

BUSINESS LICENCE BYLAW HOUSEKEEPING AMENDMENTS

EXECUTIVE SUMMARY

Administration has identified several required housekeeping amendments to the Business Licence Bylaw 32M98, which will improve clarity, correct inconsistencies and eliminate discrepancies within the bylaw. These changes include updating references to The City of Calgary Land Use Bylaw 1P2007 as well as name changes that have occurred with internal and external partner agencies. Further, the amendment process provides an opportunity to make specific enhancements to the Trade Show Facility category, an item raised through the Mayor's Cut Red Tape Initiative. This enhancement would streamline the licensing process for trade shows, allowing for a licence to apply to a venue as a whole rather than each individual show; reducing costs for those applying and minimizing the licensing administrative processes, particularly for routine annual shows.

ADMINISTRATION RECOMMENDATION(S):

Administration recommends that SPC on Community & Protective Services recommends that Council give three readings of the proposed Bylaw to amend Bylaw 32M98, the Business Licence Bylaw.

RECOMMENDATION OF THE SPC ON COMMUNITY AND PROTECTIVE SERVICES, DATED 2015 FEBRUARY 04:

That Council give three readings to proposed **Bylaw 12M2015**, to amend Bylaw 32M98, the Business Licence Bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY

The last time Bylaw 32M98 was amended was on 2014 January 01, when Compliance Services, including Business Licensing, was transferred from Planning, Development & Assessment (PDA) over to Community Services & Protective Services.

BACKGROUND

The Business Licence Bylaw 32M98 provides the municipality authority to license certain businesses operating in Calgary. City Council has approved six purposes for the licensing of businesses as follows:

1. Where there is a clear danger to public safety;
2. Where the licensing function clearly assists in legislative compliance such as crime prevention and the recovery of stolen property;
3. Where some form of consumer protection is warranted such as supplier qualifications, or limitations on the businesses that are conducted at the potential consumer's residence;
4. Where the operation of the business rather than its location can cause negative spill-over effects into the neighbourhood;
5. Where the business activity clearly conflicts with the moral values of the citizens of Calgary;
or
6. Where an alternative to the business tax is needed so that some businesses that do not pay the tax do not have an unfair advantage over those that do.

BUSINESS LICENCE BYLAW HOUSEKEEPING AMENDMENTS

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Compliance Services worked with Law to identify areas where the bylaw required updates and where improvements could be made. The purpose of these amendments is to ensure that the Business Licence Bylaw remains up to date and reflects changes that have occurred with partner agencies. The amendments include, replacing Bylaw number 2P80, the previous Land Use Bylaw, with the updated Bylaw number 1P2007 as well as updating regulatory and department titles, including replacing the “Licence Appeal Board” with “Licence and Community Standards Appeal Board”, and the addition of the Planning, Development & Assessment department title.

With respect to the Trade Show Facility category, an item raised through the Mayor’s Cut Red Tape Initiative, a recommendation was made to Administration to amend the way Trade Shows are licensed. Currently, individual trade show customers apply for licences for every show held, despite the fact that many shows are regular annual events held at the same facilities year after year. Through a review of this process, including engagement with key stakeholders such as event customers and convention venues, it was determined that requiring a licence for each event was creating a barrier for event organizers and acting as a deterrent to attracting events to the city.

To address this issue, Administration has brought forth an amendment to tie licences to trade show venues rather than individual events; resulting in each venue having an annual trade show licence covering all events at that location. With eleven venues currently hosting trade shows in the city, this allows for a significant reduction in the number of applications for licences and removes the requirement for each customer to seek approvals from City business units, subsequently streamlining the licensing process significantly. Further this amendment results in a cost savings for customers by reducing application fees and the resources promoters are required to commit to the current process, while enabling Administration to leverage the strong relationships with the trade show venues to ensure successful events. This relationship and process ensures public safety, as venues would be licensed and would have to maintain the appropriate fire and safety standards associated with events throughout the year within their premises. From an administrative perspective this amendment results in a number of efficiencies, including reducing the number of individual inquiries, applications, data storage, planning and approval related resources.

The wording of the proposed amending bylaw can be found in Attachment 1.

Stakeholder Engagement, Research and Communication

The amendments to the Business Licence Bylaw 32M98 are based on ongoing engagement of key stakeholders, including the hotel/conference centre industry, Planning, Development & Assessment (PDA) and the Calgary Fire Department.

Further, research into common locations where Trade Shows are held was conducted through the City’s current business licence system. Each trade show venue was contacted requesting input on the new licence category and to test licensing their venue as a Trade Show Facility rather than requiring individual event promoters to obtain their own temporary licence. In 2013 March, eleven (11) locations responded and participated in the new licence category process.

BUSINESS LICENCE BYLAW HOUSEKEEPING AMENDMENTS

Strategic Alignment

Updating the Bylaw aligns with Council's Fiscal Plan Z1, becoming a more effective and disciplined organization and with PDA's 5Z1 to standardize, simplify and monitor processes to be more effective and cost efficient.

Social, Environmental, Economic (External)

The improvements to the trade show section of the Bylaw streamline the process of bringing events to the city and increase opportunities for vendors and tourists in Calgary.

Financial Capacity

Current and Future Operating Budget:

Not applicable.

Current and Future Capital Budget:

Not applicable.

Risk Assessment

By not proceeding with the highlighted amendments, inconsistencies and discrepancies within the bylaw will still exist and lead to uncertainty and the need for ongoing clarification. Further, without the trade show amendment customers would still need to apply for licences on an individual basis, which could encourage trade show promoters to move their trade shows to other cities and cost The City more time and money to continue to process individual applications.

REASON(S) FOR RECOMMENDATION(S):

Administration has identified several required housekeeping amendments to the Business Licence Bylaw 32M98, which will improve clarity, correct inconsistencies and eliminate discrepancies within the bylaw. Further, the amendment process provides an opportunity to make specific enhancements to the Trade Show Facility category, an item raised through the Mayor's Cut Red Tape Initiative.

ATTACHMENT(S)

Proposed Bylaw 12M2015 to Amend Bylaw 32M98, The Business Licence Bylaw