
WILLIAMS LAKE FIRST NATION BUSINESS LICENCE LAW 2024-02



July 11, 2024

**WILLIAMS LAKE FIRST NATION
BUSINESS LICENCE LAW 2024-02**

WHEREAS:

- A. Williams Lake First Nation has an inherent right to self-government which emanates from its people, culture, language, aboriginal rights, including title, over its traditional lands, which includes, but is not limited to, our Williams Lake First Nation Lands, and is recognized and affirmed by section 35 of the Constitution Act, 1982;
- B. Williams Lake First Nation has assumed control of its Williams Lake First Nation Lands pursuant to the First Nations Land Management Act, S.C. 1999, c. 24 by entering into the Individual Agreement on First Nation Land Management between Williams Lake First Nation and her Majesty the Queen in right of Canada and by adopting a Land Code;
- C. Pursuant to the Land Code and the First Nation's Land Management Act, the Williams Lake First Nation Council can make laws with respect to the use of Williams Lake First Nation Lands, including a Business Licence Law;
- D. The Council of Williams Lake First Nation deems it advisable and in the best interests of Williams Lake First Nation to make a law to regulate the licensing of businesses, trades, and occupations;

NOW THEREFORE Council of Williams Lake First Nation enacts the following law:

1. TITLE

- 1.1 This Law may be cited as the "WLFN Business Licence Law 2024-02".

2. DEFINITIONS

- 2.1 In this Law, unless the context otherwise requires:

"applicant" means a person who makes an application for any licence under the provisions of this Law;

"application" means an application for a business licence in the form established by Council;

"business" means a commercial or industrial undertaking of any kind or nature, and includes the provision of professional, personal, contractual, or other services, within WLFN Lands for the purpose of gain or profit;

"business licence" or "licence" means the actual licence to operate a business in the form established by Council;

"Business Licence Officer" means the person appointed by Council from time to time to administer the provisions in this Law;

"carrying on a business" includes, without restriction, whether personally or as a business, selling, bartering, renting, or displaying any commodity or other things of

any kind, either on behalf of oneself or others, or advertising or indicating by any means that one is open to render, or offer to render, professional, personal, contractual, or other services to any other person for the purpose of gain or profit;

"Council" means the lawfully elected governing body of Williams Lake First Nation;

"firecracker" means a pyrotechnic device that explodes instantaneously when ignited and does not produce any visible effect after the explosion;

"fireworks" means a pyrotechnic device producing quantities or effects of light, sound, and/or smoke by combustion of explosive or flammable composition, and as classified as fireworks under the Explosives Regulation, 2013 (SOR/2013/211) of the Explosives Act, RSC 1985, c. E-17, as amended or replaced from time to time, but does not include Firecrackers, sparklers, or caps for toy guns;

"floor area" means that area within a building that is used for carrying on a business, including storage areas;

"ground area" means that area outside a building that is used for carrying on a business, including storage areas;

"licensee" means a person who has been granted a licence under the provisions of this Law;

"parcel of land" or **"parcel"** means any lot, block, manufactured home pad, or other real property within WLFN Lands that is held, or into which real property within WLFN Lands is subdivided, together with the improvements affixed to it;

"person" includes, in addition to its ordinary meaning, any association, household, society, corporation, partnership, or party, whether acting by themselves or by a servant, agent, or employee, and the successors, assigns, and personal or other legal representatives of such person to whom the context can apply according to law;

"persons engaged in the business" will mean and include the owner, proprietor, or members of the business' board of directors, and its assistants and employees;

"premises" includes a store, office, warehouse, factory building, enclosure, yard, or other place occupied or capable of being occupied by any person for the purpose of carrying on a business, and will also mean any area situated within any of the foregoing where more than one class or classification of business is carried on;

"resident business" means a business carried on, in, or from premises within WLFN Lands;

"WLFN" means Williams Lake First Nation;

"WLFN Cashier" means the person or persons designated as a central cashier by the Chief Financial Officer, from time to time, to facilitate the receipt of fees and other payments by WLFN, and includes any delegate;

