



THE CORPORATION OF THE CITY OF ENDERBY

CONSOLIDATED FOR CONVENIENCE ONLY

BYLAW NO. 1558 AMENDMENT INDEX

BYLAW NO.	ADOPTION	TEXT AMENDMENT
1622	February 20, 2017	<ul style="list-style-type: none"> Amending Section 4 by including Section 4.a.vi
1626	March 6, 2017	<ul style="list-style-type: none"> Amending Section 2 by including definitions for “Marihuana” and “Marihuana-Related Business” Amending Section 4 by including Section 4.a.vii Amending Section 5 by including Section 5.i
1669	January 21, 2019	<ul style="list-style-type: none"> Amending Section 2 by including definitions for “Chief of Police”, “Pawn”, “Pawner”, “Pawnshop”, “Pawnbroker”, and “Pawnshop Register” Amending Section 2 by removing the definition of “Marihuana” and including the definition of “Cannabis” Amending Section 2 by removing the definition of “Marihuana-Related Business” and including the definition of “Cannabis-Related Business” Amending bylaw by replacing all references to “Marihuana” with “Cannabis” Amending bylaw by replacing all references to “Marihuana-Related Business” with “Cannabis-Related Business” Amending Section 5 by replacing Section 5.i.(v)(d) Amending Section 5 by adding Section 5.j
1705	January 18, 2021	<ul style="list-style-type: none"> Amending Section 5 by removing Section 5.i.vii.d and renumbering the remainder of the section accordingly.
1729	July 12, 2021	<ul style="list-style-type: none"> Amending Section 5 by deleting Section 5.i.v.f.
1776	October 3, 2023	<ul style="list-style-type: none"> Amending Section 2 by including definitions for “brand element” and “young person” Amending Section 5 by deleting Sections 5.i.iii.f, 5.i.iv, 5.i.v.g, and 5.i.v.h and renumbering the subsequent sections accordingly. Amending Section 5 by replacing Section 5.i.vii

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW No. 1558

A bylaw to regulate and license business

WHEREAS pursuant to Section 8(6) and Division 9 of the *Community Charter* a Council may regulate in relation to business;

AND WHEREAS pursuant to Section 15 of the *Community Charter* a Council may provide for a system of licenses, permits, or approvals;

NOW THEREFORE, the Council of the City of Enderby, in open meeting assembled, enacts as follows:

1. CITATION

- a. This Bylaw shall be cited as “City of Enderby Business License and Regulation Bylaw No. 1558, 2014”.

2. DEFINITIONS

- a. In this bylaw:

“business” means the carrying on of a commercial or industrial undertaking of any kind, or the providing of professional, personal, or other services for the purpose of receiving income, profit or other form of consideration, but does not include an activity carried on by a Municipal, Provincial, or Federal Government, Crown Corporation, or a not-for-profit or charitable society, or agricultural producers not involved in retail or the production of medicinal marijuana **cannabis;(1669)**

“brand element” has the same meaning as defined in the *Cannabis Act*. (1776)

“Cannabis” has the same meaning as defined within the Cannabis Act, as amended from time to time. (1669)

“Cannabis-Related Business” means a business, not-for-profit, charity, cooperative, shared economy venture, or other entity which uses a premises for the consumption, display, storage, sale, trade or other exchange of cannabis or cannabis-containing products, including but not limited to dispensaries and compassion clubs, as permitted by Provincial and Federal enactment. (1669)

“City” means the Corporation of the City of Enderby;

“Chief of Police” means the officer in charge, as appointed from time to time, of the local police detachment and includes his or her designate; (1669)

“Council” means the municipal council of the City of Enderby;

“Fire Inspector” means the official appointed by Council and shall include the City’s Fire Chief, Deputy Fire Chief or any Fire Commissioner, including a Fire Commissioner’s Assistant or Deputy, as appointed under the *Fire Services Act*;

“flea market” means an occasional or periodic sales activity held within a building, structure or open area where groups of individual sellers offer goods, new and used, for sale to the public;

“license” means a business license issued by the City of Enderby permitting the license holder to carry on business in the City of Enderby under the terms and conditions of this bylaw;

