

CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 594.

A By-law respecting the issue and regulating of licenses within the Municipality of Burnaby.

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The Municipal Council of the Corporation of the District of Burnaby ENACTS AS FOLLOWS:-

Interpretation

1. (1) "Inspector" shall mean the person appointed from time to time by By-law or resolution of the Council for the purpose of enforcing and carrying out the provisions of this By-law, or any person so appointed for the purpose of assisting therein.

(2) The word "Council" shall mean the Municipal Council of the Corporation of the District of Burnaby.

The word "Municipality" shall mean the Municipality of Burnaby.

(3) The word "person" shall when necessary, be held and construed to mean and include natural persons of either sex, associations, corporations, co-partnerships, whether acting by themselves, or by a servant, agent, employee, and the heirs, executors, administrators, successors and assigns or other representatives of such person to whom the context shall apply according to law. The singular shall, when necessary, be held to mean and include the plural and the masculine shall be held to mean and include the feminine.

(4) "Applicant" shall mean any person who makes out and signs an application for any license under the provisions of this By-law.

(5) The word "Auctioneer" whenever used in this By-law shall be held and construed to mean and include any person selling or putting up for sale, goods, wares, merchandise or other effects, or real estate by public auction, save and except a Government officer selling by auction Government property or sheriff or sheriff's officer or bailiff selling lands goods or chattels

taken in execution or for the satisfaction of rent or taxes.

(6) The term "Bill poster" shall be held and construed to mean and include any person who paints signs, or who posts or distributes by hand, bills, posters, other printed matter, notices, or advertisements on any fence, billboard, hoarding, post or other place for the information of the public.

(7) The words "Hawker", "Peddler" or "Huckster" when used in this By-law shall include all persons who, not having any place of business within the limits of the municipality, sell goods wares, merchandise, or any other effects whatsoever therein, and all persons who, being agents for persons not resident within the municipality, sell or offer for sale goods, wares or merchandise, or foodstuffs, or carry or expose samples or patterns of any goods, wares, or merchandise, or foodstuffs, to be afterwards delivered within the municipality to any person not being a wholesale or retail dealer in such goods, wares, or merchandise, or foodstuffs, or carry or expose samples or patterns or quote prices for the selling of any goods, wares, or merchandise, or foodstuffs, to be afterwards delivered within the municipality to any person.

(8) The term "Transient Trader" shall mean and include any person who, on commencing the business of offering goods or merchandise of any description for sale by auction or otherwise in the municipality, and being requested by a municipal constable or by the clerk, collector, or license inspector of the municipality to give security to the municipality, in the amount of the license fee required by the By-law, that he will carry on business as a trader in the municipality continuously for not less than six months refuses or neglects to give such security to the satisfaction of the clerk, collector, or license inspector.

(9) The term "Transient Real Estate Agent" or "Land Agent" shall mean and include any person who, either on his own behalf or as agent for another, sells, solicits, or takes orders or agreements for the sale or transfer of lands situate outside the municipality and is not a tenant or occupier of business premises within the same, or who, if such tenant or occupier, on being required by a municipal constable or police officer, or by

the collector, license collector, of license inspector, or the municipality to give security to the corporation in the amount of Two hundred dollars (\$200.00) that he will carry on business as a real-estate agent or land agent in the municipality continuously for not less than six months, refuses or neglects to forthwith give such security to the satisfaction of such collector.

(10) The term "Agent" as mentioned in sub-section 7 of Schedule "A" hereof shall be construed to mean and include any person who either on his own behalf or as agent for another or others sells, solicits or takes orders for the sale by retail of goods, wares or merchandise to be supplied or furnished by any person or firm outside of the Municipality.

(11) The term "Retail Trader" shall be held and construed to mean and include any person who deals in any commodity and who sells such commodity in any quantities to the consumer direct and shall include one or more kinds or classes of goods (excepting any other line of business or trade specially provided for and being subject to license under this or any other By-law of the municipality) where said goods are sold or business carried on in or upon one premises or by one person or by a partnership.

(12) The term "Wholesale Trader" shall be held and construed to mean any person who carries on a business of dealing in any commodity by selling such commodity to wholesale or Retail Dealers or partly to wholesale or retail dealers and partly to the consumer and shall include manufacturers manufacturing any commodity and selling such commodity to Wholesale or Retail dealers and partly to the consumer.

(13) The term "Stevedore" shall be held and construed to mean and include any person who takes contracts to load or unload ships within the Municipality.

2. From and after the coming into effect of this By-law every person using or following within the Municipality any of the trades, occupations, professions or businesses set out in Schedule "A" of this By-law shall take out a periodical license therefor for such period as is mentioned in said Schedule and shall pay therefor such periodical sum as is therein specified, which said sum shall in all cases be paid in advance to the collector of the said

Corporation for the use thereof.

3. No person shall carry on, use or follow any trade, occupation, profession or business named in the said Schedule within the limits of the Municipality without having taken out and had granted to him the necessary license in that behalf. The license may be in the form of Schedule "B" of this By-law and shall be granted so as to terminate on the 15th day of January or the 15th day of July and no proportionate reduction shall be made on account of any person commencing business at any particular time, except where otherwise provided by Section 290 of the Municipal Act, being Chapter 179 R.S.B.C. 1924.

4. All applications for licenses under this By-law except those specially provided for shall be made to the Inspector on an application form to be provided for that purpose.

5. All applications for licenses shall set forth the premises in or upon which the applicant desires and intends to carry on the occupation, trade, calling or business for which he is licensed, and save as otherwise herein provided no person to whom a license is granted shall carry on such occupation, trade, calling or business in or upon any other premises than those set forth in such application and license without first making an application under the last preceding section for a new license.

6. All premises in or upon which the applicant proposes to carry on or conduct any trade or business subject to the provisions of this By-law shall first be approved of by the Inspector and Medical Health Officer before any license is granted to any person to carry on or ~~conduct~~ any such trade or business.

7. Every license issued under this By-law shall be made out in duplicate. One copy shall be delivered to the person licensed (who shall post the same and keep same posted in a conspicuous place in the premises, or on the thing or article in respect of which the license is issued, and anyone failing to post up and keep same posted as aforesaid, shall be guilty of an infraction of this By-law and liable to the penalties thereof) and the Inspector shall retain the other copy.

8. Any license granted under this By-law shall be personal to the person to whom the same is granted and no other person shall have the right to use the said license.

REVOCATION AND SUSPENSION
OF LICENSES

9. Whenever the Council deems it desirable that any license granted under this By-law should be revoked or suspended by reason of the fact that the holder of such license has been convicted of a breach of any By-law or By-law relative to the trade, calling business, occupation, or purpose in respect of which such license shall have been granted or issued, the Council may, subject to the provisions of this By-law, revoke or suspend such license for any such time as it may deem proper. Provided, however, that no such license shall be revoked by the Council unless and before the party to whom such license is granted shall have been given an opportunity of appearing before the Council and showing cause why such license should not be revoked.

INSPECTION OF LICENSED PREMISES

10. Every person to whom a license has been granted under this By-law for the purpose of carrying on any occupation, trade, calling or business, shall at all reasonable times, permit the Inspector, Chief of Police or any Police Officer or any other person duly authorized in this behalf, to inspect any house, place, premises or thing in respect of which such license has been granted and any person who shall refuse to allow the Inspector, Chief of Police, or any Police Officer, or any other person duly authorized in that behalf, to so inspect such house, place, premises or thing, shall be guilty of an infraction of this By-law and liable to the penalties thereof.

THEATRES

11. No building shall be licensed as a theatre, opera house, or place for public exhibitions or entertainments unless the same shall have been certified by the Engineer, or such other person as the Council may by resolution appoint, to have been substantially constructed and so that the doors for exit shall open outwardly,

and that there are sufficient means of exit to enable the occupants of the building when full to its utmost capacity to leave the building within three minutes time, and that in his opinion there is nothing in the external or internal arrangements, or in the stairways or approaches thereto or therein, that would render such building hazardous or unsafe for its proposed use, and that it is provided with adequate means for lighting and ventilation. The proprietor or manager of such building shall keep the aisles clear from obstruction during its occupancy and shall not permit persons to sit in them so as to obstruct the passage.

12. In every case where a person is a member of a partnership firm (consisting of more than one Partner) it shall be sufficient compliance with this By-law if one license is taken out in the name of the partnership firm and one tax paid therefor.

CONDUCT OF LICENSED PREMISES

13. Every person opening, keeping, carrying on, conducting or managing any trade, occupation, calling or business licensed under the provisions of this By-law shall keep and maintain good order in and about the same and the premises used therefor, and at his own expense shall keep sufficient force of servants for that purpose.

PENAL CLAUSE

14. Any person guilty of a breach of any of the provisions of this By-law, shall, upon conviction before the Police Magistrate or any Justice of the Peace having jurisdiction within the Municipality be liable to a penalty not exceeding Two Hundred and Fifty (\$250.00) Dollars and costs, and in default of payment forthwith such penalty and costs may be levied by distress and sale of the goods and chattels of the offender and in case of there being no distress found out of which the said penalty and costs may be levied the said Police Magistrate or Justice of the Peace may commit the offender to the Common Gaol for a term of


not more than sixty (60) days.

15. "Burnaby Trades License By-law 1925" and "Burnaby Trades License By-law 1925 Amendment By-law 1926" are hereby repealed.

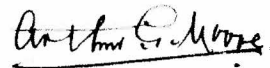
16. This By-law may be cited as "BURNABY TRADES LICENSE BY-LAW 1927".

DONE AND PASSED in Open Council this Thirteenth (13th) day
of June A. D. 1927.

RECONSIDERED AND FINALLY PASSED this Twenty-seventh day
of June A. D. 1927.



REEVE.



CLERK.



SCHEDULE "A"

1. From any person keeping a hotel or building where a billiard, or pool table is used for hire or profit \$5.00 for each table for every six months.
2. From any person keeping a bowling alley or rifle gallery for hire or profit, \$5.00 for every six months.
3. From any person carrying on the business of a wholesale merchant or trader, \$10.00 for every six months.
4. From every person carrying on the business of a Retail merchant or trader, \$5.00 for every six months.
5. Any person paying a license under Clauses 3 or 4 hereof shall be entitled to change his place of business at pleasure but not to carry on business at two places at the same time under one license.
6. From any hawker, peddler, or huckster, \$10.00 for every six months.
7. From any person who, either on his own behalf or as agent for another, sells, or solicits or takes orders for the sale, by retail, of goods, wares, or merchandise to be supplied by any person not doing business in the said municipality, \$25.00 for every six months.
8. From any person keeping or carrying on a public laundry, \$10.00 for every six months.
9. From any person who either on his own behalf or as agent for another or others solicits or takes orders for laundry work to be done by a public laundry situate outside the limits of the municipality, \$10.00 for every six months.
10. From any person carrying on the business of a pawn-broker \$25.00 for every six months.
11. From any person carrying on the business of a second-hand dealer other than a dealer in second-hand cars or junk-dealer, \$20.00 for every six months.
12. From any person owning or keeping cabs, carriages, carts, drays, trucks, motor-cars, automobiles, or other conveyance or vehicle for hire (whether with or without a driver) \$10.00 for every six months.
13. From the driver other than the owner of any cab, carriage, cart, wagon, dray, truck, motor-car, automobile, or other conveyance or vehicle kept for hire, \$5.00 for every six months.

14. From any person keeping a livery-stable, \$10.00 for every six months.

15. From any person carrying on the business of a dealer in second-hand or used automobiles or motor-cars, \$10.00 for every six months.

16. From any person carrying on the business of a dealer in new automobiles or motor-cars or a dealer in both new and second-hand automobiles or motor-cars, \$20.00 for every six months; the holder of any license under this or the paragraph next preceding shall also be entitled to carry on the business of selling automobile accessories, gasoline, oil, and supplies, and of repairing automobiles or motor-car without taking out any further license therefor.

17. From every Bank, at one place of business \$50.00 for every six months and for each other place of business \$20.00 for every six months.

18. From every person letting individual rooms, suites, or rooms or lodgings for hire, either in a hotel, rooming-house, apartment-house, lodging-house, or elsewhere, and whether or not board or meals are supplied to the occupants thereof, 50¢ for every six months for each room let or available for letting; Provided, however, that persons having not more than two rooms available for letting shall not be required to take out or hold a license under this paragraph.

19. From any person carrying on the business of manufacturing beverages for human consumption or of selling the same wholesale \$5.00 for every six months, in addition to the license fee for a wholesale merchant or trader.

20. From every person carrying on the business of a shipbuilder or shppyard, \$10.00 for every six months.

21. From any person selling property by auction (not being a Crown officer selling Crown property by auction, or a Sheriff, Sheriff's Officer, or bailiff selling lands, goods, or chattels, under a judgment or in satisfaction of rent or taxes) \$10.00 for every six months.

22. From any transient trader doing business within the limits of the municipality, \$100.00 for every six months or part thereof, in addition to the fee for any other license under this section.

23. From any transient real-estate agent or land agent, \$25.00 for every six months.

24. From any person who exhibits a public circus, menagerie, hippodrome, horse-show, dog or pony show, \$100.00 for each day of such exhibition.

25. From the proprietor, lessee or manager of any theatre, concert hall or other place of amusement, entertainment, or exhibition, according to the seating capacity of such theatre, concert hall, or other place of amusement, entertainment, or exhibition, allowing 22 inches for each seat the following amounts:

1. For every place seating 975 persons or more \$100.00 for a year, \$35.00 for 3 months; \$15.00 for 1 month; \$2.50 for one day.
2. For every place seating 400 persons and less than 975, \$50.00 for 1 year; \$20.00 for three months; \$10.00 for one month; \$2.00 for one day.
3. For every place seating less than 400 persons \$25.00 for 1 year; \$15.00 for three months; \$7.50 for one month; \$1.00 for one day;

Provided that all licenses issued under the provisions of this clause shall be known and designated as "Theatre Licenses" but no license shall be required in respect of any exhibition concert, or other entertainment for the benefit of any church, school, or hospital, or any charitable entertainments by any amateur dramatic or musical association or literary society.

26. From any person or corporation carrying on the business of an express company, \$5.00 for every six months.

27. From any telephone company, electric light company, gas company, street-railway or tramway company, power company or waterworks company, \$50.00 for every six months. In the event of one company carrying on business of more than one of the kinds or descriptions hereinbefore in this paragraph enumerated, it shall be liable to hold and pay for a license in respect of each kind or description of business so carried on.

28. From any person carrying on the business of a trust company investment, loan, or mortgage agency, society, or company, \$10.00 for every six months.

29. From any person carrying on the business of a fur-trader \$20.00 for every six months.

30. From any person exhibiting for gain or profit waxworks, circus-riding, rope-walking, dancing, tumbling, wrestling, or other acrobatic or gyanastic performance, wild animals, trained animals, natural or artificial curiosities, legerdemain, jugglery, or other lik tricks, glass-blowing, tableaux, or other performance, collection, or exhibition, when the same is exhibited elsewhere than in a theatre or other place duly licensed under paragraph 25 of this Schedule, \$20.00 for every six months or \$5.00 for each day of such exhibition.

31. From any person who carries on the business of stevedore or who takes contracts to load or unload ships, \$25.00 for every six months.

32. From any person carrying on the business of a plumber, domestic, heating, or sanitary engineer, building contractor, or electrical contractor, \$5.00 for every six months.

33. From any person carrying on the business of a gasoline service station, \$5.00 for every six months. Provided however, that this clause shall not apply to any person who operates a garage and pays a license therefor.

34. From every person who carries on the business of a garage for the sale or storage of automobiles or trucks, \$10.00 for every six months.

35. From the owner or driver of every truck plying for hire or used for the delivery of wood, coal, merchandise, or other commodity \$5.00 for every six months for each truck.

36. From the owner of every truck used for the delivery of gasoline and oils to service stations, with weight when loaded exceeding five tons, \$10.00 for every six months, with an additional charge of \$2.00 for each ton exceeding five tons.

37. From any person carrying on the business of manufacturing boxes or the business of manufacturing sash and doors and wood-working \$5.00 for every six months.

38. From every person carrying on the business of interior decorating or sign painting \$2.50 for every six months.

39. From every person carrying on the business of a painter, (other than a sign painter) or plasterer \$5.00 for every six months.
40. From every dealer in explosives \$20.00 for every six months.
41. From every person conducting or managing an auto camp within the limits of the municipality \$20.00 for every six months.
42. From every milk vendor \$5.00 for every six months.
43. From every person carrying on the business of mimeographing or printing, \$5.00 for every six months.
44. From every person carrying on the business of an undertaker \$5.00 for every six months.
45. From every person carrying on the business of an upholsterer \$5.00 for every six months.
46. From every person carrying on the business of a vulcanizing shop, \$2.50 for every six months.
47. From every person carrying on the business of manufacturing fertilizers, \$20.00 for every six months.
48. From every engineer and land surveyor \$5.00 for every six months.
49. From every optometrist or refractionist \$5.00 for every six months.
50. From every dental surgeon, osteopath or chiropractor, \$5.00 for every six months.
51. From every faith healer or mental healer \$25.00 for every six months.
52. From each person practising as a barrister or solicitor \$5.00 for every six months.
53. From every person practising as a conveyancer \$5.00 for every six months.
54. From every person practising as a physician or surgeon \$5.00 for every six months.
55. From every person practising as a veterinary surgeon \$5.00 for every six months.
56. From every person carrying on the business of a florist \$5.00 for every six months.
57. From every person carrying on the business of a druggist, \$10.00 for every six months.

58. From every person carrying on the business of scavenger or chimney sweep, \$1.00 for every six months.

59. From any person following within the Municipality any trade, occupation or calling not hereinbefore enumerated, or who enters into any contract or agreement to perform any work or furnish any material \$5.00 for every six months. Provided always that no person employed as a journeyman or for wages only and not employing other persons shall be subject to the provisions of this section.

60. From any person dealing in lumber or operating a lumber yard, \$5.00 for every six months.

61. From any person operating a cafe or restaurant, \$2.50 for every six months.

SCHEDULE "B"

Form of License

Municipality of Burnaby, B.C.

has paid the sum of _____ dollars
in respect of a license to _____
and is entitled to carry on the business or occupation of _____
at _____ from _____
to _____

DATED

19 .

June 1st, 1927

Present: Councillor's Lambert, Willson, Moore, West, Hill.

Moved by Councillor Moore,) Seconded by " Hill.)	Finance Convened, at 8 P.M.
Moved by Councillor Moore) Seconded by " Willson)	Vehicles for hire, license be \$10.00 for six months.
Moved by Councillor Willson) Seconded by " Moore)	Second hand or used autos, license be \$10.00 for six months.
Moved by Councillor Willson) Seconded by " Hill)	New or second hand car, license be \$20.00 for six months.
Moved by Councillor Willson) Seconded by " Moore)	Rooms, .50¢ per room.
Moved by Councillor West) Seconded by " Willson)	Beverage manufacturer, \$5.00
Moved by Councillor Willson) Seconded by " Moore)	Shipbuilder or shipyard, \$10.00
Moved by Councillor Willson) Seconded by " Hill)	Transient Real Estate, \$25.00
Moved by Councillor Willson) Seconded by " West)	Express Coy. \$ 5.00
Moved by Councillor Moore) Seconded by " Willson)	Telephone Co. Light, etc., \$50.00
Moved by Councillor Willson) Seconded by " Moore)	Fur trader, \$ 5.00
Moved by Councillor Moore) Seconded by " Willson)	Wax works, etc. \$20.00
Moved by Councillor Moore) Seconded by " Willson)	Stevedore, \$25.00
Moved by Councillor Willson) Seconded by " Moore)	Plumber, electrical, Etc. \$ 5.00 Counc. West against.
Moved by Councillor Willson) Seconded by " Moore)	Garage, (rent of garage) \$5.00 Garage and Storage \$ 10.00
Moved by Councillor Willson) Seconded by " Moore)	Trucks delivering wood coal, etc. \$5.00
Moved by Councillor Moore) Seconded by " Willson)	Local Trucks exempt.
Moved by Councillor Moore) Seconded by " Willson)	Trucks delivering gas oil, etc \$10.00 per six months, plus \$2.00 per ton over 5 ton.
Moved by Councillor Moore) Seconded by " Willson)	Repair shop, Sheet metal, tin smith, \$5.00
Moved by Councillor Willson) Seconded by " Moore)	Box factory, Sash & doors, Wood working \$5.00
Moved by Councillor Willson) Seconded by " West)	Interior decorator, Decorator, Sign painting, \$2.50
Moved by Councillor West) Seconded by " Willson)	Painter, Plasterer, \$5.00
Moved by Councillor Moore) Seconded by " Hill)	Dealer in explosives, \$20.00
Moved by Councillor Moore) Seconded by " Willson)	Intelligence office, \$ 5.00

Moved by Councillor Moore) Seconded by " Willson)	Auto Camp	\$20.00
Moved by Councillor Willson) Seconded by " Hill)	Milk vendor (outside)	\$5.00
Moved by Councillor Moore) Seconded by " Hill)	Mimeographing, Printer, undertaker, upholstring,	\$5.00
Moved by Councillor Willson) Seconded by " Hill)	Vulcanizing shop,	\$2.50
Moved by Councillor Willson) Seconded by " Moore)	Fertilizer plant,	\$20.00
Moved by Councillor West) Seconded by " Hill)	Florist, etc.	\$ 5.00
Moved by Councillor Willson) Seconded by " Moore)	Engineer & Land Surveyor	\$5.00
Moved by Councillor Willson) Seconded by " West)	Optometrist, refractionist, dentist, dental surgeon, osteopath, chiropractor.	\$5.00
Moved by Councillor Willson) Seconded by " Moore)	Faith-healer, mental healer, or other healer of human diseases or ailments,	\$25.00
Moved by Councillor Willson) Seconded by " Hill)	Veterinarian	\$5.00
Moved by Councillor Willson) Seconded by " Hill)	Drug store	\$10.00
Moved by Councillor Moore) Seconded by " Hill)	Adjourned.	

Hill