

ALBERTA

**OFFICE OF THE INFORMATION AND PRIVACY
COMMISSIONER**

ORDER F2017-47

May 10, 2017

CITY OF GRANDE PRAIRIE

Case File Number 002205

Office URL: www.oipc.ab.ca

Summary: The City of Grande Prairie (the Public Body) had a bylaw requiring owners of tattoo parlours to provide a physician's certificate and a criminal record check before a business licence was issued. The Complainant had complied with these requirements before, but refused to do so in 2016. He complained to the Office of the Information and Privacy Commissioner in 2016. The Adjudicator found the *Freedom of Information and Protection of Privacy Act* (the Act) did not apply to the complaint, because complaints can only be brought when information is collected. The Adjudicator commented the Public Body's pre-2016 collection of the Complainant's personal information was in compliance with the Act because it was authorized by a bylaw. She commended the Public Body on its review of the requirements of the bylaw regulations.

Statutes Cited: **AB:** *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, ss. 4, 33, 39, 41, 72, 65, *Freedom of Information and Protection of Privacy Regulation (Alberta Regulation 186/2008)* s. 1(3), *Interpretation Act*, R.S.A. 2000, c. I-8 s.1(1)(c), *Municipal Government Act*, R.S.A. 2000, c. M-26, *Bylaw C1064 Licensing and Regulation of Businesses within the City of Grande Prairie*

I. BACKGROUND

[para 1] This inquiry arises from a complaint the City of Grande Prairie (the Public Body) had a bylaw requiring information (a criminal record check as well as a physician's certificate that the Complainant did not have any communicable diseases) to be provided for the purpose of issuing a licence to operate a tattoo business. The Complainant believes this requirement contravened the *Freedom of Information and Protection of Privacy Act* (FOIP or the Act).

[para 2] The Complainant had made a complaint about the Public Body's bylaw requirements to the Office of the Information and Privacy Commissioner in 2011. That file was closed as the Complainant did not request an inquiry after mediation and investigation of the complaint at that time.

[para 3] The Complainant then submitted a new complaint regarding the bylaw in 2016. He stated in his complaint he had new information about the matter and believed the opinion of the Senior Information and Privacy Manager in 2011 was incorrect.

[para 4] The Commissioner ordered the matter to proceed directly to inquiry as the matter had been reviewed at the mediation and investigation level earlier.

II. ISSUES

[para 5] The Notice of Inquiry lists the following two issues:

1. Did the Public Body collect the Complainant's personal information? If yes, did it do so in compliance with or in contravention of section 33 of the Act?
2. Did the Public Body use the Complainant's personal information? If yes, did it do so in compliance with or in contravention of section 39 of the Act?

If the Public Body is relying on section 39(1)(a), the parties may wish to consider whether the requirements of section 41 are met.

III. DISCUSSION OF ISSUES

- 1. Did the Public Body collect the Complainant's personal information? If yes, did it do so in compliance with or in contravention of section 33 of the Act?**

[para 6] A copy of the bylaw complained about, and its regulations, is attached as an appendix to this Order.

[para 7] I am told by both the Complainant and the Public Body the personal information required by the bylaw was not provided by the Complainant to the Public Body.

[para 8] In submissions to this Inquiry, the Public Body states the following:

When [the Complainant] came in to obtain his business license for his Tattoo business, in 2016, he was asked for specific personal information in accordance with our bylaw. The personal information requested was a Criminal Records Check and a Physician's Certificate to verify a person is not suffering from a communicable disease as defined in the "*Public Health Act*".

This information was collected under authority of Section 33(c) of the Act, by the Chief Bylaw Licensing Officer of the City of Grande Prairie as it relates directly to and is necessary for an operating program for the issuance of a business license for a Tattoo Business and to ensure the health and safety of the public when attending the Tattoo Business.

Therefore, the City of Grande Prairie did not contravene section 33 of the Act.

[The Complainant] refused to provide personal information when applying for his 2016 business license. (my emphasis)

Therefore, being that [the Complainant] did not provide personal information when applying for his 2016 business license, the City of Grande Prairie did not contravene Section 39 of the Act.

[para 9] In other submissions, the Public Body states:

The City of Grande Prairie, FOIP Coordinator, [name removed], contacted [the Complainant] on or about, April 11, 2016, to discuss his concerns and clarify the issues.

It is further noted that the FOIP Coordinator, [name removed] met with the Manager of Enforcement Service, [name removed], on or about, April 27, 2016 to discuss and review Bylaw C-1064. [Bylaw of the City of Grande Prairie for the Licensing and Regulation of Businesses within the City of Grande Prairie]

It was determined at that meeting, in accordance with Bylaw C-1064, section 5(2)(d) the Chief License Inspector and the License Inspectors are authorized to: "*issue a minor variance or exemption from the terms of this Bylaw where it is deemed to be appropriate*". Therefore, all Regulatory Requirements as listed on Schedule "A" of Bylaw C-1064, were "exempted".

[The Complainant] or any other person applying for a Business License under Bylaw C-1064 and meets the requirements to hold a business license with the City of Grande Prairie, would be issued a business license with exemptions granted for Schedule "A" Regulatory Requirements.

[The Complainant] was contacted on or about, April 28, 2016 to advise of the decision on exempting his tattoo business from the Regulatory Requirements in Bylaw C-1064, Schedule "A".

The City of Grande Prairie has in good faith, taken a proactive approach to reach an ongoing solution to this matter. Bylaw C-1064 is currently under review and will be presented to Council before the end of September, 2016, with an amendment to ensure compliance with FOIP regulations.

[para 10] Section 65(3) of the Act permits only people whose own personal information has been collected, used or disclosed under the Act to make a complaint to the Commissioner. That section reads as follows:

65(3) A person who believes that the person's own personal information has been collected, used or disclosed in contravention of Part 2 may ask the Commissioner to review that matter.

[para 11] As the Complainant did not provide his personal information to the Public Body in 2016, the Act does not enable him to bring his current complaint. This answers the first issue, and, indeed, all of the issues that directly arise in the present inquiry.

[para 12] The Complainant, in submissions, states he did not request an inquiry into his complaint after the recommendations of the Senior Information and Privacy Manager in 2011 as he had serious health issues he was attending to.

[para 13] It is my belief the Complainant is also concerned about the collection of his personal information over the past 10 years. While that is not the subject matter of this complaint, in an effort to resolve the Complainant's concerns, I will also comment on the Public Body's authority to collect and use his personal information over the past 10 years.

Collection of the Complainant's personal information before 2016

[para 14] Section 33 of the Act reads as follows:

33 No personal information may be collected by or for a public body unless

- (a) the collection of that information is expressly authorized by an enactment of Alberta or Canada,*
- (b) that information is collected for the purposes of law enforcement, or*
- (c) that information relates directly to and is necessary for an operating program or activity of the public body.*

[para 15] It is not necessary to meet the conditions of subsection (c) if subsection (a) is met.

[para 16] Section 1(3) of the *Freedom of Information and Protection of Privacy Regulation* states:

1(3) For the purposes of the Act, “enactment of Alberta” means an Act or a regulation or any portion of an Act or regulation and includes a directive issued by the Treasury Board.

[para 17] Section 1(1)(c) of the *Interpretation Act*, defines “regulation” to include a “bylaw...enacted...in the execution of a power conferred by or under the authority of an Act...”. In this case, the bylaw in question is enacted by the City of Grande Prairie under the authority of the *Municipal Government Act*, R.S.A. 2000, c. M-26. Therefore, *Bylaw C-1064* of the City of Grande Prairie is an enactment of Alberta.

[para 18] The bylaw authorizes the collection of criminal record checks and a physician’s certificate for the purpose of issuing a business licence for tattoo parlours. Therefore, the collection of this type of personal information is authorized under the FOIP Act.