“farmers market” means an organization that provides and coordinates a premises for the occasional sale of products made, baked, grown, or made by the participating vendors;

~~“Marihuana” means all parts of the genus cannabis whether growing or not and the seed or clone of such plants. (1626) (1669)~~

~~“Marihuana-Related Business” means a business, not for profit, charity, cooperative, shared economy venture, or other entity which uses a premises for the consumption, display, storage, sale, trade, or other exchange of marihuana or marihuana-containing products, including but not limited to dispensaries and compassion clubs. (1626) (1669)~~

“mobile vendor” means any person who sells or offers for sale food, merchandise or a service, or who advertises or takes orders for goods or services from a vehicle, bicycle, or temporary structure;

“non-profit organization” means an organization or operation registered and in good standing under the *Societies Act*, *School Act*, *Health Act* or any other Provincial or Federal Act that regulates the creation and conduct of organizations which do not define profit as an objective;

“Pawn” means the activity of depositing goods or chattels as security for the payment of money or other consideration, under an agreement expressed, implied, or to be from the nature and character of the dealing reasonable inferred, that those goods or chattels may be afterwards redeemed or repurchased; (1669)

“Pawner” means a person, firm, or corporation who Pawns or sells property to a Pawnbroker; (1669)

“Pawnbroker” means a person who keeps a Pawnshop; (1669)

“Pawnshop” means a business where goods or chattels are taken in Pawn or purchase; (1669)

“Pawnshop Register” means a register at a Pawnshop which the Pawnbroker is obliged to establish and maintain for the purposes of identifying any property taken in Pawn or purchase; (1669)

“person” includes, in addition to the regular meaning, a corporation, partnership, proprietorship, firm and the agent or representative of a person;

“premises” means a building, portion of a building, property parcel, or an area of land where business is carried on;

“trade show” means the business of organizing a group of merchants, suppliers, trades people or professionals together as a group in one location or building for a period of up to seven (7) days to display and offer their products or services for sale.

“young person” has the same meaning as defined in the *Cannabis Act*. (1776)

3. LICENSE INSPECTOR

- a. The Chief Administrative Officer shall appoint a person as the License Inspector for the purpose of enforcing and carrying out the provisions of this bylaw.
- b. Authority of License Inspector
 - i. The License Inspector shall classify and interpret each application for a license in accordance with the relevant bylaws.
 - ii. The License Inspector may grant a license if he or she is satisfied that the applicant has complied with the bylaws of the City regarding building, planning, health, and safety and other matters relevant to the practice of the business for which the license application is made.
 - iii. The License Inspector may require inspections and approvals from qualified building, planning, health, and safety officials.

- iv. The License Inspector may refuse a license application pursuant to the requirements of Section 60(1) of the *Community Charter*.
- v. The License Inspector may suspend or cancel a license pursuant to Section 60(2) of the *Community Charter*.
- vi. The License Inspector must advise the applicant or license holder who is subject to the decision to refuse an application or suspend or cancel a license that he or she is entitled to have Council reconsider the matter. Council may restore, suspend, or cancel the license.
- vii. The License Inspector, or duly appointed Bylaw Enforcement Officer at the direction of the License Inspector, shall have the authority to enter, at all reasonable times, upon any property subject to the regulations of this bylaw in order to ascertain whether such regulations are being observed.
- viii. No person shall unreasonably obstruct or prevent a License Inspector from carrying out his or her duties as prescribed in this bylaw.
- ix. Notwithstanding the License Inspector's authority, the License Inspector may refer any decision to Council.

4. LICENSING REGULATIONS

a. License Requirement

- i. No person shall carry on a business, including the soliciting of sales, within the City without having obtained a valid license.
- ii. A license authorizes only the person named on the license to carry on only the business described in the license and only at the premises or location described on the license.
- iii. Every person who carries on business from more than one premises within the City shall obtain a separate license for each premises.
- iv. All license holders shall be subject to the provisions of the City's bylaws and applicable Provincial and Federal statutes and regulations. The issuance of a license shall not be deemed to be a representation by the City that the business complies with applicable bylaws, statutes, or regulations. The business owner is solely responsible for ensuring compliance with all statutes, regulations, bylaws and other enactments.

