



Regular Meeting of the Council of the District of Port Edward

Tuesday, December 12, 2023

7:00 PM

District of Port Edward Council Chambers

Zoom Link Join: <https://us06web.zoom.us/j/88308630572>

Meeting ID: 883 0863 0572

AGENDA

We respectfully acknowledge we are meeting on the traditional unceded homeland and territories of the Tsimshian Peoples

1. Adoption of Agenda

Recommendation:

THAT the Agenda for the Regular Council Meeting of December 12, 2023 be adopted as presented.

2. Adoption of Minutes

Recommendation: THAT the minutes of the Regular Council on November 28, 2023 be adopted as presented.

3. Business Arising

4. Petitions & Delegation

a) Sgt. Micah Kneller, Conservation Officer

RE: Wolves Problem in Port Edward

5. Correspondence

6. Reports

a) Occupational Health & Safety Program (OH&S) and related Policies

Recommendation: That Council approves the Discriminatory and Harassment/Respectful Workplace Policy ADM# 614 and further;

That the 1996 policies attached be repealed, as they are now covered under the new District of Port Edward Occupational Health and Safety Program.

b) Amendment to Memorandum of Understanding- Interim Water Supply Payment- PRPA

Recommendation: That Council approves the Second Amendment to the Memorandum of Understanding with the Prince Rupert Port Authority, dated January 5th, 2024.

c) Annual Funding for Charities

Recommendation: That Council direct staff to annually, during the month of December, make a donation to the Salvation Army (Prince Rupert) in the amount of \$1,000 and to the Prince Rupert Wildlife Shelter in the amount of \$ 500.

d) CAO's Report to Council (Nov 23rd -Dec 7th, 2023)

e) Northern View Advertisement

Recommendation: That Council direct staff to annually, support the list below of Advertisements in the Northern View.

f) District of Port Edward – Corporate Strategic Plan

RE: Progress Report- December 2023

7. Bylaws

a) District of Port Edward Business Licence Bylaw # 753, 2023

Recommendation: THAT Council gives final reading and adoption to the Business Licence Bylaw # 753, 2023.

8. New Business

9. Reports on Council Activities

10. Questions from Audience – *Regarding Listed Agenda Items Only*

11. Adjournment

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**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE DISTRICT
OF PORT EDWARD, HELD IN COUNCIL CHAMBERS ON TUESDAY
NOVEMBER 28, 2023**

PRESENT:

COUNCIL

Acting Mayor Colleen McDonald, Chair
Councillors: Christine MacKenzie, James Brown and
Dan Franzen
Via Zoom: Mayor Knut Bjorndal

ADMINISTRATION:

Elsie Lemke, Interim Chief Administrative Officer
Polly Pereira, Director of Corporate Administrative
Services and Strategic Projects
Lorraine Page, Director of Financial Services

CALL TO ORDER:

Acting Mayor Colleen McDonald called the meeting to order at 7:02 pm on Tuesday
November 28, 2023.

The Acting Mayor opened the meeting by respectfully acknowledging we are meeting on the
traditional unceded homeland and territories of the Tsimshian Peoples.

AGENDA:

23-184 Moved by: Councillor MacKenzie
 Seconded by: Councillor Franzen

THAT the Agenda for the Regular Council Meeting of November 28, 2023 be adopted
as presented.

Carried Unanimously

MINUTES:

23-185 Moved by: Councillor Brown
 Seconded by: Councillor Franzen

THAT the minutes of the Special Meeting on November 11, 2023 and Regular Meeting
of Council dated November 14, 2023 be adopted as presented.

Carried Unanimously

BUSINESS ARISING:

PETITIONS AND/OR DELEGATION:

CORRESPONDENCE:

REPORTS:**a) Prince Rupert Salmon Enhancement Society- Proposed Agreement in Principle**

Council was provided a report dated November 28, 2023 from Elsie Lemke, Interim Chief Administrative Officer, proposing an Agreement in Principle with the District of Port Edward, to commit to a supportive and collaborative relationship to enable the development of a salmon enhancement hatchery within the municipality. Their current operations, on Wantage Road, have been damaged by a landslide and it is not safe or viable to remain in the current site.

23-186 Moved by: Councillor Franzen
 Seconded by: Councillor MacKenzie

THAT Council approves entering into the Agreement in Principle with the Prince Rupert Salmon Enhancement Society effective November 28, 2023.

Carried Unanimously

b) Development Variance Permit Application

Council was provided a report dated November 28, 2023 from Elsie Lemke, Interim Chief Administrative Officer, regarding the development application from Port Ed Holdings, for 336 Spruce Ave, to develop a duplex on the Multi-Family (RM2) lot. The property was rezoned from R1 to RM2 a few years ago with the intention of adding it to the adjacent property. This never happened, so the owner is now proposing a duplex. The minimum size for RM2 is 1,000 square meters, and sites for duplex lots should be not less than 800 square meters. This property is 366 square meters, substantially smaller, so the owner is proposing two variances in order to accommodate the compact duplex on the smaller lot as follows:

Variance to Section 5.6.2(b) Reduce minimum floor area from 50 to 33.4 sq m

Variance to Section 6.7 Reduce # of off-street parking spaces from 4 to 2

Given the cost of developing housing the request to reduce the size of the duplex units appears to provide a reasonable opportunity to increase housing diversity and density in the community.

The boulevard in front of 336 Spruce Ave is approximately 12 feet deep, and should physically be able to provide additional off-street parking for the property. The reduction of two parking spaces to fit completely on the property is not material impediment to be development. Part of this process is to notify owners/occupants within 30 meters of the subject property of the intention for Council to consider the request. Copies of all the information submitted by the owners and necessary for the consideration of this development variance permit was attached to the agenda package. If Council is supportive of this request, the Development Permit will be issued.

23-187 Moved by: Councillor Brown
 Seconded by: Councillor Franzen

THAT Council approves the issuance of the Development Permit with Variance No. 04-2013 for 336 Spruce Avenue, Port Ed Holdings, for development of a duplex.

Carried Unanimously

c) 2022 Audited Financial Statements

Council was provided a report dated November 28, 2023 from Lorraine Page, Director of Finance, regarding a correction to the Statement of Expenditures (page 19). The original Financial Statements presented on April 25, 2023 misrepresented both Legal and Road Expenditures in 2022. The correction has been made and the attached 2022 Audited Financial Statements are now presented for approval.

23-188 Moved by: Councillor MacKenzie
 Seconded by: Councillor Brown

THAT Council approves the corrected 2022 Audited Financial Statements as prepared by Vohora & Company.

Carried Unanimously

d) CAO's Report (November 15- Nov 23, 2023)

Council was provided a report from the Interim Chief Administrative Officer dated November 28, 2023 that outlined all the activities and progress to date.

23-189 Moved by: Councillor MacKenzie
 Seconded by: Councillor Brown

THAT Council accepts the CAO's report as presented.

Carried Unanimously

e) 2024 Council Meeting Schedule

Council was provided a report dated November 28, 2023 from Polly Pereira, Director of Corporate Administrative Services, that outlined the proposed 2024 Regular Council meetings.

23-190 Moved by: Councillor Franzen
 Seconded by: Councillor MacKenzie

THAT Council approves 2024 Regular Council Meeting Schedule.

Carried Unanimously

f) 2024 Council Appointments

Council was provided a report dated November 28, 2023 from Polly Pereira, Director of Corporate Administrative Services regarding the 2024 Council appointments to the various Boards. A copy of the 2023 appointments was also provided as well as information regarding the Skeena Round table Board.

23-191 Moved by: Councillor MacKenzie
 Seconded by: Councillor Brown

THAT the 2024 Acting Mayor Appointments are as follows:

Acting Mayor for the months of January 1 to March 31: Councillor Dan Franzen;
Acting Mayor for the months of April 1 to June 30: Councillor James Brown;
Acting Mayor for the months of July 1 to September 30: Councillor Christine MacKenzie;
Acting Mayor for the months of October 1 to December 31: Councillor Colleen McDonald.

Carried Unanimously

FURTHER THAT THE FOLLOWING MOTION WAS MADE:

23-192 Moved by: Councillor MacKenzie
 Seconded by: Councillor McDonald

THAT the North Coast Regional District Board representative be Dan Franzen and the alternate be the rest of Council.

A motion was made to amend the above motion

23-193 Moved by: Councillor Brown
 Seconded by: Councillor Franzen

THAT the alternate representative to the North Coast Regional District Board be the Mayor Knut Bjorndal.

The Mayor was asked if he accepted and he declined the appointment.

Both the original and amended motions were recinded.

FURTHER THAT THE FOLLOWING MOTION WAS MADE

23-194 Moved by: Councillor MacKenzie
Seconded by: Councillor McDonald

THAT the North Coast Regional District Board representative be Dan Franzen and the alternate be the rest of Council.

Carried

23-195 Moved by: Councillor Brown
Seconded by: Councillor Franzen

THAT the Regional Hospital District Board representative be Mayor Knut Bjorndal and the Acting Mayor be the alternate.

Carried Unanimously

23-196 Moved by: Councillor Brown
Seconded by: Councillor Franzen

THAT the Northern Development Initiative Trust Board representative be Mayor Knut Bjorndal and the Acting Mayor be the alternate.

Carried Unanimously

23-197 Moved by: Councillor Brown
Seconded by: Councillor Franzen

THAT the Port Edward Harbour Authority Board representative be Mayor Knut Bjorndal and the Acting Mayor be the alternate.

Carried Unanimously

23-198 Moved by: Councillor Brown
Seconded by: Councillor Franzen

THAT the Skeena Roundtable Representative be Mayor Knut Bjorndal and the Acting Mayor be the alternate.

Councillor Brown withdrew the motion since the Mayor expressed he no longer wished to be the representative on this committee.

New motion was made:

23-199 Moved by: Councillor MacKenzie
Seconded by: Councillor Franzen

THAT the Skeena Roundtable Representative be Councillor Brown and the Acting Mayor be the alternate.

