

TOWN OF WATSON LAKE
BYLAW 2025-06

A BYLAW TO PROVIDE FOR THE LICENCING AND REGULATING OF
BUSINESSES WITHIN THE TOWN OF WATSON LAKE

WHEREAS Section 265 of the *Municipal Act* provides that a council may pass bylaws in respect to businesses, business activities, and persons engaging in business;

AND WHEREAS Section 266 of the *Municipal Act* provides that a council may provide for a system of licences, inspections, permits, or approvals, including setting out the conditions that must be met before a licence, permit, or approval is granted or renewed, the nature of the conditions and who may impose them;

NOW THEREFORE, the Council of the Town of Watson Lake in open meeting duly assembled, hereby ENACTS AS FOLLOWS:

1.00 SHORT TITLE

This Bylaw may be cited as the "Business Licence Bylaw".

2.0 INTERPRETATION

In this Bylaw, unless the context otherwise requires:

“Bed and Breakfast” means an accessory use of a property in which temporary overnight accommodation and/or breakfast, with units located within the main dwelling and/or in a separate dwelling is sold to clients or customers.

“Business Activities” means actions involved in producing, selling, or delivering goods or services for sale to clients or customers.

“Business License” means a license issued by the Town that authorizes an individual or company to operate a business and undertake business activities in the Town.

“Childcare Centre” means an establishment licensed under the *Child Care Act*, intended to provide care, educational services, and supervision for children for a period of less than 24 consecutive hours.

“Homebased Business” means a business operating entirely from the confines of a residential property, by the owner or occupier of the property, as a secondary use to the residence.

“Inter-Municipal Licence” means a business licence issued by any municipality signatory to the Inter-Municipal Business Licence Agreement negotiated between the Town and other Yukon municipalities.

“Long-Term Property Rental” means the rental or lease of a dwelling unit, building, or portion thereof to a tenant for a continuous period of thirty (30) days or more.

“Market Vendor” means an individual or business that sells goods or services at a market, such as farmer’s market, craft fair, bazaar, or other community event, typically from a

temporary stall, booth, or stand.

“Minor Business Activities” means a business with minimal operating activities, minimal revenue and operating without a storefront, regular hours of operation, or employees, and may not be an incorporated business. Examples of Minor Business Activities include:

- a. artists who sell products at special events or online;
- b. pop-up sale events;
- c. party sales such as Tupperware or jewelry; and,
- d. markets, craft fairs, or bazaars.

“Mobile or Street Vendor” means a person or business that sells goods and/or services from a vehicle, cart, trailer, or other portable structure, which is moved from place to place rather than operating from a fixed, permanent location.

“Modular Licence” means a business licence authorizing a business to operate multiple business activity categories at a single premise.

“Non-Profit Organization” means a group registered and in good standing with the Yukon Government as a non-profit society under the *Societies Act*.

“Non-Resident Business” means any business, other than a resident business, carried on within the Town or with respect to which any work of service is performed within the Town.

“Person” means a person, a corporation or a Non-Profit Organization.

“Public Land” means land that is owned by or under the care and control of the Town of Watson Lake.

“Resident Business” means a business which operates from a fixed location within the Town or any mobile or street vendor which is operated by a person residing within the Town for six (6) consecutive months immediately prior to the date of application for a business licence.

“Town” means the Town of Watson Lake

3.0 ADMINISTRATION OF LICENCES

3.01 The Town shall prepare and issue all Business Licences pursuant to the terms of this bylaw.

3.02 Applications, fees and all related permits or other documentation required to complete a business licence application shall be received by the Town at the Town’s municipal office during regular business hours.

3.03 The Town shall examine all business licence applications, renewals and other information submitted with them and, based on their analysis and interpretation of the information provided, may issue, suspend, revoke, or refuse a licence.

3.04 The Town shall keep records of all application for and issuance of business licences and other transactions.

3.05 Where a business requires approval to operate from a Yukon Health Officer, as defined by the *Public Health and Safety Act*, the Town may request that written approval of the Yukon Health Officer be provided, and the Town shall not issue a licence until such proof has been provided.

3.06 A Bylaw Officer or Designate may inspect all premises licenced or required to be licenced to ascertain compliance pursuant to the provisions of this bylaw at any time the business is open for the purpose of conducting its Business Activities.

3.07 No Person shall interfere with or obstruct a Bylaw Officer or Designate in the performance of duties being performed pursuant to this bylaw.

4.0 GENERAL LICENCE CONDITIONS

4.01 No Person shall operate any business within or partly within the Town without first having obtained a Business Licence from the Town, unless otherwise exempted under this bylaw.

4.02 A Non-Profit Organization that is charging for a service is considered a business and shall require a Business Licence and pay applicable licence fees.

4.03 Before the issuance or renewal of a Business Licence, an applicant must provide to the Town:

- a. an application form established by the Town;
- b. the licence fee;
- c. the business activity category or categories of the business;
- d. a trade name certificate from Yukon Government if the applicant is naming the business anything other than their name; and,
- e. any other information required by to this bylaw.

4.04 Every Person applying for a Business Licence shall pay the fee prescribed in the Town's *Fees and Charges Bylaw* and no Business Licence shall be issued until said fee or penalties levied pursuant to this bylaw are paid.

4.05 Any business holding a valid Inter-Municipal Business Licence shall be deemed to be licenced pursuant to this bylaw.

4.06 Every business shall post their business licence in a conspicuous location within the premises. Should the business not have a premises where the business conducts its Business Activities. The business licence shall be presented upon request of a Bylaw Officer or Designate.

4.07 Every Business Licence issued pursuant to this bylaw shall expire at midnight on the 31st day of December in any given year unless the licence has been cancelled or revoked prior to that day.

4.08 A seasonal licence shall be issued for a period of six consecutive months or less in a calendar year and shall expire on the 31st day of December in any given year unless the licence has been cancelled or revoked prior to that day.

4.09 The holder of a valid Business Licence shall not be entitled to a refund once the Business Licence has been issued.

4.10 The holder of a Business Licence for a Non-Resident Business shall not be entitled to a refund of any portion of the licence fee if the Non-Resident Business becomes a Resident Business.

4.11 Every Business Licence issued pursuant to this Bylaw is not transferable and shall:

- a. be valid only in respect of the Person to whom the Business Licence is issued; and,
- b. be valid only in respect of the address of the business set out in the application for the Business Licence.

4.12 In addition to all licence fees otherwise payable under this bylaw, every Person who engages in Business Activities in the Town and fails to acquire a Business Licence before doing so shall, before a Business Licence is issued, pay a penalty of ten percent of the applicable licence fee for every thirty days or portion thereof during which the business operated without a valid Business Licence.

4.13 Any Person operating an existing business for which a Business License has been obtained who fails to renew their Business Licence within ninety (90) days of expiry, may be subject to penalties as outlined in Section 12. of this bylaw.

4.14 The fee payable for a seasonal licence (six months or less) at any time in any year shall be half of the fee as set out in the Town's *Fees and Charges Bylaw*.

4.15 Every application for a Business Licence for a childcare service must be accompanied by the proof of approval to operate by the Yukon Government.

5.0 MODULAR LICENCE

5.01 Where a business is engaged in two or more business activity categories, as outlined in Schedule "A", operating out of the same premises and under the same business name, a modular licence is required.

5.02 A Bylaw Officer or Designate may use discretion to determine the number of Business Activity categories operating out of the same premises.

6.0 SEPARATE LICENCE

6.01 Any Person who carries on more than one business in or from any one premises or location in the Town shall obtain a separate licence for each business. For the purpose of this bylaw, where a business is conducted in, or from more than one premises in the Town, each premises shall be deemed a separate business.

6.02 Where there is more than one separate and distinct trade name displayed within one premises, each trade name shall be deemed to indicate the operation of a separate business for which separate Business Licences are required.

7.0 SPECIFIC BUSINESSES REGULATIONS

7.01 Alcohol Sales

- a. Licensed businesses in the Town engaged in the sale of alcohol must produce a valid licence to sell alcohol products issued by the Yukon Liquor Corporation at the time of licence application and renewal;

7.02 Amusement Parks, Circuses and Carnivals

- a. Licensed businesses in the Town engaged in the Business Activities of operating amusement parks, circuses and carnivals must produce proof of liability insurance in the amount of not less than two million dollars (\$2,000,000.00) covering public liability for all personal injury and property damage which may occur by reason of

their operations.

