

PROPOSED

CD2023-0578
ATTACHMENT 2

BYLAW NUMBER 30M2023

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 32M98 THE BUSINESS LICENCE BYLAW

WHEREAS Council has considered CD2023-0578 and deems it necessary to amend the Business Licence Bylaw 32M98.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Bylaw 32M98, the Business Licence Bylaw, as amended, is hereby further amended.
2. The following is added after subsection 2(g) as subsection 2(g.1):

“(g.1) *“catalytic converter”* means a device through which exhaust from a motor is passed in order to prevent or lessen the emission of contaminants”;
3. The following is added in subsection 55(1) after the words *“wrecked motor vehicles,”*:

“motor vehicle parts,”
4. The following is added after subsection 55(2) as subsections 55(3)-55(7):

“55(3) A Salvage Collector must not accept damaged *catalytic converters*.

(4) A Salvage Collector must not remove or deface:

 - (a) a vehicle identification number or serial number that has been marked on or attached to a *catalytic converter*;
 - (b) the make and model marked on or attached to the *catalytic converter*; and
 - (c) all other markings and numbers placed on the *catalytic converter*.

(5) A Salvage Collector shall keep, in the English language, a record in a form satisfactory to the Director, including by electronic means, in which shall be permanently recorded at the time any *property* is acquired, a detailed description of *motor vehicle parts* acquired including the following:

 - (a) the full name of the employee who accepted the *property*;
 - (b) the date and time of day the *property* is acquired; and

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- (c) the information of the *person* selling the *property*, including the following:
 - (i) the first name, middle name, and surname of the *person*;
 - (ii) a current address and telephone number of the *person*;
 - (iii) a description of the *person* including height, weight, hair colour and eye colour;
 - (iv) two pieces of numbered identification, one piece of the identification being issued by a government body and containing a picture of the *person* tendering the *property*;
- (d) a detailed description of the *property* acquired;
- (e) a detailed description of any *motor vehicle* acquired including the following:
 - (i) the vehicle identification number; and
 - (ii) the make, model, colour and year of the *motor vehicle*.
- (f) a detailed description of any *catalytic converter* acquired including the following:
 - (i) the vehicle identification number of the *motor vehicle* from which the *catalytic converter* was acquired; and
 - (ii) the make, model, colour and year of the *motor vehicle* from which the *catalytic converter* was acquired.

For greater certainty, nothing in the above detracts from the requirements set out in the Scrap Metal Dealers and Recyclers Regulation AR 124/2020.

- (6) If the information required pursuant to subsection 5(f) is not provided, a Salvage Collector must not accept a *catalytic converter*.
- (7) A Salvage Collector must:
 - (a) not erase, deface or alter an entry in the record kept pursuant to subsection (5);
 - (b) not direct or allow any *person* to erase, deface or alter an entry in the record kept pursuant to subsection (5);

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- (c) immediately provide on demand to a *Licence Inspector* the record kept pursuant to subsection (5); and
 - (d) not direct or allow any *person* other than the *Licensee* or *employee* of the *Licensee* to make an entry into the record kept pursuant to subsection (5).
- (8) A Salvage Collector using electronic records:
- (a) must obtain the written approval of the Calgary Police Service prior to utilizing electronic records;
 - (b) must transmit electronically the record required under subsection (5) in a format approved by the Calgary Police Service, to a location designated by the Calgary Police Service upon demand of the Calgary Police Service; and
 - (c) in addition to making the record required under subsection (5), must make a true and accurate copy of the record in written form at the time of acquiring the *property* to which the record relates.”.
5. Section 56(2)(f) is deleted and the following substituted as sections 56(2)(f) and 56(2)(g):
- “56(2)(f) a detailed description of any *motor vehicle* acquired including the following:
- (i) the vehicle identification number; and
 - (ii) the make, model, colour and year of the *motor vehicle*.
- (g) a detailed description of any *catalytic converter* acquired including the following:
- (i) the vehicle identification number of the *motor vehicle* from which the *catalytic converter* was acquired; and
 - (ii) the make, model, colour and year of the *motor vehicle* from which the *catalytic converter* was acquired.

