

## 2.3 Playing by the rules

THE TOURISM BUSINESS FACT SHEETS – ESSENTIAL RESEARCH

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<b>Yukon Territory Government Offices</b> all mailing addresses: Box 2703, Whitehorse, Yukon Y1A 2C6	<b>Field Operations</b> Tagish (Whitehorse) 345-300 Main Street, Whitehorse, Y1A 2B5 (867) 667-8078
<b>Community and Transportation Services</b> Land and Property Assessment Branch (867) 667-5741	<b>Beaver Creek</b> General Delivery, Beaver Creek, Yukon Y0B 1A0 (867) 862-7224
<b>Maintenance and Planning</b> (867) 667-5452	<b>Carmacks</b> Box 132, Carmacks, Yukon Y0B 1C0 (867) 863-5271
<b>Public Safety Branch</b> (867) 667-5741	<b>Dawson City</b> Box 279, Dawson City, Yukon Y0B 1G0 (867) 996-5468
<b>Health and Social Services</b> Environmental Health Services (867) 667-8391	<b>Haines Junction</b> Box 5370, Haines Junction, Yukon Y0B 1L0 (867) 634-2256
<b>Justice</b> Corporate Affairs (867) 667-5314	<b>Laberge</b> 345-300 Main Street, Whitehorse, Yukon Y1A 2B5 (867) 667-8073
<b>Renewable Resources</b> Parks and Outdoor Recreation (867) 667-5261	<b>Mayo</b> Box 100, Mayo Yukon Y0B 1M0 (867) 996-2343
<b>Worker's Compensation</b> Health & Safety Board 401 Strickland Street, Whitehorse Y1A5N8 (867) 667-5645	<b>Ross River</b> General Delivery, Ross River, Yukon Y0B 1S0 (867) 969-2243
<b>Yukon Territory Water Board</b> (867) 667-3980	<b>Teslin</b> Box 97, Teslin, Yukon Y0A 1C0 (867) 390-2531
<b>Canadian Government Offices</b> Canada Coast Guard Navigable Water Protection Division Suite 300, 555 W. Hastings, Vancouver, B.C. V6B5G3 (604) 775-8868	<b>Watson Lake</b> Box 269, Watson Lake, Yukon Y0A 1C0 (867) 536-7335
<b>Canadian Heritage, Parks Canada</b> Yukon District General Inquiries 205-300 Main Street, Whitehorse Y1A 2B5 (867) 667-3910	<b>Parks Canada</b> Kluane National Park Haines Junction Y0B 1L0 (867) 634-7250
<b>Department of Indian Affairs and Northern Development</b> Land Resources, 345-300 Main Street, Whitehorse Y1A 2B5 (867) 667-3242	<b>Revenue Canada</b> Rm 120, 300 Main Street, Whitehorse, Y1A 2B5 (867) 667-8154
	<b>Transport Canada,</b> Marine Safety Branch Bag 3670, Prince Rupert, B.C. V8J 3R1 (250) 627-0340

<b>Yukon First Nations</b> Carcross/Tagish First Nation Box 130, Carcross, Yukon Y0B 1B0 (867) 821-4251
<b>Little Salmon/Carmacks First Nation</b> Box 135, Carmacks, Yukon, Y0B 1C0 (867) 863-5576
<b>Champagne/Aishihik First Nations</b> Box 5309, Haines Junction, YT Y0B 1L0 (867) 634-2288
<b>Tr'ondëk Hwech'õin First Nation</b> Box 599, Dawson City, Yukon Y0B 1G0 (867) 993-5385
<b>Kluane First Nation</b> Box 20, Burwash Landing, YT, Y0B 1V0 (867) 841-4274
<b>Kwanlin Dun First Nation</b> Box 1217, Whitehorse, Yukon, Y1A 5A5 (867) 633-7800
<b>Liard First Nation</b> Box 328, Watson Lake, YT, Y0A 1C0 (867) 536-2131
<b>First Nation of Nacho Nyak Dun</b> Box 220, Mayo, Yukon, Y0B 1M0 (867) 996-2265
<b>Ross River Dena Council</b> Gen. Del., Ross River, Yukon, Y0B 1S0 (867) 969-2277
<b>Selkirk First Nation</b> Box 40, Pelly Crossing, Yukon, Y0B 1P0 (867) 537-3331
<b>Teslin Tlingit Council</b> Box 133, Teslin, Yukon, Y0B 1B0 (867) 390-2532
<b>Ta'õan Kwach'õan Council</b> Box 32081, Whitehorse, YT, Y1A 5P9 (867) 668-3613
<b>Vuntut Gwitchin First Nation</b> Box 94, Old Crow, Yukon, Y0B 1N0 (867) 966-3261
<b>White River First Nation</b> Gen Del., Beaver Creek, YT, Y0B 1A0 (867) 862-7802
<b>Kaska Tribal Council</b> Watson Lake, Yukon, Y0A 1C0

