

BUSINESS LICENSING BASICS



STEWART McDANNOLD STUART

Barristers & Solicitors

This day-long workshop will provide bylaw enforcement officers with the familiarity and tools required to confidently administer their municipality's business licensing bylaw. It is geared towards entry level BEOs and anyone wanting a refresher on the fundamentals of business licensing.

After taking this workshop, participants will:

- be familiar with the legal framework surrounding municipal business licensing in BC;
- be aware of recent case law trends on business regulation in BC; and
- have the tools to conduct a reconsideration hearing in front of Council for the refusal, cancellation, or suspension of a business license.



AGENDA

1

Overview of Business Licensing and Regulation

- What is a "business"?
- What does "regulate" mean?
- The authority to license, and impose terms and conditions
- Business licensing and regulation bylaws
- Intermunicipal business licensing

2

Limits on Regulatory Powers

- Regulation vs. Prohibition
- Spheres of concurrent authority and overlap with provincial jurisdiction
- Overlap with federal jurisdiction

3

The Role of the Licensing Inspector

- Bylaw Administration
- Reviewing and Processing Applications
- Investigating and Inspecting for Compliance
- Enforcement Options
- Best Practices for Evidence Gathering

4

Refusal, Suspension and Cancellation of Licenses

- When can a business license be refused?
- Procedural Fairness
- The Reasonableness of the Decision
- Best Practices During Reconsideration Hearings

5

Mock Council Reconsideration Hearings-Current Topics in Business Licensing

- Decriminalization and Business Licensing
- Vacation Rentals
- Home Occupations
- The Regulation of Landlords to Preserve Affordable Housing

PRESENTERS: Peter Johnson and Ryan Bortolin are partners with Stewart McDannold Stuart.

Both advise clients on the full range of legal matters that confront local governments, including bylaw enforcement, bylaw drafting, development matters, privacy, real estate transactions, and governance issues.

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