- v. The license shall at all times be displayed prominently in the business area of the premises to which the public has access. Where the license holder has no business premises in the City, the license shall be carried upon the license holder's person at all times when he or she is engaged within the City in the business for which the License was issued.
- vi. **The license period for a Mobile Vendor shall commence on the date that the application for a license, or license renewal, is approved and terminate on December 31, on each and every year this bylaw is in effect. An application for a license, or license renewal, is not required until such time as the Mobile Vendor has received approval to operate on a property, public space, boulevard, or highway owned or otherwise controlled by the City of Enderby or Enderby & District Services Commission for that calendar year. (1622)**
- vii. **The license period for a ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) shall be one (1) year, to commence on January 1 and terminate on December 31, on each and every year this bylaw is in effect. An application for a license renewal for a ~~Marihuana-Related Business~~ Cannabis-Related Business must be received by the City by December 15th in each calendar year. (1626)**

b. License Period

- i. Licenses shall be issued in perpetuity for a business carried on in accordance with the original license issued from the date of issue or from the date of renewal in the case of an existing license with an expiry date prior to April 30, 2009.
- ii. The License Inspector may request confirmation of the ongoing nature of the business and, in the event that no confirmation is provided within a period of 60 days, may cancel the license.
- iii. The license period may be amended or cancelled by bylaw at any time by Council.
- iv. The license period for a trade show, performance, concert, exhibition, entertainment function or other event that is not ongoing in nature shall be for the duration of the event, not to exceed seven (7) days. Events exceeding seven (7) days must receive a written exemption from the License Inspector.

c. License Application and Fee

- i. Every person who wishes to acquire a license shall make application to the City on the prescribed form and pay a license fee.
- ii. Where an applicant applies for more than one license, a separate application and fee shall be submitted for each license.
- iii. The license fee paid at the time of application shall not be refunded on account of a person ceasing to do business.
- iv. A license fee shall be refunded in full only if the license application is withdrawn or refused by the License Inspector prior to the commencement of referrals or inspections. After the commencement of referrals or inspections, no refund will be provided even if the application is refused.

d. Application Refusal

- i. Where a License Inspector has refused to issue a license, the applicant is entitled to reconsideration by Council.
- ii. The License Inspector must provide to the applicant reasons for refusing to issue a license.

e. License Transfer

- i. Licenses are not transferable and no change of location, name, ownership, controlling interest, or type of business shall be allowed without the license holder completing a new application, submitting the prescribed application fee and being issued a new license, subject to the conditions, requirements, and procedures of the Bylaw.

f. License Suspension or Revocation

- i. The License Inspector may suspend a license for such period as may be determined by the License Inspector to be reasonable.
- ii. Where a license has been suspended, the License Inspector shall notify the license holder and give reasons for the suspension. Such notification shall occur either by serving the notice upon the license holder, sending the notice by registered mail to the address of the business as shown on the

application, or by posting the notice upon the premises for which the license was issued.

- iii. The notice and opportunity to be heard referred to above is not required if the license holder, by reasonable efforts, cannot be found.
- iv. The notice of suspension shall be posted upon the premises for which the license was issued and shall not be removed until the earlier of:
 - a) the license being reinstated; or
 - b) the former license holder ceasing to occupy the premises; or
 - c) a new business, other than one carried on by the license holder, is started at the premises.
- v. Notwithstanding the preceding section, the License Inspector may choose not to post the notice of suspension until after Council has reconsidered the matter.
- vi. The License Inspector may remove any license, or copy of license, on display at the premises of a business with a suspended or cancelled license.
- vii. Any person whose license has been suspended or cancelled is entitled to reconsideration by Council.

g. Withholding a License

- i. Notwithstanding the authority of the License Inspector or Council's powers, Council may by resolution withhold a license pursuant to Section 929(5) of the *Local Government Act*.

h. Council Reconsideration

- i. Should the License Inspector refuse, suspend, or cancel a license, the affected applicant or license holder may request Council reconsideration by giving written notice to the Corporate Officer of the City. Such written notice shall state the grounds upon which the reconsideration is requested.
- ii. Council shall provide the affected applicant or license holder with an opportunity to make representations before it.
- iii. After reconsidering the refusal, suspension, or cancellation, Council may confirm, adjust, or set aside the decision of the License Inspector as it deems reasonable.

