



ADMINISTRATIVE REPORT

Report Date: August 30, 2010
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Meeting Date: September 21, 2010

TO: Vancouver City Council
FROM: Chief Licence Inspector
SUBJECT: 2011 Business Licence, Vehicles for Hire and Animal Control Fees Report

RECOMMENDATION

- A. THAT Council approve amendments to the License By-Law, Vehicles for Hire By-Law and Animal Control By-Law as follows:
 - (i) increases in business licence fees, vehicles for hire licence fees and dog licence fees, generally in accordance with Appendix A;
 - (ii) increases in business license fees for marina operators who host live-aboard boats, reflecting an increase in residential property taxes in 2010, generally in accordance with Appendix A;
 - (iii) increases in service fees in each of these By-Laws, generally in accordance with Appendix B.
- B. THAT Council approve housekeeping amendments to the License By-Law, Vehicles for Hire By-Law and Vehicle Licensing By-Law generally in accordance with Appendix A.
- C. THAT Council request the Director of Legal Services to bring forward for enactment the necessary amendments to the License By-Law, Vehicles for Hire By-Law, Animal Control By-Law and Vehicle Licensing By-Law, generally in accordance with Appendix A and B, to take effect from and after January 1, 2011.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing recommendations.

COUNCIL POLICY

It is Council policy that fees recover the full cost of providing services or are equivalent to competitive charges where the fee is of a market nature.

PURPOSE

The purpose of this report is to seek Council's approval for increases to business, vehicles for hire and dog licence and service fees in the License By-Law, Vehicles for Hire By-Law and Animal Control By-Law for Year 2011, as well as certain housekeeping amendments.

BACKGROUND

In the fall of every year, the Licence office prepares administrative reports to Council proposing an inflationary adjustment in business licence fees and vehicles for hire licence fees which reflect the estimated increase in City costs for the following year. An increase in fees in the Animal Control By-Law, using the same inflationary adjustment, is also included in this report.

DISCUSSION

As part of the City's budget-building process, a general inflationary adjustment of 2.75 percent for revenues has been established. Therefore, a 2.75 percent increase (when rounded) is being proposed for business licence fees, vehicles for hire licence fees, dog licence fees and service fees in the License By-Law, Vehicles for Hire By-Law and Animal Control By-Law. The following are exceptions:

- Live-aboard licence fee increases which are based on increases in residential property taxes in 2010; and
- Charitable or non-profit business licence categories in Appendix C.

These exceptions are discussed below:

Live-Aboard Licence Fees

Since 1974, the City has levied a license fee on marina owners for each live-aboard boat moored at a marina. The purpose of this fee is to ensure that those marina operators who permit residents to live aboard their boats contribute to the provision of municipal services in a manner similar to those who occupy assessable real property and pay property taxes.

As boats used for live-aboard purposes are not assessable under the *Assessment Act*, an assessed value is not available on which to base the license fee. As such, Council approved the use of waterline boat length as a proxy for charging this fee.

In 1996, Council established a policy that live-aboard license fees be adjusted annually based on the increase in the municipal general purpose taxes levied on the residential property class in the prior year. In 2010, that increase is 4.1%. Consistent with Council policy, staff

recommends that the 2011 license fee be increased by 4.1%. The current and recommended live-aboard license fees for 2011 are presented in the table in Appendix A.

For comparative purposes, in 2010, property taxes on assessable residential premises in the Fairview Slopes and South False Creek area range from \$1,600 to \$2,400.

Charitable or Non-Profit Business Licence Categories

The charitable and non-profit licence categories in Appendix C of this report have previously been assessed fees well below an amount required to recover costs, and once again, no fee increase is being recommended for these licences.

Financial Implications

The aggregate revenue expected from the proposed 2.75 percent inflationary adjustment (when rounded) for Year 2011 business, vehicles for hire and dog licence fees and adjustments to service fees/charges in the License By-Law, Vehicles for Hire By-Law and Animal Control By-Law are shown in the table below.

Table 1 - Financial Implications

By-Law	Year 2010 Budget (\$)	Year 2011 Preliminary V1 Budget (\$)	Proposed Increase (\$)
License By-Law	13,033,300	13,391,700	358,400
Vehicles for Hire By-Law	486,700	500,100	13,400
Animal Control By-Law	842,400	865,200	22,800
Total	14,362,400	14,757,000	394,600

As indicated above, a 2.75% fee increase is estimated to generate approximately \$395,000 in additional revenue for the year 2011. The business licence, vehicles for hire and dog licence fees are not subject to GST and thus are not impacted by the Harmonized Sales Tax (HST). The only service fees in this report currently subject to the HST are maintenance and cremation fees at the Animal Control Shelter.

Housekeeping Amendments

The housekeeping amendments listed in the table below serve to clarify the nature of some fees and correct minor omissions.