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### Rules and regulations

**T**HERE ARENÖT MANY THINGS in life you can say with certainty, but hereÖs one of them: if you start a tourism business there are rules and regulations to follow and permits you will need.

### Allow enough time

Permitting, regulations and laws consume time and energy Ñ be sure to factor this into your planning. Financing, insurance and liability coverage may well depend on the proof of compliance with permitting and regulations. Allow yourself plenty of time to deal carefully with the applications and regulatory processes that relate to your business to ensure a smooth business startup.

### Short term activity

In the previous fact sheet, we have looked at some of the processes involved in land acquisition. Remember that under the Territorial Lands Act, you must first obtain a lease or an agreement for sale before any land use or occupation. There are other land issues as well. You may need to use federal Crown land for only a short period of time, or for temporary occupancy. This would be the case, for instance if you need to set up a camp or have access for road construction. The Territorial Land Use Regulations require you to get a land use permit for such short-term activity.

### Class A & B permits

Most activities will require a Class A or Class B land use permit. Class A permits are required for all significantly large operations or operations in areas of interest to a community. Class B permits are needed for small operations. An explanation of the activities requiring land use permits can be found in the Territorial Land Use Regulations. A copy of these regulations and the Land Use Permit Applications can be found at the DIAND Field Operation Offices. Land use permits may be subject to screening under the Canadian Environmental Assessment Act (CEAA).

### Environmental assessments on federal land

The Northern Affairs Program of DIAND is responsible for managing minerals, water, forests and most of the land in the Yukon. Under the CEAA, the Government of Canada is required to conduct environmental assessment on specified projects. These include federal government projects, federally funded projects, disposition of federal land and federal authorizations such as land use permits, water licences and timber permits. A complete explanation of this process can be provided by the Land Resources Branch of DIAND (867) 667-3241.

### Territorial land

Land use authorizations for CommissionerÖ Land Ñ land under Yukon Territorial Government jurisdiction Ñ can be obtained from the Land and Property Assessment Branch of Community and Transportation Services (867) 667-3453.

### Settlement lands

If you will be operating on land owned by a First Nation, or considered part of its traditional territory, be sure to contact the administration of the appropriate First Nation. The First Nation may enact laws regarding use of its lands, develop management programs and collect fees.

### Fuel wood and fire permits

Both Federal and Territorial offices provide fuel wood cutting permits and fire permits, for the land within their jurisdictions. Acquiring these permits will educate you about the restrictions regarding open fires and wood cutting. Within the City of Whitehorse, the Fire Marshall issues fire permits.

### On the waterfront

The Yukon Waters Act (federal legislation) requires you to have a water licence if you plan to use, divert or discharge water, or to deposit waste into water. Activities considered under the act include water use, crossings, pipelines, erosion control, interference with existing water usage, potentially adverse environmental effects and the construction of bridges, culverts, and docks. Refer to the Yukon Waters Act and Regulations for specific information about licence types and/or notifications. Information and applications for a water licence can be found at the DIAND Water Resources office in Whitehorse, or the Yukon Territory Water Board (867) 667-3980. First Nations Final Agreements also have rules affecting commercial use of waterfront bordering settlement land. If your proposal borders such land, contact the appropriate First Nation.

