



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: August 24, 2021

From: Mike Cain, Bylaw Services Manager

Bylaw No: 0087.13

Subject: **Amendment to the Business Licensing and Regulations Bylaw No. 0087**

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**Notice:** *In accordance with Section 59(2) of the Community Charter, prior to adoption of Business Licensing and Regulations Amendment Bylaw No. 0087.13, persons who consider they are affected by the bylaw will be provided an opportunity to make representation to Council.*

### RECOMMENDATION

**THAT** Council adopt “City of West Kelowna Business Licensing and Regulations Amendment Bylaw No.0087.13, 2021”.

### STRATEGIC AREA(S) OF FOCUS

Foster Safety and Well Being – to pursue policing and other services and foster safety and well-being.

### BACKGROUND

In April 2020, the *Community Charter* was amended to increase the maximum penalty permitted for bylaw offences prosecuted under the *Offence Act* from \$10,000 to \$50,000.

Business Licensing and Regulations Bylaw No. 0087 Offences and Penalties Section 12 currently limits the maximum penalty available for an *Offence Act* prosecution at \$2,000.

Increasing the maximum penalty permitted for a bylaw offence prosecution under the *Offence Act* significantly adds to the deterrent component of a bylaw. In addition, this ensures that the available penalty can be proportionate to the seriousness of the offence.

At the July 27, 2021 Council meeting, Bylaw No. 0087.13 was given three readings. The Bylaw is now before Council for consideration of adoption.

## COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
July 27 <sup>th</sup> 2021	<u>It was moved and seconded</u>  <b>THAT</b> Council gives first, second and third reading to the City of West Kelowna Business Licensing and Regulations amendment Bylaw No. 0087.13,2021. <u>CARRIED UNANIMOUSLY</u>	<b>C254/21</b>

### Alternate Motion:

**THAT** Council postpone adoption of City of West Kelowna Business Licensing and Regulations Amendment Bylaw No. 0087.13, 2021.

Should Council wish to postpone consideration of adoption, it is requested Council provide further direction.

### REVIEWED BY

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

### APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes  No

Attachments: Bylaw No. 0087.13