



**The Corporation of the City of Cornwall**

**Regular Meeting of Council**

**By-law 2025-041**

Department: Planning, Development and Recreation  
Division: Building and By-law  
By-law Number: 2025-041  
Report Number 2025-64-Planning, Development and Recreation  
Meeting Date: March 24, 2025  
Subject: Business Licensing By-Law

**THE CORPORATION OF THE CITY OF CORNWALL**

**BY-LAW # 2025-041**

Being a By-Law respecting the licensing of *Businesses* operating within the *City* of Cornwall

Whereas, pursuant to Part II, Section 10(2) 6 of the *Municipal Act, 2001, S.O. 2001, c.25, (the Act)*, a municipality may pass By-Laws respecting the health, safety and well-being of *Persons*; and

Whereas, pursuant to Part II, Section 10(2) 11 of the *Act, 2001, as amended*, a single tier municipality has the authority to pass By-Laws respecting *Business* licensing; and

Whereas pursuant to Part IV, of the *Act* a municipality may provide for a system of *Business Licences* with respect to a *Business*; and

Whereas Section 150 of the *Act*, permits a municipality to *Licence*, regulate and govern any *Business* in whole or in part within its boundaries in accordance with certain conditions; and

Whereas Part XIV of the *Act* provides for certain powers in relation to the enforcement of municipal By-Laws; and

Whereas it is desirable to implement a system of *Business Licences* for the purpose of the health, safety and well-being of people in the *City* of Cornwall where *Council* determines it to be in the municipal interest.



Now therefore be it resolved that the Council of The Corporation of the city of Cornwall enacts as follows:

## **PART 1- SHORT TITLE**

**1.1** This By-Law may be referred to as the "*Business Licensing By-Law*"

## **PART 2- DEFINITIONS**

**2.1** In this By-Law;

- a)** "*Act*": means the *Municipal Act, 2001, S.O. 2001, c.25*
- b)** "*Appeal Committee*": means the *By-Law Appeals Committee* as appointed by *Council*.
- c)** "*Applicant*": means any *Person* applying for a *Business Licence*.
- d)** "*Business*": means a *Business* as set out in Schedule "A" of this By-Law.
- e)** "*Chief Licensing Agent*": means the *Manager* of the *Building & By-Law Division* or their designate.
- f)** "*City*": means the *Corporation* of the *City* of Cornwall.
- g)** "*Council*": means the *Council* of the *Corporation* of the *City*.
- h)** "*Division*": means the *Building and By-Law Division*.
- i)** "*Licence*": means a *Business Licence* issued by the *City*.
- j)** "*Licensing Agent*": means any *Person* appointed by the *City* as being authorized to issue *Licences*.
- k)** "*Multiple Location*": means a *Business* that can be mobilized and operated at multiple *Premises* within the *City*.
- l)** "*Officer*": means any *Person* appointed by the *City* as a *By-Law Enforcement Officer*.
- m)** "*Person*": means any natural person.
- n)** "*Supervisor*": means the *Supervisor*, *By-Law Services* and/or their designate.
- o)** "*Premise*": means the land or location in which the *Business* is being

conducted.

### **PART 3- BUSINESS LICENCE REQUIRED**

- 3.1** No *Person* shall carry on any *Business*, set out in Schedule “A” of this By-Law, without a valid *Business Licence*.
- 3.2** No *Person* shall carry on a *Business* in any name other than that in which the *Business* is Licenced.
- 3.3** For the purpose of this By-Law, a *Business* shall be deemed to be carried on within the *City* if any part of the *Business* is carried on in the legal boundaries of the *City*, even if the *Business* is being conducted from a location outside the *City*.

#### ***Business License Exceptions***

- 3.4** The requirement to obtain a *Licence* under this By-Law does not apply to a *Business* that is engaged exclusively in the sale of goods by wholesale.
- 3.5** The requirement to obtain a *Licence* under this By-Law does not apply to those *Persons* or classes of *Business* that are not listed in Schedule “A” to this By-Law.

### **PART 4- GENERAL PROVISIONS**

- 4.1** No *Person* shall carry on any trade, *Business* or occupation within the *City* for which a *Licence* is required under this By-Law unless that *Person* has first obtained a *Licence* from the *Division*.
- 4.2** A *Licence* shall be required for each separate place of *Business*.
- 4.3** A *Person* is not eligible for a *Licence* unless their application is accompanied by the full *Licence* fee for that *Business*, as prescribed by Schedule “B”.
- 4.4** If work that requires a building permit under the *Building Code Act* is to be undertaken on the property to be used for carrying on a *Business*, a *Person* shall not submit an application for a *Licence* until the work has been completed in accordance with the requirements of the *Building Code Act* and the Ontario Building Code.
- 4.5** A *Person* is not eligible to hold a *Licence* if the proposed use of the land, building or structure is not permitted by the Zoning By-Law that applies to the property, unless the land, building or structure was lawfully used for this purpose on the day of the passing of the Zoning By-Law.

- 4.6** A *Person* is not eligible to hold a *Licence* if the property to be used for carrying on the trade, *Business* or occupation does not conform with all applicable law, including but not limited to the Property Standards By-Law, the *Tobacco Control Act*, the *Fire Protection and Prevention Act, 1997*, the *Fire Code*, and the *Health Protection and Promotion Act*.
- 4.7** A *Person* is not eligible to hold a *Licence* if the operation of their *Business* does not conform with the applicable standards and requirements of:
- a) every By-Law of the *City*;
  - b) every provincial or federal act and regulation made under such an act; and
  - c) every instrument of a legislative nature made or issued under a provincial or federal act or regulation, including standards and requirements with respect to the qualifications of the *Persons* carrying on or engaged in the *Business* and with respect to the vehicles and equipment used for the purposes of the *Business*.

#### **Displaying of *Business Licence***

- 4.8** A *Licencee* shall display the *Licence* permanently in a prominent place in their place of *Business*.
- 4.9** In the case of vehicles and other equipment used for the purposes of the *Business*, a *Licencee* shall display the *Licence* or evidence of the *Licence* prominently on each vehicle and other equipment.
- 4.10** A *Licencee* who does not have a place of *Business* shall carry the *Licence* on their *Person* at all times while carrying on the *Business*.

#### **Standards for *Business Licence* Location and Operation**

- 4.11** Every *Licencee* shall maintain their place of *Business* in a clean and sanitary condition, with adequate measures for the storage and disposal of garbage and waste and sufficient levels of illumination to permit the safe use of the *Premises*.
- 4.12** No *Licencee* or employee of a *Licencee* shall discriminate in the carrying on of the trade, *Business* or occupation against any member of the public on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability.

- 4.13** No *Licencee* or employee of a *Licencee* shall refuse to permit a *Person* to enter and remain in a place of *Business* or other *Premises* used for the *Business* to which the public are customarily admitted for the reason that they are a *Person* hard of seeing and accompanied by a guide dog.
- 4.14** Every *Business Licence* issued under this By-Law shall be *Personal* to the *Licencee(s)* indicated on the *Business Licence*, and to the location as indicated on the *Business Licence*.

#### ***Business Licence Transfer***

- 4.15** No *Business Licence* shall be transferable from *Person* to *Person* or location to location.
- 4.16** No *Person* owning or operating a *Licensed Premises* under this By-Law shall move from one location to another within the *City* without first paying the Multiple Location fee set out in Schedule "B" to this By-Law and fulfilling the requirements for a *Licence* application as set out in this By-Law.
- 4.17** A *Business Licence* shall be deemed to be void immediately upon change of ownership or location of the *Business*, or upon discontinuation of the *Business*.

