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**BEING A BYLAW OF THE TOWN OF BLACKFALDS, IN THE PROVINCE OF ALBERTA, TO REGULATE, CONTROL AND MANAGE THE REGULATION AND LICENSING OF BUSINESSES WITHIN THE TOWN OF BLACKFALDS**

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A Bylaw of the Town of Blackfalds, in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c M-26 and amendments thereto, for the purpose of regulating, controlling and managing the regulation and licensing of businesses within the Town of Blackfalds.

**WHEREAS**, the *Municipal Government Act*, RSA 2000, c M-26 (the “Act”) empowers the municipal council (“Council”) of the Town of Blackfalds (the “Town”) to pass bylaws pertaining to the regulation, control and licensing of businesses within the Town;

**WHEREAS**, Section 7(e) of the *MGA* provides that Council may pass bylaws for purposes relating to businesses, business activities, and Persons engaged in business;

**WHEREAS**, Section 7(a) of the *MGA*, provides that Council may pass bylaws for a municipal purpose respecting the safety, health, and welfare and the protection of people and property;

**WHEREAS**, Section 8 of the *MGA* provides, amongst other things, that Council may, through Bylaw, regulate, prohibit, deal with any development, activity, industry, business or thing in different ways, divide them into classes and deal with each class in different ways; and provide for a system of Licences, permits or approvals respecting the matters listed therein;

**WHEREAS**, it is deemed advisable and expedient to set out the terms and conditions applicable to the licensing and regulations of business within the Town.

**NOW THEREFORE**, the Municipal Council of the Town of Blackfalds, duly assembled, hereby enacts:

**PART 1 – TITLE & INTERPRETATION**

- 1.1 That this Bylaw shall be cited as the “**Business Licence Bylaw**”.
- 1.2 The following rules apply to the interpretation of this Bylaw:
  - (a) all schedules attached to this Bylaw form part of the Bylaw;
  - (b) headings, titles, and margin notes in this Bylaw are for ease of reference only;
  - (c) gender-specific words, phrases, and references are intended to be gender-neutral, and the singular includes the plural as the context requires;
  - (d) every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid by a Court, then such provision shall be severed and all other provisions of this Bylaw remain valid and enforceable; and
  - (e) references to bylaws and enactments in this Bylaw include amendments and replacement bylaws and enactments, and regulations and orders thereunder.

**PART 2 – DEFINITIONS**

- 2.1 The following terms have the defined meanings in this Bylaw:
  - (a) “**Building Mover**” means a Person engaged in the business of relocating buildings or structures, whether intact or in sections.
  - (b) “**Business**” means any commercial, merchandising, industrial, professional, trade, occupational, or other activity undertaken to provide goods or services, whether or not for profit and however organized or formed, including but not limited to a co-operative, association of Persons, foundation, corporation, Person, partnership or otherwise. And, without any limitation, a Business includes:
    - i. A Business operated from a Mobile Vending Unit or Push Cart Vending Unit,
    - ii. A Canvasser,
    - iii. A Charitable or Non-Profit Organization,