Carried Unanimously

REPORTS FROM
IN-CAMERA:

BYLAWS:**a) Fireworks Amendment Bylaw # 751**

Council received a report dated November 28, 2023 from the Director of Corporate Administrative Services. The above bylaw received first, second and third reading at the last Council meeting on November 14, 2023. It is now being presented for final reading and adoption.

23-200 Moved by: Councillor MacKenzie
 Seconded by: Councillor Brown

THAT Council gives final reading and adoption to the Fireworks Amendment Bylaw # 751, 2023.

Carried Unanimously

b) Sewer Rates & Regulation Amendment Bylaw # 752, 2023

Council received a report dated November 14, 2023 from the Director of Corporate Administrative Services. The above bylaw received first, second and third reading at the last Council meeting on November 14, 2023. It is now being presented for final reading and adoption.

23-201 Moved by: Councillor Brown
 Seconded by: Councillor MacKenzie

THAT Council gives final reading and adoption to the Sewer Rates & Regulations Amendment Bylaw # 752, 2023.

Carried Unanimously

c) Business Licence Bylaw # 753, 2023

Council received a report dated November 28, 2023 from the Director of Corporate Administrative Services. The attached Business Licence Bylaw # 387 and amendment Bylaw # 417 were adopted in the late 90's and need to be updated. The current business licences are held mostly by contractors, at a rate of \$60 per year. This rate has been in place since the 90's and has not been increased. The proposed rate structure has been simplified, by creating just 2 categories- Industrial Operations (General Commercial and Industrial) at \$150 per year and all other businesses at \$100 per year. We are now requesting that Council gives first, second and third reading to the above bylaw.

23-202 Moved by: Councillor Franzen
 Seconded by: Councillor MacKenzie

THAT Council gives first, second and third reading to the Business Licence Bylaw # 753, 2023.

Carried Unanimously

NEW BUSINESS:

Councillor Brown

23-203 Moved by: Councillor Brown
Seconded by: Councillor Franzen

THAT Council send a congratulatory letter to the Metlakatla Band and Lax kw'alaams Band on their recent election.

Carried Unanimously

23-204 Moved by: Councillor Brown
Seconded by: Councillor MacKenzie

THAT a request be sent to CN regarding their Emergency Response Plan.

Carried Unanimously

23-205 Moved by: Councillor Brown
Seconded by: Councillor MacKenzie

THAT Council make a contribution of one thousand dollars toward the Prince Rupert Salvation Army.

Carried Unanimously

REPORTS ON COUNCIL ACTIVITIES:

Councillor Franzen

- Attended the North Coast Regional District Board meeting.

Acting Mayor Colleen McDonald

- Gave Council an update on her call with a Conservation Officer, they have set up snares in our community and they will be attending our next Council meeting as a Delegation.
- Participated in the Regional Hospital District Board meeting.

RE: Update on Accessibility Committee

23-206 Moved by: Councillor MacKenzie
Seconded by: Councillor Brown

THAT Council receive and file the Accessibility Community Report as presented.

Carried Unanimously

RE: North Coast Regional District – November 2023

23-207 Moved by: Councillor Brown
 Seconded by: Councillor Franzen

THAT Council receive and file the North Coast Regional District – November 2023 Highlights as presented.

Carried Unanimously

ADJOURNMENT:

23-208 Moved by: Councillor MacKenzie
 Seconded by: Councillor Franzen

RE: Motion to move to In-Camera at the end of Regular Council as per Community Charter Section 90(1):

- (a)- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c)- labour relations or other employee relations;
- (i)- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

23-209 Moved by: Councillor MacKenzie
 Seconded by: Councillor Franzen

NOW THEREFORE BE IT RESOLVED THAT at 8:00 pm the November 28, 2023 Regular Meeting of Council be adjourned and move to the In-camera meeting.

Carried Unanimously

CERTIFIED CORRECT

Colleen McDonald, Acting Mayor

Polly Pereira, Director Corporate
Administrative Services and Strategic
Projects



REGULAR COUNCIL REPORT FOR DECISION

Date: December 12, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: Occupational Health & Safety Program (OH&S) and related policies

Recommendation: That Council approves the Discrimination and Harrassment/Respectful Workplace Policy ADM#614 and further;

That the following 1996 policies be repealed, as they are now covered under the new District of Port Edward Occupational Health and Safety Program:

011/1996	Responsibilities of Supervisors & Workers
021/1996	Notifying Management
022/1996	Reporting of Injury or Near Miss Incident
023/1996	Procedure of Reporting and Recording Injury
024/1996	Employees Accident Reports
040/1996	Emergency Shower and Eye Wash
050/1996	Emergency Action Plan for Polychlorinated Biphenyl
060/1996	Community Centre & District Office
070/1996	Responsibilities of the Confined Space Watchperson
072/1996	Confined Space Entry Procedures
100/1996	Standard Construction Signage
240/1996	Violence in the Workplace Guidelines
270/1996	Bear Awareness and Use of Repellent
290/1996	Clearing of Aisles and Entrances
330/1996	WHMIS Labels
340/1996	Handling Glass
350/1996	Accident Investigation
00-01-11	Harrassment

Background:

During my previous interim assignment with Port Edward, I had begun work on an updated Health and Safety Program with the assistance of Glacierview Consulting of Smithers. The continuation of work on this project was identified as a high priority for the new incoming CAO,

but unfortunately very little progress was able to be achieved due to many competing priority matters that needed attention.

The process for updating and establishing current Health and Safety Programs differs substantially from processes that were in place in 1996, which is the last time any significant updates to the health and safety program were undertaken (except for a very robust Confined Space Entry Program). Previously, it was common practice for Council to consider and approve all health and safety directives, whether they were policy based or procedure/operational in nature. The present-day standard is that Council is expected to adopt just governance policies, including the overarching Health and Safety Policy document (this was presented to Council and adopted in January, 2023), and the Discrimination and Harassment/Respectful Workplace Policy. As well, Council adopted the new structure of having a Health and Safety Representative, instead of a Health and Safety Committee (due to our small numbers of staff) in October of this year, as this change required a Letter of Understanding with the Union, since it was referred to in the Collective Agreement. The remainder of the OH&S Program and its supporting documents are operational in nature, and are expected to be established by management of the organization.

New Discrimination and Harassment/Respectful Workplace Policy:

The new Policy is attached to this report for Council's review and consideration for adoption. A Discrimination and Harassment/Respectful Workplace policy applies to all employees, elected officials, consultants, contractors and volunteers representing or acting on behalf of the District. It is therefore important that Council has a role in establishing this policy. It is important that those persons who are expected to abide by this policy are made aware of it and provided training or guidance periodically as necessary.

Concluding Remarks:

There is still a lot of work to do to make the new OH&S Program complete. The framework is now in place to ensure the next CAO has a path forward to continue with the work, and also to address the operational, on the ground aspects of the program.

In order to reduce the amount of paper in your packages, the policies to be rescinded have not been included with the agenda, but are available for your review. Please let me know if you would like to see them. The program documents that are attached for your information, that do not require your approval, are noted below.

I would strongly encourage Council to ensure there are funds budgeted annually to continue to focus on improved health and safety training and practices that are necessary to uphold an effective organizational health and safety culture. Funding could be allocated from the COVID-

19 Safe Restart Grant for the first few years. This OH & S Program helps to achieve Council's policy objective identified in their overarching Health and Safety Policy which was adopted by resolution on January 24, 2023 and states:

"The District of Port Edward is committed to providing a safe and healthy work environment for its employees, contract workers, and visitors with the goal of preventing injuries, illnesses, property damage, or damage to the environment. "

And further states:

"The District will promote healthy and safe work practices and attitudes that are integral parts of its operations."

Approved for Submission to Council:



Elsie Lemke, Interim CAO

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Excellent Organization

Attachment:

Discrimination and Harrassment/Respectful Workplace Policy ADM#614 – For Adoption

Following are for Information:

- Occupational Health and Safety Program
- Prevention of Violence in the Workplace Program
- Employee Orientation Checklist
- Risk Assessment Worksheet
- First Aid Assessment Worksheet
- Hazard/Near Miss Reporting
- Safe Work Procedure Template
- Workplace Inspection Checklist



District of Port Edward

POLICY AND PROCEDURES

ADM# 614

Effective Date:	Authorized By:	Replaces: Policy #00-01-11
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TOPIC: **Discrimination and Harassment/Respectful Workplace**

The District of Port Edward endorses a working environment where all employees are treated in a fair and respectful manner. Achieving this environment depends on mutual respect, cooperation, and understanding among fellow workers. Each individual has a right to a work environment where they are treated with dignity and respect and has a responsibility to treat others the same way.

The fundamental objective of this policy is to prevent discrimination or bullying and harassment from occurring in the workplace. Discrimination, bullying and harassment will not be tolerated or condoned; it undermines the dignity, self-esteem, and productivity of any employee.

PURPOSE:

To ensure that all individuals who work for the District are treated with dignity, free from discrimination, bullying, harassment, and supported in resolving workplace disputes.

The policy defines prohibited conduct and sets out the expectations of the District.

SCOPE:

This policy applies to all employees, including supervisory and management, and persons representing or acting on behalf of the District (including but not limited to: elected officials, consultants, contractors and volunteers). All individuals are responsible for conducting themselves in accordance with this policy and for maintaining a work environment that is respectful and free from discrimination, bullying and harassment.

Definitions:

Discrimination means differential behaviour directed against another person relating to personal characteristics of an individual or group with respect to any protected ground under the *British Columbia Human Rights Code*. The protected grounds are:

- Political Belief
- Mental Disability
- Marital Status
- Place of Origin
- Religion
- Race
- Physical Disability
- Colour
- Sex

- Sexual Orientation
- Gender Identity or Expression
- Ancestry
- Family Status
- Age (19 or older)
- Criminal or summary conviction offence (unrelated to the employment of that person)

Examples of behaviour that may constitute discrimination under this policy include but are not limited to:

- racial or ethnic slurs including racially derogatory nicknames;
- unwelcome remarks, jokes, innuendo or taunting about a person's age, gender, sexual orientation, gender identity, ethnic origin, religion, accent, or disabilities; or
- patronizing behavior that reinforces stereotypes and undermines self-respect or adversely impacts working conditions or performance.

