**REPEALED BY THE DOING BUSINESS IN WINNIPEG BY-LAW NO. 91/2008**
**April 23, 2008**

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***CONSOLIDATION UPDATE: DECEMBER 19, 2007***

# THE CITY OF WINNIPEG

## THE CITY OF WINNIPEG LICENSE BY-LAW NO. 6551/95

**A By-law of THE CITY OF WINNIPEG to regulate, control and license the carrying on of certain businesses.**
*amended 116/2003*

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

## PART I: GENERAL LICENSING PROVISIONS

### SHORT TITLE

1. This By-law may be referred to as "**The City of Winnipeg License By-law**".

### DEFINITIONS

*amended 7539/99; 7609/2000*

2. In this By-law:

"**Act**" means *The City of Winnipeg Charter.*
*amended 8162/2002*

"**amusement device**" means any equipment, machine or instrument which may be used or operated for entertainment, and without restricting the generality thereof includes all video games, electronic games, television games, pinball machines, flipper games and marble machines but does not include mechanical rides, shuffleboards or any equipment, machine or instrument which is licensed under this by-law as a game.

"**amusement parlour**" means a room, building or place

(a) had or kept for the use of the members of a club or association; or

(b) to which the public is admitted;

in which five or more amusement devices, photo studios, automatic devices, strength testing machines or any combination of five or more are kept or operated for entertainment.

"**antique buyer**" means a person who, in the course of a business, purchases or accepts to sell on consignment, antiques or collectibles from persons other than dealers.

**"Appeal Committee**" means the committee referred to in clause 4(10)(f).
*added 116/2003*

"**auctioneer**" means any person other than an auctioneer's assistant who sells or offers for sale any real or personal property by public or private auction.

"**auctioneer's assistant**" means an auctioneer who is an employee of and who acts pursuant to the direction of an auctioneer who is licensed under this By-law.

**"awning"** means a shelter projecting from and supported by the wall of a building and designed to be collapsible, retractable, and constructed of fabric or other non-rigid material.
*added 7455/99*

**"awning and canopy installer"** means any person who installs, repairs or services any awning or canopy on any building, but does not include a licensed sign erector or window installer.
*added 7455/99*

"**banquet hall**" means any building or portion of a building which is hired or rented for wedding receptions, private banquets, socials or other like functions to which the public is not admitted and to which no direct fee is charged for admission.

"**barber shop**" means any building or part of a building where

(a) cuts, trims, styles, shampoos, or other treatments of the hair; or

(b) shaves, massages or other treatments of the face or scalp;

or any combination of those services are performed.

"**beauty salon**" means any place, room, building or part of a building where a person

(a) by hand or with the use of any mechanical application or appliance, cuts, curls, waves, permanently waves, cleanses, bleaches or dresses the hair of any person or provides other similar treatments to the hair; or

(b) by hand or with the use of any mechanical application or appliance, or by the use of cosmetic preparations, antiseptics, tonics, lotions, creams, or similar preparations or compounds, manicures nails or massages, cleanses or beautifies the scalp, face, neck, arms, or bust of any person.

"**bicycle dealer**" means a person who repairs or deals in second-hand bicycles or second-hand bicycle parts.

"**billiard parlour**" means any room, building or place to which the public is admitted, or any premises had or kept for the use of the members of a club, organization or corporation, in which a billiard table or pool table is kept, whether used or not.

**"Body Modification"** means the practice of physical body adornment by body piercing or tattooing including scarification and the insertion of implants but excluding piercing of the ear.
*added 40/2005 (effective January 1, 2006)*

"**Body Modification Establishment**" means any place or premise in which body modifications are performed.
*added 40/2005 (effective January 1, 2006)*

"**Body Modification Technician**" means any person licensed to conduct or practice body modification at a body modification establishment.
*added 40/2005 (effective January 1, 2006)*

"**bus**" means a vehicle let for hire and capable of conveying more than seven persons excluding the driver but does not include a vehicle operating along definite routes and forming part of or connected with the transit system of the City, unless such vehicle is by special agreement subject to licensing by the City.

"**bus stop**" means a section of roadway adjacent to the curb which is reserved for the loading and unloading of buses and where parking and stopping by all other vehicles is prohibited.

"**canopy**" means any non-retractable covered or enclosed rigid structural framework attached to and extending outward from a building including, and without restricting the generality thereof, structures such as theatre marquees but does not include any structurally integrated architectural feature such as lintels, sills, mouldings, architraves and pediments or any free-standing structures over petroleum pumps.
*added 7455/99*

"**canvasser**" means a person who calls in person on prospective customers to solicit orders for the purchase of goods, wares or merchandise of any kind for future delivery and who is not licensed as an itinerant salesman and whose trade is not specifically referred to elsewhere in this By-law.

"**carnival**" means a collection of side shows, rides, or games operating at the same time and place but does not include a collection consisting of five or fewer rides designed and operated to be used by children ten years of age or younger.

"**chimney sweep**" means a person who sweeps or cleans furnaces, flues or chimneys.

"**cinema**" means any building or portion of a building designed and used for the showing of motion pictures but does not include premises which are licensed as a concert hall.

"**City**" means The City of Winnipeg.

"**Director of Public Works**", "**Chief of Police**", "**Chief Licence Inspector**", "**City Clerk**", "**City Solicitor**", "**Director of Corporate Finance**", "**Director of Planning, Property and Development**", "**Director of Water and Waste**", "**Fire and Paramedic Chief**" and "**Manager of Development and Inspections**" mean the respective persons holding those positions in the employment of the City or their designates.

"**Standing Policy Committee on Property and Development**" means the Standing Committee of that name as established by Council pursuant to Section 33(1) of the Act.

"**Community Centre"** means a non-profit organization, governed by a volunteer board elected annually by the membership and being a member of the General Council of Winnipeg Community Centres, which is responsible for the operation of a community centre facility owned by the City for the purpose of providing recreation and leisure programs for its area residents.

"**Community Committee**" and "**Community**" mean one of the Community Committees or Communities established under Section 35 of the Act.

"**concert hall**" means any building, room, or portion of a building which is used for the holding or production of any dramatic or theatrical performance, musical program, recital or similar form of entertainment but does not include

(a) a school operated under *The Public Schools Act*; or

(b) a building operated by a community centre;

where the only events permitted or conducted in that building relate to the activities of the school or the community centre or are for a charitable object; or

(c) premises which are licensed as a dance hall or banquet hall.

"**crane operator**" means any person who operates an overhead crane, aerial ladder or similar device on, near, adjacent to or over any public street but does not include a licensed awning and canopy installer, sign erector, window cleaner or window installer.

*added 7455/99*

"**crosswalk**" has the same meaning as in *The Highway Traffic Act.*

"**Council**" means the Council of the City.

"**dance hall**" means any building, room or portion of a building which is used for dancing and to which an admission is charged or at which any fee or monetary contribution is received from persons in attendance but does not include

(a) a school operated under *The Public Schools Act*; or

(b) a building operated by a community centre;

where the only dances permitted or conducted in that building relate to the activities of the school or the community centre or are for a charitable object; or

(c) space where dancing is permitted within a restaurant, hotel, banquet hall or dance school.

"**date**" means either of the two persons introduced for a period of companionship by a dating and escort service.

"**dating and escort service**" means any business which offers to provide or does provide an introduction between two persons for a period of companionship for which service a fee is charged, levied or otherwise imposed.

"**dog kennel**"

*repealed 7539/99*

"**drive-in theatre**" means a parcel of land designed and operated for the purpose of exhibiting motion pictures to be viewed by persons from motor vehicles parked in spaces provided.

"**escort**" means any person who acts as a date as part of a service provided by a dating and escort service.

"**flea market promoter**" means a person who, for compensation, provides stalls, tables, or other restricted areas for the display and sale to the public of second-hand or used goods or handicrafts, or any such goods in addition to other merchandise, for a temporary period but does not include a person who has been authorized by the Civic Charities Endorsement Bureau of The City of Winnipeg to do so for a charitable purpose.

"**food**" means any substance intended for human consumption and includes ice, water and other liquids.

"**food handling establishment**" means any place or self-contained area where either on a permanent or temporary basis

(a) food is produced, manufactured, processed, prepared or packaged;

(b) food, other than fruit, vegetables or that which is prepackaged, is stored, handled or served.

Without limiting the generality of the foregoing, the term includes a restaurant, delicatessen, catering establishment, producers' market, food salvage operation, liquor or water distillery, bottling plant, brewery or winery but does not include an outdoor mobile food vending unit, a hostel, the sale of food by a licensed transient trader or by an automatic vending machine, an establishment where only ice cream, ice milk or similar frozen products as prepared in a licensed ice cream freezer are sold or an establishment licensed by federal authorities to handle food.

Note: See also "limited food handling establishment" and "temporary food handling establishment"

"**food service establishment**" means a food handling establishment where food is served or prepared for immediate consumption either on or off the premises.

"**fowl**" includes all kinds of live domestic birds excepting

(a) pigeons; and

(b) baby chicks kept in pet shops or hatcheries.

"**furnace vacuum cleaner**" means a person who cleans furnaces or forced air conductors in any building by means of a pipe, hose or other apparatus which is strung, laid, or otherwise placed over or on any part of a street.

"**game**" means any equipment, machine or instrument which is played or operated for entertainment by

(a) manually throwing or moving balls, darts, discs; or

(b) projecting water or air.

"**hawker**" *repealed 222/2007*

"**hobby breeder**" *repealed 7539/99*

"**hostel**" means any building or portion of a building other than a private home where temporary sleeping accommodation with cooking facilities or meals is provided to adults or single mothers but does not include a hospital, a facility which is licensed or designated by the Manitoba Health Services Commission, a residential care facility or transient accommodation facility licensed by the Province of Manitoba, a psychiatric facility or institution as defined in *The Mental Health Act*, or a sanatorium.

"**house mover**" means a person who moves any building on or across any street within the City if the highest point of such building while being moved extends more than 4.15 metres above the surface of the street.

"**ice cream freezer**" means any machine which manufactures or processes ice milk, ice cream or similar frozen milk or cream products, but does not include a machine which is located in a pasteurization plant.

"**insulating machine**" means a power-driven apparatus used in insulating buildings against heat or cold which, during its operation, requires the stringing, laying or placing of any cable, wire, pipe, hose or other connection over or on part of a street.

"**intersection**" means the area embraced within the straight production of the lateral boundary lines of two or more streets that join one another at an angle, whether or not one such street crosses the other.

"**itinerant photographer**" means any person who goes about from place to place taking photographs and offering the photographs for sale whether by soliciting orders or otherwise but does not include a person who carries on a temporary operation on private property.

"**itinerant salesman**" means

(a) a person who as vendor or agent for the vendor, such vendor not having his principal place of business in the City, goes about from place to place within the City selling or offering goods for sale directly to the consumer, or soliciting orders from the consumer for goods; or

(b) a person who goes about from place to place within the City taking orders for goods to be made, grown or completed, in whole or in part, outside the City by any person not having his principal place of business in the City.

"**karting track**" means any track or premises in which miniature motor vehicles or "Go-Karts", the steering and speed of which is controlled by the rider, are operated, not including the premises of a licensed carnival.

"**laundry**" includes a laundromat and self-serve wash-and-dry establishment.

"**licence inspector**" means a person employed by the City of Winnipeg whose duties include the enforcement of this by-law, including the Chief Licence Inspector and his or her designates.

"**licensed premises**" means the premises in which the trade referred to in the context is carried on.

"**limited food handling establishment**" means a food handling establishment operated primarily as a snack bar or snack service which sells only

(a) coffee, tea, hot chocolate or beverages not containing milk, milk products or eggs, including those beverages prepared on the premises for immediate consumption, but not including cappuccino or similar milk based beverages;

(b) popcorn, including that which is made on the premises and seasoned with salt, butter, edible oils or similar products;

(c) candy, chocolate, nuts, chips, pretzels or similar snack food items or chewing gum, including those which are sold from bulk containers but not those which are otherwise handled or prepared on the premises.

The term does not include a food handling establishment where popcorn, nuts or fruit are coated or coloured or where food is produced, manufactured, processed, handled or prepared except as stated above.

"**livery stable**" includes any place where horses are boarded or kept for hire.

"**livestock dealer**" means a person carrying on that trade and not occupying any premises for that purpose within the City.

"**magazine salesman**" means a person, other than a newspaper carrier, who goes about from place to place selling or soliciting orders for magazines or other periodicals not printed and published in the City.

"**massage parlour**" means any premises, room or place in which the trade of massaging is carried on by more than one massagist.

"**massage parlour proprietor**" means any person who operates or carries on the trade of a massage parlour.

"**massage therapist**" means an individual who works at or carries on the trade of massaging and who has provided documentation to the Chief Licence Inspector to demonstrate that he or she has the qualifications referred to in clauses 4(17)(a) and (b).

"**massaging**" means kneading, rubbing, manipulating, touching or physically stimulating by any means, of a person's body or any part of the body with or without the use of mechanical or supplementary aids but does not include medical or therapeutic massage treatments given by a physiotherapist or chiropractor who is licensed or registered under the laws of the Province of Manitoba.

"**massagist**" means an individual who works at or carries on the trade of massaging, including any individual who assists in providing a massage, but not including an individual licensed under this by-law as a massage therapist.

"**mobile house**" means a motor vehicle that

(a) is so constructed as to be capable of being attached to, and drawn on highways by, a motor vehicle, or which can be propelled by a motor vehicle engine installed therein or thereon; and

(b) is intended to be used, and is used by persons for living, sleeping, eating, or business purposes, or any one or more or all of those purposes;

whether or not at any time it is removed from its wheels and other running gear, or has been jacked up and placed on temporary supports, or has been both so moved or jacked up and placed.

"**motor raceway**" means any parcel of land

(a) developed or prepared for the purpose of racing motor vehicles or motorcycles or for holding contests involving the operation of motor vehicles or motorcycles; and

(b) with accommodations for spectators.

