



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Licensing and By-law Services Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	March 21, 2017
SUBJECT/REPORT NO:	Business Licensing By-law 07-170 – Removal of Recreational Camping Establishments (Schedule 18) (PED17049) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Monica Ciriello (905) 546-2424 Ext. 6656 Ken Leendertse (905) 546-2424 Ext. 3059
SUBMITTED BY:	Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the draft By-law, attached as Appendix “A” to Report PED17049, which amends Business Licensing By-law 07-170 by deleting Recreational Camping Establishments (Schedule 18), and which has been prepared in a form satisfactory to the City Solicitor, be approved.

EXECUTIVE SUMMARY

The primary objective of reviewing and rewriting the City’s Business Licensing By-law 07-170 (“Licensing By-law”) is to delete duplication, increase clarity and remove unnecessary regulations. To ensure that this objective is met, this Report seeks approval to remove Recreational Camping Establishments (Schedule 18) from the Licensing By-law.

The review and rewrite of the Business Licensing By-Law is a key element of the Planning and Economic Development Department’s on-going Open for Business initiative. The primary objective of rewriting the By-law is to delete duplication, increase clarity and ease of understanding/clarify intent, remove unnecessary regulation and improve overall readability. In addition, the rewrite will reflect new policy and regulatory initiatives and address emerging issues and trends within the Hamilton community, including the Sharing Economy.

Alternatives for Consideration – N/A

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The removal of Recreational Camping Establishments will result in minimal revenue loss of \$1897.17 annually as outlined in Table 1.

Table 1:

# of Licences	2016 License Fee	Total Revenue Loss
3	\$632.39	\$1897.17

Staffing: The removal of Recreational Camping Establishments will have little to no impact on staff time, as minimal administration and inspection resources were required for this category of licence.

Legal: N/A

HISTORICAL BACKGROUND

The *Municipal Act, 2001* provides Council with the authority to regulate any business, wholly or in part, carried out within its jurisdiction, including the authority to license. The justifications for licensing certain types of businesses generally relate to the health and safety of the community, consumer protection and nuisance control. The current Licensing By-law is a compilation of amendments passed by Council over many years and currently contains licensing categories and requirements that no longer serve its original municipal purpose.

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POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Planning and Economic Development Department

- Planning
- Zoning

Fire

Legal Services

Public Health Services

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The Licensing Section is currently undergoing a review of the Licensing By-law, with its primary objective to update, delete duplication and remove unnecessary regulations that exist on current license holders. The review also seeks to remove licensing requirements that are no longer applicable and ensure that each remaining licensing category serves a municipal purpose. Through this review, Recreational Camping Establishments has been identified as no longer serving its original municipal purpose and it is recommended that this category of licence be removed from the Business Licensing By-law.

Appendix “B” attached to Report PED17049 shows that the number of Recreational Camping Establishment licences held each year in the City from 2001 to 2016 ranged between zero and three.

Appendix “C” attached to Report PED17049 compares the licensing practices amongst 31 Ontario municipalities regarding camping and it shows that three municipalities currently license campgrounds.

Since 2001, there have been no complaints, investigations, charges or convictions under this license category involving Recreational Camping Establishments.

The City’s original purpose of licensing Recreational Camping Establishments was to protect the health and safety of the individuals at the campsites. Currently, there is a duplication of both Provincial and Municipal regulation governing Recreational Camping Establishments. Recreational Camping Establishments must adhere to the Provincial legislation that exists to ensure the protection, health and safety of those at the campsites, specifically under: *Safe Drinking Water Act, Fire Protection and Prevention Act, Motor Vehicle Safety Act* and the *Health Promotion and Protection Act*. In addition to the Provincial legislation, Recreational Camping is also regulated under the City’s current Site Plan Control.

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Given this information, it is staff's opinion that licensing Recreational Camping Establishments is duplicative with other regulatory processes and licensing this category no longer serves a municipal purpose. Removing this licensing category will assist in modernizing the Business Licensing By-law, reduce its length and enhance its readability.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

- Appendix A: Draft By-law and Schedule 18
- Appendix B: Total Number of Licences: 2001-2016
- Appendix C: Practices Amongst Ontario Municipalities

MC:KL:cab