

CITY OF NANAIMO

BYLAW NO. 7318.02

A BYLAW TO AMEND BUSINESS LICENCE BYLAW 2021 NO. 7318

The Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as “Business Licence Bylaw Amendment Bylaw 2024 No.7318.02”.

2. Amendments

“Business Licence Bylaw 2021 No. 7318 “ is hereby amended as follows:

(1) By adding the following to the Definition section:

SHORT-TERM RENTAL - means an accommodation provided to members of the public in a short-term rental operator’s primary residence, in exchange for money, for a period of less than 30 consecutive days. The accommodation may include the rental of an entire dwelling unit or bedrooms, with or without the provision of breakfast served on the property.

SHORT-TERM RENTAL OPERATOR - means the person(s) responsible for advertising and arranging the short-term rental accommodation and who is also the business licence licensee and the primary resident.

(2) By deleting Section 3 in its entirety and replacing it with the following:

“(3) BUSINESS LICENCE REQUIRED

3.1 A person, including without limitation a non-profit, must not carry on any business in the City without first obtaining either a city licence or a business licence issued by another Vancouver Island municipality to which the Inter-community business licence has been added.

3.1.1 Despite any other provision in this Bylaw, a business licence is not required for a non-profit if the business activity is carried on 12 or fewer days in a calendar year and all profit is dedicated to further the purposes of the association.

3.2 A short-term rental operator must not operate or advertise a short-term rental unless a business licence has been issued.

3.3 A separate City licence is required for each location where a business operates within the City.

3.3.1 For certainty, a commercial landlord must obtain a City licence for each building identified by a separate civic address.

- 3.3.2 Notwithstanding Section 3.3, an operator of a mobile food vending unit is only required to obtain one City licence per vending unit in operation.
- 3.4 A separate business licence is required for each different business type as defined by the North American Industry Code Standards (NAICS) or where a business offers, provides or introduces activities or services that differ substantially from that which was originally approved in the business licence.
- 3.5 Every person who owns or operates a business within the City must comply with this Bylaw, the City of Nanaimo Zoning Bylaw and other applicable bylaws, and with any and all terms, conditions, restrictions and limits of the required business licence.
- 3.6 A business licence issued under this Bylaw must not be construed as a representation by the City to the licence holder that the business or proposed Business complies with any or all applicable bylaws or other enactments. It is the sole responsibility of the licence holder to ensure compliance with City bylaws and other standards, regulations and enactments.
- 3.7 A business licence issued under this Bylaw must not be construed as a representation by the City to patrons, consumers or members of the public that in issuing a business licence, the business or proposed business complies with any or all applicable bylaws or other enactments.”
- (3) By adding the following after section 4.5:
- “4.6 No person shall knowingly submit false or misleading information or documents in support of a business licence application for the purpose of obtaining a business licence.”
- (4) By adding the following after section 13.1:
- “13.1.1 Notwithstanding 13.1, a business licence issued for a mobile-only business must be made available to a Bylaw Enforcement Officer if requested and may be in the form of an electronic copy.
- 13.2 A business licence issued for the purpose of operating a short-term rental must be kept posted in the designated and approved guest room or unit or where it can be viewed by short-term rental guests during their stay.
- 13.3 The short-term rental business licence account number must be displayed on all short-term rental platform advertising.

- 13.4 Despite Section 13.1.3, a short-term rental business licence account number must not be displayed until the business licence fee has been paid and the Licence Inspector has issued the licence.”

PASSED FIRST READING: 2024-NOV-18
PASSED SECOND READING: 2024-NOV-18
PASSED THIRD READING: 2024-NOV-18

Notice of intention to proceed with this bylaw was published on the 4th day of December, 2024 in the *Nanaimo News Bulletin* newspaper, circulating in the City of Nanaimo, and posted on the City of Nanaimo’s website on the 6th day of December, 2024 pursuant to section 94.2 of the *Community Charter*.

ADOPTED: _____

MAYOR

CORPORATE OFFICER