#### ***Business Licence Duplicate***

- 4.18** In the event that a *Business Licence* issued in accordance with this By-law is lost or destroyed, the *Licensing Agent* upon request by the *Licencee* and upon satisfactory proof of such loss or destruction, and payment of a replacement fee, shall issue a duplicate of the original *Business Licence* to the *Licencee*, upon which shall be stamped or marked "duplicate".
- 4.19** If the ownership of a *Business* for which a *Business Licence* has been issued under this By-Law has not changed, but the name of the *Business* changes, the *Licencee* shall:
- a) notify the *Licensing Agent* of such change in accordance with section 5.21.
  - b) where registration of the name is required by the *Business Names Act*, provide a Master *Business Licence* certified by the Ministry of Government Services bearing the new name of the *Business*.
- 4.20** Upon receiving these documents and upon payment of a replacement fee as per Schedule "B" the *Licensing Agent* shall issue a duplicate *Business*

*Licence*, bearing the new name of the *Business*.

- 4.21 If the ownership of the *Business* has changed, a new *Business Licence* shall be required in accordance with Parts 3, 4, and 5 of this By-Law.
- 4.22 Issuance of a duplicate *Business Licence* in accordance with this Section shall not affect the expiry date of the *Business Licence*.

## **PART 5- BUSINESS LICENCE APPLICATION AND RENEWAL REQUIREMENTS**

- 5.1 Every application for a new *Licence* or a renewal or extension of an existing *Licence* shall be submitted to the *Licensing Agent* on the form provided.
- 5.2 Every application for a *Licence* will be reviewed to determine whether it meets all of the requirements set out in this By-Law and the applicable *Business Schedule*.
- 5.3 As part of this review, an application will be circulated to the *City* departments or provincial agencies as set out in the applicable schedule for that *Business*.
- 5.4 If it is determined that an application meets the requirements of this By-Law and all circulated agencies, the *Chief Licensing Agent* will issue the *Licence* if the *Licence* fee has been paid.
- 5.5 Where the *Applicant* or *Licencee* is more than one *Person*, any requests regarding any application or *Licence* shall be made by all such *Persons*.
- 5.6 Notwithstanding Section 6.11 any *Business Licence* fees are non-refundable if the application is refused for any reason or is withdrawn by the *Applicant* prior to the issuance of a *Licence*.
- 5.7 Any *Business Licence* application which has not received approvals from all *City* departments or provincial agencies as the *Licensing Agent* deems necessary within 90 days or such further time as the *Licensing Agent* may permit, from the date of the filing of the application, because of the *Applicant's* inability to comply with the requirements to become *Licensed*, shall be deemed to have expired unless the *Licensing Agent* allows otherwise.
- 5.8 In accordance with the *Act*, in addition to the full *Licence* fee as set out in the applicable schedule to this By-Law, the *City* has the power to require the payment, by a *Licensed Business*, of additional fees at any time during

the term of the *Licence* for costs incurred by the *City* attributable to the activities of the *Business*.

- 5.9** No individual shall be *Licensed* or act as a representative of the *Licencee* under this By-Law unless the individual is eighteen (18) years of age or over.
- 5.10** Every application for a new *Licence* or a renewal or extension of a *Licence* shall as a minimum be accompanied by:
- a)** A duly completed application form, including valid e-mail address;
  - b)** Proof of age, if requested by the *Licensing Agent*;
  - c)** Any information requested in the applicable Schedule to this By-Law;
  - d)** Proof of Liability Insurance as per section 5.12;
  - e)** If operating under a *Business* name, a current Business Names Report certified by the Ministry of Consumer and Business Services;
  - f)** If operating as a partnership, a copy of the registered declaration of partnership;
  - g)** If operating as a corporation, a current Corporation Profile Report certified by the Ministry of Consumer and Business Services; and
  - h)** A floor plan including:
    - (i) Gross Floor Area and/or Gross Leasable Area;
    - (ii) Proposed seating;
    - (iii) Public washrooms;
    - (iv) Garbage Receptacles; and,
    - (v) Fire Exits.
  - i)** A site plan indicating the following:
    - (i) Property boundaries;
    - (ii) Roadways abutting the property;
    - (iii) All access to property from the roadway;

- (iv) Existing and proposed building(s) and/or structure(s) on the property;
- (v) Setbacks of building(s)/structure(s) from all property lines;
- (vi) Existing and proposed parking spaces (i.e., technical parking stalls, barrier-free parking stalls, loading spaces, and bicycle parking amenities, as applicable);
- (vii) Parking calculation for all land uses on the property; and,
- (viii) Zoning matrix identifying the required and provided zoning standards including but not limited to zoning of the subject property, lot area, lot frontage, lot occupancy, existing and proposed land use(s), etc.

**5.11** Where two or more *Persons* carry on or engage in a partnership requiring a *Licence* under this By-Law, the *Licence* will be issued in the name of each partner, and the name and address of each member of the partnership shall be set out in the application.

### **Insurance Requirements**

**5.12** Every *Licencee* shall carry valid general liability insurance relating to the *Business* throughout the term of the *Business Licence* in an amount not less than two million dollars (\$2,000,000) per occurrence.

**5.13** The insurance policy as set out in Section 5.12 must be valid at all times during the term of the *Business Licence* and the *Licencee* shall provide proof of current insurance at any time, upon demand of the *Licensing Agent*, or an *Officer*.

**5.14** Notwithstanding Section 5.12, where a *Licencee's* insurance policy, as required by this By-Law, requires renewal during the term of the *Business Licence*, the *Licencee* shall provide proof of such renewal to the *Licensing Agent* no later than the date of the current insurance policy expiration date.

**5.15** Notwithstanding Section 5.12, where there is a change in any information relating to the insurance required by this By-Law, the *Licencee* shall notify the *Licensing Agent* of the change, and provide written details of the change to the *Licensing Agent*, no later than fifteen (15) calendar days following the date of the change.

### **Administration Responsibilities**

- 5.16** The administration of this By-Law is assigned to the *Chief Licensing Agent* and *Officers*. The *Supervisor* may delegate the performance of their functions under this By-Law from time to time as required.
- 5.17** The *Licensing Agent* shall maintain complete records showing all applications received and *Licences* issued.
- 5.18** The *Licensing Agent* shall ensure each application is dated and time stamped upon its' receipt and each application shall be processed in the order in which it is received subject to the provision in 5.19 below.
- 5.19** Every application will be subject to investigations and approvals from such *City* departments or provincial agencies as the *Licensing Agent* deems necessary, or as directed by *Council*, including but not limited to:
- a) *City Division*,
  - b) *Planning Services*,
  - c) *City Fire Services*,
  - d) *City Police Service*,
  - e) *Conservation Authority*,
  - f) *Eastern Ontario Health Unit*,
  - g) *Parks and Landscaping Services*,
  - h) *Recreation Services*, and/or
  - i) such other agencies or departments as the *City* and/or *Licensing Agent* deems necessary.
- 5.20** The *Licensing Agent* shall not process an Application unless all licensing fees, fines, court costs or other outstanding fees arising from this By-Law or a predecessor of this By-Law in relation to the *Business* being *Licensed*, are paid in full.

### ***Business Licence Alterations***

- 5.21** When a *Licencee* changes anything relating to any of the information or documents required to be filed with the *City* under this By-Law, the *Applicant* or *Licencee*, as the case may be, shall report the change in writing to the *Licensing Agent* no later than fifteen (15) calendar days following the change and they shall return the *Licence* immediately to the

*Licensing Agent* for amendment.

- a) Any changes to the Floor Plan or Site Plan shall require the prior written approval of the *City*. A copy of the approved Floor Plan or Site Plan shall be kept on file by the *Licensing Agent*.

**5.22** A *Licencee* shall carry on *Business* in the *City* in the name which is set out on the *Licence* and shall not carry on *Business* in the *City* in any other name.

**5.23** When the *Licencee* is a corporation, and there is any change in the following information given on the application, namely:

- a) the names and addresses of officers and directors;
- b) the location of the corporate head office; and/or
- c) change of ownership of shares.

the *Licencee* shall report the change to the *Licensing Agent* within seven (7) days of the change, and if necessary, the *Licence* shall be returned immediately to the *Licensing Agent* for amendment.

