

LICENCE

Chapter 501 BUSINESS LICENCE FEES

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WHEREAS it is deemed expedient to exercise the powers conferred on Council by the *Municipal Act, 2001*, S.O. 2001, c. 25.

**Article 1
INTERPRETATION**

501.1.1 Application - defined

“application” shall include an application for a licence or renewal of a licence on the form provided by the Manager of Licensing and where permitted by the Manager of Licensing shall also include a verbal request for renewal of a licence.

501.1.2 Chapter - defined

“Chapter” shall refer to a by-law of the City which has been incorporated into The City of Kitchener Municipal Code and assigned a chapter number therein unless inconsistent with the context in which the word is used.

501.1.3 City - defined

“City” means The Corporation of the City of Kitchener.

501.1.4 Council - defined

“Council” means the Council of The Corporation of the City of Kitchener.

501.1.5 Late fee - defined

“late fee” means the fee payable upon application by an applicant, who in the previous calendar year held a licence respecting the same business at the same location that is noted on the submitted application, where application is not made or the fee therefor is unpaid by March 15th of the current year. By-law 2004-262, 6 December, 2004.

501.1.6 Manager of Licensing - defined

“Manager of Licensing” means the Manager of Licensing appointed by Council of the City or in his/her absence the City Clerk appointed by Council of the City. By-law 2004-262, 6 December, 2004; By-law 2006-227, 27 November, 2006.

501.1.7 Original fee - defined

“original fee” means the fee payable upon application by an applicant who has not in the previous calendar year held a licence respecting the same business at the same location that is noted on the submitted application.

501.1.8 Person - defined

“person” includes a corporation and a partnership and the heirs, executors, administrators and other legal representatives of a person to whom the context can apply according to law.

501.1.9 Renewal fee - defined

“renewal fee” means the fee payable upon application by an applicant, who in the previous calendar year held a licence respecting the same business at the same location that is noted on the submitted application, where application is made and the fee therefor is paid by March 15th of the current year.

**Article 2
GENERAL PROVISIONS****501.2.1 Fees - set out - Schedule ‘A’ - payment upon application**

Subject to Section 501.2.5 and Section 501.2.6, each person, applying for a licence in respect of a trade, occupation, calling or business, shall pay the fee set out in Schedule ‘A’ hereto unless another fee is specifically prescribed in the Chapter respecting licensing of that particular trade, occupation, calling or business. Fees paid shall be returned to the applicant if the application for a licence is denied.

501.2.2 Fees - Schedule ‘A’ - annual

All licence fees set out in Schedule ‘A’ hereto are annual fees unless otherwise indicated.

501.2.3 Refunds - formula - conditions

Subject to Section 501.2.4, in those cases where a licence is surrendered by a person ceasing operation, and not due to Council’s revocation of said licence, the licence fee shall be partially refunded according to the following formula:

- (a) for a person ceasing operation from January 1st to March 31st in any year - for surrender - 75 per cent of the annual fee;

- (b) for a person ceasing operation from April 1st to June 30th in any year - for surrender - 50 per cent of the annual fee; and
- (c) for a person ceasing operation from July 1st to December 31st in any year - for surrender - no refund.

501.2.4 No refund - conditions

No refund shall be given for any licence for which the fee payable for the full year is Fifty Dollars (\$50) or less; nor for any licence for which a per diem fee is charged, nor for any licence issued in respect of a trade, occupation, business or undertaking which is normally operated on a seasonal or part-time basis nor for an auctioneer's or permanent vendor's licence.

501.2.5 Fee - calculation - charitable organization - or affiliate

Where an application is made for a licence by a recognized, registered *bona fide* charitable organization or where an application is made by an accredited entity or listed affiliate in relation to an event designated as a Civic Celebration by Council, the fee to be paid for such licence shall be the sum of 10 per cent of the fee that would otherwise be payable. In cases of doubt as to the application of this Section, the Manager of Licensing shall refer the application to Council for decision and Council's decision shall be final and binding.

