

**TOQUAHT NATION GOVERNMENT**

**Enacted under the Business Licensing Act section 5.1**

**BUSINESS LICENSING REGULATION**

**TNR 6/2014**



**OFFICIAL CONSOLIDATION – CURRENT TO MAY 11, 2017**

This is a certified true copy of the consolidated Business Licensing Regulation TNR 6/2014,  
Current to May 11, 2017

Date: June 19, 2017

Signed: *Kristen Olmser*  
Law Clerk

TOQUAHT NATION GOVERNMENT  
BUSINESS LICENSING REGULATION TNR 6/2014  
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## **PART 1 - INTRODUCTORY PROVISIONS**

### **Short Title**

1.1 This regulation may be cited as the Business Licensing Regulation.

### **Application**

1.2 This regulation establishes the

- (a) forms for business licensing required under the Act,
- (b) manner in which a business licensing form must be completed,
- (c) the fees required under the Act, and
- (d) offences and penalties under section 4.3 of the Act.

### **Definitions**

1.3 In this regulation:

“Act” means the Business Licensing Act;

“business licensing form” means a form prescribed under this regulation;

“ticketable offence” means an offence under the Act for which a ticket may be issued under section 4.1(a).

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## PART 2 - PRESCRIBED MATTERS

### Forms

- 2.1 (a) The business licensing forms numbered BL-1 to BL-6 in Schedule 1 are prescribed for the purposes of the Act.
- (b) A business licensing form that is
- (i) an application for a new business licence under section 2.4 of the Act or an amendment to a business license under section 2.8 of the Act must be in Form BL-1,
  - (ii) an application for a transfer of a business licence under section 2.4 of the Act must be in Form BL-3,
  - (iii) an application to renew a business license under section 2.7 of the Act must be in Form BL-4,
  - (iv) a tour operator disclosure statement for a guided tour or charter operation under section 3.3 of the Act must be in Form BL-5,
  - (v) a notice of suspension under section 4.1 of the Act must be in Form BL-6.
- (c) Nothing may be attached to a business licensing form except one or more schedules in Form BL-2.
- (d) Every business licensing form must be executed and completed in compliance with
- (i) the Act,
  - (ii) this regulation, and
  - (iii) the instructions on the business licensing form, as applicable.

### Fees

- 2.2 (a) An applicant for a business licence, or for an amendment to or a transfer of a business licence, must pay the applicable fee set out in Schedule 2.
- (b) Any fee referred to in subsection (a) is non-refundable.

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## **PART 3 - FORM PREPARATION AND COMPLETION**

### **Completion of business licensing form**

- 3.1 (a) Every business licensing form, including attachments, must be on durable paper of 27.9 cm x 21.5 cm in size.
- (b) A business licensing form must be completed by printing or typing in
- (i) legible characters of 10 or 12 pitch, but not smaller than 12 point, and
  - (ii) black or dark ink that is compatible for electronic scanning, optical character recognition or micrographic technology of the kind used in the Toquaht administration office.

### **Abbreviations**

- 3.2 An abbreviation of any word on a business licensing form must not be used unless the abbreviation does not obscure the meaning, intent or legal effect of the business licensing form.

### **English language**

- 3.3 Every business licensing form must be completed in the English language.

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## **PART 4 - TICKETABLE OFFENCES**

### **Ticketable offences**

4.1 [Repealed]

### **Separate offence each day of contravention**

4.2 A person who commits, causes or allows a contravention of the Act or this regulation commits an offence and each day the contravention continues is a separate offence.