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### Navigable waters

If your project includes plans for work on navigable waters, the Canada Coast Guard, Navigable Waters Protection Division must be informed. They must approve any such plans, including the removal of abandoned vessels and wrecks. Call Fisheries and Oceans in Victoria, 1-800 667-2179.

### Building standards

There are a number of Acts regarding construction integrity and standards. These include the Yukon Fire Prevention Act, Building Standards Act, Electrical Protection Act, Gas Burning Devices Act, and Propane Gas Act. Codes and regulations accompany this legislation, and both new and old building premises must meet these codes. New construction and renovations will require permits and inspections, as may older buildings in many situations. Your business may be closed if you fail to comply with inspection requirements, as administered by the Public Safety Branch of Community and Transportation Services (867) 667-5741. If you store fuel on site you will also require a permit from this branch. Some municipalities may also have additional building standards – such as heritage building guidelines – with which you must comply.

### Health & environmental inspections

If your business will be serving food to customers, you will need to contact Yukon Environmental Health Services. This branch conducts inspections to maintain food premise standards and potable water quality. It also deals with applications for R.V. Parks and Campgrounds, and the permitting and inspection of septic installations and sewage disposal systems (867) 667-8391.

### Highways—access and signage

Depending on your location, you may need road access from a Territorial Highway, for which you need a permit, obtained from Community and Transportation Services, Transportation Maintenance Branch (867) 667-5159. This is also the place to apply for a sign erection permit, and highway right-of-way permit.

### Drivers and passengers—land & water

Drivers and vehicles must have valid and appropriate Yukon licences, registration, and insurance. Different licencing requirements will apply if you are transporting passengers or freight with your vehicle. Contact Transport Services, Community and Transport Services for this information (867) 667-5832. Transport of passengers by vessel will require an inspection by the Ship Safety Branch of Transport Canada. Call 1-800 667-3355 for referral to the appropriate official.

### Employment issues

For information on employment standards within the tourism industry, you can contact the Labour Services Branch of the Yukon Justice Department (867) 667-5944. Revenue Canada will supply you with an employer number and all the information you need to deal with taxes (867) 667-8154. You will also be required to contact the Worker’s Compensation Health & Safety Board and arrange for proper coverage of your employees (867) 667-5645. If you want to employ people who are not Canadian citizens contact Citizen and Immigration Canada for relevant information and procedures (867) 667-5010.

### Working inside parks

Both National and Territorial Parks must be informed of businesses wishing to operate within their jurisdictions. They have their own application procedures for business licences or permits. National Parks also require guides to be licenced. Restrictions on visitor and/or trip numbers exist in some National Parks and Historic sites.

### Wilderness Tourism Licencing Act

This legislation will make licencing mandatory for wilderness tour operators. Minimum safety, competency, and liability insurance standards will have to be met. Operators must file trip reports and adhere to low impact and waste disposal standards. Call Yukon Tourism (867) 667-5449 or Yukon Renewable Resources (867) 667-5648 for more information.

### European Customer Protection Legislation

In addition to territorial and national regulations, tourism business operators must also be aware of international ones. The European Union Directive on Package Holidays as well as other travel laws, are intended to protect customers by making tour operators liable for physical injury, damage and faulty holidays. This type of legislation is only valid when a Yukon operator sells a package tour in the client’s home country. It spells out an operator’s obligations in regard to bank guarantees, insurance and terms and conditions of sale. He is obliged to provide complete and accurate information and supply a tour that matches that description. If a tourist experiences less than he was led to believe – or simply bad service – he may quit the trip and fly home at the operator’s expense. For more information,

The following is a quick-reference chart to give you an idea of the kinds of permits you may need to consider for your tourism business. Place yourself in one of the 8 tourism sectors across the top of the chart and read down to see which permits you are

likely to need and which you may need. Be sure to check for other permits and regulations that may be relevant to your own business. This list is intended as a guide only, is subject to change and is not necessarily complete.