"**oil supply service**" means the trade of supplying oil to any building by means of a pipe, hose or other apparatus which is strung, laid or otherwise placed over or on any part of a street.

"**outdoor mobile food vending unit**" means a vehicle, mobile cooking or food storage unit, pushcart, handcart or other similar device from which food is offered for sale and which is moved about from place to place or located on a street or at a temporary outdoor location other than upon premises licensed by the operator as a food handling establishment, but does not include

(a) a table, stall or area rented from a licensed flea market promoter or from a person who has been authorized by the Civic Charities Bureau of the City of Winnipeg to hold a flea market for charitable purposes; or

(b) a licensed food handling establishment.

"**park**" means an area or grounds set aside or used for the purpose of recreation or sports or both, together with any buildings, structures or facilities located thereon, and includes zoological gardens, botanical gardens and recreational areas.

"**pawnbroker**" means a person who

(a) lends money upon interest on the security of articles of personal property pawned or deposited with him under a pledge; or

(b) purchases and takes possession of articles of personal property under an agreement providing that the vendor may repurchase the articles within a specified period at a cost which exceeds the original purchase price.

"**pet shop**" means any place or premises in which animals or birds are sold as pets or kept for sale as pets.

"**plant stall**"

*repealed 222/2007*

"**poultry keeper**" means a person who keeps more than twenty fowl at one time.

"**precious metals dealer**" means a person who, in the course of business, purchases coins, precious stones, precious metals or plate from persons other than dealers.

"**produce**" means meat, fowl, eggs, butter, cheese, vegetables, fruit or any other products of the farm intended for human consumption.

"**psychic reader**" means a person who

(a) predicts or purports to predict fortunes or tells a person's character by such means as palmistry, sand, card or teacup reading, handwritten analysis or psychical phenomena; or

(b) gives lectures, lessons, readings or demonstrations in mind reading, psychology, spiritualism, or other similar subjects.

"**Public Health Inspector**" means a public health inspector appointed under *The Department of Health Act* or *The Public Health Act.*
*added 7609/2000*

"**rental unit**" means a room or series of complementary rooms designed for use as living accommodation under a single tenancy.

"**restaurant**" means any premises in which food is sold to the public for consumption on the premises.

"**rooming house**" means a building having a maximum height of three stories which

(a) was originally constructed for use by one or two families; and

(b) has been converted to contain more than two rental units;

but does not include a child care or residential care facility, home or centre which is licensed under subsection 12(1) of *The Social Services Administration Act* and its regulations.

"**second hand dealer**" means any person who stores or deals in second hand goods but does not include

(a) an auctioneer, when disposing of goods by auction; or

(b) a person who, as an incident of his usual business, merely accepts a second hand article as partial payment of the cost of another item of a similar nature on the basis of a one-for-one trade.

"**second hand goods**" mean used merchandise or building materials which are valued at a discount because of the wear and tear sustained from previous use.

"**sign**" means any writing, representation, emblem, or flag which is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or structure but does not include a mobile sign as defined in The City of Winnipeg Zoning By-law No. 6400/94.
*added 7455/99*

"**sign erector**" means a person who erects, repairs or services any sign.
*amended 7455/99*

"**soils dealer**" means a person who deals in loose soil, ashes, cinders, or manure.

"**souvenir book seller**" means a person who, in any concert hall, skating rink, arena, stadium or other place of public entertainment, sells or solicits orders for any book, pamphlet, brochure, or other publication referring to any drama, opera, play, exhibition, game, or other form of entertainment being given or performed, or to be given or performed at any place but does not include a person who, without payment for his services, sells or solicits such orders for or on behalf of any charitable or athletic organization.

"**souvenir seller**" means a person who, in any concert hall, skating rink, arena, stadium, or other place of public entertainment, sells or solicits orders for any souvenir, but does not include any person who, without payment for his services, sells or solicits such orders for or on behalf of any charitable or athletic organization.

"**street artist**" means a person who draws or produces art, handicrafts or other handmade goods on a street or in any public place on a temporary basis and sells or offers for sale only such goods at that location.

"**sunset**" means that time shown on the "Times of Sunrise and Sunset" tables contained in the current edition of Observer's Handbook, published by the Royal Astronomical Society of Canada, for the latitude +50 Degrees with the following adjustments:

(a) for any day of the year, by adding a latitude and longitude correction of 29 minutes; and

(b) on the first Sunday in April and any day between the first Sunday in April and the last Sunday in October, by adding an additional correction of one hour.

Where the "Times of Sunrise and Sunset" tables do not indicate a time of sunset for a specific date, the time of sunset shall be deemed to be the time applicable for the immediately prior date which appears on the table.

Example: where the dates shown on the table are January 23 and 27, the date of sunset for January 23 shall be deemed to apply to January 23, 24, 25 and 26.
*amended 6829/96*

"**tannery**" includes any premises in which hides are tanned, cured or otherwise preserved.

"**tattoo studio**" means any premises in which a permanent mark or design is made upon a person's skin by puncturing the skin and inserting a pigment or pigments.

"**temporary food handling establishment**" means a limited or other food handling establishment that operates at a fixed location for a period of not more than 14 consecutive days in conjunction with a single event or celebration.

"**tobacconist**" means a person who, as a retailer, sells or offers for sale cigarettes, tobacco, cigars, snuff or any tobacco products other than through an vending machine.

"**trailer park**" means an area that is intended to be used, and is used, primarily as a site for the placing or parking of mobile houses, and includes any buildings or other structures or facilities intended for, or to be used for, cooking, personal cleanliness, washing, health, or sanitation, or any one or more of those purposes.

"**transient trader**" means any person, whether occupying permanent or other premises elsewhere in the City or not, who offers goods for sale in premises in the City or in or from any railway freight car, automobile or other vehicle, or in any other place in the City where the carrying on of such business is for a temporary period only and whose trade is not specifically referred to elsewhere in this By-law. The expression "transient trader" also includes any person who commences any business in the City for the sale of goods, who has not resided in the City or occupied a place of business therein for a period of at least three months next preceding the commencement of such business, but does not include any commercial traveller selling or offering for sale by wholesale any goods, by sample cards, specimens or otherwise, for future delivery from some place outside the City any commercial traveller taking orders for any person or firm carrying on a wholesale business within the City nor the operator of a stall, table or other restricted area who displays and sells goods or merchandise to the public if the space so occupied is provided by a person licensed as a Flea Market Promoter or by a person who has been authorized by the Civic Charities Bureau of the City of Winnipeg to hold a flea market for charitable purposes.

"**used material collector**" means any person who goes about from place to place collecting or buying bottles, rags or junk.

"**used material yard**" means a store, yard or place where

(a) used motor vehicles are stripped of parts or accessories, or are stored or dealt in;

(b) used iron, steel, brass, copper, tin, lead or other used base metals are stored or dealt in; or

(c) old cordage, wires, rags, fibres, fabric, rubber, bottles or other glass, waste paper or other waste or discarded material which might be prepared to be used again in some form are stored or dealt in.

"**vehicle**" means an automobile, motor bicycle, truck, tractor, trailer, or any device drawn, propelled or driven by any kind of power, including muscular power, but does not include a handcart.

"**vending machine**" means

(a) any machine which is operated by insertion of money or a credit card which dispenses any merchandise including ice, food or drink but not including a machine that dispenses only sanitary napkins, tampons or prophylactics; or
*amended 7452/99*

(b) an automatic phonograph, lifting or strength testing machine, weighing machine or television unit which is operated by insertion of money or a credit card.
*amended 7452/99*

"**waste oil trucker**" means a person who transports used or waste motor vehicle lubricating oil or grease by means of a vehicle.

"**window installer**" means a person who installs, repairs or services any window or door on any building.
*amended 7455/99*

"**window washer**" means any person who washes or cleans any window but does not include a window installer.
*added 7455/99*

## PERSONS SUBJECT TO LICENCE

3. (1) No person shall carry on a business which is listed in Schedule A to this By-law without having a valid and subsisting licence from the City.

(2) Every licence shall be issued to a person to carry on a particular business either throughout the City or in specific premises in the City, as provided in this by-law.

(3) (a) Unless otherwise provided, where a business listed in Schedule A is carried on in more than one specific premise, a licence is required for each premise.

(b) Unless otherwise provided, where any premise contains more than one of any business or thing which is listed in Schedule A, each particular business or thing shall be licensed separately.

(4) (a) Every person licensed to carry on a business who leaves or places the active conduct and control of the business in the hands of a manager, employee or agent shall ensure that the manager, employee or agent complies with the provisions of this by-law relating to that business.

(b) Every person who carries on the active management of any licensed business as a manager, employee or agent shall comply with the provisions of this by-law relating to the business.

(5) (a) Every individual carrying on the business of a canvasser, itinerant photographer or itinerant salesman or working as an agent or employee in one of those businesses is required to obtain a separate licence to carry on the business in his personal capacity.

(b) No person shall engage an employee or agent to carry on the trade of a canvasser, itinerant photographer or itinerant salesman unless that employee or agent is licensed by the City to carry on the business.

(6) Every billiard or pool table, bowling alley, game, shuffleboard or amusement device had or kept in premises to which the public is admitted, whether used or not, or had or kept for the use of its members by any club, whether incorporated or not, shall be deemed to be kept for gain by the person who occupies and controls those premises.

(7) Every person who occupies and controls the premises in which a billiard or pool table, bowling alley, game or amusement device is had or located shall obtain a licence to operate same whether or not he is the owner of that device.

(8) Subsections (6) and (7) do not apply to:

(a) any billiard or pool table, bowling alley, game, amusement device or shuffleboard which is had or kept by a community centre for the use of its members; or

(b) a non-electric dart board;

which is operated without requiring payment of a fee or charge or insertion of a coin or token.

(9) No licence is required to hold a concert, recital, show or other entertainment in any part of a church or like regular meeting place for the holding of religious services, under the auspices of the persons in charge of the church or meeting place when all the artists or other performers are amateurs and the money charged or collected for or in connection with admission are to be used for the benefit of the church or meeting place.

(10) (a) Except as provided in clause (b), no licence is required by any person who holds a certificate of registration under Part VIII of *The Liquor Control Act,* to

(i) sell beverages, cigars, cigarettes, tobacco, candies, confectionery or magazines; or

(ii) operate an ice cream parlour, restaurant, cafe, billiard parlour or pool room containing not more than two billiard or pool tables;

in his registered hotel.

(b) Where a billiard or pool room contains more than two billiard or pool tables, the exemption for billiard or pool tables under clause (a) does not apply.

(11) This By-law does not apply to

(a) the sale of agricultural produce grown in Manitoba if the sale is made by the individual who produced it, a member of the immediate family of the individual, or another individual employed by the individual;

(b) the operation of a public utility that is governed by statute or that is carried on under an agreement between the operator of the utility and the city; and

(c) the carrying on of a railway.
*amended 8162/2002*

(12) (a) Every person delivering a commodity to a purchaser within the City shall be deemed to be dealing in that commodity in the City.

(b) This subsection does not apply to farm or market garden produce.

(13) Pursuant to paragraph 524(1)(v) of the Act, the provisions of this By-law do not apply to any billiard or pool table, bowling alley, game, shuffleboard or amusement device had or kept for the use of the members of the following clubs at the locations designated:

| | | | |
|---|---|---|---|
| (a) | Carlton Club | - | 280 Fort St. |
| (b) | Manitoba Club | - | 194 Broadway Av. |
| (c) | Young Men's Hebrew Association | - | 370 Hargrave St. |

| | | | |
|---|---|---|---|
| (d) | Army & Navy Veterans in Canada | - | 299 Young St. |
| (e) | Army & Navy Veterans in Canada, Fort Garry Unit | - | 279 Garry St. |
| (f) | The Royal Canadian Legion (B.E.S.L.) | - | all locations |
| (h) | Imperial Veterans in Canada | - | 280 St. Mary Av. |
| (i) | Winnipeg Winter Club | - | 200 River Av. |
| (j) | St. Joseph's Catholic Men's Sick Benefit Club of Winnipeg | - | 1476 Main St. |
| (k) | Canadian German Society | - | 386 McGregor St. |
| (l) | Mutual Friendship Society Inc. | - | 272 Sherbrook St. |
| (m) | Le Club Belge | - | 407 Provencher Blvd. |
| (n) | Taormina Club Inc. | - | 233 Cockburn St. |
| (o) | Furby Football Club Inc. | - | 627/629 Portage Av. |
| (p) | Manitoba Billiards and Snooker Association Inc. | - | 241 Vaughan St. |
| (q) | Italian Community Club Inc. | - | 551/553 Sargent Av. |
| (r) | The Headtable Club Inc. | - | 355 Donald St. |
| (s) | Campania Club Inc. | - | 866 Notre Dame Av. |
| (t) | The Oscar Wilde Memorial Society Inc. | - | 616 Broadway |
| (u) | Manitoba Peace Officers Assoc. | - | 177 Eugenie St. |

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|---|---|---|---|
| (v) | Polish Gymnastic Assoc. (Sokal) | - | 717 Manitoba Av. |
| (w) | Winnipeg Police Athletic Assoc. | - | 188 Princess St. |
| (x) | The Wildewood Club | - | 761 North Drive |
| (y) | Bomba Recreation Club Inc. | - | 611 Sargent Av. |
| (z) | Army Navy and Air Force Veterans in Canada | - | 3297 Portage Av. |
| (aa) | Ms. Purdy's Women's Club Inc. | - | 272 Sherbrook St. |
| (bb) | Retired Eagles Activities Club Inc. | - | 131 Dagmar Street |
| (cc) | Pembina Curling Club Inc. | - | 1341 Pembina Highway |
| (dd) | Canadian Hemophilia Society Manitoba Chapter Inc. | - | 932 Erin Street |
| (ee) | Polish Fraternal Society of St. John Cantius | - | 768-770 Mountain Avenue |
| (ff) | The Winnipeg Squash Racquet Company Limited | - | 275 Stradbrook Avenue |
| (gg) | Le Club La Verendrye | - | 614 Des Meurons Street |
| (hh) | Casa Benfica of Winnipeg Inc. | - | 940 Sherbrook Street |
| (ii) | Winnipeg Press Club | - | 331 Smith Street |
| (jj) | Fort Street Highrisers Club | - | 20 Fort Street |
| (kk) | Eritrean Community in Winnipeg Inc. | - | 597 Notre Dame Avenue |
| (ll) | Elim Chapel Fellowship | - | 299 Young Street |

(14) Those clubs which are exempted from licensing under subsection 3(13) shall advise the Chief Licence Inspector in writing each time a new officer, director or manager is appointed or hired.