[para 19] In my view, the Public Body collected the Complainant’s personal information before 2016 in compliance with section 33(a) of the Act

Use of the Complainant’s personal information before 2016

[para 20] Section 39 of the Act governs the use of an individual’s personal information and states:

39(1) A public body may use personal information only

(a) for the purpose for which the information was collected or compiled or for a use consistent with that purpose,

(b) if the individual the information is about has identified the information and consented, in the prescribed manner, to the use, or

(c) for a purpose for which that information may be disclosed to that public body under section 40, 42 or 43.

...

(4) A public body may use personal information only to the extent necessary to enable the public body to carry out its purpose in a reasonable manner.

[para 21] Section 41 of the Act further defines what is meant by a consistent purpose and states:

41 For the purposes of sections 39(1)(a) and 40(1)(c), a use or disclosure of personal information is consistent with the purpose for which the information was collected or compiled if the use or disclosure

(a) has a reasonable and direct connection to that purpose, and

(b) is necessary for performing the statutory duties of, or for operating a legally authorized program of, the public body that uses or discloses the information.

[para 22] The Public Body states the personal information provided by the Complainant would be used only for the purpose for which the information was collected. That purpose was to allow the City of Grande Prairie to carry out its business of issuing business licenses.

[para 23] The Public Body further submits the following:

In accordance with the Municipal Government Act, Council of the day was doing their due diligence in ensuring the health and safety of the general public when they passed Bylaw C-1064 with regulations that Tattoo Parlours provide Physicians Certificates and Criminal Records checks. Council of the day did not name any other businesses that would be required to provide this information. Council of the day did not provide reasons as to why other businesses would not be required to provide this information.

Accordingly, Council *derives* (my emphasis) their authority to pass a bylaw in accordance with the Municipal Government Act.

The Municipal Government Act, Part 2, Bylaws, Division 1, General Jurisdiction, Section 7, General Jurisdiction to Pass Bylaws, states:

" A Council may pass bylaws for municipal purposes respecting the following matters:

(a) The safety, health and welfare of people and the protection of people and property;

(e) businesses, business activities and persons engaged in business;"

The Municipal Government Act, Section 8(c)(iv) Powers under bylaws states:

" Without restricting section 7, a council may in a bylaw passed under this Division, provide for a system of licences, permits or approvals, providing that terms and conditions may be imposed on any licence, permit or approval, the nature of the terms and conditions and who may impose them."

The regulations for Tattoo Parlours to provide Physicians Certificates and Criminal Records checks relates directly to and is necessary for an operating program or activity of the public body as the Municipal Government Act implies that Council has the authority to ensure the safety, health and welfare of the people.

The personal information collected in a Physicians Certificate and a Criminal Records check is used to ensure the health and safety of the public while attending and receiving services at a Tattoo Parlour.

[para 24] In this case, at one point in time, the Municipal Council of the City of Grande Prairie decided it would require a criminal record check and a physician's certificate before a business licence would be issued to a tattoo parlour for the reasons stated above. The information provided would be used to decide whether a business licence would be issued.

[para 25] The Public Body's use of the information was for the same purpose as collecting the information. It was to determine whether a business licence would issue. In my view, the Public Body was permitted to use the information by virtue of section 39(1)(a) of the Act.

[para 26] The question of whether the information was used only to the extent necessary to carry out the purpose in a reasonable manner pursuant to the terms of section 39(4) remains. The Complainant asserts it is unreasonable to ask for these records to make a decision about licensing the type of business he operates (tattoo parlour). This is a legislative decision made by the Public Body when it passed the bylaw and its regulations. This decision cannot be second-guessed or usurped by me.

[para 27] I have nothing before me to suggest the information was used unreasonably. There is no evidence that suggests the City of Grande Prairie unreasonably withheld issuing a licence using this personal information. It appears to me the Public Body used the Complainant's personal information before 2016 in compliance with section 39 of the Act.

Concluding comments

[para 28] In response to my letter to the Public Body dated November 1, 2016 inquiring as to the status of the proposed bylaw amendment, I was told the following:

The proposed draft amendments,(attached), will be presented to the Corporate Services Committee on December 6, 2016 for recommendation to proceed to Council for approval. The draft amendments will then proceed to Council on December 12, 2016 for three readings and final approval.

As stated in previous correspondence and confirmed in this correspondence,

“Until such time that the amended bylaw is in place, Section 5(2)(d) will continue to be used to *“issue a minor variance or exemption of”* any Regulatory Requirements on Bylaw C-1064, Schedule “A”.

[para 29] The proposed amended “Schedule A” regulations do not require a criminal record check for the Complainant's business. Further, the proposed amended regulations do not require a physician's certificate for any business.

[para 30] The current Municipal Council appears to be on the path to change those requirements by amending its bylaws. I am told, in submissions, the Public Body is a large,

rapidly growing municipality and recognizes that it must continue to work toward greater awareness and compliance in the areas of access, privacy and information management. The Public Body is undergoing a “Current State and Gaps Assessment” with respect to ongoing FOIP Advisory services. I am told this will place the Public Body in a position to develop and/or improve upon its policies and processes for an overall privacy program.

[para 31] As outlined earlier, the Public Body’s Municipal Council will be in a position to reassess the requirements for a business licence. It is proposed that no longer will a criminal record check or a physician’s certificate be required before a licence is issued. I commend the Public Body on its initiative of reviewing the necessity of requiring such information, despite having the legislative authority to do so.

IV. ORDER

[para 32] I make this Order under section 72 of the Act.

[para 33] I find the Public Body did not collect or use the Complainant’s personal information in the circumstances of his 2016 complaint. Therefore I find the Public Body did not contravene the Act at that time.

Neena Ahluwalia Q.C.
Adjudicator

CITY OF GRANDE PRAIRIE

OFFICE CONSOLIDATION

BYLAW C-1064

**A Bylaw of the City of Grande Prairie
for the Licensing and Regulation of Businesses
within the City of Grande Prairie**

**(As Amended by Bylaw C-1064A, C-1064B, C-1064C, C-1064E
C-1064F and C-1064G)**

WHEREAS the Municipal Council of the City of Grande Prairie, in the Province of Alberta deems it necessary to regulate and license businesses and industries operating within the corporate limits of the City.

NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as the “Business License Bylaw”.

PART I - INTERPRETATION

DEFINITIONS

2. (1) In this Bylaw, the following terms will have the following definitions:
 - (a) **“Application”** means a written application for a Business License and includes an application to renew, transfer or amend a Business License.
 - (b) **“Business”** means:
 - (i) a commercial, merchandising or industrial activity or undertaking;
 - (ii) a profession, trade occupation or calling or;
 - (iii) an activity providing goods and services;and includes, without limitation, the businesses described in Schedule “A”.
 - (c) **“Business License”** or **“License”** means any Business License issued pursuant to the provisions of this Bylaw.
 - (d) **“Business location”** means the premises used or occupied by any person in the conduct of a business.
 - (e) **“Chief License Inspector”** means the person appointed to that position by the City, or the designate of that person.
 - (f) **“City”** means the City of Grande Prairie or, where the context permits, the area contained within the corporate boundaries of the City of Grande Prairie.

- (g) **“Clerk”** means the Clerk of the City.
- (h) **“Committee”** means the Protective Services Committee of the City.
- (i) **“Criminal Record Check”** means a criminal record check obtained from the Royal Canadian Mounted Police or other Police Service.

