence has been suspended may appeal the suspension of the Licence, and the appeal shall be governed by section 25 of this bylaw.

### 23.3 **MARKETING**

- 23.3.1 No person may undertake Marketing of a Short-Term Rental Accommodation Unit except in accordance with this section.
- 23.3.2 The following information shall be provided in all written material used for Marketing a Short-Term Rental Accommodation Unit:
- (a) the number of the Licence issued for the Short-Term Rental Accommodation Unit;
  - (b) the approved number of Habitable Rooms of the Short-Term Rental Accommodation Unit, and
  - (c) the maximum number of Guests permitted in the Short-Term Rental Accommodation Unit.

### 23.4 **RESPONSIBLE PERSON**

- 23.4.1 The Operator of a Short-Term Rental Accommodation Unit located in the Operator's Principal Residence shall be the Responsible Person for that Short-Term Rental Accommodation Unit.
- 23.4.2 An Operator who operates a Short-Term Rental Accommodation Unit in a structure other than the Operator's Principal Residence must ensure that a Responsible Person shall be available to undertake the obligations set out in subsections 23.4.3 through 23.4.7 while the Short-Term Rental Accommodation Unit is rented to a Guest.

23.4.3 A Responsible Person must respond to a request for contact as follows:

- (a) within 30 minutes of a telephone call or leaving of a voicemail message, personal contact, or sending of a text message or email by a Designated Person in the event of a complaint or concerns about activities at a Short-Term Rental Accommodation Unit for which the Responsible Person has been designated in a licence;
- (b) within 30 minutes of a telephone call or leaving of a voicemail message, personal contact, or the sending of a text message, or email by a Guest who is staying in the Short-Term Rental Accommodation Unit.

23.4.4 Every Operator must ensure that the Responsible Person for a Short-Term Rental Accommodation Unit licenced to the Operator has sufficient means to immediately contact a Guest of the Short-Term Rental Accommodation Unit and authority to make decisions in relation to the Short-Term Rental Accommodation Unit.

23.4.5 The Operator of a Short-Term Rental Accommodation Unit must ensure that the name and telephone number of the Responsible Person is prominently displayed in the Short-Term Rental Accommodation Unit at all times while the Short-Term Rental Accommodation Unit is occupied by a Guest.

23.4.6 A Responsible Person must attend at the Short-Term Rental Accommodation Unit within thirty (30) minutes of being requested to do so by a Designated Person.

23.4.7 Should an Operator who operates a Short-Term Rental Accommodation Unit in their Principal Residence be absent from the Principal Residence between the hours of 10 p.m. and 7 a.m. the following day at a time when the Short-Term Rental Accommodation Unit is rented, the Operator must appoint a person to fulfil the obligations of Responsible Person under this Bylaw during that time.

## 23.5 **CONDITIONS OF LICENCE**

23.5.1 An Operator of a Short-Term Rental Accommodation Unit must:

- (a) operate a Short-Term Rental Accommodation Unit only in the Dwelling Unit for which the Licence was issued;
- (b) ensure that a Short-Term Rental Accommodation Unit licenced under the bylaw is not used for more than twenty-eight consecutive days by the same guest/s.
- (c) display a copy of the Licence inside the entry way to the Short-Term Rental Accommodation Unit;
- (d) display in the entryway of the Short-Term Rental Accommodation Unit, a floor plan identifying directions for egress, approved maximum occupancy, locations of fire exits, fire extinguishers, smoke alarms, and carbon monoxide alarms to the satisfaction of Invermere's Fire Chief, or their designate;
- (e) provide primary, secondary, and tertiary contact information for the Operator and or Responsible Person to the Director;

- (f) display the name and telephone number of the Responsible Person inside the entry way of the Short-Term Rental Accommodation Unit;
- (g) ensure a Responsible Person is available for contact 24-hours a day during periods when the Short-Term Rental Accommodation Unit is occupied by Guests, and will respond by attending at the Premises within thirty minutes of contact being initiated by a person concerning objectionable use of the Premises;
- (h) hold a separate Licence for each Short-Term Rental Accommodation Unit operated by the Operator;
- (i) allow inspections of the Short-Term Rental Accommodation Unit as requested and conducted by a Designated Person;
- (j) ensure that the Short-Term Rental Accommodation Unit and Premises are in compliance with the District's bylaws regarding signage;
- (k) keep a one-year rolling written registry of all Guests of the Short-Term Rental Accommodation Unit and make this registry available to the Director upon request;
- (l) submit an annual Self-Evaluation Safety Audit & Attestation at the time of Business Licence renewal in the form provided for that purpose by the Director;
- (m) ensure that not more than one booking is permitted within the Short-Term Rental Accommodation Unit at the same time.