(15) Clubs having or keeping billiard or pool tables, bowling alleys, games or one to four amusement devices may apply for an exemption from licensing under subsection 3(13) by completing and filing with the Chief Licence Inspector an application including the address and hours of operation of the club's premises, number and type of machines for which an exemption is sought, number of members in the club, method of restricting access to the club premises to members only, in addition to such other information and documentation as the Chief Licence Inspector may reasonably require.

(16) Clubs having or keeping a billiard or pool table shall file, in addition to the application, a certificate from the Record Review Board as defined in subsection 4(4) or from the Standing Policy Committee on Property and Development, stating that neither the applicant nor any of its officers or directors or its manager have been convicted of an offence which, in the opinion of that Board or Committee, indicates that the carrying on of the business of a billiard parlour by the applicant would be injurious to the public interest.

(17) Clubs having or keeping a bowling alley shall file, in addition to the application, a certificate of the Fire and Paramedic Chief or his designate that the premises have been examined and found in a fit condition and suitable for the purpose of carrying on that business.

(18) Each application for an exemption from licensing a billiard parlour shall be referred by the Chief Licence Inspector for the recommendation of the Community Committee for the area in which the business is to be carried on.

## PROCEDURE AND CONDITIONS OF LICENSING

4. (1) **Form of Application.** Applications for licences shall be made on forms supplied by the Chief Licence Inspector and shall contain the following information:

(a) the name, address and occupation of the applicant,

(b) the trade for which the licence is required,

(c) the location where the trade will be carried on,

(d) the period for which the licence is required,

(e) such other particulars relating to the trade as the Chief Licence Inspector may require.

(2) **Photograph Required.**

(a) Every applicant for a licence to carry on the trade of a dating and escort service, escort, massage parlour proprietor, massagist, or psychic reader shall provide, with the application, three coloured prints, not smaller than 4 cm. by 6 cm. and not larger than 9 cm. by 13 cm., of a recent photograph of the applicant's head and shoulders, with a statement signed by the applicant on the reverse side that the photograph is a true likeness.
*amended 7452/99*

(b) Where the applicant in clause (a) is a corporation, club, association, firm or partnership, photographs shall be provided of the applicant's officers or partners.

(3) **Zoning Compliance.**

(a) No licence shall be issued to carry on a trade within specific premises unless the use complies with the applicable land use controls of the City and the applicant first provides the written approval of the Director of Planning, Property and Development to the Chief Licence Inspector.
*amended 8162/2002*

(b) This subsection does not apply to licences for vending machines, ice cream freezers or shuffleboards.

(4) **Certificate of Record Review Board.**

(a) (i) In this subsection, "Record Review Board" means a committee composed of not less than three of the following members of the Winnipeg Police Service as identified in the regulations of that Service:

Superintendent of Division 11;
An Inspector from within the Crime Division;
Inspector of the Vice Division;
Supervisor of Bureau of Police Records.

(ii) The terms "Supervisor" and "Inspector" include an Acting Supervisor or Acting Inspector who has been designated by the Chief of Police to perform the usual functions of a Supervisor or Inspector in the absence of that officer and a Staff Inspector.

(b) In this subsection, "new licence" means:

(i) a licence to carry on a trade where no licence was issued to the applicant in the previous licence year for that trade; or

(ii) a licence to carry on a trade where the applicant had obtained a certificate pursuant to this subsection during the current or previous licence year, and that certificate was subsequently revoked.

(c) Except as otherwise provided, no new licence to carry on the trade of:

Amusement Parlour
Antique Buyer
Auctioneer
Auctioneer's Assistant
Banquet Hall
Bicycle Dealer
Billiard Parlour
Body Modification Establishment
Body Modification Technician
Concert Hall
Dance Hall
Dating and Escort Service
Escort
Hostel
Massage Parlour Proprietor
Massage Therapist
Massagist
Psychic Reader
Pawnbroker
Precious Metals Dealer
Second Hand Dealer
Used Material Yard

*amended 40/2005 (effective January 1, 2006)*

shall be issued unless the applicant first obtains and files with the Chief Licence Inspector a certificate of the Record Review Board stating

(i) where the applicant is an individual, that the applicant has not been convicted of an offence;

(ii) where the applicant is a corporation, that neither the applicant or any of its officers or directors have been convicted of an offence;

(iii) where the applicant is a partnership, that neither the applicant or any of its partners have been convicted of an offence; or

(iv) where the applicant is a club or association, that neither the applicant or any of its officers or directors or its manager have been convicted of an offence;

which, in the opinion of the Record Review Board, indicates that the issuance of the licence would be injurious to the public interest.

(c.1) Where an applicant, as defined in subclause (c)(i)-(iv), has been convicted of an offence relating to the selling of goods under *The Hazardous Products Act* in the preceding three (3) years, it shall be deemed, subject to the right of appeal as set out in clause (e), that the issuance of any licence to such an applicant is injurious to the public interest.
*added 7266/98*

(d) (i) A decision of the Record Review Board concerning a certificate must be given to the applicant in accordance with *The City of Winnipeg Charter*.[1]

(ii) Where an address for sending a decision of the Record Review Board is required, the address provided by the person in his or her application for a certificate shall be used. [1]
*amended 8162/2002*

(e) An appeal from a decision of the Record Review Board concerning a certificate referred to in clause (c) may be made in accordance with *The City of Winnipeg Charter* [2] to the Standing Policy Committee on Property and Development.
*amended 8162/2002*

(f) Where a corporation, partnership, club or association applies for a licence to carry on any of the trades listed in clause (c), the applicant shall provide such information as to the names of the current officers, directors, partners or manager as the Chief Licence Inspector may require.

(g) Where a corporation, partnership, club or association is licensed to carry on any of the trades listed in clause (c), it shall advise the Chief Licence Inspector in writing each time a new officer, director, partner or manager is appointed, admitted or hired.

(5) **Certificate of Building Services.**

(a) Except as otherwise provided, no licence to carry on the trade of a banquet hall, cinema, concert hall, dance hall, drive-in theatre, hostel, ice skating rink, motor raceway, roller skating rink, shooting gallery, skateboard facility, or toboggan slide shall be issued unless the applicant first obtains and files with the Chief Licence Inspector a certificate of the Manager of Development and Inspections or his designate that the premises in or upon which such trade is to be carried on is in a fit condition and suitable for that use.

(b) An appeal from a decision of the Manager of Development and Inspections concerning a certificate referred to clause (a) may be made in accordance with *The City of Winnipeg Charter* [2] to the Standing Policy Committee on Property and Development.
*amended 8162/2002*

(6) **Certificate of Director of Water and Waste.**

No licence to carry on the trade of a waste oil trucker shall be issued unless the applicant first obtains and files with the Chief Licence Inspector a certificate of the Director of Water and Waste that the trucks and all their accessories or adjuncts proposed to be used in the trade comply with the provisions of Section 41 and are in a fit condition and suitable for that use.

(7) **Motor Raceway.**

No licence to operate a motor raceway shall be issued unless the applicant first obtains and files with the Chief Licence Inspector a certificate of a qualified engineer, or other evidence, satisfactory to the Director of Public Works, demonstrating that a suitable retaining wall exists between the areas to be used for the accommodation of spectators and the racetrack.
*amended 8162/2002*

(8) **Certificate of Public Health Inspector.**
*amended 7609/2000*

No licence to carry on the trade of:

Banquet Hall
Barber Shop
Beauty Salon (Parlour)
Body Modification Establishment
Dance Hall

Food Handling Establishment (including a temporary or limited food handling establishment)
Ice Cream Freezer
Massage Parlour Proprietor
Outdoor Mobile Food Vending Unit
Pet Shop
Poultry Slaughter House
Tattoo Studio
Transient Trader selling food products or beverages
*amended 40/2005 (effective January 1, 2006)*

shall be issued to an applicant unless the applicant first obtains and files with the Chief Licence Inspector a certificate of the Public Health Inspector that the vehicle, mobile unit or premises to be used in the trade has been examined and found in a fit, clean and suitable condition.
*amended 7609/2000*

(9) **Certificate of the Fire and Paramedic Chief.**

(a) No licence to carry on the trade of:

Amusement Parlour
Bowling Alley
Chimney Sweep
Cinema
Carnival
Dance Hall
Drive-In Theatre
Motor Raceway
Rooming House
Second Hand Dealer
Soils Dealer
Tannery
Used Material Yard

shall be issued unless the applicant first obtains and files with the Chief Licence Inspector a certificate of the Fire and Paramedic Chief.

(i) for trade of a chimney sweep, that the equipment proposed to be used in carrying on the trade has been examined and found suitable for such purpose and that the applicant has suitable knowledge and training to carry on the trade;

(ii) for all other trades, that the premises to be used in the trade have been examined and found in a fit and suitable condition for the trade.

(b) Licences to carry on the trade of a rooming house may be renewed for a period of one year where the Chief Licence Inspector has on file a certificate of the Fire and Paramedic Chief as referred to in clause (a) but no further licence renewals shall be issued unless the applicant first obtains and files with the Chief Licence Inspector a new certificate of the Fire and Paramedic Chief which has been issued not more than 14 months prior to the effective date of the licence.

(10) **Approval of New Licence Applications.**

(a) Whereas in the opinion of Council the carrying on of the following trades may be injurious to the interests of occupants or owners of property in the vicinity, namely:

Amusement Parlour
Banquet Hall
Billiard Parlour
Carnival
Dance Hall
Dating and Escort Service
Karting Track
Livery Stable
Massage Parlour Proprietor
Motor Raceway
Pawnbroker
Poultry Slaughter House
Second Hand Dealer
Soap Manufactory
Soils Dealer
Tannery
Undertaker, Funeral Director
Used Material Yard
*amended 7539/99*

the Chief Licence Inspector shall, except as hereinafter provided, submit every new application to carry on the trade to the Community Committee for the area in which the trade is proposed to be carried on with a report containing the following:

(i) information as to whether or not a licence for the trade has previously been issued for the premises or location named in the application;

(ii) a report on the nature of the properties immediately adjoining the premises or location with a description of the character of the surrounding district;

(iii) information as to whether all other requirements of this section have been met.

(b) This subsection does not apply to amusement parlours or carnivals unless operated for six or more days at one location.

(c) The Chief Licence Inspector shall provide

(i) a copy of the report referred to in clause (a); and

(ii) a notice describing the nature of the application together with the date, time and place of the meeting of the Community Committee at which the application will be considered;

to the applicant and shall advise the applicant that if he fails to attend the meeting of the Community Committee, the application will be considered in his absence.

(d) The applicant shall

(i) post the notice referred to in clause (c) in conspicuous locations facing each street adjacent to the land or building referred to in the notice, and located so that the notice is not more than one metre inside the lot line; and

(ii) ensure that the notice remains posted as provided in paragraph (i) for not less than 14 consecutive days before the day of the Community Committee meeting.

(e) The Community Committee shall hear any representations from the applicant or any other person who desires to be heard and who provides an address for service of the decision of the Community Committee and shall consider whether the carrying on of the trade would be injurious to the interests of the occupants or owners of property in the vicinity. It shall then make a decision to direct that the licence shall be refused or to approve the issuance of the licence either temporarily or indefinitely and either conditionally or unconditionally.
*amended 8162/2002*

(e.1) The Chief License Inspector shall give a copy of the decision of the Community Committee in accordance with *The City of Winnipeg Charter* [1] to the applicant and any person who made representations before the Community Committee and who provided an address for service of the decision.
*added 8162/2002*

(f) An appeal from a decision of the Community Committee may be made in accordance with *The City of Winnipeg Charter* to the Standing Policy Committee assigned responsibility for hearing these appeals under section 13.1 of the City Organization By-law.
*amended 8162/2002; 116/2003*

(g) Where an appeal is made under clause (f), the City Clerk shall notify the applicant and any person who made representations before the Community Committee of the date, time and place of the meeting of the Appeal Committee at which the appeal will be heard. The Committee shall consider the appeal on its merits and may dismiss the appeal or approve the issuance of the licence either temporarily or indefinitely and either conditionally or unconditionally.
*amended 116/2003*

(h) Where an application has been referred to a Community Committee under this subsection, no licence shall be issued for the trade unless and until such application has been approved by the Community Committee, or, upon appeal, by the Appeal Committee.
*amended 116/2003*

(i) Where an application has been approved by a Community Committee or by the Appeal Committee for a temporary period, all rights associated with the licence cease for all purposes upon the expiry of that period.
*amended 116/2003*

(j) In this subsection "new application" means:

(i) An application for a licence to carry on a trade where no licence was issued to the applicant in the previous licence year with respect to that trade at the premises or location named in the application;

(ii) An application for the renewal of an existing licence which was approved for a temporary period under this subsection, after the expiry of that period; or

(iii) An application by a person whose licence was revoked during the current or previous licence year under section 9.

(k) Where a licence has been approved on a conditional basis under clauses (e) or (g), the licensee may reapply to the Chief Licence Inspector to have the conditions to his licence varied or removed and the reapplication shall be treated as a new application for the purposes of this subsection.

(11) *repealed 7539/99*

(12) **Ride Applications.**

No licence to operate a ride shall be issued unless the applicant first provides evidence

(a) that a satisfactory inspection of the ride has been made by an inspector from the Department of Labour of the Province of Manitoba as provided in *The Amusements Act*; or

(b) for a mechanical coin-operated ride, designed and operated for use by children ten years of age or younger, of Canadian Standards Association (CSA) approval.

