

CITY OF WEST KELOWNA

BYLAW NO. 0087.18

A BYLAW TO AMEND THE BUSINESS LICENSING AND REGULATIONS BYLAW

WHEREAS the Council of the City of West Kelowna desires to amend the City of West Kelowna Business License and Regulations Bylaw No. 0087,

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna in open meeting assembled, hereby enacts as follows:

1. Citation

This Bylaw may be cited as the “City of West Kelowna Business Licensing and Regulations Amendment Bylaw No. 0087.18, 2026”.

2. Amendments

The “City of West Kelowna Business Licensing and Regulation Bylaw No. 0087” is hereby amended as follows:

2.1 By adding the following definitions to Section 1.2 - Definitions alphabetically:

‘Licence’ means a business licence issued by the City to operate a business under this bylaw, and is limited to an initial licence, or a renewal licence.

‘Marine Launch Licence’ means an annual licence issued by the City to a Marine Category Business allowing launching and loading activities of watercraft at the Gellatly Boat Launch under specific conditions.

‘Marine Category Business’ means any business including, but not limited to, General Commercial Marine operators, Pile Driving, Boat Tours, Passenger Vessels, Parasailing, Marine Sales, Boat Club Services, Marine Storage & Valet Services and Marine Watercraft Rental Services,

‘Watercraft’ means any motorized boat, or any other non-motorized craft used or capable of being used for navigation on water.

2.2 By adding the following new section: **‘SECTION 13 – MARINE LAUNCH LICENCE’** after Section 12 and renumbering the remaining sections.

2.3 By adding the following subsection 13.1:

13.1 A **‘Marine Category Business’** must not carry on any launching or loading of **‘watercraft’** or picking up commercial passengers, and dropping off commercial passengers, at Gellatly Boat Launch, located at 4095 Gellatly Rd, unless the Business holds a valid **‘Marine Launch License’** issued under the provisions of this Bylaw.

2.4 By adding the following subsection 13.2:

13.2 A Marine Launch Licensee shall:

- (a) Hold a valid Business Licence under the provisions of the City of West Kelowna Business Licence and Regulation Bylaw no. 0087 as amended from time to time, and be in compliance with all other City Bylaws.
- (b) Use the license area for the purpose of launching boats or other watercraft, retrieving boats or other watercraft, picking up commercial passengers, and dropping off commercial passengers, and for no other purpose unless authorized by the City in writing under further “Licenced Activities”
- (c) Allow the City the right to limit access across the lands as may be required for City purposes.
- (d) Maintain the licence area in a tidy condition at all times, remove all garbage debris associated with business activities.
- (e) Arrange an off-site method of executing rental agreements, performing inspections, and while performing any watercraft orientations, refueling or maintenance. These activities are not permitted within the lands and license area.

2.5 By adding the following subsection 13.3:

13.3 A Marine Launch Licensee shall not:

- (a) Permit any commercial activity to take place on the lands or licenced area other than activities as outlined herein. Licensee shall not store any equipment, vehicles or possessions on the lands or license area and furthermore shall not block access to the lands or license area.
- (b) Take priority access of the lands or license area over members of the public. When a licensee enters the license area, they must enter the queue like all other members of the public.
- (c) Sell tickets, solicit business or advertise on City property or the Marine License Area.
- (d) Occupy the License Area for longer than the time reasonably required to complete the Licenced Activities, and in no case any longer than **15 minutes per watercraft launch.**

2.6 By adding the following subsection 13.4:

13.4 The Licence is subject to immediate cancellation if the Licensee does not comply with the usage terms and/or conditions of the Licence.

2.7 By adding the following subsection 13.5:

13.5 Licence fees to be assigned as per the Fees and Charges Bylaw No.0028 (as amended from time to time).

2.8 By adding the following subsection 13.6:

13.6 Should the licence be terminated, cancelled or revoked by the City for any reason, the City will not refund licence fees to the licensee.

2.9 By adding the following subsection 13.7:

13.7 Insurance

(a) The Licensee shall obtain and maintain annual Insurance policies on the terms and in the amounts set out in Section 13 of this Bylaw.

(b) The Licensee shall, throughout the Term, secure, maintain, and pay for general liability insurance protecting the City and the Licensee (without any rights of cross-claim or subrogation against the City) in the amount of \$5,000,000.00 per occurrence, all inclusive, and the insurance policy shall:

i. Name the City as an additional insured;

ii. Be maintained for a period ending twelve(12) months after this Agreement is terminated.

iii. State that the policy cannot be cancelled, lapsed, or materially changed without thirty (30) days written notice to the City.

iv. Be issued by a responsible insurance company licensed to do business in West Kelowna, British Columbia and who meets the reasonable approval of the City.

2.10 By adding the following subsection 13.8 and adding “Schedule B” map, as per Appendix A, attached to and forming part of this Bylaw:

13.8 ‘Licence Area’

The Gellatly Bay Boat Launch ‘License Area’ is legally identified as follows:

Civic Address: 4095 Gellatly Rd.

And indicated in shading on the attached map under Schedule B.

READ A FIRST TIME THIS 10TH DAY OF MARCH, 2026
READ A SECOND TIME THIS 10TH DAY OF MARCH, 2026
READ A THIRD TIME THIS 10TH DAY OF MARCH, 2026
ADOPTED

MAYOR

CORPORATE OFFICER

