Agenda - Council - March 22, 2006

Report - Standing Policy Committee on Property and Development - February 28, 2006

Item No. 7 Amendments to Schedule A of The City of Winnipeg License By-law No. 6551/95
File EL-1

STANDING COMMITTEE RECOMMENDATION:

On March 15, 2006, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submits the following to Council:

1. That the amendments to Schedule A of The City of Winnipeg License By-law No. 6551/95 as outlined in the report from the Director of Community Services dated February 13, 2006, to continue all License fees at their current rates as applicable, be approved.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Property and Development - February 28, 2006

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 15, 2006, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 28, 2006, the Standing Policy Committee on Property and Development concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

RE: Amendments to the City of Winnipeg License By-law 6551/95 Schedule A

FOR SUBMISSION TO:	**Standing Policy Committee on Property & Development**
ORIGINAL REPORT SIGNED BY:	**Ursula Stelman, Director Community Services Department**
REPORT DATE:	**February 13, 2006**

RECOMMENDATION(S):

That the City of Winnipeg License By-law 6551/95 Schedule A be amended as set out in the attached draft by-law to continue all License fees at their current rates as applicable. (Attachment 1)

REPORT SUMMARY:

Key Issues:

- The replacement of Schedule "A" of the License By-law with a new Schedule "A" extends indefinitely all fees set out in the License By-law 6551/95 at their current rates.
- Current license fees are set to expire on May 31, 2006 or December 31, 2006 as applicable.
- Carry over of the license fees at their current amounts aligns with the General License Revenue line contained within the 2006 – 2008 Preliminary Operating Budget.
- Given that the Red Tape Commission has made recommendations concerning the License By-law, this report does not propose any further changes to the License By-law and related fees at this time. This will allow time during which the recommendations of the Red Tape Commission can be given due consideration prior to any further changes to the License By-law 6551/95 being proposed for Council consideration.

Implications of the Recommendation(s):

General implications:

None

For the organization overall &/or for other departments

X **For the community and/or organizations external to the City**

Involves a multi-year contract

Comment(s):

This report recommends the indefinite extension of the current License Fees Schedule, until such time as the outcome of the recommendations of the Red Tape Commission is known.

Policy implications:

X **No**

Yes **Comment(s):**

Environmental implications:

X **No**

Yes **Comment(s):**

Human Resources implications:

X **No**

Yes **Comment(s):**

Financial implications:

X **Within approved current and/or capital budget**

Current and/or capital budget adjustment required

Comment(s):

Carry over of the license fees at their current amounts aligns with the General License Revenue line contained within the 2006 – 2008 Preliminary Operating Budget.

REASON FOR THE REPORT:

Council approval is required for the enactment of by-laws.

HISTORY:

The existing License By-law 6551/95 Schedule A set the license fees from 1999 – 2006.

License Fees are based on a cost-recovery model that recovers the City's costs for inspection, enforcement and administration.

The current fees have been in place since 2004.

DISCUSSION:

In the 2006 – 2008 Preliminary Operating Budget, General License Revenues are $2,164,000 for 2006; $2,149,000 for 2007; and $2,149,000 for 2008. It is anticipated that the indefinite extension of the current License By-law fees, will match these overall General License Fee Revenues.

Historically, License Fees have been set for a five-year period. However, in 2005 existing License Fees were continued for one year, given that at that time a regulatory review was being carried out by the Red tape Commission. In light of the fact that the Red Tape Commission has made significant recommendations concerning the License By-law, this report recommends that fees remain at their existing levels indefinitely. This will allow time during which the recommendations of the Red Tape Commission can be given due consideration, prior to any further changes to the License By-law 6551/95 being proposed for Council consideration.

Financial Impact Statement

Date: February 13, 2006

Project Name:

Amendments to the License By-law 6551/95 Schedule A

First Year of Program 2006

	2006	2007	2008	2009	2010
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
External	-	-	-	-	-
Grants (Identify)	-	-	-	-	-
Reserves, Equity, Surplus, Other	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 2,164,000	$ 2,149,000	$ 2,149,000		$ -
Less: Incremental Revenue/Recovery	2,164,000	2,149,000	2,149,000		-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts		-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

Carry over of the license fees at their current amounts aligns with the General License Revenue line contained within the 2006 – 2008 Preliminary Operating Budget.

"Original signed by"
Clive Wightman, Manager
Finance & Administrative Services

IN PREPARING THIS REPORT THERE WAS CONSULTATION WITH, AND CONCURRENCY BY:

- Legal Services

THIS REPORT SUBMITTED BY:
Community Services Department
Prepared by: Bryan Verity,
Chief License Inspector

Kelly Goldstrand,
Manager of Community Resource, Protection & Safety Services

File No.

6052

Attachment 1

THE CITY OF WINNIPEG

BY-LAW NO.

A By-law of THE CITY OF WINNIPEG to amend Schedule A of the License By-law No. 6551/95.

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

1. The License By-law No. 6551/95 is amended by deleting Schedule "A" in its entirety and substituting the attached as Schedule "A".

DONE AND PASSED, in Council assembled, this day of , 2006.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Director of Community Services

Certified as to form:

_____
for City Solicitor/Manager of
Legal Services

Attachment 2

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 LICENSED	License Fee (Annual unless otherwise specified)
1	Amusement Device	$90
2	Amusement Parlour	$650
3	Antique Buyer: a) when held with second hand dealer or pawnbroker license	$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: a) for each day not exceeding 3 consecutive days	$130
	b) for 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

ITEM NO.	TRADE to be LICENSED	License Fee (Annual unless otherwise specified)
53	Rides:	
	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:	
	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
	c) 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:	
	a) for each day not exceeding 2 consecutive days	$30
	b) for more than 2 consecutive days	$50
63	Souvenir Seller:	
	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

ITEM NO.	TRADE to be LICENSED	License Fee (Annual unless otherwise specified)
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 LICENSED	License Fee (Annual unles otherwise specified)
1	Hawker:	
	a) with vehicle or mobile unit (per vehicle or mobile unit)	$165
	b) travelling on foot	$100
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	$65
4	Rooming House	$340

PART 3: MISCELLANEOUS FEES

ITEM NO.	TRADE to be LICENSED	License Fee (Annual unles 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) for a licence plate (hawker)	$15
	e) for a general licence	$15
2	Refunds: applicable refund calculated from the date of refund application & only where the licence & or badge, plate, or sticker is surrendered.	
	(no refund when refund due is under $30.00)	$30