(13) **Transient Trader Applications.**

(a) No licence to carry on the trade of a transient trader, canvasser or itinerant salesman shall be issued to any person if that person has been convicted of an offence under *The Competition Act*, (Canada) within a period of three years prior to his application.
*amended 222/2007*

(b) No licence to carry on the trade of a transient trader shall be issued unless the applicant first files with the Chief Licence Inspector evidence that he has received permission to occupy the space to be licensed from the owner of that space.

(14) **Massage Parlour, Dating and Escort Service Applications.**

(a) Every application for a licence to carry on the trade of a dating and escort service or a massage parlour proprietor shall contain details about any occasion where the applicant has operated a business of any kind elsewhere for which business the applicant's licence was revoked or suspended with the reasons for the revocation or suspension.

(b) New licences may be issued to carry on the trade of a dating and escort service or massage parlour proprietor only within that part of the City regulated by The Downtown Winnipeg Zoning By-law.

(c) For the purpose of clause (b) a new licence is a licence for which a new application is made, as that expression is defined in clause 4(10)(j).

(15) **Bonds of Indemnity.**

(a) No licence to carry on the trade of an auctioneer, auctioneer's assistant or pawnbroker shall be issued until the applicant provides the City with a bond of indemnity in the amount of $2,000. covering the period for which the licence is required.

(b) No licence to carry on the trade of an awning and canopy installer, crane operator, furnace vacuum cleaner, house mover, insulating machine, oil supply service, sign erector, window installer or window washer shall be issued until the applicant provides the City with a bond of indemnity in the amount of $10,000. covering the period for which the licence is required. *amended 7455/99*

(c) A bond of indemnity required under this subsection shall indemnify every person including the City against any loss or damage suffered or sustained by reason of or in connection with the carrying on of the trade, shall be issued by a surety company registered and licensed in the Province of Manitoba, shall be in a form satisfactory to the City Solicitor and satisfactory in all other respects to the Chief Licence Inspector and shall include a provision that the bond will not be cancelled except upon 15 days written notice to the Chief Licence Inspector.

(d) In lieu of any bond required under this subsection, the applicant may provide the City with a deposit of cash in the same amount.

(e) No person shall carry on any of the trades referred to in clause (a) or (b) unless the required bond is in force or a cash deposit has been provided.

(16) **Insurance.**

(a) Every applicant for a licence to carry on the following trades shall file with the application and shall maintain in force during the currency of the licence, a comprehensive general liability insurance policy with the following minimum limits of coverage per occurrence:

(i) to operate 1 - 10 rides, $500,000.00 inclusive

(ii) to operate 11 - 20 rides, $1,500,000.00 inclusive

(iii) to operate more than 20 rides $2,000,000.00 inclusive

(iv) to operate a motor raceway $2,000,000.00 inclusive

(v) to operate a karting track $500,000.00 inclusive

(vi) to operate one or more outdoor mobile food vending units containing combustible gas, heating fuel or a heating apparatus, $500,000.00 inclusive

(vii) to operate one or more outdoor mobile food vending units not containing combustible gas, heating fuel or a heating apparatus, $250,000.00 inclusive

(viii) *deleted 226/2006*

(b) Every applicant for a licence to carry on the trade of a massage therapist shall file with the application and shall maintain in force during the currency of the licence, a professional malpractice liability insurance policy with a minimum limit of coverage per occurrence of $1,000,000.00.

(b.1) Every applicant for a licence to carry on the trade of an awning and canopy installer, crane operator, sign erector, window installer, or window washer shall file with the application and shall maintain in force during the currency of the licence, a comprehensive insurance policy with a minimum limit of coverage per occurrence of $1,500,000.00.
*added 7455/99*

(c) The insurance policies required under this subsection shall be in a form satisfactory to the City Solicitor, shall include the City of Winnipeg as an additional named insured, shall contain a cross-liability clause and shall be accompanied by a written undertaking signed by the insurer or its authorized agent that the policy will not be cancelled except upon 15 days written notice to the Chief Licence Inspector.

(d) No person shall carry on any of the trades referred to in clauses (a) or (b) unless the required insurance is in force.

(17) **Massage Therapist Applications.**

No licence shall be issued to carry on the trade of a massage therapist unless the applicant first files with the Chief Licence Inspector:

(a) evidence that the applicant holds a cardiopulmonary resuscitation (CPR) certificate issued not more than three years prior to the effective date of the license; and

(b) either evidence that the applicant has successfully completed the requirements of a training program in massage therapy and has received accreditation from one of the following registered educational institutions or evidence that the applicant is a member of one of the following regulatory bodies:

Registered Educational Institutions

Alberta Institute of Massage,
Red Deer, Alberta

Anderson School of Scientific Massage,
Princeton, Illinois

Atlanta School of Massage,
Atlanta, Georgia

Canadian College of Massage and Hydrotherapy,
Sutton, Ontario

College of the North Atlantic,
Newfoundland and Labrador
Newfoundland

D'Arcy Lane Institute,
London, Ontario

Department of Health, Transcarpathian
Provincial Executive Committee,
(Postgraduate Massage Therapy Training Course),
Berehovo, Transcarpathia, Ukraine

École De Formation Kiné-Concept, Inc.,
Montreal, Quebec

Edmonton College of Swedish Relaxation Therapy,
Sherwood Park, Alberta

Edmonton Public Schools,
Massage Therapist Certification Program, Edmonton, Alberta

Foothills College of Massage Therapy, Inc.
Calgary, Alberta
*added 52/2005*

Guangzhou University,
Guangzhou, China
*added 78/2003*

Guild of Structural Integration, Inc.
Boulder, Colorado

Indiana University-Purdue University,
Indianapolis, Indiana
*added 8063/2002*

Institute of Psycho-Structural Balancing,
San Diego, California

Kiev Medical Academy,
Kiev, Ukraine

Kikkawa College,
Toronto, Ontario

MacEwan Community College,
Edmonton, Alberta

McKay School of Massage and Hydrotherapy,
Saskatoon, Saskatchewan

Medical Professional College #6,
Konstancin-Jeriorna, Poland

Minneapolis School of Massage and Bodywork, Inc.,
Minneapolis, Minnesota

Mount Royal College,
Calgary, Alberta

Northern Institute of Massage,
Clyde, Alberta

Northwestern School of Massage,
Calgary, Alberta

Odessa Medical Institute
Odessa, Ukraine

Okanagan Valley College of Massage Therapy Ltd.,
Vernon, B.C.
*added 78/2003*

Physical Therapy School of Dr. Paul Vogler,
Berlin, Germany

Professional Institute of Massage Therapy,
Winnipeg, Manitoba

Saskatchewan Institute of Applied Science and Technology (S.I.A.S.T.),
Prince Albert, Saskatchewan

School of Kinesiology and Physical Therapy, University of Buenos Aires,
Buenos Aires, Argentina

Shiatsu School of Canada Inc.,
Toronto, Ontario
*added 78/2003*

Sir Sanford Fleming College,
Peterborough, Ontario

Somatics Institute Ltd.
Edmonton, Alberta
*added 226/2006*

Sutherland-Chan School & Teaching Clinic,
Toronto, Ontario

The East-West College of Massage Therapy,
Portland, Oregon

The Faculty of Medicine,
Uzhgorod State University, Ukraine

Toronto School of Business,
Toronto, Ontario
*added 78/2003*

The International School of Massage Therapy,
San Francisco, California

The Massage Therapy College of Manitoba Inc.
Winnipeg, Manitoba

The Swedish Institute,
New York, New York
*added 78/2003*

3HO Foundation Inc.,
Toronto, Ontario

Wellington College of Remedial Massage Therapists Inc.,
Winnipeg, Manitoba

West Coast College of Massage Therapy,
Vancouver, British Columbia

Western College of Remedial Massage Therapies,
Regina, Saskatchewan

**Regulatory Bodies**

College of Massage Therapists of British Columbia
*added 78/2003*

College of Massage Therapists of Ontario,
Toronto, Ontario

Netherlands Association for Sport Massage
Therapy (N.G.S.),
The Netherlands
*amended 7774/2001*

(18) No license may be issued to carry on the trade of a body modification technician unless the applicant first files with the Chief License Inspector evidence that the applicant holds a certificate issued by a Public Health Inspector not more than three years prior to the effective date of the certificate.

*added 40/2005 (effective January 1, 2006)*

**FEE ESTABLISHED**

5. (1) **Amount and payment of licence fees.** Except as hereinafter provided, before any licence is issued, the applicant shall pay to the Chief Licence Inspector the fee for the applicable licence year, or the portion of the licence year remaining, as set forth in Schedule A to this by-law.

(2) **Applications after commencement of licence year.**

Where a person begins to carry on a trade part way through the licence year, the Chief Licence Inspector may issue a licence for the portion of the licence year which is remaining upon payment of a fee calculated at the rate of 1/12 of the annual fee for each month or a portion of a month during which the licence will be in effect, but the minimum fee which will apply for a portion of the licence year will be $2.00.

(3) **Licence renewals**.

(a) Payment of all fees for the renewal of an existing licence shall be made before the expiry of that licence.

(b) Where a licensee fails to comply with clause (a), the licence fee for the subsequent licence year shall be increased by a late payment fee equivalent to the greater of $5.00 or 5% of the licence fee, for each 30 day period that the licence fee remains unpaid.

(4) **Refunds.**

(a) Except as hereinafter provided, where a licensee ceases to carry on a business and surrenders his existing licence and any licence sticker, badge or plate issued in relation to that licence, the Chief Licence Inspector shall cancel the licence and shall issue a refund of the licence fee calculated at the rate of 1/12 of the annual licence fee for each full month remaining from the date that the licence and all stickers, badges or plates are surrendered.

(b) No refund shall be payable under clause (a) where the amount of that refund would be less than the amount set forth in Item 2 of Part 3 of Schedule A.

(c) This subsection does not apply to the following trades: carnival, flea market promoter, itinerant salesman, motor raceway, outdoor mobile food vending unit, psychic reader, rides, shooting gallery, souvenir book seller, souvenir seller, temporary food handling establishment, transient trader.
*amended 222/2007*

(5) **Damaged licence, licence plate, badge or sticker.**

(a) Except as provided in (b), where any licence, licence plate, badge or sticker becomes lost, damaged, defaced, obliterated or otherwise illegible the licensee shall:

(i) wherever possible, surrender the licence, licence plate, badge or sticker to the Chief Licence Inspector;

(ii) apply to the Chief Licence Inspector for a replacement licence, licence plate, badge or sticker; and

(iii) pay the fee as set forth in Item 1 of Part 3 of Schedule A.

(b) Where any licence, licence plate, badge or sticker issued with respect to an outdoor mobile food vending unit becomes lost, damaged, defaced, obliterated or otherwise illegible, the licensee shall apply for a new licence and pay the required licence fee.
*amended 7452/99; 222/2007*

## TRANSFER OF LICENCES

6. *repealed 7452/99*

## LICENCE YEAR

7. (1) (a) Licences for outdoor mobile food vending units and rooming houses shall be issued for the licence year January 1st to December 31st;
*amended 7452/99; 222/2007*

(b) All other licences shall be issued for the licence year June 1st to May 31st.

(2) Except as otherwise provided in this By-law, a licence shall cover the period from the date of issuance to the end of the current licence year.

(3) A licence may be issued in advance for any licence year during the two months which precede that licence year.

(4) Every licence shall indicate the date on which it is issued and the date on which it will expire.

**DUTIES OF THE LICENSEE**

8. (1) Every licensee shall comply with all By-laws of The City of Winnipeg.

(2) Every licensee who changes his business or mailing address from that shown on the licence shall forthwith notify the Chief Licence Inspector of his new address.

(3) Every licensee shall produce the licences issued under this by-law upon demand by any police officer or licence inspector.

(4) *repealed 8162/2002*

(5) Every licensee whose licence applies to specific premises shall, so long as the licence is in force, keep the licence posted up in a conspicuous place in the licensed premises in a manner satisfactory to the Chief Licence Inspector.

(6) No licensee shall post or display any photographic or other reproduction of a licence issued under this by-law.

(7) (a) Every person to whom a badge has been provided by the Chief Licence Inspector shall wear it in a conspicuous place on his clothing.

(b) Every person to whom a plate has been provided by the Chief Licence Inspector shall affix the plate in a conspicuous place on the outside of the vehicle or mobile unit used in his trade in a place and manner that is clearly visible to passers-by.

(8) No person shall lend or exchange any licence plate or badge.

(9) No licensee shall permit any disorderly person to patronize or remain in his licensed premises.

(10) No person shall hold or participate in an endurance contest in walking, dancing or a similar activity.

(11) No person shall hold or conduct dog races within the City, for gain.

(12) Every licensee shall comply with the requirements of all Federal and Provincial statutes and shall obtain all certificates, licences and documents of qualification that may be required under those statutes.

## REVOCATION OF LICENCES

9. (1) **Carrying on Business in an Improper Manner.**

(a) Where the Chief Licence Inspector has reason to believe that any licensee is carrying on his trade in an improper manner, the Chief Licence Inspector shall hold a hearing to determine whether or not that person's licence should be suspended.

(b) The Chief Licence Inspector shall give the licensee reasonable notice of the hearing referred to in clause (a) by serving a notice upon the licensee or by mailing the notice to him by registered mail to the last address provided by the licensee to the Chief Licence Inspector. The notice shall be in writing and shall include:

(i) a statement of the time, place and purpose of the hearing;

(ii) a copy of this section;
*amended 8162/2002*

(iii) a statement that if the licensee does not attend the hearing, the matter may be dealt with in his absence and that he will not be entitled to any further notice in the proceeding.

(c) The licensee may appear at the hearing with or without counsel and may call witnesses on his behalf. Where notice has been given to a licensee as provided in this section and the licensee does not attend at the hearing, the matter may be dealt with in the absence of the licensee and the licensee is in that case not entitled to any further notice in the proceeding.