"WLFN Lands" or **"WLFN Land"** means:

- (a) The following WLFN Indian Reserves:
 - (i) Williams Lake Indian Reserve No. 1;
 - (ii) Asahal Indian Reserve No. 2;
 - (iii) Five Mile Indian Reserve No. 3
 - (iv) James Louie Indian Reserve No. 3A;
 - (v) Tillion Indian Reserve No. 4;
 - (vi) Chimney Creek Indian Reserve No. 5;
 - (vii) San Jose Indian Reserve No. 6;
 - (viii) Carpenter Mountain Indian Reserve No. 15; and
- (b) Lands set apart by Canada in the future as lands reserved for the use and benefit of WLFN, within the meaning of subsection 91(24) of the Constitution Act, 1867 and section 2(1) of the Indian Act;

"Williams Lake First Nation Law" or "WLFN Law" means a law enacted pursuant to the WLFN Land Code or a WLFN bylaw pursuant to the Indian Act;

"WLFN Law Enforcement Officer" means the person or persons appointed by Council, from time to time, to enforce the provisions of WLFN Laws, and includes any delegate;

2.2 Unless otherwise provided in this Law, words, expressions, and rules of construction used in this Law have the same meaning as in the Williams Lake First Nation Land Code.

2.3 Metric units are used for all measurements in this Law. The imperial equivalents are provided for convenience only and have no force or effect.

3. LICENCE REQUIRED

3.1 Council must establish a business licence schedule of trades, businesses, professions, occupations, employments, and undertakings, which schedule must be further organized into categories and classifications pursuant to this Law. A copy of the current schedule must be available for viewing at the administrative offices of WLFN and available for distribution at a nominal charge.

3.2 Every person using, following, practicing, carrying on, maintaining, owning, or exercising within WLFN Lands, any trade, business, profession, occupation, employment, undertaking, or thing classified or purpose enumerated, described, named, or set forth in the business licence schedule, must apply for, obtain, and hold a licence.

3.3 Where a business is carried on, in, or from more than one premises within WLFN Lands, the business being carried on, in, or from each premises is deemed to be a separate business.

3.4 Council must establish a schedule of fees payable pursuant to this Law, in respect of the issuance of licences. A copy of the current schedule of fees must be available for viewing at the administrative offices of Williams Lake First Nation and available for distribution at a nominal charge.

3.5 License fees paid pursuant to this Law are not refundable.

4. PROHIBITIONS

4.1 The following businesses and commercial activities are prohibited on WLFN Lands;

- (a) Brothels or places of prostitution; and
- (b) the sale, propagation and processing of cannabis that has not been permitted by WLFN under the Williams Lake First Nation Cannabis Law.

5. EXEMPTIONS

5.1 Despite subsections 3.2 no business licence is required for any of the following businesses and commercial activities, provided these businesses and activities comply with WLFN Law and meet and abide by any applicable federal and provincial laws, regulations or standards:

- (a) Cultural events or other community events hosted by WLFN;
- (b) garage sales or yard sales held by WLFN Members or occupants of WLFN Lands where there are fewer than four (4) days per year of sales;
- (c) sales of baked goods cooked in the home of a Member or occupant of WLFN Lands;
- (d) the door-to-door delivery of newspapers;
- (e) the delivery of mail or parcels;
- (f) the delivery of food by a business whose premise and licence are maintained in another jurisdiction; and
- (g) carriers and taxi cabs and owners or operators of carriers other than taxi cabs whose premise and licence are maintained in another jurisdiction and whose only activity on WLFN Lands is the picking up and/or discharge of chattels or passengers.

6. ISSUING OF LICENCES

6.1 The Business Licence Officer is authorized to grant, issue, or transfer licences as provided in this Law.

6.2 Before any licence is issued, the applicant must ensure that:

- (a) the premises for which the licence is sought will not violate the provisions of any WLFN Law; and
- (b) the operation of the proposed business on the parcel of land where the premises for which the licence is being sought is a use that will not violate the provisions of any WLFN Law.

