



Our Focus: Your Future

Regulations (2020) for establishing a new business in the Town of Fort Erie

By-law No. 217-05, as amended

INTRODUCTION

A new business requires a licence if any person, including a corporation, partnership, agent or trustee, offers goods, wares, merchandise or services for sale or hire on a permanent basis, in any manner in a properly zoned location in the Town, other than a residential zone, either directly or by way of sample of catalogue for delivery later.

No person shall operate a new business until a licence has been obtained from the Town.

Should any new business relocate after the issuance of a licence, the operator of the new business is required to make application and pay the fee.

PROCESS TO OBTAIN A LICENCE

Please ensure your business location is zoned properly for the type of business you wish to operate.

- 1. The applicant must fill out the application form and pay the one-time licence fee of \$152.00 for a new business licence. This fee is non-refundable. You may also be required to pay an additional annual fee as listed under Section 3.
2. An appointment will be made with the following three Town departments listed below on the Tuesday following your payment between the hours of 2:00 – 4:00 p.m. to ensure your business and building are in compliance and you will be able to obtain a licence. You should not operate your business until you are in compliance and understand that the licence may be revoked if the subsequent inspections or approvals determine that the business is not in compliance of this by-law. Please ensure this arrangement has been made once you have paid.

- 1. Planning Department: to ensure zoning of the location/address you wish to operate from permits the proposed business use according to the Zoning By-law. (If you need to contact them please call 905-871-1600 ext. 2509/2503)
2. Building Department: to see if you require a plumbing, building or change of use permit. (If you need to contact them please call 905-871-1600 ext. 5510)
3. Fire Department: to ensure Fire Code compliance. (If you need to contact them please call 905-871-1600 ext. 2601/2606)

Other Departments:

Regional Health Department: you must contact to schedule an inspection appointment if you are handling, storing or preparing food

or for an inspection if opening a hairdresser, barbershop, tattoo parlour, body piercing, electrolysis/esthetic clinic or a fitness club – Contact 905-871-6513 / 905-871-6660 / 905-688-3762

- 3. If you are opening a restaurant, amusement arcade, bed & breakfast, pawnbrokers, residential emergency hostel or second level lodging, you are also required to obtain an annual licence as noted below.

ADDITIONAL ANNUAL LICENCES REQUIRED:

Table with 2 columns: Licence Type and Fee. Includes items like Restaurant/Fresh Food Establishment (\$144.00), Amusement Arcade (\$171.00), Auctioneer's (\$77.00), Bed & Breakfast - bi-annual\* (\$183.00), Bill Distributors (\$463.00), Hawkers & Pedlars #1-door/door (\$77.00), Hawkers & Pedlars #2-1-temporary (\$97.00), Hawkers & Pedlars #2-2-fireworks (+inspect \$) (\$138.00), Hawkers & Pedlars #3-multi-vendor (\$77.00), Hawkers & Pedlars #4-general (\$77.00), Pawnbrokers (\$77.00), Refreshment Vehicle\* (\$178.00), Refreshment Cart\* (\$158.00), Refreshment Cycle\* (\$158.00), Residential Emergency Hostel\* (\$189.00), Second Level Lodging\* (\$189.00).

\* an additional application form is also required to be completed and compliance letters must be attached to your application.

- 4. Once the department approvals have been granted your licence is completed and mailed to you.

GENERAL INFORMATION

Non-Application

This by-law does not apply to:

- (a) A manufacturing or an industrial business, except to the extent that it sells its products or raw material by retail;
(b) The selling of goods by wholesale;

- (c) The generation, exploitation extraction, harvesting, processing, renewal or transportation of natural resources;
(d) A home occupation is permitted in accordance with the Zoning By-law (Contact: Planning Department 905-871-1600 ext. 2509/2503)

Home Occupations

Under Comprehensive Zoning By-law 129-90

A home occupation is defined as an occupation conducted for gain or profit as an incidental use to the principal residential use by one or more persons residing therein.

There are regulations that must be followed in regards to the following: gross floor area allowed, use of accessory buildings, occupancy, external advertising, displaying of sales or rentals, open storage area, prohibited uses, use of mechanical equipment and parking. Please contact the Planning Department for the required documentation.

Sunday Opening and Retail Holidays Act

If your building is:

- > Less than 2,400 sq. ft. with less than four employees serving the public, you can be open on New Year's Day; Victoria Day; Canada Day; Labour Day; Thanksgiving Day and the 26th day of December.
> More than 2,400 sq. ft., employing more than four employees you must apply to the Regional Municipality of Niagara for exemption to the Act at: 2201 St. David's Road, P.O. Box 1042, Thorold, Ontario L2V 4T7; Telephone: 685-1571. Attention: Regional Clerk

Contact The Regional Clerks Office for applicable fee.

Offences

Any person who contravenes any provisions of Licencing By-law No. 217-05 is guilty of an offence and upon conviction thereof by a Justice of the Peace or Provincial Court Judge may be subject to a fine of not more than Five Thousand Dollars (\$5,000.00) and every such fine is recoverable under the Provincial Offences Act.