(Bylaw C-1064C - September 22, 2008)

- (j) **“Driving Record”** means the driving record of a motor vehicle driver issued by or under the authority of the Province of Alberta.
- (k) **“License Inspector”** means a License Inspector employed by the City, a Peace Officer and, where the context permits, includes the Chief License Inspector.
- (l) **“Non-profit Organization”** means a society or other entity which operates primarily for the benefit of the public and includes, without limitation:
 - (i) church or other religious organization;
 - (ii) service club;
 - (iii) community, veteran’s, or youth organization; and
 - (iv) a social, sport or fraternal club or organization.
- (m) **“Peace Officer”** means any member of the Royal Canadian Mounted Police, a Peace Officer and a Bylaw Enforcement Officer of the City.

(Bylaw C-1064C - September 22, 2008)

- (n) **“Person”** includes an individual, a group of individuals, a corporation, firm, partnership, proprietorship, association, society and co-operative organization.
 - (o) **“Physician’s Certificate”** means a certificate issued by a medical practitioner certifying that a person is not suffering from a communicable disease as defined in the *Public Health Act (Alberta)*.
 - (p) **“Non-Resident Business”** means a business which has not been established or the principals of which have not been resident in the City for a period of at least six (6) months prior to the date of application for a Business License.
 - (q) **“Violation Ticket”** means a violation ticket as defined in the *Provincial Offences Procedures Act (Alberta)*.
- (2) Terms which are not defined in this Bylaw will, where the context permits, have the meanings assigned to them in the City’s Land Use Bylaw.
 - (3) Any reference to legislation of Canada or the Province of Alberta is deemed to include a successor legislation.

PART II - LICENSE PROVISIONS**NECESSITY FOR LICENSE**

3. (1) No person shall engage in or operate within the City any business described in Schedule "A" or a Non-Resident Business unless that person holds a Business License authorizing the engagement in or operation of that business.
- (2) A person engaging in or operating a Non-Resident Business which is not described in Schedule "A" requires a Non-Resident General Business License.
- (3) A License is not valid if the fee prescribed by this Bylaw is not paid.
- (4) A separate Business License is required for each business location.
- (5) Business Licenses to carry on two or more businesses by one person may be issued on one form of license, provided that the identity of each business and the proper license fee for each are shown on such form. Each business shall, however, be deemed to be separately licensed.
- (6) Applicants for Business Licenses shall comply with the regulatory requirements stipulated in Schedule "A" by delivering the appropriate document or documents to the Chief License Inspector.
- (7) The fees payable for Licenses issued pursuant to this Bylaw and for other matters are set forth in Schedule "B" to this Bylaw.

EXEMPTIONS

4. (1) No Business License is required by:
 - (a) a non-resident business whose only business activity is the supply or delivery of wholesale or bulk goods to a resident business;
 - (b) any person who is an employee of another person who holds a Business License or a person or other entity not required to obtain a license pursuant to this Section 4, unless otherwise provided in this Bylaw;
 - (c) any person under the age of eighteen (18) years providing individual light duty occasional services such as paper deliveries, baby sitting, yard work and snow shovelling; and
 - (d) any non-profit organization.
- (2) For the purposes of section 4(1)(b), an "employee" is a person who is paid a salary or wage with respect to which there are deductions for any of Income Tax, Canada Pension Plan or Employment Insurance.

APPOINTMENT, AUTHORITY AND DUTIES OF CHIEF LICENSE INSPECTOR AND LICENSE INSPECTOR

5. (1) The City shall appoint a Chief License Inspector and may employ one or more other License Inspectors.
- (2) The Chief License Inspector and the License Inspectors are authorized to:
- (a) administer and enforce this Bylaw;
 - (b) approve or refuse Business License applications, either with or without conditions;
 - (c) cancel, suspend, alter, add conditions to, or revoke any Business License where it is deemed to be appropriate;
 - (d) issue a minor variance or exemption from the terms of this Bylaw where it is deemed to be appropriate;
 - (e) inspect or investigate any business to determine whether it is in compliance with this Bylaw;
 - (f) issue orders requiring compliance with this Bylaw;
 - (g) initiate and conduct prosecutions for violations of this Bylaw; and
 - (h) collect Business License fees on behalf of the City.

APPLICATION PROCESS

6. (1) Every application:
- (a) for a Business License;
 - (b) to amend a Business License;
 - (c) to transfer a Business License to another person; and
 - (d) to renew a Business License;
- shall be made in writing and submitted to the Chief License Inspector.
- (2) An applicant for a Business License shall make application to the City on the form prescribed by the Chief License Inspector and furnish such additional information as a License Inspector may, from time to time require.
- (3) An applicant shall not submit any information with respect to an application which is false, misleading, incomplete or inaccurate.

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- (4) Every application pursuant to Section 6(1) shall be processed and a decision made within thirty (30) days of the date it is received by the City.
 - (5) The holder of a Business License shall apply to the Chief License Inspector for an amendment to the license if there is any change in:
 - (a) the business location;
 - (b) the owner of the business;
 - (c) the telephone or fax number of the business;
 - (d) the name of the business; or
 - (e) the type of business carried on.
 - (6) If a person ceases to carry on the business for which a Business License is granted, that person shall immediately notify the Chief License Inspector.

POSTING OF LICENSE

7.
 - (1) A Business License shall be posted in a conspicuous place at the business location so that it is visible to the customers of the business.
 - (2) A Business License issued with respect to a business that is not conducted at a fixed location shall be carried on the person of the licensee or in or on the vehicle or apparatus from which such business is conducted and shall be shown to a License Inspector upon demand.
 - (3) All Business Licenses remain the property of the City.

PREREQUISITES FOR A BUSINESS LICENSE

8.
 - (1) A Business License shall not be issued:
 - (a) if the applicant has failed to provide all the information required or requested under this Bylaw;
 - (b) to any applicant not properly licensed or approved or otherwise not in compliance with any Federal, Provincial or Municipal statute, regulation, Bylaw or other requirement; or
 - (c) if a License Inspector determines that there are reasonable grounds not to grant a Business License. Such grounds may include, but are not limited to, the character of the applicant and a criminal record.
 - (2) A Business License is not valid until it has been signed by a License Inspector.

LICENSE FEES AND DURATION OF LICENSE

9. (1) Every applicant for a License shall pay the license fee set forth in Schedule "B".
- (2) Unless otherwise specifically provided in this Bylaw, every Business License shall expire at 12:00 o'clock midnight one (1) calendar year from the date it is issued.

REVOCAION OR SUSPENSION OF A BUSINESS LICENSE

10. (1) The Chief License Inspector may revoke or suspend a Business License if:
 - (a) the person to whom the license is issued contravenes any Federal, Provincial or Municipal statute, regulation, directive or Bylaw, including this Bylaw, in the course of carrying on the business covered by the license;
 - (b) in the opinion of the Chief License Inspector, there are just and reasonable grounds to suspend or revoke a Business License; or
 - (c) any certification, authority, license or other document of qualification under any Federal, Provincial or Municipal statute, regulation or Bylaw required for the operation of the business covered by the license is suspended, cancelled, terminated or surrendered effective on the date of the suspension, cancellation, termination or surrender.
- (2) Upon a Business License being suspended or revoked, the holder shall be notified:
 - (a) by personal service of a notice on the holder; or
 - (b) by mailing a notice to the holder by double registered mail to the holder's business location or residential address noted on the application for the BusinessLicense.
- (3) A notice of suspension or revocation of a Business License shall be deemed to be received on the date of service or five (5) working days after the date it is mailed.
- (4) Upon receiving a notice of suspension or revocation of a Business License, a person shall cease to carry on the business with respect to which the license was issued.

TRANSFER OF LICENSE

11. (1) A Business License may be transferred from one location to another location or from one person to another person with consent of a License Inspector and provided that the transfer fee specified in Schedule "B" is paid.