23.5.2 No tent, boat, motor vehicle, camper, trailer, or recreational vehicle may be used as a Short-Term Rental Accommodation Unit.

## 23.6 ENFORCEMENT AND PENALTIES

23.6.1 The provisions of this section may be enforced by a Designated Person.

23.6.2 A Designated Person may enter any parcel or Dwelling Unit in a reasonable manner to administer this section or to undertake any inspection or investigation for the purpose of enforcing this section.

23.6.3 No person shall obstruct or interfere with a Designated Person who is exercising duties or authority under this section.

23.6.4 Every person who violates any provision of this section, or who permits any act or thing to be done in contravention of this section, or who fails to do any act or thing required by this Bylaw, is guilty of an offence under this section and shall be liable:

- (a) to a fine set out in Municipal Ticket Information Bylaw No. 1130, as amended; and
- (b) on summary conviction to a fine of not more than Fifty Thousand Dollars (\$50,000.00), plus the costs of prosecution, in addition to any other penalties or remedies provided for in this Bylaw, in addition to any other remedy permitted by any other statute or enactment.

23.6.5 Any fine or penalty or remedy imposed under this Bylaw shall be in addition to and not a substitute for any other penalty or remedy imposed pursuant to any other applicable statute or enactment.

23.6.6 Each day an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.

24 **APPEAL PROCEDURES**

24.1 A person whose Business Licence has been suspended under this bylaw may appeal to Council and upon such appeal the Licence Inspector may confirm or set aside such suspension on such terms as deemed reasonable.

25 **REPEALS**

25.1 Business Licencing Bylaw No. 1550, 2018 and all of its amendments thereto are hereby repealed in their entirety.

26 **SEVERANCE**

26.1 If any provision or part of this Bylaw is declared by any court of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the illegal or inoperative portion shall be severed from this Bylaw and the balance of the Bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

27 **CITATION**

27.1 This bylaw may be cited as District of Invermere “Business Licencing Bylaw No. 1647, 2023”.

READ A FIRST TIME	this	20 <sup>th</sup> day of	December 2023
READ A SECOND TIME	this	20 <sup>th</sup> day of	December 2023
READ A THIRD TIME	this	23 <sup>rd</sup> day of	January 2024

ADVERTISED in the January 4, 2024; January 11, 2024; and January 18, 2024, editions of the Columbia Valley Pioneer and posted pursuant to section 59(3) of the *Community Charter*.

ADOPTED                      this                      day of                      20 \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

Certified a true copy of Bylaw No.  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Corporate Officer



**Schedule A  
to  
Business Licence Bylaw No. 1647, 2023**

**A. NEW BUSINESS LICENCE APPLICATION FEE:**

1. **The initial application fee for a Business Licence shall be \$150.00.** This covers any inspections that may be required and administrative time to process a new Business Licence. This initial Business Licence fee shall be reduced to **\$75.00** for any applications received after July 1<sup>st</sup>.
2. **Business Licence fee for Cannabis Dispensaries or grow operations shall be \$1,000.00.** This covers any inspections that may be required and administrative time to process a new Business Licence.
3. **Business Licence fee for Mobile Vendors shall be \$500.00.** This covers any inspections that may be required and administrative time to process a new Business Licence.
4. **Business Licence fee for Rental/Lease of Watercraft (when using Public access Points) shall be \$1,000.00.** This covers any inspections that may be required and administrative time to process a new Business Licence.
5. **Business Licence fee for Pawn Brokers/Second Hand Dealers shall be \$2,000.00.** This covers any inspections that may be required and administrative time to process a new Business Licence.
6. **Business Licence fee for Social Escort Services, Dating Services, Body Rub Parlor Body Painting Studio shall be \$5,000.00.** This covers any inspections that may be required and administrative time to process a new Business Licence.
7. **Business Licence fee for Short-Term Rental Accommodation shall be \$400.00.** This covers inspections and administrative time to process a new Business Licence application, and the Annual Licence fee.

**B. RENEWAL FEES:**

All fees are for a one-year licence period unless otherwise stated and are for a renewal of an existing Business Licence.

