

**PROPOSED WORDING FOR A BYLAW TO AMEND
BYLAW 32M98, THE BUSINESS LICENCE BYLAW**

1. Bylaw 32M98, as amended, is hereby further amended.
2. In subsection 2(1)(v) the bylaw number “2P80” is deleted and replaced with “1P2007”.
3. In subsection 2(1)(w) the word “*licenced*” is deleted and replaced with “*licensed*”.
4. In subsection 2(1)(aa) the word “*Licencee*” is deleted and replaced with “*Licensee*”.
5. Subsection 8(1) is deleted and replaced with the following:

“The *Chief Licence Inspector* may consult, prior to issuing or renewing a *licence*, with the Province of Alberta, the Calgary Police Service, Alberta Health Services, *Planning, Development & Assessment*, and the Calgary Fire Department, as listed in Schedule “A”, and may consult with other bodies the *Chief Licence Inspector* deems advisable, to determine whether they are in possession of information which, in the opinion of the *Chief Licence Inspector*, renders it inappropriate to issue or renew a *licence*.”
6. Subsection 8(4) is deleted and replaced with the following:

“(4) Where a *licence* has been issued in error without all the necessary approvals required pursuant to this Bylaw, the *licence* may be immediately revoked or suspended by the *Chief Licence Inspector*.”
7. Subsection 9(2)(b) is deleted and replaced with the following:

“(b) immediately furnish to a *Licence Inspector* all identification, information, or documentation related to the inspection or licensing requirement; and”
8. Subsection 11(3) is deleted and replaced with the following:

“(3) A *Licensee* shall maintain, on a continuous basis the standards and requirements necessary to obtain a *licence*.

(3.1) A *Licensee* shall maintain any standards or requirements imposed by a bylaw, or a Federal or Provincial Act or regulation, after the *licence* is issued.

(3.2) A *Licensee* shall maintain any additional standards and requirements that are necessary because of any change in the operations of the *Licensee* after the *licence* is issued.”
9. Subsection 12(3) is deleted and replaced with the following:

“(3) Where any certificate, authority, *licence* or other document of qualification under this or any other bylaw, or under any Federal or Provincial Act or regulation, is suspended, cancelled, terminated, surrendered or ceases to have effect, the *Chief Licence Inspector* shall, without convening a hearing, suspend any *licence* based in whole or in part on the certificate, authority, *licence* or other document of qualification.”

10. Subsection 12(4) is deleted and replaced with the following:
 - “(4) Upon a *licence* application being refused, a *licence* being revoked or suspended, or conditions being applied to a *licence*, the *Chief Licence Inspector* shall notify the *applicant* or *Licensee* of the refusal, revocation, suspension or conditions and the reasons for it:
 - (a) by delivering a notice to him personally; or
 - (b) by mailing a registered letter to his place of *business* or residence as shown on his *licence* or *licence* application.”
11. Subsection 12(5)(b) is deleted and replaced with the following:
 - “(b) where the suspension is for non-compliance with a bylaw, or a Federal or Provincial Act or regulation, until the holder of the suspended *licence* has, in the opinion of the *Chief Licence Inspector*, complied with that legislation.”
12. In subsection 12(8) the words “*Licence Appeal Board*” are deleted and replaced with “*Licence and Community Standards Appeal Board*”.
13. The following is added after subsection 12(11) as subsection 12(12):
 - “(12) A *person* shall not *carry on a business* listed in Part II of this Bylaw where the *licence* for that *business* has been suspended or revoked by the *Chief Licence Inspector*.”
14. Subsection 15(5) is deleted and replaced with the following:
 - “(5) A *person* must not:
 - (a) reproduce, alter, or deface a *licence*; or,
 - (b) be in possession of a *licence* that has been reproduced, altered or defaced.”
15. In subsection 49(11) the words “*City of Calgary Land Use Bylaw*” are deleted and replaced with “*Land Use Bylaw*”.
16. In subsection 56(9) the words “*City Land Use Bylaw*” are deleted and replaced with “*Land Use Bylaw*”.
17. In subsection 58(14) the words “*City of Calgary Land Use Bylaw*” are deleted and replaced with “*Land Use Bylaw*”.