APPEALS

12. (1) Any person who is affected by a decision of a License Inspector, other than a decision to issue a violation ticket, may appeal to the Committee by delivering to the Clerk, a notice of appeal in the form prescribed by the City within fourteen (14) days of the date of the decision.
- (2) If the Clerk determines that a notice of appeal is not properly completed, he or she shall notify the appellant and the appellant shall correct the notice of appeal within three (3) days, failing which the notice of appeal will be deemed to be invalid.
- (3) Upon confirming that a notice of appeal is complete, the Clerk shall:
- (a) arrange for the Committee to hear the appeal; and
 - (b) notify the appellant in writing of the date, time and place of the appeal hearing.
- (4) An appeal shall be heard by the Committee within forty-two (42) days of the date upon which a properly completed notice of appeal is received by the Clerk.
- (5) In an appeal hearing, the Committee shall hear the appellant, the License Inspector or his designate and any other person who, in the opinion of the Committee, is affected by the decision. The Committee may accept any other evidence or information deemed pertinent to the subject matter of the appeal.
- (6) The Committee may uphold, vary, or reverse a decision of a License Inspector.
- (7) The Clerk shall advise an appellant of the outcome of the appeal within seven (7) days of the decision being rendered by the Committee.

PART III - SPECIAL PROVISIONS RELATING TO CERTAIN BUSINESSES**ADULT ENTERTAINMENT FACILITY**

13. (1) No owner, operator or any person working in an adult entertainment facility shall:
- (a) permit any person under the age of eighteen (18) years to enter or remain in any such facility;
 - (b) display adult video tapes or sexually explicit material so that it is visible from outside the facility; or
 - (c) display any sign or other form of advertisement that indicates that sexually explicit displays, shows or material be available in the facility or, in the opinion of a License Inspector, is otherwise not in good taste.

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- (2) The owner or operator of an adult entertainment facility shall post and keep posted at every entrance to the facility, signs sufficient to indicate clearly to any person approaching or entering the facility, that no person under the age of eighteen (18) years is permitted to enter or remain in such facility.
 - (3) No owner or operator of an adult entertainment facility shall display adult videotapes or sexually explicit material in such a manner so as to be visible from outside the facility.

AMUSEMENT ARCADES AND BILLIARD ROOMS

14. (1) The owner and the manager of an amusement arcade or billiard room shall provide proper and adequate continuous supervision and control of the premises on which the business is carried on at all times when the same are open to the public.
- (2) At all times when an amusement arcade or billiard room is open to the public either the owner or a manager shall be personally present on the premises.
- (3) No person under the age of fourteen (14) years shall be permitted on the premises of an amusement arcade or billiard room between the hours of 8:30 a.m. and 4:00 p.m. on days when schools are open, unless accompanied by a parent or guardian.
- (4) The owner or manager of an amusement arcade or billiard room shall require any person who is not fourteen (14) years of age or older, or who fails or refuses to prove that he or she is fourteen (14) years of age or older and who is not accompanied by a parent or guardian, to leave the amusement arcade or billiard room.

AUCTIONEERS

15. (1) Every auctioneer shall keep proper books of account which shall include the name, date of birth, physical description and address of every person:
 - (a) from whom any property is bought by the auctioneer;
 - (b) authorizing the auctioneer to sell any property; or
 - (c) leaving property with the auctioneer.
- (2) Upon receiving any property, every auctioneer shall give to the person from whom the property is obtained a receipt stating the time and date such property was received and a full description of every article received and the auctioneer shall keep a duplicate record.
- (3) Every auctioneer shall keep all property bought by him for a period of five (5) days, exclusive of Sundays or statutory holidays, from the date it is purchased separate and apart from any other property of the auctioneer and during such period the auctioneer shall permit that property to be examined and inspected at any time during business hours by a License Inspector who may be accompanied by any other person who might be able to identify any articles reported or suspected of having been stolen.

This section shall not apply to:

- (a) goods or chattels purchased from or to be sold for a bona fide resident householder or an established merchant by the auctioneer if such goods or chattels are situated in the premises of such householder or merchant; or
 - (b) horses and other livestock.
- (4) An auctioneer, who buys or takes on consignment items of merchandise that are readily portable such as radios, clocks, jewellery and miscellaneous electrical goods from a person who is not well and favorably known to the auctioneer, shall fill out, at the time of purchase or taking on consignment, a form on which particulars of the merchandise and the proposed vendor are set forth and such form shall be delivered to the License Inspector within forty-eight (48) hours of the time of purchase or taking on consignment.
- (5) Every auctioneer shall allow all books and records kept by him pursuant to this Bylaw to be open at all times during business hours for inspection by a License Inspector.

AUTO WRECKER

16. (1) An auto wrecker shall keep a book or record in a form acceptable to the Chief License Inspector in which shall be permanently recorded at the time any property is acquired, the following information:
- (a) the date and time of day the property is acquired;
 - (b) the full name and address as confirmed by identification, of the person from whom the acquisition is made;
 - (c) the license number, make, model and colour of any vehicle in which the property is delivered; and
 - (d) a detailed description of the property acquired.
- (2) An auto wrecker shall not accept any property from any person actually or apparently under the age of eighteen (18) years or from any person who fails to identify himself for the purposes of the records required to be kept pursuant to Subsection (1).
- (3) The permanent record described in Subsection (1), must be available at all times on demand of a License Inspector.
- (4) Any auto wrecker who believes or has reason to believe that any property in his possession is stolen or fraudulently obtained shall immediately notify the Royal Canadian Mounted Police.

CIRCUSES/CARNIVALS

17. (1) The person in charge of any circus or carnival shall, before the circus or carnival opens for public admission, provide to a License Inspector full information as to all exhibits and performances as the License Inspector may require.

BUILDING CONSTRUCTION/RENOVATIONS

18. (1) Any person who has been issued one construction/renovation license is not required to obtain any additional construction/renovation license or licenses.

DELIVERY SERVICES

19. (1) The operator of a delivery service shall, upon request, deliver to the Chief License Inspector, a list of those persons employed in the business and/or a list of all vehicles used in the business.
- (2) Any vehicles, including bicycles, used in the operation of a delivery service, shall prominently display, for identification purposes, the name of the operator of the business and a unit number on each vehicle.

**ESCORT SERVICES, BODY RUB PARLORS
AND EROTIC ENTERTAINMENT**

20. (1) In this Section 20:
- (a) **“Body Rub”** means kneading, manipulating, rubbing, touching, tapping or stimulating, by any means, a person’s body or part of it, but it does not include medical or therapeutic massage treatments given by a person duly licensed or registered as a massage therapist under the laws of Alberta of this Bylaw; and
 - (b) **“Specified Premises”** means the premises named in the Business License.
- (2) An escort service, body rub parlour, or erotic entertainment agency shall:
- (a) use only persons licensed under this Bylaw as escorts, body rubbers and erotic entertainers;
 - (b) carry on businesses only from an office at the specified premises and all records pertaining to the business shall be maintained and kept at the specified premises;
 - (c) maintain all telephone lines used in the business on the specified premises and not “call forward” to any other premises;
 - (d) not display any sign or other form of advertisement that suggests or indicates that the specified premises are a place where sexual intercourse or any other form of sexual gratification is offered;

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- (e) not display or distribute any advertisement or business card that suggests or indicates that the services provided include sexual intercourse or any other form of sexual gratification;
 - (f) not advertise its services until a license has been issued;
 - (g) keep on the specified premises a register in which the following are legibly and permanently written:
 - (i) each client's name, telephone number and address;
 - (ii) the date and time the service is provided and the duration of service; and
 - (iii) the fee charged to the client;
 - (h) keep on the specified premises a current list of all persons employed by it containing the following information:
 - (i) the true name of each employee and any alias or common nickname by which that person is known;
 - (ii) the birth date of each employee; and
 - (iii) the residential address and telephone number of each employee;
 - (i) produce to a License Inspector upon demand any written record required to be kept or maintained under this section;
 - (j) allow inspection of the specified premises by the License Inspector at all times when the business is in operation;
 - (k) provide a list of services to be offered, performed or solicited and the respective fees to be charged for such services;
 - (l) not permit or allow any telephone to be used for the purpose of advertising or soliciting any person to use the services provided;
 - (m) not permit or allow the use of any camera, photographic device, projection device or recording device in the specified premises; and
 - (n) not operate or carry on business between the hours 2:30 o'clock in the morning and 7:00 o'clock in the morning of the same day.
- (3) Every escort, body rubber and erotic entertainer shall obtain a Business License.
- (4) An applicant for a license to carry on a business as an escort, body rubber or erotic entertainer must:
- (a) be at least eighteen (18) years of age;
 - (b) provide to the City two (2) recent passport size photographs; and
 - (c) complete an interview with a License Inspector.

