



## EXPLANATORY MEMO

# INTER-MUNICIPAL BUSINESS LICENCE BYLAW, 2023, No. 3246

The City of Langley participates in an Inter-Municipal Business Licence (IMBL) partnership, through the City's current IMBL Bylaw. This allows trade contractors and construction industry professionals to operate across 13 Fraser Valley municipalities without requiring separate business licences from each local government.

In 2019 the Village of Harrison Hot Springs and the City of Merritt requested to join the IMBL partnership which was approved by 9 out of the 11 Fraser Valley municipalities. City of Langley was one of these 9 municipalities. All 9 municipalities amended their IMBL Bylaws not realizing that two of the original partners had not agreed to the proposed amendment. The two partners who did not agree to include the Village of Harrison Hot Springs and the City of Merritt have not amended their Bylaws. In order to align the Fraser Valley IMBL Bylaw it was decided amongst all 11 original Fraser Valley IMBL Bylaw members to include the Village of Harrison Hot Springs but not the City of Merritt due to its geographical location. The 9 participants that have the City of Merritt in their bylaw have agreed to remove the City of Merritt from the Fraser Valley IMBL. Staff do not anticipate any negative budget impacts from removing this municipality. Each of the 11 original member municipalities must adopt a new, or amending bylaw prior to January 1, 2024. Rather than making amendments to the current bylaw, for simplicity, staff prepared a new bylaw to replace the current consolidated bylaw. In addition to removing City of Merritt from the list of participating municipalities, there were a number of housekeeping updates made including the following:

- Replacing “Intermunicipal” with “Inter-municipal” throughout the bylaw to align with other municipalities’ bylaws;
- Including bylaw name citation section;
- Updating definitions of “Mobile Business” and “Inter-municipal Business Licence” to align with other municipalities’ bylaws;
- Correcting various typos.

### Background

The IMBL allows contractors to carry on business in any of the participating municipalities without obtaining separate municipal business licences. This reduces the cost of doing business for contractors, streamlines the licensing process, and makes it easier for contractors to do business in the participating municipalities.

Currently the Fraser Valley IMBL partnership includes, the City of Langley, City of Abbotsford, City of Chilliwack, City of Delta, District of Hope, District of Kent, Township of Langley, City of Maple Ridge, District of Mission, City of Pitt Meadows, City of Surrey, City of Merritt and Village of Harrison Hot Springs. The revenue generated from IMBLs is shared on the basis that the principal municipality (i.e. where the contractor is located) retains 90 percent of the business licence fee revenue and the remaining 10 percent is evenly distributed amongst the other participating municipalities.



**INTER-MUNICIPAL BUSINESS  
LICENCE BYLAW, 2023, NO. 3246**

A Bylaw to enter into an Inter-municipal Business Licence Scheme.

WHEREAS Fraser Valley municipalities wish to enter into an agreement with one another to permit certain categories of Businesses to operate across municipal jurisdictions within the Fraser Valley region while minimizing the need to obtain a separate Municipal Business Licence in each jurisdiction;

AND WHEREAS each of the undersigned local governments (herein called singularly the Participating Municipality or as a group the “Participating Municipalities”) has adopted this Bylaw;

NOW THEREFORE the Council of the City of Langley, in open meeting assembled, enacts as follows:

1. There is hereby established an Inter-municipal Business Licence scheme, pursuant to section 14 of the *Community Charter*, and according to the terms and conditions of this Bylaw.
2. This Bylaw may be cited for all purposes as “Inter-municipal Business Licence Bylaw, 2023, No. 3246”.
3. In this bylaw:
  - (1) “Business” has the meaning as defined by the *Community Charter*;
  - (2) “Community Charter” means the Community Charter, S.B.C. 2003, c. 26;
  - (3) “Mobile Business” means a trades contractor or other professional related to the construction industry or a contractor that performs maintenance and/or repair of land and buildings from other than their Premises;
  - (4) “Inter-municipal Business Licence” means a business licence which authorizes a Mobile Business to be carried on within the jurisdictional boundaries of any or all of the Participating Municipalities in accordance with this Bylaw and will be in addition to a Municipal Business Licence;
  - (5) “Municipal Business Licence” means a licence or permit, other than an Inter-municipal Business Licence, issued by a Participating Municipality that

authorizes a Business to be carried on within the jurisdictional boundaries of that Participating Municipality;

- (6) “Participating Municipality” means those of the following municipalities that have adopted this Bylaw:

City of Abbotsford	Township of Langley
City of Chilliwack	City of Maple Ridge
City of Delta	City of Mission
District of Hope	City of Pitt Meadows
District of Kent	City of Surrey
City of Langley	Village of Harrison Hot Springs

- (7) “Person” has the meaning as defined by the *Interpretation Act*, RSBC 1996, c. 238;
- (8) “Premises” means a fixed or permanent location where the Person ordinarily carries on Business; and
- (9) “Principal Municipality” means the Participating Municipality where a Business is located or has a Premises.
4. Subject to the provisions of the Inter-municipal Business Licence Bylaw, the Participating Municipalities will permit a Person who has obtained an Inter-municipal Business Licence to carry on Business within any Participating Municipality for the term authorized by the Inter-municipal Business Licence without obtaining a Municipal Business Licence in the other Participating Municipalities.
  5. A Principal Municipality may issue an Inter-municipal Business Licence to an applicant for an Inter-municipal Business Licence provided the applicant is a Mobile Business and meets the requirements of this Bylaw in addition to the requirements of the Municipal Business Licence bylaw of the Principal Municipality.
  6. Notwithstanding that a Person may hold an Inter-municipal Business Licence that would make it unnecessary to obtain a Municipal Business Licence in other Participating Municipalities, the Person must still comply with all other regulations of any municipal business licence bylaw or regulation in addition to any other bylaws that may apply within any jurisdiction in which the Person carries on Business.
  7. A Person that operates a Mobile Business may only apply for an Inter-municipal Business Licence from the Participating Municipality in which they maintain a Premises.