18. Section 60 is deleted and replaced with the following:

“TRADE SHOW

60. (1) Trade Show means the *business* of organizing a commercial exhibition:
- (a) of 10 or more participants,
 - (b) where the exhibition is less than one month in duration, and
 - (c) for the purposes of having the participants exhibit samples, demonstrate products or services, or sell products or services to the public.
- (2) Participants in a commercial exhibition are not required to be individually *licensed* to take part in the exhibition except for Alcohol Beverage Sales and Tobacco Retailer.

TRADE SHOW FACILITY

- 60.1 (1) Trade Show Facility means the *business* of providing a venue to hold a commercial exhibition:
- (a) of 10 or more participants,
 - (b) where the exhibition is less than one month in duration, and
 - (c) for the purposes of having the participants exhibit samples, demonstrate products or services, or sell products or services to the public.
- (2) Any *person* holding a Trade Show *licence* is not required to hold a Trade Show Facility *licence* unless they also *carry on* the *business* of providing a venue to hold a commercial exhibition.
- (3) Participants in a commercial exhibition are not required to be individually *licensed* to take part in the exhibition except for Alcohol Beverage Sales and Tobacco Retailer.
- (4) Prior to holding a commercial exhibition where the number of people at the venue is expected to exceed 300 people, a Trade Show Facility shall obtain the approval of the Calgary Fire Department.”

19. The following is added after section 63(1) as section 63(1.1):

“63(1.1) The owner of real property, who is registered on title at the Land Titles Office, shall be responsible for any act of a *licensee* or *person carrying on business* on the *premises* located on the property that constitutes an offence under this Bylaw, in the same manner and to the same extent as though the act were done by the owner.”

20. In Schedule “A”, after:

<u>Section</u>	<u>Business</u>	<u>Consultation or Approval</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
			<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
“60	Trade Show	Fire Planning Police	\$177	\$184	\$191	\$199	\$135	\$141	\$146	\$152”

the following is added under the headings indicated:

<u>Section</u>	<u>Business</u>	<u>Consultation or Approval</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
			<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
“60.1	Trade Show Facility	Fire Planning	\$177	\$184	\$191	\$199	\$135	\$141	\$146	\$152”

21. In “Schedule “C”:

(a) under the headings indicated, the following is deleted:

	<u>Section</u>	<u>Specified Penalty</u>
“Responsibilities of Licencee and Employees		
Business fail to maintain standards	11(3)	\$1000.00

and replaced with the following:

	<u>Section</u>	<u>Specified Penalty</u>
“Responsibilities of Licensee and Employees		
Fail to maintain standards	11(3)	\$1000.00
Fail to maintain standards imposed after <i>licence</i> issued	11(3.1)	\$1000.00

Fail to maintain standards after change in operations	11(3.2)	\$1000.00”
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(b) under the headings indicated, the following is deleted:

	<u>Section</u>	<u>Specified Penalty</u>
“Refusal, Revocation or Suspension		
<i>Carry on business while licence suspended</i>	12(6)(a)	\$1000.00
Failing to return a <i>licence</i> while under suspension or revocation	12(6)(b)	\$ 300.00”

and replaced with the following:

	<u>Section</u>	<u>Specified Penalty</u>
“Revocation or Suspension		
Fail to return a <i>licence</i> that is suspended or revoked	12(11)	\$300.00
<i>Carry on business while licence suspended or revoked</i>	12(12)	\$ 3000.00”

(c) under the headings indicated, the following is deleted:

	<u>Section</u>	<u>Specified Penalty</u>
“Licence Identification		
Reproducing, altering or defacing a <i>licence</i>	15(5)	\$300.00”

and replaced with the following:

	<u>Section</u>	<u>Specified Penalty</u>
“Licence Identification		
Reproduce, alter or deface a <i>licence</i>	15(5)(a)	\$300.00
Possession of a <i>licence</i> that has been reproduced, altered or defaced	15(5)(b)	\$300.00”

(d) after the heading:

	<u>Section</u>	<u>Specified Penalty</u>
“Tobacco Retailer		
<i>Carry on business from a dwelling unit or mobile business unit</i>	59(2)	\$300.00”

the following is added under the headings indicated:

	<u>Section</u>	<u>Specified Penalty</u>
“Trade Show Facility		
Failing to obtain Fire Department approval where number of people at venue exceeds 300	60.1(4)	\$1000.00”

22. This Bylaw comes into force on the date it is passed.