- iv. Council must provide written reasons to the applicant or license holder for confirming, adjusting, or setting aside the decision of the License Inspector after reconsideration.

5. BUSINESS REGULATIONS

- a. Bulk Water Sales: Every person carrying on the business of bottling and selling water supplied by the City shall supply the License Inspector with all applicable information pursuant to the City's Watering and Sprinkling Regulation, as amended from time to time.
- b. Motor Vehicle Sales: Every person who makes application for a license to sell or lease motor vehicles to retail consumers must provide verification of acceptance as a licensed motor vehicle dealer by the Motor Vehicle Sales Authority of BC.
- c. Consumer Protection BC Regulated Activities: All activities regulated by Consumer Protection BC, including debt collection, cemetery and funeral services, credit reporting, direct sales, home inspection services, payday lending, motion picture, telemarketing, and travel service industries must be licensed by Consumer Protection BC when applicable and must also obtain a license prior to carrying on a business within the City.
- d. Fairs, Flea Markets, Farmers Markets, and Trade Shows: The license for a fair, flea market, farmers market, or trade show shall be considered to cover all vendors. Such licenses shall be limited to operating one day per week at the specified premises unless authorized in writing by the License Inspector and subject to reconsideration by Council upon request of the license holder.
- e. General and Subcontractors: Every person licensed as a general contractor shall provide the License Inspector with a list of all subcontracting trades engaged on a specific job. Failure, neglect, or refusal to submit such list within two (2) weeks of commencing a specific job shall be deemed sufficient reason for the License Inspector to suspend or cancel a license. Every person carrying on the business of a general contractor, contractor, or subcontractor must obtain a license prior to carrying on business within the City, even when the general contractor has obtained a license.
- f. Liquor Licensed Establishments: Every person carrying on a business subject to the British Columbia Liquor Control Board shall comply with all Council policy and fees regarding liquor control and licensing at all times.

- g. ~~Medical Marijuana~~ **Cannabis** Producers: Every producer of medical ~~marihuana cannabis~~ licensed under the ~~Marihuana cannabis~~ for Medical Purposes Regulations is a business and must obtain a valid and subsisting license.**(1669)**
- h. Mobile Vendor: No mobile vendor shall operate within the City without first having obtained a license.

All mobile vending units which sell food which is prepared for immediate consumption by the public, including those which may be covered by a flea market, farmers market, or special event license, must have a valid permit as issued by the Provincial Government authority having jurisdiction.

No mobile vendor shall operate on or from any municipally owned property, boulevards or highways unless and until the applicant has provided evidence of:

- i. Motor Vehicle Liability Insurance with a minimum coverage of \$2,000,000;
- ii. Comprehensive Public Liability and Property Damage Insurance for \$2,000,000 inclusive, with the City as named insured.

Every person who operates a mobile vending unit shall be responsible to provide suitable garbage collection containers, and to keep the area around the vending location free of any waste material originating from the vendor's business.

Mobile vending units must be attended by qualified staff at all times when on a site, and must be removed from the location when not staffed.

No mobile vendor shall operate within the City, except for the following conditions:

- i. when the Zoning Bylaw allows a mobile vendor as a permitted use;
- ii. by first obtaining written consent of Council for property, public spaces, boulevards, and highways owned or otherwise controlled by the City;
- iii. by first obtaining written consent of the Enderby and District Services Commission for property, public spaces, boulevards, and highways owned or otherwise controlled by the Commission;

- iv. by first obtaining written consent from School District #83 for school grounds.

Subject to the Zoning Bylaw and/or obtaining the written permission of the above authorities as applicable, where a mobile vendor is catering to or delivering to a residential site, business or construction site, such units shall not park or stop on the traveled portion of a highway, and shall not be stopped at one location longer than is necessary to serve customers, and at no time shall remain stopped for longer than twenty (20) minutes at any one location.