- iv. A Contractor,
  - v. A Farmers Market,
  - vi. A Hawker or Peddler,
  - vii. A Home-Based Business,
  - viii. A Massage Clinic,
  - ix. A Pawnbroker,
  - x. A Public Market,
  - xi. A Second Hand Dealer, and
  - xii. A Short Term Rental.
- (c) "**Business Licence**" means a valid and subsisting licence issued pursuant to this Bylaw.
- (d) "**Canvasser**" shall mean a Person who canvases for contributions, or sells anything on a door to door basis on behalf of any charitable, profitable or non-profit organization for a monetary or other return.
- (e) "**Charitable or Non-Profit Organization**" means an association or corporation acting for charity or in the promotion of general social welfare and includes:
- i. A religious society or religious organization
  - ii. A service club
  - iii. A community, veterans or youth organization
  - iv. A social, sport or fraternal organization or club
  - v. An organization that raises money for specific projects and not for profit.
- (f) "**Chief Administrative Officer**" means the Chief Administrative Officer of the Town of Blackfalds as appointed by Council.
- (g) "**Contractor**" means a Person or company who is responsible for the construction and supervision for the erection, alteration, repair, or construction of any buildings, structures or infrastructure, and includes without limitation, the business of contracting to provide a special service such as, but not limited to, excavator, concrete placer, plasterer, stucco, brick layer, stone mason, Building Mover, Demolition, landscaper, floor layer or finisher, painter and paper hanger, roofing and siding applicator, structural steel erector, insulator, carpenter and cabinet maker and woodworker, plumber and gasfitter, electrician, sheet metal worker, or steam fitter to the owner of any property or any agent of the owner who supervises the erection, construction, alteration, or repair of buildings or structures.
- (h) "**Council**" means the Municipal Council of the Town of Blackfalds.
- (i) "**Daily Business Licence Fee**" means the applicable fee for a Business Licence issued for a limited period of one (1) day or more, which authorizes the operation of a Business for a short-term duration and not for a full licence year.
- (j) "**Demolition**" means any Person who carries on the business of dismantling, tearing down, or removing a building or structure, in whole or in part.
- (k) "**Development Permit**" means a document authorizing a development issued pursuant to the current Land Use Bylaw.
- (l) "**Farmers Market**" means the business of conducting a public open market at which various vendors or goods lease a stall or space from a holder of a provincial market approval and situated at the location approved by the Town of Blackfalds from time to time.
- (m) "**Hawker or Peddler**" means any Person who goes about the Town selling goods, wares, merchandise, fish, corn, food or food products on foot or from a vehicle or trailer, located on private land other than at a building which is his permanent place of business, and where the merchandise is delivered at the time the sale is made.

- (n) "**Home Based Business**" means any occupation, trade, profession, craft carried on by an occupant of a residential building as a use secondary to the residential use of the building as per the Town of Blackfalds Land Use Bylaw.
- (o) "**Licence Year**" means the period commencing January 1st to December 31<sup>st</sup> of any given year.
- (p) "**Licensee**" means a Person holding a valid and subsisting Business Licence issued pursuant to the provisions of this Bylaw.
- (q) "**Licence Fee**" means those fees prescribed in this Bylaw to obtain a Business Licence, including those fees outlined in *Schedule "A"*.
- (r) "**Licensing Inspector**" shall mean the Director of Infrastructure and Planning Services of the Town, or such other person as the Chief Administrative Officer may designate from time to time.
- (s) "**Massage or Massages**" means kneading, manipulating, rubbing, touching, or physically stimulating, by direct or indirect means, a Person's body or part thereof by a Massage Therapist.
- (t) "**Massage Clinic**" means a business where massages are performed or offered to the public.
- (u) "**Massage Therapist**" means a Person who is Licenced as a Registered Massage Therapist under the laws of the Province of Alberta.
- (v) "**Mobile Vending Unit**" means a motor vehicle, trailer, or similar mobile structure, capable of being used for the preparing and offering the sale and distribution of food or non-alcoholic beverages, which does not contain customer seating and is capable of being moved.
- (w) "**Non-Resident**" means any Person who is not a permanent resident in the Town, or whose Business is not located in the Town.
- (x) "**Pawnbroker**" shall mean a Person who carries on a business of loaning money on the security of the pledge or pawn of Personal property or a Person who holds himself out as ready to loan money on such security, but does not include banks, trust companies, credit unions or other similar institutions.
- (y) "**Person**" means a Person as defined in the *Interpretation Act*, RSA 2000, c I-8 as amended.
- (z) "**Public Market**" means a business, operating for profit, conducting a public open market at which various vendors lease and operate stalls.
- (aa) "**Push Cart Vending Unit**" means a push cart or similar mobile vehicle structure capable of being moved from location to location for the purpose of offering for sale food products, non-alcoholic beverages, flowers, handcraft jewelry, art or other non-food items.
- (bb) "**Resident**" means any Person who, if an individual, permanently resides in the Town, or, if not an individual, carries on Business or maintains its principal place of Business in the Town
- (cc) "**Second Hand Dealer**" shall mean the business of purchasing, selling or exchanging of articles or things of any kind or nature which have been previously owned, worn or used and shall, without limiting the generality of the foregoing, includes the business of purchasing, selling, exchanging or in any way dealing in scrap metal.
- (dd) "**Short Term Rental**" means operating or providing a temporary place to stay at a residential premises for a period of less than 30 days, including, without limitation, bed and breakfast establishments and rentals offered through platforms such as Airbnb, VRBO, or similar vacation rental platforms.
- (ee) "**Violation Tag**" means a municipal tag or similar document issued in relation to an offence under this Bylaw.

