



Cultus Lake Park

COMMERCIAL BUSINESS LICENCE BYLAW

Bylaw No. 1176, 2020

A Bylaw to regulate Commercial Business Licences.

Section 12 of the *Cultus Lake Park Act* (1932 and Amendments) enables the Cultus Lake Park Board to adopt Bylaws, and Section 9.2 (1) provides that Section 260 – Enforcement Powers of the *Community Charter* apply to the enforcement of the Bylaws of the Board, and Section 261 – Payment of Fines and Other Penalties to Municipality under the *Community Charter* provides that fines and other penalties imposed and collected under or because of a Cultus Lake Park Bylaw must be paid to the Park.

Every person who offends against any of the provisions of this Bylaw or who suffers or permits any act to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act or thing which violates any of the provisions of this Bylaw, will be in breach of this Bylaw, and will be liable to the fees as outlined in Schedule A of this Bylaw and the fines and provisions as outlined in the “Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019.

The Cultus Lake Park Board in open meeting assembled, enacts as follows:

1. TITLE

- 1.1 This Bylaw may be cited as “Cultus Lake Commercial Business Licence Bylaw No. 1176, 2020”.

2. INTERPRETATION

- 2.1 Words or phrases defined in the *British Columbia Interpretation Act*, *Motor Vehicle Act*, *Local Government Act*, *Community Charter* or any successor legislation, will have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

2.2 DEFINITIONS OF TERMS

“**Applicant**” means the commercial leaseholder that is applying for a Commercial Business Licence.

“**Board**” means the elected Board for Cultus Lake Park

"Business Licence" means the licence issued by Cultus Lake Park to the licensee to conduct business as outlined in the applicant's application.

"Bylaw Compliance and Enforcement Officer" means a person acting as a Cultus Lake Park Bylaw Compliance and Enforcement Officer, or any other person acting in another capacity on behalf of the Cultus Lake Park Board.

"Bylaw Notice" means a ticket issued under the Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019.

"CAO" means the Chief Administrative Officer; a position appointed by the Board.

"Fee" means a fee charged as outlined in Schedule "A" of this Bylaw.

"Commercial Leaseholder" means a commercial leaseholder with a current and valid commercial lease with Cultus Lake Park.

"Licensee" means a commercial business entity which holds a valid licence to operate a business within the Park under this Bylaw.

"Park" means the area within the Park boundaries as outlined in the *Cultus Lake Park Act, 1932*, and the foreshore assigned to the Park by the Province of British Columbia.

"Person" includes any corporation, partnership, sole proprietorship, party or individual.

"Post/Posted" means keeping continuously displayed in a conspicuous area of the business.

- 2.3 In this Bylaw, unless the context otherwise requires, the singular will include the plural and the masculine includes the feminine gender.
- 2.4 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

3. GENERAL REGULATIONS

- 3.1 All Commercial Leaseholders who operate a commercial business within Cultus Lake Park must have a valid Commercial Business licence issued by Cultus Lake Park.
- 3.2 All Commercial Leaseholders must abide by the terms of lease, as set out in the signed commercial lease with Cultus Lake Park.
- 3.3 All Commercial Leaseholders who operate a Commercial Business within Cultus Lake Park must pay the annual fee for a Commercial Business licence.

- 3.4 The licence will be valid for (1) year, to commence on January 1 and to terminated on December 31 of each year and fees will not be prorated.
- 3.5 The Commercial Business licence must be posted at the place of business in a conspicuous location.
- 3.6 No person may obstruct a Bylaw Compliance and Enforcement Officer in the fulfillment of his or her duties under this Bylaw.

5. BUSINESS LICENCE RENEWAL PROCESS

Commercial Business licence invoices will be mailed from the Cultus Lake Park office to the Commercial Business licensee no later than 30 (thirty) days prior to the expiration date of December 31, of each year.

6. CANCELLATION OF BUSINESS LICENCE

All Commercial Business licences will be considered void upon termination or expiration of said Commercial Lease with Cultus Lake Park.

7. FEES AND FINES

7.1 All leaseholders, residents, visitors, and persons are subject to the fees as outlined in this Schedule A of this Bylaw and the provisions and fines as outlined in Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 and Schedule A-18 in that Bylaw.

7.2 See Schedule A for the list of fees.

8. SEVERABILITY

If any part of this Bylaw is for any reason held invalid by a court or competent jurisdiction, the invalid portion will be severed, and the severance will not affect the validity of the remainder.

9. EFFECTIVE DATE

This Bylaw will come into force and effect upon its adoption.

READ A FIRST TIME this 15 day of APRIL, 2020

READ A SECOND TIME this 15 day of APRIL, 2020

READ A THIRD TIME this 15 day of APRIL, 2020

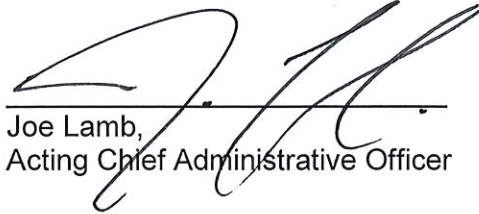
RESCINDED THIRD READING on this 30th OF APRIL, 2020

READ A THIRD TIME AS AMENDED on this 30th OF APRIL, 2020

ADOPTED this 30th OF APRIL, 2020



David Renwick, Chair
Cultus Lake Park Board



Joe Lamb,
Acting Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true
and correct copy of Cultus Lake Park Commercial
Business Licence Bylaw No. 1176, 2020

Chief Administrative Officer

SCHEDULE A

Fees

Commercial Business Licence fee.....\$200.00

Commercial Business Licence renewal fee.....\$200.00