8. Neither this Bylaw nor the issuance of an Inter-municipal Business Licence eliminates a requirement of a holder of an Inter-municipal Business Licence to obtain a Municipal Business Licence for each Premises that is maintained within the jurisdiction of the Participating Municipality.
9. The Inter-municipal Business Licence fee is \$250 and is payable to the Principal Municipality. The Inter-municipal Business Licence fee is separate and additional to any Municipal Business Licence that may be required.
10. Notwithstanding that some Participating Municipalities pro-rate their Municipal Business Licence fee, the Inter-municipal Business Licence fee must not be pro-rated.
11. The revenue generated from the Inter-municipal Business Licence fees is shared amongst all Participating Municipalities using the revenue sharing formula referred to in Schedule "A" of this Bylaw.
12. The Participating Municipalities agree that the revenue sharing formula will be reviewed from time to time, and will be altered as necessary upon agreement of all Participating Municipalities.
13. The revenue generated from Inter-municipal Business Licence fees collected by the Participating Municipalities will be distributed by each Participating Municipality to the other Participating Municipalities as follows:
  - (a) The revenue generated from Inter-municipal Business Licence fees collected from January 1 to December 31 inclusive will be distributed by February 28 of year following the year in which the fees were collected.
14. The term of the Inter-municipal Business Licence is the same as the term for the Municipal Business Licence issued by the Principal Municipality for that Business category.
15. An Inter-municipal Business Licence issued within the 12 month term of the Inter-municipal business licence scheme established by this Bylaw shall, until its term expires, remain valid within the jurisdictional boundaries of any or all of the Participating Municipalities.
16. Each Participating Municipality shall provide the other Participating Municipalities with information regarding the Inter-municipal Business Licences that it issues by way of regular updates on a shared database that is available to all Participating Municipalities.
17. A Participating Municipality may exercise the authority of the Principal Municipality and suspend an Inter-municipal Business Licence in relation to conduct by the holder within the Participating Municipality which would give rise to the power to suspend a business licence under the *Community Charter* or the Municipal Business Licence bylaw or regulation of the Participating Municipality. The suspension shall be in effect throughout all of the Participating Municipalities and it shall be unlawful

for the holder to carry on the Business authorized by the Inter-municipal Business Licence in any Participating Municipality for the period of the suspension.

18. If the Council of a Participating Municipality is of the opinion that reasonable cause exists to cancel an Inter-municipal Business Licence issued by another of the Participating Municipalities, then it may by resolution reciting the details of such reasonable cause request the Principal Municipality that issued the licence to consider whether or not the licence should be cancelled pursuant to section 15 or section 60(2) of the *Community Charter*.
19. Any resolution made under section 18 of this Bylaw shall be communicated in writing to the Principal Municipality that issued the Inter-municipal Business Licence, together with such documentary evidence of the reasonable cause as may be available, and such Principal Municipality shall as soon thereafter as reasonably possible consider whether the Inter-municipal Business Licence should be cancelled.
20. In making any decision as to whether to cancel an Inter-municipal Business Licence under section 19 of this Bylaw or section 15 or section 60(2) of the *Community Charter*, the Principal Municipality shall approach the matter as if the conduct complained of had occurred within its own jurisdictional boundaries.
21. The Principal Municipality will retain the authority to hear related reconsiderations or appeals of suspensions and cancellations of Inter-municipal Business Licences.
22. Nothing in this Bylaw affects the authority of a Participating Municipality to suspend or cancel any business licence issued by that municipality or to enact regulations in respect of any category of Business under section 15 of this *Community Charter*.
23. The invalidity or unenforceability of any provision of this Bylaw shall not affect the validity or enforceability of any other provisions of this Bylaw any such invalid or unenforceable provision shall be deemed to be severable.
24. In the event of an inconsistency between this Bylaw and any other bylaw relating to business licencing of a Participating Municipality, the provisions of this Bylaw shall take precedence.
25. "Intermunicipal Business Licence Bylaw, 2012, No. 2898" and any amendments thereto are hereby repealed.

This Bylaw shall come into force and take effect on the 1<sup>st</sup> day of January, 2024.

READ A FIRST, SECOND AND THIRD TIME this fourth day of December, 2023.

FINALLY ADOPTED this      day of      , 2023.

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**MAYOR**

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**CORPORATE OFFICER**

## **SCHEDULE A**

The revenue generated from Inter-municipal Business Licence fees is shared based on the following formula:

The Principal Municipality is to retain 90% of the fee collected and the remaining 10% is to be evenly distributed to the remainder of the Participating Municipalities.