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AN ACT TO PROVIDE FOR THE APPOINTMENT OF TRADE
LICENSE BOARDS

(Assented to 14th March, 1928)

HIS MAJESTY, by and with the advice and consent of the
Legislative Assembly of the Province of British Columbia,
enacts as follows:-

1. This Act may be cited as the "Trade License Board
Act".

2. In this Act, unless the context otherwise requires:-
"Municipality" means any municipal area incorporated
as a municipality under the provisions of the "Municipi-
palities Incorporation Act" or any other public or
private Act of the Legislature:

"The Municipal Council" or "the Council" or
"Council" means the Mayor and Aldermen or the Reeve
and Councillors of a municipality; and in any
municipality having a Board of Control shall include
the Controllers:

"Board" means the members of the Trade License
Board as contemplated and authorized to be established
under this Act.

3. The Lieutenant-Governor in Council, upon written
request of the Municipal Council of any municipality, may
authorize and constitute a Trade License Board for such
municipality. Such Board shall consist of three members,
of whom one shall be appointed by the Lieutenant-Governor
in Council, one by the Municipal Council of such municipality,
and the third shall be by virtue of his office the Mayor
or Reeve or the Acting-Mayor or Acting-Reeve of such munic-
ipality. Upon any such Board being authorized and constituted as
aforesaid, it shall thereby be vested with and deemed to have

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all the powers, and the exclusive exercise thereof, as given to such municipality under the "Municipal Act", or, in case of the City of Victoria, under the "Victoria City Incorporation Act," or, in case of the City of Vancouver, under the "Vancouver Incorporation Act, 1921," to issue, transfer, renew, or cancel any license or licenses to do business in any such municipality, and to regulate the conduct of business therein, and to fix, charge, and collect fees therefor. Such fees shall be accounted for and paid to such municipality by the Board as and when received.

4. The conduct and procedure of the Board shall be subject to rules and regulations made by the Lieutenant-Governor in Council.

5. The member of the Board appointed by the Lieutenant-Governor in Council shall hold office during pleasure; and the member of the Board appointed by a Municipal Council shall hold office for a term of three years, but shall be removable at any time by a two-thirds vote of such Municipal Council; and such Council shall thereupon be empowered to appoint a new member of the Board in his place for a term of three years.

6. In addition to all or any such powers as may be vested in a Board pursuant to section 3 of this Act, such Board may refuse to issue, continue, transfer, or renew a license to do business to any person, firm, or corporation if in the opinion of the Board it be not advisable in the public interests of the municipality for which it functions to do so, having in view:-

- (a) The better regulation, distribution, or zoning in such municipality of the class of business concerned, and the area or street upon which such business is intended to be done or is being done:

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- (b) The condition and keeping of the premises in or upon which such business is to be done or is being done:
- (c) The nature of the merchandise or food products or produce kept or to be kept, handled, or offered for sale in such premises:
- (d) The source of supply, or the manner of production or preparation or handling of such merchandise or food products or produce from a health or sanitary standpoint:
- (e) The character or physical condition of the applicant for or holder of the license in question as regards fitness for the nature of the business involved from a health or sanitary standpoint:
- (f) Inability to keep, or persistent failure to keep, proper books accounting for sales made or to be made in connection with such business.

7. In any municipality the Board may class and deal with tenant farmers or other persons or their agents who occupy or use land in such municipality under lease, or for any definite or indefinite term by let or leave or sufferance, for the purpose of growing for sale any grain, fruit, vegetables, or other agricultural products of the soil; or for raising or producing thereon or therefrom for sale any cattle, swine, poultry, eggs, honey, or dairy products, as if they were wholesale, or wholesale and retail, or retail merchants or traders doing business in such municipality.

8. The Lieutenant-Governor in Council may extend the application of this Act to any such unorganized districts and non-municipal areas of British Columbia as may be thought advisable; and for such purpose may appoint a License

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Commissioner with full powers as given to a Board under this Act, and such License Commissioner shall exercise such powers in and for any such district or area.

9. The Lieutenant-Governor in Council may make such regulations from time to time as may be deemed advisable for carrying this Act into effect. The salary (if any) to be paid to a member of a Board appointed by the Lieutenant-Governor in Council shall be fixed and authorized by the Lieutenant-Governor in Council; and the salary (if any) to be paid to a member of a Board appointed by a Municipal Council shall be fixed and authorized by such Municipal Council.
