



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

Mission Statement: As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: B.J. Wilder	Report Date: March 20, 2026
Author's Phone: 519 736-0012 ext. 2225	Date to Council: April 13, 2026
Author's E-mail: bwilder@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Business Licensing By-law

1. RECOMMENDATION:

It is recommended that:

1. **By-law 2026-019** being a by-law to regulate business licensing be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

2. BACKGROUND:

On March 24, 2025, Council passed a resolution that the Town of Amherstburg reinstate the 2009 Business Licensing By-law; the Town of Amherstburg establish a business registry; Administration be directed to bring back an amended By-law for consideration; and any business that was previously enrolled would have all fees waived.

In early February 2026 the Windsor Essex County Health Unit passed a motion at their meeting. The motion was *to contact the municipalities and encourage them to use licensing as a mechanism to ensure the Health Unit is notified of new businesses*. Having this information would assist the Health Unit with their enforcement initiatives designed for the preservation and protection of public health.

3. DISCUSSION:

The main goal of a municipal business licence is to protect the health and safety of the public who use certain consumer services or products. The Town's Business Licensing by-law provides the rules and regulations for each business class to adhere to, in order, to obtain and maintain a licence.

As an added protection and at the request of Windsor Essex County Health Unit the Licensing and Enforcement Department will notify the Windsor Essex County Health Unit of the businesses registered, including new business going forward.

Part IV, Section 151(1) of the Municipal Act, 2001, states that a municipality may provide for a system of licences with respect to a business and may,

- (a) prohibit the carrying on or engaging in the business without a licence;
- (b) refuse to grant a licence or to revoke or suspend a licence;
- (c) impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- (d) impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence;
- (e) impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence; and
- (f) license, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it.

Under this by-law, the one-time Licensing Application fee is for brick and mortar establishments to offset the cost of adding the business to the business registry and the completion of associated administrative work completed by the Licensing Officer tasks. Businesses that are transient or mobile will be subject to an annual license fee and when operating in our parks it is suggested that they will pay a daily fee.

A previous 2023 Business Licensing By-law that was initially passed by Council was not well received by the business community. As a result of the feedback from the business community, it was evident they were seeking a by-law that is; less complex, less over-reaching, was more affordable, did not require what were felt to be unnecessary inspections and one that did not impose regulations already enforced by provincial or federal agencies.

This by-law is designed to be less complex and more affordable based on it primarily being a registry. Businesses that were not previously registered with the Town would pay a one-time licensing fee of \$87.00. This fee amount is what we are currently charging Taxi Cab Drivers for their licenses. The business licensing fee would increase in accordance with the Council approved User Fee By-law. As part of the initial business licensing application, the applicant would identify whether or, not they have met all legislative requirements related to Fire Code, Building Code, Health Unit regulations or the requirements of any other governing agency. In this application they would also be required to identify any outstanding deficiencies or outstanding Orders issued by any

other governing agency. Each subsequent year the registered brick and mortar businesses would complete and submit an annual declaration. The declaration would identify if the business has changed to any degree and would also require the owner to identify any outstanding deficiencies or Orders issued by any governing agencies.

Only taxi operators, taxi drivers, temporary vendor site operators, stationary refreshment vehicles and mobile refreshments vehicles will pay an annual renewal fee. They will submit a new application each year and pay the fee outlined in the User Fee By-law. These businesses will also have to identify at least annually any outstanding deficiencies or Orders issued by any governing agency.

This by-law is less over-reaching because By-law Enforcement is not conducting any inspection(s) unless there are reasonable grounds or evidence to suggest a by-law violation exists. The Licensing Department will no longer be involved in coordinating any required Fire or Building Inspections because that responsibility and task lies with those departments. Even without a business licensing by-law the By-law Officers have and always had the authority to enter a business at a reasonable time to investigate by-law violations or conduct follow up inspections to determine if violations were corrected.

In the event a by-law complaint against a business is received many of them can be addressed without conducting an actual inspection. We regularly resolve these allegations/violations over the phone or during scheduled in-person meetings at Town Hall. If an inspection is necessary, the majority them can be scheduled with the owner and carried out at a time when they are not open for business. It would be very rare and with exigent circumstances where By-law would have to immediately attend and conduct an unscheduled inspection. In the event a complaint is filed regarding fire code, building code or matters regulated by other agencies we would advise the complainant to notify those governing agencies because they are the authority having jurisdiction.

Our approach with this by-law was to create a by-law we feel works best for the dynamics of Amherstburg and still provides us an avenue to address potential violations. For these reasons there was minimal comparison to other municipalities by-laws.

4. RISK ANALYSIS:

In the opinion of the Author our risk has always been minimal because we have had other by-laws in place that gave us the authority to investigate and address a broad range of violations. Having this by-law further reduces our risk because it offers one additional tool to trigger the involvement of other agencies to address issues.

While adopting a Business Licensing By-law does not in itself raise the liability associated to the Town, the implementation around those activities does have risk associated with the conduct associated. These risks are mitigated through extensive training, procedures and protocols which are designed to ensure that staff are supported in executing the operational requirements in accordance with all applicable laws and regulations.

5. FINANCIAL MATTERS:

The proposed Business Licensing By-law allows for the collection of business licence application fees to offset the costs associated with the implementation of the licensing process.

6. CONSULTATIONS:

Dan Monk, Deputy Fire Chief
 Melissa Osborne, Director, Development Services/Deputy CAO
 Angelo Avolio, Chief Building Official
 Valerie Critchley, Chief Administrative Officer
 Tracy Prince, Chief Financial Officer
 Several Business Owners that were previous opposition delegates

7. CORPORATE STRATEGIC ALIGNMENT:

Vision: Preserving our past while forging our future.

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p style="text-align: center;">PILLAR 1 Deliver Trusted & Accountable Local Government</p> <ul style="list-style-type: none"> <input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures. <input type="checkbox"/> Deliver transparent and efficient financial management. <input type="checkbox"/> Increase effective communication and engagement with residents. <input type="checkbox"/> Develop our staff team, resources, and workplace culture. <input type="checkbox"/> Continue to deliver strong core municipal services. <input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation. 	<p style="text-align: center;">PILLAR 3 Encourage Local Economic Prosperity</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Encourage development of commercial and industrial lands. <input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation. <input type="checkbox"/> Continue to facilitate downtown development for residents and visitors. <input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.
<p style="text-align: center;">PILLAR 2 Invest in Community Amenities and Infrastructure</p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities. <input type="checkbox"/> Increase access to recreation opportunities for all ages. <input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy’s site, Belle Vue) 	<p style="text-align: center;">PILLAR 4 Shape Growth Aligned with Local Identity</p> <ul style="list-style-type: none"> <input type="checkbox"/> Define and communicate a vision for the Town’s future and identity. <input type="checkbox"/> Promote and plan for green and “climate change ready” development.

<ul style="list-style-type: none"><input type="checkbox"/> Create public access to water and waterfront<input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.	<ul style="list-style-type: none"><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.<input type="checkbox"/> Protect the Town's historic sites and heritage.<input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.
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8. CONCLUSION:

It is recommended that Council adopt the new Business Licensing By-law and the Mayor and Clerk be authorized to sign same.



B.J. Wilder
Manager of Licensing and Enforcement

BJW

Report Approval Details

Document Title:	Business Licensing By-law 2026-019.docx
Attachments:	- NoFoodTruck_Zone2026.pdf - Business Licensing By-law 2026-019 RM.pdf
Final Approval Date:	Apr 2, 2026

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Tracy Prince was completed by delegate Yufang Du

Tracy Prince



Melissa Osborne



Valerie Critchley



Kevin Fox