- i. **~~Marihuana-Related Business~~ Cannabis-Related Business: (1669)**
 - i. **No ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) shall operate in the City of Enderby without first having obtained a license.(1626)**
 - ii. **Every person who makes an application for a license to operate a ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) must demonstrate that the proposed use is lawful under all applicable Provincial and Federal statutes and regulations. (1626)**
 - iii. **A person applying for the issuance of renewal of a license to carry on a ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) must:**
 - a) **make application to the License Inspector on the form provided for that purpose;**
 - b) **pay to the City the applicable license fee under the City of Enderby Fee and Charges Bylaw No. 1479, 2010, as amended from time to time;**
 - c) **provide a security plan for the premises that, in the opinion of the License Inspector, describes adequate security measures to mitigate risk of theft or robbery at the premises;**
 - d) **provide proof of a security and fire alarm contract that includes monitoring at all times during the period for which the license is being sought.**
 - e) **Provide proof of ownership or legal possession of the premises;**
 - f) **~~Provide a current police information check for:~~**

~~1. the applicant;~~

~~2. if the applicant is a corporation, each shareholder, officer and director; and~~

~~3. each on-site manager; and (1776)~~

f) provide any other documents required by the License Inspector. (1626)

iv. ~~The License Inspector may suspend or refuse to issue or renew a license for a Marihuana-Related Business Cannabis-Related Business (1669) if:~~

a) ~~the applicant or licensee, or a shareholder, officer, director or on-site manager of the applicant or licensee:~~

~~1. was convicted anywhere in Canada of an offence involving dishonesty;~~

~~2. was convicted, found guilty of, or liable for any contravention or offence related to the conduct of a business similar to that which the license relates;~~

~~3. was convicted, found guilty of, or liable for any contravention or offence, in Enderby, against this bylaw or against any bylaw authorizing the issuance of a business license or regulating the conduct of a business; or~~

~~4. was guilty of misrepresentation, nondisclosure or concealment of any material fact, relating to the subject matter of the license or required to be stated in, the application (1626) (1776)~~

iv. A license holder for a Marihuana-Related Business Cannabis-Related Business (1669) must:

a) install video surveillance cameras that monitor all entrances and exits and the interior of the premises at all times;

- b) retain video camera data for at least 21 days after it is gathered;
- c) install a security and fire alarm system that is, at all times, monitored by a licensed third party;
- ~~d) not allow marihuana cannabis, products containing marihuana cannabis or other valuables to remain on the on the premises when not open to the public, unless the marihuana cannabis, products and other valuables are securely locked in a safe on the premises; (1669)~~
- d) have locked retail display cases for all cannabis and cannabis-related accessories which are not accessible to patrons, except for the contents of smell jars, which must be physically attached to a display case or counter and not accessible to touch by patrons and must have a locked cannabis storage room. (1669)
- e) prominently display a sign on the premises indicated that no persons under 19 years of age are permitted on the premises unless accompanied by a parent or guardian
- ~~f) ensure that two employees are present on the premises at all times when open to the public, including one manager; [Reserved] (1729)~~
- ~~g) promptly bring to the attention of the License Inspector:
 - 1. the name of any new on-site manager, officer, director or shareholder of the licensee; and
 - 2. any criminal charge brought against the licensee or an on-site manager, officer, director or shareholder of the licensee; (1776)~~
- h) promptly provide to the License Inspector a current police information check for any new on-site manager, officer, director or shareholder of the licensee; and (1776)