(d) If, after a hearing, the Chief Licence Inspector finds that the licensee is carrying on his business in an improper manner, he shall record that determination with the date and shall suspend the licence for such period of time as he determines to be appropriate. The Chief Licence Inspector shall give a copy of this decision and written reasons for the decision to the licensee in accordance with *The City of Winnipeg Charter*. [1] Where an address for sending a copy of the decision is required, the address provided by the person in the application shall be used.
*amended 8162/2002*

(e) The licensee may appeal the suspension to the Standing Policy Committee on Property and Development by sending a written notice of appeal to the Chief Licence Inspector.

(f) A notice of appeal under clause (e) must be received by the Chief Licence Inspector no later that 14 days after the date of the suspension. The notice of appeal shall be in writing, signed by the appellant, and shall contain the appellant(s printed name, mailing address, contact telephone number and brief reasons in support of the appeal. The notice of appeal shall also describe whether the order or decision is appealed in whole or in part.
*amended 7735/2000*

(g) Upon receiving a notice of appeal, the Chief Licence Inspector shall forthwith submit the matter to the Standing Policy Committee on Property and Development.

(h) Where the licensee does not appeal against the suspension of his licence as provided in clause (e), the licence shall be revoked upon the expiry of 14 days from the date of the suspension by the Chief Licence Inspector and shall not be reissued during the period of that suspension.

(i) Where the Chief Licence Inspector has reason to believe that a person who was licensed during the current or previous licence year carried on his trade in an improper manner he may hold a hearing to determine that fact and the provisions of clauses (a) to (h) apply with necessary modifications to that hearing.

(2) **Revocation of Certificates.**

(a) Where a certificate has been issued to any person by the Record Review Board or by the Standing Policy Committee on Property and Development pursuant to subsection 4(4), and the applicant or any of its officers, directors, partners or manager is convicted of an offence, or the Record Review Board becomes aware of a conviction that was not taken into account when the certificate was issued, the Chief of Police may hold a hearing to determine if the certificate should be revoked and the provisions of clauses (1)(b) and (1)(c) apply with necessary modifications to that hearing.

(b) If, after a hearing, the Chief of Police finds that the certificate should be revoked, he shall record and notify the Chief Licence Inspector of that revocation. The Chief of Police shall give a copy of this decision and written reasons for the decision to the licensee in accordance with *The City of Winnipeg Charter.*[1] Where an address for sending a copy of the decision is required, the address provided by the person in the application shall be used.
*amended 8162/2002*

(c) An appeal from the revocation of a licence may be made in accordance with *The City of Winnipeg Charter*[2] to the Standing Policy Committee on Property and Development.

(d) *repealed 8162/2002*

(e) *repealed 8162/2002*

(f) Where the licensee does not appeal against the revocation of the certificate as provided in clause (c), the licence shall be revoked upon the expiry of 14 days from the date of the decision of the Chief of Police.

(3) *repealed 8162/2002*

(4) *repealed 8162/2002*

(5) Upon delivery of a notice of revocation, the licensee shall forthwith remove any licence, licence plates or badges and shall not carry on his trade unless a new licence is issued.

## ADMINISTRATION

10. (1) This By-law shall be administered by the Chief Licence Inspector.

(2) The Chief Licence Inspector shall

(a) co-ordinate the enforcement of this by-law;

(b) maintain a record of all licences and transfers of licence issued under this by-law;

(c) enforce payment of licence fees where any trade is carried on without a licence, contrary to this by-law, by seizure and sale of the goods found on the premises in which such trade is carried on or of the goods of the person who ought to pay the licence fee wherever the same may be found;

(d) report monthly to the Director of Corporate Finance the number of licences issued and transferred, the amount of money received from all sources since the last report and the total amount of money received from all sources during the calendar year to the date of the report;

(e) provide every licensed chimney sweep, outdoor mobile food vending unit operator and used material collector with a plate or badge containing an identification number.
*amended 222/2007*

(3) The Chief License Inspector and his/her delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with *The City of Winnipeg Charter* and, for those purposes, have the powers of a "designated employee" under *The City of Winnipeg Charter*.[3]
*amended 8162/2002*

## PART II: SPECIAL PROVISIONS RELATING TO CERTAIN TRADES

### AMUSEMENT DEVICE

11. Every person who has or keeps an amusement device shall ensure that the name, address and telephone number of the owner of that machine is displayed in a conspicuous place on the machine and remains displayed at all times.

### AMUSEMENT PARLOUR

12. (1) No person carrying on the trade of an amusement parlour shall:

(a) cause or permit his amusement parlour to be open for business between the hours of 12:00 midnight on Saturday and 1:30 p.m. on the following Sunday;

(b) cause or permit his amusement parlour to be open for business on any other day of the week between the hours of 12:00 midnight and 8:00 a.m.;

(c) permit any minor under 16 years of age to enter his amusement parlour or operate any amusement device in the amusement parlour unless the minor provides the written consent of his parent or guardian in the form attached and marked Schedule F to this By-law.

(2) Every person carrying on the trade of an amusement parlour shall:

(a) upon receipt of a parental consent form make reasonable efforts to verify that the consent was duly given by the parent or guardian of the minor under 16 years of age;

(b) retain the portion of the form designated "Portion of Card to be Retained by Operator" on file on the premises and produce same to the Chief Licence Inspector or any of his assistants or to any police officer upon request.

**NOTE:** **ANTIQUE BUYER** - See Section 36.

## AUCTIONEER

13. (1) Every auctioneer shall display his name and business as auctioneer in a conspicuous place and manner at his auction room or at such other place in which he may be engaged in selling goods or putting up goods for sale but if several persons exercise the trade of auctioneer in partnership with one another, the name of the firm only, and the business, need be displayed.

(2) Every auctioneer shall keep proper books of account in which shall be entered the names and addresses of all person who leave goods with him for sale, or for whom he has sold goods, and also in all cases when the purchase price has or ought to have been received by him or his employee or agent, the names and addresses of all persons to whom such goods have been sold, the description of the goods sold and the price obtained for each article.

(3) Whenever an auctioneer receives goods from any person for sale he shall give that person a receipt showing the date of receipt and the name and description of each article and he shall keep a true copy of the receipt.

(4) Every auctioneer shall make copies of all books and receipts kept or issued under to subsections (2) and (3) available at all times during business hours for inspection by any licence inspector or police officer.

(5) No auctioneer shall conduct a mock auction anywhere in the City or permit anyone to conduct a mock auction on his premises.

(6) No auctioneer shall knowingly or wilfully make or permit to be made any misrepresentation as to the quality or the value of any goods he offers for sale.

(7) Every auctioneer shall, within 15 days after the sale of any goods, or any portion of the goods left with him for sale on behalf of another person:

(a) prepare and provide to the person for whom the goods were sold, a full, true and particular account of the sale, and

(b) pay to that person the monies received for the goods, less any proper commission on the sale and any disbursements actually made and specifically authorized by the person whose goods have been sold.

(Note: The Streets By-law prohibits the holding of auctions on City streets.)

**BANQUET HALL**

14. (1) Every person who operates a banquet hall shall ensure that good order is maintained in and about the premises;

(2) No person who operates a banquet hall shall cause or permit the premises to remain open nor allow any function for which the premises are rented or hired to be conducted or permitted on any day between the hours of 2:00 a.m. to 9:00 a.m.

**BICYCLE DEALER**

15. (1) Every bicycle dealer shall

(a) keep in his place of business a book in the form which is attached and marked Schedule B, in which shall be clearly written in ink,

(i) the name and place of residence of each person from whom any second-hand bicycle or any bicycle part was acquired, whether by purchase, barter or otherwise, with a description of the person and the transaction; and

(ii) when disposing of any bicycle or part, opposite the entries of the acquisition, the name, place of residence and description of the person to whom the bicycle or part was disposed of, the price or other consideration given and the date of disposition;

(b) make the book available at all reasonable times for inspection by any licence inspector or police officer;

(c) complete, sign and deliver to the Chief Licence Inspector before the hour of 12:00 noon on every Monday excepting statutory holidays, a legible and correct certificate and report in the form attached as Schedule C, containing the information prescribed on the form for every second-hand bicycle or bicycle part bought or otherwise acquired during the period preceding the date of the last report. Where Monday is a statutory holiday the certificate and report shall be delivered on the next working day;

(d) produce and permit the inspection of any bicycle or bicycle part upon the demand of any police officer or licence inspector;

(2) No bicycle dealer shall

(a) sell or otherwise dispose of or remove from his place of business any bicycle or bicycle part until after the expiration of seven days from the delivery of the report required under subsection (1);

(b) purchase or acquire any bicycle or bicycle part from a person under the age of 18 years;

(c) remove, erase, obliterate, render obscure or alter in any way any distinctive mark upon a bicycle or bicycle part purchased or acquired or received by him in course of business until after the expiration of the retention period provided for in this subsection;

**Note:** ***The Highway Traffic Act*** **prohibits any person from obliterating or defacing manufacturer's serial numbers or purchasing or selling any bicycle on which the manufacturer's serial number has been defaced or obliterated or which does not have a manufacturer's serial number.**

(d) erase, obliterate or deface any entry in the book required to be kept under subsection (1) nor destroy, mutilate or alter the said book or any part of the book.

## BILLIARD PARLOUR

16. No person who has or keeps a billiard parlour shall cause or permit the billiard parlour to be open for business between the hours of 2:00 a.m. and 8:00 a.m. on any day.

*amended 7346/98*

**BUS**

17. Every person who drives a bus or carries on the trade of a bus operator shall give his name, licence number and business address when requested by any person who has hired or may wish to hire his vehicle.

**CANVASSER**

18. (1) No person shall solicit orders for the purchase and future delivery of goods, wares or merchandise of any kind while on any street.

(2) No canvasser shall carry on his trade before 9:00 a.m. or after 7:00 p.m. on any day.

**CARNIVAL**

19. No person who carries on the trade of a carnival shall operate any ride or amusement device or allow any such ride or amusement device to be operated upon his premises between the hours of 12:00 midnight and 9:00 a.m. of the following day.

**CINEMA**

20. Every cinema operator shall provide sufficient attendants and shall do all other things necessary to ensure good order and compliance with all applicable by-laws of the City in and about the premises.

**DANCE HALL**

21. (1) Every person carrying on the trade of a dance hall shall

(a) provide sufficient attendants and do all other things necessary to ensure good order and compliance with the By-laws of the City in and about the premises;

(b) maintain the dance hall when in use in a well-lighted condition;

(2) No person carrying on the trade of a dance hall shall permit any dance to be held above the third storey of any building nor in any room above the second storey of a building, which room has a floor area of less than 120 square metres, but this subsection does not apply to buildings of fire resisting construction as such type of construction is defined in The City of Winnipeg Building By-law.

(3) No dance hall operator shall allow his premises to remain open, nor allow any music to be provided, nor any dancing, show or entertainment to be conducted or permitted in the premises on any day during the period between 2:00 a.m. and 9:00 a.m.

**DATING AND ESCORT SERVICE**

22. (1) Every licence to operate a dating and escort service shall be issued for the specific office from which the service is carried on.

(2) Every person who carries on the trade of a dating and escort service shall:

(a) keep in the office from which the service is operated a current list of all persons who act as escorts for clients of the service and all persons employed by the service including the true name and any aliases or nicknames used by the escort or employee, the age, birthdate, height, weight, colour of hair and eyes, residential address, telephone number, social insurance number and date of employment of the escort or employee;

(b) maintain and keep all records pertaining to the business in the office from which the service is operated;

(c) furnish a list of all persons who act as escorts for clients of the service and all persons employed by the service to the Chief Licence Inspector once a month;

(d) keep each licence issued to persons who act as escorts for clients of the service posted up in some conspicuous place as may be approved by the Chief Licence Inspector with the photograph of the escort attached;

(e) keep in the office from which the business is carried on a register in a form prescribed by the Chief Licence Inspector in which each date's name and address shall be legibly written in ink together with the type of service provided and the fee charged. No entry made in the register shall be erased, obliterated or defaced and no leaves shall be torn out;

(f) furnish on demand the current register and list of escorts to any police officer or licence inspector;

(g) ensure that no person under the age of 18 years is permitted to be in or about the office premises, whether as an employee, client or otherwise;

(h) ensure that no alcoholic beverages may be purchased or are consumed by any person in or about the office premises.

(3) (a) No person operating a dating and escort service shall exhibit himself nor permit other persons to exhibit themselves, in any window on or about the office premises, nor exhibit any sign outside of the licensed premises showing any nude male or female body, or any part thereof, nor any printed words that might indicate that the service provided includes any form of sexual or nude entertainment;

(b) No person operating a dating and escort service shall distribute or cause to be distributed any handbill, advertisement or business card showing or depicting any nude male or female body or any part thereof, nor any printed words that might indicate that the service provided includes any form of sexual or nude entertainment.

(4) No person shall operate a dating and escort service on any day between the hours of 12:00 a.m. and 8:00 a.m.

## FLEA MARKET PROMOTER

23. Every flea market promoter shall keep records showing the name of each person to whom a stall, table or other restricted area is provided for the display and sale of goods and shall provide a list of such persons to the Chief Licence Inspector within 10 days from each display and sale.

## HAWKER

24. *repealed 222/2007*

## HOSTEL

25. (1) **Licence Requirements.**

(a) Every application for a licence to operate a hostel shall

(i) state the maximum number of persons to be housed or cared for in the premises;

(ii) include a set of accurate and detailed floor plans of the premises to be licensed including the location of fixed equipment and beds;

(iii) include a plan of organization with the names and qualifications of all key personnel;

(b) Every licence to operate a hostel shall show on its face the address or location of the licensed premises and the number of persons who may be housed or cared for in the premises;

(c) Every hostel shall be constructed in accordance with the provisions of *The Public Health Act* and its regulations, The City of Winnipeg Building By-law and any other relevant statutes or By-laws;

(d) Every application for a renewal of a hostel licence shall be submitted to the Chief Licence Inspector two months prior to the expiry date of the existing licence.