- (ff) “**Violation Ticket**” means a ticket issued pursuant to the *Provincial Offences Procedures Act*, as amended, and any regulations thereunder.

### **PART 3 - LICENCE REQUIREMENTS**

- 3.1 No Person shall engage in, operate or otherwise conduct a Business in the Town without a Business Licence authorizing that Person to engage in or operate that Business. This section does not apply to any profession, trade or Business, which is exempted under provincial or federal legislation from requiring a municipal business Licence.
- 3.2 Nothing in this Bylaw shall be construed to affect, waive, or replace any requirement to obtain other applicable municipal, provincial, or federal approvals, permits, Licences, or authorizations necessary to operate a Business within the Town, other than a Business Licence, nor shall it relieve any Person from complying with any applicable municipal bylaw, provincial, or federal law or regulation.
- 3.3 Where more than one Business is conducted at a single premises, the Person engaging in, operating, or otherwise carrying on those businesses must obtain a separate Business Licence for each Business.
- 3.4 Where a Business is carried on from more than one premises, a Business Licence shall be required in respect of each premises, as though the Business was carried on separately at each premises.
- 3.5 No Person shall give false information in an application for a Business Licence or an exemption under this Bylaw.

### **PART 4 – LICENCE CONDITIONS**

- 4.1 No Person shall contravene a condition of a Business Licence.
- 4.2 The Licensing Inspector may prescribe any conditions to a Business Licence, which they believe are necessary.
- 4.3 In prescribing any conditions to a Business Licence, the Licensing Inspector may consider:
- (f) The nature of the Business,
  - (g) The proposed location of the Business,
  - (h) The surrounding area of the Business,
  - (i) Any other matters the Licensing Inspector considers appropriate.
- 4.4 A Business Licence is valid from the date on which it is issued until December 31<sup>st</sup> of that year, unless:
- (a) it is otherwise terminated, suspended, revoked or replaced, or
  - (b) otherwise stated in the Business Licence.
- 4.5 A Business Licence must be displayed in a prominent location at the Business premises, visible to members of the public and to anyone conducting an inspection pursuant to this Bylaw.
- 4.6 A Person to whom a Business Licence has been issued, must provide the Business Licence upon demand to anyone conducting an inspection pursuant to this Bylaw.

### **PART 5 – BUSINESS LICENCE APPLICATION & RENEWALS**

- 5.1 Prior to the issuance of a Business Licence, a Person must submit to the Licensing Inspector, in a form as may be directed by the Licensing Inspector, an application for the issuance of a Business Licence, which shall include the following information:
- (j) The period of time during which the Business is proposed to operate under its Business Licence,

- (k) The applicable fees as set out in this Bylaw,
  - (a) The address for the proposed place of business;
  - (b) The nature of the Business,
  - (c) The name of the Person operating, conducting or otherwise engaging in the Business, including any trade names in which the proposed Business will operate under,
  - (d) All necessary approvals under the Town's Land Use Bylaw,
  - (e) All necessary approvals as may be required by the federal or provincial government,
  - (f) Such other information as the Licensing Inspector may require.
- 5.2 A Business Licence may be renewed within 60 days before the date on which it expires.
- 5.3 Upon applying for the renewal of a Business Licence, a Licensee shall:
- (a) Confirm whether any changes have occurred to the information previously provided to the Business Licence Inspector, pursuant to section 15 of this Bylaw, at the time of the initial application.
  - (b) Pay the Licence Fee as set out in this Bylaw.
- 5.4 Where a Business Licence is not renewed on or before its expiry date, the Licensee shall be required to apply for a new Business Licence.
- 5.5 Notwithstanding section 5.4, a Licensee whose Business Licence has expired may apply for a renewal within sixty (60) days of the expiry date, provided the application for renewal complies with the requirements set out in section 5.3 of this Bylaw. For greater certainty, the renewal of a Business Licence within the sixty (60) day period referred to in this section does not authorize or permit the Licensee to operate the Business during any period in which the Business Licence has expired, and a Licensee shall not carry on Business unless a valid Business Licence is in effect.
- 5.6 The Licensing Inspector may issue or renew a Business Licence when all requirements of this Bylaw are satisfied.