- f) instal and maintain an air filtration system that effectively minimizes odour impacts on neighbouring properties. (1626)
- v. ~~No Marihuana-Related Business Cannabis-Related Business (1669)~~ shall be located within 100 meters of any residential zone, daycare facility, preschool, playground, community centre, school, public park, civic or religious institution or any use catering to individuals under the age of 18. (1626)
- vii. ~~A license holder for a Marihuana-Related Business Cannabis-Related Business (1669) must not do any of the following:~~
 - a) ~~Permit a person under 19 years of age to enter or remain on the premises of the Marihuana-Related Business Cannabis-Related Business (1669) unless accompanied by a parent or guardian over 19 years of age;~~
 - b) ~~Operate the Marihuana-Related Business Cannabis-Related Business (1669) between the hours of 7 p.m. and 8 a.m. the following day;~~
 - c) ~~Permit the consumption of any marihuana cannabis (1669) containing product on the premises;~~
 - d) ~~Block the windows of the premises with opaque material, artwork, posters, shelving or any other material; (1705)~~
 - d) ~~Display items related to the consumption of marihuana cannabis (1669) in any manner by which the display may reasonably be seen by a minor who is outside the premises;~~
 - e) ~~Advertise or promote the use of marihuana cannabis (1669) in any manner by which the advertising or promotion may reasonably be seen or heard by a minor who is outside the premises;~~
 - f) ~~Display any advertising or sign that is visible from outside of the premises, except for signs which display no images and contain only:~~
 - i. ~~alpha-numeric characters,~~
 - ii. ~~the business name, and~~

~~are consistent with the requirements of Section 310 of the City of Enderby Zoning Bylaw No. 1550, 2014, as amended from time to time; and~~

~~g) Use the premises to carry on business other than that defined as a Marihuana-Related Business Cannabis-Related Business(1669). (1626)(1776)~~

vi. A license holder for a Cannabis-Related Business must not do any of the following:

a) Permit a person under 19 years of age to enter or remain on the premises of the Cannabis-Related Business unless accompanied by a parent or guardian over 19 years of age;

b) Operate the Cannabis-Related Business between the hours of 11:00 p.m. and 9:00 a.m. the following day;

c) Permit the consumption of any cannabis containing product on the premises;

d) Promote cannabis, a cannabis accessory or any service related to cannabis in a way that could be appealing to Young Persons or by representing it or any of its Brand Elements in a manner that associates it or the Brand Element with, or evokes a positive or negative emotion about or image of, a way of life such as one that includes glamour, recreation, excitement, vitality, risk or daring;

e) Promote cannabis, a cannabis accessory or a service related to cannabis by displaying a Brand Element of cannabis, a cannabis accessory or a service related to cannabis on a cannabis related item if the item is:

- i. associated with young persons;
- ii. appealing to young persons; or
- iii. associated with a way of life such as one that includes glamour, recreation, excitement, vitality, risk or daring; and

f) Use the premises to carry on business other than that defined as a Cannabis-Related Business.” (1776)

vii. For the purposes of this bylaw, any business, not-for-profit, charity, cooperative, shared economy venture, or other entity

which uses a premises for the consumption, display, storage, sale, trade or other exchange of ~~marihuana~~ cannabis (1669) or ~~marihuana~~ cannabis-containing products (1669) shall be considered a ~~Marihuana-Related Business~~ Cannabis-Related Business (1669) and will be subject to all the applicable terms, conditions, and fees of a ~~Marihuana-Related Business~~ Cannabis-Related Business(1669). (1626)

j. Pawnshops:

- i. Each Pawnshop must establish and maintain a Pawnshop Register of all property taken in Pawn or purchase by the Pawnbroker. (1669)**
- ii. Each Pawnshop, immediately after the purchase or taking in Pawn of any property, must set out in the Pawnshop Register, in the English language, a record of the Pawn, in chronological order by date of Pawn. The record must include:**
 - a. The name, residence or street address of the Pawner or seller from whom the Pawnshop, or any employee of the Pawnshop, took the property in Pawn of purchase;**
 - b. Confirmation of the identity of the Pawner or seller by way of picture identification including a complete description of the picture identification and name of the authority who issues it;**
 - c. A complete description of the property including the make, model, serial number, and any distinguishing or identifying marks.**
 - d. Whether the acquisition is a Pawn or a purchase;**
 - e. The price paid for the property in Pawn or Purchase; and**
 - f. The precise date and hour of taking the property in Pawn or purchase. (1669)**
- iii. A Pawnshop must not amend, obliterate or erase any entry in the Pawnshop Register, either wholly or partially or electronically or manually, until such time as the Pawnshop Register may be disposed in accordance with Section 5.j.(vii)(a). (1669)**