Sexual Harassment

Sexual Harassment is a form of discrimination. It is unwanted or unwelcome conduct of a sexual nature that interferes with a person's work or job opportunities.

Examples of behaviour that may constitute sexual harassment under this policy include but are not limited to:

- unwelcome sexual advances;
- requests for sexual favours;
- leering;
- unwanted touching;
- display or circulation of material of a sexually explicit nature;
- sexist jokes; or
- other unwelcome verbal or physical behaviours of a sexual nature.

Bullying and Harassment

According to WorkSafe BC regulation, "bullying and harassment":

- a) includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but
- b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

Examples of behaviour that may constitute bullying and harassment under this policy include but are not limited to:

- verbal aggression or insults;
- calling someone derogatory names;
- vandalizing personal belongings;
- sabotaging someone's work;
- spreading malicious gossip or rumours;

- engaging in harmful or offensive initiation practices;
- physical or verbal threats or threatening gestures;
- making personal attacks based on someone's private life and/or personal traits;
- targeting a person for social isolation;
- cyber bullying.

Intent

Intent does not determine whether the behaviour is discrimination or bullying and harassment. A person cannot excuse behaviour by saying he or she did not intend it to contravene this policy.

Examples of behaviours that may not be discrimination or bullying and harassment include:

- expressing differences of opinion;
- offering constructive feedback, guidance, or advice about work-related behaviour and performance; or
- relations between employees based on mutual consent.

Discrimination, bullying and harassment should not be confused with the appropriate exercise of managerial authority. Examples of reasonable management action include but are not limited to decisions relating to the following:

- job duties or work to be performed;
- workloads and deadlines;
- layoffs, transfers, promotions, and reorganizations;
- work instructions, supervision, or feedback;
- work evaluation;
- performance management; and
- discipline, suspension, or dismissal.

Workplace

For the purposes of this policy, the workplace is not just the offices and buildings where business of the District is being carried out. Discrimination or bullying and harassment can occur during or after working hours, on or off District property. This policy also covers business travel, work-related social gatherings, internet or social media communications, or any other locations where the prohibited conduct may have a subsequent impact on the work relationship, work environment or job performance of any person to whom this policy applies.

Responsibilities:

All employees, volunteers and contractors are expected to:

- have a clear understanding of this policy and of their rights (to be treated with dignity and respect) and responsibilities;

- contribute constructively to a respectful workplace environment that is collaborative, inclusive and embraces diversity;
- address or report any behaviour that is inconsistent with this policy; and
- cooperate with investigations under this policy.

Employees in supervisory or leadership roles including Union executives have additional responsibilities including:

- modelling appropriate behaviour in the workplace;
- taking appropriate and timely action if they observe or are made aware of discrimination or bullying and harassment in the workplace whether a complaint has been made;
- preventing discrimination or bullying and harassment from occurring by creating a respectful workplace environment; and
- seeking advice and assistance from their department manager or Human Resources where appropriate.

Management plays an important leadership role in the communication, support, and administration of this policy.

- ensure that the policy is communicated to employees, contractors, and volunteers;
- provide support and assist with the informal resolution process;
- manage the conduct of investigation of formal complaints and determine the appropriate response or remedy; and
- maintain appropriate records.



DISTRICT OF PORT EDWARD

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COUNCIL REPORT FOR DECISION

Date: December 12th, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: **Amendment to Memorandum of Understanding – Interim Water Supply Payment – Prince Rupert Port Authority**

Recommendation: That Council approves the Second Amendment to the Memorandum of Understanding with the Prince Rupert Port Authority, dated January 5th, 2024.

Background: The attached Agreement provides for an additional year to renegotiate new fees and rate structures for the Prince Rupert Port Authority Water Supply Agreement. The First Amendment signed last year increased the interim payment for the supply of raw water (costs and capital upgrades) to the District from \$55,000 to \$100,000. The PRPA will continue to pay the base rate of \$25,000 for 2024 as per the terms of the original Agreement, and the additional \$100,000 agreed to in 2023, for a total annual payment of \$125,000.

The delay in negotiating a new permanent fee structure is due to issues with the current water meter. We have engaged McElhanney engineers to help determine what exactly the issues are so that the right solution can be implemented. The Port Authority is funding the cost of this work, and any potential solutions.

Approved for Submission to Council



Elsie Lemke, Interim CAO

Strategic Plan Priority Aligned With:

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Strong District Organization

SECOND AMENDMENT TO MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT made as of the 5th day of January 2024 (the "**Effective Date**").

BETWEEN:

PRINCE RUPERT PORT AUTHORITY, a port authority established pursuant to the *Canada Marine Act*, with a place of business at 200-215 Cow Bay Road, Prince Rupert, British Columbia, V8J 1A2
(**"PRPA"**)

AND:

THE DISTRICT OF PORT EDWARD, a district municipality, with a place of business at 770 Pacific, Port Edward, BC VOV 1G0
(the **"DISTRICT"**)

"parties" means PRPA and the District and **"party"** means one of them.

WHEREAS:

- A. PRPA and the District entered into a Water Supply Agreement (the "Agreement") dated June 9, 2010 for the supply of raw water by the District to PRPA properties on Ridley Island;
- B. PRPA and the District subsequently entered into a memorandum of understanding dated May 27, 2021 (the "MOU") to allow the District time to restructure the fees charges for raw water and to allow PRPA to conduct a water study for its various properties on Ridley Island;
- C. PRPA concluded its water study entitled PR Utility Capacity Study – Water Utilities dated March 11, 2022 (the "Study") and provided it to the District;
- D. The Parties continue to be committed to continue discussions regarding the fees and rate structure in the Agreement; and
- E. PRPA and the District subsequently entered into the First Amendment to the Memorandum of Understanding dated January 4, 2023, where the Parties agreed to amend the MOU for an additional year; and
- F. PRPA and the District subsequently have agreed to amend the MOU for an additional year as outlined in this Second Amendment to the Memorandum of Understanding.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, and other good and valuable consideration, the sufficiency of which is hereby acknowledged by each party to the other, the District and PRPA mutually covenant and agree as follows:

1. Section 1 of the MOU is amended to read as follows:

The Parties have agreed to extend the interim arrangement for 2024 as follows:

- (a) PRPA will continue to pay the District the amount of \$25,000 for 2024 as per the terms of the Agreement;

- (b) PRPA will make an additional payment to the District in the amount of \$100,000 for 2024, as invoiced by the District to PRPA. These additional payments will be used by the District to fund costs and capital upgrades, as required.
2. Section 4 of the MOU is amended to read as follows "The Parties will use best efforts to negotiate the new fees and rate structure by August 31, 2024 to take effect January 1, 2025."
 3. All other terms and condition of the MOU remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

PRINCE RUPERT PORT AUTHORITY

Per: _____
Authorized Signatory

Name: Shaun Stevenson
President & CEO

THE DISTRICT OF PORT EDWARD

Per: _____
Authorized Signatory

Name: Knut Bjorndal
Mayor



DISTRICT OF PORT EDWARD

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REGULAR COUNCIL REPORT FOR DECISION

Date: December 12, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: Annual Funding for Charities

Recommendation: That Council direct staff to annually, during the month of December, make a donation to the Salvation Army (Prince Rupert) in the amount of \$1,000.00, and to the Prince Rupert Wildlife Shelter in the amount of \$500.00.

Background:

It has become a regular practise for Council to make donations every year to the Salvation Army (\$1,000.00) and the Prince Rupert Wildlife Shelter (\$500.00) around the holiday season. The funding is budgeted annually under Grants in Aid, although the donations are outside of the Grant in Aid policy process.

To streamline the need for repetitive resolutions every year, it is recommended that Council direct staff to make this donation annually.

Approved for Submission to Council:



Elsie Lemke, Interim CAO

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Excellent Organization



6d

DISTRICT OF PORT EDWARD

COUNCIL REPORT FOR INFORMATION

Date: December 12th, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: CAO's Report to Council – November 23th – December 7th, 2023

Administration

- Met with McElhanney and Port Authority representatives regarding water meter issues;
- Arranged for report on Temporary Use Permit for campground expansion on Crown lease;
- Arranged for adjustments to window access at front reception counter to provide better customer service experience;
- Finalized contract and related documents for incoming CAO;
- Health and Safety program and policy work;
- IT company assessed computer hardware and software – report will be submitted with recommendations for upgrades and monthly maintenance program for 2024 budget;
- Provided support to Bayview Packing Inc. (formerly Sakura Seafoods) for provincial discharge permit transfer and prepared new effluent agreement;
- Completed NPC lease/sub-lease and submitted to Board for review;
- Contacted CN Rail for arrangements to update council on safety protocols in January;
- Prepared summary status notes for each active project file for incoming CAO;
- Final on-site meeting for this year at Oceanview/Sunset projects; sidewalks framed and ready to be poured; finish landscaping and some driveway work to be done in 2024;
- Attended virtual information session on PacificCan Tourism Growth Program to assess potential 2024 projects for grant support;
- Issued media release for incoming CAO Todd Francis;
- Led safety meeting at Public Works and arranged for orientation training for new health and safety representative, Logan Sears.

Public Works

- Installed new lights on winter plowing units; full maintenance on units;
- Replaced shocks and rear door on cube van;
- Repaired dog park gate and reinstalled;
- Arranged for outside parking lot lights to be repaired;
- Inventory continued;
- Infiltration gallery screens maintenance.



DISTRICT OF PORT EDWARD

Director of Corporate
Administrative Services

6e

COUNCIL REPORT FOR CONSIDERATION

Date: December 12, 2023
To: Elsie Lemke, Interim Chief Administrative Officer
From: Polly Pereira, Director of Corporate Administrative Services
Subject: Northern View Advertisement

RECOMMENDATION: That Council direct staff to annually, support the list below of Advertisements in the Northern View.