(2) **General Requirements.**

Every hostel operator shall

(a) Ensure that the hostel meets the standards established under subsections (3), (4), (5), (6), (7) and (8);

(b) Report any proposed changes to the structure of the premises, the extent of services or number of personnel to the Public Health Inspector prior to making any such change;
*amended 7609/2000*

(c) Ensure that the hostel is at all times adequately staffed, kept in good repair and in a clean and sanitary condition;

(d) Keep all basements, floors and all interior woodwork clean;

(e) Maintain the furniture, beds, bedsteads, bed springs, pillows, mattresses, bed linen, blankets, and bed covers in good repair and in a clean and sanitary condition;

(f) Cause all rooms, passages, stairs, floors, windows, doors, fittings and equipment, and all beds, bedsteads, bedding and equipment, to be thoroughly cleansed as often as may be necessary to keep the same in a clean and sanitary condition;

(g) Keep the premises and furnishings free from lice, bedbugs, cockroaches and other insect pests and rodents.

(3) **Light and Ventilation.**

(a) Every habitable room shall be provided with at least one window facing an open space that is unobstructed for a distance of at least 1.52 metres by any fence, wall or other structure;

(b) The glass area of the window or windows in any such room shall not be less than one-tenths of the floor area and, for the purpose of this subsection, no glass area which is below the level of the ground adjacent to the building shall be considered in the computation of the required glass area except that where in the opinion of the Public Health Inspector there is adequate artificial lighting and provision for adequate ventilation, a glass area of less than one-tenth of the floor area may be considered acceptable;
*amended 7609/2000*

(c) No partition shall obstruct the light from such windows from having access to all parts of the room;

(d) Skylights are prohibited as the sole means of lighting any habitable room, but a skylight may be used as a supplementary means if it is constructed so as to be water-tight and protected in a suitable manner against condensation;

(e) At least one of the windows referred to in clause (a) shall be capable of being readily opened unless a satisfactory alternative means of ventilation is provided;

(f) No building shall be occupied as a hostel unless it has windows on at least two of its sides;

(g) Halls, bathrooms, washrooms, water-closet compartments, stairways and passages shall have natural or artificial light of not less than 10 foot candles at all times;

(h) Bedrooms shall have sufficient natural or artificial light to provide general lighting of at least 15 foot candles and local lighting for each resident of at least 30 foot candles.

(4) **Fly Screens.**

Close fitting fly screens shall be provided for all windows used for ventilating purposes and all exterior doors between May 1st and October 31st.

(5) **Washroom Facilities.**

(a) There shall be at least one water closet and one wash basin for each 10 persons or fraction thereof in every hostel and one bath for each twenty persons or fraction thereof, with at least one water-closet, one wash basin, and one bath on each floor on which there are any residents;

(b) Residents shall have free access to a water-closet, wash basin and bath without having to pass through any bedroom or kitchen;

(c) Wash basins and baths shall be provided with a constant supply of hot and cold water.

(6) **Beds and Sleeping Areas.**

(a) In every room used as a sleeping area the operator shall provide one bed for the use of each person sleeping in that room, and shall furnish each bed with a mattress, pillow and sufficient blankets or other bed clothes;

(b) Each room used for sleeping purposes shall have a floor area of at least 5.57 square metres and shall have at least 3.7 square metres of floor area for each occupant;

(c) Facilities shall be provided for the immediate removal of human excretions from bed sheets;

(d) Day room facilities shall be provided.

(7) **Kitchen.**

(a) Floors shall be smooth tight construction so as to be easily cleansed, shall be kept clean and in good repair;

(b) Walls and ceilings shall be of smooth, tight construction and finished with a washable paint of light colour;

(c) Ventilation shall be provided for the removal of all odours, steam and gases produced in the preparation of cooking of foods. Canopies and exhaust fans shall be installed in a location which meets the approval of the Public Health Inspector. All outside openings shall be provided with screens or other approved equipment to prevent the entrance of flies;
*amended 7609/2000*

(d) Dishwashing facilities and procedure shall be that which meets the approval of the Public Health Inspector. Sinks shall be constructed of non-corrodible metal or porcelain; galvanized metal sinks are not permitted;
*amended 7609/2000*

(e) Adequate refrigeration to keep all perishable foods at or below 45 degrees F. shall be provided. All refrigerators shall be provided with an accurate check thermometer;

(f) All equipment used in the kitchen shall be of tight, easily cleaned construction and maintained in good repair at all times;

(g) The use of dirty, chipped or cracked dishes, previously used cans as containers for foods, badly worn, rusted or corroded utensils is prohibited and may be ordered to be destroyed by the Public Health Inspector;
*amended 7609/2000*

(h) All garbage shall be drained of all liquid and shall be wrapped and deposited in water-tight metallic covered garbage cans of regulation type for removal from the premises.

(8) **Number of Persons Housed Restricted to Number shown on Licence.**

No greater number of persons shall be housed or cared for at any one time in any hostel than is designated in the licence and no person shall be housed or cared for in a building or place not designated in the licence.

(9) **Inspections.**

Every hostel operator shall permit the Public Health Inspector or any person duly authorized by him to enter the hostel at any time to inspect and observe the residents and enquire into all medical, housing and dietary matters. The Public Health Inspector or the person duly authorized by him may question any employee regarding the care of residents and shall be permitted to inspect the premises, records, equipment, furniture and fittings. No person shall prevent or obstruct any such person from carrying out his duties under this or any other By-law or regulation.
*amended 7609/2000*

**ITINERANT SALESMAN**

26. Every person who engages an employee or agent to carry on the business of an itinerant salesman shall provide the name and address of the employee or agent to the Chief Licence Inspector.

## LAUNDRIES

27. (1) No person carrying on the trade of a laundry in specific premises shall carry on that trade or keep the premises open between the hours of 11:00 p.m. and 7:00 a.m. on the following day unless between those hours there is an attendant continuously on the premises.

(2) The name and address, and telephone number of the laundry operator shall be posted in a prominent position in every premise where the trade of a laundry is carried on.

## MASSAGE PARLOURS

28. (1) Every massage parlour proprietor shall:

(a) maintain on the business premises a current list of all massagists working in the premises and any other persons employed in the premises including the true name and any aliases or nicknames used by the massagist or employee, the age, birthdate, height, weight, colour of hair and eyes, residential address, telephone number, social insurance number and date of employment of the massagist or employee and produce that list on demand to any police officer or licence inspector;

(b) provide a copy of the list and information described in clause (a) to the Chief Licence Inspector on or before the first day of each month;

(c) keep each and every licence issued to massagists working in the premises posted with the photographs attached in some conspicuous place as may be approved by the Chief Licence Inspector;

(d) keep a register in a form prescribed by the Chief Licence Inspector in which shall be legibly written in ink, at the time of each booking, the time of booking, the name and address of the person seeking the service of the massage parlour, with a description of the type of service provided and the fee charged. No entry made in the register shall be erased, obliterated or defaced, nor shall any leaves be torn out;

(e) at the time of booking each such entry, deliver to the person seeking the service, a memorandum signed by the massage parlour proprietor or other person employed by him, containing the substance of the entry required by clause (d) and shall make no charge for such entry, memorandum or note;

(f) at all reasonable times make the register referred to in clause (d) available to the inspection of any police officer or licence inspector;

(g) ensure that no person under the age of 18 years is permitted to be in or about the massage parlour, whether as an employee, customer or otherwise;

(h) ensure that no alcoholic beverages may be purchased or consumed by employees or by any person in or about the massage parlour;

(i) ensure that no service is given within any cubicle or room, booth or any area within the massage parlour which is fitted with a door capable of being locked;

(j) ensure that every massagist and other person working in the premises wears clean, washable, non-transparent garments covering his or her body between the neck and no more than 10 centimetres above the top of the knee, the sleeves of which fully cover the upper arm;

(k) ensure that the premises are properly lighted and ventilated at all times during business hours;

(l) ensure that every massagist engaged in working in the premises has obtained a massagist's licence as required under this By-law;

(m) maintain on the premises a current list of every operating or trade name whether registered or not, used for the purpose of the business and to produce that list on demand to any police officer or licence inspector;

(n) provide the Chief Licence Inspector with a copy of the list of operating or trade names required to be kept under clause (m) and provide the Chief Licence Inspector with a copy of any amendments to that list within 7 days of any change in use of an operating or trade name.

(2) No massage parlour proprietor shall exhibit himself nor permit other persons to exhibit themselves, in any window on or about the massage parlour, nor exhibit any sign outside of the premises showing any nude male or female body, or any part thereof, nor any printed words that might indicate that the premises is a place that offers any form of sexual or nude entertainment.

(3) No massage parlour proprietor shall distribute or cause to be distributed any handbill, advertisement or business card showing or depicting any nude male or female body or any part thereof, nor any printed words that might indicate that the service provided includes any form of sexual or nude entertainment.

(4) No massage parlour proprietor shall carry on his business at any place other than the premises named in the licence for that trade.

(5) Every person found upon or within the premises of a massage parlour shall identify himself on demand to any police officer or licence inspector and shall furnish his true name, address, telephone number and occupation.

(6) No massage parlour proprietor shall carry on his trade between the hours of 11:00 p.m. and 8:00 a.m. on the following day.

**MASSAGE THERAPIST**

29. (1) Clauses 28(1)(a), (c), (j), (k), (l), (m) and (n) and subsections 28(2) and (3) apply with necessary modifications to every massage therapist.

**MASSAGIST**

30. (1) No massagist shall carry on his or her trade at any place other than the premises named in the licence for that trade.

(2) Clauses 28(1)(a), (c), (g), (j), (k), (m) and (n) and subsections 28(2), (3) and (6) apply with necessary modifications to every massagist and to the premises from which that trade is carried on.

**MAGAZINE SALESMAN**

31. No magazine salesman shall carry on his trade within the City before 9:00 a.m. or after 7:00 p.m. on any day.

**MOTOR RACEWAY**

32. (1) Every person carrying on the trade of a motor raceway shall ensure that

(a) every motor vehicle or motorcycle brought upon the raceway for the purpose of competition has been certified by a qualified mechanic to be in a safe and proper condition for the intended use;

(b) sufficient attendants are provided and all other necessary provisions are made to protect persons attending the raceway from accidental, or the risk of accidental, injury arising from the operation of the raceway.

**OUTDOOR MOBILE FOOD VENDING UNITS**

33. (1) Every person operating an outdoor mobile food vending unit shall cause his name and address to be legibly and conspicuously displayed in letters of a minimum height of 5 centimetres

(a) on both sides of any vehicle used in the carrying on of his trade;

(b) on one side of any other outdoor mobile food vending unit used in the carrying on of his trade;

in a place and manner that is clearly visible to passers-by.

(2) No person shall operate from or with an outdoor mobile food vending unit in a public street

(a) before 9:00 a.m., or after 8:00 p.m. except that where sunset is later than 8:30 p.m., the trade may be carried on until one half hour before sunset; or

(b) upon a portion of a street located within 5 metres from a crosswalk or intersection.

(3) No person shall permit an outdoor mobile food vending unit used by him to remain standing

(a) upon a section of a street located adjacent to a bus stop;

(b) upon a portion of a street located within 3 metres from a public entrance to any building;

(c) within 20 metres from the main entrance to any food service establishment or to any building containing a food service establishment where there is located on the building or premise a sign or notice visible to passers-by indicating the existence of a food service establishment; or

(d) within 20 metres from either side of a vehicular or pedestrian gate to a park.

(e) upon any portion of a street

(i) on which the posted speed limit exceeds 60 kilometres per hour; or,

(ii) within 20 metres of an intersection of a street on which the posted speed limit exceeds 60 kilometres per hour.

*added 6931/96*

(4) No person shall permit an outdoor mobile food vending unit used by him to remain standing on a sidewalk or boulevard unless it is equipped with wheels in such a manner as to be readily moveable by one person.

(5) No person shall permit an outdoor mobile food vending unit to remain standing unattended on a sidewalk or boulevard.

(6) No person shall permit an outdoor mobile food vending unit used by him to enter upon or remain standing upon private property unless he has obtained written permission from the owner or occupant of the property, which written permission shall be kept available and furnished on demand to any police officer or licence inspector.

(7) Auxiliary receptacles used by a person licensed to operate an outdoor mobile food vending unit for the sole purpose of storing beverages or ice or for collecting garbage shall not require licensing as an outdoor mobile food vending unit but every such receptacle shall be equipped with wheels in such manner as to be readily moveable by one person.