- (5) All escort, body rubber and erotic entertainer Business Licenses shall expire on December 31st of each year unless otherwise specified by a License Inspector.
- (6) Each escort, body rubber and erotic entertainer shall carry his or her Business License on his or her person and produce it when requested to do so by a License Inspector.
- (7) No Business License issued pursuant to this section is transferable.
- (8) An escort service requires a separate Business License for each name under which it advertises or carries on business.

GARAGE SALES

21. (1) A maximum of two garage sales, each for a period not exceeding three days, in any calendar year may be conducted on any private residential property without a Business License.

HAWKERS AND PEDDLERS

22. (1) Seven clear days prior to the commencement of his or her business operation, a hawker or peddler shall provide the following information to the City:
 - (a) the names and addresses of the persons comprising the sales crew, including their temporary or permanent places of residence in the City; and
 - (b) the license number of each sales person assigned by the Province of Alberta.
- (2) Not more than four (4) employees should be allowed under each hawker or peddler's license.
- (3) An applicant who in the preceding period of two (2) years has been convicted of any criminal offence, an element of which is fraud or dishonesty, will not be granted a hawker's or peddler's license.

MASSAGE THERAPY

23. (1) A Business License shall not be issued to a massage clinic unless a massage therapist licensed
- (2) No person shall exhibit or allow to be exhibited on or in any massage clinic or elsewhere any sign or other form of advertisement that suggests or indicates that the massage clinic is a place where any form of sexual intercourse or other sexual gratification is offered.
- (3) No massage therapist shall distribute or display any advertisement or business card that suggests or indicates that the services provided by the massage therapist include any form of sexual intercourse or other sexual gratification.

MECHANICAL TRADES

24. (1) If a person has been issued one (1) mechanical trade license, that person is not required to obtain any additional mechanical trade license.

MOBILE VENDING UNITS

25. (1) Mobile vending units shall only carry on business at locations approved by a License Inspector.

SECONDHAND DEALERS

26. (1) A secondhand dealer shall not acquire any secondhand goods from any person:
- (a) appearing to be under the influence of alcohol or drugs;
 - (b) under the age of eighteen (18) years without the written consent from that person's parent or guardian; or
 - (c) without first reviewing two (2) pieces of identification, one of which has a picture of the person to confirm the identity and age of the person.
- (2) A secondhand dealer shall not alter, repair, dispose of, sell, exchange, trade, or deal with, secondhand goods for five (5) days, exclusive of Sundays or statutory holidays, from the date such goods are acquired. Those goods shall be kept at the business location separate from other goods and will be available for inspection by a License Inspector and any person authorized by a License Inspector upon demand.
- (3) A secondhand dealer shall keep written records of all goods bought, and such records shall include the full name, current address, and date of birth of the seller and a full description of the goods bought, including serial numbers.
- (4) A secondhand dealer shall produce upon the demand of a License Inspector a written record of all goods bought and sold during the previous year.
- (5) A secondhand dealer may sell secondhand goods within five (5) days of receipt with the written approval of a License Inspector.
- (6) A secondhand dealer shall only carry on business at the location identified on the Business License.

TAXI, LIMOUSINE AND AIRPORT SHUTTLE LICENSES

27. (1) In this section:
- (a) **"Accessible Taxi"** means a vehicle which is specially equipped to accommodate the transportation of persons with physical disabilities and has been approved as an Accessible Taxi by the Chief License Inspector;

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- (b) **“Chauffeur”** means a licensed driver of a taxi and/or limousine with a valid Chauffeur Permit;
 - (c) **“Chauffeur Permit”** means an operator’s permit and/or license issued by the City of Grande Prairie;
 - (d) **“Dispatch Office”** means an office space as approved by Chief License Inspector for the purpose of operating a taxi service;
 - (e) **“Fleet”** means a minimum of seven (7) taxis, owned or operated under each taxi broker license;
 - (f) **“Hybrid Electric Taxi”** means a type of hybrid vehicle which combines internal combustion engine propulsion system with electric propulsion system and has been approved as a Taxi by the Chief License Inspector;
 - (g) **“Limousine”** means any full size luxury class vehicle, as approved by the Chief License Inspector, and not equipped with a taximeter;
 - (h) **“Limousine Broker”** means an owner of a limousine business;
 - (i) **“Limousine Broker License”** means a license issued by the Chief License Inspector under this Bylaw, authorizing a person to operate a limousine business;
 - (j) **“Owner”** means the registered owner (as indicated on the Alberta Vehicle Registration Certificate) of the motor vehicle used as a Taxi or Limousine;
 - (k) **“Taxi”** means a vehicle used to transport passengers and their baggage, on request, to a stated destination, equipped with a taximeter;
 - (l) **“Taxi Broker”** means an owner of taxi business;
 - (m) **“Taxi Broker License”** means a license issued by the Chief License Inspector under this Bylaw, authorizing a person to operate a taxi business;
 - (n) **“Taximeter”** means a device which calculates the fare to be charged for use of a taxi on the basis of distance travelled, time elapsed, or both;and
 - (o) **“Vehicle Permit”** means the City identification permit issued under this Bylaw for attachment to a motor vehicle for use as a taxi or limousine.

Taxi Broker and/or Limousine Broker License

- (2) An applicant for a Taxi Broker license or a Limousine Broker license shall provide to the Chief License Inspector:
 - (a) a list of the motor vehicles to be used by the applicant;

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- (b) a list of all chauffeurs to be employed or engaged by the applicant or otherwise used in the applicant's business, including their full names, addresses and Alberta driver's license numbers; and
 - (c) such additional personal and other information which the License Inspector may request.
- (3) A broker requires a separate Business License for each name under which the broker carries on business.
 - (4) Every Taxi Broker shall maintain a dispatch office and provide a dispatch system, which ensures a staffed twenty-four (24) hour a day dispatch to all taxis either by radio or electronically from a central office or other location as approved by the Chief License Inspector.
 - (5)
 - (a) A Taxi Broker shall maintain a fleet of a minimum of seven (7) taxis operating under each taxi broker's license;
 - (b) If a Taxi Broker's fleet falls below the minimum of seven (7) taxis, the Taxi Broker shall within twenty-four (24) hours notify the Chief License Inspector of the number of taxis currently in the fleet;
 - (c) A Taxi Broker will have thirty (30) days from when the fleet dropped below the minimum taxi level to increase the fleet back to the minimum number of seven (7) taxis, or as specified by the Chief License Inspector if exigent circumstances are believed to exist.
 - (6) A broker shall inform the Chief License Inspector within seventy-two (72) hours of any addition to or deletion from any list provided pursuant to Subsection 27(2).
 - (a) In the case of a change to the information provided as per Subsection 27(2)(b) the broker shall inform the Chief License Inspector of the reason why the chauffeur is no longer employed.
 - (7) A broker shall at all times ensure that all vehicles owned by or affiliated with them are clean, in good condition, and mechanically maintained so as to be safe and suitable for use.

