

This document is an office consolidation of by-law amendments which has been prepared for the convenience of the user. The City of Winnipeg expressly disclaims any responsibility for errors or omissions.

CONSOLIDATION UPDATE: NOVEMBER 23, 2023

THE CITY OF WINNIPEG

COMMUNITY SAFETY BUSINESS LICENSING BY-LAW

NO. 91/2008

amended 21/2022

A By-law of THE CITY OF WINNIPEG to regulate by licensing the activities of certain businesses.

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

Short title

- 1 This By-law may be cited as the **"Community Safety Business Licensing By-law"**.
amended 21/2022

Definitions

- 2 In this By-law

"applicable fee" means a fee established by the Council of the City of Winnipeg, or pursuant to a delegation by Council, for the license, service or other thing to which reference is made;

added 42/2013; amended 94/2023

"business" includes a business that operates intermittently;

added 53/2021

"designated employee" means the Chief Administrative Officer of the City of Winnipeg and any employee of the City who has been delegated the authority to issue or renew a license under this By-law;

amended 94/2023

"enforcement officer" means the Chief Administrative Officer of the City of Winnipeg, any member of the Winnipeg Police Service, and any other employee of the City who has been delegated the authority to administer or enforce all or part of this By-law;

"license", unless the context requires otherwise, means a license issued under this By-law.

added 42/2013; amended 94/2023

"license holder" means a person to whom a subsisting license has been issued;

amended 94/2023

"manager" means an individual who has day-to-day management responsibilities for a business;

"person" means an individual, partnership or corporation;

"subsisting", in reference to a license, means a license that has not been suspended or revoked and that has not expired.

amended 94/2023

PART 1 - GENERAL PROVISIONS

Application for license

amended 94/2023

3 An applicant for a license under this By-law must provide information reasonably required by the designated employee in order to assess the application and to administer and enforce this Division.

amended 94/2023

License must be displayed

amended 94/2023

4(1) Subject to subsection (2), a person who requires a license under this By-law must display the license on the premises from which the business is carried on so that the license is clearly visible to the public.

amended 94/2023

4(2) Where a person who requires a license under this By-law does not carry on business from premises, he or she must produce the license if requested to do so by a member of the public or an enforcement officer.

amended 94/2023

Issuing licenses

5(1) A designated employee is authorized to issue and renew licenses under this By-law to persons:

amended 94/2023

- (a) who pay the fee or fees for that license;
amended 42/2013; 94/2023
- (b) who meet the requirements and standards established by or under this By-law for the license; and
amended 94/2023
- (c) whose business meets the requirements and standards established by other by-laws of the City of Winnipeg and other relevant legislation.

5(2) A designated employee is authorized to impose conditions on a license that are designed to promote compliance with this By-law, other by-laws of the City of Winnipeg and other relevant legislation.

amended 94/2023

Duration of license

amended 94/2023

6 Where the expiration date of a license is set out on the license itself, the license expires on the expiration date set out. Where the expiration date of a license is not set out on the license itself, the license expires on the anniversary of the date it was issued.

amended 42/2013; 94/2023

Renewal of license

amended 94/2023

7(1) The holder of a license is entitled to renew a license upon payment of the applicable fee so long as:

amended 42/2013; 94/2023

- (a) the license is not currently suspended or revoked;
amended 94/2023
- (b) subject to subsection (2), the license has not expired; and
amended 94/2023
- (c) where this By-law imposes requirements prior to a renewal, the requirements have been met.

7(2) A license holder whose license has expired may nonetheless renew the license within one year after its expiration if the license holder pays the applicable administrative fee in addition to the applicable fee to renew the license.

amended 42/2013; 94/2023

7(3) Where a fee is increased pursuant the Fees and Charges By-law or otherwise on the date after a license is due to expire, the fee to renew the license is the increased fee.

amended 42/2013; 94/2023

License not transferable

amended 94/2023

8 A license issued under this By-law is issued to a particular person and may not be transferred to another person.

amended 94/2023

License issued for specific location

amended 94/2023

9(1) Unless the license provides otherwise, a license issued under this By-law authorizes the license holder to conduct a business only at the specific location or locations specified in the license.

amended 94/2023

9(2) In order to provide greater certainty, unless the license provides otherwise, a person who carries on a business at more than one location, either concurrently or consecutively, must obtain a license for each location.

amended 94/2023

License issued for specific business

amended 94/2023

10 Subject to section 67 (multiple businesses dealing in used goods or precious metals), a license issued under this By-law authorizes a person to carry on only the specific business identified in the license.

amended 94/2023

Suspension of licenses

amended 94/2023

11(1) A designated employee may suspend a license for a period of up to 30 days without prior notice to the license holder if

amended 42/2015; 94/2023

(a) allowing the license holder to continue to carry on the business for which the license was issued would create a reasonable apprehension of significant harm to:

amended 94/2023

(i) the health or safety of people;

(ii) private or public property; or

(iii) the environment;

(b) the license holder provided false information when applying for the license;

amended 94/2023

(c) the information on which the decision to issue the license was based was incorrect and the license would not have been issued had the correct information been known;

amended 94/2023

(d) the license holder or the business no longer meets the requirements and standards required for the license to be issued;

amended 94/2023

- (e) the past conduct of the license holder creates a reasonable apprehension that the business will not be carried on in the future in compliance with this By-law, another by-law or other relevant legislation.
amended 94/2023

11(2) After suspending a license under subsection (1), the designated employee must immediately provide notice to the license holder of the suspension and the date that the suspension will expire unless the license is revoked under section 12.
amended 94/2023

11(3) Notwithstanding subsection (1), where a hearing is scheduled under section 12 prior to the expiration of the suspension, at the request of the license holder, the designated employee may extend the suspension for up to an additional 60 days.
amended 94/2023

Revocation of licenses

amended 94/2023

12(1) The designated employee must immediately revoke a license if the Record Review Board has revoked a certificate or, in the situation described in subsection 16(2), refused to issue a certificate for any individual for whom a certificate from the Record Review Board is required as a condition of the license being issued.

amended 94/2023

12(2) The designated employee may revoke a license if:
amended 94/2023

- (a) the carrying on of the business for which the license has been issued has resulted in harm or a significant risk of harm to:
amended 94/2023
 - (i) the health or safety of people;
 - (ii) private or public property; or
 - (iii) the environment;
- (b) allowing the license holder to continue to carry on the business for which the license was issued would create a reasonable apprehension of significant harm to:
amended 94/2023
 - (i) the health or safety of people;
 - (ii) private or public property; or
 - (iii) the environment;

- (c) the license holder provided false information when applying for the license;
amended 94/2023
- (d) the information on which the decision to issue the license was based was incorrect and the license would not have been issued had the correct information been known;
amended 94/2023
- (e) the license holder or the business no longer meets the requirements and standards required for the license to be issued;
amended 94/2023
- (f) the past conduct of the license holder creates a reasonable apprehension that the business will not be carried on in the future in compliance with this By-law, another by-law or other relevant legislation.
amended 94/2023

12(3) Except for a revocation required by subsection (1), before revoking a license, the designated employee must:

amended 94/2023

- (a) notify the license holder that consideration is being given to revoking the license;
amended 94/2023
- (b) provide the reasons why consideration is being given to revoking the license;
and
amended 94/2023
- (c) give the license holder a reasonable opportunity to be heard.
amended 94/2023

12(4) Once a license is revoked, the person who previously held the license is not permitted to apply for a new license for a period of time determined by the designated employee at the time the license is revoked.

amended 94/2023

License fees

amended 94/2023

13(1) A license or renewal of a license must not be issued by a designated employee until the applicable fee or fees for the license or renewal has been paid by the license holder.

amended 42/2013; 94/2023

13(2) Where a business is required to be licensed under more than one of the categories set out in Schedule "A", the applicant or license holder must pay the applicable fee or fees for all of the categories applicable to the business before the license may be issued or renewed.

amended 42/2013; 94/2023

13(3) An applicant must pay the entire annual license fee applicable to the business even if the business will not be in operation throughout the entire year.

amended 42/2013; 94/2023

13(4) License fees are not refundable and may not be waived or reduced.

amended 127/2008; 42/2015

13(4.1)

repealed 42/2015

13(5) Where a fee is paid by cheque which cannot be cashed due to inadequate funds in the account, the license issued or renewed for which the cheque was issued is void and any applicable fee is payable by the person writing the cheque.

amended 42/2013; 94/2023

13(6)

repealed 42/2013

13(7)

repealed 42/2013

Collection of license fees

amended 94/2023

13.1 Without affecting any other remedy which the City may have to collect fees, if any business for which a license is required by this By-law is carried on without a license having been issued or with the license for that business having expired, the designated employee is authorized to enforce payment of the applicable license fee or fees by seizure and sale of the goods found on the premises in which the business is carried on or of the goods of the person who is carrying on the business wherever those goods may be found.

added 42/2013; amended 94/2023

PART 2 - RECORD REVIEW

Record Review Board constituted

14(1) The Chief of the Winnipeg Police Service or delegate shall appoint at least three members of the Winnipeg Police Service to serve as members of a Record Review Board.

14(2) Subject to subsection (3), the Record Review Board shall sit in panels made up of at least three members to consider applications made pursuant to this By-law.

14(3) The Chief of the Winnipeg Police Service or delegate may determine an appropriate process for accepting and dealing with applications to the Record Review Board for a certificate and, without restricting the generality of the foregoing, may authorize a single member of the Record Review Board to issue a certificate in specified circumstances on behalf of the Record Review Board.

Applications for certificate from Record Review Board

15(1) Where this By-law requires that one or more certificates from the Record Review Board must be provided as a condition of obtaining a license, the applicant must apply to the Record Review Board for the required certificates.

amended 94/2023

15(2) When applying for a certificate, an applicant must provide the Record Review Board with accurate identification and the releases and authorizations sufficient to allow the Record Review Board to review, throughout the duration of the license, the criminal and other records of every individual for whom a certificate is required as a condition of obtaining a license.

amended 94/2023

Individuals requiring record reviews

16(1) Subject to section 68 (record review board certification required for employees of used goods dealers), where this By-law provides that a license must not be issued unless a certificate from the Record Review Board has been issued, the certificate must be provided in respect of each of the following individuals:

amended 94/2023

- (a) where the owner of the business is a sole proprietor, the owner;
- (b) where the owner of the business is a partnership or a corporation, the manager of the business at each location from which business is carried on.

16(2) It is a condition of a license issued under this By-law that, where an individual holding any position for which a Record Review certificate is required is replaced by another individual, the license holder must, within 30 days of the replacement, apply to the Record Review Board for a certificate in respect of the new individual holding that position.

amended 94/2023

16(3) It is a condition of a license issued under this By-law that a license holder under this Part must immediately notify the Record Review Board when any individual for whom a Record Review certificate is required is convicted of a criminal offence.

amended 94/2023

Criteria for certificate

17(1) The Record Review Board must issue a certificate except where, after making or causing to be made any investigations or inquiries reasonably required to make this determination, including the review of criminal and other records, it concludes that allowing the individual for whom a certificate is sought to hold a license or to manage a licensed business would create a reasonable apprehension of harm to the health, safety and welfare of persons or property or the reasonable apprehension that it would facilitate the commission of a criminal offence.

amended 94/2023

17(2) In making its determination under subsection (1), the Record Review Board shall consider the individual's record of convictions, if any, for criminal and other offences.

Revocation of certificate

18(1) Subject to subsection (2), the Record Review Board may revoke a certificate where it is aware of information that causes it to conclude that allowing the individual for whom a certificate has been issued to continue to hold a license or to manage a licensed business creates a reasonable apprehension of harm to the health, safety and welfare of persons or property or the reasonable apprehension that it will facilitate the commission of a criminal offence.

amended 94/2023

18(2) Before revoking a certificate under subsection (1), the Record Review Board must:

- (a) notify the license holder and the person concerning whom the certificate has been issued that consideration is being given to revoking the certificate;
amended 94/2023
- (b) provide the reasons why consideration is being given to revoking the certificate; and
- (c) give the license holder and the person concerning whom the certificate has been issued a reasonable opportunity to be heard.

PART 3 - REQUIREMENTS AND RULES FOR SPECIFIC BUSINESSES

Division One - Body Modification Services

repealed 42/2015 (entire division)

Division Two - Escort Agencies

repealed 21/2022 (entire division)

Division Three - Food Services

repealed 42/2015 (entire division)

Division Four - Hostels

Repealed 53/2021 (entire division)

Division Five - Large Public Venues

44 *repealed 42/2013*

45 *repealed 42/2013*

46 *repealed 42/2013*

47 *repealed 42/2013*

48 *repealed 42/2013*

Division Six – Body Rub Practitioners and Body Rub Parlours
amended 33/2014, repealed 21/2022

Division Seven – Accommodations Licenses
amended 53/2021; 94/2023

59 In this Division

bed and breakfast - *repealed 53/2021*

“converted residential dwelling” means a Division II building as defined in the Residential Fire Safety By-law No. 4304/86 but does not include:

- (a) a building that would otherwise meet the definition of a Division II building but which complies with all applicable requirements for a Group C occupancy under the Manitoba Building Code;
- (b) a facility licensed or otherwise regulated in its provision of accommodations by the Government of Manitoba or the Government of Canada;
- (c) a hospital, a sanatorium or a facility designated by regulations under *The Mental Health Act*;
- (d) a personal care home licensed under *The Health Services Insurance Act*; or
amended 53/2021
- (e) a residential care facility licensed under *The Social Services Administration Act*;
- (f) ~~a bed and breakfast establishment.~~
amended 53/2021

“dwelling” has the same meaning as in the Neighbourhood Liveability By-law No. 1/2008;

“dwelling unit” has the same meaning as in the Neighbourhood Liveability By-law No. 1/2008;

“shared facilities dwelling” means a dwelling
amended 53/2021

- (a) which is designed for sanitary facilities or cooking facilities to be shared by occupants of three or more dwelling units, whether or not the dwelling units are occupied; or
- (b) in which sanitary facilities or cooking facilities are shared by two or more residents of a dwelling unit that is not operated under a single tenancy;

but does not include the following:

- (c) a facility licensed or otherwise regulated in its provision of accommodations by the Government of Manitoba or the Government of Canada;
- (d) a hospital, a sanatorium or a facility designated by regulations under The Mental Health Act;
- (e) a personal care home licensed under The Health Services Insurance Act;
- (f) a residential care facility licensed under The Social Services Administration Act.

License required

amended 94/2023

60(1) Subject to this section, a person must not carry on the business of operating a shared facilities dwelling without holding a subsisting Shared Facilities Dwelling License issued under this By-law.

amended 53/2021; 94/2023

60(2) Subject to this section, a person must not carry on the business of operating a converted residential dwelling without holding a Converted Residential Dwelling License issued under this By-law.

amended 53/2021; 94/2023

60(3) Notwithstanding subsection (1) and (2), a person must not carry on the business of operating a shared facilities dwelling within a converted residential dwelling without a Converted Residential Dwelling with Shared Facilities License issued under this By-law.

amended 94/2023

60(4) Despite subsection (1) and despite the repeal of Division Four, a person who held a subsisting hostel license at the time of the repeal of Division Four is entitled to carry on the business of operating a hostel under the authority of that license until the hostel license expires and is not required to obtain a license under this Division until that time

added 53/2021; amended 94/2023

Approvals required before license issued

amended 94/2023

61(1) This section does not apply to the renewal of a license.

amended 42/2013; 94/2023

61(2) A Shared Facilities Dwelling License, a Converted Residential Dwelling with Shared Facilities License or a Converted Residential Dwelling License must not be issued until the designated employee receives:

amended 94/2023

- (a) verification from a City employee authorized to administer and enforce the Winnipeg Zoning By-law or the Downtown Winnipeg Zoning By-law that operation of the business on the premises for which the license is sought is permitted under one of those two zoning by-laws;
amended 94/2023
- (b) *repealed 127/2008*
- (c) where required by the Winnipeg Building By-law, a copy of an occupancy permit authorizing the business to occupy the premises for which the license is sought.
amended 94/2023
- (d) in the case of a Converted Residential Dwellings with Shared Facilities License, verification from an individual authorized to administer or enforce the Neighbourhood Liveability By-law that the premises at which the converted residential dwelling with shared facilities is proposed to be operated meets the requirements of that By-law;
added 42/2013; amended 94/2023

61(3) A Converted Residential Dwelling License or a Converted Residential Dwelling with Shared Facilities License must not be issued until the designated employee receives verification from a City employee authorized to administer and enforce the Residential Fire Safety By-law No. 4304/86 that the premises at which the business is proposed to be operated or carried on meets the requirements of that By-law.

amended 94/2023

Floor plans must be submitted

61.1 A person who requires an initial license or a license renewal under this Division must submit, in a form satisfactory to the designated employee, a current floor plan of the premises for which the license is issued.

added 53/2021; amended 94/2023

Information must be posted on exterior of premises

61.2 A person who holds a license under this Division must comply with subsection 4(1) by posting the license and other information prescribed by the designated employee on the exterior of, and at the main entrance to, the premises for which the license is issued.

added 53/2021; amended 94/2023

When license no longer required

amended 94/2023

61.3 A person who has been required to obtain a license for premises under this Division is required to continue maintain a license for those premises until and unless the person

added 53/2021; amended 94/2023

- (a) Provides evidence to the designated employee through a completion notification or occupancy permit issued by the City that the property no longer meets the definition of a converted residential dwelling;
- (b) Demonstrates to the satisfaction of the designated employee that the property is owner-occupied and that no part of the building is available for rent; or
- (c) Demonstrates to the satisfaction of the designated employee that the property is vacant as defined under the Vacant Building By-law No. 79/2010 and is therefore subject to administration and enforcement under that by-law.

Division 7.1 – Short Term Rental Accommodations

added 94/2023

Definitions

61.4 In this Division

“accommodation tax” has the meaning ascribed thereto in The Accommodation Tax By-law 70/2008;

“bedroom” means a room that has been identified as such for the purposes of the property inspection required by subsection 61.12(3) as a condition of an initial STRA license;

“booking” means a commitment between an STRA operator and an individual that an STRA will be available for the individual’s use, whether or not the STRA is actually used, for a specified period of time in exchange for payment of money or other value; a reservation.

“dwelling” means a building in which one or more dwelling units are located;

“dwelling unit” means one or more connected rooms in a dwelling used or intended to be used for human habitation by one or more people, containing cooking, eating, living, sleeping and sanitary facilities;

“individual” means a human being, at least 18 years of age;

“operator” means an individual, partnership or corporation who carries on the business of operating a short term rental accommodation or a short term rental accommodation platform, as the case may be;

“non-primary residence” means a dwelling unit that is not the operator’s primary residence;

“non-primary residence STRA license” means a license issued under section. 61.8;

“primary residence” means a dwelling unit that is owned or rented by an individual, either alone or jointly with other individuals, pursuant to a lease or rental agreement and where the individual lives for the majority of the year;

“primary residence STRA license” means a license issued under section 61.7;

“renter” means a person that has rented an STRA for a period of less than 30 consecutive days in return for payment of money or other value;

“short term rental accommodation” or **“STRA”** means a dwelling unit which is rented in whole or in part for a period of less than 30 consecutive days in exchange for payment of money or other value;

“STRA license” means a Short Term Rental Accommodation License issued under this By-law;

“short term rental accommodation platform” or **“STRA platform”** means a person (or group of persons) or corporation that, for compensation, markets or brokers the booking, reservation, rental or listing of all or part of a dwelling unit as a short term rental accommodation, and collects fees in whole or in part on behalf of an STRA operator by means of a website or any digital application.

“STRA platform license” means a Short Term Rental Accommodation Platform License issued under section 61.20;

Licensing of operator and platform mandatory

61.5(1) An STRA operator must not carry on the business of operating a short-term rental accommodation without holding a subsisting STRA License issued under this Bylaw.

61.5(2) An STRA platform operator must not carry on the business of operating a STRA platform without holding a subsisting STRA platform license issued under this Bylaw.

61.5(3) An operator must obtain a separate license for each STRA or STRA platform.

Licenses issued annually

61.6(1) Licenses issued under this Division expire on the anniversary of the date they were issued.

Conditions on primary residence STRA licenses

61.7(1) An individual may obtain one STRA license for their primary residence on the following conditions:

- (a) the premises in which their primary residence is located has been legally established; and
- (b) adequate documentation confirming one of the following must be provided:
 - (i) the applicant is the owner of the proposed STRA; or,
 - (ii) if the proposed STRA is a condominium, a letter of approval from the condominium board giving the applicant permission to operate a STRA must be provided; or,
 - (iii) if the applicant is the tenant of a rented unit, a letter from the owner or their designate authorizing its use as an STRA must be provided.

61.7(2) It is the responsibility of the applicant who is seeking to obtain a primary residence STRA license to provide evidence sufficient for the designated employee to reasonably conclude that the premises for which a primary residence STRA license is sought or is sought to be renewed is in fact the applicant's primary residence and that they have permission to use it as an STRA.

61.7(3) For further clarity, a partnership or corporation cannot own a primary residence and an individual cannot have more than one primary residence.

Conditions on non-primary residence STRA licenses

61.8(1) In order to qualify to obtain a non-primary residence STRA license under this Division, an applicant must provide evidence sufficient for the designated employee to reasonably conclude that the applicant is one of the following:

- (a) An individual whose primary residence is within the boundaries of the city of Winnipeg;
- (b) A partnership whose members all have primary residences within the boundaries of the city of Winnipeg; or
- (c) A corporation whose shareholders all have primary residences within the boundaries of the city of Winnipeg

61.8(2) In order to qualify to obtain a non-primary residence STRA license under this Division,

- (a) a STRA must be a permitted use under the relevant zoning by-law on the property on which it is located;
- (b) the premises in which the dwelling unit is located has been legally established;
- (c) the dwelling unit must have been owned by the applicant on February 23, 2023; and
- (d) adequate documentation confirming one of the following must be provided:

- (i) the applicant is the owner of the proposed STRA; or,
- (ii) if the proposed STRA is a condominium, a letter of approval from the condominium board giving the applicant permission to operate a STRA must be provided; or,
- (ii) if the applicant is the tenant of a rented unit, a letter from the owner or their designate authorizing its use as an STRA must be provided.

61.8(3) An applicant may obtain a license under this Division for each of up to three non-primary residences.

61.8(4) A non-primary residence STRA license under this Division permanently expires and cannot be renewed or revived if any of the following occur:

- (a) the STRA license is revoked due to contravention of this Division;
- (b) the premises for which the license has been issued is the subject of a rental agreement for a period of 30 days or more;
- (c) the ownership of the property changes;
- (d) there is any change in the membership of the partnership, or in the ownership of the corporation, that owns the property.

STRA license application requirements and fees

61.9(1) In order to obtain an STRA license or any renewals thereof, the applicant must

- (a) apply by submitting a completed application form acceptable to the designated employee, including any letters that may be required pursuant to clauses 61.7(1)(b) or 61.8(2)(d), as the case may be;
- (b) disclose on the application form the details of any past noise complaints that have been made to the Winnipeg Police Service pertaining to the proposed STRA during the time that it has been owned or rented by the applicant;
- (c) provide, in a form acceptable to the designated employee, all information reasonably required in order to consider the application;
- (d) provide a floor plan outlining the number of bedrooms and fire exits within the proposed STRA;
- (e) submit to any inspections of the proposed STRA as required under this Division;
- (f) pay the license fee and any other applicable fees; and

- (g) pay any outstanding penalties for contravention of this By-law or the Accommodation Tax By-law.

61.9(2) The applicant must inform the City within 10 days of any change to the information that was provided during the application process outlined in subsection (1).

61.9(3) An STRA license or any renewals thereof must not be granted to any applicant that has outstanding penalties owing to The City of Winnipeg for contravention of this by-law or the Accommodation Tax By-law.

61.9(4) Further to subsection 5(2) (Issuing licenses), a designated employee is authorized to impose conditions on a STRA license where the premises for which a STRA license is sought or is sought to be renewed has a history of noise nuisance complaints or complaints of other behavior that would create an undue nuisance to other residents in the area.

Non-primary residence application requirements

61.10(1) In addition to the requirements outlined at section 61.9, in order to obtain a non-primary residence STRA license or any renewals thereof, the applicant must provide

- (a) the name and contact information of an individual who is authorized by the owner to address any legal issues or complaints; and
- (b) a safety plan that entails floor plans that identify the location of smoke detectors, carbon monoxide detectors, fire extinguishers, and emergency exits at the time of application.

Record Review Board certificate required

61.11(1) An initial STRA license under this Division must not be issued unless the designated employee receives a certificate from the Record Review Board in respect of each of the individuals referred to in section 16.

61.11(2) Subsections 16(2) (obligation to notify of changes) and 16(3) (obligation to notify of criminal charges) apply in respect of any individual for whom a certificate is required under subsection (1).

Zoning and property approval required before license issued

61.12(1) An initial STRA license shall not be issued until the designated employee receives verification from a City employee authorized to administer and enforce the Winnipeg Zoning By-law or the Downtown Winnipeg Zoning By-law that operation of the STRA as a primary residence STRA or a non-primary residence STRA, as the case may be, is permitted under the zoning by-law that applies to those premises.

61.12(2) An initial STRA license and any license renewal shall not be issued until the designated employee receives verification from a City employee authorized to administer and enforce the Neighbourhood Liveability By-law that the premises for which a license is sought meets the standards set out in Part 1 Division 1 and in Part 2 of that By-law.

61.12(3) As part of the verification referred to in subsection (2), the City employee must identify the number and the location of the bedrooms in the dwelling unit which meet the standards for bedrooms in the Neighbourhood Liveability By-law.

61.12(4) An initial STRA license and any license renewal shall not be issued until the designated employee receives verification from a City employee authorized to administer and enforce the Community Safety Business Licensing By-law that the premises for which a license is sought meets the conditions set out herein.

Limitations on primary residence STRAs

61.13(1) There are no limits on the total number of nights a primary residence STRA may be rented during a one-year period, so long as the operator is in residence during those nights.

61.13(2) The operator must not rent a primary residence STRA for more than 150 nights in total during a one-year period, without the operator being in residence.

61.13(3) Notwithstanding subsections (1) and (2), a primary residence STRA may only be rented for a period of less than 30 consecutive nights per booking.

61.13(4) For greater certainty, the operator is not in residence unless the operator spends the night in the dwelling unit.

Limitations on non-primary residence STRAs

61.14(1) There are no limits on the total number of nights a non-primary residence STRA may be rented during a one-year period.

61.14(2) Notwithstanding subsection (1), a non-primary residence STRA may only be rented for a period of less than 30 consecutive nights per booking.

Rules for all STRAs

61.15(1) The operator of an STRA must ensure that

- (a) the total number of adults staying overnight in an STRA while it is rented does not exceed 2 per bedroom. There is no limit on the number of children under 18 years of age;
- (b) the license number is posted near the door on the exterior of the STRA together with a telephone number that is monitored by the operator or an agent of the operator 24 hours per day. This signage is not required to be posted when the operator is in residence;

- (c) the STRA is not rented for a continuous period of 30 days or more;
- (d) the STRA is not rented, used or offered for rental or use in a manner that contravenes Manitoba statutes and regulations governing residential tenancies;
- (e) the operator and the STRA comply with all City of Winnipeg by-laws;
- (f) the STRA or a bedroom within the STRA is not rented to more than one renter for the same period of time;
- (g) renters do not cause a noise nuisance in violation of section 67 of the Neighbourhood Liveability By-law or otherwise engage in behavior which would create an undue nuisance to other residents in the area;
- (h) the STRA complies with building standards stated in the Neighbourhood Liveability By-law applicable to all residential buildings;
- (i) the STRA complies with the Building Code;
- (j) the operator must maintain at minimum the last 3 years of the following records on an ongoing basis and provide them to the City upon request:
 - (i) number of nights the STRA was rented;
 - (ii) rental type – individual rooms or the entire dwelling;
 - (iii) names of customers who provided payments for each booking;
 - (iv) the nightly price and total price charged for the STRA;
- (k) the operator provides any other information or documents reasonably requested by the designated employee;
- (l) renters are provided with an emergency exit plan which must also be posted inside the STRA;
- (m) renters are provided with reading materials concerning human trafficking and sex trafficking that are made available by the City, and that the operator must produce and place the materials in a prominent place within the STRA;
- (n) any City of Winnipeg enforcement official is allowed access to an STRA to conduct an inspection upon reasonable notice at any reasonable time;
- (o) the operator complies with any compliance orders issued by the City of Winnipeg under this by-law;

- (p) the operator ceases all STRA operations immediately upon the expiry, suspension or revocation of the STRA's license.

STRA fire protection requirements

61.16(1) The operator of an STRA must ensure that the STRA complies with fire protection requirements applicable to rented residential buildings, as set out in the Fire Prevention By-law, including but not limited to that smoke alarms must follow the requirements set out in that By-law.

61.16(2) The operator of an STRA must ensure that carbon monoxide detectors and fire extinguishers are installed within the STRA, and fire extinguishers must be located in the main area of the STRA, in compliance with applicable laws.

61.16(3) Further to clause (1), the operator of an STRA must demonstrate compliance with the Fire Prevention By-law during inspections, including but not limited to that smoke alarms, fire extinguishers, and carbon monoxide detectors are operative.

Remittance of accommodation tax by STRA operator

61.17 The operator of an STRA must

- (a) collect the accommodation tax from the STRA platform, which is paid by the renter to the STRA platform each time that an STRA is rented, and
- (b) remit the accommodation tax funds to the City in accordance with The Accommodation Tax By-law.

Rental through licensed STRA platform mandatory

61.18 The operator of an STRA must ensure that the STRA is only rented through a STRA platform licensed under this By-law. For greater clarity, the operator is prohibited from renting an STRA other than by means of a licensed STRA platform collecting the rental payment from the renter and remitting it to the STRA operator.

STRA license number must be posted

61.19 The operator of an STRA must include the City of Winnipeg license number for that STRA on the listings within the STRA platform or on any online or physical advertisements publicizing the STRA. STRA platform license application requirements and fees 61.20(1) In order to obtain an STRA platform license or any renewals thereof, the applicant must

- (a) apply by submitting a completed application form acceptable to the designated employee;
- (b) provide a list of STRA properties within Winnipeg that are listed on the applicant's platform at the time of application;

- (c) provide details of the applicant's procedures on how to address complaints associated with the STRAs listed on their platform;
- (d) provide the address for service that is provided on their STRA platform;
- (e) provide, in a form acceptable to the designated employee, all information reasonably required in order to consider the application;
- (f) pay the license fee and any other applicable fees; and
- (g) pay any outstanding penalties for contravention of this By-law.

61.20(2) The applicant must inform the City within 10 days of any change to the information that was provided during the application process outlined in subsection (1).

61.20(3) An STRA platform license or any renewals thereof must not be granted to any applicant that has outstanding penalties owing to The City of Winnipeg for contravention of this by-law.

Rules for all STRA platforms

61.21(1) The operator of an STRA platform must ensure that

- (a) the operator must maintain at minimum the last 3 years of the following records on an ongoing basis and provide them to the City upon request:
 - (i) the listing identification number and corresponding license number of each STRA property within Winnipeg that is listed on the platform;
 - (ii) number of nights each property is rented as an STRA;
 - (iii) rental type – individual rooms or the entire dwelling, or primary residence;
 - (iv) price paid for each booking;
- (b) the operator provides any other information or documents reasonably requested by the designated employee;
- (c) the operator provides listings of properties within the city of Winnipeg on their platform when requested by the City, after the initial application;
- (d) listings in Winnipeg are not posted on the platform or advertised unless the listing has a valid STRA license;
- (e) the operator complies with any compliance orders issued by the City of Winnipeg under this by-law;

- (f) the operator ceases all STRA platform operations in Winnipeg immediately upon the expiry, suspension or revocation of the platform's license.

Remittance of fees by platform operator

61.22(1) The operator of an STRA platform must

- (a) collect the rental fee, accommodation tax and any other fees owing to an STRA operator as a result of an STRA booking made by a renter on the platform, and
- (b) remit the funds outlined in (a) to the STRA operator.

61.22(2) Notwithstanding clause (1), the platform operator is entitled to deduct and retain a service fee from the funds to be remitted to the STRA operator, as set out in

- (a) a service agreement entered into between the STRA operator and the platform operator, or
- (b) the terms of service cited on the platform's website.

Division Eight - Public and Semi-Public Swimming Pools and Whirlpools

repealed 42/2015 (entire division)

Division Nine - Business Dealing in Used Goods and Precious Metals

65 In this Division

"acquisition", when referring to the acquisition of goods for which a record of transaction is required to be made and maintained by this Division, means acquisition by purchase, barter, collateral lending, pawn transaction, consignment, pledge, or any other manner.

"antique" means a decorative object, piece of furniture or other item produced in an earlier period that is valuable because of its age, beauty or rarity but does not include jewellery.

"antique dealer" means a person who, for the preponderant purpose of earning a profit, carries on the business of dealing in antiques but does not include a person who acquires antiques exclusively by way of commercial transaction.

amended 127/2008; 53/2021

"auction" means the sale of real or personal property or goods by means of exchanges between an auctioneer and members of an audience consisting of a series of invitations for offers made by the auctioneer, offers by members of the audience, and the acceptance by the auctioneer of the highest or most favourable offer.

"auctioneer" means any person who, for the preponderant purpose of earning a profit, carries on the business of public or private auctions in which real or personal property or goods belonging to persons other than the auctioneer are sold or offered for sale.

amended 127/2008; 42/2013

"bicycle dealer" means a person who, for the preponderant purpose of earning a profit, carries on the business of dealing in used bicycles or used bicycle parts, but does not include a person who acquires used bicycles exclusively by way of commercial transaction.

amended 127/2008; 49/2020

"coins" means coins that either

- (a) do not have value as currency; or
- (b) have a market value greater than their face value as currency.

added 127/2008

"collateral lending transaction" means

- (a) the deposit of goods in return for the loan of money upon interest on the security of the goods deposited; or
- (b) the sale and deposit of goods by a person with the express or implied condition that the goods may be redeemed or repurchased, on any terms, by the person who sold or deposited the goods.

"collectibles" includes postage stamps, sports trading cards, spoons, dolls and other items that are commonly collected.

added 127/2008

"commercial transaction" means a transaction in which payment for goods is made by a cheque

- a) drawn on an account in the name of the purchaser of the goods at a financial institution;
- b) dated at least seven days after the date of the transaction; and
- c) mailed to an address provided by the vendor of the goods.

added 127/2008

"dealing" means engaging in transactions or offering to engage in transactions by any means, including by way of internet communication, in respect of used goods.

"disposition" includes the

- (a) sale or resale;
- (b) redemption;
- (c) storage at any place other than the place where the goods were acquired;
- (d) transfer to another dealer; or
- (e) any other form of disposition;

of used goods or other goods in respect of which a record of transaction is required to be made and maintained by this Division.

"fine art dealer" means a person who carries on the business of dealing in works of fine art.

"flea market" means two or more ~~antique dealers~~, bicycle dealers or used goods dealers who are located on a single property in close proximity to one another in order to engage in transactions, or to offer to engage in transactions, with members of the public and whose hours of operation are limited to weekends and statutory holidays;

added 4/2/2013; amended 5/3/2021

"investment grade precious metals" means

- (a) gold or platinum that is refined to a purity level of at least 99.5%; or
- (b) silver that is refined to a purity level of at least 99.9%;

and that, when in the form of a bar, ingot or wafer, is recognized and accepted for trading on Canadian financial markets and bears markings indicating its purity level and, when in the form of a coin, has been issued by a governmental authority and may be used as currency.

added 12/7/2008

"Police Chief" means the Chief of the Winnipeg Police Service or delegate;

"postage stamp" means a postage stamp that either

- (a) cannot be used as postage for items mailed in Canada; or
- (b) has a market value that is greater than its face value.

added 12/7/2008

"precious metals" includes

- (a) coins;
- (b) gems and other precious stones;
- (c) gold, silver, platinum and other similar metals;
- (d) paper money that is either not in current circulation as currency or has a value greater than its face value as currency of numismatic value; and
amended 127/2008
- (e) used jewellery consisting of precious stones or precious metals.
amended 127/2008

"precious metals dealer" means a person who, for the preponderant purpose of earning a profit, carries on the business of dealing in precious metals but does not include a person who acquires precious metals exclusively by way of commercial transaction.
amended 127/2008

"record of transaction" means the record required to be kept by a person who holds a license issued under this Division by section 70.
amended 94/2023

"scrap metal" means waste metal, metallic material and any product that contains metal that is capable of being recycled from previous consumption or product manufacturing but does not include precious metals.
added 49/2020

"temporary trade show" means two or more ~~antique dealers~~, bicycle dealers, precious metals dealers or used goods dealers who are located for a period of seven days or less on a single property in close proximity to one another in order to engage in transactions or offer to engage in transactions with members of the public.
added 127/2008; amended 53/2021

"temporary trade show promoter" means a person who organizes or arranges a temporary trade show.
added 127/2008

"transaction" means an incident in which

- (a) goods are acquired and the person from whom the goods are acquired receives a benefit or gain or the promise of a benefit or gain; or
- (b) goods are disposed of;

by any means, including by way of internet communication but does not include an incident in which goods are acquired from a registered charitable organization.

amended 127/2008

"used goods" includes

(a) goods that are not new, including bicycles, antiques, collectibles other than precious metals, art, used jewellery that does not consist of precious stones or precious metals, precious metals, musical instruments, furniture, appliances, electronics, computers and computer software, video game systems, household goods, building materials, and sports equipment.

amended 127/2008; 42/2013

(b) *repealed 127/2008*

(c) precious metals;

(c.1) scrap metal;

added 49/2020

but does not include

(d) used books and magazines that are not antiques;

amended 127/2008

(e) used DVDs, videos, video games, compact discs and long-playing records;

amended 42/2013

(f) *repealed 127/2008*

(g) metals that are not precious metals or scrap metal;

amended 127/2008; 49/2020

(h) cardboard, glass, paper or paper products;

(i) plastics;

(j) lumber or wood products;

(k) wood by-products, including sawdust, wood chips and chipped material;

(l) used tires or used automobile parts.

amended 42/2013

"used goods dealer" means any person who, for the preponderant purpose of earning a profit, carries on a business which deals in used goods but does not include a person who deals in used goods or precious metals exclusively in one or more of the following ways:

- (a) as an auctioneer;
- ~~(b) as an antique dealer;~~
amended 53/2021
- (c) as a bicycle dealer;
- (d) as a precious metals dealer;
- (e) as a fine art dealer;
- (f) as a person who deals exclusively in one or more of the following:
amended 127/2008
 - (i) footwear, clothing, used jewellery that does not consist of precious stones or precious metals, and accessories such as hats and handbags;
amended 127/2008
 - (ii) housewares, including dishes, pots, pans, cooking utensils and cutlery;
 - (iii) furniture, appliances or used office equipment;
added 127/2008; amended 42/2013
 - (iv) children's toys, car seats, strollers, children's furniture or children's clothing;
added 127/2008; amended 42/2013
 - (v) specialized medical equipment or mobility aids;
amended 42/2013
 - (vi) sports equipment;
amended 42/2013
- (g) as a person licensed as a "dealer" under *The Drivers and Vehicles Act*;
amended 127/2008; 94/2023
- (h) as a retailer who accepts and resells goods that have been purchased new in a retail sales transaction and are returned by a dissatisfied customer for a refund, credit or exchange of another item of merchandise;
- (i) as a person who sells used goods that have previously been rented to the public by that person; or
amended 127/2008

- (j) as a retailer who acquires used goods as an incident of a business as partial payment of the cost of another item of a similar nature that is purchased at the time the used goods are acquired on the basis of no greater than a one-for-one trade, but not as a retailer who issues credit notes for used goods so acquired;
amended 42/2013
- (k) as a person who acquires used goods or precious metals exclusively by commercial transaction:
added 127/2008; amended 42/2013
- (i) a person who deals only in used goods that have been donated to the person without any payment or exchange of goods having been made for them.
added 42/2013

"used jewellery" means jewellery that cannot be demonstrated to have been acquired from a manufacturer, wholesaler or some other person who has been issued a GST/HST number by the Canada Revenue Agency.
added 127/2008

License requirement

- amended 94/2023*
- 66(1) *repealed 42/2013*
- 66(2) *repealed 42/2013*
- 66(3) Subject to section 66.1 and 66.2, a person must not carry on the business of a bicycle dealer without holding a subsisting Bicycle Dealer License issued under this Division.
amended 127/2008; 42/2013; amended 94/2023
- 66(4) Subject to section 66.1, a person must not carry on the business of a precious metals dealer without holding a subsisting Precious Metals Dealer License issued under this Division.
amended 127/2008; amended 94/2023
- 66(5) Subject to section 66.1 and 66.2, a person must not carry on the business of a used goods dealer without holding a subsisting Used Goods Dealer License issued under this Division.
amended 127/2008; 42/2013; 94/2023

Temporary Trade Show License

- amended 94/2023*
- 66.1(1) Subject to section 81.1, a person must not operate as a temporary trade show promoter without holding a Temporary Trade Show License issued under this By-law for each temporary trade show being promoted by the person.
added 127/2008; amended 90/2010; 42/2013; 94/2023

66.1(2) Notwithstanding section 66, but subject to subsection (3), a person may, as a dealer at a temporary trade show, carry on the business of a bicycle dealer, a precious metals dealer, or a used goods dealer without a license issued under this Division if the person is listed as a participant in the temporary trade show by the holder of the Temporary Trade Show License for that temporary trade show in compliance with section 81.1.

added 127/2008; amended 90/2010; 42/2013; 94/2023

66.1(3) Subsection (2) does not apply to a person dealing in

- (a) gems and other precious stones;
- (b) gold, silver, platinum and other similar metals; or
- (c) used jewellery consisting of precious stones or precious metals.

added 90/2010

Flea markets

66.2(1) Subject to subsection 81.2, a person must not carry on the business of a flea market organizer without holding a Flea Market License issued under this By-law for each location in which a flea market is organized or arranged by the person.

added 42/2013; amended 94/2023

66.2(2) Notwithstanding section 66, a person may, as a dealer at a flea market, carry on the business of a bicycle dealer or a used goods dealer without a license issued under this Division if the person is listed as a participant in the flea market by the holder of a Flea Market License for that flea market in compliance with section 81.2.

added 42/2013; amended 94/2023

Multiple businesses

67(1) Where a person carries on more than one of the types of business referred to in section 66 at the same location, the person may either obtain licenses for each of the businesses or may obtain a Used Goods Dealer License for all of the businesses.

amended 94/2023

67(2) Where a person chooses to obtain a Used Goods Dealer License for more than one of the types of business referred to in section 66, the person:

amended 94/2023

- (a) must inform the designated employee of this choice at the time the Used Goods Dealer License is issued or at the time a license in respect of an additional business would otherwise be required; and

amended 94/2023

- (b) must comply with the requirements and obligations imposed by this By-law on used goods dealers in respect of all of the types of business to which the license applies.

amended 94/2023

Record Review Board certificate required

68(1) Subject to sections 81.1 and 81.2, a license under this Division must not be issued unless the designated employee receives a certificate from the Record Review Board in respect of each of the individuals referred to in section 16 and in respect of any individual who is employed by the applicant or provides assistance to the applicant in respect of the business.

amended 42/2013; 94/2023

68(2) Subsections 16(2) (obligation to notify of changes) and 16(3) (obligation to notify of criminal charges) apply in respect of any individual who is employed by the applicant or provides assistance to the applicant in respect of the business.

Approvals required before license issued

amended 94/2023

69(1) This section does not apply to the renewal of a license.

amended 42/2013; 94/2023

69(2) The designated employee must not issue a license under this Division unless the designated employee receives:

amended 94/2023

- (a) verification from a City employee authorized to administer and enforce the Winnipeg Zoning By-law or the Downtown Winnipeg Zoning By-law that operation of the business on the premises for which the license is sought is permitted under one of those two zoning by-laws;

amended 94/2023

- (b) an occupancy permit authorizing the proposed business to occupy the premises for which the license is sought.

amended 94/2023

69(3) The designated employee must not issue a Flea Market License or a Used Goods Dealer License unless the designated employee receives verification from the Fire Paramedic Chief or delegate that the operation of the business on the proposed premises meets the requirements of the Fire Prevention By-law, the Manitoba Fire Code and other regulatory requirements relating to fire safety.

amended 42/2013; 94/2023

Record of transaction and other documentation

70(1) Subject to this section, a person who carries on a business that is required to hold a license under this Division must ensure that the business does not acquire or dispose of used goods unless a record of transaction for that transaction is made at the time of the acquisition and disposal of used goods and is maintained in accordance with this Division.

amended 127/2008; 53/2021

70(2) The record of transaction required by subsection (1) consists of

- (a) a record of acquisition;
- (b) a record of identification;
- (c) a record of disposition, when created.

70(3) A used goods dealer must make and maintain a record of transaction required by subsection (1) when the used goods dealer acquires

- (a) goods that are not used; and
- (b) compact discs and long playing records;

and the obligation to make and keep a record of transaction applies in respect of these goods as if they were used goods.

70(4) Despite subsection (1), a used goods dealer is not required to make a record of transaction required by subsection (1) and to comply with the other requirements of this Part in respect of scrap metal other than copper, platinum, palladium, rhodium or brass, or manufactured goods containing those metals.

added 53/2021

Record of acquisition

71 Subject to section 75, a record of acquisition required by section 70 must contain the following information:

- (a) the time and date that the used goods were acquired in the transaction;
- (b) a photograph of the used goods providing sufficient detail to identify the goods;
- (c) the serial number, make, model number and manufacturer's name of any manufactured used goods acquired;
- (d) a detailed statement of any writing, engraving and other distinctive marks on the used goods acquired;

- (e) with respect to jewelry acquired:
 - (i) the type of jewelry;
 - (ii) the weight of the jewelry;
 - (iii) the karat of any precious stone which forms part of the jewelry;
 - (iv) any engraving or micro-reference on the jewelry;
 - (v) the number of precious stones and the type, colour, and shape of each precious stone;
 - (vi) whether the item of jewelry is typically worn by a man or a woman;
- (f) the price or other consideration paid or given for the used goods or the agreed selling price for goods left to be sold on consignment;
- (g) the identification number assigned to the person from whom the used goods were acquired, as required by subsection 73(5).
added 127/2008

Record of disposition

72 Subject to section 75, a record of disposition required by section 70 must contain the following information:

- (a) the time and date of the disposition;
- (b) the form of the disposition; and
- (c) if the disposition consists of storage of the used goods by the person who holds a license issued under this Division at any place other than the place where the used goods were acquired, the location of any other place where the used goods have been placed into storage.
amended 94/2023

Record of identification

73(1) Subject to this section and section 75, a record of identification required by section 70 must contain the following:

amended 127/2008

- (a) a photograph of the individual from whom the used goods are being acquired providing sufficient detail to identify the individual; and
- (b) either

- (i) the name, date of birth and current address of the individual from whom the used goods are being acquired and a description of the piece of identification provided by the individual that appears to be accurate from which the name, date of birth and current address of the individual have been obtained; or
- (ii) a photocopy or electronically-scanned copy of the piece of identification that appears to be accurate.
added 127/2008; amended 42/2013

73(2) Where a business that is required to be licensed under this Division acquires used goods from a partnership or corporation, the record of identification required by section 70 must contain the following:

amended 127/2008

- (a) the name, address and telephone number of the partnership or corporation;
- (b) the name of the individual entering into the transaction on behalf of the partnership or corporation.

73(3) Where a business that is required to be licensed under this Division engages in an acquisition by way of internet communication, the record of identification required by section 70 must contain the name, mailing address and electronic mailing (e-mail) address of the person from whom the goods are being acquired.

added 127/2008

73(4) Where a business that is required to be licensed under this Division engages in an acquisition by way of telephone, mail or delivery service, the record of identification required by section 70 must contain the name, mailing address and telephone number of the person from whom the goods are being acquired.

added 127/2008

73(5) A person who carries on a business that is required to hold a license under this Division must ensure that, subject to subsection 78(5), each person from whom used goods are acquired is assigned an identification number and that the identification number is recorded on each record of acquisition that records used goods acquired from that person.

added 127/2008; amended 94/2023

Form of record of transaction

74(1) Subject to section 75, a record of transaction required by section 70 must be recorded by entering it in an electronic record keeping system in a form prescribed by the Police Chief such that a separate record of each transaction is created and saved in a retrievable and printable form.

74(2) A person who holds a license issued under this Division must ensure that each record of transaction is assigned a number in order to distinguish that record of transaction from every other record of transaction recorded by that person.

amended 94/2023

Auctioneers' records of transaction

75

repealed 42/2013

Maintenance and destruction of record of transaction

76(1) A person who carries on a business that is required to be licensed under this Division must ensure that a record of transaction is maintained as it was entered and that no part of the record is erased, obliterated, deleted or removed.

amended 94/2023

76(2) A record of transaction must be retained on the premises of the business or, if maintained in electronic form, must be accessible from the premises of the business, for a period of not less than two years after the date of acquisition and must be available for inspection by an enforcement officer, including a member of the Winnipeg Police Service, in accordance with this Division.

amended 127/2008

76(3) No person may use personal information contained in a record of identification in any way other than as required by this By-law.

76(4) No person may disseminate personal information contained in a record of identification in any way other than as required by this By-law.

76(5) A person who carries on a business that is required to be licensed under this Division must ensure that a record of identification is destroyed as soon as a period of two years has elapsed after the date of acquisition.

amended 94/2023

Provision of records of acquisition to Police Chief

77(1) A used goods dealer, a bicycle dealer and a precious metals dealer must ensure that delivery is made to the Police Chief by the close of business every day that the business is open a copy of the records of acquisition concerning acquisitions that have been made since the time when the previous records of acquisition were delivered.

amended 127/2008

77(2) The records of acquisition referred to in subsection (1) must be delivered in electronic form in a manner and to an electronic address determined by the Police Chief.

Access to record of transaction by enforcement officers

78(1) A person who holds a license issued under this Division must allow an enforcement officer, including a member of the Winnipeg Police Service, to enter at any time the licensed business is open for business all areas of the premises for which a license has been issued and to view a record of transaction and any goods to which this Division applies in order to ensure compliance with this By-law.

amended 94/2023

78(2) A member of the Winnipeg Police Service must not access a record of identification in respect of a person and must not use a record of identification for the purposes of a criminal investigation unless:

amended 127/2008

- (a) he or she has reasonable grounds to believe that used goods or precious metal that are identified in the same record of transaction as the record of identification were obtained by or in the course of the commission of a criminal offence;
- (b) the person has been charged under any of the following sections of the Criminal Code, R.S.C. 1985, c. C-46
 - (i) 348 (break and enter),
 - (ii) 349 (being unlawfully in a dwelling house),
 - (iii) 351 (possess house breaking instrument, disguise with intent), or under any of the following sections of the Criminal Code, R.S.C. 1985, C-46 with respect to property other than real property, cash or a motor vehicle:
 - (iv) 322 (theft),
 - (v) 343 or 344 (robbery),
 - (vi) 354 (possess property obtained by crime),
 - (vii) 354 (theft from mail).

amended 127/2008

78(2.1) Where a member of the Winnipeg Police Service accesses a record of identification pursuant to subsection (2), he or she may access or use all records of identification in respect of that person that have been made by any person who holds a license issued under this Division in Winnipeg within the previous six months.

added 127/2008; amended 94/2023

78(3) For purposes of clarification, subsection (2) does not apply to an enforcement officer other than a member of the Winnipeg Police Service.

78(4) Where a person who holds a license issued under this Division is asked to provide a record of identification to, or to make a record of identification available for inspection by, an enforcement officer, the license holder must provide it or make it available for inspection without regard to the enforcement officer's compliance with subsection (2).

amended 94/2023

78(5) Where a person who holds a license issued under this Division provides a record of identification to or makes a record of identification available for inspection by a member of the Winnipeg Police Service, the license holder must immediately assign a new identification number to the person identified in the record of identification and must subsequently provide that identification number as part of any future record of acquisition in respect of used goods acquired from that person.

added 127/2008; amended 94/2023

Storage of used goods

79(1) Subject to subsection (2), a person who holds a license under this Division must ensure that every item for which a record of transaction is required to be made and maintained is tagged or otherwise identified with the number of that record of transaction referred to in subsection 74(2) until the used goods are disposed of by sale, redemption or transfer to another dealer.

amended 127/2008; 94/2023

79(2) Subsection (1) does not apply to coins, investment grade precious metals or postage stamps after 15 days have elapsed since a record of acquisition was delivered to the Police Chief in respect of those precious metals.

added 127/2008

Disposition of used goods

80(1) Subject to subsection (2), used goods dealers and bicycle dealers must ensure that goods for which a record of transaction is required to be made and maintained are not disposed of until at least 15 days have elapsed since the records of acquisition concerning those goods were delivered to the Police Chief in accordance with section 77.

amended 127/2008; 53/2021

80(1.1) Subject to subsection (2), precious metals dealers must ensure that goods for which a record of transaction is required to be made and maintained are not disposed of until at least 30 days have elapsed since the records of acquisition concerning those goods were delivered to the Police Chief in accordance with section 77.

added 53/2021

80(2) Subsection (1) and Subsection (1.1) does not apply to:

amended 53/2021

- (a) used goods acquired from a person who holds a license under this Division;
amended 94/2023
- (b) coins and gold, silver, platinum and other similar metals acquired from:
 - (i) a dealer located outside the City of Winnipeg who is determined by the Chief of the Winnipeg Police Service to be subject to a municipal or provincial regulatory regime that requires that the goods be retained for a period of time similar or greater than the time specified in subsection (1); or

- (ii) a Federal, Provincial or Municipal government department or agency;
- (b.1) investment grade precious metals;
added 127/2008
- (c) new or refurbished goods; or
- (d) used goods acquired in a collateral lending transaction that have previously been used as collateral in a collateral lending transaction involving the same individual providing the goods and the same licensed used goods dealer;
amended 94/2023

so long as the license holder complies with subsection (3).
amended 94/2023

80(3) The exemptions provided in clauses (2)(a) and (b) apply only if the license holder records
amended 94/2023

- (a) where the person from whom the goods were acquired is an individual, the name, address and telephone number of the individual;
- (b) where the person from whom the goods were acquired is a partnership or corporation, the name of the individual acting on behalf of the person and the municipal or provincial license number of the dealer; and
amended 94/2023
- (c) where the goods were acquired from a Federal, Provincial or Municipal government department or agency, the name of the Federal, Provincial or Municipal government department or agency and the name of the individual acting on behalf of the department or agency.

Restrictions on dealers

81 A person who carries on a business that is required to be licensed under this Division must not, and must ensure that the business he or she is carrying on does not:
amended 94/2023

- (a) acquire any goods from any person who is less than 18 years of age;
- (b) acquire any goods from any person who is apparently under the influence of alcohol or a drug;
- (c) go from house to house acquiring or soliciting to acquire any goods;
- (d) acquire any goods that he or she has reason to suspect have been stolen or otherwise unlawfully obtained;

- (e) acquire any goods that bear or customarily bear a serial number or distinguishing mark where that serial number or distinguishing mark has been altered, defaced, obliterated, obscured or removed;
- (f) alter, deface, obliterate, obscure or remove any serial number or distinctive mark upon any goods purchased or received by the person in the course of his business;

Temporary trade shows

81.1(1) Sections 69 to 81, inclusive, do not apply to the holder of a Temporary Trade Show License nor to a person to whom subsection 66.1(2) applies.

amended 42/2013; 94/2023

81.1(2) The designated employee must not issue a Temporary Trade Show License unless the designated employee receives verification from a City employee authorized to administer and enforce the Winnipeg Zoning By-law or the Downtown Winnipeg Zoning By-law that operation of the temporary trade show on the premises for which the license is sought is permitted under one of those two zoning by-laws.

amended 94/2023

81.1(3) It is a condition of a Temporary Trade Show License that the holder of the license must:

amended 94/2023

- (a) provide the names and, if the person is an individual, the birthdate of every person occupying a booth, stall, table or other exclusive space at or otherwise participating in the temporary trade show to Police Chief at least five days prior to the person beginning to occupy the space or otherwise participate in the temporary trade show; and
- (b) provide access to enforcement officers, including on-duty members of the Winnipeg Police Service, without fee or charge at any time the temporary trade show is open to the public.

amended 42/2013

added 127/2008

Flea markets

81.2(1) Sections 70 to 81, inclusive, do not apply to the holder of a Flea Market License nor to a person to whom subsection 66.2(2) applies.

added 42/2013; amended 94/2023

81.2(2) It is a condition of a Flea Market License that the holder of the license must:

amended 94/2023

- (a) provide the name and, if the person is an individual, the birthdate of every person occupying a booth, stall, table or other exclusive space at, or otherwise participating in, the flea market to the Police Chief at least five days prior to the person beginning to participate in the flea market; and
- (b) provide access to enforcement officers, including on-duty members of the Winnipeg Police Service, to inspect all items for sale or being held on the premises, without fee or charge at any time that the flea market is open to the public.

added 42/2013

Division 10 - Used Material Yards

Definitions

82 In this Division

"used materials" means any of the following:

- (a) paper or paper products;
- (b) plastics;
- (c) used lumber or used wood products;
- (d) wood by-products, including sawdust, wood chips and chipped material;
- (e) used tires;

"used material yard" means a place where used materials are stored out of doors.

License required

amended 94/2023

83 A person must not carry on the business of operating a used material yard without holding a Used Material Yard License issued under this By-law.

amended 94/2023

Approvals required before license issued or renewed

amended 94/2023

84(1) This section does not apply to the renewal of a license.

amended 42/2013; 94/2023

84(2) The designated employee must not issue a Used Materials Yard License unless the designated employee receives:

amended 94/2023

- (a) verification from a City employee authorized to administer and enforce the Winnipeg Zoning By-law or the Downtown Winnipeg Zoning By-law that operation of the used material yard on the premises for which the license is sought is permitted under one of those two zoning by-laws;
amended 94/2023
- (b) verification from an individual authorized to administer and enforce the Neighbourhood Liveability By-law that the operation of the used material yard on the premises proposed would not violate that By-law;
- (c) verification from the Fire Paramedic Chief or delegate that the operation of the used material yard on the proposed premises meets the requirements of this Division, the Fire Prevention By-law, the Manitoba Fire Code and other regulatory requirements relating to fire safety;

Standards for used material yards

85(1) A used material yard must comply with the Manitoba Fire Code.

85(2) Subject to section 101, a person who carries on the business of operating a used material yard must ensure that the used material yard is entirely enclosed with a fence that is:

- (a) a uniform height of at least 2.5 metres;
- (b) constructed and maintained to create a solid façade without gaps or holes on any portion of the fence that fronts on a street.

85(3) A person who carries on the business of operating a used material yard must ensure that used materials are not placed:

- (a) outside the fence referred to in subsection (2);
- (b) within 1.22 metres of any building or structure in the used material yard;
- (c) on the roof of any building or structure in the used material yard;
- (d) within 1.5 metres of any dwelling;
- (e) abutting any portion of the fence referred to in subsection (2) that fronts on a street.

85(4) A person who carries on the business of operating a used material yard must ensure that used material within three meters of a street is not greater than the height of the fence that surrounds the yard.

Division 11 – Designated Growers
added 59/2022

Definitions

85.1 In this Division

“designated cannabis production facility” means a “cannabis production facility, designated” as defined under the Winnipeg Zoning By-law No. 200/2006;

“designated grower” means a person licensed to operate a designated cannabis production facility under this Division;
amended 94/2023

“monitored alarm system” means a monitored alarm system as defined under the Alarms By-law No. 4676/87;

“registered patient” means a person who is registered to consume cannabis or cannabis products for personal medical purposes pursuant to the federal Cannabis Regulations, SOR/2018-144, or its successor; and

“secure cannabis storage area” means an area of the designated cannabis production facility where cannabis and cannabis products may be safely and securely stored.

License required

amended 94/2023

85.2 A person must not carry on the business of operating a designated cannabis production facility without holding a subsisting Designated Grower License issued under this By-law.
amended 94/2023

Approvals required before license issued

amended 94/2023

85.3(1) This section does not apply to the renewal of a license.
amended 94/2023

85.3(2) The designated employee must not issue a Designated Grower License to any person unless that person provides the designated employee with:
amended 94/2023

- (a) Verification from a City employee authorized to administer and enforce the Winnipeg Zoning By-law that operation of the designated cannabis production facility on the premises for which the license is sought is permitted under that zoning by-law;
amended 94/2023
- (b) Verification that the person has obtained a permit for a monitored alarm system under the Alarm By-law No. 4676/87 for the premises;
- (c) A copy of all permits or authorization that are required for work to make the premises appropriate for cannabis production, including:

- i. Electrical permits;
 - ii. Building permits;
 - iii. Permits authorizing the installation of heating, ventilation and air conditioning systems; and
 - iv. Any other permits or authorizations that the designated employee may request.
- (d) A copy of all permits or authorizations that are required by the provincial or federal authorities, including registration certificates issued by Health Canada; and
- (e) Documents, in a form approved by the designated employee, that demonstrate that the person seeking to use the premises as a designated cannabis production facility:
- i. Is a registered owner of the premises; or
 - ii. If not a registered owner of the premises, has permission from all registered owners to use the premises as a designated cannabis production facility.

85.3(3) The designated employee must not issue a Designated Grower License to a person planning to grow 6 or more cannabis plants unless that person provides the designated employee with:
amended 94/2023

- (a) Floor plans of the premises at which the proposed designated cannabis production facility would be located, indicating:
- i. where the cannabis plants would be located;
 - ii. where cannabis or cannabis products would be processed; and
 - iii. where the secure cannabis storage area would be located.
- (b) Disposal plans for any cannabis or cannabis product that is not provided or delivered to the registered patient;
- (c) Storage plans for any cannabis or cannabis product produced prior to the designated grower providing or delivering such goods to the registered patient;
- (d) Plans for the provision or delivery of cannabis or cannabis products to the registered patient; and
- (e) The names of all persons to be employed, engaged, or otherwise involved in the operation of the designated cannabis production facility.

Designated grower responsibilities

85.4(1) Upon receiving a Designated Grower License, the designated grower must:

amended 94/2023

- (a) Maintain all required mechanical and electrical equipment in good working order;
- (b) Immediately notify the designated employee when there are changes to any permits, authorizations, approvals, plans, or other information required under section 85.3, including the suspensions, expirations, or cancellations of any permits, authorizations, or approvals;
- (c) Immediately produce any permits, authorizations, or approvals required under section 85.3, or a copy of any such permits, authorizations, or approvals, upon the request of an enforcement officer; and
- (d) Within 10 days of receiving a request for access from the designated employee, provide access to the designated cannabis production facility for any City of Winnipeg building inspector, zoning field officer, enforcement officer, or fire inspector.

Additional responsibilities for designated growers with 6+ plants

85.4(2) In addition to the requirements set out under section 85.4(1), where there are 6 or more cannabis plants in the designated cannabis production facility, the designated grower must:

- (a) Adhere to the floor plan submitted under section 85.3(3)(a);
- (b) Dispose of all excess cannabis or cannabis product in accordance with the disposal plan submitted under section 85.3(3)(b);
- (c) Store all cannabis or cannabis products in the secure cannabis storage area, and in accordance with the storage plan submitted under section 85.3(3)(c), until such goods can be provided or delivered to the registered patient; and
- (d) Provide or deliver all cannabis or cannabis products to the registered patient in accordance with the plan submitted under section 85.3(3)(d).

Inspections following expiry, suspension, or revocation of license

amended 94/2023

85.4(3) After the expiry, suspension, or revocation of the Designated Grower License, and upon request from the designated employee or an enforcement officer, the former license-holder must make reasonable efforts to provide an enforcement officer with access to the premises listed on the Designated Grower License to confirm that that the premises are no longer being used as a designated cannabis production facility.

amended 94/2023

PART 4 - ADMINISTRATION

Powers of designated employees

86(1) Designated employees and enforcement officers 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*.

86(2) It is a condition of every license issued under this By-law that the license holder must permit an enforcement officer to enter the premises to which this license applies without prior notice at any time that the premises are open for business and at any other reasonable time.

amended 94/2023

Orders to remedy contravention

87 An order to remedy a contravention of this By-law and a notice of suspension or revocation of a license must be issued in accordance with *The City of Winnipeg Charter*.

amended 94/2023

Appeal of order or decision

88(1) Where *The City of Winnipeg Charter* entitles a person appeal an order or a decision under this By-law, the appeal may be made to the Standing Policy Committee on Community Services in accordance with *The City of Winnipeg Charter*.

amended 106/2015; 137/2022

88(2) Subject to subsections (3) and (4), an administration fee of \$250.00 is hereby imposed for each appeal made under subsection (1).

88(3) No appeal may be accepted by the City Clerk until the fee imposed by subsection (2) has been paid to the City Clerk.

88(4) The Standing Policy Committee on Community Services may order an administration fee referred to in subsection (2) to be refunded to the appellant if the appeal has been made in good faith and has some merit.

amended 106/2015; 137/2022

Address for service

89 Where an address for service must be determined, one of the following may be used:

(a) where the owner of a business or license holder has provided an address for service, the address provided;

amended 94/2023

(b) where the document being served relates to a business that is carried on at a location specified in the license, the street address of the location; or

amended 94/2023

- (c) if the person to be served has provided his or her address in an application for a license or a renewal of a license under this By-law, the address provided in the application.
amended 94/2023

PART 5 - PENALTIES

Maximum penalties for violations of By-law

90 The maximum penalties set out in section 178(1) of *The City of Winnipeg Charter* are not applicable to violations of this By-law.

Minimum penalties for violations of By-law

91(1) Subject to subsection (2), a person who carries on a business without obtaining a license as required by this By-law or who violates section 9 by carrying on a business for which a license is required at a location that has not been specified in a license, in addition to being required to obtain a license for the business, is subject to the following minimum fines:
amended 54/2017; 94/2023

- (a) for a first offence, to a fine in an amount no less than the amount of the fee for the license that was required;
amended 94/2023
- (b) for a second offence, to a fine in an amount no less than twice the amount of the fee for the license that was required;
amended 94/2023
- (c) for a third offence and subsequent offences, to a fine in an amount no less than three times the amount of the fee for the license that was required.
amended 94/2023

91(2) *repealed 9/2022*

Standard penalties for outdoor mobile food units

92(1) *repealed 42/2015*

92(2) *repealed 42/2015*

Enforcement of penalties

amended 54/2017; 53/2021

93(1) Subject to the Municipal By-law Enforcement Act (MBEA) Enabling By-law, a person who contravenes a provision of this By-law that is referred to in Schedule A of the Municipal By-law Enforcement Act (MBEA) Enabling By-law must pay the administrative penalty for that contravention set out in that Schedule. If an Early Payment Discount amount is set out for a provision in that Schedule, a person who is issued a penalty notice for a contravention of that provision may, within 14 days after the penalty notice has been issued, voluntarily pay to The City of Winnipeg the applicable Early Payment Discount amount and will thereafter not be prosecuted for the contravention.

amended 54/2017

93(2) Schedule C to this By-law sets out provisions of this By-law that are enforceable by way of a preset fine under The Provincial Offences Act. If Schedule C sets out a preset fine for a provision, a person who contravenes that provision must pay that preset fine, plus applicable court costs and surcharges under The Provincial Offences Act. If Schedule C sets out a minimum fine for a provision, a person who contravenes that provision must pay a fine imposed by a justice under The Provincial Offences Act that is not less than the minimum fine set out, plus applicable court costs and surcharges under The Provincial Offences Act.

amended 54/2017

93(3) If a provision set out in Schedule C identifies different fines for individuals and corporations, then a person who contravenes that provision must pay the applicable fine depending on whether the person is an individual or a corporation.

amended 54/2017

93(4) Despite subsections (2) and (3), if an Early Payment Discount amount is set out for a provision referred to in Schedule C to this By-law, a person who is issued a ticket for a contravention of that provision may, within 14 days after the ticket has been signed, voluntarily pay to The City of Winnipeg the applicable Early Payment Discount amount and will thereafter not be prosecuted for the contravention.

amended 54/2017

93(5) *repealed 54/2017*

93(6) *repealed 54/2017*

93(7) *repealed 54/2017*

PART 6 - CONSEQUENTIAL AMENDMENTS**Mobile Home License By-law**

amended 94/2023

94 The Mobile Home License By-law No. 821/74 is amended by:

amended 94/2023

- (a) repealing section 3 and substituting the following:
3. *No person shall occupy a mobile home without being registered with the owner or operator of the trailer park unless:*
- (a) *the tax collector is satisfied that the occupant of the mobile home is a bona fide tourist and the mobile home is being used for vacation or holiday purposes; or*
- (b) *the mobile home is a temporary building as defined in the City of Winnipeg Building By-law and complies with the provisions of that By-law.*
- (b) striking out "licenced" wherever it appears and substituting "owner or operator".

Meat and Poultry By-law and Milk and Dairy Products By-law repealed

95 The Milk and Dairy Products By-law No. 3218/82 and the Meat and Poultry By-law No. 3354/83 are hereby repealed.

Food Service Establishment By-law amended

96 The Food Service Establishment By-law No. 5160/89 is amended by

- (a) striking out the definition of "Food Service Establishment" and substituting the following:

"Food Service Establishment" means any place where food is kept, handled, manufactured, packaged, stored, prepared, served or sold, regardless of whether consumption is on or off the premises and regardless of whether there is or is not a charge for the food, and includes

- (a) *retail food stores and shops selling only pre-packaged foods;*
- (b) *bakeries;*
- (c) *butcher shops and fish shops;*
- (d) *delicatessens;*
- (e) *other retail food stores;*
- (f) *canteens and commissaries, whether stationary or mobile;*
- (g) *restaurants, banquet halls, cafeterias, beverage rooms, dairy bars, milk bars, ice cream parlours and caterers;*
- (h) *residential care facilities, nursing homes, detention centres, day care kitchens, schools, soup kitchens and shelters;*
- (i) *hostels and shared facilities dwellings with shared kitchens;*
- (j) *outdoor mobile food units;*
- (k) *food processing plants, food packaging and warehouse facilities;*
- (l) *any place where food service takes place on a temporary basis;*

- (m) *producer markets where any food is being sold, other than agricultural produce grown in Manitoba sold by the individual who produced it, a member of the producer's immediate family or the producer's employee;*

but does not include

- (n) *residential dwelling units, unless food is prepared or served for sale;*
 (o) *food vending machines;*
 (p) *retail stores selling only pre-packaged food that is not potentially hazardous and does not require refrigeration; and*
 (q) *food supply vehicles.*
 (b) striking out the definition of "Mobile Food Unit" and adding the following in alphabetical order:

"Outdoor Mobile Food Unit" means a trailer, cart or vehicle-mounted food service establishment designed to be readily movable and located out of doors.

- (c) in the definition "Potentially hazardous food" adding "fruit," immediately after "milk products";
 (d) striking out "the City of Winnipeg License By-law and amendments thereto" in subsection 5.1 and substituting "the Doing Business in Winnipeg By-law";
 (e) adding the following immediately after clause 7.2(f):

(g) *No person may sell or offer for sale any meat or poultry on any street or door to door without the written permission of the Public Health Inspector.*

- (f) striking out subsection 7.3 and substituting the following:

7.3 Milk or dairy products sold, offered or deposited for sale, served, or used must be pasteurized, handled and packaged in a plant licensed under The Dairy Act, or from a source outside the Province of Manitoba approved by the appropriate authority. Dry milk and dry milk products must be made from pasteurized milk and pasteurized milk products.

- (g) striking out "mobile food unit" wherever it appears and substituting "outdoor mobile food unit".
 (h) in clauses 36.4(b) and (c), striking out "notice" wherever it appears and substituting "order".

City Organization By-law amended

97 The City Organization By-law No. 7100/97 is amended

- (a) by repealing subclause 9(2)(a) (iii);

- (b) by adding the following immediately after subclause 10(a)(xxx):
(xxxi) Business Licensing;
amended 94/2023
- (c) by adding the following immediately after clause 10(k.1):
(k.2) hearing and deciding appeals of decisions or orders made under the Doing Business in Winnipeg By-law that are subject to appeal.
- (d) by repealing subclause 10(o)(iii);
- (e) by striking out "Licensing" in the paragraph that precedes clause 11(a);
- (f) by repealing subclauses 11(a)(iv) and 11(a)(vii);
- (g) by repealing clause 11(s);
- (h) by repealing subclause 11(dd)(iii);
- (i) by repealing subclause 13(j)(iii);
- (j) by repealing clause 13.1(1)(c).

Fire Prevention By-law amended

98 *Repealed by 35/2017*

Body Modification By-law amended

99 The Body Modification By-law No. 40/2005 is amended by striking out "the City of Winnipeg License By-law" wherever it appears and substituting "the Doing Business in Winnipeg By-law".

PART 7 - TRANSITION**Existing licenses**

amended 94/2023

100(1) Notwithstanding section 103 (repeal of License By-law), subsisting licenses issued under The City of Winnipeg License By-law No. 6551/95 remain in effect until their expiry date.

amended 94/2023

100(2) Notwithstanding section 104 (coming into force), where this By-law requires that a license must be obtained for a business, a person who has been issued a license in respect of that business under The City of Winnipeg License By-law No. 6551/95 may obtain a license under this By-law for that business prior to the date this By-law comes into force so long as the person and the business comply with section 7 of this By-law.

amended 94/2023

100(3) Where

- (a) this By-law requires that a business must not be carried on without a license; and

amended 94/2023

- (b) a license has been issued in respect of that business under The City of Winnipeg License By-law No. 6551/95;

amended 94/2023

a license issued under this By-law in respect of that business within 30 days of the expiry of the license issued under The City of Winnipeg License By-law No. 6551/95 shall be considered to be a renewal of a license under this By-law.

amended 94/2023

Used material yards

101(1) Where a used material yard is the subject of modified fencing requirements approved by the Community Committee under the City of Winnipeg License By-law No. 6551/95, the modified fencing requirements approved by the Community Committee supersede the requirements of subsection 85(2).

101(2) A person who carries on the business of operating a used material yard that is subject to modified fencing requirements approved by the Community Committee may apply to the Standing Policy Committee on Community Services for a variation of the modified fencing requirements and section 88 applies to the application as if it were an appeal.

amended 106/2015; 137/2022

By-law replaces Winnipeg License By-law

102 This By-law is a successor to the City of Winnipeg License By-law No. 6551/95 and a reference in any by-law, policy, resolution or other document to the City of Winnipeg License By-law No. 6551/95 is deemed to be a reference to this By-law.

PART 8 - REPEAL AND COMING INTO FORCE

License By-law repealed

103 The City of Winnipeg License By-law No. 6551/95 is repealed.

Coming into force

104(1) Subject to subsection (2), this By-law comes into force on June 1, 2008.

104(2) Subsection 100(2) comes into force upon enactment of this By-law.

DONE AND PASSED in Council assembled, this 23rd day of April, 2008.

Schedule A
to the Doing Business in Winnipeg By-law No. 91/2008
repealed 42/2013

Schedule B
to the Doing Business in Winnipeg By-law No. 91/2008
repealed 42/2015

Schedule C
to the Community Safety Business Licensing By-law No. 91/2008
added 54/2017; amended 21/2022

Preset Fine Provisions
Enforceable through The Provincial Offences Act

Provision	Contravention Summary	Preset Fine (\$)	Early Payment Discount
70	Person carrying on Division 9 business – failing to make and maintain record of transaction - Individual	1000	
	Person carrying on Division 9 business – failing to make and maintain record of transaction - Individual	5000	
80(1)	Used good dealer/bicycle dealer/precious metal dealer - disposing of goods identified in record of transaction less than 15 days since record of acquisition was provided to Chief of Police – Individual	500	
	Used good dealer/bicycle dealer/precious metal dealer - disposing of goods identified in record of transaction less than 15 days since record of acquisition was provided to Chief of Police – Corporation	1000	
81(a)	Person carrying on Division 9 business - failing to ensure goods are acquired from a adult - Individual	500	
	Person carrying on Division 9 business - failing to ensure goods are acquired from a adult - Corporation	1000	

Provision	Contravention Summary	Preset Fine (\$)	Early Payment Discount
81(b)	Person carrying on Division 9 business - failing to ensure goods are not acquired from person under the influence of alcohol or drugs – Individual	500	
	Person carrying on Division 9 business - failing to ensure goods are not acquired from person under the influence of alcohol or drugs - Corporation	1000	
81(e)	Person carrying on Division 9 business – acquire goods that bear or customarily bear a serial number or distinguishing mark where that serial number has been altered/defaced/obliterated - Individual	500	
	Person carrying on Division 9 business – acquire goods that bear or customarily bear a serial number or distinguishing mark where that serial number has been altered/defaced/obliterated – Partnership/Corporation	1000	
81(f)	Person carrying on Division 9 business – alters, defaces, obliterates, obscures or removes any serial number or distinctive mark upon any goods purchased or received by the person in the course of his business - Individual	1000	
	Person carrying on Division 9 business – alters, defaces, obliterates, obscures or removes any serial number or distinctive mark upon any goods purchased or received by the person in the course of his business - Partnership/Corporation	5000	