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**SCHEDULE 1 – BUSINESS LICENSING FORMS**

**BL-1 – Business Licence Application**

**BL-2 – Schedule**

**BL-3 – Business Licence Transfer**

**BL-4 – Business Licence Renewal**

**BL-5 – Tour Operator Disclosure Statement**

**BL-6 – Notice of Suspension**

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## Form BL-1 – Business Licence Application

|  |  |  |
|--|--|--|
| <p><b>TOQUAHT NATION GOVERNMENT</b></p> <p>Business Licensing Act<br/>                 Department of lands, public works and resources<br/>                 Business Licensing Regulation</p> <p><b>Form BL-1</b><br/> <b>BUSINESS LICENCE</b><br/> <b>APPLICATION</b></p> |  | <p>Date received: _____</p> <p>File no: _____</p> <p><input type="checkbox"/> Application fee received</p> <p>Licence No.: _____</p> <p><i>(for director's use only)</i></p> |
|--|--|--|

Businesses operating on Toquaht land or Toquaht foreshore are required to have a valid licence. The information requested in this application is necessary to fully evaluate your request for a business licence. Completion of this form does not guarantee approval of a business licence, nor should business be commenced prior to a business licence being issued.

|  |
|--|
| Type of Application: <input type="checkbox"/> New Licence <input type="checkbox"/> Amendment to Licence No.: _____ |
|--|

**APPLICANT'S PERSONAL INFORMATION**

|                          |  |
|--------------------------|--|
| Full Name:               |  |
| Toquaht Citizenship No.: |  |
| Phone #s:                |  |
| Mailing Address:         |  |
| Email Address:           |  |

**BUSINESS INFORMATION**

|                                  |  |
|----------------------------------|--|
| Name (registered name):          |  |
| Doing business as:               |  |
| Phone #s (including fax):        |  |
| Mailing Address:                 |  |
| Email Address:                   |  |
| Nature of Business:              |  |
| Business Description:            |  |
| If Accommodations - # of Rooms:  |  |
| # of People Engaged in Business: |  |
| Other Information:               |  |

*Continued on next page*

**PROPERTY OWNER’S PERSONAL AND PROPERTY INFORMATION**

|  |  |
|--|--|
| Full Name:                                     |  |
| Toquaht Citizenship No.:                       |  |
| Phone #s:                                      |  |
| Mailing Address:                               |  |
| Email Address:                                 |  |
| Legal Description of Property:                 |  |
| Civic Address of Property:                     |  |
| Property Zoning:                               |  |
| Uses currently contained within said premises: |  |

|   |
|---|
| Will there be any discharge into sewers other than domestic sewage? <span style="margin-left: 100px;"><input type="checkbox"/> Yes</span> <span style="margin-left: 50px;"><input type="checkbox"/> No</span> |
|---|

I/We make this application for a business licence in accordance with particulars as stated above and declare that the above statement is true and correct and I/we understand that, if granted the business licence applied for, I/we will comply with each and every obligation contained in Toquaht laws, federal laws and provincial laws now in force and any amendments to such laws.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

The director may request additional information he or she considers necessary or desirable from the applicant or any other person before determining the applicant’s eligibility for a business licence.



## Form BL-2 – Schedule

|  |  |  |
|--|--|--|
| <p><b>TOQUAHT NATION GOVERNMENT</b></p> <p>Business Licensing Act<br/>                 Department of lands, public works and resources<br/>                 Business Licensing Regulation</p> <p><b>Form BL-2</b><br/> <b>SCHEDULE</b></p> |  | <p>Date received: _____</p> <p>File no: _____</p> <p><input type="checkbox"/> Application fee received</p> <p>Licence No.: _____</p> <p><i>(for director's use only)</i></p> |
|--|--|--|

|  |
|--|
| Type of Application: <input type="checkbox"/> New Licence <input type="checkbox"/> Amendment to Licence No.: _____ |
|--|

**APPLICANT'S PERSONAL INFORMATION**

|                          |  |
|--------------------------|--|
| Full Name:               |  |
| Toquaht Citizenship No.: |  |
| Phone #s:                |  |
| Mailing Address:         |  |
| Email Address:           |  |

**BUSINESS INFORMATION**

|                         |  |
|-------------------------|--|
| Name (registered name): |  |
| Doing business as:      |  |

Attached to this Form BL-2 and forming part of my application are the following documents:

- Certificate of Incorporation
- Report authorizing occupancy under the Building and Development Authorization Act
- Fire Safety Certificate
- Certificate issued by the Health Inspector, if the business is a restaurant
- Proof of insurance, if the business requires specific insurance coverage
- Liquor licence from the Government of British Columbia, if the business will sell alcohol
- Proof of vehicle registration, if the business uses a motor vehicle or commercial vehicle
- Other information requested by the director of lands, public works and resources

I/We make this application for a business licence in accordance with particulars as stated above and declare that the above statement is true and correct and I/we understand that, if granted the business licence applied for, I/we will comply with each and every obligation contained in Toquaht laws, federal laws and provincial laws now in force and any amendments to such laws.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

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### Form BL-3 – Business Licence Transfer

|   |  |  |
|---|--|--|
| <p><b>TOQUAHT NATION GOVERNMENT</b></p> <p>Business Licensing Act<br/>                 Department of lands, public works and resources<br/>                 Business Licensing Regulation</p> <p><b>Form BL-3</b><br/> <b>BUSINESS LICENCE</b><br/> <b>TRANSFER</b></p> |  | <p>Date received:</p> <p>File no:</p> <p><input type="checkbox"/> Application fee received</p> <p><i>(for director's use only)</i></p> |
|---|--|--|

|                                      |  |
|--------------------------------------|--|
| Business Licence Number:             |  |
| Name (registered name):              |  |
| Doing business as (advertised name): |  |

**BUSINESS OWNER'S PERSONAL INFORMATION**

|                          |  |
|--------------------------|--|
| Full Name:               |  |
| Toquaht Citizenship No.: |  |
| Phone #s:                |  |
| Mailing Address:         |  |
| Email Address:           |  |

**BUSINESS LICENCE IS BEING TRANSFERRED TO THE FOLLOWING LOCATION**

|                                |  |
|--------------------------------|--|
| Mailing Address:               |  |
| Phone #s (including fax):      |  |
| Legal Description of Property: |  |
| Civic Address of Property:     |  |
| Property Zoning:               |  |

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**PROPERTY OWNER'S PERSONAL INFORMATION**

|                          |  |
|--------------------------|--|
| Full Name:               |  |
| Toquaht Citizenship No.: |  |
| Phone #s:                |  |
| Mailing Address:         |  |
| Email Address:           |  |

I/We make this application for a Business License Transfer in accordance with particulars as stated above and declare that the above statement is true and correct and I/we understand that I/we will comply with each and every obligation contained in Toquaht laws, federal laws and provincial laws now in force and any amendments to such laws.

Signature of business owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

The director may request additional information it considers necessary or desirable from the parties or any other person before approval of a transfer of business license.

## Form BL-4 – Business Licence Renewal

|  |  |  |
|--|--|--|
| <p><b>TOQUAHT NATION GOVERNMENT</b></p> <p>Business Licensing Act<br/>                 Department of lands, public works and resources<br/>                 Business Licensing Regulation</p> <p><b>Form BL-4<br/>                 BUSINESS LICENCE<br/>                 RENEWAL</b></p> |  | <p>Date received:</p> <p>File no:</p> <p><input type="checkbox"/> Licence fee received</p> <p><i>(for director's use only)</i></p> |
|--|--|--|

|                          |  |               |  |
|--------------------------|--|---------------|--|
| Business Licence Number: |  | Renewal Year: |  |
|--------------------------|--|---------------|--|

**BUSINESS OWNER'S PERSONAL INFORMATION**

|                          |  |
|--------------------------|--|
| Full Name:               |  |
| Toquaht Citizenship No.: |  |
| Phone #s:                |  |
| Mailing Address:         |  |
| Email Address:           |  |

**BUSINESS INFORMATION**

|   |  |
|---|--|
| Name (registered name):                       |  |
| Doing business as:                            |  |
| Phone #s (including fax):                     |  |
| Civic Address:                                |  |
| Mailing Address<br>(if different from Civic): |  |
| Email Address:                                |  |

|  |         |
|--|---------|
| Type of Business:                            |         |
| Business Description:                        |         |
| Business Hours: Summer:                      | Winter: |
| Number of Employees: Summer:                 | Winter: |
| Number of Motor Vehicles Used:               |         |
| Number of Off-Street Parking Spots Provided: |         |