#### **PART 6 – BUSINESS LICENCE TRANSFERS**

- 6.1 An existing Business Licence may be transferred to another Person, subject to application to and approval by the Licensing Inspector, where:
- (a) the Business continues to operate at the same Business premises but is transferred from one Person to another; or
  - (b) the same Business is relocated from one Business premises to another by the Person named in the Business Licence.
- 6.2 Upon an Application for a transfer of a Business Licence, the applicant must pay the Licence Transfer Fee provided for in Schedule "A" of this Bylaw and submit all the necessary information as set out in section 15 of this Bylaw to the Licensing Inspector, along with the reason for the transfer.

#### **PART 7 – LICENCE EXEMPTIONS**

- 7.1 Notwithstanding any other provision in this Bylaw, a Business Licence is not required for:
- (a) A Business or event carried on by the Town,
  - (b) A Business carried on by the Government of Alberta, the Government of Canada or a crown corporation created by either governments, and

- (c) A garage sale conducted at a residential premises for an aggregate period not exceeding seventy-two (72) hours on subsequent weekends and no more than 4 per annum year.
- 7.2 Where a Charitable or Non-Profit Organization desires to be exempted from the requirement of this Bylaw to pay the applicable Licence fee, it shall apply to the Licensing Inspector for an exemption, providing the name of the organization and such other information as the Licensing Inspector requires.
- 7.3 A Charitable or Non-Profit Organization that receives an exemption under this section must otherwise comply with all provisions of this Bylaw.
- 7.4 A Charitable or Non-Profit Organization must still apply for and obtain a Business Licence, unless specifically exempted from doing so under the provisions of any other applicable legislation.

#### **PART 8 – FEES**

- 8.1 Unless otherwise specified for a particular type of Resident or Non-Resident Business in Schedule “A” of this Bylaw:
  - (a) The applicable Licence Fee for a Resident Business is \$135.
  - (b) The applicable Licence Fee for a Non-Resident Business is \$400.
- 8.2 Notwithstanding section 8.1, where a Business Licence is issued for a short-term period of one (1) or more days, but not for the full Licence Year, the Licensee shall pay the applicable Daily Business Licence Fee as set out in Schedule “A” to this Bylaw.
- 8.3 No Business Licence shall be granted until the applicant has paid the fees as provided for in this Bylaw.
- 8.4 If an applicant applies for a Business Licence after July 1 of any year, the applicable fees shall be one-half (1/2) of the fees as set out in this Bylaw.
- 8.5 The fees paid by a Person pursuant to this Bylaw are non-refundable, regardless of whether a Business Licence is terminated, revoked or suspended.

#### **PART 9 – LIABILITY INSURANCE**

- 9.1 The Licensing Inspector may require, as a condition to a Business Licence, a policy of liability insurance to be held in connection with a Business.
- 9.2 The Person applying for the Business Licence, shall provide the Licensing Inspector with evidence of such insurance in a form satisfactory to the Licensing Inspector.
- 9.3 The liability insurance policy required under this section must be:
  - (a) Issued by an insurance company registered and Licenced to do business in the Province of Alberta,
  - (b) Such amount as may be determined sufficient in the opinion of the Licensing Inspector,
  - (c) Endorsed to add the Town as an additional named insured.
- 9.4 Notwithstanding the existence of any liability insurance, or the failure of the Town to require the acquisition of such insurance, neither the Town nor any official, servant, councillor, employee or agent is liable for any damage or loss sustained or suffered by any Person by reason of:
  - (a) The issuance of any Business Licence
  - (b) Any acts or omissions of a Licensee or Person acting on his behalf; or

- (c) Anything done or not done in any way connected with a Licence or this Bylaw.
- 9.5 Where an insurance policy expires prior to the Business Licence, the Licensee shall renew the insurance policy. Where the policy of insurance expires, is cancelled or is terminated, then the applicable Business Licence shall automatically be revoked and the Licensee shall cease carrying on business.
- 9.6 Where a Licensing Inspector requires a policy of liability insurance in connection with a Business Licence, the Business Licence shall not be considered effective until the applicant obtains the necessary policy of insurance.