- |  |                  |
|--|------------------|
| <b>1. All Businesses except those listed below:</b>                                | <b>\$150.00</b>  |
| a. Carnival, Circuses, and similar commercial events                               | \$150.00 per day |
| b. Mobile Vendor   | \$300.00         |
| c. Multi-operations (combination business)   | \$150.00         |
| d. Cannabis Dispensaries or grow operations  | \$500.00         |
| e. Rental/Lease of Watercraft (when using Public access Points)                    | \$1,000.00       |
| f. Trade Shows   | \$150.00         |
| g. Pawn Brokers/Second Hand Dealers  | \$1,000.00       |
| h. Social Escort Services, Dating Services Body Rub Parlor<br>Body Painting Studio | \$5,000.00       |
| i. Short-Term Rental Accommodation   | \$150.00         |

**C. TRANSFER FEES:**

- |  |         |
|--|---------|
| Business Licence Transfer Fee (change of locations only)         | \$75.00 |
| Business Licence Administrative Transfer Fee (all other changes) | \$20.00 |



## Business Licence Application

District of Invermere  
 914 8th Avenue, PO Box 339  
 Invermere, BC V0A 1K0  
 t: 250-342-9281 f: 250-342-2934

**BUSINESS LICENCE NO:** \_\_\_\_\_

**BUSINESS INFORMATION** *Please print clearly*

NEW  CHANGE  CANCEL

Business Trade Name:  
 \_\_\_\_\_

Contact Person: Phone #:  
 \_\_\_\_\_

Location Address: Prov: Postal:  
 \_\_\_\_\_

### BUSINESS DESCRIPTION

Description of  
 Business: \_\_\_\_\_

Previous Business at this location:  
 \_\_\_\_\_

### OWNER INFORMATION

Owner Name(s):  
 \_\_\_\_\_

Mailing Address: City:  
 \_\_\_\_\_

### BUSINESS SURVEY (PLEASE INCLUDE ANY ADDITIONAL COMMENTS ON A SEPARATE SHEET AND ATTACH)

On a scale from 1-10, how do you rate the current state of business in the community?

*(1=Poor & 10=Excellent)*

How many people does your business employ full time?

How many people does your business employ part time?

Do you plan to exit the business in the next 5 years?  No  Yes

If yes, why?

Does your business face any major barriers to growth and success?

If yes, please explain on the line below:

No  Yes

**DECLARATION:**

I, (We) \_\_\_\_\_ hereby make application for a licence in accordance with the particulars as above stated and declare that the above statement is true and correct. I undertake that if granted the licence applied for, I will comply with each and every obligation contained in all the Laws and Bylaws now in force or which may hereafter come into force in the District of Invermere (including but not limited to the Business Licencing Bylaw, Fees Bylaw, Zoning Bylaw, and Building Bylaw). All parking will be contained on the property associated with the business. If this application involves the use of premises for business purposes that the premises may not be occupied until they have been inspected by the authorities concerned and a licence issued. I also understand, the payment of the Business Licence fee in advance does not guarantee approval. I understand that information gathered through this application process is governed and routinely releasable through the Freedom of Information Protection of Privacy Act (BC).

Signature of Applicant: \_\_\_\_\_

Name (print): \_\_\_\_\_

Date: \_\_\_\_\_

<input type="checkbox"/> Transfer Fee (location or ownership) \$ _____
<input type="checkbox"/> Non-Profit Societies (excluding Cannabis Dispensaries & Grow Operations) \$ _____
<input type="checkbox"/> Cannabis Dispensaries and/or Grow Operations \$ _____
<input type="checkbox"/> Mobile Vendor operating on public property (Mobile Vendor Application Required) \$ _____

<b>OFFICE USE ONLY</b>		<b>Street Address:</b> _____	
ROLL # _____		ZONING DESIGNATION: _____	
<input type="checkbox"/> Storefront Business		<input type="checkbox"/> Home Occupation	
<input type="checkbox"/> Non-Resident Business		<input type="checkbox"/> Agri-tourism	
<b>APPROVALS REQUIRED</b>	<b>NAME</b>	<b>COMMENTS</b>	<b>DATE</b>
<input type="checkbox"/> Director of Development Services			
<input type="checkbox"/> Fire Inspector			
<input type="checkbox"/> Bylaw Enforcement Officer			
<input type="checkbox"/> Building Official			
<input type="checkbox"/> CAO			
<b>CONDITIONS:</b>			

**APPROVAL SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_