Table 2 - Proposed Housekeeping Amendments

By-Law	Housekeeping Amendment	Justification
License By-Law	Delete the following business license categories: <ul style="list-style-type: none"> • Blind Peddler • Blind Retail Dealer • Club Manager of a Community Association • Junior Achievement of B.C. 	No licenses have been issued in the past 10+ years.
	In Section 23.1 - Peddlers, eliminate the badge requirement. Require all peddlers to produce a copy of their licence upon demand by customer and City enforcement staff.	Simplifies municipal requirements for peddlers.
	Define Community Association as indicated in Appendix A.	Includes charitable organizations incorporated under the Society Act and/or those registered under the Income Tax Act of Canada.
	For Newspaper Vending Machine and Vending Machine business licence categories in Schedule A, include "per machine" under Licence Term column.	Omission.
	Include "Residential Rental Unit" license category in Schedule A with a corresponding fee per unit of \$60 per annum.	Omission in amending By-Law No. 8737 (November 4, 2003).
	In Section 19.1 - Landlords, delete sub-section (4).	In October 2003, Council approved an amendment requiring owners (ie. Landlords) of one or more rented strata-titled suites to obtain a business licence. Sub-section 19.1(4) is in contradiction.
Vehicles for Hire By-Law	Under Section 20 - Pedicabs, include provision stipulating a maximum passenger capacity of two (2).	Required for enforcement purposes.
	In Section 7(6), replace <i>Motor Carrier Act</i> with <i>Passenger Transportation Act</i> .	To be consistent with Provincial legislation.
	In Section 6 (3) - Chauffeur's Permits, delete subsections (a) and (b) and replace with amended provision referring to TaxiHost Pro, the updated, consolidated taxi driver course at the Justice Institute of B.C. (Appendix A).	To be consistent with new, consolidated Taxi training program at the Justice Institute of B.C.
Vehicle Licensing By-Law	In Section 4, replace <i>Motor Carrier Act</i> with <i>Passenger Transportation Act</i> .	To be consistent with Provincial legislation.

Note: These proposed housekeeping amendments are generally in accordance with Appendix A.

CONCLUSION

Business licence fees, vehicles for hire licence fees, and service fees under these two By-laws, are adjusted annually to ensure full cost recovery of City administration and enforcement costs. Similar to 2010, this report also adjusts animal control license fees and service fees accordingly. With some exceptions, the report recommends an across-the-board increase in licence fees and service fees of 2.75 percent (when rounded) for Year 2011. This increase was established as a general inflationary adjustment through the City's budget-building process. An increase of 4.1 percent, reflecting the increase in residential property taxes in 2010, is recommended for live-aboard licence fees.

The report also recommends certain housekeeping amendments in the License By-Law, Vehicle for Hire By-law and Vehicle Licensing By-Law.

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APPENDIX A

DRAFT LICENSE BY-LAW AMENDMENTS

- With the exception of live-aboard boats and the charitable or non-profit categories in Appendix C, increase the business licence fees in Schedule A by approximately 2.75 percent, to be effective January 1, 2011.
- Increase the business licence fees charged to marina operators who host live-aboard boats by 4.1 percent, to be effective January 1, 2011, as indicated in the table below:

Length of Boat at Waterline	Proposed 2011 Fee	2010 Fee
<=21 feet	\$1,114	\$1,070
> 21 feet and <=26 feet	\$1,348	\$1,295
> 26 feet and <=31 feet	\$1,517	\$1,458
>31 feet and <= 37 feet	\$1,731	\$1,663
> 37 feet	\$1,909	\$1,834

- Amend service fees/charges as per Appendix B.
- Delete the following business license categories in Schedule A:
 - Club Manager of a Community Association which pays a \$2.00 licence fee under this Schedule
 - Junior Achievement of B.C.
 - Blind Peddler
 - Blind Retail Dealer
- Replace Section 23.1(1) and 23.1(2) with a single subsection similar to the following: Every peddler engaged in carrying on such business or trade must carry their business licence and must produce it to the Inspector, a police officer, or a customer upon request.
- In Schedule A, after "Community Association", delete "or similar organization incorporated under the "Society Act".
- In Section 2, define Community Association similar to the following: "Community Association" means a society or organization incorporated and in good standing under the Society Act, or registered as a charitable society or organization under the Income Tax Act.
- In Schedule A, for "Newspaper Vending Machine" and "Vending Machine" business licence categories, include "per machine" before per annum in Licence Term column.
- In Schedule A, include "Residential Rental Unit" license category with a corresponding fee per unit of \$60 per annum.
- In Section 19.1 - Landlords, delete sub-section (4).

DRAFT VEHICLES FOR HIRE BY-LAW AMENDMENTS

- Increase the vehicles for hire licence fees in Schedule A by approximately 2.75 percent, to be effective January 1, 2011.

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- Amend service fees/charges as per Appendix B.
 - Under Section 20 - Pedicabs, include provision similar to the following:
"A pedicab operator must carry no more than 2 passengers."
 - In Section 7(6), replace *Motor Carrier Act* with *Passenger Transportation Act*.
 - In Section 6.1(3) - Chauffeur's Permits, delete subsections (a) and (b) and replace with a single provision similar to the following:
"training designed to develop the driver's knowledge, skills, attitudes and ability to transport people with disabilities and using mobility aids, driver safety including assault avoidance and awareness, collision prevention and advanced geography through the TaxiHost Pro course for drivers provided by the Justice Institute of British Columbia, or other course approved by the Inspector."