501.2.6 Multiple fees - same location - fee reduction

Where an applicant pays or is required to pay licensing fees for more than one licence with respect to the same business location and where an inspection under one licence application satisfies an inspection requirement of another licence application, Council hereby delegates authority to the Manager of Licensing, and directs the Manager of Licensing to:

- (a) refund to the applicant the portion of any licensing fee paid as necessary to ensure that the applicant only pays one time for each required inspection; or
- (b) to waive payment of the portion of any licensing fee payable as necessary to ensure that the applicant only pays one time for each required inspection.

501.2.7 Inspection - Manager of Licensing - discretion

The necessity of an inspection referred to in Section 501.2.6 will be in the sole discretion of the Manager of Licensing.

**Article 3
VALIDITY**

501.3.1 Severability

It is hereby declared that each and every of the foregoing Sections of this Chapter including the provisions of Schedule 'A' hereto and each licensing fee therein is severable and that, if any provisions of this Chapter should for any reason be declared invalid by any court, it is the intention and desire of Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

**Article 4
ENACTMENT**

501.4.1 Effective date

This Chapter comes into force and effect on January 1, 2005. By-law 2004-262, 6 December, 2004.

BUSINESS LICENCE FEES

SCHEDULE

Schedule 'A' - Fees

2011 FEES			
Category	Original Licence Fee	Renewal Fee	Late Fee
Alternative Massage Centre	\$327	\$121	\$251
Complementary Health Care Organization	exempt	exempt	exempt
Amusement Arcade			
Class A - 10 or more Arcade Games	\$586	\$49	\$175
Class B - 6 to 9 Arcade Games	\$586	\$49	\$175
Class C - 3 to 5 Arcade Games	\$586	\$49	\$175
Class D - 10 to 16 Arcade Games as an accessory use to restaurant located in a building having a minimum gross floor area of less than 10,000 square metres (107,642.62 square feet) in a D-1 or D-2 zone	\$586	\$49	\$175
Class E - 6 to 9 Arcade Games as an accessory use to restaurant located in a building having a minimum gross floor area of less than 10,000 square metres (107,642.62 square feet) in a D-1 or D-2 zone	\$586	\$49	\$175
Class F - 3 to 5 Arcade Games as an accessory use to restaurant located in a building having a minimum gross floor area of less than 10,000 square metres (107,642.62 square feet) in a D-1 or D-2 zone	\$586	\$49	\$175
Class G - 3 or More Arcade Games with an Amusement Park	\$586	\$49	\$175
Amusement Places			
Class A - Bowling Alley	\$576	\$49	\$175
Class B - Roller skating rink, ice skating rink or curling rink	\$576	\$49	\$175
Class C - Dance hall, music hall, cabaret or any other place of amusement not specifically provided for herein	\$576	\$49	\$175
Class D - Miniature golf course or driving range	\$406	\$49	\$175
Class E - Shooting Gallery	\$576	\$49	\$175
Class F - Any other Place of Amusement not specifically provided for herein	\$576	\$49	\$175
Auctioneers	\$268	\$49	\$175
Body Piercing / Hair Establishment/Mobile Hairstylist / Mobile Nail Services Provider / Nail Shop / Tattoo Establishment			
Body Piercing Establishment	\$327	\$90	\$216