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|  |
|--|
| Number of Vessels and Total Capacity<br>(for marine based business, including kayaks): |
| Number of Sleeping Units (for accommodation provider):                                 |
| Number of Staff Accommodations provided (for accommodation provider):                  |
| Number of Seats (for restaurants, cafes and licensed establishments):                  |
| Gross Floor Area (for offices, galleries, retail stores/uses):                         |
| Other Information:   |

I declare that the above information is true and correct to the best of my knowledge.

Signature of Business Owner: \_\_\_\_\_ Date: \_\_\_\_\_

## Form BL-5 – Tour Operator Disclosure Statement

|  |  |   |
|--|--|---|
| <p><b>TOQUAHT NATION GOVERNMENT</b></p> <p>Business Licensing Act<br/>                 Department of lands, public works and resources<br/>                 Business Licensing Regulation</p> <p><b>Form BL-5</b><br/> <b>TOUR OPERATOR</b><br/> <b>DISCLOSURE STATEMENT</b></p> |  | <p>Date received:</p> <p>File no:</p> <p>Licence No.: _____<br/> <i>(for director's use only)</i></p> |
|--|--|---|

Please provide the following information:

**BUSINESS INFORMATION**

|                           |  |
|---------------------------|--|
| Name (registered name):   |  |
| Doing business as:        |  |
| Phone #s (including fax): |  |
| Mailing Address:          |  |
| Email Address:            |  |

|   |
|---|
| 1. Number of vehicle(s) (boat, aircraft, and motor vehicle) operated as part of the business to be licensed pursuant to this application. |
| 2. Name(s), licence or registration #s of the vehicle(s), boat(s) or aircraft(s) described above.   |
| 3. The passenger capacity of each vehicle(s), boat(s) and aircraft described above.   |
| 4. All locations where passengers embark or disembark from the vehicle(s), boat(s) or aircraft described above.                           |
| 5. All locations where the vehicle(s), boat(s) or aircraft(s) described above are stored, moored or parked when not in operations.        |
| 6. Are you leasing moorage, storage or parking space? If so, please provide a copy of lease agreement.                                    |

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|   |
|---|
| 7. Are you using a Ticket Agent? If so, please provide the name, address and telephone number of that agent.                      |
| 8. Provide the address of all ticket sales locations used in the operation of the business to be licensed under this application. |
| 9. Provide the address of all locations provided for customer/passenger parking of private vehicles.                              |

Attach this form, when completed, to the business licence application form(s).

Signature of Business Owner: \_\_\_\_\_ Date: \_\_\_\_\_



**FORM BL-6 – NOTICE OF SUSPENSION**

|   |  |   |
|---|--|---|
| <p><b>TOQUAHT NATION GOVERNMENT</b><br/>Business Licensing Act<br/>Department of lands, public works and resources<br/>Business Licensing Regulation<br/><b>Form BL-6</b><br/><b>NOTICE OF SUSPENSION</b></p> |  | <p><b>File no:</b></p><br><br><br><br><br><br><br><br><br><br><p><i>(for director's use only)</i></p> |
|---|--|---|

**NOTICE OF BUSINESS LICENCE SUSPENSION**

**TAKE NOTICE THAT LICENSE NO.:** \_\_\_\_\_ **HAS BEEN SUSPENDED**

|                                      |                         |
|--------------------------------------|-------------------------|
| <b>Effective Date of Suspension:</b> |                         |
| <b>Name of Business:</b>             |                         |
| <b>Civic Address:</b>                |                         |
| <b>Legal Address:</b>                |                         |
| <b>Owner:</b>                        | <b>Primary Contact:</b> |
| <b>Reason for suspension:</b>        |                         |
| <b>Comments:</b>                     |                         |