- 6.3 Before the Business Licence Officer issues a licence, the premises for which the licence is sought must be approved by all authorities having jurisdiction over the business or the premises from which the business will be carried on. Letters of approval or certificates for approval, as required, must be submitted to the Business Licence Officer upon request.
- 6.4 Before any licence is issued to a person to carry on a business that requires insurance coverage, such proof of insurance coverage must be submitted to the Business Licence Officer no less than two (2) weeks prior to the anticipated issuance of such licence, in a form acceptable to the Business Licence Officer.
- 6.5 Every licence must state that the holder is licensed to carry on the business stipulated in the licence:
- (a) in a lawful manner;
 - (b) for the period specified in the licence; and
 - (c) only from such place or premises designated in the licence.
- 6.6 Except as provided in section 12, every licence is personal to the named licensee, and cannot be transferred, given, lent, or sold to another person.
- 6.7 The Business Licence Officer is authorized to classify each application for a licence according to the categories established in the business licence schedule. The applicant may appeal such classification.

7. APPLICATION FOR LICENCE

- 7.1 Every applicant for an initial licence must complete the form of application established by Council.
- 7.2 When duly signed by the Business Licence Officer, an application is the authority for the issuance of a licence.
- 7.3 Every application for an initial licence, or a transfer of a licence, must be signed by the owner or operator of a business, or the owner or the operator's duly authorized agent, provided that in the case of partnerships or multiple owners, any one of such partners or owners may apply, and such partner or owner will be deemed to be duly authorized by all the remaining partners or owners.
- 7.4 The application form must be delivered to the Business Licence Officer and must be accompanied by the established non-refundable licence fee according to the classification of such business as approved by the Business Licence Officer, and any supporting inspection certificates, approvals and confirmations required under this Law.

8. DECLARATIONS

- 8.1 An applicant must, when making an application, give true and correct details of the

business for which the licence is sought, on the forms supplied by the Business Licence Officer.

- 8.2 An applicant must not make a false declaration or conceal material facts when applying for a licence.

9. LICENCES TO BE DISPLAYED

- 9.1 Every licensee must cause that licence to be displayed in a conspicuous place on the premises, on the article, on the vehicle, or at the location in respect of which the licence was issued.

10. CHANGES AFFECTING LICENCE

- 10.1 Every licensee must notify the Business Licence Officer in writing of:
- (a) any change in the classification of the business for which the licence was issued;
 - (b) any change in the number of vehicles used in the business for which the licence was issued; and
 - (c) any change in the licensee's mailing and/or business address,
 - (d) provided that if such change results in a relocation of the licensed business, the licensee must complete and submit for approval a business licence application form, prior to such relocation.
- 10.2 Where the licence fee applied is based on any of the following, the licensee must notify the Business Licence Officer of any change to such change being implemented:
- (a) floor area;
 - (b) ground area;
 - (c) number of persons engaged in the licenced business;
 - (d) number of machines used in the licenced business; or
 - (e) number of rental units used in the licenced business.

- 10.3 Where changes are made under sections 10.1 and 10.2, the Business Licence Officer's powers, conditions, requirements, and procedures relating to the granting or refusal of licences, and appeals thereon, will apply to all such changes.

11. RENEWAL OF LICENCE

- 11.1 Every licensee wishing to continue operation of a business must renew their Licence prior to the beginning of each licensing period.
- 11.2 A licensee who fails to renew an existing licence prior to the beginning of the subsequent licensing period is subject to the levying of a late renewal fee in an

amount determined by the Business Licence Officer, not to exceed twenty five percent (25%) of the licence fee.

12. TRANSFER OF LICENCE

- 12.1 Any licensee desiring to relocate a business from a licenced location to different premises within WLFN Lands must make application in the same manner as required to obtain an initial licence under this Law, and the Business Licence Officer's powers, conditions, and requirements relating to the granting or refusal of licences, and appeals therein, will apply.
- 12.2 The Business Licence Officer will not charge a fee for a transfer of licence under section 12.1.
- 12.3 Any person who purchases the interest of any licensee pursuant to this Law must, before carrying on or continuing such business, make application for a new licence in accordance with section 7. The fee for a new licence may be pro-rated as provided under section 16.3.

