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| <b>TO:</b>      | <b>CHAIR AND MEMBERS<br/>COMMUNITY AND PROTECTIVE SERVICES COMMITTEE<br/>MEETING ON OCTOBER 4 , 2017</b>                 |
| <b>FROM:</b>    | <b>G. KOTSIFAS, P. ENG.<br/>MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES<br/>AND CHIEF BUILDING OFFICIAL</b> |
| <b>SUBJECT:</b> | <b>BUSINESS LICENSING BY-LAW REVIEW<br/><br/>AMENDMENT TO ADDRESS DISPLAY OF LICENCE INFORMATION</b>                     |

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| <b>RECOMMENDATION</b> |
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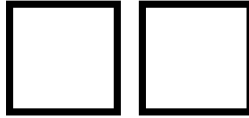
That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the attached revised proposed by-law schedules for Door to Door Sales and Contractor Business **BE INTRODUCED** at the Municipal Council meeting to be held on October 17, 2017 it being noted that these amendments provide further clarification on the display of licence information for mobile sign contractors and door to door sales persons.

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| <b>BACKGROUND</b> |
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Civic Administration previously reported on a number of new categories of businesses to be licensed for a variety of municipal purposes and existing businesses which require updated licensing regulations. The draft by-law is being presented at an omnibus public participation meeting on October 4, 2017.

The purpose of the attached revised schedules is to provide authority for the Licence Manager to make regulations prescribing the identification that a person conducting door to door sales must display and the licence information a sign contractor must post on mobile signs.

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| <b>PREPARED BY:</b>   | <b>RECOMMENDED BY:</b>   |
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| <b>OREST KATOLYK, MLEO (C )<br/>CHIEF MUNICIPAL LAW ENFORCEMENT<br/>OFFICER</b> | <b>GEORGE KOTSIFAS, P. ENG.<br/>MANAGING DIRECTOR, DEVELOPMENT<br/>AND COMPLIANCE SERVICES &amp; CHIEF<br/>BUILDING OFFICIAL</b> |



## SCHEDULE 6 CONTRACTOR BUSINESS

### 1.0 DEFINITIONS

1.1 In this Schedule:

“**Contractor Business**” means a Drainage Contractor, Driveway Contractor, Sign Contractor, Plumbing Contractor or a Pool Installer;

“**Drainage Contractor**” means a person engaged in the business of constructing, installing, repairing, cleaning or replacing drainage services;

“**Driveway Contractor**” means a person engaged in the act of laying asphalt, concrete, interlocking stone, or other similar material; sealing paved driveway surfaces; or maintenance or repair of existing driveways on privately owned property;

“**Pool Installer**” means a person engaged in the business of constructing or installing pools;

“**Plumbing Contractor**” means a person who, by themselves or their employees are engaged in the business of constructing, installing, repairing, cleaning or replacing of plumbing services;

“**read-o-graph mobile sign**” means a temporary sign designed to be readily moved from one location to another and which does not rely on a building or fixed foundation for its structural support in which the entire sign face is manual changing copy and includes a T-frame signs greater than 0.6m;

“**Sign Contractor**” means a person engaged in the business of installing read-o-graph mobile signs; and

“**T-frame sign**” means a temporary sign not anchored to the ground, where the sign structure resembles an inverted capital T and which is constructed in a manner, and of such materials, which permit it to be repositioned by an individual without mechanical aids.

### 2.0 APPLICATIONS FOR LICENCES AND RENEWAL

2.1 In addition to all of the requirements set out in Part 6 of this By-law, every application for a Contractor Business licence and renewal shall include proof of insurance in respect of the Contractor Business that:

- (a) is satisfactory to the Licence Manager;
- (b) includes commercial general liability in an amount not less than \$2,000,000; and
- (c) requires that the Licence Manager be notified within sixty (60) days of its expiry.

### 3.0 POWERS OF THE LICENCE MANAGER

3.1 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may make regulations under this Schedule prescribing the licence information that a Sign Contractor is required to post on a read-o-graph mobile sign under section 6.1 of this Schedule including without limitation, the manner, form, size, location and content of such information.