## **PAWNBROKER**

34. (1) Every pawnbroker shall

(a) record every pawn, pledge or purchase:

i) by keeping a record book in the form which is attached and marked as Schedule D in which shall be clearly written in ink, at the time of each transaction:

- an accurate account and description of the goods, articles or things included in the transaction,

- the serial number or a statement of any distinctive marks on those goods,

- the time of the transaction,

- the rate of interest to be paid on the loan or the terms of the repurchase agreement,

- the name, address and a detailed description of the person the transaction is conducted with,

and no entry made in the book shall be erased, obliterated or defaced and no leaves shall be torn out or removed; or,

ii) by maintaining an electronic record keeping system, such that a separate transaction record containing the following information is created, printed and saved in a retrievable form:

- an accurate account and description of the goods, articles or things included in the transaction,

- the serial number or a statement of any distinctive marks on those goods,

- the time of the transaction,

- the rate of interest to be paid on the loan or the terms of the repurchase agreement,

- the name, address and a detailed description of the person the transaction is conducted with;

(b) undertake a transaction only with a person from whom goods, articles or things are received who provides, at the time of the transaction:

i) one piece of current photograph identification such as a valid Manitoba Driver's License, a Manitoba Liquor Control Commission Photo Identification Card, or any other comparable item of personal identification containing a photograph, address and signature; or,

ii) three pieces of non-photograph identification such as a Birth Certificate, Manitoba Health Registration Card, a Provincial Social Assistance or City of Winnipeg Social Assistance Identification Card or Credit Card; or,

iii) an inked thumb impression along with one piece of non-photograph identification as set out in subclause (ii);

and record the identification provided in the record of transaction referred to in clause (a);

(c) at the time of each loan or purchase deliver to the person pawning, pledging or selling any goods, articles or things, a memorandum or note to be signed by that person, containing the substance of the entry required to be made under clause (a) and shall make no charge for any such entry, memorandum or note;

(d) at the time of each loan or purchase:

i) make out a report in the form attached and marked Schedule E, a legible and correct copy of the entries in the book referred to in clause (a)(i), which report shall be signed by the pawnbroker and by the person pawning, pledging or selling the goods; or,

ii) cause to be printed a copy of the electronic transaction record, which printed copy shall be signed by the pawnbroker and by the person pawning, pledging or selling the goods, and be maintained by the pawnbroker for a period of six months from the date of the transaction;

(e) in the event a person chooses to provide an inked thumb impressions as identification, register such thumb print on the copy of the transaction record referred to in subclauses (a)(i) or (d)(ii) and maintain that transaction record for a period of at least six months from the date of the transaction;

(f) at all reasonable times produce all records of transactions and identification as referred to in subclauses (a)(i) or (d)(ii), as well as any article or thing pawned, pledged or purchased for the inspection of any police officer or licence inspector;

(g) cause to be delivered to, or file electronically with, the Chief of Police before the hour of 12:00 noon every day except Sundays and statutory holidays all such reports, as specified in subclauses (a)(ii) or (d)(i) relating to goods, articles or things received during the 24 hours immediately preceding 10:00 a.m. of the same day. The delivery on any day following a Sunday or holiday shall include reports for the period beginning with 10:00 a.m. on the day on which the last preceding delivery was made;

(h) immediately after the redemption or repurchase of any article, make an entry in the record of transaction referred to in clause (a), showing the name of the person by whom the article was redeemed or repurchased, his address, physical description and the date of the redemption or repurchase;

(i) retain in the premises in which he carries on the trade all goods, articles or things received on pledge or under a repurchase agreement for a period of 15 days after the report required by clause (g) has been delivered.

(2) Exception:

(a) Clause (1)(g) shall not apply to any transaction consisting solely of used household furniture, clothing and accessories, sports apparel, books and magazines, sports cards, cassette recordings, records, compact discs, video tapes, and computer games and software, or any combination thereof.

(b) All goods, articles or things included in any transaction which is exempted from the reporting requirement under clause 1(g) shall be retained in the premises for at least 15 days after the date the transaction occurred.

(3) No pawnbroker shall

(a) carry on his trade before the hour of 8:00 a.m., or after 9:00 p.m., or on any Sunday or statutory holiday;

(b) take or receive in pawn or purchase any property, bonds, notes, securities, article or thing produced, presented, owned or claimed by any person under the age of 18 years, or which may be in the possession or under control of a person under the age of 18 years;

(c) take or receive in pawn or conduct any transaction in relation to good, article or thing where any serial number or other distinguishing mark of the good, article or thing has been defaced, altered or obliterated in any way;

(d) purchase or take any article in pawn from any person appearing to be intoxicated, or from any person whom he knows to have been convicted of theft or a related offence; or

(e) remove, erase, obliterate, render, obscure or in any way alter any distinctive mark upon any article or thing acquired, purchased, or received by him in the course of his business until the expiration of the retention period specified in clause (1)(i).
*amended 7266/98*

**ROOMING HOUSE**

35. No person shall operate a rooming house unless it complies with the requirements of the City of Winnipeg Residential Buildings Fire Safety By-law No. 4304/86.

**PRECIOUS METALS DEALER, SECOND HAND DEALER AND ANTIQUE BUYER**

36. (1) In this section "dealer" means a precious metals dealer, second hand dealer or an antique buyer.

(2) Every dealer shall:

(a) record every purchase, exchange or other acquisition:

i) by keeping a record book in the form which is attached and marked as Schedule D in which shall be clearly written in ink, at the time of each transaction:

- an accurate account and description of the goods, articles or things included in the transaction,
- the serial number or a statement of any distinctive marks on those goods,
- the time of the transaction,
- the price or other consideration paid or given,
- the name, address and a detailed description of the person the transaction is conducted with,

and no entry made in the book shall be erased, obliterated or defaced and no leaves shall be torn out or removed; or,

ii) by maintaining an electronic record keeping system, such that a separate transaction record containing the following information is created, printed and saved in a retrievable form:

- an accurate account and description of the goods, articles or things included in the transaction,
- the serial number or a statement of any distinctive marks on those goods,

- the time of the transaction,

- the price or other consideration paid or given,

- the name, address and a detailed description of the person the transaction is conducted with;

(b) undertake a transaction only with a person from whom the goods, articles or things are received who provides, at the time of the transaction:

i) one piece of current photograph identification such as a valid Manitoba Driver's License, a Manitoba Liquor Control Commission Photo Identification Card, or any other item of personal identification containing a photograph, address and signature; or,

ii) three pieces of non-photograph identification such as a Birth Certificate, Vehicle Registration Certificate, Manitoba Health Registration Card, a Provincial Social Assistance or City of Winnipeg Social Assistance Identification Card or Credit Card; or,

iii) an inked thumb impression along with one piece of non-photograph identification as set out in subclause (ii);

and record the identification provided in the record of transaction referred to in clause (a);

(c) give to each article or quantity of articles included in one purchase, a folio number in the record of transaction referred to in clause (a) and attach to and maintain on every such article or quantity of articles a tag bearing the folio number for the period of retention hereinafter provided; said numbers to be consecutive and the same number not to be used twice in the same year;

(d) at the time of each transaction:

i) make out a report in the form attached and marked Schedule E, a legible and correct copy of the entries in the book referred to in clause (a)(i), which report shall be signed by the dealer and by the person selling or disposing of the goods; or,

ii) cause to be printed a copy of the electronic transaction record, which printed copy shall be signed by the dealer and by the person selling or disposing of the goods, and be maintained by the dealer for a period of six months from the date of the transaction;

(e) in the event a person chooses to provide an inked thumb impressions as identification, register such thumb print on the copy of the transaction record referred to in subclauses (a)(i) or (d)(ii) and maintain such record for a period of at least six months from the date of the transaction;

(f) at all reasonable times produce all records of transactions and identification as referred to in subclauses (a)(i) or (d)(ii), as well as any article or thing pawned, pledged or purchased for the inspection of any police officer or licence inspector;

(g) cause to be delivered to, or file electronically with, the Chief of Police before the hour of 12:00 noon every day except Sundays and statutory holidays all such reports, as specified in clause (a)(ii) or (d)(i) relating to goods, articles or things received during the 24 hours immediately preceding 10:00 a.m. of the same day. The delivery on any day following a Sunday or holiday shall include reports for the period beginning with 10:00 a.m. on the day on which the last preceding delivery was made;

(h) retain in the premises in which he carries on the trade all goods, articles or things purchased by, deposited or left with him for a period of 15 days after the report required in clause (g) has been delivered;

(i) have his name and address of the store, shop or yard occupied by him from time to time as his place of business conspicuously and legibly painted on each side of every vehicle used in such business.

(3) No dealer shall

(a) purchase or acquire in the course of his business, whether by barter or otherwise, any goods articles or thing of any kind from any person under the age of 18 years;

(b) go from house to house purchasing or collecting precious stones, precious metals or plate;

(c) purchase or acquire in the course of his business, any goods, articles or thing where any serial number or other distinguishing mark of the good, article or thing has been defaced, altered or obliterated in any way;

(d) carry on his trade before the hour of 8:00 a.m., or after 9:00 p.m.;

(e) remove, erase, obliterate, render obscure or in any way alter any distinctive mark upon any article or thing acquired, purchased or received by him in the course of his business until the expiration of the retention period specified in clause (2)(h).

(4) No second hand dealer shall carry on his trade in any residential premises.

(5) Exceptions:

(a) Clause (2) shall not apply to any transaction consisting solely of used household furniture, clothing and accessories, sports apparel, books and magazines, sports cards, cassette recordings, records, compact discs, video tapes, and computer games and software, or any combination thereof.

(b) Clauses (2)(b), (c) and (d) and clause (3)(e) do not apply with respect to goods purchased at an auction or from any other dealer;

(c) Clause (2)(c) does not apply to emergency repair parts for farm machinery and equipment supplied pursuant to Section 8 of *The Farm Machinery and Equipment Act*.
*amended 7266/98*

**BODY MODIFICATION ESTABLISHMENT or BODY MODIFICATION TECHNICIAN**

37. Every person carrying on the trades of Body Modification Establishment or Body Modification Technician must comply with the requirements of the Body Modification By-law.
*amended 40/2005 (effective January 1, 2006)*

**USED MATERIAL COLLECTOR**

38. No used material collector shall

(a) purchase or acquire by barter or otherwise in the course of his business any goods, article or thing of any kind from any person under the age of 18 years;

(b) carry on his trade before the hour of 6:00 a.m. or after the hour of 6:00 p.m

**USED MATERIAL YARD**

39. (1) (a) Every used material yard shall be entirely enclosed by a fence that is

(i) a uniform height of not less than 2.5 metres; and

(ii) on those sides of the yard which front upon a public street, the fence shall be a solid, closed type of construction.

(b) Notwithstanding clause (a) where, in the opinion of the Community Committee for the area in which the trade is proposed to be carried on, the interests of the occupants or owners of property in the vicinity and the character of the district will not be adversely affected, the Community Committee may approve the following modified fencing requirements:

(i) a fence height of less than 2.5 metres for all or any portion of the fence;

(ii) on the portion of the fence fronting upon a public street, a mesh or other open type of fence may be approved for the whole or a part of the fence.

(2) No used material yard operator shall permit any used materials to be placed or stored

(a) outside of the fence enclosing the used material yard;

(b) within a distance of 1.22 metres of any building or structure situated in or upon or forming part of the used material yard;

(c) upon the roof of any building or structure situated in or upon or forming part of the used material yard;

(d) within a distance of 1.5 metres of any building or structure used for residential purposes; and

(e) upon or against any portion of the fence enclosing the used material yard which is along or abutting a public street.

(3) Every used material yard operator shall keep the fence enclosing the used material yard in a state of good repair and well painted or suitably treated so as to resist deterioration.

(4) Every used material yard operator shall maintain all stacks or piles of used materials in or upon the used material yard at a height which is at or below the top elevation of the fence enclosing the yard at every point in the yard within 3 metres measured perpendicularly distant from every public street.

## VENDING MACHINES

40. (1) Every person operating a vending machine shall ensure that his full name and current telephone number is displayed in a conspicuous place on that machine and remains displayed at all times.

(2) A number of heads or dispensing devices mounted on a single stand or support will be deemed to be one machine;
*amended 7452/99*

(3) Licences will be issued to permit all vending machines to be operated throughout the City and will not relate to any specific premises;
*amended 7452/99*

(4) The Chief Licence Inspector shall provide every person licensed to operate any vending machine with a licence sticker and every person to whom such a sticker has been provided shall affix the sticker in a conspicuous place on the machine and in a manner satisfactory to the Chief Licence Inspector.
*amended 7452/99*

## WASTE OIL TRUCKER

41. (1) (a) Every vehicle used by a waste oil trucker shall be equipped with a tank having a power take-off pump with a meter incorporated, and the pump, meter and all parts and accessories shall at all times be maintained in good working condition;

(b) No gasoline or any like substance shall at any time be placed, stored or conveyed in any tank mentioned in this subsection.

(2) Every waste oil trucker shall keep records showing the names of persons for whom and the premises from which oil or grease was taken, the quantity and nature thereof and like particulars in respect to the destination and disposal of the oil or grease, and shall provide a complete and accurate report showing those particulars to the Director of Water and Waste weekly, before the end of the following week.

(3) The weekly report shall be in a form prescribed by or approved by the Director of Water and Waste.

## PART III: MISCELLANEOUS PROVISIONS

42. (1) Subject to subsection (2), a person who, contrary to subsection 3(1) of this By-law, carries on a trade which is listed in Schedule A to this By-law without having a valid and subsisting licence from the City, is guilty of an offence and is liable on summary conviction to the following penalties, which shall not exceed $15,000.00:

(a) for a first offence, to a fine that is not less than the amount of the annual licence fee for the trade being carried on;

(b) for a second offence, to a fine that is not less than two times the amount of the annual licence fee for the trade being carried on;

(c) for a third or subsequent offence, to a fine that is not less than three times the amount of the annual licence fee for the trade being carried on.

(2) Where the annual licence fee for a trade is less than $50.00, the fine prescribed under subsection (1) shall not be less than $50.00.

42.1 A person who contravenes a provision of this By-law, other than subsection 3(1), is guilty of an offence and is liable on summary conviction to the following penalties, which shall not exceed $15,000.00:

(a) for a first offence, to a fine of not less than $100.00;

(b) for a second offence, to a fine of not less than $500.00;

(c) for a third of subsequent offence, to a fine of not less than $1,000.00.

42.2 Nothwithstanding the penalties prescribed in sections 42 or 42.1, an individual may also be liable on summary conviction to imprisonment for a term not exceeding six months or to both a fine as specified herein and imprisonment.

*amended 7457/99 (sec. 42 - 42.2 inclusive)*

## SCHEDULES

43. Schedules A, B, C, D, E, F, G, and H form part of this By-law.

## REPEAL

44. The City of Winnipeg By-law No. 4007/85 and all amendments thereto are repealed.

**TRANSITION**

45. (1) Every licence previously issued under By-law No. 4007/85 to carry on the trade of a card reader, sand reader or palmist shall continue in force until its expiry date and shall, during its term, satisfy the requirement under this by-law for a psychic reader licence.

(2) Every licence previously issued under By-law No. 4007/85 to carry on the trade of an automatic vending slot machine shall continue in force until its expiry date and shall, during its term, satisfy the requirement under this by-law for a vending machine licence.

(3) Every licence previously issued under By-law No. 4007/85 to carry on the trade of a rag collector shall continue in force until its expiry date and shall, during its term, satisfy the requirement under this by-law for a used material collector licence.

(4) Every licence previously issued under By-law No. 4007/85 to carry on the trade of an auto salvage yard, a scrap material yard or a waste material yard shall continue in force until its expiry date and shall, during its term, satisfy the requirement under this by-law for a used material license.

**COMING INTO FORCE**

46. This by-law comes into force on February 18, 1995.

**DONE AND PASSED** in Council assembled, this 26th day of January, 1995.

1 See sections 116 and 117 of *The City of Winnipeg Charter* for information about how to serve orders, decisions and other documents.

2 See sections 189 and 121 of *The City of Winnipeg Charter* for information about appeals, including information about the time limit for appeals and how appeals are to be filed.

3 See sections 180-181 and sections 183-188 of *The City of Winnipeg Charter* for information about some of the key powers given to designated employees.

*added 109/2006; amended 122/2006*

**CITY OF WINNIPEG LICENCE BY-LAW 6551/95 - Schedule A**

**PART 1: ALL LICENCE FEES IN THIS SECTION ARE ANNUAL FOR LICENCE YEAR JUNE 01 TO MAY 31 OF THE FOLLOWING YEAR**

| ITEM NO. | TRADE to be LICENCED | Licence Fee (Annual unless otherwise specified) |
|---|---|---|
| **1** | Amusement Device | $90 |
| **2** | Amusement Parlour | $650 |
| **3** | Antique Buyer:<br>a) when held with second hand dealer or pawnbroker licence | $85 |
| | b) all others | $200 |
| **4** | Auctioneer | $200 |
| **5** | Auctioneer's Assistant | $75 |
| **6** | Awning &Canopy Installer | $80 |
| **7** | Banquet Hall | $350 |
| **8** | Barber Shop | $100 |
| **9** | Beauty Salon | $100 |
| **10** | Bicycle Dealer | $90 |
| **11** | Billiard Parlour | $135 |
| **12** | Body Modification Establishment | $460 |
| **13** | Body Modification Technician | $110 |
| **14** | Bowling Alley | $240 |
| **15** | Bus | $65 |
| **16** | Canvasser | $65 |
| **17** | Carnival | $175 |
| **18** | Chimney Sweep | $100 |
| **19** | Cinema | $280 |
| **20** | Concert Hall | $205 |
| **21** | Crane Operator | $80 |
| **22** | Dance Hall | $390 |
| **23** | Dating and Escort Service | $4,000 |
| **24** | Escort | $105 |
| **25** | Flea Market Promoter:<br>a) for each day not exceeding 3 consecutive days | $130 |
| | b) four or more days | $450 |

| | | |
|---|---|---|
| **26** | Food Handling Establishment: | |
| | a) Temporary | $210 |
| | b) Limited | $200 |
| | c) All others | $330 |
| **27** | Furnace Vacuum Cleaner | $65 |
| **28** | Game - for each game or device | $90 |
| **29** | Hatchery, Chick | $130 |
| **30** | Hostel | $205 |
| **31** | House Mover | $130 |
| **32** | Ice Cream Freezer | |
| | a) when held with a food handling establishment licence other than temporary or limited | $155 |
| | b) all others | $230 |
| **33** | Ice Skating Rink | $160 |
| **34** | Insulating Machine | $65 |
| **35** | Itinerant Photographer | $130 |
| **36** | Itinerant Salesman: | |
| | a) selling only greeting cards | $65 |
| | b) all others | $460 |
| **37** | Karting Track | $275 |
| **38** | Laundry/Dry Cleaning Plant | $300 |
| **39** | Livery Stable | $130 |
| **40** | Livestock Dealer | $130 |
| **41** | Magazine Salesman | $130 |
| **42** | Massage Parlour Proprietor | $4,000 |
| **43** | Massage Therapist | $110 |
| **44** | Massagist | $120 |
| **45** | Motor Raceway | $330 |
| **46** | Oil Supply Service | $80 |
| **47** | Psychic Reader | $130 |
| **48** | Pawnbroker | $605 |
| **49** | Pet Shop | $140 |
| **50** | Poultry Keeper | $130 |
| **51** | Poultry Slaughter House | $305 |
| **52** | Precious Metals Dealer: | |
| | a) when held with second hand dealer, pawnbroker or antique buyer licence | $90 |
| | b) all others | $365 |

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|---|---|---|
| **53** | Rides:<br>a) mechanical, coin-operated designed and operated for use by children 10 years of age or younger - for each ride | $80 |
| | b) all other rides including roller coasters, merry-go-rounds, ferris wheels, ocean wave devices - for each ride | $95 |
| **54** | Roller Skating Rink | $160 |
| **55** | Second Hand Dealer:<br>a) dealing only in household furniture, clothing & accessories, sports apparel, books & magazines, cassette recordings, records, compact disks, video tapes, computer games & software or storage only or any combination thereof but excluding any electronic equipment such as TV's, stereo's, VCR's or when held with a pawnbroker licence | $135 |
| | b) all others | $305 |
| **56** | Shooting Gallery | $460 |
| **57** | Shuffleboard | $80 |
| **58** | Sign Erector | $80 |
| **59** | Skateboard Facility | $160 |
| **60** | Soap Manufactory | $80 |
| **61** | Soils Dealer | $165 |
| **62** | Souvenir Book Seller:<br>a) for each day not exceeding 2 consecutive days | $30 |
| | b) for more than 2 consecutive days | $50 |
| **63** | Souvenir Seller:<br>a) for each day not exceeding 2 consecutive days | $40 |
| | b) for more than 2 consecutive days | $100 |
| **64** | Street Artist | $35 |
| **65** | Tannery | $245 |
| **66** | Tobacconist | $100 |
| **67** | Toboggan Slide | $160 |
| **68** | Trailer Park | $65 |

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|---|---|---|
| **69** | Transient Trader: | |
| | a) Transient Trader who is assessed for business tax or a licence in lieu of business tax in respect of premises located in the City | |
| | i) for a period of 90 consecutive days - 1 location | $385 |
| | ii) for a period of 90 consecutive days - each additional location | $275 |
| | iii) for 1 day only - 1 location | $230 |
| | b) Transient Trader who is not assessed for business tax or a licence in lieu of business tax in respect of premises located in the City | |
| | i) for a period of 90 consecutive days - 1 location | $550 |
| | ii) for a period of 90 consecutive days - each additional location | $440 |
| | iii) for 1 day only - 1 location | $275 |
| | c) Transfer of licence to new location | $40 |
| **70** | Undertaker, Funeral Director | $265 |
| **71** | Used Material Collector | $70 |
| **72** | Used Material Yard | $330 |
| **73** | Vending Machines: | |
| | a) all vending machines includung automatic phonograph, lifting, or strength testing machine, television unit, postage stamp machine, electrically operated vending machines and nonelectric manually operated machines except for b) | $15 |
| | b) cigarette vending machine or any machine vending tobacco products or tobacco products in addition to other products | $85 |
| **74** | Waste Oil Trucker | $80 |
| **75** | Window Installer | $80 |
| **76** | Window Washer | $80 |

**PART 2: ALL LICENCE FEES IN THIS SECTION ARE ANNUAL FOR LICENCE YEAR JANUARY 01 TO DECEMBER 31**

| ITEM NO. | TRADE to be LICENCED | Licence Fee (Annual unless otherwise specified) |
|---|---|---|
| **1** | ~~Hawker:~~ *repealed 222/2007* | |
| **2** | Outdoor Mobile Food Vending Unit (per unit) | |
| | a) general | $310 |
| | b) selling only fresh fruit, vegetables and/or prepackaged food products | $235 |
| **3** | ~~Plant Stall:~~ *repealed 222/2007* | |
| **4** | Rooming House | $340 |

**PART 3: MISCELLANEOUS FEES**

| ITEM NO. | TRADE to be LICENCED | Licence Fee (Annual unless otherwise specified) |
|---|---|---|
| **1** | Replacement damaged licence, licence plate, badge or sticker | |
| | a) for a licence sticker | $15 |
| | b) for a badge | $15 |
| | c) for a licence plate ( food vendor) | $15 |
| | d) repealed 222/2007 | |
| | e) for a general licence | $15 |
| **2** | Refunds:<br>applicable refund calculated from the date of refund application & only where the licence & or badge, plate, or sticker is surrendered.<br>(no refund when refund due is under $30.00) | $30 |

**SCHEDULE "B" TO THE CITY OF WINNIPEG LICENSE BY-LAW NO. 6551/95**

**THE CITY OF WINNIPEG LICENSE BY-LAW No. 6551/95**
**RECORD BOOK**
**Bicycle Dealer**

LICENSEE_____

| DATE | TIME REC'D | NO. OF FOLIO | AMOUNT PAID | MAKE OF BICYCLE | MANUF. SERIAL NO. | NAME/ADDRESS OF PERSON SELLING | DESCRIPTION OF PERSON | | | | I.D. PRODUCED | NAME/ADDRESS OF PERSON PURCHASING | DATE | AMOUNT | REMARKS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | D.O.B. | HEIGHT | WEIGHT | DRESS | | | | | |
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**I CERTIFY THAT THE ABOVE IS A COMPLETE AND ACCURATE RECORD OF ALL ARTICLES RECEIVED IN THE COURSE OF BUSINESS**

Signature of Licensee_____

**SCHEDULE "C" TO THE CITY OF WINNIPEG LICENSE BY-LAW NO. 6551/95**

FORM 52A--1M Books 1973
I hereby certify that the following is a correct report of all articles acquired during the period immediately preceding the time of making this Certificate in compliance with the City of Winnipeg License By-law:

| DATE | TIME REC'D | BICYCLE PART | AMOUNT PAID | MAKE OF BICYCLE | MANUF. SERIAL NO. | CITY OF WINNIPEG BICYCLE LICENSE NO. | NAME AND ADDRESS | DESCRIPTION OF PERSON SELLING | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | AGE | HEIGHT | COMPLEXION | BEARD, COLOUR, SHAPE | DRESS |
| | | | | | | | | | | | | |
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**Dealers Name**

*amended 6727/95*

## SCHEDULE "D" TO THE CITY OF WINNIPEG LICENSE BY-LAW NO. 6551/95

NOTE: COLUMN 6 IS TO CONTAIN THE FOLLOWING TRANSACTION CODES AS APPLICABLE:
P - pawn or pledge
R - purchase with resell option
S - second hand purchase
M - (precious metals dealer)
A - antique purchase (antique dealer)

**THE CITY OF WINNIPEG LICENSE BY-LAW**
**RECORD BOOK**
**Pawnbrokers, Second Hand, Precious Metals and Antique Dealers**

LICENSEE

| DATE | TIME REC'D | PAWN TICKET OR FOLIO NO. | AMOUNT LOANED OR PAID | RATE OF INTEREST OR TERMS OF SALE | DESCRIPTION OF ARTICLES (MUST INCLUDE MAKE, MODEL, SERIAL NO. & COLOR) | NAME/ADDRESS OF PERSON PLEDGING OR SELLING | DESCRIPTION OF PERSON | | | | ID PRODUCED | PARTICULARS OF REDEMPTION OR SALE |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | D.O.B | WEIGHT | HEIGHT | M/F | | |
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SCHEDULE "E" TO THE CITY OF WINNIPEG LICENSE BY-LAW NO. 6551/95
*amended 6727/95*

| DESCRIPTION OF ARTICLES<br>Please Print | FOR POLICE USE ONLY |
|---|---|
| MAKE: | |
| MODEL: | |
| SERIAL NO.: | |
| COLOUR: | |
| RECORDS BOOK PAGE NO.: | |
| | |
| | |
| I hereby certify that this card contains a correct copy of the entries in my book relating to the articles described above and that the said entries are true. Accompanied herewith are reports pertaining to all articles received during the 24 hours immediately preceding the hour of ten o'clock in the forenoon of the date of this card in compliance with the License By-law | |
| _____ 19 ___ Signature of Dealer | |

**WINNIPEG POLICE SERVICE**
*PAWNBROKER OR DEALER'S REPORT* Please Print

LICENSEE:

ADDRESS:

DATE PROPERTY RECEIVED: TIME

PAWN TICKET OR FOLIO: $

NAME OF CUSTOMER:

SURNAME FIRST NAME MIDDLE NAME M/F

ADDRESS

**DESCRIPTION:**
BIRTHDATE: WEIGHT HEIGHT

MONTH DAY YEAR

HAIRCOLOUR _____ GLASSES _____ COMPLEXION

COLOUR OF EYES _____ MOUSTACHE OR BEARD

_____

IDENTIFICATION *(DESCRIBE PROPERTY ON REVERSE)*
SIGNATURE OF CUSTOMER

SCHEDULE "F" TO THE CITY OF WINNIPEG LICENSE BY-LAW NO. 6551/95

SCHEDULE F TO BY-LAW NO. 6551/95 OF THE CITY OF WINNIPEG

TO BE CARRIED BY CHILD

I Hereby acknowledge that as a parent or legal guardian of _____ being a child under the age of 16 years, I have given permission for him/her to enter the amusement parlour and operate amusement devices

at _____

_____ _____
(Date) (Signature)

TO BE RETAINED BY OPERATOR

Name of Parent or Legal Guardian _____

Address _____

Telephone (Home) _____ (Business) _____

I hereby consent to allow my child _____
Name of child

to enter the following premises _____
Name of premises

_____
Address of premises

and to operate amusement devices therein.

Child's Date of Birth _____

_____ _____
(Date) (Signature of parent or guardian)

Consent Verified ☐ By phone ☐ In person

_____ _____
(Date) (Signature of Proprietor)

NOTE — The City of Winnipeg License By-law prohibits children under age 16 from entering amusement parlours and operating amusement devices unless consent from a parent or legal guardian is given on this form. Operators of amusement parlours are required to keep these forms on file and make a reasonable effort to verify parental consent.