DRAFT ANIMAL CONTROL BY-LAW AMENDMENTS

- Amend service fees/charges as per Appendix B.

DRAFT VEHICLE LICENSING BY-LAW AMENDMENTS

- In Section 4, replace *Motor Carrier Act* with *Passenger Transportation Act*.

APPENDIX B

**Proposed 2011 Amendments to Service Fees
(License By-Law, Vehicles for Hire By-Law & Animal Control By-Law)**

FEES & CHARGES	2011 Proposed (\$) (+2.75%)	2010 Current (\$)
LICENSE BY-LAW NO. 4450		
Schedule B - Miscellaneous Service Fees - Part 1		
Application fee for comments on a new liquor license or a permanent amendment to the liquor license:		
Base Fee	\$801	\$780
Incremental Fees:		
Neighbourhood notification	\$962	\$936
Staff held neighbourhood public meeting	\$1,656	\$1,612
Telephone survey	\$908	\$884
Schedule B - Miscellaneous Service Fees - Part 2		
Application fee for comments on a temporary amendment to liquor licence requesting later closing hours of operation	\$0.36 (per night per seat except that, despite the number of seats or the number of nights, the minimum fee will be \$77.00 and the maximum fee will be \$534.00)	\$0.35 (per night per seat except that, despite the number of seats or the number of nights, the minimum fee will be \$52.00 and the maximum fee will be \$520.00)
Application processing fee for comments on a temporary amendment to liquor licence requesting earlier opening hours of operation	\$77	\$75
Application processing fee for comments on a temporary amendment to liquor licence requesting any other change to a liquor licence	\$77	\$75
Application processing fee for comments on new liquor license or a permanent or temporary amendment to a liquor license requesting liquor service hours past midnight, or patron participation entertainment, for food primary establishments	\$77	\$75
Schedule B - Miscellaneous Service Fees - Part 3		
Request for copy of licence (Sec. 7.1)	\$5	\$5
Request for change of business name or business trade name (Sec. 7.2); and Request for change in business license category (Sec. 7.4)	\$10	\$10
Request for change of business address under licence (Sec. 7.3)	\$22	\$21
Temporary license for standard hours liquor establishment (Sec. 19.2A(10))	\$77	\$75
VEHICLES FOR HIRE BY-LAW NO. 6066		
Schedule A - Administrative Costs		
Transfer of Licence - Sec 11(4)	\$124	\$121
Replacement Plate - Sec 12(4)	\$23	\$22
Bicycle Courier Testing - Sec 15(1)	\$33	\$32

FEES & CHARGES	2011 Proposed (\$) (+2.75%)	2010 Current (\$)
ANIMAL CONTROL BY-LAW NO. 9150		
Schedule B - Fees and Charges		
License Fees		
Unaltered male or female dog	\$70	\$68
Altered male or female dog	\$37	\$36
Replacement tag	\$5	\$5
Impound Fees		
Fowl, other bird, rabbit or rodent	\$16	\$16
Licensed dog Reptile or other animal	\$80	\$78
Unlicensed dog	\$160	\$156
Licensed aggressive dog	\$295	\$286
Unlicensed aggressive dog	\$375	\$364
Maintenance Charges		
Fowl, other bird, rabbit, or rodent	\$5 per day	\$5 per day
Exotic Bird (Amazon Parrots, African Grey, Cockatoos, Conures, Lorikeets and Macaws)	\$15 per day	\$15 per day
Dog	\$21 per day	\$20 per day
Aggressive dog	\$26 per day	\$25 per day
Reptile or other animal	\$27 per day	\$26 per day
Fees for Services		
General cremation:		
• under 10 pounds	\$27	\$26
• 11 to 65 pounds	\$51	\$50
• 66 to 150 pounds	\$82	\$80
Private cremation:		
• under 10 pounds	\$59	\$57
• 11 to 65 pounds	\$92	\$90
• 66 to 150 pounds	\$123	\$120
Additional cost to pick up of animal for cremation under 150 pounds	\$26	\$25
Urn	\$22	\$21
Adoption Fees		
Dog:		
• Up to 7 years of age;	\$257	\$250
• 7 or more years of age or with on-going medical conditions	\$77	\$75
Mouse, rat, hamster, gerbil and degu Farm poultry (chicken, rooster, duck) Pigeon and Dove	\$5	\$5
Budgie and Finch	\$10	\$10
Guinea pig Parakeet and Lovebird	\$16	\$16
Rabbit, chinchilla and hedgehog	\$27	\$26
Ferret	\$53	\$52

APPENDIX C

CHARITABLE AND NON-PROFIT LICENCE CATEGORIES IN LICENSE BY-LAW

Charitable and Non-Profit Business Licence Category	Business Licence Fee
C.N.I.B. Concession Stand	\$1
Community Association	\$2
Farmer's Market	\$10
Soliciting for Charity	\$10