\_\_\_\_\_  
**Signature of Authorizing Officer**

For further information regarding the above, contact the Authorizing Officer at: Toquaht Nation, PO Box 759,  
Uchuelet, British Columbia, V0R 3A0 Telephone: (250) 726 4230 Fax: (250) 726 4403

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**SCHEDULE 2 – FEES**

| <b>Business Type</b>  | <b>Licence Fee</b> |
|---|--------------------|
| <b>Food Services</b>  |                    |
| <b>Non Licensed – Full Service</b><br>Establishments where food and/or beverages are served to the public primarily for consumption on the premises, and the business is not licensed under the Provincial Liquor Control and Licensing Act.  | \$100.00           |
| <b>Licensed – Full Service</b><br>Establishments where food and beverages are served to the public for consumption on the premises and licensed under the Provincial Liquor Control and Licensing Act.  | \$250.00           |
| <b>Non Licensed – Snack Bar</b><br>Establishments where a snack bar is operated as an adjunct to a primary operation on the premises and not licensed under the Provincial Liquor Control and Licensing Act.  | \$75.00            |
| <b>Liquor Outlet</b><br>Establishment where the providing and serving primarily alcohol to the public including a pub, lounge or beer or wine outlet.   | \$400.00           |
| <b>Professional/Contractor Services</b>   |                    |
| <b>Professional Services</b><br>Including, but not limited to:<br>Appraiser<br>Barrister and Solicitor<br>Chiropractor<br>Dentist/Dental Surgeon<br>General Accountant<br>Insurance Agent/Salesperson<br>Medical Specialist<br>Notary Public<br>Physician or Surgeon<br>Real Estate Agent<br>Forestry engineer/Consultant<br>Registered Massage Therapist<br>Barbers/Hairdressers<br>Chimney Sweep<br>Diving Services<br>Arts<br>Commercial Kennel<br>Music/Dance/Language Teachers<br>Officer Services<br>Photographic Development<br>T.V./Small Electrical Repairs<br>Garbage Collection and Sanitary Services<br>Day-care Provider | \$150.00           |
| Dental Mechanic/Technician<br>Architect<br>Chartered Accountant<br>Engineer<br>General Finance<br>Land Surveyor<br>Mortgage Broker<br>Pharmacist<br>Physiotherapist<br>Veterinarian<br>Laboratory<br>Arts and Crafts Teacher<br>Bookkeeping Services<br>Consultant Services<br>Family Day-care Graphic<br>Janitorial Services<br>Laundromat<br>Laundry/Dry Cleaning<br>Pest Control<br>Business Offices<br>Storage Service/Warehouse<br>Radio Broadcasting  |                    |

| <b>Business Type</b>   | <b>Licence Fee</b>   |
|--|--|
| General Contractor   | \$150.00   |
| <b>Sub Contractors</b><br>Including, but not limited to:<br>Concrete/Paving/Ashphalt<br>Electrical<br>Trucking<br>Framing/Roofing<br>Heating, Ventilation<br>Masonry & Bricklaying<br>Metal Doors and Windows<br>Painting and Decorating<br>Sandblasting<br>Refrigeration/Air Conditioning<br>Metal Working<br>Structural Fabricating and Welding<br>Renovations | \$100.00<br><br>Drywall<br>Excavation/Land Fill<br>Floor/Wall Covering<br>Glazing<br>Landscaper<br>Mechanical<br>Millwork<br>Plumbing, Pipe-Fitting<br>Pile Driving<br>Tree Topping<br>Sheet Metal/Fibre Siding<br>Maintenance Contractor<br>Sever/Water/Roads |
| <b>Commercial Retail</b>   |  |
| <b>Commercial Retail</b><br>Including, but not limited to:<br>Art Gallery/Framing<br>Bakery<br>Clothing<br>Delicatessen<br>Dry Goods<br>Greenhouse<br>Gift Shop<br>Hardware<br>Meat/Fish Store<br>Stationary   | \$150.00<br><br>Books<br>Convenience Store<br>Drugstore/Pharmacy<br>Small Appliances<br>Florist<br>Flooring<br>Groceries<br>Jewelry<br>Photographic Supplies   |
| <b>Commercial Retail</b><br>Utilizing floor space greater than 300 sq. meters (3229 sq. ft)  | \$400.00   |
| <b>Industrial/Manufacturing Use</b>  |  |
| <b>Industrial/Manufacturing Use</b><br>Including, but not limited to:<br>Machine Shop<br>Re-Manufactured Electrical Motors<br>Fish Buyer<br>Boat Building<br>Industrial Storage  | \$350.00<br><br>Fish Processing<br>Pulp and Paper Mill<br>Ice Plant<br>Sawmill   |
| <b>Industrial/Manufacturing Use</b><br>Utilizing floor space greater than 400 sq. meters (4306 sq. ft)   | \$700.00   |

