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A GUIDE TO BUSINESS LICENCES

This guide is not a legal document, it is intended only to assist you through the Business Licence application process. Following the steps herein does not constitute approval of an application. While every care is taken in the preparation of this brochure, the District of Kent assumes no responsibility or liability with respect to its contents. The public is advised to review the applicable legislation and bylaws and conduct its own inquiries with Development Services staff.

WHEN IS A BUSINESS LICENCE REQUIRED?

A business licence is required by any person or persons who operate a "business", prior to beginning the operation or carrying on of such business. A "business" means carrying on a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal or other services for the purpose of gain or profit.

Please check the uses permitted under the applicable sections of the Zoning Bylaw prior to making any financial commitment to locate or relocate a business. Do not hesitate to contact the District's Development Services department if you need assistance.

APPLICATION STAGE

Mail or deliver your completed application form along with the application fee to the District of Kent for:

- New Business;
- Change of Location;
- Change of Owner;
- Change of Business Name; or
- Change of Business Information.

REVIEW OF THE BUSINESS APPLICATION

Once your business application has been received by the District, the application is checked to ensure conformance to the following details:

New Business

The licence for a "New Business" will be issued only after inspections have been made to ensure the premise is:

- correctly zoned and conforms to Municipal bylaws;
- approved for occupancy by the Building Inspector;
- approved for occupancy by the Local Fire Chief and meets B.C. Fire Code regulations;
- is able to meet all Provincial regulations, if applicable. These may include Ministry of Health and the Liquor Control and Licensing Branch.

Change of Location

An application for a "Change of Location" must be made prior to the move. The new location must meet all the criteria required for a "New Business". A new licence must be approved and issued before opening for business. An administration fee of \$25 will apply.

Sale of Business

If the business is sold, a new application for business licence must be made by the new owner and the licence approved and issued prior to opening for business. An administration fee of \$25 will apply.

Renovations or Structural Changes to Premise

If renovations or structural changes are proposed, please contact the Building Inspector prior to making the changes to determine how these will impact Municipal Bylaws, Building Code, Fire Code, Plumbing Code and for occupancy and/or safety.

Signs

A sign permit is required prior to placement of signs.

CAN A BUSINESS BE OPERATED FROM ANYWHERE IN THE DISTRICT?

Not necessarily. The District of Kent, as described in the Zoning Bylaw, is divided into a number of different zones. Each zone has a set of "permitted uses" within it. A business licence may only be approved for a particular location provided the proposed use conforms to the applicable zoning regulations contained in the Zoning Bylaw.

If the proposed use does not conform to the uses permitted within the zone, the licence can only be approved if the business is changed to conform to the uses permitted in the zone. The other option is to make application to rezone the property to a zone that will permit the use.

A business property fronting a controlled access highway may require a Controlled Access Permit from the Ministry of Transportation and Infrastructure.

WHAT CAN I DO IF I AM REFUSED A LICENCE?

If for any reason the business licence is denied, the Municipal Development Staff may consult with, and assist the applicant in further planning to facilitate the start-up of the business operation in accordance with the applicable regulations. This may require establishing the business in an alternative location.

WHAT ARE THE FEES FOR A BUSINESS LICENCE?

A schedule of fees for all persons wishing to conduct business in the District is provided in the District's Fee and Charges Bylaw. All licence fees must be paid prior to the issuance of the licence.

WHEN DO BUSINESSES GET RENEWAL NOTICES

Business licence renewal notices shall be forwarded to the licensee on or before November 15th. The licensee who proposes to renew a licence shall submit the annual licence fee to the District Office for processing prior to the expiry of the licence on December 31st. The licensee shall ensure that the business licence is renewed as required annually, whether notice is given or not.

CAN I GET A DISCOUNT OFF MY LICENCE FEE IF I RENEW EARLY?

Yes, in accordance with the District of Kent Fees and Charges Bylaw, a reduced fee that includes a 10% early payment reduction will be provided if the annual renewal licence fee is paid before December 15th of the year preceding the commencement of the licence period.

WHAT HAPPENS IF I AM LATE IN RENEWING MY BUSINESS LICENCE?