7.03 Bed and Breakfast

- a. Licensed businesses in the Town operating a Bed and Breakfast must produce a permit issued by the Town's Bylaw Officer or Designate at the time of licence application; and,
- b. Must comply with the Town's *Zoning Bylaw* and other bylaws and polices respecting Bed and Breakfast lodgings.

7.04 Cannabis Sales

- a. Licensed businesses in the Town engaged in the Business Activity of cannabis sales must produce a valid licence to sell cannabis products issued by the Yukon Liquor Corporation at the time of licence application.

7.05 Catering Services

- a. Licensed businesses in the Town engaged in the Business Activity of providing Catering Services must prepare food that will be sold or given away to the public in an approved kitchen facility, unless the food is exempt from requiring a permit under Yukon Environmental Health regulations.

7.06 Childcare Centres

- a. Licensed businesses in the Town engaged in the Business Activity of operating a childcare centre must produce a permit to operate a childcare centre issued by the Yukon Government; and,
- b. Must comply with the Town's *Zoning Bylaw*.

7.07 Homebased Business

- a. Licensed businesses in the Town operating a Homebased Business must conduct the Business Activity as a use of the residential property which is secondary to the use of the residential property as a residential dwelling and must comply with the Town's *Zoning Bylaw*;
- b. No person who does not reside in the dwelling unit shall be employed in a homebased business; and,
- c. No aspects of the business operations, such as sounds, light, noise, odors, or storage shall be detectible from outside the property.

7.08 Markets, Craft Fairs and Bazaars

- a. A Business Licence shall be required for a Person to organize a community market, craft fair, or other similar community event where market vendor tables or booths are available.
- b. No licence shall be required for individual market vendor tables or booths if the event organizer has been issued a licence.

7.09 Minor Business Activities

- a. A Bylaw Officer or their Designate has the discretion to make the determination of whether a business falls within the category of Minor Business Activities.

7.10 Mobile/Street Vendors

- a. No Mobile or Street Vendor may conduct their Business Activity in the Town without prior written permission from a Bylaw Officer or Designate.
- b. Every Mobile or Street Vendor shall keep sidewalks, streets, and other spaces adjacent to where they conduct their Business Activities clean and free of waste and debris which is generated from the operation of their Business Activities.

7.11 Restaurants and Other Food Service Operations

- a. Licensed businesses in the Town engaged in the Business Activity of selling food and beverages are required to submit a Yukon Government Health permit or approval with their applications for Business Licences and renewals of Business Licences.

7.12 Taxi Service

- a. Licensed businesses in the Town engaged in the Business Activity of providing taxi services must produce valid vehicle registration and valid insurance at the time of licence application.
- b. Licenced businesses in the Town engaged in the Business Activity of providing taxi services must produce a vulnerable sector check issued by the RCMP at the time of licence application.

7.13 No Person shall store or accumulate goods or merchandise which are offered for sale or intended to be offered for sale on any street, sidewalk, boulevard, or other public property in the Town unless authorized in advance by resolution of Council.

7.14 Subject to section 7.12 of this Bylaw where goods or merchandise are found stored on a street, sidewalk or boulevard or public property, a Bylaw Officer or Designate may take said goods or merchandise into custody and cause them to be taken to a safe and suitable place, and the said goods or merchandise shall not be released to the owner thereof until the said owner or his agent has paid all costs and charges incurred in the removal and storage of the goods.

8.0 BUSINESS LICENCE EXEMPTIONS

8.01 A Business Licence is not required for:

- a. Business Activities conducted by a registered charitable organization;
- b. a non-profit organization that does not conduct Business Activities;
- c. a performance, concert, exhibition, cultural event, or entertainment held in an establishment that holds a current Business Licence;
- d. a garage sale conducted at a private residence;
- e. vendors at markets, craft fairs, bazaars, or other similar special events, where the event organizer has obtained a Business Licence;
- f. long term property rentals which involve three (3) or less rental units, offices, suites, rooms, or spaces owned by same owner or owners within the Town;
- g. vending machines which are installed on premises for which the owner of the machine has a valid Business Licence;
- h. coin operated washers, dryer, or other laundry equipment provided by the owner of rental accommodation for the exclusive use of the occupants thereof;
- i. buskers; or,
- j. tradeshow or conventions for a period not exceeding ten (10) business days.