- iv. **Each Pawnshop, during business hours on business days, must make the Pawnshop Register available for inspection by the Chief of Police, any police force member, or the License Inspector. (1669)**
- v. **Each Pawnshop must, on a weekly basis, submit to the Chief of Police a current copy of the Pawnshop Register with information only of the goods taken in since the previous update. (1669)**
- vi. **The Chief of Police or a police force member may remove a Pawnshop's Pawnshop Register of goods taken in from the Pawnshop's premises at any time for inspection by the police force or for use as evidence in Court. Immediately upon return of the Pawnshop Register taken to the Pawnshop, the Pawnshop must record in the Pawnshop Register in chronological order every taking by the Pawnshop of property that occurred during the absence of the Pawnshop Register.(1669)**
- vii. **Each Pawnshop must:**
 - a. **Keep on its premises the Pawnshop Register, or any portion of the Pawnshop Register that contains any entry that is less than 24 months old, unless the Pawnshop Register is in the possession of the Chief of Police; (1669)**
 - b. **If the Pawnshop sells, leases or otherwise disposes of the Pawnshop business to any other person, transfer possession of the whole Pawnshop Register to such person; (1669)**
 - c. **A Pawnshop must not carry on the business of taking in Pawn or purchase of any property except at the premises designated in the Pawnshop license; (1669)**
 - d. **A Pawnshop must not take in Pawn or purchase any property from any person between 8:00 p.m. on one calendar day and 8:00 a.m. of the next calendar day; (1669)**
 - e. **A Pawnshop must not take in Pawn or purchase any property whose serial number or other identifiable marking has been wholly or partially tampered with or removed; (1669)**
 - f. **A Pawnshop must not take in Pawn or purchase any property from any person under the age of 18 years; and (1669)**

- g. Each Pawnshop, on request by the Chief of Police or any police force member during business hours on business days, must permit the Chief of Police or any police force member to inspect any pawned or purchased property in the Pawnshop's premises for the purposes of police investigation.(1669)**
- viii. Each Pawnshop, with respect to each item or property the Pawnbroker takes in Pawn or purchase, must:**
 - a. Clearly and individually tag by date of Pawn or purchase, and clearly and physically separate from other property in the Pawnshop's premises the item of property; (1669)**
 - b. Not repair, alter, dispose of, part with possession of, or remove from the Pawnshop's premises the item of property; and (1669)**
 - c. Not suffer or permit any other person to repair, alter, dispose of, part with possession of, or remove from the Pawnshop's premises the item of property.(1669)**
- ix. Each Pawnshop must comply with the requirements of Section 5.j.(viii), with respect to each item of property the Pawnshop takes into Pawn or purchase, for the longer of:**
 - a. 30 calendar days after the date the Pawnshop who maintains a Pawnshop Register takes in Pawn or purchase the item of property; or (1669)**
 - b. The number of days of which the Chief of Police or any police force member advises the Pawnshop, which must not exceed 90 days after the date the Pawnshop takes in Pawn the property. (1669)**

6. PENALTIES

- a. Any 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 neglects to do or refrains from doing any act or thing which violates any of the provisions of this bylaw shall be liable to the penalties hereby imposed. Each day that such violation is permitted to continue shall constitute a separate offence.**

- b. Any person who violates any of the provisions of this bylaw shall, upon summary conviction, be liable to a penalty not exceeding \$10,000.
- c. This Bylaw is also enforceable by the City of Enderby Municipal Ticket Information Bylaw, as amended from time to time.

7. SEVERABILITY

- a. If any portion of this bylaw is for any reason held to be invalid, unlawful or unenforceable by the decision of any Court of competent jurisdiction, that portion shall be deemed to be severed from the bylaw and its severance shall not affect the validity of the remaining portions of this bylaw.

8. BYLAWS REPEALED

- a. This bylaw hereby repeals the following bylaw, and any and all amendments thereto:
 - i. City of Enderby Business License Bylaw No. 1408, 2009.

READ A FIRST TIME this 3rd day of November, 2014.

READ A SECOND TIME this 3rd day of November, 2014.

READ A THIRD TIME this 3rd day of November, 2014.

ADOPTED this 17th day of November, 2014.

MAYOR

CHIEF ADMINISTRATIVE OFFICER