	Accommodation	Sport/Adventure Tourism	Food and Beverage	Events & Conferences	Transportation	Attractions	Travel trade	Tourism Services	
Approval of Proposed Works (docks, ramps, etc.)	◆	◆	◆	◆	◆	◆			Canada Coast Guard, Navigable Waters Protection Division
Boiler/Pressure vessel inspection	◆		◆	◆					YTG, C&TS, Public Safety Branch
Building Permit	◆	◆	◆	◆		◆			YTG, C&TS, Public Safety Branch
Burning Permit	◆	◆	◆	◆		◆			DIAND, Field Ops, Land Resource
Whitehorse	◆	◆	◆	◆		◆			City Fire Marshall
Business Licence	◆	◆	◆	◆	◆	◆	◆	◆	Municipality
Business Name Registration	◆	◆	◆	◆	◆	◆	◆	◆	YTG, Justice, Corporate Affairs
Commercial Timber Permit		◆							DIAND, Forest Resources
Driver’s Licence		◆		◆	◆				YTG, C&TS, Transport Services Branch
Electrical Permit	◆	◆	◆	◆		◆			YTG, C&TS, Public Safety Branch
Fire Inspector	◆	◆	◆	◆	◆	◆			YTG, C&TS, Public Safety Branch
First Nations Final Agreements	◆	◆				◆		◆	appropriate First Nations
Food Premises Inspection	◆	◆	◆	◆		◆			YTG, H&SS, Environmental Health Services
Fuel Storage Permit	◆	◆	◆	◆	◆	◆			YTG, C&TS, Public Safety Branch
Fuel Wood Cutting Permit	◆	◆	◆	◆					DIAND, Field Ops, Land Resources
Gas permit	◆	◆	◆	◆	◆	◆			YTG, C&TS, Public Safety Branch
Highway Access Permit	◆		◆	◆	◆	◆			YTG, C&TS, Transp. and Maint. Branch
Highway right-of way usage	◆		◆	◆		◆			YTG, C&TS, Transp. and Maint. Branch
Income tax	◆	◆	◆	◆	◆	◆	◆	◆	Revenue Canada
Land Use permit, Fed (CEAA, DAP)	◆	◆	◆	◆					DIAND, Land Resources
Land Use permit, Territorial (LARC)	◆	◆	◆	◆					YTG, C&TS, Lands & Property Assessment
National Park business licence	◆	◆	◆	◆	◆	◆			Parks Canada
National park guide licence		◆			◆				Parks Canada
Plumbing Permit	◆	◆	◆	◆		◆			YTG, C&TS, Public Safety Branch
Potable Water Inspection	◆		◆	◆		◆			YTG, H&SS, Environmental Health Services
Salmon Catch card		◆		◆		◆			Federal, Dept of Fisheries and Oceans
Septic installation permit	◆		◆	◆		◆			YTG, H&SS, Environmental Health Services
Sign erection Permit	◆	◆	◆	◆	◆	◆		◆	YTG, C&TS, Transp. and Maint. Branch
Territorial Park Use permit		◆	◆	◆					YTG, Renewable Resources, Parks Branch
Transport of passengers by boat		◆	◆	◆	◆				Transport Canada, Ship Safety Branch
Transport of passengers by vehicle		◆	◆	◆					YTG, C&TS, Transport Services Branch
Vehicle Registration		◆	◆	◆					YTG, C&TS, Transport Services Branch
Water Licence (CEAA)	◆		◆			◆			DIAND, Land Resources/YTG, Water Board
Wilderness Tourism Licencing Act		◆			◆			◆	YTG, Renewable Resources
Worker’s Comp	◆	◆	◆	◆	◆	◆	◆	◆	Worker’s Compensation Health & Safety

- ◆ likely required
- ◆ may be required