Background

Throughout the year Northern View features several events or holidays and contact the District staff to be part of the feature. The list below has been the same for several years now. It is recommended that Council direct staff to continue annually supporting this list:

All Native Basketball
Seafest
Canada Day
Fire Prevention Week
Holiday Greetings

Grad
National Indigenous People
National Day of Truth & Reconciliation
Remembrance Day


Prepared By:


Polly Pereira, DCAS

Approved for Submission to Council


Elsie Lemke, Interim CAO

Budgetary Impact: \$2,375


Lorraine Page, Director of Finance

Strategic Plan Priority Aligned With:

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Strong District Organization

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District of Port Edward

Corporate Strategic Plan – Progress Report – December, 2023

Well Planned District Finances

Goals:

- Operate within our budget and continue to be financially prudent.
- Develop a long-term financial plan to create a clear financial picture for the future.
- Take advantage of grant opportunities to improve services for our residents and businesses.
- Protect Port Edward's tax base and retain and attract new residents and businesses.

Why?

Well managed finances are the foundation of all the District does on behalf of citizens. In order to enhance the community and ensure services are available to citizens and businesses, we are committed to long term financial planning and management.

ACTIONS	TIMING/ PRIORITY	RESOURCES	PROGRESS REPORT December 12, 2023
Develop a detailed 5-year financial plan	2025-2026	In house & consultant	N/A
Ensure early budget planning	2024	In house	First budget meeting November 11, 2023. Cost estimates underway for identified capital projects
Ensure regular financial and strategic plan updates by staff	2024	In house	Strategic Plan Progress Report Dec 12, 2023; Finance reports to begin in 2024.
Develop a water needs assessment and surplus water revenue strategy	2026 or beyond	Consultant & Province	N/A
Shared Service Agreement with the City of Prince Rupert	In progress	In house	Initial discussions with Prince Rupert City Manager October, 2023. Identified as priority in Issues Report
Review the potential for and costs and benefits of the sale of wastewater treatment by Port Edward to other users	TBD	Consultant	N/A

Note – When Timing/Priority is identified for a future year, the Progress Report will state N/A, unless work has already begun of the Action Item.

Well Planned, Maintained and Financed Public Works and Infrastructure

Goals:

- Plan, maintain, and finance District infrastructure.
- Ensure there is adequate infrastructure capacity with room to grow.
- Continue to keep our motto “Clean, neat and green” by looking after our parks, District properties, and roads.
- Enhance our parks, fields, and roads as finances allow.
- Continue our efforts to upgrade and pave more roads in our community.
- Continue to provide our community with quality drinking water and sewage treatment.

Why?

Ensuring our infrastructure is well-maintained and meets the needs of current and future residents enables us to provide the services residents expect and helps us attract new businesses and residents to our community.

ACTIONS	TIMING/ PRIORITY	RESOURCES	PROGRESS REPORT December 12, 2023
Evaluate asset groups not already assessed: parks, facilities, pipelines, fleet etc.	2023-2026	In house & consultant	Final phase of Asset Management by WSP underway in 2024
Complete and implement asset management plans and related finance strategies	2023-2026	In house & consultant	Final phase of Asset Management by WSP underway in 2024
Build reserves to fund asset management plans	2023-2026	In house & consultant	WSP to evaluate options in 2024 project
Continue to improve roads and sidewalks – Oceanview (2023) Nelson Drive (2024)	2023-2024	Engineering consultants, in house & partnerships	Oceanview Drive and Sunset completed 2023. Nelson scheduled for 2024
Examine potential for low maintenance/nature scaping approaches for District lands	2025	Consultant	N/A

Growing and Progressive Economic Development

Goals:

- Promote Port Edward as “open for business and industry.”
- Work collaboratively with partners and investors on projects coming to our community.
- Enhance visitor experiences (Diana Lake & other recreational areas.)

Why?

Economic development helps our community grow, attracting new businesses and residents, and at the same time, strengthens our tax base which helps us to provide more services in our community (see also Community Development).

ACTIONS	TIMING/ PRIORITY	RESOURCES	PROGRESS REPORT December 12, 2023
Develop Port Edward “branding” and marketing with a variety of messages to attract businesses and residents.	2025- 2026	Consultant	N/A
Improve efficiency of development application processes	2023 In progress	Inhouse & contract planner	Support from McElhanny planner has been assisting with efficiency
Further develop and implement the Commercial District concept plan (include provision for restaurant, hotel and liquor store)	2024-2025	In house and consultant	N/A
Develop a strategy for District land holdings (inventory & analyze potential to hold, develop or sell)	2023	Contract planner	No progress to date
Advocate and support potential tourism opportunities including community gazebo, fish hatchery, campground expansion	Ongoing	Council In house	Fish hatchery relocation feasibility study underway; campground expansion applications underway
Explore opportunities related to the PE Harbour Authority to support the commercial and recreational fishing industry	2023	In house	No Report
Support the success of North Pacific Cannery	Ongoing	Port Edward Historical Society Parks Canada North Coast Regional District	New grant funding opportunities identified; Many more opportunities to be explored.

High Quality of Life and Community Development

Goals:

- Be a vibrant, self-sufficient, growing complete community.
- Create a high quality of life for Port Edward residents.
- Support active lifestyles.
- Continue to focus on building a family oriented community.
- Develop market and non-market housing

Why?

Port Edward is a special place and residents live here because of the uniqueness of the community and the high-quality services the District provides. As the community grows, we will protect the community's specialness while attracting new services, residents, and businesses.

ACTIONS	TIMING/ PRIORITY	RESOURCES	SUCCESS MEASURES
Develop a strategy for District parkland (consider potential for pickleball, ballfield upgrades, screening for porta potties, dog park upgrades)	2024 forward	Consultant/contract planner Work with the NCRD	N/A
Implement and action council approved Trail Study	Ongoing	Community/committee support	Trail as part of new Waterfront Park in conceptual plan phase
Develop a concept for the waterfront pathway, and kayak launch	2024	Application submitted for concept plan	Waterfront Park with kayak launch and trail in conceptual plan phase
Begin work to redevelop school site	2023-2025	FCM & CMHC	No progress to date. Will require significant time commitment
Explore upgrades for the District Community Hall – potentially adding AV equipment – review rental policy	2025	In house & consultant	N/A
Consider the future of the White House property	2023	Consultant	Council discussions and direction to staff at budget meeting
Continue to work with the School District for community daycare	2023	SD	No progress to date
Explore options for improved community engagement including website improvements and community newsletter	2023	In house & consultant	Regular monthly community newsletter; IT Assessment underway to include website redevelopment
Advocate to the NCRD for a campground at Kioya Bay	2023-2025	In house & NCRD	No Report
Advocate to BC Parks to develop camping facilities in Port Edward	Ongoing	In house	No Report

Advocate for Diana Lake clean up (logs)	Ongoing	Council, BC Parks, City of Prince Rupert, Ministry of Environment	Volunteer offer for log cleanup by local resident; follow up with Ministry required
Advocate for Rainbow Lake development	Long term	Council, BC Parks Private sector Investors/partners, MOTI	No Report
Advocate for Highway pathway at UBCM	2023	Council, MOTI	Trail to connect PE Store to waterfront park to Galloway Rapids/PR Trail in concept phase
Advocate for monitoring of speeding in Port Edward	2023	Council	No Report
Advocate to Northern Health Authority for community health care nurse resources	2023	Council	No Report

Organizational Excellence

Goals:

- Be a sustainable, efficient, and progressive local government organization.
- Use District resources to their greatest benefit
- Ensure the smooth operation of District services

Why?

The District organization needs to be a progressive, efficient and effective organization in order to provide the quality services and facilities residents have come to expect and to grow the community and the local economy.

ACTIONS	TIMING/ PRIORITY	RESOURCES	SUCCESS MEASURES
Utilize and manage staff to the greatest benefit – support skill development	Ongoing	In house	Land Titles Registration Training complete; Health and Safety Representative appointed; other initiatives ongoing
Ensure succession planning	Ongoing	In house	Performance management system identified as priority in Issues Report
Use consultants strategically	Ongoing	In house	Recent valuable support from consultants in Safety, Dam Safety Review, Planning, Information Technology & HR Recruitment
Review commitment to Climate Action Charter and reduction of greenhouse gases	2023/2024	In house	No progress to date
Update the District Emergency Plan	2025	In house & consultant	Identified as priority in Issues Report
Explore options for additional bylaw enforcement	2024	In house	N/A



DISTRICT OF PORT EDWARD

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Director of Corporate
Administrative Services & Strategic Projects

COUNCIL REPORT FOR CONSIDERATION

Date: December 12, 2023
To: Elsie Lemke, Interim Chief Administrative Officer
From: Polly Pereira, Director of Corporate Administrative Services
Subject: **Business Licence Bylaw # 753, 2023**

RECOMMENDATION: That Council gives final reading and adoption to the attached Business Licence Bylaw # 753, 2023.

BACKGROUND: The attached Business Licence Bylaw # 389 and amendment Bylaw #417 were adopted in the late 90s and need to be updated. The current Business Licence Bylaw has been simplified, by creating just 2 categories- Industrial Operations (General Commercial and Industrial) at \$150 per year and all other businesses at \$100 per year. This bylaw was given first, second and third reading on November 28, 2023.

Prepared By:

Approved for Submission to Council


Polly Pereira, DCAS


Elsie Lemke, Interim CAO

Strategic Plan Priority Aligned With:

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Organizational Excellence

Attachments

- Business Licence Bylaw # 389 & Bylaw # 417



DISTRICT OF PORT EDWARD
BUSINESS LICENCE BYLAW No. 753, 2023

A bylaw to authorize the issuance of business licences within the boundaries of the District of Port Edward.

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

NOW THEREFORE the Council of the District of Port Edward, in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as "District of Port Edward Business Licence Bylaw No. 753, 2023"

2. REPEALS

THAT "District of Port Edward Business Licence Bylaw No. 389, 1997 and Bylaw No. 417, 1999 amendment be repealed in its entirety.