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Hair Establishment	\$436	\$90	\$216
Mobile Hairstylist	\$90	\$90	\$216
Mobile Nail Service Provider	\$49	\$49	\$175
Nail Shop	\$327	\$49	\$175
Tattoo Establishment	\$327	\$49	\$175
Bill Posters - Sign Posters			
Bill Distributor - Samples			
Flyer Distributor	\$316	\$49	\$175
Sample Distributor	\$316	\$49	\$175
Billiard Parlours	\$327	\$49	\$175
Buskers	\$46	\$29	\$46
Drain Layers	\$88	\$49	\$175
Driving School Operations Instructors and Employees			
Driver Training School Instructor	\$46	\$46	\$71
Driver Training School Operator	\$388	\$124	\$250
Exhibition, Circus, Carnival, Festival or Permanent Outdoor Concert Facility			
Class A - a circus or travelling circus, menagerie, wax works or any travelling show	\$536	\$536	\$536
Class B - carnival or midway	\$441	\$441	\$441
Class C - circus-riding, rope-walking, dancing, tumbling or other gymnastic or acrobatic performance, or any other exhibition or show not specifically provided for in this Chapter.	\$86	\$86	\$86
Class D - Festivals, neighbourhood festivals and cultural festivals	\$86	\$86	\$86
Class E - Outdoor Concert	\$601	\$601	\$601
Class F - Permanent Outdoor Concert Facility	\$593	\$49	\$175
Fireworks Vendor - Class 'A'	\$444	\$444	\$444
Fireworks Vendor - Class 'B'	\$179	\$77	\$175
Fireworks Vendor - Class 'C'	\$359	\$77	\$175
Food Shop (includes Bake Shop and Caterer)	\$284	\$49	\$175
Itinerant, Temporary and Permanent Vendors and Temporary and Permanent Markets			
Farmer	\$138	\$138	\$138
Itinerant Vendor	\$291	\$72	\$223
Permanent Retail Market	\$635	\$635	\$635
Permanent Vendor	\$325	n/a	n/a
Temporary Retail Market (maximum annual fees - \$3,617)	\$461 (for up to 3 consecutive days)	\$461 (for up to 3 consecutive days)	\$461 (for up to 3 consecutive days)

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Temporary Vendor (maximum annual fees - \$1,323)	\$449 <small>(for up to 3 consecutive days)</small>	\$449 <small>(for up to 3 consecutive days)</small>	\$449 <small>(for up to 3 consecutive days)</small>
Kennels / Doggie Day Care / Pet Shops			
Boarding Kennel	\$388	\$121	\$247
Breeding Kennel	\$388	\$121	\$247
Doggie Day Care - Class I - 9 or less	\$388	\$121	\$247
Doggie Day Care - Class II - 10 or more	\$388	\$121	\$247
Pet Shop	\$477	\$111	\$237
Laundries and Dry Cleaners			
Dry-cleaning Establishment	\$586	\$219	\$345
Launderette	\$586	\$219	\$345
Laundry person	\$586	\$219	\$345
Lodging House	\$862	\$700	\$825
Meat Establishment	\$406	\$49	\$175
Milk Vendor	\$406	\$49	\$175
Old Gold (including Old Jewelry)	\$378	\$110	\$236
Pawnbroker	\$601	\$49	\$175
Places of Refreshment			
Class A - Places of Refreshment for which a licence to sell liquor has been issued under the <i>Liquor Licence Act</i>	\$586	\$49	\$175
Class B - Places of Refreshment on the premises of a school, college or university where refreshments are sold only to the students and employees of such school, college or university	\$586	\$49	\$175
Class C - All other Places of Refreshment	\$586	\$49	\$175
Plumbing Contractors and Master Plumbers			
Master Plumber	\$88	\$49	\$175
Plumbing Contractor	\$88	\$49	\$175
Portable Sign Leasing	\$241	\$49	\$175
Public Halls	\$584	\$219	\$353
Refreshment Vehicles			
Canteen Refreshment Vehicle	\$304	\$83	\$209
Cycle Refreshment Vehicle Driver	\$65	\$65	\$65
Cycle Refreshment Vehicle	\$328	\$108	\$234
Extension of Use Refreshment Vehicle	\$270	\$270	\$270
Farmer Refreshment Vehicle	\$138	\$138	\$138
Market Refreshment Vehicle	\$475	\$252	\$378
Mobile Refreshment Vehicle	\$304	\$83	\$209

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Special Event	\$220	\$220	\$220
Stationary Refreshment Vehicle	\$947	\$657	\$783
Snow Disposal Site	\$519	\$519	\$519
Special Sales	\$101	\$101	\$101
Street Photographer and Transient Photographer			
Street Photographer	\$268	\$49	\$175
Transient Photographer	\$268	\$268	\$268
Theatres			
Class A - Drive-In	\$410	\$49	\$175
Class B - Theatre	\$581	\$219	\$345
Class C - Multiple Screen Theatre	\$581	\$219	\$345
Class D - Exhibition of film or standard film in other than a theatre	\$533	\$533	\$533

By-law 2011-128, 29 August 2011; Schedule 'A'.