13. PERIOD OF LICENCE

- 13.1 Except as hereinafter provided, licences are issued for a twelve (12) month period, commencing on the first (1st) day of January and terminating on the thirty first (31st) day of December in each year.
- 13.2 In respect of a:
- (a) theatre, including a drive-in movie theatre;
 - (b) amusement hall;
 - (c) concert hall;
 - (d) music hall;
 - (e) arena or skating rink;
 - (f) amusement park; or
 - (g) other place of amusement, entertainment, or exhibition,
- the licence period requested must be submitted in writing with the application.
- 13.3 In respect of a:
- (a) circus;
 - (b) horse or pony show;
 - (c) dog show;

- (d) exhibition; or
- (e) other itinerant show or entertainment;

when held other than in a licenced theatre or other licenced place, the licence period will not exceed three (3) days.

- 13.4 The period for a licence in respect of horse or dog racing will not exceed three (3) days.

14. SUSPENSION AND REVOCATION OF LICENCE

- 14.1 The Business Licence Officer may suspend any licence for any period determined to be necessary if the licensee:
- (a) is convicted in Canada of an indictable offence in respect of the business named in the licence, or with respect to the premises named in the licence;
 - (b) is convicted of an offence under WLFN Law, or under statute of the Province of British Columbia, in respect of the business named in the licence, or with respect to the premises named in the licence;
 - (c) has, in the sole opinion of the Business Licence Officer, been guilty of gross misconduct in respect of the business named in the licence, or in respect to the premises named in the licence;
 - (d) has ceased to meet the lawful requirement to carry on the business named in the licence, or with respect to the premises named on the licence;
 - (e) has conducted their business in a manner, performed a service in a manner, or sold or distributed anything, that may be harmful or dangerous to the health or safety of a person actually or apparently under the age of sixteen (16) years or;
 - (f) has refused to provide an exemption to persons who are lawfully entitled to be exempt from the payment of GST or PST, or similar or successor tax.
- 14.2 The Business Licence Officer must issue a notice of suspension of a licence in writing, signed by the Business Licence Officer, and serve it on the licensee or delivered by registered mail to the address stated on the licensee's application or renewal form. A notice of suspension may be posted by the Business Licence Officer upon the premises for which the licence was issued, which notice must not be removed until the licence is reinstated, the suspended license ceases to occupy the premises, or a new business is started on the premises.
- 14.3 No person will carry on a business for which a licence is required by this Law during the period of suspension of such licence.
- 14.4 The Business Licence Officer may revoke a licence for reasonable cause, after giving notice to the licensee in writing and giving the licensee an opportunity to be heard.
- 14.5 The notice and opportunity to be heard referred to in section 14.4 is not required in

respect of a licensee who, by reasonable efforts, cannot be found.

- 14.6 The Business Licence Officer may post a notice of revocation upon the premises named on the licence, and such notice must not be removed until the licensee ceases to occupy the premises, or a new business is started on the premises.

15. APPEALS

- 15.1 Subject to section 14.2, a decision of the Business Licence Officer must be in writing and may be appealed to the Chief Administrative Officer.
- 15.2 An appeal of a decision of the Business Licence Officer may be submitted to the Chief Administrative Officer where the applicant or licensee:
- (a) has applied under the provisions of this Law for a business licence which has not been granted;
 - (b) has had their licence suspended; or
 - (c) wishes to appeal the classification of their business under Section 4.7.
- 15.3 The applicant or licensee submitting an appeal must pay a one hundred dollar (\$100.00) non-refundable appeal fee and must file a statement outlining the grounds for the appeal in writing with the Chief Administrative Officer, in such detail as to enable the Chief Administrative Officer to properly consider the appeal, setting out in a concise manner the grounds upon which the appeal is made and any new information that the Chief Administrative Officer should consider.
- 15.4 The Chief Administrative Officer must render a decision within ten (10) business days of receipt of an appeal and payment of the appeal fee, and may either concur with, reverse, or modify the decision of the Business Licence Officer.
- 15.5 If either the applicant or licensee, or the Business Licence Officer is dissatisfied with the decision of the Chief Administrative Officer on appeal, they may appeal further to Council, whose decision will be final and not subject to further appeal.
- 15.6 An appeal to Council must be in writing and must be accompanied by a one hundred fifty dollar (\$150.00) non-refundable appeal fee. Council must consider the appeal at a duly convened Council meeting within a reasonable time after receipt of the further appeal and payment of the appeal fee. The applicant or licensee, as the case may be, and Business Licence Officer have the right to be heard when the appeal is considered by Council. Council may confirm or set aside the decision of the Chief Administrative Officer.
- ## **16. PAYMENT OF FEES**
- 16.1 Every person required to be licenced under this Law must pay for a licence in advance of the due date shown on the licence, and all licence renewal fees are due and payable on the first (1st) day of January in each year.
- 16.2 Notwithstanding section 16.1, payment of a licence fee is waived where a business

includes an activity carried on:

- (a) by WLFN, its departments, or WLFN-owned corporations; or
- (b) for not-for-profit purposes.

16.3 Licence fees may be reduced pro-rata in respect of any person who obtains a licence after the commencement of the licence period on a half-yearly basis.

16.4 The fee reduction under section 16.3 applies only to the first licence issued to any specific business.

17. ENFORCEMENT

17.1 The provisions of this Law must be carried out and enforced by the Business Licence Officer and by WLFN Law Enforcement Officers.

17.2 For the purposes of enforcing this Law, the Business Licence Officer and WLFN Law Enforcement Officers are authorized to enter, at all reasonable times, upon any parcel of land or premises within WLFN Lands.

17.3 Subject to section 17.2, a registered holder of any parcel of land or premises must provide the Business Licence Officer and WLFN Law Enforcement Officers with:

- (a) access to such parcel and premises, and every part thereof, at any reasonable hour; and
- (b) any information with respect thereto as may be reasonably required to enforce this Law.

18. DIRECT SELLING

18.1 No person may canvass or solicit business on any street or sidewalk within WLFN Lands in any manner whatsoever for the sale of goods, wares, merchandise, or other article, or for the future delivery of goods, wares, merchandise, or other article.

19. SOLICITING FOR CHARITY

19.1 No person will solicit for charity if such person is to receive, either directly or indirectly, any compensation or reward, unless the Business Licence Officer has issued a licence for that purpose.

19.2 Subject to 19.1, before any licence to solicit for charity is issued by the Business Licence Officer, an applicant must file with the Business Licence Officer each purpose for which soliciting is to be conducted, including:

- (a) a statement setting out the name and address of the applicant;
- (b) the names and addresses of all other persons who may be engaged in such soliciting;

- (c) the name, address, and description of any organization and/or class of person on whose behalf, or for whose benefit, such service is to be conducted;
- (d) the total of all funds intended or expected to be raised;
- (e) the method or scheme to be employed in such soliciting;
- (f) the estimated total funds to be received as compensation or reward;
- (g) the proposed use and disposition of the funds;
- (h) the specific times when such soliciting will be conducted; and
- (i) if applicable, a record of official status of the organization submitting the filing.

- 19.3 All information provided in a filing under this section must be verified by way of affidavit of the person or chief officer of the organization on whose behalf, or for whose benefit, such solicitation is to be conducted.
- 19.4 No person will solicit for charity within WLFN Lands unless such person has first obtained a licence from the Business Licence Officer.
- 19.5 The provisions of section 19.3 do not apply to solicitations made by church organizations, religious denominations, or other bona fide societies where such solicitations are made solely and exclusively to the members of such organizations, denominations, or societies.

20. SOLICITING -- GENERAL

- 20.1 The soliciting of any:
- (a) sale of goods, wares, merchandise, or other article;
 - (b) service or contract service; or
 - (c) agreement or promise that will lead to any service or contract to service;
- requires a business licence under this Law.
- 20.2 A licence to solicit is personal to the applicant and is not transferable.
- 20.3 No person may apply for a licence to solicit on behalf of any other person.
- 20.4 No person may solicit within WLFN Lands between the hours of 9:00 p.m. and 9:00 a.m., except by special permission of the Business Licence Officer.
- 20.5 In relation to the sale of goods from a vehicle or other conveyance:
- (a) No person may do so on any street or road within WLFN Lands.
 - (b) A person may do so from private property, with the approval and knowledge of

the registered holder of the parcel of land on which the selling is to occur.

- 20.6 Approval of activities under section 20.5(b) in no way releases such person from other requirements of this Law.

21. BUILDING CONTRACTORS

- 21.1 Every person licenced as a building contractor or general contractor must, on the request of the Business Licence Officer, provide the Business Licence Officer with a list of all subtrades engaged on a specific job, on a form established by the Business Licence Officer, from time to time.

- 21.2 A building contractor or general contractor, or an employee of either of them, who undertakes a project requiring subtrades with Trade Qualification Certificates, must provide the Business Licence Officer with valid Trade Qualification Certificates as a condition of the Business Licence Officer's issuance of a licence.

- 21.3 Trade Qualification Certificates are required as follows:

- (a) plumbing, steam fitting, pipe fitting, and sprinkler fitting;
- (b) roofing, damp, and waterproofing;
- (c) refrigeration;
- (d) sheet metal; and
- (e) other trades as may be determined by the Business Licenses Officer, from time to time.

22. PUBLIC ENTERTAINMENT EVENTS - INSURANCE AND INSPECTIONS REQUIRED

- 22.1 A person seeking a licence for a public entertainment event, including but not limited to, a carnival or circus, must obtain and provide proof of the following to the Business Licence Officer before a licence is granted:

- (a) public liability insurance in the minimum amount of five million dollars (\$5,000,000.00) for personal injury, death, and property damage, which must contain a clause excluding Williams Lake First Nation from liability in the event of injury or damage being done to any person or property as a result of any activity of the public entertainment event;
- (b) an inspection certificate from an accredited safety engineer, which states in precise terms that all machines, rides, and other equipment used by the applicant conform to acceptable safety standards, and such certificates must be submitted every seven (7) days during the term of licence, or as directed by the Business Licence Officer; and
- (c) a minimum cash bond in the amount five thousand dollars (\$5,000.00), which must be deposited with the WLFN Cashier, and such bond, or part thereof, will be irrevocably forfeited to Williams Lake First Nation to pay for any damages or the cost of any clean-up required during or after the term of the licence.

- 22.2 A bond deposited pursuant to Section 22.1(c), or part thereof, will be returned to the licensee upon determination by the Business Licence Officer that all conditions regarding damages and clean-up are satisfactorily met.

23. NIGHTCLUBS AND CABARETS

- 23.1 The Business Licence Officer and WLFN Law Enforcement Officers must inspect all nightclubs or cabarets licensed, or intended to be licensed, under the provisions of this Law. Any person refusing any such authorized person admittance or preventing such inspection, will be guilty of an offence and subject to the penalty provisions contained in this Law.

24. FRUIT AND VEGETABLE VENDORS

- 24.1 All vehicles transporting fruit and vegetables must abide by requirements set by Health Canada and any other applicable WLFN, federal and provincial laws. All sites for the sale of fruit and vegetables are to conform with the provisions of all WLFN Laws.

25. VENDING MACHINES

- 25.1 A person who owns, keeps, or maintains any vending machine must, when applying for a licence under this Law, notify the Business Licence Officer in writing of the number of vending machines owned, kept, or maintained, and advise the Business Licence Officer of any increase in the number of vending machines owned, kept, or maintained during the current period of the licence.
- 25.2 No person may commercially operate any vending machine unless a certificate or plate supplied by the Business Licence Officer is attached to the vending machine, indicating that the owner or operator thereof has procured a licence under this Law for the current licence period.
- 25.3 No person other than the Business License Officer or WLFN Law Enforcement Officers can alter, remove, damage, deface, or destroy any such certificate or plate affixed or attached pursuant to section 25.2.

26. OFFENCE AND PENALTY

- 26.1 Every Person who contravenes any provisions of this Law commits an offence punishable upon summary conviction and is liable to a fine not exceeding ten thousand dollars (\$10,000.00).
- 26.2 If an offence is a continuing offence, each day that the offence is continued constitutes a separate and distinct offence.

27. FEES AND FORMS

- 27.1 Council may, by resolution at a duly convened meeting, establish, correct, revise or update the terms of any applicable fee schedules, forms, protocols or other related documentation which complement and support this Law, and must post notice of

such resolution in a public area of the WLFN administration building and make a copy of such resolution available for viewing free of charge.

28. APPLICATION OF LAW

- 28.1 Where any federal Act or regulation or provincial Act or regulation or any other WLFN Law may apply to any matter covered by this Law, compliance with this Law does not relieve a Person from also complying with the provisions of the other applicable Act, regulation or law.
- 28.2 If any section of this Law is for any reason held invalid by a decision of a court of competent jurisdiction, the invalid section or subsection must be severed from and will not affect the remaining provisions of this Law.
- 28.3 The headings given to the parts and sections in this Law are for convenience of reference only, do not form part of this Law and must not be used in the interpretation of this Law.
- 28.4 Unless otherwise noted, any specific statute named in this Law is a reference to an enactment of British Columbia and the regulations thereto, as amended, revised, consolidated or replaced from time to time, and any Law referred to herein is a reference to a WLFN Law, as amended, revised, consolidated or replaced from time to time.

29. IMMUNITY

- 29.1 No action for damages lies or may be instituted against Council or past Council, or employees, servants, or agents of either Williams Lake First Nation or Council:
- (a) for anything said or done, or omitted to be said or done, by that person in the actual or required performance of the person's duty, or exercise of their authority; or
 - (b) for any alleged neglect or default in the actual or required performance of the person's duty or exercise of their authority.
- 29.2 Section 29.1 does not provide a defence if:
- (a) Council, employees, servants, or agents have, in relation to the conduct that is the subject matter of the action, been guilty of dishonesty, gross negligence, or malicious or willful misconduct; or
 - (b) the cause of action is libel or slander.
- 29.3 None of Williams Lake First Nation, Council or past Council, or employees, servants, or agents of Williams Lake First Nation or Council, is liable for any damages or other loss, including economic loss, sustained by any person, or to the property of any person, as a result of neglect or failure, for any reason, to discover or detect any contravention of this Law or any other WLFN Law, or from the neglect or failure, for any reason or in any manner, to enforce this Law or any other WLFN Law.

- 29.4 All actions against Williams Lake First Nation for the unlawful doing of anything that:
- (a) is purported to have been done by Williams Lake First Nation under the powers conferred by this Law or any WLFN Law; and
 - (b) might have been lawfully done by Williams Lake First Nation if acting in the manner established by law,
 - (c) must be commenced within six (6) months after the cause of action first arose, or within a further period designated by Council in a particular case, but not afterwards.
- 29.5 Williams Lake First Nation is in no case liable for damages unless notice in writing setting out the time, place, and manner in which the damage has been sustained, is delivered to Williams Lake First Nation within two (2) months from the date on which the damage was sustained. In case of the death of a person injured, the failure to give notice required by this section is not a bar to the maintenance of an action.
- 29.6 Failure to give the notice under this Law or its insufficiency is not a bar to the maintenance of an action if the court before whom it is tried, or, in case of appeal, the Court of Appeal, believes:
- (a) there was reasonable excuse; and
 - (b) Williams Lake First Nation has not been prejudiced in its defence by the failure or insufficiency.

30. APPLICATION OF LAW

- 30.1 Where any federal Act or regulation or provincial Act or regulation or any other WLFN Law may apply to any matter covered by this Law, compliance with this Law will not relieve the person from also complying with the provisions of the other applicable Act, regulation or law.
- 30.2 If a section, subsection, paragraph, subparagraph or phrase in this Law is for any reason declared invalid by a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this Law.
- 30.3 The headings given to the sections and paragraphs in this Law are for convenience of reference only. They do not form part of this Law and will not be used in the interpretation of this Law.
- 30.4 Unless otherwise noted, any specific statute named in this Law is a reference to a statute of British Columbia and the regulations thereto, as amended, revised, consolidated or replaced from time to time, and any Law referred to herein is a reference to a law of WLFN, as amended, revised, consolidated or replaced from time to time.

31. COMING INTO FORCE

31.1 This Law shall come into force and effect on the date that it is enacted pursuant to the *WLFN Land Code*.

BE IT KNOWN that this law entitled, "WLFN Business License Law 2024-02" is hereby:


Read a first time by Council of Williams Lake First Nation at a duly convened meeting held on the 5th day of April, 2024;

Presented to the Membership at a Special Membership Meeting held on the 15th day of May, 2024;

Read a second time by Council at a duly convened meeting held on the 13th day of June, 2024;

Read a third time and enacted by Council of Williams Lake First Nation at a duly convened meeting held on the 11th day of July, 2024.

Voting in favour of the law are the following members of Council:



Chief Willie Sellars




Councillor Ann Louie

Councillor Dancing Water Sandy



Councillor Chris Wycotte



Councillor Shae Chelsea

SCHEDULE A - BUSINESS LICENCE CATEGORIES AND FEE SCHEDULE

Code	Business Licence Category	Fees – Business Not Owned by WLFN or WLFN Member	Fees – Business Owned by WLFN or WLFN Member
2200	Agricultural Produce Retailer	\$60.00	\$0
7300	Accommodation Provider	\$135.00	\$0
0700	Artisan	\$135.00	\$0
0200	Auctioneer	\$135.00	\$0
0300	Automotive/Recreational Vehicle/Boat Dealers	\$135.00	\$0
0400	Automotive Repair/Services Station/Parts Dealers	\$135.00	\$0
0805	Banks/Credit Unions/Trust Companies	\$700.00	\$0
3275	Bingo/Lottery Facilities	\$135.00	\$0
7700	Brokers/Mortgage/Investment Companies	\$135.00	\$0
7000	Business Services - No business location	\$60.00	\$0
7000	Business Services - Business location	\$135.00	\$0
1900	Child Minding Services - Less than 5 children	\$60.00	\$0
1900	Child Minding Services - 5 children or more	\$135.00	\$0
1500	Contractors/Tradespeople	\$135.00	\$0
1200	Exhibition/Circus/Carnival/Tradeshow	\$135.00	\$0
0150	Golf Course	\$360.00	\$0
8000	Home Occupations - No annual Fire Inspection	\$60.00	\$0
8000	Home Occupations - Annual Fire Inspection	\$135.00	\$0
3400	Manufacturing	\$135.00	\$0
3500	Mobile Food Vendor/Vending Machines	\$60.00	\$0
1800	Nightclubs/Bars/Pubs - Liquor Primary Licenses	\$360.00	\$0
3800	Pawn Brokers/Secondhand Dealers	\$360.00	\$0
2400	Personal Services	\$135.00	\$0
6000	Private Utility Companies/Radio and Television Stations	\$135.00	\$0
5000	Professional Services	\$135.00	\$0
1100	Recreation/Wellness Facilities	\$135.00	\$0
7200	Retail/Wholesale Outlets	\$135.00	\$0
7100	Restaurant/Snack Bar	\$135.00	\$0
7850	Storage Facilities/Parking Lots	\$135.00	\$0
7502	Theatres/Concern Halls	\$135.00	\$0
7650	Transportation Services	\$135.00	\$0
9000	Unclassified	\$135.00	\$0
	Late Fee for payment after January 31	\$25.00	\$0