For greater certainty, nothing in the above detracts from the requirements set out in the Scrap Metal Dealers and Recyclers Regulation AR 124/2020.”.

6. The following is added as subsection 56(3.1):

“56(3.1) A Salvage Yard/Auto Wrecker must:

- (a) not accept damaged *catalytic converters*; and
- (b) not remove, deface or obliterate

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- (i) a vehicle identification number or serial number that has been marked on or attached to a *catalytic converter*;
- (ii) the make and model marked on or attached to the *catalytic converter*; and
- (iii) all other markings and numbers placed on the *catalytic converter*.”.

7. In **Schedule “C” – SPECIFIED PENALTIES**, under the headings indicated after:

	<u>Section</u>	<u>Specified Penalty</u>
Salvage Collector		
“Storing acquired material where not permitted	55(2)	\$ 300.00”

the following is added:

	<u>Section</u>	<u>Specified Penalty</u>
Salvage Collector		
“Accept damaged <i>catalytic converter</i>	55(3)	\$3000.00
Remove, deface or obliterate markings proving ownership	55(4)	\$3000.00
Fail to keep satisfactory record	55(5)	\$3000.00
Accept <i>catalytic converter</i> without required information	55(6)	\$3000.00
Erasing, defacing or altering records	55(7)(a)	\$3000.00
Not to direct any <i>person</i> to erase, alter or deface a record	55(7)(b)	\$3000.00
Fail to provide record on demand	55(7)(c)	\$3000.00
Allow access to record	55(7)(d)	\$3000.00
Fail to transmit record	55(8)(b)	\$3000.00
Fail to make copy of record	55(8)(c)	\$3000.00”

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8. In Schedule “C” – SPECIFIED PENALTIES, the following, listed under **Salvage Yard/Auto Wrecker**, is deleted:

	<u>Section</u>	<u>Specified Penalty</u>
Salvage Yard/Auto Wrecker		
“Fail to keep satisfactory record	56(2)	\$1000.00
Improper acceptance of <i>property</i>	56(3)(a) to (d)	\$1000.00
Erasing, defacing or altering records	56(4)(a)	\$1000.00
Not to direct any <i>person</i> to erase, alter or deface a record	56(4)(b)	\$1000.00
Fail to provide record on demand	56(4)(c)	\$1000.00
Allow access to record	56(4)(d)	\$1000.00
Fail to keep satisfactory record	56(5)(a)	\$1000.00
Fail to transmit record	56(5)(b)	\$1000.00
Fail to make copy of record	56(5)(c)	\$1000.00
Dispose of <i>property</i> prior to completing 30 day hold period requested by <i>Licence Inspector</i>	56(8)	\$1000.00
Carry on <i>business</i> in a <i>dwelling unit</i>	56(9)	\$1000.00”

and the following is substituted:

	<u>Section</u>	<u>Specified Penalty</u>
Salvage Yard/Auto Wrecker		
Fail to keep satisfactory record	56(2)	\$3000.00
Improper acceptance of <i>property</i>	56(3)(a) to (d)	\$3000.00
Accept damaged <i>catalytic converter</i>	56(3.1)(a)	\$3000.00
Remove, deface or obliterate markings proving ownership	56(3.1)(b)	\$3000.00

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Erasing, defacing or altering records	56(4)(a)	\$3000.00
Not to direct any <i>person</i> to erase, alter or deface a record	56(4)(b)	\$3000.00
Fail to provide record on demand	56(4)(c)	\$3000.00
Allow access to record	56(4)(d)	\$3000.00
Fail to keep satisfactory record	56(5)(a)	\$3000.00
Fail to transmit record	56(5)(b)	\$3000.00
Fail to make copy of record	56(5)(c)	\$3000.00
Dispose of <i>property</i> prior to completing 30 day hold period requested by <i>Licence Inspector</i>	56(8)	\$3000.00
Carry on <i>business</i> in a <i>dwelling unit</i>	56(9)	\$3000.00"

9. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____