Chauffeur Permit

- (8) No person shall operate a taxi or limousine in the City unless that person is in possession of a valid chauffeur permit issued by the City.
- (9) All chauffeur permits shall expire at midnight on December 31st of each year.
- (10) Every Taxi and Limousine Broker shall ensure that each person employed in operating any taxi or limousine is in possession of a valid Alberta driver's license and a valid chauffeur permit.

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- (11) No person shall operate a taxi or limousine unless his or her chauffeur permit is openly displayed at all times in the vehicle in such a manner as to be visible to passengers.
 - (12) The Chief License Inspector shall consider the driving record, criminal record, character and state of health of any applicant for a chauffeur permit and shall refuse or revoke the same, if in his or her opinion, the applicant is unfit to operate a taxi or limousine for any reason.
 - (13) No chauffeur permit or renewal shall be issued to any person who:
 - (a) has been convicted under the Criminal Code of Canada within the five (5) year period immediately preceding the date of application of:
 - (i) a sexual offence or offence relating to the corruption of public morals;
 - (ii) an offence relating to homicide, assault, kidnapping, arson or abduction;
 - (iii) an offence relating to robbery or extortion; and
 - (iv) an offence of criminal negligence, dangerous driving, impaired driving, operating a motor vehicle with a blood alcohol content over eighty (80) mg per one hundred (100) ml of blood, refusing to provide samples of breath or driving whilst his or her driver's license is suspended;
 - (b) has been convicted under the Criminal Code of Canada, or the Controlled Drugs and Substances Act or any successor legislation within the three (3) year period immediately preceding the date of application, of any offence not described in Subsection 27(13)(a);
 - (c) has been charged with any offence under the Criminal Code of Canada, or the Controlled Drugs and Substances Act until the charge has been withdrawn or the matter is otherwise dealt with in a manner which does not result in a conviction;
 - (d) in the opinion of the Chief License Inspector, has been convicted of an excessive number of offences under the Traffic Safety Act and regulations, or any successor legislation, and/or any Bylaw of the City.
 - (14) When a person with an existing chauffeur permit has been charged with an offence under the Criminal Code of Canada or the Controlled Substances Act:
 - (a) the person shall forthwith notify a License Inspector of the charges;
 - (b) upon receiving notification of the charges, the Chief License Inspector shall suspend the person's chauffeur's permit until the charge has been withdrawn or the matter is otherwise dealt with in a manner which does not result in a conviction.
 - (15) Every Taxi and Limousine Broker shall, deliver to the Chief License Inspector, in the manner specified, by the 3rd day of each month, a list of chauffeurs employed by that person as of the last day of the preceding month.

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- (16) A person applying for a chauffeur's permit must have either resided within the City of Grande Prairie for at least thirty (30) days or be able to demonstrate geographic knowledge of the City to the satisfaction of the Chief License Inspector.

Taxi or Limousine Vehicle Permits

- (17) A Taxi or Limousine Broker and/or owner shall obtain a vehicle permit for each taxi or limousine operated by that person.
- (18) All taxi and limousine vehicle permits shall expire at midnight on April 30th of each year.
- (19) An applicant for a taxi or limousine vehicle permit shall provide the City with:
- (a) proof that each such vehicle is registered and insured as required by the Province of Alberta;
 - (b) a City of Grande Prairie Enforcement Services Inspection Certificate and a Government of Alberta Out of Province Record of Inspection Form completed not more than fourteen (14) days prior to the date of application; and
 - (c) any other information required by a License Inspector.
- (20) A valid vehicle permit shall be affixed to the taxi or limousine and no person shall use a license or allow it to be used by any other person or with respect to any vehicle other than the one for which the license was issued.
- (21) No person shall operate a taxi or limousine without a valid permit affixed to the vehicle.

Inspections and Quality

- (22) A License Inspector may at any time inspect any taxi or limousine to determine the following:
- (a) the validity of the taxi or limousine vehicle permit;
 - (b) the validity of the operator's chauffeur permit;
 - (c) test to confirm accuracy of a taximeter;
 - (d) the mechanical condition of the vehicle; or
 - (e) standards of repair and cleanliness of the vehicle.
- (23) The owner and/or operator shall at all times ensure that all vehicles owned by or operated by them are clean, in good condition, and mechanically maintained so as to be safe and suitable for use.

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- (24) A License Inspector may at any time require a taxi or limousine to be inspected by a motor vehicle service centre designated by the City, at such time and place as that Chief License Inspector may designate and the vehicle owner shall deliver such taxi or limousine at the time and place so designated. All costs of the mechanical inspection shall be paid by the vehicle owner.
- (25) Where a Peace Officer believes, on reasonable and probable grounds, that an offence has been committed under this bylaw in relation to a taxi or limousine the Peace Officer may seize that vehicle and cause it to be removed, and stored at a suitable location.

Taximeters

- (26) A Taxi Broker shall ensure that each of his or her vehicles is equipped with a taximeter properly adjusted and sealed.
- (27) Every Taxi Broker shall deliver to the Chief License Inspector, in the manner specified, a copy of the broker's rate structure and rates by the 3rd day of each month, or whenever the taxi rates change.
- (28) The Taxi Broker shall ensure:
- (a) the taximeter is in a location and illuminated such that the fare can be read at all times by passengers in the front and rear seats of the taxi; and
 - (b) that no person shall operate a taxi where a taximeter is not properly adjusted and sealed.
- (29) A taxi operator shall not charge more than the amount of the taxi fare shown on the taximeter.
- (30) A taxi operator shall not operate a taxi where the taxi fare shown on the taximeter differs from the rates displayed on the taxi in accordance with Subsection 27(32)(e).

Taxi Identification

- (31) (a) A Taxi Broker shall register with the City the colour scheme/graphic design of the taxis operated by that broker; and
- (b) A License Inspector may reject a proposed colour scheme/graphic design.
- (32) Each taxi shall:
- (a) be the same colour scheme/graphic design which has been registered with the City by the Taxi Broker;
 - (b) prominently display on each side of its exterior the name and phone number of the Taxi Broker;

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- (c) prominently display on each side of and the rear of the exterior of the taxi a vehicle identification number in lettering not less than ten (10) centimetres in height;
 - (d) display on its roof an illuminable dome light; and
 - (e) display on each rear door window, in a format approved by the License Inspector, the current taxi fares shown on the taximeter.
- (33) No person shall operate a taxi in the City with a colour scheme/graphic design or identification marking of a taxi company that such person does not work for or is not affiliated with.
- (34) If a vehicle licensed as a taxi ceases to be licensed as a taxi for any reason, its owner shall ensure that all markings of any kind upon or within it, which serve to identify it as a taxi, are removed within seven (7) days of the date on which it ceases to be licensed as a taxi.