9.0 LICENCES SUBJECT TO ZONING AND PUBLIC HEALTH

9.01 All Business Licences are granted subject to the provisions of any *Zoning Bylaw* of the Town. The issuance of a Business Licence shall not be deemed as an approval to carry on a business in or on any premises in contravention of the provisions of the *Zoning Bylaw* in force in the Town. Where a licence is granted to a Person to carry on a business in or on premises where such activity is not permitted by the *Zoning Bylaw*, a Bylaw Officer or Designate shall forthwith cancel the Business Licence and refund the Business Licence fee to the applicant.

9.02 No Person shall operate any licenced business contrary to any provisions of the Yukon Health Officer, or Designate, as defined by the *Public Health Act*.

9.03 When requested by the Town, an applicant shall provide a written approval signed by the Yukon Health Officer or Designate, for the existing or proposed business, prior to or after the issuance of any licence.

10.0 LIABILITY INSURANCE

10.01 All applications for a Business Licence for a Business Activity to be conducted on Public Land shall be accompanied by proof of valid liability insurance in an amount of at least two million dollars (\$2,000,000.00). The licensee is required to maintain such insurance throughout the period that the Business Licence is in effect.

11.0 REFUSING AND REVOKING OF LICENCE

11.01 The Town may revoke a Business Licence for reasonable cause after giving notice to the licensee and after giving the licensee an opportunity to be heard.

12.0 APPEAL

12.01 Any person who has applied for but failed to be granted a Business Licence or who has had a privilege denied or revoked under the provisions of this bylaw may appeal the denial or revocation in writing to Council within thirty (30) days after the decision was rendered.

12.02 The right of appeal shall be absolutely barred and extinguished if not received in writing by Council within thirty (30) days of the date the decision was made.

13.0 PENALTIES & ENFORCEMENT

13.01 A Bylaw Officer of the Town or a Designate of a Bylaw Officer shall enforce the provisions of this bylaw.

13.02 Pursuant to the provisions of the *Criminal Code of Canada*, for any violation of this bylaw, a justice may at any time issue a warrant authorizing an Officer who is named in the warrant to apply the search and seizure provisions of the *Criminal Code*.

13.03 Any person who contravenes any provisions of this bylaw is guilty of an offence.

13.04 Any person who commits an offence under this bylaw is, in addition to any other punishment, liable on summary conviction to:

- a. a voluntary fine under section 20 of the *Summary Convictions Act*, issued in respect of any offence specified in Schedule "A" attached hereto and forming part of this bylaw.

- b. a fine not exceeding five hundred dollars (\$500.00) where proceedings commenced pursuant to the *Summary Convictions Act* of the Yukon.
- c. A fine not exceeding ten thousand dollars (\$10,000.00) where proceedings are commenced pursuant to the summary conviction provisions if the *Criminal Code of Canada*, as amended.

13.05 Should any person refuse or neglect to pay any fees or penalties that have been levied pursuant to this bylaw, by the thirty-first (31st) day of December in the same year when the fees or penalties were levied, such fees or penalties shall be added to and form part of taxes for any property in the Town owned by the persons who applied for the Business License.

14.0 GENERAL INTERPRETATIONS

14.01 The invalidity of any section or provision of this bylaw shall not affect the validity of any other part of this bylaw that can be given effect without such invalid part or parts.

15.0 REPEALING BYLAW

15.01 Business Licence Bylaw 06-01, including any amendments hereto is hereby repealed.

This Bylaw shall come into full force and effect on January 1, 2027.

Read a First time this 16th day of July, 2024

Read a Second time this 17th day of June, 2025

Read a Third time and Finally Passed this ____ day of _____, 2026

Lauren Hanchar – Mayor

Tiffany Lund – Municipal Clerk

SCHEDULE "A" SCHEDULE OF FINES – To be determined

DRAFT

SCHEDULE "B" BUSINESS ACTIVITY CATEGORIES

Accommodation

Automobile

Aviation Service

Beauty (hair, esthetics, etc.)

Cannabis Sale

Childcare

Contractor Service/Trades

Financial Service

Food & Beverage

Gas

Homebased Business

Laundromat

Liquor Sale

Long Term Property Rentals

Medical/Healthcare

Mining/Forestry Operation

Minor Business Activity

Outdoor/Recreational Tour

Retail Sale

Transportation Service