### 4.0 CONDITIONS TO HOLD A LICENCE

4.1 In addition to all of the requirements set out in this By-law, every holder of a Contractor licence is subject to the following conditions of obtaining and continuing to hold a licence:

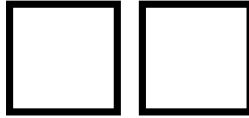
- (a) maintain insurance as required under section 2.1 of this Schedule; and
- (b) file with the Licence Manager at least five (5) days prior to the expiry date of any current insurance policy an insurance renewal policy or certificate of insurance.

### 5.0 PROHIBITIONS

5.1 No person shall operate a Contractor Business without holding a current valid licence issued under this By-law.

### 6.0 REGULATIONS

6.1 Every Sign Contractor shall ensure that the licence information as prescribed by the Licence Manager is posted on any read-o-graph mobile sign owned by them.



## **SCHEDULE 8 DOOR TO DOOR SALES**

### **1.0 DEFINITIONS**

1.1 In this Schedule:

“**Door to Door Sales**” means to solicit, sell, offer or attempt to sell, take orders for or solicit orders for goods, services or any other thing on a door to door basis.

### **2.0 APPLICATIONS FOR LICENCES AND RENEWALS**

2.1 In addition to all of the requirements set out in this By-law, every application or renewal for a Door to Door Sales licence shall include the following:

- (a) a Police Record Check for the Applicant, any partner if the Applicant is a partnership, or any officer and director of the corporation if the Applicant is a corporation dated no later than sixty (60) days prior to the application for a licence.

### **3.0 POWERS OF THE LICENCE MANAGER**

3.1 In addition to the grounds set out in section 8.3 of this By-law, the Licence Manager may refuse to issue, refuse to renew or revoke or suspend a Door to Door Sales licence or impose a term or condition on a Door to Door Sales licence on the following grounds:

- (a) the Applicant or Licensee or any partner, officer or director of the Applicant or Licensee, or any person conducting Door to Door Sales on the Applicant’s or Licensee’s behalf has been convicted of an offence, for which a pardon has not been granted, pursuant to any one or more of Parts V (Sexual Offences), VIII (Offences Against the Person and Reputation) or IX (Offences Against Property) of the Criminal Code of Canada, R.S.C. 1985 c. C-46, as amended in the preceding five (5) years; or
- (b) the Applicant or Licensee or any partner, officer or director of the Applicant or Licensee or any person conducting Door to Door Sales on the Applicant’s or Licensee’s behalf, has been convicted of an indictable offence under any Statue of Canada, including but not limited to the Criminal Code of Canada, the Narcotic Control Act, the Food and Drug Act, and the Controlled Drug and Substances Act during the preceding five (5) years.

3.2 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may make regulations under this Schedule including:

- (a) prescribing the form and content of the registry of all persons conducting Door to Door Sales on behalf of a Door to Door Sales licence holder as required under subsection 5.1(a) of this Schedule; and
- (b) prescribing the identification that a person conducting Door to Door Sales must display under subsection 5.1(e) of this Schedule including without limitation, the form, content and manner in which such identification is to be displayed.

### **4.0 PROHIBITIONS**

4.1 No person shall carry on business in whole or in part through Door to Door Sales without a current valid licence issued under this By-law.

### **5.0 REGULATIONS**

5.1 Every holder of a Door to Door Sales Licence shall:

- (a) maintain an up-to-date registry of all persons conducting Door to Door sales on its behalf in the form and containing the content as prescribed by the Licence Manager;
- (b) produce the registry required under subsection 5.1(a) of this Schedule to the Licence Manager or an Enforcement Officer immediately upon their request;
- (c) obtain a Police Record Check for every person conducting Door to Door Sales on its behalf;
- (d) produce a Police Record Check required under subsection 5.1(c) of this Schedule to the Licence Manager or an Enforcement Officer immediately upon their request;
- (e) ensure that every person conducting Door to Door Sales for the licence holder displays identification as prescribed the Licence Manager.