**5.24** No *Person* shall alter or deface a *Business Licence* in any way.

**5.25** Every *Licencee* shall ensure that the *Business Licence* is not altered or defaced in any way.

## **PART 6- BUSINESS LICENCE ISSUANCE**

**6.1** The *Chief Licensing Agent* is authorized to issue and renew *Business Licences* in accordance with this By-Law.

**6.2** The *Chief Licensing Agent* may:

- a) impose special conditions on a *Business* that are not listed in that business schedule in order to obtain, continue to hold or renew a *Business Licence*; and
- b) impose conditions, including special conditions, as a requirement of continuing to hold a *Business Licence* at any time during the term of the *Licence*, upon the grounds that the conduct of the *Applicant* or *Licencee*, or any officer, director, employee or agent of the *Applicant* or *Licencee*, affords reasonable cause to believe that the *Applicant* or *Licencee* will not carry on or engage in the *Business* in accordance with the law or with honesty and integrity.

- 6.3 All *Business Licences* issued and renewed shall be signed by the *Chief Licensing Agent*.
- 6.4 All *Business Licences* will be issued to the *Applicant* and bear the name of the *Applicant*.
- 6.5 Notwithstanding Section 6.4, where two or more *Persons* carry on or engage in partnership in any *Business* set forth in Schedule “A” of this By-Law, the required *Business Licence(s)* shall be issued to and bear the name of all partners, who will be jointly and severally responsible for complying with the requirements of this By-Law, including, without limitation, complying with the conditions of any *Business Licence* issued hereunder.
- 6.6 The *Chief Licensing Agent* may revise the *Business Licence* where the *Licence* contains an error.

#### ***Business Licence Signage***

- 6.7 Every *Licencee* shall ensure that the Hours of Operation of the *Business*, as set out on the *Business Licence* issued in relation to the *Business*, are posted on a sign at every entrance to the *Premises* from which the *Business* is operated, in such a manner that they are visible from the exterior of the *Premises* at each entrance.
- 6.8 Notwithstanding Section 6.7, where the *Business* has an entrance in common with other establishments to which the *Business Licence* does not apply, the requirements of 6.7 may be met by posting the signage at all entrances into the *Premises* from which the *Business* operates, and not at the common entrances.
- 6.9 Every *Licencee* shall ensure that, during the Hours of Operation, every principal entrance is unlocked and accessible so that anyone may enter therein without hindrance or delay.

#### ***Business Licence Refusals***

- 6.10 The *Chief Licensing Agent* may refuse to issue or renew a *Business Licence*:
- a) if all inspections required pursuant to this By-Law have not been completed and passed;
  - b) where the conduct of the *Applicant* or *Licencee*, including the conduct of any officer, director, employee or agent of an *Applicant* or

*Licencee* affords reasonable cause to believe that the *Applicant* or *Licencee* will not carry on or engage in the *Business* in accordance with the law or with honesty and integrity;

- c) where the issuance of the *Business Licence*, or renewal of the *Business Licence*, would be contrary to the health, safety or wellbeing of people in the *City*;
  - d) where the *Applicant* or *Licencee* has past convictions under this By-Law, or any other By-Law, statute or regulation relating to the *Business*;
  - e) where the *Applicant* or *Licencee* is carrying on an activity in relation to the *Business* that is, or will be, if the *Applicant* is *Licensed*, in contravention of this By-Law or any other By-Law, statute or regulation;
  - f) where it is determined that the *Business* does not comply with applicable legislation such as but not limited to the Ontario Building Code, and *Building Code Act*, *Fire Protection and Prevention Act*, *Health Protection and Promotion Act*, and the Property Standards By-Law;
  - g) where there is a Court order, or any federal or provincial order ceasing the activity of the *Business*;
  - h) where a *Business* has ceased to operate; or,
  - i) upon such other grounds as are set out in this By-Law.
- 6.11 Where the *Chief Licensing Agent* decision to refuse to issue or renew a *Business Licence* is not appealed in accordance with this By-Law, or is confirmed by the *Appeal Committee*, a portion of the fee paid in relation to the application for a *Business Licence* or application for renewal, as the case may be, and no onsite inspections were completed, a portion of the Application Fee may be refunded as set out in Schedule "B" to this By-Law.

## **PART 7- BUSINESS LICENCE EXPIRY AND REVOCATION**

### **Expiry**

- 7.1 Unless otherwise provided in accordance with Section 6.10 and 6.11 or revoked pursuant to Section 7.9 to 7.13 or suspended pursuant to Section 7.14 to 7.21, every *Business Licence* shall be in effect from the date of

issuance, as shown on the *Business Licence*:

- a) for two (2) whole calendar years to which it applies, expiring on December 31st of the second calendar year; or
- b) where the application for a *Business Licence* is received after January 1 and prior to the 2nd Monday in November of any calendar year, for the remainder of such calendar year, expiring on December 31 of the second calendar year; or
- c) where the application for a *Business Licence* is received on or after the 2nd Monday in November but prior to December 31 in any calendar year, for the whole of the following two (2) calendar years, expiring on December 31st of the second calendar year.

**7.2** Every *Business Licence* shall be renewed no later than its date of expiry.

**7.3** Any *Business Licence* which is not so renewed shall become null and void.

**7.4** Any *Person* who has not renewed their *Business Licence* prior to the date of its expiry will be required to apply for a new *Business Licence* in accordance with Part 3, 4, and 5 of this By-Law, and the request shall be processed as a new application.

**7.5** Notwithstanding Section 7.1, the *Licensing Agent* has the authority to stagger the renewal dates for *Business Licences*. In such cases, the said *Business Licences* shall be in effect from the date of issue to the date of expiry, as set out on the *Business Licence*.

**7.6** Every *Business Licence* shall cease to be valid if the *Business* ceases to operate.

#### **Non-Compliance to By-Law**

**7.7** If, at any time, the *Licensing Agent* or *Officer* determines as a result of evidence that is provided, that the operation of a *Licensed Business* does not comply with the requirements of this By-Law, the *Officer* shall issue an "Order to Comply" to the *Licencee* or *Applicant* at the last known address noted in the application for *Licence*.

**7.8** If a *Licencee* has not complied with the Order to Comply within the time specified in the Order to Comply, the *Licensing Agent* may suspend or revoke the *Licence* by mailing a Notice of Suspension or Revocation by registered mail or e-mail.

## Revocation

- 7.9** Every *Licence* issued under this By-Law may be revoked if there are reasonable grounds to believe false information has been provided in the application or if any part of this By-Law is contravened.
- 7.10** The *Chief Licensing Agent* may revoke for cause any *Licence* issued under this By-Law if any of the provisions of this By-Law are contravened.
- 7.11** Any *Licence* may be revoked if the *Person, Applicant, or Licencee* is in contravention of any By-Law of the *City* or any applicable provincial or federal legislation.
- 7.12** The *Licensing Agent or Officer* may recommend that a *Business Licence* be revoked:
- a) where the conduct of the *Licencee*, including the conduct of any officer, director, employee or agent of a *Licencee* affords reasonable cause to believe that the *Applicant or Licencee* will not carry on or engage in the *Business* in accordance with the law or with honesty and integrity;
  - b) where the continuation of the *Business Licence* would be contrary to the health, safety or wellbeing of people in the *City*;
  - c) where the *Licencee* is convicted of an offence or has convictions under any provision of this By-Law, or any other By-Law, statute or regulation relating to the *Business*;
  - d) where the *Licencee* is carrying on an activity in relation to the *Business* that is in contravention of this By-Law, or any other By-Law, statute or regulation;
  - e) where it is determined that the *Business* does not comply with applicable legislation such as but not limited to the Zoning By-Law, Ontario Building Code and *Building Code Act*, Ontario Fire Code, *Fire Protection and Prevention Act*, *Health Protection and Promotion Act*, and the Property Standards By-Law;
  - f) where the *Business Licence* was issued in error based on incorrect or incomplete information provided by the *Applicant*; or
  - g) where the *Licencee* would be disentitled to a *Business Licence* for any other reason set out in this By-Law.

