



**Business Licence Bylaw No. 7360,  
Amendment Bylaw No. 10597**

The Council of the City of Richmond enacts as follows:

1. Business Licence Bylaw No. 7360, as amended, is further amended at Part One: Business Licence Application Process by deleting sections 1.2(h) and (i) and replacing them with the following:
  - “(h) an attestation that the **applicant** is eligible to apply for a **licence** in accordance with the provisions of this bylaw;
  - (i) in the case of a company or society, a copy of that company’s Company Summary or that society’s Society Summary, as the case may be, from the BC Registry Services, for a search conducted no more than seven (7) days prior to the date of submission of the application form;
  - (j) in the case of a **partnership** that is a limited partnership or a limited liability partnership, a copy of that **partnership’s** Partnership Summary, from the BC Registry Services, for a search conducted no more than seven (7) days prior to the date of submission of the application form; and
  - (k) any other information the **Licence Inspector** may require.”
2. Business Licence Bylaw No. 7360, as amended, is further amended at Part One: Business Licence Application Process by adding the following after subsection 1.6:

“1.7 No **person** is eligible to apply for a **licence**, and a **licence inspector** must not issue a **licence** to a **person**, if:

  - (a) such **person** had a **licence**;
  - (b) such **person** was a **key individual** of another **person** who had a **licence**;
  - (c) such **person** is a **corporation** or **partnership**, and one or more **key individual** in respect of such **corporation** or **partnership**:
    - (i) had a **licence**; or
    - (ii) is or was a **key individual** of another **person** that had a **licence**; or

(d) a **related person** to such **person** had a **licence**

for the same or similar form of **business**, at the same location, either:

(i) cancelled pursuant to the provisions of this bylaw or the **Community Charter**, within the previous two year period, unless determined otherwise by Council; or

(ii) suspended pursuant to the provisions of this bylaw or the **Community Charter**, and such suspension is still in effect.

1.8 If a **person** has been provided with notice of a hearing contemplating the cancellation or suspension of a **licence**, then until such time as a decision has been rendered with respect to such hearing:

(a) such **person**;

(b) a **key individual** of such **person**;

(c) a **corporation** or **partnership** of which such **person** is or was a **key individual**;

(d) a **corporation** or **partnership** of which one more **key individual** is or was a **key individual** of such **person**; or

(e) a **related person** to such **person**

is not eligible to apply for or be issued a **licence** for the same or similar form of business, at the same location, under a different name than that of the current **licence**.

1.9 A **licence inspector** may refuse to issue a **licence** to a **person**, if such **person** has an unpaid fine owing to the City pursuant to this bylaw or any other bylaw of the City.”

3. Business Licence Bylaw No. 7360, as amended, is further amended at Part Four: General Provisions, by:

(a) inserting the following at the end of section 4.3.1:

“If a **person** has been provided with notice of a hearing contemplating the cancellation or suspension of a **licence**, then until such time as a decision has been rendered with respect to such hearing, such **person** may not transfer such **licence**.”

(b) deleting section 4.5.3 and replacing it with the following:

“4.5.3 Subject to the **Community Charter**, the **Licence Inspector** has the power to grant, issue, renew, cancel or transfer **licences**.”

4. Business Licence Bylaw No. 7360, as amended, is further amended at Part Five: Bylaw Violations and Penalties by deleting section 5.3 and replacing it with the following:

“5.3 Every **licencee** must comply with:

- (a) the terms and conditions set out in their **licence**;
- (b) the requirements of this, or any other bylaw of the **City**, which governs or regulates the **business** for which such **licence** was granted;
- (c) any requirements imposed by the **Medical Health Officer**; and
- (d) all applicable statutes, regulations, rules, codes and orders of all federal or provincial authorities having jurisdiction of such **business**.

5.4 A violation of any of the provisions identified in this bylaw shall:

- (a) result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended or replaced from time to time; and
- (b) be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c. 60, as they may be amended or replaced from time to time.”

5. Business Licence Bylaw No. 7360, as amended, is further amended at Part Seven: Interpretation by adding the following definitions in section 7.1 in alphabetical order:

**“AFFILIATE** has the meaning given to that term in the *Business Corporations Act*, [SBC 2002] Ch 57.

**BLOOD RELATIONSHIP** means persons connected by

- (a) blood relationship if one is a child or other descendant of the other or one is the brother or sister of the other;
- (b) marriage if one is married to the other or to a person who is so connected by blood relationship to the other;
- (c) common-law partnership if one is in a common-law partnership with the other or with a person who is connected by blood relationship to the other; and
- (d) adoption if one has been adopted, either legally or in fact, as the child of the other or as the child of a person who is so connected by blood relationship (otherwise than as a brother or sister) to the other.

**COMMUNITY CHARTER** means the Community Charter, [SBC 2003] Ch. 26, as amended or replaced from time to time.

**CORPORATION** means an incorporated association, company, society, municipality or other incorporated body, where and however incorporated.

**KEY INDIVIDUAL** means a **person** who is or was:  
(a) a director, officer or **significant individual** of a **corporation**; or  
(b) a partner of a **partnership**.

**PARTNERSHIP** has the meaning given to that term in section 2 of the *Partnership Act*, [RSBC 1996] Ch. 348, and includes, without limitation, a limited partnership, a limited liability partnership and a general partnership.

**RELATED GROUP** means a group of persons each member of which is related to every other member of the group.

**RELATED PERSON** means:  
(a) individuals connected by **blood relationship**, marriage or common-law partnership or adoption;  
(b) a **corporation** and  
(i) a **person** who controls the **corporation**, if it is controlled by one **person**,  
(ii) a **person** who is a member of a **related group** that controls the **corporation**, or  
(iii) any **person** related to a **person** described in (i) or (ii) above; and  
(c) any two **corporations** that are **affiliates**.

**SIGNIFICANT INDIVIDUAL** has the meaning given to that term in section 119.11(2) of the *Business Corporations Act*, [SBC 2002] Ch. 57.”

6. Business Licence Bylaw No. 7360, as amended, is further amended by:

- (a) replacing the words “suspended, cancelled or revoked” in sections 2.1.30.3(c) and 4.2.1 with the words “suspended or cancelled”;
- (b) deleting the word “revoke” in section 2.3.3 and replacing it with the word “cancel”;
- (c) replacing the words “cancelled, suspended, revoked” in section 2.3.4 with the words “suspended, cancelled”;
- (d) deleting the words “revoke or” in section 5.2(b); and
- (e) deleting the words “*Local Government Act*” in sections 4.1.1, 4.4.3, 5.2 and 7.1 and replacing them with the words “*Community Charter*”.

7. This Bylaw is cited as “Business Licence Bylaw No. 7360, Amendment Bylaw No. 10597”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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MAYOR

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CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating Division M.C.
APPROVED for legality by Solicitor B.R.B.