Chauffeurs Responsibilities

- (35) The Chauffeur of each taxi and limousine in the City shall:
- (a) have a reasonable knowledge of the City;
 - (b) be neat and clean in person and dress;
 - (c) be civil and well behaved to any passenger being transported;
 - (d) promptly keep all appointments or engagements and shall not knowingly accept any engagements that he or she is incapable of fulfilling;
 - (e) take proper care of all baggage and personal property delivered to him or her for conveyance, and shall deliver such property as directed;
 - (f) after delivering a passenger to his or her destination, inspect the vehicle to determine whether or not the passenger has left any property and, if property is found, take all reasonable steps to return it to the owner;
 - (g) deliver to the City within forty-eight (48) hours all property whose owner is unknown;
 - (h) not transport a greater number of passengers than the vehicle manufacturer's recommended capacity;
 - (i) not knowingly, or negligently misinform or deceive any person as to:
 - (i) the time, place, arrival or departure of any public conveyance; or
 - (ii) location of any place, structure or building;

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- (j) drive all passengers (unless otherwise directed) to their destinations by the most direct route practicable; and
 - (k) whenever requested by a passenger, issue a receipt for the amount of the fare paid by such passenger;
 - (l) accept payment of the posted rate by cash, debit or accepted credit card, as posted on the taxi;
 - (m) provide a quiet atmosphere;
 - (n) allow travel with an assistance dog or portable mobility aid; and
 - (o) notwithstanding Subsection 27(41), have the right to refuse to transport a passenger:
 - (i) to protect the driver's, or any passenger's, health or safety;
 - (ii) if the passenger is acting in an offensive or aggressive manner;
 - (iii) if the passenger refuses to provide a deposit, if requested; or
 - (iv) to avoid contravening a law.
- (36) Every Taxi Broker or operator shall, upon being requested by a License Inspector, advise the address of any place to or from which any passenger has been driven.
- (37) Upon the request of a License Inspector, a Taxi Broker or owner, as the case may be, shall advise the name and address of the operator of any taxi owned by him or her at any particular time.
- (38) No Taxi Broker, owner or chauffeur shall suffer or permit a radio scanner or similar device capable of monitoring the radio signals of any other taxi to be in a dispatch office or taxi.
- (39) Every Taxi Broker shall report to the Chief License Inspector any collision causing damage to any vehicle listed in Subsection 27(2)(a) no later than seventy-two (72) hours after a collision.
- (40) Notwithstanding any other provision of this Bylaw, a taxi in respect of which there is not a subsisting taxi vehicle permit may be operated in the City provided that:
- (a) the passenger or passengers in the taxi are picked up at a location outside the City;
 - (b) the operation of the taxi while carrying passengers in the City is restricted to proceeding directly from the place where the taxi enters the City to a single location where all passengers are dropped off.
- (41) A chauffeur shall not refuse to serve any person because of his or her race, colour or creed.

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- (42) (a) For the purposes of this subsection, the following terms will have the following definitions:
- (i) "Off-duty" means any time other than on-duty time;
 - (ii) "On-duty" means any time that a chauffeur is:
 - (A) checking in or preparing reports at the start or end of a work shift;
 - (B) inspecting, servicing, repairing or washing a taxi;
 - (C) driving a taxi;
 - (D) waiting for a fare;
 - (E) participating in loading or unloading a taxi;
 - (F) working as a dispatcher or any other duty that is considered to be duties associated with working for the taxi broker; and
 - (G) includes time spent working under more than one company;
- (b) Every chauffeur shall have not less than eight (8) consecutive hours off duty in any twenty-four (24) hour period;
- (c) Every Taxi Broker shall maintain a log at all times when each chauffeur started and ended their on-duty times.
- (d) Every Taxi Broker shall retain the log referred to in Subsection 27(42)(c) for a minimum of one (1) year;
- (e) Every Taxi Broker shall, not later than the 3rd day of each month, deliver to the Chief License Inspector, in the manner specified by the Chief License Inspector, a copy of the log as of the last day of the preceding month;
- (f) Where a Taxi Broker is required to produce a log and fails to do so, as required in Subsection 27(42)(e), the taxi broker is guilty of an offence;
- (g) A person who knowingly falsifies or enters false information into a log, required in this subsection, is guilty of an offence;
- (h) When a Peace Officer has reasonable and probable grounds that a chauffeur has not had the required off-duty time referred to in Subsection 27(42)(b), the Peace Officer may prohibit the chauffeur from being on-duty to a maximum of eight (8) consecutive hours;
- (i) A chauffeur who does not follow the prohibition in Subsection 27(42)(h) is guilty of an offence;
- (j) A Peace Officer may enter any facility or vehicle and inspect records for the purpose of determining whether a taxi broker or a chauffeur have complied with this subsection.

Advertising

- (43) Advertising material on taxi vehicles shall be approved by the Chief License Inspector.

Limousines

- (44) No person operating a limousine shall operate on a fixed or scheduled route.
- (45) No limousine operator or owner shall:
- (a) stand his or her limousine in any public place or public parking lot except while under hire;
 - (b) stand his or her limousine in any taxi stand for the purpose of soliciting or obtaining passengers;
 - (c) cruise roads in the City looking for passengers; or
 - (d) affix any advertising to the body of any limousine.
- (46) The operator of a limousine shall always have a current written contract with a client and shall produce the contract upon demand of a License Inspector.”

(Bylaw C-1064G - February 6, 2012)

TATTOOING OR BODY PIERCING

28. (1) Any tattooing business shall, before providing services, require every client to sign a consent form acknowledging that he or she:
- (a) is eighteen (18) years or older;
 - (b) submits to the procedure of his or her own free will;
 - (c) is not under the influence of drugs or alcohol; and
 - (d) is aware that the tattoo is permanent.
- (2) Every tattooing and body piercing business shall maintain a daily record of names and addresses of clients for at least two (2) years and will produce such record to a License Inspector on request.
- (3) No tattooing or body piercing business shall:
- (a) Display on or in its business location any sign or other form of advertisement that suggests or indicates that sexual intercourse or other form of sexual gratification is offered on the premises; or

- (b) Distribute any advertisement or business card that suggests or indicates that the services provided include sexual intercourse or other form of sexual gratification.

TRADE SHOWS

29. (1) A person who is a participant in a trade show is entitled to accept orders or payments of money at the trade show location for performance of services or for delivery of goods, wares or merchandise at another location, or sell or attempt to sell any goods, wares, merchandise or services for immediate delivery or performances at the trade show location.

PART IV - OFFENCES AND PENALTIES

30. (1) A person who breaches Subsection 3(1) of this Bylaw is guilty of an offence and is liable to a fine in an amount of not less than double the amount of the license fee applicable to the business with respect to which that person does not have a license and not more than \$10,000.00 or, in default of payment, judgement.
- (2) A person who breaches any other provision of this Bylaw is guilty of an offence and is liable to a fine in an amount of not less than \$200.00 and not more than \$10,000.00 or, in default of payment, judgement.
- (3) The following fine amounts are specified for use on violation tickets if a voluntary payment option is offered:
- (a) two (2) times the license fee for each business being engaged in or operated without a license for an offence under Subsection 3(1); and
 - (b) \$200.00 for any other offences under this Bylaw.
- (4) In addition to any fine imposed for an offence under Subsection 3(1), a court may impose a penalty in the amount of the license fee for each business being engaged in or operated without a license.
31. If a violation ticket is issued in respect of an offence, the violation ticket may:
- (1) Specify the fine amount established by this Bylaw for the offence; or
 - (2) Require a person to appear in court without the alternative of making a voluntary payment.
32. A person who commits an offence may:
- (1) If a violation ticket is issued in respect of the offence; and
 - (2) If the violation ticket states the fine amount specified in this section for the offence; make a voluntary payment equal to the specified fine.

33. REPEAL OF EXISTING BYLAWS

Bylaw No.'s C-860, C-721B, C-869 and C-899 are hereby repealed.

34. READINGS

This Bylaw shall come into force and effect on September 1, 2003.

READ a first time this 14th day of July, 2003.

READ a second time this 14th day of July, 2003.

READ a third time and finally passed this 14th day of July, 2003.