**7.13** When the *Chief Licensing Agent* decision is to revoke a *Business Licence*, no portion of the inspection fee or *Licence* application fee is refundable.

### **Suspend without Hearing**

**7.14** The *Licensing Agent* or *Officer* may recommend that a *Business Licence* be suspended:

- a) where the conduct of the *Licencee*, including the conduct of any officer, director, employee or agent of a *Licencee* affords reasonable cause to believe that the *Applicant* or *Licencee* will not carry on or engage in the *Business* in accordance with the law or with honesty and integrity;
- b) where the continuation of the *Business Licence* would be contrary to the health, safety or wellbeing of people in the *City*;
- c) where the *Licencee* is convicted of an offence or has convictions under any provision of this By-Law, or any other By-Law, statute or regulation relating to the *Business*;
- d) where the *Licencee* is carrying on an activity in relation to the *Business* that is in contravention of this By-Law, or any other By-Law, statute or regulation;
- e) where it is determined that the *Business* does not comply with applicable legislation such as but not limited to the Zoning By-Law, Ontario Building Code and *Building Code Act*, Ontario Fire Code and *Fire Protection and Prevention Act*, *Health Protection and Promotion Act*, and the Property Standards By-Law;
- f) where the *Business Licence* was issued in error based on incorrect or incomplete information provided by the *Applicant*; or
- g) where the *Licencee* would be disentitled to a *Business Licence* for any other reason set out in this By-Law.

**7.15** Notwithstanding any other provision of this By-Law, the *Chief Licensing Agent* or *Supervisor* may, if satisfied that the *Business* is in contravention of Section 7.14, on such conditions as it considers appropriate, without a hearing, suspend a *Business Licence* for a period not exceeding 14 days.

**7.16** Notwithstanding any other provision of this By-Law, the *Supervisor* may, if satisfied that the continuation of a *Business* poses an immediate danger to the health or safety of any *Person* or to any property, for the time and on

such conditions as it considers appropriate, without a hearing, suspend a *Business Licence* for a period not exceeding 14 days.

### **Suspend with Hearing**

**7.17** Notwithstanding any other provision of this By-Law, the *Supervisor* may, on such conditions as they consider appropriate, without a hearing, suspend a *Business Licence* authorizing a *Business* to operate on a highway or other property of the *City* or its local boards for a period not exceeding 28 days for the following reasons:

- a) the holding of a special event;
- b) the construction, maintenance or repair of the property;
- c) the installation, maintenance or repair of a public utility or service; or
- d) pedestrian, vehicular, or public safety or public health.

**7.18** Before the *Supervisor* considers suspending a *Business Licence* under Section 7.17 the Secretary shall provide the *Licencee* with the recommended reasons for the suspension, in writing, and an opportunity to respond to them in writing. The notice shall include an appeal form and a date for when the appeal must be submitted.

**7.19** The notice shall be hand delivered or confirmed faxed or received by courier at least 48 hours prior to the *Supervisors* consideration of the suspension.

**7.20** If no appeal is submitted within the timeframe established by the Secretary, the suspension is considered final.

**7.21** If an appeal is submitted Part 8 applies.

**7.22** The Secretary shall send written notice to the *Applicant* or *Licencee* or any other *Person* requesting to be notified of the decision of the *Appeals Committee* respecting the hearing and such notice shall be sent within three (3) days of the decision of the *Appeals Committee*.

## **PART 8- BUSINESS LICENCE APPEALS**

**8.1** The *Applicant* or *Licencee* may appeal the decision to refuse to issue or renew, suspend or revoke, a *Business Licence* by requesting a hearing before the *Appeals Committee* regarding the decision of the *Chief Licensing Agent, Licensing Agent, Supervisor* or *Officer*.

- 8.2** The appeal shall be submitted on the form approved by the *City* and submitted to the Secretary of the *Appeals Committee*.
- 8.3** The request must set out the grounds or basis for the request and must be received in the Office of the Secretary no later than 4:30 p.m. on the fourteenth (14th) calendar day after being served with the order.
- 8.4** If no written request for an appeal or hearing is received from the *Applicant(s)* or *Licencee(s)* before the deadline as set out in Section 8.3 regarding the *Chief Licensing Agents'* decision to refuse, suspend, or revoke a *Business Licence*:
- a) no extension of the time to request an appeal or hearing will be granted; and
  - b) the decision of the *Chief Licensing Agent*.

### **Hearing of Appeals**

- 8.5** Upon receipt of a written request for a hearing from the *Applicant* or *Licencee*, in accordance with section 8.1 the Secretary to the *Appeals Committee* shall:
- a) fix a date and time for such matter to be heard by the *Appeals Committee* within thirty (30) days of receipt of the appeal; and,
  - b) send by registered mail, e-mail, or hand delivery the notice of hearing, which shall include the date, time and location of the hearing, at least fifteen (15) days prior to the date and time fixed for such hearing, to the *Applicant* or *Licencee*, the *Chief Licensing Agent*, as determined by the Secretary of the *Appeals Committee*, or any other *Person* who has requested such notification in writing from the Secretary of the *Appeals Committee*.

### **Service of Appeal Correspondence**

- 8.6** Written correspondence relating to the Appeals and Hearing procedure referred to in this By-Law is sufficiently served if sent by registered mail, hand delivered, or by e-mail addressed to the *Applicant* or *Licencee* at the address provided on the Application or most recent address provided by the *Applicant* or *Licencee*, as the case may be, according to the *Licensing Agent* records.
- a) When service is made by registered mail, the service shall be deemed to be received on the seventh (7<sup>th</sup>) day after the day of

mailing;

- b) When service is made by e-mail, the e-mail shall be deemed to be received two (2) days after the appeal has been sent via e-mail to the last known e-mail address of the person.
- c) When served by hand delivery shall be deemed to be received immediately.

### **Hearing Procedure**

**8.7** The following procedure shall be followed for hearings relating to the refusing, suspending, or revoking of any *Business Licence* under this By-Law:

- a) the Secretary of the *Appeals Committee* shall circulate copies of all reports from the *Licensing Agent* and any officers, inspectors, investigators, employees of the corporation or other municipal, provincial, or federal agencies, police officers or *Medical Officers of Health*, who may be involved in the matter, to the *Applicant*, *Licencee* or any other *Person* to whom notice of the hearing has been given;
- b) the *Applicant* or *Licencee*, either *Personally* or through an agent or solicitor, shall be afforded an opportunity to present such material and evidence relevant to the issue before the *Appeals Committee*, and may ask questions of any *Person* presenting evidence, relating to the evidence presented, or of any author of a report to *Council* relevant to the said issue;
- c) the *Appeals Committee* may afford any other *Person* who appears to have an interest in the matters under discussion, an opportunity to present material and evidence relevant to the issue before the *Appeals Committee*;
- d) the provisions of the *Statutory Powers Procedure Act, R.S.O. 1990, c.S.22*, except sections 17.1, 18 and 19, as amended from time to time, or any successor thereof, shall apply to all hearings conducted by the *Appeals Committee* under this By-Law; and,
- e) any *Person* presenting evidence relevant to the hearing must be present to answer questions in relation to that evidence.

**8.8** If the *Applicant* or *Licencee* who has been sent notice of the hearing does not appear at the appointed time and place of the hearing, the *Appeals Committee* may proceed with the hearing in the absence of the *Applicant*

or *Licencee* and if so, the *Applicant* or *Licencee* shall not be entitled to any further proceeding or any further notice of the proceedings; but shall be sent a copy of the *Appeals Committee's* decision.