| <b>Business Type</b>   | <b>Licence Fee</b>  |
|--|---|
| Transportation/Marine Transportation/Motor Vehicle/Equipment/<br>Machinery Related Business<br>Including, but not limited to:<br>Air Carrier<br>Car Rental<br>Taxi<br>Vehicle Commercial Parking<br>Boat Ramp<br>Boat Sales and Service<br>Divers<br>Marine Towing<br>Tug and Barge Transportation<br>Motor Vehicle Repair<br>Small Machinery and Equipment Dealer | \$150.00<br><br>Bus Service<br>Freight Company<br>Vehicle Towing<br>Boat Marina<br>Marine Equipment Sales/Service<br>Boat Rentals<br>Mobile Marine Repairs<br>Marine Fuel Sales<br>Water Taxi<br>Fuel Service Station<br>Mobile Welding |
| <b>Vendors</b>   |   |
| Vendors Market   | \$200.00  |
| Street Vendors   | \$100.00  |
| <b>Rental Accommodation</b>  |   |
| Apartment Houses<br>Trailer/Mobile Home Parks  | Condominiums<br>Marine Accommodations   |
|  | \$150.00  |
| <b>Tourist Commercial</b>  |   |
| Bed & Breakfast with One (1) Room<br>Each Additional Room  | \$225.00<br>\$75.00   |
| Guest House with One (1) Sleeping Unit<br>Each Additional Sleeping Unit  | \$225.00<br>\$75.00   |
| Short Term Rental with One (1) Sleeping Unit<br>Each Additional Sleeping Unit  | \$225.00<br>\$75.00   |
| Temporary Accommodation with One (1) Sleeping Unit<br>Each Additional Sleeping Unit  | \$225.00<br>\$75.00   |
| Charter Operations<br>Marine/Air/Land Charters<br>Scenic Tours<br>Diving   | \$150.00<br><br>Fishing Charters<br>Whale Watching<br>Back Road Adventures  |

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| <b>Business Type</b>   | <b>Licence Fee</b>               |
|--|----------------------------------|
| Ticket Agent   | \$150.00                         |
| Resort/Campground/RV Park/Hotel/Motel/Hostel – With or Without Adjunct Services:<br>No Adjunct Services Base Fee<br>Up to 2 Services<br>3 to 5 Services<br>Plus \$10.00 per room or \$5.00 per campsite/RV space | \$225.00<br>\$500.00<br>\$750.00 |
|  |                                  |
|  |                                  |
|  |                                  |
|  |                                  |
|  |                                  |
| Transfer of Business License   | \$25.00                          |

**SCHEDULE 3 – TICKETABLE OFFENCES [REPEALED]**

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## LEGISLATIVE HISTORY

Business Licensing Regulation TNR 6/2014 enacted October 2, 2014

### Amendments

| Section    | Amendment         | In Force     |
|------------|-------------------|--------------|
| 4.1        | TNR 2/2017, s.2.2 | May 11, 2017 |
| Schedule 3 | TNR 2/2017, s.2.2 | May 11, 2017 |

### Acts:

### Regulations:

TNR 2/2017 Ticketable Offences Amendment Regulation No. 1 enacted May 11, 2017

### Orders: