

THE CITY OF EDMONTON
BYLAW 20374
BUSINESS LICENCE BYLAW Amendment No. 2

Edmonton City Council enacts:

1. Bylaw 20002, Business Licence Bylaw, is amended by this bylaw.
2. Subsection 9(1) is deleted and replaced with:

POLICE INFORMATION CHECKS 9 (1) If a Business Category requires a police information check pursuant to Schedule B, any owner, director, manager, partner, officer, or agent of the Business must provide a police information check.

3. Subsection 9(3) is added following subsection 9(2):

POLICE INFORMATION CHECKS 9 (3) For clarity, any police information check required for the Business Category ‘Designated Driver Service’ is not included in this section 9, and instead must comply with the requirements in section 42.1.

4. Section 42.1 with the heading ‘Designated Driver Service’ is added following section 42:

Designated Driver Service

REGULATIONS 42.1 It is a deemed condition of the Designated Driver Service Business Category that:

- (a) The licensee must obtain a police information check from every Employee who will be acting as a designated driver, where the police information check is:
 - (i) obtained from the Edmonton Police Service or the RCMP;
 - (ii) no more than 90 days old;
 - (iii) current and contains all relevant information as known by the applicant; and

- (iv) an original, or an unaltered copy;
- (b) The Business may not permit any Employee to act as a designated driver if the Employee has not provided a police information check as required by section 42.1(a);
- (c) The Business may not permit any Employee to act as a designated driver if, within the past 10 years, that person was convicted of any of the following offences under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada), or the Cannabis Act (Canada):
 - (i) any offence of a violent nature, including firearms and weapons offences;
 - (ii) any offence involving sexual assault, sexual exploitation, sexual interference, procuring or invitation to sexual touching;
 - (iii) trafficking;
 - (iv) any offence involving fraud or fraudulent transactions, conspiracy to defraud, the use of false pretences, bribery, extortion, or theft; or
 - (v) any offence relating to the unlawful operation of a motor vehicle.
- (d) If a police information check reveals a pending charge for any of the offences listed in clause (c), the licensee must require an updated police information check or other documentation at least every six months from the Employee until the charges are resolved;
- (e) The Business must create a procedure to assess an Employee's continued ability to act as a designated driver pursuant to the requirements of this section 42.1; and
- (f) Upon the direction of a bylaw enforcement officer or the City Manager, a licensee must provide the bylaw enforcement officer or City Manager with proof of police information checks for all Employees acting as designated drivers, or proof of the procedure indicated in section 42.1(e).

5. In Schedule A - Business Categories, deleting and replacing the Delivery and Logistic Service Business Category with the following row:

Business Category	Description
Delivery and Logistic Service	A Business that provides, or arranges for pick-up, transportation, and delivery of goods. Does not include Designated Driver Service, or movement of goods purchased or sold by that Business.

6. In Schedule A - Business Categories, after the row for the Delivery and Logistic Service Business Category adding the following row for the Designated Driver Service Business Category:

Business Category	Description
Designated Driver Service	A Business that drives a customer’s private vehicle to a location specified by the customer, within a local distance, usually with the customer as a passenger. Does not include passenger transportation in a vehicle supplied by the Business, or Delivery and Logistic Service.

7. In Schedule B - Application Requirements, in Part B: Requirements by Business Category, after the Delivery and Logistic Service Business Category, adding the following row for the Designated Driver Service Business Category:

Business Category	Tier	Consultation	Notification	Other Requirements
Designated Driver Service	3			

8. In Schedule C - Offences and Penalties, in Part B - Offences and Penalties by Business Category, between the Cannabis Retail Sales and Escort Business Categories, adding the following row for the Designated Driver Service Business Category:

Offence	Bylaw Section	Fine
Designated Driver Service		
Fail to obtain police information check from employee	42.1(a)	\$2,000

Permit employee to act as designated driver without police information check	42.1(b)	\$2,000
Permit employee to act as designated driver with listed conviction	42.1(c)	\$2,000
Fail to obtain updated documentation from employee until charges resolved	42.1(d)	\$2,000

9. This bylaw comes into force on April 5, 2023.

Read a first time

Read a second time

Read a third time

SIGNED AND PASSED

THE CITY OF EDMONTON

MAYOR

CITY CLERK