“G. Mazer” (signed)
DEPUTY MAYOR

“J. Ferguson” (signed)
CITY CLERK

CITY OF GRANDE PRAIRIE

BYLAW C-1064

SCHEDULE "A"

BUSINESS DESCRIPTIONS

(Bylaw C-1064G - February 6, 2012)

Business	Description	Regulatory Requirement
Adult Entertainment Facility	Premises used for the provision of any service appealing to erotic or sexual appetites or inclinations including, without limitation, adult mini-theatres, adult video stores and love boutiques/shops but does not include erotic entertainment agencies and erotic entertainers.	Criminal record check
Amusement Arcade	Premises where five or more amusement, sport or arcade machines are kept for the purpose of furnishing entertainment or amusement to the public.	
Auctioneer	Offering for sale by public auction any real or personal property.	
Auto Wrecker	Wrecking and/or dismantling motor vehicles and selling or otherwise disposing of parts or salvage from those vehicles.	
Billiard Room	Premises where billiard or pool tables are kept for the use of the public.	
Body Rub Parlour	Performing, offering or soliciting body rubs, but not including a business operated by a massage therapist.	
Body Rubber	A person who administers a body rub.	Criminal record check physician's certificate
Chauffeur	Licensed operator of a taxi or limousine with a valid Chauffeur Permit.	Criminal record check driving record
Circus/Carnival	A travelling show featuring animal and human performances.	
Construction/Renovation	General contractor, project manager, sub-contractor or any other person other than an employee doing any work of any nature whatsoever in the course of the construction, renovation or repair of buildings or other works including, without limitation the following types of work: acoustical installation handyman asphalt installation insulation installation bricklaying janitorial building movers landscaping carpentry lathing installation ceramic tile installation masonry chimney repairs painting concrete paving crane/hoist lifting precast concrete installation damp proofing reinforcing steel installation decorating roofing demolition rug, furnace & chimney cleaning door/window installation sandblasting drywalling scaffold installation eavestroughing sewer/water installation excavation sidewalk contractor flooring installation siding installation foundation coating snow removal framing structural steel installation general contractor stucco and/or plastering glassworking and glazing upholsterer window washer	
Delivery Service	Operating vehicles, including any bicycle, for delivery purposes for gain within the City.	
Erotic Entertainer	Performing or agreeing to perform erotic entertainment for a fee, "erotic entertainment" being a nude or semi-nude live performance which has as its principle feature the nudity or partial nudity of a person.	Criminal record check
Erotic Entertainment Agency	A business employing or representing an erotic entertainer which offers to provide or provides the services of an erotic entertainer.	

Business	Description	Regulatory Requirement
Escort	A person who acts as an escort as part of the service provided by an escort service.	Criminal record check physician's certificate
Escort Service	For a fee, providing introductions for a person to another person for a period of companionship of short duration.	For the applicant and/or the owner(s) of the agency: Criminal record check
Family Day Home	Provision of care in a residence for six (6) or less children under the age of thirteen (13) years, two (2) or more of who are children of someone other than the person operating the home.	For the applicant and each employee: Criminal record check Current First Aid Certificate
Fortune Teller	An individual person who, for remuneration or gain of any kind, purports to: (a) foretell the future, or (b) temporarily or permanently alter the normal functioning of the human mind; by any means whatsoever, and without limiting the generality of the foregoing includes a palm-reader, hypnotist, astrologer, numerologist, card-reader, psychic, graphologist, phrenologist, crystal-ball gazer, medium, or laser therapist.	
Garage Sale	The displaying of and offering for sale five (5) or more items of goods (other than boats, motor vehicles or recreational vehicles) on private residential property.	
Hawker or Peddler	A person who goes from house to house, business to business or person to person selling any merchandise and/or service who does not have a permanent place of business in the City.	Criminal record check
Home Occupation	A business carried on by an occupant of a residence.	
Limousine Broker	A transportation service that provides a full size luxury class vehicle, as approved by the Chief License Inspector.	
Massage Therapist	A person who administers or offers to administer a massage for a fee who has obtained a certificate of proficiency in massage and is a member in good standing of an association of massage therapists in Alberta.	
Mechanical Trade	Any mechanical or other trade for which a journeyman certification is available including, without limitation, the following trades: electrical plumbing refrigeration electronics gasfitting sheet metal locksmiths steamfitting welding mechanics pipefitting	
Mobile Vending Unit	A motor vehicle, trailer, push cart, or similar mobile structure designed for the purpose of offering food products or beverages for sale.	
Non-resident	A business carried on by a non-resident.	
Secondhand Dealer	A person, other than one who deals in secondhand books, who, in the course of business, primarily deals in worn or used goods of any kind.	
Shows	A troupe or company of actors, musicians, or other dramatic, musical or other performers, not performing in a licensed theatre, hall, or community-owned building or any person offering any other class of entertainment not licensed by this bylaw.	
Tattooist or Body Piercer	Provides or offers to provide tattooing or body piercing, but does not include the piercing of ears.	Criminal record check physician's certificate
Taxi Broker	Operating a taxi business within the City.	
Towing/Boosting Service	Operating trucks for the purpose of towing or boosting vehicles and trailers.	For the applicant, each employee and sub-contractor: Criminal record check
Trade Show	A group of five or more persons gathered at a single location and displaying to the public, the types of goods, food or services that they have for sale including, without limitation, farmers/flea markets.	
Transient Trader	A person who has a temporary sales location in the City selling or attempting to sell goods or services and who is not an employee of a principal of a business holding a license for a business selling those goods or services.	

CITY OF GRANDE PRAIRIE

BYLAW C-1064

SCHEDULE "B"

LICENSE FEES

(Bylaw C-1064G - February 6, 2012)

License Type	Resident	Non-resident	Other
Non-Resident Business General License Fee		\$400	
License Fees:			
Adult Entertainment Facilities	\$200		
Amusement Arcades	\$100		
Auto Wreckers	\$100		
Auctioneers	\$100	\$400	
Billiard Rooms	\$100		
Chauffeur Permit (inc. annual criminal records check)	\$100	\$100	
Chauffeur Permit Replacement	\$ 25	\$ 25	
Circuses/Carnivals	\$100	\$400	
Construction/Renovations	\$100	\$400	
Delivery/Services	\$100	\$400	
Escort Services, Body Rub Parlours or Erotic Entertainment Agencies	\$3,000		
Escorts, Body Rubbers, or Erotic Entertainers	\$200	\$200	
Fortune Tellers	\$200	\$400	
Garage Sales	\$100	\$400	
Hawkers or Peddlers	\$200	\$400	
Home Occupations	\$100		
Hybrid Electric Taxi and Accessible Taxi	No Fee		
Limousines			\$100/vehicle
Massage Therapists	\$100	\$400	
Mechanical Trades	\$100	\$400	
Mobile Vending Units	\$100	\$400	
Secondhand Dealers	\$100		
Shows	\$100	\$400	
Tattooists or Body Piercers	\$200	\$400	
Taxi or Limousine Broker License	\$200		
Taxi Broker - New Application Fee	\$100		
Taxi License - inc. one inspection			\$100/vehicle
Taxi Vehicle Re-inspection fee or meter reseal			\$50/vehicle
Taxi License Transfer Fee - replacement taxi			\$50/vehicle
Towing/Boosting Services	\$100	\$400	
Trade Shows	\$100	\$400	
Transfer of License Fee			\$10
Transient Traders with any item of goods over \$300			\$700
Otherwise			\$400
Late Payment Fees			\$25
up to 2 calendar months after expiry of business license			\$50
after 2 calendar months			\$50

CITY OF GRANDE PRAIRIE

BYLAW C-1064

SCHEDULE "C"

**Deleted by
(Bylaw C-1064G - February 6, 2012)**

CITY OF GRANDE PRAIRIE

BYLAW C-1064

SCHEDULE "C"

**Deleted by
(Bylaw C-1064A - October 23, 2006)**