**8.9** The *Appeals Committee* shall, after having heard all of the evidence and submissions made at the hearing, make a decision, in writing, as soon as practicable;

- a) that a *Business Licence* be granted, refused, or revoked with or without conditions, as relevant to the subject of the hearing.

**8.10** The Secretary to the *Appeals Committee* shall;

- a) within five (5) days of the hearing of the *Appeals Committee*, send a copy of the decision by the *Appeals Committee* to the *Applicant* or *Licencee*, *Chief Licensing Agent* and any other *Persons* affected by the *Appeals Committee's* decision, at least fifteen (15) days following the appeal; and
- b) where the *Appeals Committee* has received a request from any *Person* who appeared before the *Appeals Committee* send a copy of the decision to such *Person*, at least fifteen (15) days following the appeal.

**8.11** The decision shall;

- a) include the date, time and location of the *Appeals Committee* decision;
- b) summarize the evidence and the arguments presented at the hearing;
- c) set out the *Appeal Committee's* findings of fact;
- d) set out the decision(s) of the *Appeals Committee*; and
- e) state the grounds or basis for the *Appeal Committee's* decision(s).

**8.12** The decision of the *Appeals Committee* to grant, refuse, or revoke a *Business Licence* shall be final.

### **Returning *Business Licences***

**8.13** When a *Business Licence* has been revoked or suspended; the holder of the *Licence* shall return the *Licence* to the *Licensing Agent* within two (2) *Business* days of service of the written notice of the decision of the

*Appeals Committee.*

## **PART 9- BUSINESS LICENCE INSPECTIONS**

- 9.1** Where an application is circulated to a department or agency in accordance with the applicable schedule for that *Business*, the department or agency may require an inspection of the proposed place of *Business*.
- 9.2** Upon application of a new *Business Licence* or renewal of a *Business Licence*, the applicable inspections shall be completed within ninety (90) days of request by the *Licensing Agent*.
- 9.3** Every *Person* carrying on a trade, *Business* or occupation for which a *Licence* may be required under this By-Law shall allow, at any reasonable time, an employee or agent of the *City* authorized by the *Licensing Agent* to inspect their place of *Business* and any other *Premises*, equipment, vehicles or property used for purposes related to the trade, *Business* or occupation, other than a room or place actually being used as a dwelling, to determine compliance with the requirements of this By-Law.
- 9.4** Each request for inspections includes up to two (2) inspections per inspecting authority. If more than two (2) inspections from any inspecting authority are required, the *Applicant* may pay the fee for Additional Inspections, as set out in Schedule “B” or the application for a *Licence* shall become void and a new application for *Licence*, including the fee, must be submitted pursuant to Section 3, 4, and 5 of this By-Law.
- 9.5** Notwithstanding section 9.2 the *Licensing Agent* may, prior to the expiry of the ninety (90) calendar day period, upon request by the *Applicant* in writing:
- a)** grant an extension of up to thirty (30) calendar days to the application for inspections, if the *Applicant* demonstrates to the satisfaction of the *Licensing Agent* that completion of works required to pass the Inspection(s) is in progress; or
  - b)** extend the ninety (90) calendar day period for such additional period of time as is determined by the *Licensing Agent* to be appropriate, where due to extenuating circumstances, for reasons outside the control of the *Applicant*, the inspecting authorities have not carried out the inspections required by the applicable *Business Schedule* of this By- law.
- 9.6** Notwithstanding Subsection 9.2, the *Licensing Agent* may, at any time, extend the ninety (90) day calendar period for such additional period of

time as is determined by the *Licensing Agent* to be appropriate, to provide for a period of transition or an additional period of transition in the event of new or amended provisions of this By-Law affecting the process or requirements for obtaining a new *Business Licence*.

- 9.7** No *Person* shall obstruct, hinder or otherwise interfere with an authorized employee or agent of the *City* while carrying out an investigation, making inquiries, or performing an inspection for the purposes of enforcing this By-Law.
- 9.8** No *Licencee* shall construct or equip a place of *Business* or other *Premises* used for the *Business* so as to hinder the enforcement of the By-Law.
- 9.9** An authorized employee or agent of the *City* may enter any *Business* at any reasonable time for the purposes of an inspection ensuring compliance to this By-Law and every *Licencee* shall produce the *Licence* for inspection on the request of an authorized employee or agent of the *City*.

## **PART 10- FEES**

- 10.1** Every application for a new *Licence* or a renewal or extension of an existing *Licence* shall be accompanied by the full *Licence* fee, as set out in the Schedule "B" as amended.
- 10.2** Except as otherwise provided in the applicable schedule, the *Licence* fee for the current year will be waived if an application for a new *Licence* is submitted after November 30 and is accompanied by the full *Licence* fee for the next two (2) calendar years.
- 10.3** Despite any sections to the contrary, the full *Licence* fee shall be paid, regardless of the date of application, if a *Person* begins to carry on the *Business* before submitting an application for a new *Licence*.
- 10.4** The fees set out in Schedule 'B' attached hereto shall be adjusted without amendment to this By-Law annually on January 1st of each year, in accordance with the most recent twelve month change in Statistics Canada Quarterly, Consumer Price Index with the base index value being in effect as of August 31st in the prior year.

## **PART 11- ADMINISTRATION AND ENFORCEMENT**

- 11.1** This By-Law shall be enforced on proactive basis.

**11.2** The *Chief Licensing Agent* and *Supervisor* are authorized to administer and enforce this By-Law including but not limited to:

- a. arranging for:
  - (i) the assistance or work of *City* staff, or *City* agents;
  - (ii) the making of orders or other requirements and the imposition of conditions as authorized under this By-Law;
  - (iii) the obtaining of court orders or warrants as may be required;
  - (iv) the commencement of such actions on behalf of the *City* to recover costs or restrain contravention of this By-Law as deemed necessary; and
- b. prescribing the format and content of any forms or other documents required under this By-Law.

**11.3** The *Supervisor* may assign *Officers* to enforce this By-Law and *Officers* so assigned or appointed by *Council* to enforce this By-Law shall have the authority to:

- a. carry out inspections;
- b. make orders or other requirements as authorized under this By-Law; and
- c. give immediate effect to any orders or other requirements made under this By-Law.

**11.4** The *Supervisor* may assign duties or delegate tasks under this By-Law to be carried out in the *Supervisor's* absence or otherwise.

### **Entry and Inspections**

**11.5** An *Officer* may enter on land at any reasonable time and in accordance with the conditions set out in sections 435 and 437 of the *Municipal Act, 2001* for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- a. this By-Law;
- b. a direction or order made under this By-Law;
- c. an order made under s. 431 of the *Municipal Act, 2001*.

**11.6** An *Officer* may, for the purposes of the inspection under Section 11.5 and in accordance with the conditions set out in section 436 of the *Municipal Act, 2001*:

- a. require the production for inspection of documents or things relevant to the inspection;
- b. inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- c. require information in writing or otherwise as required by the *Officer* from any *Person* concerning a matter related to the inspection; or
- d. alone or in conjunction with a *Person* possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

**11.7** An *Officer* may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under Section 438 of the *Municipal Act, 2001*, in accordance with the conditions set out in that section, where there has been prevented or is likely to be prevented from carrying out an inspection under Sections 11.5 and 11.6.

### **Orders Including Delivery**

**11.8** If an *Officer* is satisfied that a contravention of this By-Law has occurred, they may make an order requiring the *Person* who contravened the By-Law or who caused or permitted the contravention or the owner or occupier of the property on which the contravention occurred to do work to correct the contravention.

**11.9** An order under Section 11.8 shall set out:

- a. reasonable particulars of the contravention adequate to identify the contravention and the location of property on which the contravention occurred;
- b. the work to be completed;
- c. the date or dates by which the work must be completed;
- d. notice that if the order is not complied with, then the work may be done at the expense of the owner; and
- e. notice that if the cost of work plus administration fees are not paid in time, they may be recovered by adding the amount to the tax roll for the

property.

**11.10** Delivery of an order to discontinue a contravening activity made under Section 11.8 or an order to do work made under Section 11.7 may be given personally, by e-mail, or by registered mail to the last known address of:

- a. the owner; and
- b. such other *Persons* affected by the order as an *Officer* determines.

Delivery by registered mail shall be deemed to have taken place on the fifth (5th) day after the date of mailing.

Delivery by e-mail shall be deemed to have been served two (2) days after the order has been sent via e-mail to the last known e-mail address of the *person*.

**11.11** In addition to delivery in accordance with Section 11.10, an order to discontinue contravening activity made under Section 11.8 or an order to do work made under Section 11.7 may be delivered by an *Officer* placing a placard containing the order in a conspicuous place on the property where the contravention occurred.

**11.12** Where a time frame is set out in an order for carrying out any action, an *Officer* may extend the time for compliance beyond the established time frame provided such extension is required and is acceptable to the *Officer*.

**11.13** No *Person* shall fail to comply with an Order issued pursuant to this By-Law.

**11.14** No *Person* shall remove or cause or permit a posted Order to be removed from a property.

### **City Carrying Out Work**

**11.15** Where a *Person* does not comply with a direction or a requirement within an order, under this By-Law to do a matter or thing, the *Supervisor*, in addition to all other remedies, may cause the Property to be brought into compliance with this By-Law. For this purpose, the *Supervisor* with such assistance by others as may be required, may enter onto the Property at any reasonable time without further notice to the Owner in order to do such work necessary to achieve compliance with this By-Law at the *Person's* expense, as per Section 446(1) of the *Municipal Act, 2001*.

**11.16** The *City* may recover the costs of doing a matter or thing by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes and such costs shall include an Administration Fee as per Schedule “B”. The amount of the *City’s* costs, including interest to the date payment is made in full, constitutes a lien upon the land, upon the registration of a notice of lien upon the land, as per Section 446(3) of the *Municipal Act, 2001*.

### **Penalties**

**11.17** Every *Person* who fails to comply with an order issued under this By-Law is guilty of an offence and is subject to a penalty as provided by the Administrative Monetary Penalty System By-Law 2022-112, as amended.

**11.18** Where a *Person* is convicted of an offence under this By-Law, the Ontario court of Justice or any court of competent jurisdiction thereafter may, in addition to any other penalty imposed on the *Person* convicted, make an order prohibiting the continuation or repetition of the offence by the *Person* convicted.

### **Validity and Severability**

**11.19** If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced *Council* to pass the remainder of the By-Law, and it is hereby declared that the remainder of the By-Law shall be valid and shall remain in force.

**11.20** Where a provision of this By-Law conflicts with the provision of another By-Law in force within the *City*, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

### **11.21 Repeal**

**11.22** This By-Law shall come into force on April 1<sup>st</sup>, 2025 following the passing of this by-law by *Council*.

**11.23** Notwithstanding section 11.22, after the date of passing of this By-Law, all *Business Licence* applications that were submitted prior to the date of passing of this By-Law shall continue to apply to their applicable By-Law for which they have applied. Once the *Business Licence* fee is paid and *licence* issued and obtained, the Business Licencee shall operate in



accordance with the provisions of this By-Law.

**11.24** Any Schedule attached to the By-Law shall be deemed to form part of this By-Law.

**11.25** On the date this By-Law comes into effect, By-Law 2024-033 shall be repealed.

Read, signed and sealed in open Council this 24<sup>th</sup> day of March 2025.

A handwritten signature in black ink that reads "Jenelle Malyon". The signature is written in a cursive, flowing style.

Digitally signed by Jenelle J. Malyon  
DN: cn=Jenelle J. Malyon, o=The  
Corporation of the City of Cornwall,  
ou=Office of the City Clerk,  
email=jmalyon@cornwall.ca, c=CA  
Date: 2025.04.01 11:47:42 -04'00'

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Jenelle Malyon  
Deputy Clerk

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Justin Towndale  
Mayor

**Schedule "A"**

**Classes of Business requiring a License**

<b>Table</b>	<b>Class of Business</b>	<b>Page</b>
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Column 1	Column 2	Column 3

**Table “A - 1”**

**Automotive Centre**

ITEM	TOPIC	DESCRIPTION
1	Definitions:	<p>Means a place where a person can obtain detailing, washing, repairs or maintenance on their vehicles or where the public can obtain fuels or oils for their vehicles.</p> <p><u>Including but not limited to:</u> Garage, Mobile Auto Repair, Shop, Gas Pumps, and Car Wash.</p>
2	Exemptions:	<p>The requirement to obtain an Auto Center License does not apply to:</p> <ul style="list-style-type: none"> <li>a) Persons who carry on a farming business that is eligible for an exemption from taxes under the Retail Sales Tax Act, R.S.O. 1990, c.R.31 that is registered under the Farm Registration and Farm Organizations Funding Act, S.O. 1993,c.21 and that is a permitted use under the zoning by-law that applies to the property; or</li> <li>b) Such circumstances as the Licensing Agent may deem appropriate for exemption.</li> </ul>
3	Reason for Licensing:	Health and Safety and Nuisance Control
4	Inspections Required:	<ul style="list-style-type: none"> <li>• Building Services</li> <li>• By-Law Services</li> <li>• Fire Services</li> <li>• Planning Services</li> </ul>
Column 1	Column 2	Column 3

**The following Special Conditions apply to Table A – 1 (Automotive Centre):**

- a) The licensee shall keep the premises and any sidewalk or street upon which the premises abut, in a clean and neat condition, free from debris, snow, ice, dirt, rubbish or other foreign substances derived from the licensed premises or resulting from the use of the licensed premises;
- b) The licensee to provide adequate storage facilities for all waste materials;  
and
- c) The licensee shall ensure all motor vehicles are parked on the licensed premises in a neat and orderly manner.

**Table “A - 2”  
Amusement Place**

ITEM	TOPIC	DESCRIPTION
1	Definitions:	<p>Means every place, designed for and equipped to provide amusement activities such as a pleasant diversion or distraction.</p> <p>Including but not limited to: Batting Cages, Driving Ranges, Golf Courses, Internet Gaming Facilities and Internet Cafes, Theatres, Rock Climbing Facilities, Go-Carts, Laser Tag, Mini-Golf, Paint Ball, Roller Skate, In-line Skate, Skateboard facilities, Arcades, Arenas, Billiards, Bowling Alleys, and Waterslides.</p>
2	Exemptions:	<p>The requirement to obtain an Amusement Place License does not apply to:</p> <ul style="list-style-type: none"> <li>a) Adult Entertainment Establishments</li> <li>b) Carnivals; or</li> <li>c) Physical Fitness Centres.</li> </ul>
3	Reason for Licensing:	Health and Safety and Nuisance Control
4	Inspections Required:	<ul style="list-style-type: none"> <li>• Building Services</li> <li>• By-Law Services</li> <li>• Fire Services</li> <li>• Planning Services</li> </ul>
Column 1	Column 2	Column 3



**The following Special Conditions apply to Table A – 2 (Amusement Place):**

- a) The Licensee shall ensure that adequate safety measures for the use and enjoyment of the establishment are posted in conspicuous locations visible to all persons using the establishment; and
- b) The Licensee shall ensure that all customers are provided basic instruction on equipment used and rules of the establishment where there may be risk involved.

**Table “A - 3”  
Food Services**

ITEM	TOPIC	DESCRIPTION
1	Definitions:	<p>Means a premise or vehicle, including those that can be towed or propelled by mechanical or muscular power, or other itinerant food preparation premises from which food prepared on site or off site is offered for sale to the public.</p> <p>Also includes any place where fresh, frozen or previously frozen meat, including poultry, game, delicatessen and other meat products and fish including freshwater fish, saltwater fish, and every type of seafood and shellfish, is sold.</p> <p><u>Including but not limited to:</u> Eating Establishment, Food Premises, Brewery, Cannabis Edibles, Corner Store, Grocery Store, Food Manufacturer, Mobile Food Premise, and Ice Cream.</p>
2	Exemptions:	<p>The requirement to obtain a Food Services License does not apply to:</p> <ul style="list-style-type: none"> <li>a) A place of business on an agricultural property that sells only meat produced on the agricultural operation; or</li> <li>b) A place of business that sells only meat or fish products that have been commercially prepackaged elsewhere, and that are offered for sale in the original packages.</li> </ul>
3	Reason for Licensing:	Health and Safety, Consumer Protection, Nuisance Control
4	Inspections Required:	<ul style="list-style-type: none"> <li>• Building Services</li> <li>• By-Law Services</li> <li>• Fire Services</li> <li>• Planning Services</li> <li>• Health Unit</li> </ul>
Column 1	Column 2	Column 3

**The following Special Conditions apply to Table A - 3 (Food Services):**

All Food Services:

- a) An application shall include the types of food to be sold and the address of any off-site premises at which food is to be prepared and cooked; and
- b) Where combustible materials are used, an application shall include a certificate of inspection from a licensed gas fitter annually.

All Food Services that operate from a vehicle or use a vehicle:

- a) A separate license shall be required for each refreshment vehicle;
- b) A refreshment vehicle license application shall include a copy of the vehicle registration and of a current inspection certificate indicating that the vehicle meets the requirements of the Highway Traffic Act;
- c) The dimensions of a refreshment vehicle shall not be greater than 6.7 meters (22'-0") in length and 2.6 meters (8'-6") in width;
- d) An Applicant that requests permission to operate from a stationary position shall include a site plan showing the proposed location of the refreshment vehicle, all adjacent structures, and location of waste controls;
- e) No refreshment vehicle shall carry on business between the hours of 11.00 p.m. and 7.00 a.m.;
- f) No refreshment vehicle shall operate on a street or sidewalk within the Downtown Business Improvement Area (DBIA);
- g) A refreshment vehicle shall not carry on business on any highway, except at a construction site where the highway has been closed to traffic;
- h) No refreshment vehicle shall be drawn by a horse or other animal;
- i) A refreshment vehicle may carry on business in a municipal park if there are no authorized canteens or other authorized food outlets operating in that park; and
- j) A refreshment vehicle whose license does not authorize it to operate from a stationary position shall not stop in any location for longer than is necessary to complete its sales.

**Table “A - 4”  
Personal Services**

ITEM	TOPIC	DESCRIPTION
1	Definitions:	<p>Means any premises or part thereof where substances, instruments, tools or other equipment are applied to any part of the human body for purposes of aesthetic and cosmetic treatment.</p> <p><u>Including but not limited to:</u> Manicuring, Nail Treatment, Tanning, Electrolysis, Laser Hair Removal, Tattooing, Body-Piercing, Ear-Piercing and Micro-Pigmentation Services, Washing, Cutting, Trimming, Shaving of Hair or other similar types of Holistic Services.</p>
2	Exemptions:	<p>The requirement to obtain a Personal Services License does not apply to:</p> <ul style="list-style-type: none"> <li>a) Doctor and Medical Health Professional Officer; or</li> <li>b) Laser treatment clinics where no other aesthetic service is provided.</li> </ul>
3	Reason for Licensing:	Health and Safety and Consumer Protection
4	Inspections Required:	<ul style="list-style-type: none"> <li>• Building Services</li> <li>• By-Law Services</li> <li>• Fire Services</li> <li>• Health Unit</li> </ul>
Column 1	Column 2	Column 3

**The following Special Conditions apply to Table A - 3 (Personal Services):**

- a) No person shall work as a hair stylist in a salon unless they are qualified to do so under the *Apprenticeship and Certification Act*, 1998;
- b) No person under the age of 18 shall be allowed to enter or remain in a Personal Service Business without the accompaniment of a guardian;
- c) No person under the age of 18 shall be allowed to obtain services in a Personal Service Business without a waiver form submitted by the guardian in person at the Personal Service Business, containing the name, date of birth, phone number and address of both the minor and the guardian who must present valid Ontario or other provincial or legal photo ID, as well as a description of the tattoo;
- d) All Owners, Operators and Practitioners are to be individually licensed;
  - a. except where the Owner and Operator is one in the same and they may apply for a combined license as an Owner and Operator;
  - b. except where the Owner, and Practitioner is one in the same and they may apply for a combined license as an Owner and Practitioner;
  - c. except where the Operator, and Practitioner is one in the same and they may apply for a combined license as an Operator and Practitioner; and
  - d. except where the Owner, Operator and Practitioner is one in the same and they may apply for a combined license as an Owner, Operator and Practitioner.
- e) No person licensed under this By-law and Schedule shall permit any person under the age of eighteen (18) access to any tanning equipment in the tanning facility;
- f) The Owner or Operator of a tanning facility shall ensure that the tanning equipment is maintained in good repair to prevent any mechanical safety hazards;
- g) The Owner or Operator shall require customers to use protective eyewear during any use of the tanning equipment;
- h) The Owner or Operator shall ensure that each unit of tanning equipment is designed for use by only one (1) customer at a time;



- i) An Owner or Operator shall not provide any prepaid, self-service automated tanning equipment in the tanning facility; and
- j) The Owner or Operator shall post warning signs (see example of verbiage below) conspicuously in the reception area, as well as in the immediate proximity of each piece of tanning equipment, outlining health risks associated with UV exposure and the restriction on minors.

Warning Sign:

WARNING • Overexposure to ultraviolet radiation (UV) causes skin and eye burns • UV exposure can be hazardous to your health and, in the long term can contribute to premature skin aging and skin cancer • Users must wear protective eyewear • Follow operating instructions • Drugs and cosmetics may increase UV effects • UV effects are cumulative • Greater risks are associated with early and repeated exposure • Use of this equipment is not permitted by persons under the age of 18 Adapted from the Radiation Emitting Devices Regulations, CRC, c. 1370 Part XI Tanning Equipment 5.(c)(iii).

**Table “A - 5”**

**Salesperson**

ITEM	TOPIC	DESCRIPTION
1	Definitions:	<p>Means any person who goes from place to place on foot or in a vehicle for the purpose of:</p> <ul style="list-style-type: none"> <li>a) Selling goods and services;</li> <li>b) Entering into contracts for the sale of goods or services which are to be delivered at a later date;</li> <li>c) Promoting the sale of goods and services by encouraging individual to come to a person’s regular place of business; or</li> <li>d) Selling or offering of goods or services for sale by public action.</li> </ul>
2	Exemptions:	<p>The requirement to obtain a Salesperson license does not apply to:</p> <ul style="list-style-type: none"> <li>a) A person conducting an auction on behalf of a service club or similar organization to raise money for charitable purposes;</li> <li>b) A sheriff or court bailiff acting under a court procedure;</li> <li>c) A municipality conducting an auction under the tax sale provisions of the municipal act, 2001;</li> <li>d) A person who engages the services of a licensed auctioneer to conduct an auction on his or her behalf;</li> <li>e) A person registered under the <i>Real Estate and Business Brokers Act</i> who is selling real estate by public auction;</li> <li>f) A person licensed under the <i>Livestock Community Sales Act</i> who is conducting a community livestock sale;</li> <li>g) Persons who sell goods that are grown or produced on their own agricultural operation</li> </ul>

ITEM	TOPIC	DESCRIPTION
		within the city, or family members or employees who have written authority to sell the goods on their behalf; or
3	Reason for Licensing:	Health and Safety, Consumer Protection, Nuisance Control
4	Inspections Required:	<ul style="list-style-type: none"> <li>• Building Services</li> <li>• By-Law Services</li> <li>• Fire Services</li> <li>• Planning Services</li> <li>• Health Unit</li> </ul>
Column 1	Column 2	Column 3

**The following Special Conditions apply to Table A - 6 (Salesperson):**

- a) Written records shall be kept, including a detailed list of all the items being auctioned, the names and addresses of the owners of those items, the amount received for each item, and the names and addresses of the purchasers;
- b) An application shall specify the types of goods and services to be sold or promoted;
- c) No person shall operate as a hawker and/or peddler in the DBIA;
- d) No person shall use municipal property or a municipal park without the written permission of the City or Recreation Services;
- e) No hawker and/or pedlar shall sell or offer for sale any goods, wares or merchandise on any highway in the city except with the express written consent of the of an authorized employee of the city;
- f) Every person applying for a licence shall submit with his application a letter of permission, with respect to the proposed use, from the registered owner of the property or his authorized agent; and
- g) No auctioneer shall make or permit to be made any misrepresentation as to the quality or value of any goods, wares or merchandise which he may offer for sale.