3. DEFINITIONS

In this bylaw, unless the context otherwise requires:

Act means the Community Charter, Chapter 26, as amended and the Local Government Act, Chapter 323, as amended.

Applicant means any person who makes an application for a licence under the provisions of the bylaw.

Building Inspector means the person or persons duly appointed as such from time to time by the Council and includes the Manager, Building Inspections, and a person designated by the Manager to act on his behalf.

Business means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit.

Council means the elected Council of the District.

District means the District of Port Edward.

Licence means a business licence issued under this bylaw.

Licencee means one who holds a business licence issued under this bylaw.

Licence Inspector means the person or persons appointed as Licence Inspector from time to time by the Council to administer this bylaw.

Licence Period means the period of time in which a Business Licence is in force.

Premises means a store, office, warehouse, factory building, house, enclosure, yard or other place occupied, or capable of being occupied by one or more persons for the purpose of any business, trade or occupation, or any area situated within any of the foregoing, where more than one separate or distinct class or classification of business is being carried on.

4. GENERAL REQUIREMENTS

- 4.1 Except as otherwise provided in this Bylaw, no person will carry on, maintain, own, or operate a Business within the District without holding a Business Licence.
- 4.2. A person who operates more than one Business in a premises must obtain a separate Business Licence for each Business.
- 4.3 The Business Licence must be posted in a conspicuous place in the premises, vehicle, place or structure for which the Business Licence was issued at all times that the Business is operating.

5. LICENCES EXEMPTIONS

A Non- Profit Society is required to hold a Business Licence. The nominal Licence fee is zero.

6. AUTHORITY TO LICENCE

- 6.1 Council appoints the Chief Administrative Officer to serve as the Licence Inspector, who is authorized to carry out and administer the provisions of this Bylaw.
- 6.2 Council delegates to the Licence Inspector the powers of Council to grant the Business Licence if the Licence Inspector is satisfied that:
 - a) the Applicant has fulfilled the requirements of this and all other District bylaws applicable to the Business and the Premises;
 - b) the Applicant has fulfilled the requirements of all federal, provincial, Local Government, and First Nations legislation applicable to the Business;
 - c) the Applicant has paid the Licence fee; and
 - d) the Applicant does not have any outstanding fees or fines owed to the District in relation to the proposed Business, or any other Business operated by the same Applicant.

7. LICENCE APPLICATION

7.1 All applications for a Business Licence must:

- a) be in the form prescribed from time to time by the Licence Inspector for that purpose;
- b) be signed by the owner or operator of the Business or their duly authorized agent; and
- c) contain a true and accurate description of the following information:
 - i. the nature of the Business;
 - ii. the full names, civic address of the business and contact information
 - iii. the Premises from which the Business is conducted;
 - iv. any other information the Licence Inspector may require with respect to the operation of the Business and its location.
 - v. the issuance of a Business Licence is not a representation or warranty by the District that the Business or proposed Business complies with any or all applicable bylaw or enactments, and the Applicant or Licencee bears all responsibility to ensure that the Business or proposed Business complies with all applicable bylaws of the District and with all other federal and provincial enactments, laws, rules, codes, regulations or orders.

8. LICENCE FEES

8.1 All Business Licences will have a Licence Period of one-year, commencing on the 1st of May and terminating on the 30th of April in each and every calendar year.

8.2 The District will not refund Licence Fees for any reason.

8.3. No Licence shall be issued to an Applicant for a Business until the Licence Inspector approves the Licence and the fee(s) have been paid to the District.

8.4 Every Licencee must notify the Licence Inspector in writing if the Business operation is being terminated.

9. LICENCE CHANGES/TRANSFERS

9.1 A Licence granted under this Bylaw shall be deemed a personal Licence to the Licencee and shall not be transferable to any other person.

9.2 A person shall not carry on or continue a Business which he has purchased, without first obtaining a Licence pursuant to this Bylaw.

9.3 A person shall not change the location of the Business for which the Licence has been issued, and then carry on that Business without first having obtained a transfer of his Licence from the Licence Inspector.

9.4 The Licence Inspector shall charge a fee of \$10.00 for each Licence transfer.

10. BUSINESS REFUSAL, SUSPENSION AND CANCELLATION

- 10.1 The Licence Inspector has the authority to refuse an Application for a Business Licence or suspend or revoke a Business Licence for reasonable cause by providing the Applicant or Licencee with:
- a) the Applicant or Licencee fails to comply with this Bylaw;
 - b) the Applicant or Licencee fails to comply with a term or condition of the Business Licence;
 - c) the Applicant or Licencee fails or ceases to meet the lawful requirements to carry on the Business at the Premises;
 - d) the Applicant or Licencee is convicted of an offence that, in the opinion of Council or the Licence Inspector, directly relates to the Business;
 - e) the Applicant or Licencee violates any bylaw of the District that is, in the opinion of Council or the Licence Inspector, in any way related to the Business or the Business Premises; or
 - f) the Licencee has engaged in misconduct with respect to the Business or the Business Premises which, in the opinion of Council or the Licence Inspector, warrants the suspension or cancellation of the Business Licence.
- 10.2 If the Licence Inspector suspends a Business Licence:
- a) the suspension is for such period of time as the Licence Inspector may determine; and
 - b) the Licence Inspector may impose additional terms and conditions that the Licencee must meet in order to obtain a Business Licence at the end of the suspension period.
- 10.3 If the Licence Inspector suspends or cancels a Business Licence written reasons for the refusal must be given to the Licencee.
- 10.4 The Licence Inspector must provide notice of the suspension or cancellation to the Licencee pursuant to the notice provisions outlined in the Bylaw.
- 10.5 The Licencee must surrender the Business Licence to the Licence Inspector.
- 10.6 Notwithstanding the notice provisions in this Bylaw, the Licence Inspector may post a notice of the suspension or cancellation of a Business Licence upon the Premises for which the Business Licence was issued, and such notice will not be removed until the Business Licence is reinstated or the Business ceases to occupy the Premises.

11. NOTICE

- 11.1 The Licence Inspector may deliver written notice to an Applicant or Licencee personally or by mail:
- a) if the Applicant or Licencee is a corporation, by delivering or mailing the notice to the corporation's registered office; or
 - b) by delivering or mailing the notice to the address of the Applicant provided on the application or the address of the Business subject to the Business Licence.

- 11.2 Notice delivered in accordance with section 11.1 is presumed to have been received by the Applicant or Licencee, if delivered personally, on the date of delivery and, if delivered by mail, on the seventh day after the notice is mailed.

12. RECONSIDERATION BY COUNCIL

- 12.1 If the Licence Inspector refuses to grant, suspends, cancels or imposes terms and conditions upon a Business Licence, the Applicant or Licencee who is subject to that decision may request that Council reconsider the Licence Inspector's decision, by, within ten (10) business days of the date of receiving notice of the Licence Inspector's decision, deliver to the Corporate Officer a written request stating the grounds upon which the request for reconsideration is based.
- 12.2 Upon receipt of the written request for reconsideration by the Applicant or Licencee, the reconsideration will be placed on the next Regular Council Agenda.

13. ENFORCEMENT AND PENALTY

Inspection

- 13.1 Every owner or operator of a Business must provide any information with respect to the Business as the Licence Inspector reasonably requests for the purpose of ensuring that the requirements of this Bylaw are being fulfilled.
- 13.2 Subject to the Community Charter, the Licence Inspector or any appointed officer of the District engaged in the administration or enforcement of bylaws, are hereby authorized to enter a Premises, vehicle, or other place in respect of which a Business Licence has been applied for or granted pursuant to this Bylaw, at all reasonable times to inspect and determine whether the regulations and requirements of this or any other bylaw and the Business Licence are being observed.
- 13.3 No person will obstruct the Licence Inspector or any appointed officer of the District engaged in the administration or enforcement of bylaws.
- 13.4 Any Person who:
- a) contravenes, violates, fails or neglects to comply or do anything required by any provision of this Bylaw; or
 - b) suffers or allows any act or thing to be done in contravention of this Bylaw commits an offence and upon conviction will be liable to a fine of not more than two thousand dollars (\$2,000), and where the offence is a continuing one, each day that the offence is continued will constitute a separate offence.
- 13.5 This Bylaw may be enforced by:
- a) a Peace Officer or the Licence Inspector; or
 - b) proceedings brought under the Offence Act.

13.6 A Peace Officer or the Licence Inspector may refer any disputed bylaw notices to the Provincial Court and may represent the District in any related proceedings.

No Duty of Care

13.7 Neither failure to enforce this Bylaw, nor any error, omission, or other neglect in relation to a Business Licence issued under this Bylaw, will be interpreted as giving rise to a cause of action in favour of any person.

READ a first time this 28th day of November, 2023.

READ a second time this 28th day of November, 2023.

READ a third time this 28th day of November, 2023.

RECONSIDERED AND ADOPTED this day of December, 2023.

Mayor

Clerk

SCHEDULE "A"

Business Licence Fee

INDUSTRIAL OPERATION (<i>General Commercial & Industrial</i>)	\$150
ALL OTHER BUSINESSES	\$ 100

DISTRICT OF PORT EDWARD

BYLAW NO. 389

A bylaw to authorize the issuance of business licences within the boundaries of the District of Port Edward.

WHEREAS, the Council is authorized, pursuant to Division (1) of Part 11 of the Municipal Act to issue business licences within the boundaries of the District of Port Edward;

THEREFORE BE IT RESOLVED, that the Council of the District of Port Edward, in open meeting assembled, hereby enacts as follows:

I **TITLE**

This Bylaw may be cited for all purposes as "District of Port Edward Business Licence Bylaw No. 389, 1997"

II **INTERPRETATION**

In this bylaw, unless the context otherwise requires:

Act means the Municipal Act.

Agent means a person within the District who, on behalf of any non-resident manufacturer, dealer, merchant or other person, sells or offers for sale, by sample or description or otherwise, for or on account, directly to the consumer, any goods, wares or merchandise.

Apartment building means a building or premises not being a motel, hotel or rooming house and which is divided into more than two (2) dwelling units, occupied or equipped to be occupied as rental accommodation.