**PART 10 – LICENSING INSPECTOR**

- 10.1 The Licensing Inspector is authorized to:
- (a) Establish the forms for the purposes of this Bylaw
  - (b) Receive, consider and process all applications for a Business Licence,
  - (c) Issue or renew a Business Licence, with or without conditions, upon being satisfied the requirements in this Bylaw have been met.
  - (d) Visit and inspect premises for the purposes of investigating compliance with this Bylaw.
  - (e) Take any steps or actions required to remedy a contravention of this Bylaw.
  - (f) Delegate to any person employed by the Town, any power or duty conferred or imposed on the Licensing Inspector, except the power of delegation under this section.

**PART 11 – CONSULTATIONS AND APPROVALS**

- 11.1 The Licensing Inspector may consult or refer any application prior to issuing or renewing a Licence, with the Province of Alberta, RCMP, Alberta Health Services, Town of Blackfalds Fire Department, any other Town department, or any other bodies or Persons the Licensing Inspector deems advisable, to determine if they are in possession of information which, in the opinion of the Licensing Inspector, is relevant to issuing or renewing a Business Licence.
- 11.2 The issuance of a Business Licence under the Bylaw does not authorize or permit the Licensee to carry on business or any activity under such Business Licence contrary to the provisions of any Bylaw enacted by the Town of Blackfalds.
- 11.3 The issuance of a Business Licence under this Bylaw does not constitute development approval under the Town's Land Use Bylaw.
- 11.4 An Applicant is responsible for ensuring that all necessary approvals required under the Town's Bylaws and Land Use Bylaw have been obtained and shall provide satisfactory proof thereof to the Licensing Inspector.
- 11.5 The Licensing Inspector may refuse to issue a Licence to an applicant where the safety, health or welfare of the public may be at risk due to the issuance of a Licence.
- 11.6 Where a Business Licence is issued or renewed in error or without all the requirements of this Bylaw being satisfied, the Licensing Inspector may immediately suspend or revoke a Business Licence.

**PART 12 – INSPECTIONS**

- 12.1 The Licensing Inspector may carry out whatever inspections are reasonably required to determine compliance with this Bylaw, which includes, but is not limited to inspecting a Business premises and surrounding area to ensure compliance with the Bylaw.
- 12.2 Upon demand of the Licensing Inspector, a Person shall:
- (a) Furnish all identification, information, or documentation related to the inspection.

- (b) Permit and assist in all inspections requested.
- 12.3 During an inspection under this Bylaw, a Licence Inspector may examine any business record or document for the purposes of enforcing this Bylaw and make copies of the same.
- 12.4 No Person shall prevent, obstruct or hinder the Licence Inspector from making an inspection pursuant to this Bylaw.

**PART 13 – PROOF OF BUSINESS**

- 13.1 Proof of one transaction, or offer to transact in a Business, is sufficient to establish that a Business is being operated, engaged in or otherwise carried on.
- 13.2 An advertisement of a Business is sufficient to establish that the Person advertising the Business is operating, engaging in or otherwise carrying on the Business.