**Table “A - 6”**

**Adult Entertainment**

ITEM	TOPIC	DESCRIPTION
1	Definitions:	Means every place of business including an adult video store or body rub parlour in which entertainment or services designed to appeal to erotic or sexual appetites or inclinations are provided. It also includes attendants, meaning every person employed in or performs at an establishment that provides services designed to appeal to erotic or sexual appetites or inclinations at an Adult Entertainment Establishment.
2	Exemptions:	<p>The requirement to obtain an Adult Entertainment Establishment license does not apply to:</p> <ul style="list-style-type: none"> <li>a) A theatre which exhibits films that have been approved under the <i>Theatres Act</i>; and</li> <li>b) A place of business in which less than five per cent (5%) of the goods provided are designed to appeal to exotic or sexual appetites or inclinations, however no goods shall be displayed at a height of less than 1.5 metres (5'-0”) above floor level, unless such goods are in a place to which the public are not customarily admitted and all goods shall be placed behind an opaque barrier of a size and nature that ensures that only the titles of the goods are visible the public.</li> </ul>
	Reason for Licensing:	Health and Safety, Consumer Protection, Nuisance Control
4	Inspections Required:	<ul style="list-style-type: none"> <li>• Building Services</li> <li>• By-Law Services</li> <li>• Fire Services</li> <li>• Planning Services</li> </ul>
Column 1	Column 2	Column 3

**The following Special Conditions apply to Table A - 7 (Adult Entertainment):**

**Establishment:**

- a) An application for a license shall include the name of the owner and operator of the proposed establishment;
- b) An *Applicant* shall be at least 19 years of age;
- c) The past conduct of the *Applicant* shall offer reasonable evidence that the issuance of a license would not be adverse to the public interest, including evidence that he or she has not been convicted of an offence under the criminal code or the controlled drugs and substances act;
- d) An establishment shall be located only in an area that is zoned for commercial or commercial arterial use in the Zoning By-Law that applies to the property;
- e) No more than three adult entertainment establishments shall be permitted in the city;
- f) No establishment shall be located closer than 300 metres, measured in a continuous path over the shortest distance, from another establishment or from a school, public park, residence or area that is zoned for residential use in the zoning by-law that applies to the property;
- g) No licensee shall permit the establishment to be open for business or permit any entertainment or services to be provided between 2:00 a.m. And 12:00 noon of the same day;
- h) During the hours of business, a licensee or his or her delegate, who shall be at least 19 year of age, shall be in the establishment at all times;
- i) A licensee shall be responsible for ensuring that all entrances to the establishment are kept unlocked during the hours of business;
- j) No licensee shall permit a person under the age of 18 to enter and remain in the establishment;
- k) Every licensee shall post and maintain signs in areas that are accessible to the patrons and employees, including but not limited to washrooms and attendant dressing rooms, stating that physical contact is prohibited and sexually transmitted diseases can be transmitted through unprotected physical contact;

- l) Every licensee shall place and maintain signs at every entrance to the establishment and in a prominent place within the establishment indicating that no person under the age of 18 may enter and remain in the establishment;
- m) No licensee shall permit a person to work as an attendant in his or her establishment unless the person is at least 18 years of age and has obtained an Adult Entertainment Attendant licence;
- n) A licensee shall provide the business licensing agent, not later than one working day after the commencement of an attendant's employment at his or her establishment, with the attendant's name and license number and the starting date of the attendant's employment;
- o) A licensee shall also advise the agent promptly of the date of termination of an attendant's employment;
- p) No licensee shall permit an attendant to provide entertainment or services other than within public view;
- q) No licensee shall knowingly permit an attendant to have any physical contact with another person in the establishment that involves the touching of a breast, pubic area or buttocks;
- r) No licensee shall erect or place or permit the erection or placing of any sign or other advertising device that includes the words "nude", "naked", "topless", "bottomless", or "sexy", or that includes any other word or picture, symbol or representation with a similar meaning or implication;
- s) No licensee shall permit drunken, quarrelsome, violent or disorderly conduct;
- t) No licensee shall permit anyone in a licensed establishment to hold, sell, distribute or use illegal drugs;
- u) No licensee shall knowingly permit any patron or attendant to engage in any activity of a criminal nature in the establishment.

**Attendant:**

- a) No person shall commence work as an attendant unless he or she has obtained both an attendant license and a numbered photo identification card from the building and licensing division;
- b) An *Applicant* shall be at least 18 years of age;

- c) An application shall include the *Applicant's* current address and the name and address of his or her employment agency, if applicable;
- d) An application shall be accompanied by proof of age, a valid driver's license with a photograph of the *Applicant* or an acceptable substitute, and one other piece of identification;
- e) No attendant shall provide entertainment or services other than within public view;
- f) No attendant shall engage in any physical contact with another person in the establishment that involves the touching of a breast, pubic area or buttocks; and
- g) The past conduct of the *Applicant* shall offer reasonable evidence that the issuance of a license would not be adverse to the public interest, including evidence that he or she has not been convicted of an offence under the criminal code or the *Controlled Drugs and Substances Act*.

**Schedule “B”**

**Table 1 - Classes of Business License Fees**

<b>Item</b>	<b>Class of Business</b>		<b>Fee 2025</b>	<b>Fee 2026</b>	<b>Fee 2027</b>
1	Automotive Centre (A-1)		\$ 250.00	\$ 350.00	\$ 450.00
2	Amusement Place (A-2)		\$ 263.33	\$ 306.66	\$ 350.00
3	Food Services (A-3)	Use of Fats/Oils/Grease	\$ 221.67	\$ 335.84	\$ 450.00
		No Use of Fats/Oils/Grease	\$ 188.33	\$ 269.16	\$ 350.00
4	Personal Services (A-4)		\$ 120.00	\$ 160.00	\$ 200.00
5	Salesperson (A-5)		\$ 128.33	\$ 164.16	\$ 200.00
6	Adult Entertainment (A-6)		\$ 1416.67	\$ 1708.34	\$ 2,000.00
Column 1	Column 2		Column 3	Column 4	Column 5

NOTE: CPI will be applied to the fee annually commencing in 2026.

**Table 3 - Administrative Fees**

<b>Item</b>	<b>Service</b>	<b>Fee</b>
1	Additional Inspections (per inspection)	\$ 150.00
2	Administration Fee Cost of work + Administration Fee (Min. \$ 158.71 – Max. \$ 652.84)	25%
3	Application for Appeal Committee Hearing	\$ 100.00
4	Business Licence Fee Refusal - Portion of the Fee	50%
5	Combined Licence	\$ 50.00
6	Multiple Location	\$ 100.00
7	Order to Comply	\$ 50.00
8	Replacement Document	\$ 50.00
Column 1	Column 2	Column 3