

GENERAL PROVISIONS - LICENCES

Business Licensing - Schedule A-14

Title	Payday Loan Establishment
Applicable Licence	Payday Loan Establishment
Exceptions	Financial Institutions as defined in the <i>Bank Act</i> or credit unions as defined in the <i>Credit Unions and Caisses Populaires Act, 1994</i> .
Limit	No more than nine (9) Payday Loan Establishment Licences will be granted by the City of Brantford, in any given year.
Reasons for licensing	Consumer Protection
Interpretation	<p>For the purposes of this Schedule, the following words shall have the following meanings:</p> <p>“Payday Loan” shall mean an advancement of money in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature but not for any guarantee, suretyship, overdraft protection or security on property and not through a margin loan, pawn broking, a line of credit or a credit card;</p> <p>“Payday Loan Establishment” shall mean a premises where a loan broker or lender administers payday loans;</p> <p>“Loan broker” shall mean a corporation, partnership, sole proprietor, association or other entity or individual that assists a borrower in obtaining a payday loan or that holds oneself out as available to provide such assistance; and,</p> <p>“Lender” shall mean a corporation, partnership, sole proprietor, association or other entity or individual that makes a payday loan to a borrower or that holds oneself out as available to make such a loan;</p>

GENERAL PROVISIONS - LICENCES

	<p>“Gaming Establishment” shall mean a lot and a building or structure, or portion thereof, used for the purposes of operating games of chance, or of mixed chance and skill, and shall include slot machines and table games, and may include any casino style game, device or lottery scheme, as approved by the Government of Province of Ontario or such person or authority in the Province as may have been specified by the Lieutenant Governor in Council, and may also include areas devoted to the sale of food and beverages, entertainment and associated offices.</p>	
<p>Additional Application Requirements</p>	<p>Every application for a licence pursuant to this Schedule shall include the following:</p> <ul style="list-style-type: none"> (f) A site plan or sketch identifying the proposed (or existing) location; (g) Copy of provincial licence pursuant to the <i>Payday Loans Act, 2008</i>; and, (h) Copies of notices, pamphlets, brochures, payday loan agreements or other materials, including prescribed materials that the licensee uses or proposes to use in the course of conducting business. 	
<p>Application Circulation Criteria</p>	<p>New Application</p> <p>Chief Building Official</p> <p>Chief of Police</p>	<p>Renewal</p> <p>Chief Building Official</p> <p>Chief of Police</p>
<p>Specific Licence Requirements</p>	<p>In addition to the general requirements set out in the Chapter to which this Schedule is attached, the following specific conditions apply to every licence issued pursuant to this Schedule:</p>	

GENERAL PROVISIONS - LICENCES

- 1) No person shall operate or maintain a Payday Loan Establishment without a licence within the City of Brantford without first having obtained a licence from the Issuer of Licences to do so;
- 2) The applicant or licensee, as the case may be, shall notify the Issuer of Licences immediately should there be a change in any of the information provided to the Issuer of Licences pursuant to this Schedule or the Chapter to which this Schedule is attached;
- 3) Distance Location Requirements:
Minimum distance separation of 150 metres from property line to property line, from any and all of the following:
 - a) Group correctional home, Mini-group home, Group home, Group residence, Crisis residence, Group Correctional Residence,
 - b) Medical Clinics,
 - c) School, Arts, School, Commercial, School, Elementary, School, Post-Secondary, School, Private, School, Secondary, School, Separate, and
 - d) Gaming Establishments,
unless the establishment exists within the minimum distance separation at the time of the passing of this by-law.
- 4) Insurance:
Proof that the applicant has obtained and will maintain a Commercial General Liability insurance policy with a policy limit of not less than \$2,000,000 per occurrence; Proof that the applicant has obtained and will maintain a Commercial General Liability insurance policy with a policy limit of not less than \$2,000,000 per occurrence and keep in force during the term of the License, Commercial General Liability Insurance satisfactory to The Corporation of The City of Brantford.
- 5) Duties of the Operator - every operator shall:
 - a) Ensure that either the operator or individual who is responsible for the operation of the premises is present and available at the

GENERAL PROVISIONS - LICENCES

	<p>premises at all times,</p> <p>b) Post in a visible place the required signage and communication material as prescribed in the <i>Payday Loans Act, 2008</i> and its regulations and the <i>Collections and Debt Settlement Services Act and its regulations</i>, and</p> <p>c) Ensure the establishment meets all requirements of the <i>Payday Loans Act, 2008</i> and its regulations, the <i>Collection and Debt Settlement Services Act, R.S.O. 1990</i>, and its regulations, the <i>Consumer Protection Act, 2002</i>, and its regulations, the <i>Building Code Act, 1992</i> and its regulations, the <i>Fire Protection and Prevention Act, 1997</i> and its regulations, the <i>Health Protection and Promotion Act</i> and its regulations and any applicable by-law.</p>
<p>Renewal Licence Applications</p>	<p>1) The Applicant/Licensee shall be the same person, as was previously licensed.</p> <p>2) The minimum distance separation shall not apply.</p> <p>3) All other licensing requirements continue to apply.</p>
<p>Payday Loan Establishments Existing at the Time of the Passage of the By-Law</p> <p>**Locations recognized as: - operating before the 150m minimum separation distance</p>	<p>1) Brant Loans 'Til Payday 151 Darling Street, Rear</p> <p>2) Cash 4 You 212 King George Road</p> <p>3) Cash 4 You 63 Brant Avenue, Unit C</p> <p>4) Cash Money 196 Dalhousie Street, Unit 1</p> <p>5) Cash Money 250 King George Road, Unit 4</p> <p>6) Cashco Loans 325 King George Road, Unit B</p>

GENERAL PROVISIONS - LICENCES

<p>was introduced, and</p> <p>-permitted, nonconforming until such time as the establishment ceases to operate or fails to obtain and maintain a municipal business licence.</p> <p>**Business Licence is not transferrable for these two locations only.</p>	<p>7) ENCA\$H** 603 Colborne Street, East, Unit 15</p> <p>8) National Money Mart Company 265 King George Road, Unit 116B</p> <p>9) National Money Mart Company** 114 Dalhousie Street</p>
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By-law 175-2019, 19 November, 2019; By-law 21-2021, 23 February, 2021