As shown in the District of Kent Fees and Charges Bylaw, a 10% late payment amount will be charged if the annual renewal licence fee is paid after January 31st of the new licence year. If the licence is not renewed by February 28th, bylaw enforcement, including applicable fines, may be imposed.

CAN I OPERATE MY BUSINESS OUT OF MY PLACE OF RESIDENCE?

There are opportunities for home occupation uses subject to zoning regulations outlined in the District of Kent Zoning Bylaw. The type and size of home occupations permitted varies depending on the zone of the property.

General requirements for a home occupation are as follows:

- (a) A person may apply for a home occupation by completing an application on the prescribed form and shall include a detailed site plan.
- (b) The owner may be required to register a Section 219 restrictive covenant against the property title at the Land Titles Office which will specify the home occupation details submitted in the application form and accompanying site plan.
- (c) Home occupations shall be auxiliary to the single dwelling residential use on the same lot.
- (d) A home occupation within the Agricultural Land Reserve shall not be detrimental to the any existing or potential farm use on the property.
- (e) A home occupation use shall only be permitted when the registered property owner:
 - i. Resides on the property where the home occupation is being conducted; and
 - ii. Is a registered owner of the home occupation business.

- (f) On a lot within the Agricultural Land Reserve, construction of an accessory building or off-street parking to accommodate a home occupation outside of an established farm home plate area shall not be permitted.
- (g) A home occupation shall not involve external structural alterations to the principal building (dwelling) and the use shall in no way indicate its presence from the exterior of any building, structure, or fence on the lot except for one (1) sign in accordance with the requirements for a home occupation sign as outlined in the District of Kent Sign Bylaw.
- (h) A home occupation shall not produce excessive noise vibration, smoke, dust, odours, heat glare, litter, noxious uses, traffic congestion, or utilize materials, products that produce inflammable or explosive vapours or gases.
- (i) Any building containing a dwelling unit shall not be used for manufacturing, welding or any other light or heavy industrial use.

CAN I OPERATE A MOBILE VENDING BUSINESS IN THE DISTRICT OF KENT?

Mobile vending is subject to regulations outlined in the District's Business Licencing and Regulation Bylaw and, subject to application with the District, is only permitted during:

- a. District sponsored events on District community parks or recreational property; and
- b. Events held by third party users renting or leasing District community parks or recreation facilities.

DO I NEED TO NOTIFY THE DISTRICT OF KENT IF I AM NO LONGER OPERATING A BUSINESS?

Yes, it is important that you notify the District when you choose to no longer operate your business so we may update our records accordingly and know not to send you a notice for licence renewal the following year.

MY BUSINESS IS LOCATED IN KENT BUT I DO ALL OF MY WORK OUT OF TOWN. DO I NEED A DISTRICT OF KENT BUESINESS LICENCE?

Yes, any business located in the District of Kent (resident business) must have an approved Kent business licence whether not the work is conducted within the District.

MY BUSINESS IN NOT LOCATED IN KENT BUT I PLAN TO DO WORK IN KENT AS A CONSTRUCTION CONTRACTOR. DO I NEED TO APPLY FOR A BUSINESS LICENCE?

Yes, out of town contractors and other non-resident businesses working in Kent are required to obtain a District of Kent business licence.

IS THE DISTRICT PART OF THE INTERMUNICIPAL BUSINESS LICENCE PROGRAM?

Yes, the District of Kent participates in the Fraser Valley Inter-Municipal Business Licence Program with the following municipalities: City of Abbotsford, City of Chilliwack, City of Delta, Village of Harrison Hot Springs, District of Hope, District of Kent, City of Langley, Township of Langley, City of Maple Ridge, City of Merritt District of Mission, City of Pitt Meadows, and City of Surrey.

After obtaining a regular business licence, eligible mobile businesses may purchase an inter-municipal business licence (IMBL) within their resident municipality for a fee of \$250. This licence allows them to conduct business in any of the represented municipalities without having to obtain a separate business licence at each location.

Businesses eligible for an IMBL include trades contractors or other professional (related to the construction industry) or a contractor who performs maintenance and/or repair of land and buildings from a location other than their business location.

HOW CAN I GET MORE INFORMATION?

If you have any questions regarding completion of a business licence application form or whether or not your proposed business is permissible at your desired location please call the Development Services department at (604) 796-2235 or attend the District Hall between the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday.