

ATTACHMENT 1

CITY OF NANAIMO

BYLAW NO. 7318.03

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 2026 No. 7318.03”.

2. Amendments

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

- 2.1 By deleting the definitions for “Commercial Landlord”, “Food Cart”, “Food Trailer”, “Food Truck” and “Mobile Food Vending” and replacing them with the following definitions:

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|---------------------------------|---|
| “Commercial Landlord” | means a person who owns any premises within City boundaries and leases, lets or rents such premises to any other person or Business Entity for the purpose of operating a Business. |
| “Food Cart” | means a compact, mobile vending unit from which food and/or drink is dispensed. It is hand-propelled or bicycle-propelled, either manually or with an electric motor. The entire stock of goods must be contained within the cart. It is easily portable and can be relocated without the use of a vehicle. It is distinct from Food Trailers (self-contained), Food Trailers (unenclosed) and Food Trucks. |
| “Food Trailer (self-contained)” | means a portable, self-contained mobile vending unit equipped to cook, prepare and/or serve food or beverages and which fully encloses the operator. It is distinct from Food Carts, Food Trailers (unenclosed) and Food Trucks. |

| | |
|-----------------------------|---|
| "Food Trailer (unenclosed)" | means a portable mobile vending unit equipped to cook, prepare, and/or serve food or beverages but does not enclose the operator. It requires vehicle transport and is designed for stationary service. It is distinct from Food Carts, Food Trailers (self-contained) and Food Trucks. |
| "Food Truck" | means a motorized self-contained mobile vending unit that is equipped to cook, prepare and/or serve food or beverages. It is distinct from Food Carts, Food Trailers (self-contained), Food Trailers (unenclosed) and Food Carts. |
| "Mobile Food Vending" | means the operation of a Food Service Business from a Food Cart, Food Trailer (self-contained), Food Trailer (unenclosed) or Food Truck. |

2.2 By adding the following provision after section 3.1.1:

"3.1.2 Despite any other provision in this Bylaw, a business licence is not required for special events held within City-owned facilities or parks where the event holder has entered into a contractual agreement with Parks, Recreation and Culture to hold the event."

2.3 By deleting section 3.3.1 and replacing it with the following:

"3.3.1 For certainty, a commercial landlord must obtain a City licence for each building or groups of buildings identified by a separate property folio number."

2.4 By deleting the words "together with applicable business licence fees as outlined in the City's Fees and Charges Bylaw" from section 4.1.

2.5 By deleting the words "at the time of application for the original licence" in section 5.1 and replacing them with "prior to the issuance of the business licence."

2.6 By deleting the words "D and E" in section 15.1 and replacing them with "and D".

2.7 By deleting Schedule A and replacing it with the Schedule A attached to this bylaw.

2.9 By deleting Schedule D in its entirety and renaming Schedule E to Schedule D.

PASSED FIRST READING: _____
PASSED SECOND READING: _____
PASSED THIRD READING: _____

Notice of intention to proceed with this bylaw was published on the _ day of _____, 2026 in the *Nanaimo News Bulletin* newspaper, circulating in the City of Nanaimo, and posted on the City of Nanaimo's website on the ___ day of ___, 2026 pursuant to section 94.2 of the *Community Charter*.

ADOPTED: _____

MAYOR

CORPORATE OFFICER

SCHEDULE "A"

SPECIFIC BUSINESS REGULATIONS

1. **Accommodation and Food Services**

No Business Entity shall sell, offer for trade, sale or distribution, shark fins or their derivative within the City.

2. **Adult Store**

- (a) No person carrying on the business of an adult entertainment store shall permit any person to be on the premises at any time unless such a person is deemed to have reached the age of majority.
- (b) No person carrying on the business of an adult entertainment store shall exhibit or permit to be exhibited any graphic sexual material or sex paraphernalia that is visible from the outside of the premises.

3. **Blasting Contractor**

Every Business Entity carrying out activities involving the use of explosives shall provide the Licence Inspector with a certified copy of:

- (a) Liability insurance coverage in the amount of \$2,000,000; and
- (b) Worker's Compensation Board certification.

4. **Campgrounds**

Every Business Entity that carries on a campground business must maintain a register that is kept onsite, updated daily and shall be made available to the Licence Inspector and BC Assessment Authority personnel for inspection, immediately upon request. The register must provide:

- (a) the make, model, year and vehicle licence plate number of any recreational vehicle located within the campground;
- (b) the site or location assigned to the recreational vehicle or tent;
- (c) the name and home address of the person who brought the recreational vehicle or tent to the campground; and
- (d) the date the recreational vehicle or tent first entered the campground and every date thereafter that the recreational vehicle or tent was located within the campground.

5. **Cannabis – Cultivation, Processing, Testing, Research**

- (a) Every Business Entity that carries on business pertaining to cannabis cultivation, processing, analytical testing or research must provide proof that the operation is approved by Health Canada before a business licence can be issued.
- (b) Every Business Entity that carries on business pertaining to cannabis research and if said business relocates after a business licence has been issued, must provide proof that Health Canada has approved the new business location.

- (c) Every Business Entity that carries on business pertaining to cannabis research and remains operating after five years, must provide proof that Health Canada has renewed its research licence.

6. Commercial Landlord

As a condition of continuing to hold a business licence in respect of carrying on business as a Commercial Landlord, no business licence holder or operator shall permit a commercial tenant or renter to carry on business on the same business premises without the tenant or renter holding a valid business licence.

7. Contractors and Developers

A building/construction contractor or land developer shall supply to the Licence Inspector a written list of the names, addresses and telephone numbers of the sub trades in the form prescribed in Schedule 'B' to this bylaw.

8. Escort Service

A person carrying on the business of operating an escort service must not:

- (a) employ any persons under the age of 19 years of age; or
- (b) make any reference to specific sexual activity in any advertisement.

9. Garage Sales

A person may hold up to three garage sales in a calendar year without having to obtain a business licence.

10. Liquor-Primary Establishment

A person operating a business that is required to be licensed as a Liquor-Primary Establishment is required to adhere to the following:

- (a) Patron behaviour control, both inside and outside a licensed establishment, including but not limited to:
 1. Orderly entrance and disbursal
 2. Noise
 3. Vandalism
 4. Unlawful activities
 5. Nuisance behaviour.
- (b) Safety and security of patrons and the public both inside and outside the licensed establishment, including but not limited to:
 1. Patron screening and door control
 2. Provision of security staff and monitoring conduct of patrons
 3. Full cooperation with the RCMP and City staff in the performance of their duties and in resolving concerns related to the establishment that may arise
 4. The wearing of identification nameplates by on-duty staff and asking the list available to the RCMP and City staff upon request.

- (c) Responsible service of alcoholic beverages including but not limited to:
 - 1. Over-service of patrons
 - 2. Patron capacity
 - 3. Price reductions and promotions
 - 4. Free telephone available for making transportation arrangements
 - 5. Designated Driver Program, including the sale of non-alcoholic beverages.
- (d) Condition of premises and nearby surrounding area including but not limited to:
 - 1. Exterior condition and appearance of premises
 - 2. Inspection and cleanup of litter.
- (e) Entertainment
 - 1. Stripping and exotic dancing are only permitted in establishments that are zoned for this activity
 - 2. When permitted, advertising must not be offensive to the general community.
- (f) Good Neighbour Agreement
 - 1. A Good Neighbour Agreement substantially in the form set out in Schedule 'C' of this bylaw may be required and, when signed by the Licence Inspector, the Agreement will become a condition of the business licence.

11. Mobile Food Vending

- (a) A person intending to carry on a Mobile Food Vending business within the City must first obtain and maintain a valid Mobile Food Vending licence for each Mobile Food Vending unit in operation.
- (b) An applicant for a Mobile Food Vending licence must submit documentation, as outlined in the Mobile Food Vending Operator's Guidebook, demonstrating that all required permissions, licences and approvals have been secured and all applicable regulations have been satisfied.
- (c) Before beginning operations on private property, a Mobile Food Vending business operator must provide the Licence Inspector with written permission from the property owner authorizing the vendor to operate at that location.
- (d) A person must not operate a Mobile Food Vending business on public property except at a location designated and listed in the Mobile Food Vending Operator's Guidebook, as amended from time to time.
 - 1. New City park and public spaces mobile food vending locations shall be approved by the Director of Parks, Recreation and Culture.
- (e) A person must not operate a Mobile Food Vending business on City streets except at a location designated and listed in the Mobile Food Vending Operator's Guidebook, as amended from time to time.
 - 1. New on-street mobile food vending locations shall be approved by the Director of Engineering.
- (f) Vendors must remain in attendance at the Mobile Food Vending unit at all times during its operation.

- (g) Overnight parking of the Mobile Food Vending unit on public property is prohibited.
- (h) Service windows shall be oriented towards the sidewalk; service windows that face the street are not permitted.
- (i) In on-street locations, sign boards are to be placed against the Food Truck or Food Trailer. Obstructing vehicles or pedestrians is not permitted.

12. Retail

The operator of a business where goods, wares, merchandise, substances, articles or things are offered or kept for sale or rental to the public on a Retail basis must adhere to the following:

- (a) The Hours of Operation of all Retail businesses within the area shaded on Schedule 'D' are restricted to the hours between 6:00 a.m. and 11:00 p.m.
- (b) Despite paragraph (a), a Retail business may extend its Hours of Operation beyond the restricted times from midnight on the first day until 6:00 a.m. the following day on two occasions during each calendar year.
- (c) Despite paragraph (a), restricted hours do not apply to a Food Service Business or a pub.

13. Security Services

As a condition of issuance of a business licence in respect of carrying on the business of watching, guarding or patrolling for the protection of persons or property, or as a private detective, the Licence Inspector may require each person involved in the business to:

- (a) hold a licence as set out in the *Security Services Act*; and
- (b) provide confirmation of a satisfactory criminal record check.

14. Special Events

- (a) A person intending to hold a Special Event must obtain a Special Event City Licence for the location where the Special Event is to be held or conducted.
- (b) A business licence for each user or occupier is not required if the organizer of the Special Event holds a valid business licence for that location.
- (c) If the applicant for a Special Event licence is a registered charitable organization, the licence fee is waived.