



<b>TO:</b>	<b>CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE December 13, 2016</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>BUSINESS LICENSING BY-LAW REVIEW – STATUS UPDATE</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Development & Compliance Services and the Chief Building Official, this report **BE RECEIVED** for information.

<b>BACKGROUND</b>
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On June 21, 2016 Civic Administration presented a report to CPSC outlining proposed new categories of businesses to be licensed for a variety of different municipal purposes and identifying existing categories of businesses licensed under the City's Business Licensing By-law which require updated regulations.

A total of 12 new business categories are proposed (i.e. payday loan lenders, donation bin operators, contractors) and a number of changes are proposed to existing regulations (i.e. adult entertainers, second-hand shops). The proposed new businesses and revised regulations can generally be categorized into the following municipal purposes: consumer protection; nuisance control; public health-related matters; crime prevention and streamlining/consolidation. Originally, Civic Administration recommended that future public participation meetings (PPMs) be held to address all the new and revised categories as an omnibus amendment which would involve adoption of a new by-law and repeal of the current by-law. Council directed the PPMs be separated out into similar type categories and be held independently. Civic Administration subsequently prepared a schedule of proposed public meetings starting November 2016 and ending June 2017 and began preparing documents.

To date, no PPMs have been held. Civic Administration is proposing a revised process which will shorten the completion date to April 2017. Civic Administration is proposing a revised amendment process based on the following two reasons: delegated authority and administrative/legislative processes.

Civic Administration is proposing to utilize section 23 of the *Municipal Act* authorizing the delegation of legislative powers. It should be noted the intent of section 23 of the *Municipal Act* is to streamline City Council's decision-making process and enable it to focus on larger issues in a more strategic manner. This process has been used in the approved Informal Residential Care Facility Licensing By-law and the proposed Vehicle for Hire By-law. The process is efficient as it allows for the development and implementation of operational regulations by Civic Administration which otherwise would be required to be approved by Council by way of by-law amendments. Such delegation conforms to the Council Policy By-law with specific reference to Schedule G - Delegation of Powers and Duties Policy. Civic Administration is also currently reviewing Council Policies as they pertain to business licensing and will be report back with appropriate and updated amendments.

The current Business Licensing By-law is separated into 21 parts including definitions, general provisions, enforcement, and a number of business categories. The proposed By-law outline will include general provisions and a number of schedules (similar to the proposed Vehicle for Hire By-law) which is a far more user-friendly format for both staff and the public. The first step will be to hold a PPM on the general provisions and some business categories as schedules to the By-law, then subsequent PPMs for all remaining schedules of the By-law.

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Civic Administration will recommend adoption of the full by-law amendment including repeal of the current Business Licensing By-law L-6 (subsequent to any referrals back to staff by Council) once all PPMs are complete on the proposed schedules. From an administrative and legislative perspective, this process is more efficient than having numerous amendments ongoing to a current by-law which in time will be repealed. From a staffing perspective, preparing numerous amendments to a current by-law is far more time consuming (i.e. delete/replace individual regulations) in comparison to full by-law replace and repeal.

<b>CONCLUSION</b>
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In consultation with the City Clerk’s Office, City Solicitors Office, and Business Services-Development and Compliance, the proposed process of holding PPMs beginning with general provisions then subsequent schedules (of proposed business categories) is an efficient and effective administrative and legislative process for adopting a new Business Licensing By-law. The PPM process is expected to be completed in April 2017.

<b>PREPARED BY:</b>	<b>RECOMMENDED BY:</b>
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