Applicant means a person who makes an application for a licence under the provisions of the bylaw.

Arcade means a premises containing one or more machines on which mechanical, electrical, automatic or computerized games are played for amusement or entertainment and for which a fee is charged for use.

Auction Sale means the offering or putting up for sale any real or personal property for which the public is invited to make competitive bids.

Automobile Dealer means any person carrying on the business of new and/or used car sales provided, however, that no further license fee shall be required for the operation of an automobile service station or automobile service garage in conjunction with car sales business.

Automobile Service Station/Service Garage means any person carrying on the business of an automobile service station or service garage including the sale of automobile fuels and parts and accessories only.

Babysitting Service means a person employing one or more persons to supervise children in the permanent or temporary residences of the parents or guardians of the children, and who charges a fee or commission for provision of such supervision.

Banker means a person who carries on business as a chartered bank or carries on the business of accepting money on deposit for custody, subject to cheque or draft, or carries on the business of discounting bills, notes or drafts.

Barbers means any person carrying on the business of a barber shop.

Beauty Parlour/Hairdresser means any person carrying on the business of a beauty parlour or hairdresser.

Billiard Rooms means any person operating premises where billiard tables or pool tables are used for hire, and to include lunch counters, snack bars, confectionary and tobacco sales for the convenience of patrons.

Bill Poster means a person carrying on the business of erecting or maintaining painted, posted, illuminated or other advertising signs on property which does not belong to the advertiser.

Boat Charters means any person carrying on the business of a boat charter.

Boat Construction means any person carrying on the business of a boat construction and repair shop.

Boat Marina means any person carrying on the business of a boat marina, which included boat charters, boat moorage, boat sales and repairs and the sale of marina supplies.

Book Agent means a person who sells or offers for sale, books, magazines, or other periodicals, not being Bibles or religious tracts, by canvassing from house to house or place to place within the District.

Bowling Alleys means any person operating a bowling alley for hire or profit, and to included a lunch counter or snack bar and the sale of bowling equipment and rentals and sale of confectionary and tobacco, but not including vending machines.

Building Developer means a person who hires or otherwise employs a General Contractor to construct or erect or who causes to be constructed or erected houses or other buildings with the object of selling or otherwise disposing of them at a profit.

Building Inspector means the person or persons duly appointed as such from time to time by the Council and includes the Manager, Building Inspections, and a person designated by the Manager to act on his behalf.

Business means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit, but does not include any activity carried on by the government, its agencies or government owned corporations.

Canvasser means a person:

- a) who canvasses or solicits orders within the District, from cards or samples or in any other manner whatsoever, for the sale of any goods, wares or merchandise, or any article or thing, for future delivery, for, or on behalf of, a bona fide resident merchant or retail dealer who holds a licence from the District as such, and
- b) who fills the orders for those goods, wares, merchandise, articles or things from the regular stock of merchandise continuously being carried and offered for sale by that licensed merchant or retail dealer.

Carnivals means offering for the use of the public, any ferris wheel, roundabout, crack-the-whip, aeroplane ride, or game of skill or chance, excluding booths or concessions operated by and for the sole benefit of recognized charities, but does not include amusement arcades.

Circus means an exhibition or travelling show of horses, riders, acrobats, clowns and other performers and performing animals and includes a menagerie, but not a carnival.

Cleaning, Dyeing means any person carrying on the business of a cleaning or dyeing.

Cleaners Agent or Branch Office means any person maintaining a branch office within the municipality for the purpose of receiving orders or dispatching the delivery of clothes to be cleaned or having been cleaned at a plant situated outside the municipality.

Commercial Vehicle means:

- a) a motor vehicle having permanently attached to it a truck or delivery body;
- b) an ambulance, casket wagon, fire apparatus, hearse, motor bus, tow car, road building machine, taxi and a tractor;
- c) a combination of vehicles; and
- d) other vehicles as specified by regulation of the lieutenant Governor in Council under the Commercial Transport Act.

Contractor:

- (1) "Contractor" means a person who undertakes to do or perform at a certain price or rate or for a fixed sum any construction, building, carpentry, plastering, lathing, shingling or concrete work, or any other work or service except a work or service which is specifically imposed elsewhere in this bylaw.
- (2) "General Contractor" means a person who employs or otherwise utilizes more than one of the distinct classes of sub-contractors listed in Schedule "A" at any one time.
- (3) "Sub-Contractor" means a person performing or engaged as a contractor directly or by a General contractor whether such work is undertaken on an hourly, daily, weekly or monthly basis, a labour basis, or other basis, but does not include a general contractor.
- (4) For the purposes of definitions (1), (2), and (3), "construction" includes
 - (a) the erection of, the addition to, or the alteration or demolition of any building;
 - (b) the erection or construction of towers, dams, or similar structures;
 - (c) the laying or construction of a pipe line or a system of pipe lines;
 - (d) the construction of roadways, airport runways, or railways; and
 - (e) the construction of tunnels.

Contractor, Logging

- (1) "General Logging Contractor" means a person primarily engaged in the business of logging, including a person who enters into contracts with mills or quota holders for substantially comprehensive harvesting of timber lands, which involves the majority of the following phases of logging: skidding, sorting, bucking, decking, loading and hauling; and may also include post logging treatment of a logged off area by slash burning or replanting.
- (2) "Logging Sub-Contractor" includes a person primarily employed by a general logging contractor for the carrying out of no more than three of the phases enumerated in paragraph (1) above and may include a person engaged in the business of hauling, storage, or loading of forest products, including logs, lumber, hog fuel, chips, pulp and similar substances.

Council means the elected Council of the District.

Dance Hall means a building, room, or place where public or private dances are held or permitted for hire or profit.

Day Care, Family means a community care facility, as defined in the Community Care Facility Act, R.S.B.C., Section 1(a), which provides personal care or supervision to not more than 3 children under the age of 6 not related by blood or marriage to the operator of the facility.

Day Care, Group means a community care facility, as defined in the Community care Facility Act, R.S.B.C., Section 1(a), which provides personal care or supervision to more than 3 children under the age of 6 not related by blood or marriage to the operator of the facility.

Delivery/Cartage/Courier Service includes transportation of merchandise or other articles from place to place within the District.

Discotheque Teenage means a dance hall exclusively for patrons not less than thirteen years and not more than 18 years of age.

District means the District of Port Edward.

Express or Freight Company means the transportation of merchandise or other articles other than as defined under "Delivery Service".

Farmer's Market means a place specifically designated on a temporary or permanent basis for the retail sale of agricultural products, and may include sale of fish and handicrafts.

Farmer:

- (1) "Home Sales" means a person who sells an agricultural product at the farm on which it was produced or at a Farmer's Market.
- (2) "Mobile Vendor" means a person, the majority of whose sales or agricultural products are mobile sales, directly to the consumer rather than to a person or persons carrying on business as a wholesaler or retailer in farm produce

Figure Salon means a building, room or place where the business of figure grooming, exercise, weight control and mechanical massage is carried on.

Financial Institutions

- (1) "Trust Company" means a business defined and regulated as a trust company by Provincial or Federal Statute.
- (2) "Credit Union" means a credit union as defined and regulated by Provincial Statute.
- (3) "Mortgage Broker" means a person defined and regulated as a mortgage broker by Provincial Statute.
- (4) "General Finance" means a financial institution, except a bank as defined in the Bank Act, and not otherwise specifically defined herein.

Fish Processing Plants & Allied Operations means any person carrying on the business of fish processing by canning, reduction to fish oil and/or meal, dealing in fresh and frozen fish, and allied operations.

Floor Space means the area within a building that is used for display purposes, or to service customers, but does not include those areas set aside exclusively for the purpose or use of the employees or participants in the business.

Fuel Dealer means a person who carries on a business of soliciting or taking orders for the delivery of wood, sawdust, propane gas, rock gas, gasoline, or fuel oil to commercial or residential premises within the municipality.

Fuel Sales means the sale or distribution of bulk quantities of fuel to retailers or bulk consumers and includes the storage of bulk quantities of fuel.

Home Occupation means an occupation or professional practice carried on for remuneration, or financial gain, and which is clearly an accessory use of a dwelling unit.

Hotel/Motel means a building or group of buildings in which there are more than two (2) sleeping or dwelling units wherein accommodation with or without private cooking facilities is provided for transient lodgers, or transient motorists.

Janitor Service means any person carrying on the business of a janitor service.

Junk includes any of the following used articles or things: rubber, tires, metal, paper, sacks, wire, ropes, rags or machinery.

Junk Dealer means a person who carries on the trade or business of going from place to place, collecting, buying or selling junk.

Kindergarten or Play School means premises where the owner or operators, for payment, provide pre-school or play school classes for the attendance of children.

Land Developer means a person who buys, sells, or otherwise deals in land for the purpose of development or redevelopment.

Laundry/Laundromat means a building or premises where the business of washing clothes or other fabrics is carried on, or wherein the business of supplying linen to others is carried on.

Laundry Office means a building, room or place where the business of distributing laundered clothing, or of collecting clothing to the laundered is carried on apart and separate from the premises where the business of a laundry is actually carried on.

Lease or Rental Agency means a person who, acting for himself, or on behalf of another, rents, leases, or otherwise lets for a fee any goods, wares, merchandise or equipment of any kind, but does not include vehicle for hire or vehicle leasing or rentals.

Licence means a business licence issued under this bylaw.

Licensee means one who holds a business licence issued under this bylaw.

Licence Inspector means the person or persons appointed as Licence Inspector from time to time by the Council to administer this bylaw.

Mail Order Agency means a business where orders are taken by a person either on his own behalf or as an agent for another for the sale of goods, wares or merchandise kept in stock for retail sale by such person or his principal or principals outside the District or where such business is carried on partly with the business of a retail, or wholesale and retail, trader or merchant.

Manufacturer means an assembler, manufacturer, producer or finisher of goods, substances or things or any part thereof.

Mobile Business means a business that is carried out entirely from a motor vehicle or mobile unit that is designed to be or is mobile, including hand push carts and self-propelled concession stands. The entire stock of goods, wares, merchandise, or foodstuffs offered for sale is actually carried and contained in the motor vehicle or mobile unit. The goods, wares, merchandise, or foodstuffs are offered for sale and are delivered to the purchaser at the time of sale. This does not include a delivery vehicle owned and operated by a licensed retailer or wholesaler within the District.

Pasturing and Grazing means the pasturing of more than five (5) horses other than horses owned by the owner or occupier of land, and for which a fee is charged.

Pawnbroker has the same meaning as in the Pawnbrokers Act.

Peddler means any person who goes from place to place or house to house selling or offering for sale goods, wares, merchandise, or foodstuffs but does not include an employee of a manufacturer of bread, bakery or milk products who goes from place to place selling or offering for sale these products.

Personal Care Home means a community care facility, as defined in the Community Care Facility Act, where personal care is provided to 3 or more persons by reason of their age, infirmity or physical disability.

Premises means a store, office, warehouse, factory building, house, enclosure, yard or other place occupied, or capable of being occupied by one or more persons for the purpose of any business, trade or occupation, or any area situated within any of the foregoing, where more than one separate or distinct class or classification of business is being carried on.

Private Club means a society or group of persons eligible to be incorporated as a society, carrying on activities as a social club, and who may be carrying on other activities.

Private Patrol Agency means a person who by contract or agreement undertakes to watch or patrol the premises of more than one person for the purpose of guarding or protecting persons or property against robbery, theft, burglary or other hazards.

Profession means an occupation which involves a liberal, scientific or artistic education, and mental rather than manual labour, and for which a licence to practice is required by statute and includes accredited public chartered, certified general and registered industrial accountants, agronomists, architects, barristers and solicitors, chiropractors, dentists, dental mechanics, ecologists, engineers, financial consultants, foresters, naturopathic physicians, notaries, optometrists, osteopaths, pharmacists, physicians and surgeons, psychiatrists, chartered and registered physio-therapists, podiatrists, psychologists, surveyors, radiologists, and veterinarians.

Public Market means a building or premises containing stalls, tables, spaces, divisions or compartments individually rented, occupied or operated for the purpose of displaying or selling merchandise.

Quarry means any person operating a gravel or sand pit and/or rock quarry.

Real Estate and/or General Insurance Office means any person operating a real estate and/or a general insurance business within the municipality.

Religious or Charitable Business means a business operated solely by a bona fide religious or charitable organization recognized as such by the Provincial or Federal Government, which would otherwise be classified in this bylaw as door-to-door and direct sales or other retail.

Repair Shop means any person owning and/or operating a repair shop within the municipality.

Restaurant means any person operating a restaurant.

Retail and/or means any person who sells or offers for sale whether as a retailer or wholesaler, any goods, wares, merchandise or service not otherwise specifically provided for herein.

Room Rentals Subject to the Provisions of Section 475B from any person offering for rent or lease or any person renting or leasing rooms and suites for lodging for hire, either in a hotel, rooming house, apartment, lodging house, or auto camp, tourist camp or elsewhere.

Seasonal Business means any business which is operated for less than six (6) months in a calendar year.

Soliciting for Charity means the act of canvassing or soliciting for the purpose of collecting or receiving money or property of any kind, the whole or any part of which either directly or indirectly is, or is intended to be, used or disposed of for any charity, relief or benefit, or any philanthropic, patriotic, religious or educational purpose.

Steam Bath means a building or premises where a Turkish, Russian, vapour, sweat, salt or sauna bath is provided for a fee.

Storage Areas means an indoor or outdoor area adjacent to or forming part of a business premises, excluding that portion of any area set aside for free parking facilities provided by the owner or operator of the business for the exclusive accommodation of customers.

Tailor means any person carrying on the business of a tailor.

Taxi means any person operating a taxi.

Tenant Listing Service means a person who, by contract or agreement and for a fee, provides information and introductions to landlords respecting persons seeking residential accommodation.

Theatre means any person owing or operating a theatre, including sale of confectionary and tobacco not dispensed by machine.

Trailer Courts means any person carrying on the business of a trailer court.

Vehicle Hire means the business of renting out motor vehicles or individual items of machinery.

Vending Machine means a machine or mechanically-operated device that dispenses merchandise, provides entertainment or amusement such as games or music or other services, upon insertion of a coin, slug or card.

Wholesale means the business of selling merchandise to be retailed by others.

III BUSINESS LICENCE OFFENCE

1. No person shall:

- (a) carry on any business within the district unless he is the holder of a valid and subsisting licence; or
- (b) once licensed to carry on a business from a specific location in the District, carry on a similar or different business from other locations in the District, unless he is the holder of a valid and subsisting licence for those additional locations; or
- (c) carry on more than one business in or from any one premise unless he is the holder of valid and subsisting licence for each of those businesses, unless otherwise specified in this bylaw; or
- (d) when making application for a licence under the provisions of this bylaw, provide false information respecting the nature and address of the business, the number of persons engaged or occupied in the business, or any other information which the Licence Inspector may require to classify the business or to calculate the licence fee.

2. Subsection 1(c) shall not apply to any business that is exempted from the requirements of this bylaw by a Federal or Provincial Act or Regulation.

IV GENERAL REQUIREMENTS

1. Applications for a licence shall be made in writing to the Licence Inspector.
2. Every person applying for a licence shall complete the forms supplied by the District through the Licence Inspector.
3. A licensee shall apply for renewal of this licence, prior to the beginning of each licensing period prescribed in Section 8, if he continues the business.

V LICENCE APPROVALS

1. All premises in or upon which the applicant proposes to carry on any business, shall be approved by the Building Inspections Division of the District before such licence is granted.
2. The applicant shall upon request by the Building or Licence Inspector, produce certificates or letters of approval, as may be required by Federal, Provincial or local government authorities.
3. An applicant whose business is governed by Federal or Provincial Acts or regulations shall, upon request, supply proof to the Licence Inspector of his or his employees' qualifications under those Acts or Regulations.
4. When the issuance of a licence requires insurance coverage, proof of that insurance coverage in a form acceptable to the Treasurer of the District shall be submitted prior to the issuance of the licence.

VI LICENCE FEES

1. Where the licence fee is calculated according to;
 - a) the floor area, or
 - b) ground areaused in the business, or
 - c) the number of people regularly engaged,
 - d) the number of vending or other dispensing machines or other machines used, or
 - e) the number of rental units maintainedin the business, the licensee shall notify the licence Inspector of any change regarding those matters, and, as a result of the change, shall pay any additional fees required by this bylaw.
2. Unless a licence is refused, no licence fee paid under this bylaw shall be refundable.

3. Where a business comprises more than one classification listed in Schedule "A", then a separate fee for each classification shall be payable.
4. No licence shall be issued to an applicant for a business until the fee prescribed for that business or class of business in Schedule "A" has been paid to the District.
5. A licence is not valid and subsisting until it has been issued by the Licence Inspector and the licence fee prescribed in Schedule "A" has been paid.
6. All fees collected by the Licence Inspector under this bylaw shall be paid to the District's Treasurer who shall deal with the fees in the manner provided by the Act.

VII ISSUANCE OF A LICENCE

1. A licence shall state
 - (a) the name of the licensee
 - (b) the name of the business
 - (c) the classification of the business
 - (d) the location of the business premises
 - (e) the period of the licence, and
 - (f) that the licensee is licensed to carry on the business in a lawful manner.
2. The licensee or person in charge of the premises where the business is carried on shall display the licence, at all times, in the sales or reception area of the premises to which the public has access or in another area designated by the Licence Inspector.
3. Licences shall be granted so as to terminate on the Thirtieth (30th) day of April and no proportionate reduction shall be made on account of any person commencing or ceasing to do business at any particular time.

VIII LICENCE CHANGES/TRANSFERS

1. A licence granted under this bylaw shall be deemed a personal licence to the licensee and shall not be transferable to any other person.
2. A person shall not carry on or continue a business which he has purchased, without first obtaining licence pursuant to this bylaw.
3. A person shall not change the location of the business for which the licence has been issued, and then carry on that business without first having obtained a transfer of his licence from the Licence Inspector.
4. The Licence Inspector shall charge a fee of \$10.00 for each licence transfer.

5. A licence transfer may be refused by the Licence Inspector where the premises to which the applicant wishes to transfer the licence do not comply with the requirements of the District bylaws regulating building, zoning, health, sanitation or business.
6. A licensee shall notify the Licence Inspector when the licence is no longer required.

IX LICENCE INSPECTOR

1. The Council by resolution, from time to time, may appoint a Licence Inspector, and one or more persons to assist the Licence Inspector to administer the provisions of this bylaw.
2. The Licence Inspector *or other authorized employee or agent* may enter at all reasonable times on any property subject to this bylaw to ascertain whether this bylaw is being observed.
3. An owner or occupier of real property in the District shall give to the Licence Inspector the information and the access to that property required to enable necessary inspections and investigations to be made.
4. When the licence Inspector is satisfied that the applicant has complied with the requirements of the bylaws of the District regulating building, zoning, health, sanitation, and business he can grant, issue or transfer a licence subject to any other requirements of this bylaw.

X LICENCE SUSPENSIONS

1. The Licence Inspector is hereby authorized to suspend a licence for the period he decides if the holder of the licence
 - a) is convicted of an offence indictable in Canada; or
 - b) is convicted of an offence under any municipal bylaw or statute of the Province in respect for which he is licensed or with respect to the premises named in his licence; or
 - c) has, in the opinion of the Licence Inspector, been guilty of such gross misconduct in respect of the business or in or with respect to the premises named in his licence that it warrants the suspension of his licence; or
 - d) has ceased to meet the lawful requirements to carry on the business for which he is licensed or with respect to the premises named in his licence; or
 - e) has, in the opinion of the Licence Inspector, conducted his business in a manner, performed a service in a manner, or sold, offered for sale, displayed for sale or distributed to a person actually or apparently under the age of 16 years, anything that may be harmful or dangerous to the health or safety of a person actually or apparently under the age of 16 years.

2. The suspension of a licence by the Licence Inspector shall be made in writing, signed by the Licence Inspector and served on the licensee or delivered to the licensee by registered mail to the address given by the licensee on the application form for the licence.
3. A notice of suspension may be posted by the Licence Inspector upon the premises for which the licence was issued and the notice shall not be removed until the licence is reinstated, or the suspended licensee ceases to occupy the premises, or a new licence is issued for the premises.
4. No person shall carry on a business for which a licence required by this bylaw is under suspension.

XI APPEALS FROM LICENCE SUSPENSIONS

1. Section 513 of the Act gives a right of appeal to the Council to a person whose licence has been suspended by the Licence Inspector.
2. A person who appeals to the Council from a suspension by the Licence Inspector shall, within ten (10) days from the date of suspension, give to the District Clerk notice in writing of his intention to appeal.
3. The notice of intention to Appeal shall state concisely the grounds upon which the Appeal is based.
4. The District Clerk shall refer the matter to Council in order to appoint a time and place for a hearing and then give the appellant reasonable notice of the time and date.

XII REVOCATION OF A BUSINESS LICENCE

1. The Council may revoke a licence for reasonable cause after giving notice to the Licensee and after giving the licensee an opportunity to be heard.
2. The notice and opportunity to be heard referred to in subsection 1. is not required for the Licensee who by reasonable efforts cannot be found.
3. A notice of revocation of a licence may be posted by the Licence Inspector upon the premises for which the licence was issued and the notice shall not be removed until the former licensee ceases to occupy the premises, or a new licence is issued for the premises.

XIII APPEALS FROM REFUSAL OF A LICENCE

1. A person who has applied for but been denied a licence by the Licence Inspector may appeal to Council.
2. Section 508 of the Act provides that, notwithstanding the Act or District bylaws, the Council may, on the affirmative vote of at least two-thirds of the members, refuse in any particular case to grant the request of an applicant for a licence under section 497 to 513 of the Act, but the granting or renewal of a licence shall not be unreasonably refused.

XIV PENALTY

1. Except as otherwise provided in this bylaw, a person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, or omits or neglects to fulfil, observe, carry out or perform any duty or obligation imposed by this bylaw commits an offence and is liable on summary conviction to a maximum fine of Two Thousand Dollars (\$2,000.00).
2. A person who commits an offence of a continuing nature against this bylaw is liable on summary conviction to a maximum fine of Two Thousand Dollars (\$2,000.00).

XV REPEAL

That "Business Bylaw, No. 299, 1992" and any amendments" are hereby repealed but not so as to revive any provision not contained therein.

XVI SCHEDULE "A"

Schedule "A" to this bylaw forms a part of and is enforceable in the same manner as this bylaw.

READ a first time this 22nd day of April, 1997.
READ a second time this 22nd day of April, 1997.
READ a third time this 22nd day of April, 1997.

Reconsidered And Finally Adopted this 13th day of May, 1997.

Mayor

Clerk

Certified a true copy of bylaw 389,
cited as "District of Port Edward Business
Licence Bylaw No. 389, 1997."

Clerk

XVI SCHEDULE "A"

Schedule "A" to this bylaw forms a part of and is enforceable in the same manner as this bylaw. All fees for twelve (12) month period unless otherwise stated.

Nature of Business	Fee Payable
Agent	60.00
Apartment Building	100.00
Arcade	60.00
Auction Sale	60.00
Automobile Dealer	160.00
Automobile Service Station/Service Garage	60.00
Babysitting Service	40.00
Banker	210.00
Barbers first chair	30.00
each additional chair	10.00
Beauty Parlor/Hairdresser first operator	30.00
each additional operator	10.00
Billiard Rooms	40.00
Bill Poster	60.00
Boat Charters	40.00
Boat Construction	60.00
Boat Marina	60.00
Book Agent	60.00
Bowling Alley	60.00
Building Developer	60.00
Canvasser	60.00
Carnivals (per day)	110.00
Circus (per day)	110.00
Cleaning/Dyeing	60.00

Nature of Business	Fee Payable
Cleaners Agent/	
Branch Office	40.00
Commercial Vehicle	60.00
Contractor	60.00
Contractor, Logging	60.00
Dance Hall	100.00
Day Care, Family	60.00
Day Care, Group	60.00
Delivery/Cartage/Courier Service	60.00
Discotheque Teenage	100.00
Express or Freight Company	60.00
Farmer's Market	60.00
Farmer	60.00
Figure Salon	60.00
Financial Institutions	210.00
Fish Processing Plants/ Allied Operations	
1) Canning	210.00
2) Reductions	110.00
3) Fresh/Frozen	110.00
4) Allied operations Licence	60.00
not required if licence taken out under section 1, 2, or 3.	
Floor Space	60.00
Fuel Dealer	60.00
Fuel Sales	60.00
Home Occupation	20.00
Hotel/Motel each room	5.00
Janitor Service	40.00

Nature of Business	Fee Payable
Junk Dealer	40.00
Kindergarten/Play School	60.00
Land Developer	60.00
Laundry/Laundromat	60.00
Laundry Office	60.00
Lease or Rental Agency	60.00
Mail Order Agency	60.00
Manufacturer	110.00
Mobile Business	80.00
Pasturing and Grazing	60.00
Pawnbroker	60.00
Peddler	60.00
Personal Care Home	60.00
Private Club	60.00
Private Patrol Agency	60.00
Profession	60.00
Public Market	60.00
Quarry	210.00
Real Estate and/or General Insurance Office	60.00
Religious or Charitable Business	Free
Repair Shop	60.00
Restaurant	70.00
Retail and or/	40.00
Room Rentals per room	5.00
Seasonal Business	60.00

Nature of Business	Fee Payable
Soliciting for Charity	Free
Steam Bath	60.00
Storage Areas	60.00
Tailor	60.00
Taxi each taxi	40.00 ea.
Tenant Listing Service	60.00
Theatre	110.00
Trailer Courts first trailer each additional trailer	60.00 3.00 ea.
Vehicle Hire first vehicle each additional vehicle	40.00 10.00
Vending Machine	60.00
Wholesale	60.00

DISTRICT OF PORT EDWARD

BYLAW NO. 417

**A BYLAW TO AMEND "DISTRICT OF PORT EDWARD BUSINESS LICENSE
BYLAW NO. 389, 1997" .**

Pursuant to Section 653 (1) of the *Municipal Act*.

WHEREAS amendments to section 659 (1) of the *Municipal Act* allows Council to impose business license fees by classification;

NOW THEREFORE, the Council of the District of Port Edward, in open meeting assembled, enacts as follows:

XVI SCHEDULE "A"

Schedule "A" to this bylaw forms a part of and is enforceable in the same manner as this bylaw.

XVI SCHEDULE "A"

Schedule "A" to this bylaw forms a part of and is enforceable in the same manner as this bylaw. All fees for twelve (12) month period unless otherwise stated.

Nature of Business	Fee Payable
Agent	60.00
Apartment Building	100.00
Arcade	60.00
Auction Sale	60.00
Automobile Dealer	160.00
Automobile Service Station/Service Garage	60.00
Babysitting Service	40.00
Banker	210.00
Barbers first chair	30.00
each additional chair	10.00
Beauty Parlor/Hairdresser first operator	30.00
each additional operator	10.00
Billiard Rooms	40.00
Bill Poster	60.00
Boat Charters	40.00
Boat Construction	60.00
Boat Marina	60.00
Book Agent	60.00
Bowling Alley	60.00
Building Developer	60.00
Canvasser	60.00
Carnivals (per day)	110.00
Circus (per day)	110.00
Cleaning/Dyeing	60.00

Nature of Business	Fee Payable
Cleaners Agent/	
Branch Office	40.00
Commercial Vehicle	60.00
Contractor	60.00
Contractor, Logging	60.00
Dance Hall	100.00
Day Care, Family	60.00
Day Care, Group	60.00
Delivery/Cartage/Courier Service	60.00
Discotheque Teenage	100.00
Express or Freight Company	60.00
Farmer's Market	60.00
Farmer	60.00
Figure Salon	60.00
Financial Institutions	210.00
Fish Processing Plants/ Allied Operations 1) Canning 2) Reductions 3) Fresh/Frozen 4) Allied operations Licence not required if licence taken out under section 1, 2, or 3.	210.00 110.00 110.00 60.00
Floor Space	60.00
Fuel Dealer	60.00
Fuel Sales	60.00
Home Occupation	20.00
Hotel/Motel each room	5.00
Janitor Service	40.00

Nature of Business	Fee Payable
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Laundry/Laundromat	60.00
Laundry Office	60.00
Lease or Rental Agency	60.00
Mail Order Agency	60.00
Manufacturer	110.00
Mobile Business	80.00
Pasturing and Grazing	60.00
Pawnbroker	60.00
Peddler	60.00
Personal Care Home	60.00
Private Club	60.00
Private Patrol Agency	60.00
Profession	60.00
Public Market	60.00
Quarry	210.00
Real Estate and/or General Insurance Office	60.00
Religious or Charitable Business	Free
Repair Shop	60.00
Restaurant	70.00
Retail and or/	40.00
Room Rentals per room	5.00
Seasonal Business	60.00

Nature of Business	Fee Payable
Soliciting for Charity	Free
Steam Bath	60.00
Storage Areas	60.00
Tailor	60.00
Taxi each taxi	10.00 ea.
Tenant Listing Service	60.00
Theatre	110.00
Trailer Courts first trailer each additional trailer	60.00 3.00 ea.
Vehicle Hire first vehicle each additional vehicle	40.00 10.00
Vending Machine	60.00
Wholesale	60.00

READ a first time this 11th day of May, 1999.
 READ a second time this 11th day of May, 1999.
 READ a third time this 11th day of May, 1999.

ADOPTED this 25th day of May, 1999.

Mayor

Clerk

Certified a true copy of bylaw No. 417
 cited as "District of Port Edward Business License Bylaw 417, 1999.

Clerk