**PART 14 – REFUSAL, REVOCATION, SUSPENSION**

- 14.1 The Licensing Inspector may refuse to issue or renew, or impose any conditions on a Business Licence for any of the following reasons:
  - (a) The applicant no longer meets the requirements of the Bylaw with respect to the Business Licence that it applied for or held,
  - (b) The Licensee has breached a condition of the Business Licence,
  - (c) The applicant or Licensee:
    - i. Furnishes false information,
    - ii. Misrepresents any fact or circumstances,
    - iii. Has, in the opinion of the Licensing Inspector based on reasonable grounds, contravened this Bylaw – whether or not the contravention has been prosecuted,
    - iv. Fails to pay a fine imposed by a Court for a contravention of this Bylaw, or
    - v. Fails to pay any fee required by this or any other applicable bylaw;
    - vi. Refuses to permit the Licensing Inspector to conduct an inspection on the Business premises
  - (d) Any certificate, authority, Licence or approval under this or any other Bylaw, statute or regulation, is cancelled, suspended, terminated or ceases to have effect, or
  - (e) In the opinion of the Licensing Inspector, based on reasonable grounds, it is in the public interest to do so.
- 14.2 The Licensing Inspector may cancel or suspend a Business Licence by issuing a notice of cancellation or suspension to the Licensee.

**PART 15 – BUSINESS REGULATIONS**

- 15.1 In addition to the general provisions of the Bylaw, the businesses listed below are subject to the following additional provisions.

***Contractor***

- 15.2 A Contractor shall include, with an application for a Business Licence, a letter setting out the names and addresses of each sub-contractor engaged by the Contractor to carry out any of the work directed by the Contractor.
- 15.3 All sub-contractors are required to apply for a separate Business Licence, regardless of whether a Contractor they are contracted with has a Business Licence.

**Public Markets and Farmers Markets**

- 15.4 A Person who organizes, operates, or conducts a Public Market or Farmers Market shall obtain and maintain a valid Business Licence.
- 15.5 Individual vendors, kiosks, or other persons selling goods or services at a Public Market or Farmers Market are not required to obtain a separate Business Licence, provided they operate solely within the Public Market or Farmers Market.

**Mobile Vending Unit, Push Cart Vendor, Hawker or Peddler**

- 15.6 A Licensee who holds a Business Licence to operate a Mobile Vending Unit or Push Cart, or to carry on business as a Hawker or Peddler, shall:
- (a) Be at least eighteen (18) years of age, and
  - (b) ensure that any Person operating the Mobile Vending Unit or Push Cart, or acting as a Hawker or Peddler on behalf of the Licensee, is at least eighteen (18) years of age.
  - (c) Provide a description and image of the Mobile Vending Unit, Push Cart Vending Unit, or other trailer equipment used in its Business, to the Licensing Inspector,
  - (d) Only conduct Business in areas approved by the Licensing Inspector,
  - (e) Provide proof of liability insurance to the Licensing Inspector,
  - (f) Have motor vehicle insurance,
  - (g) Be in possession of, and display at all times, a valid Business Licence issued by the Licensing Inspector for where the Business is carried on,
  - (h) Abide with any other conditions necessary for the safe operation of the Mobile Vending Unit, Push Cart Vending Unit, or other trailer equipment used in its Business,
  - (i) Not operate between the hours of 2:00 a.m. and 9:00 a.m.,
  - (j) Not leave the Mobile Vending Unit, Push Cart Vending Unit, or other trailer equipment used in its Business, unattended at any time during operating hours,
  - (k) Store any Mobile Vending Unit, Push Cart Vending Unit or other trailer equipment used in its Business, in a private location, out of public view, when it is not in operation,
  - (l) Provide garbage and recycling receptacles for patrons while operating,
  - (m) Maintain a clean vending area,
  - (n) Not conduct Business within 100 metres of any public or private school or public facility concession, unless otherwise authorized by the Licensing Inspector.
  - (o) Not carry on Business on private property, without the consent from the property owner.

**Massage Clinic**

- 15.7 Unless a Person has been granted a Development Permit under the Town's Land Use Bylaw to operate a massage clinic at a residential dwelling unit, no Person shall operate a Massage Clinic at a premises at a residential dwelling unit.

- 15.8 The premises of a Massage Clinic shall be kept in a clean and sanitary condition at all times.
- 15.9 No Person under the age of eighteen (18) may be a Licensee of a Business Licence for a Massage Clinic or provide massage services in a Massage Clinic.
- 15.10 In a Massage Clinic, no Person shall offer, sell, give, perform or solicit any services other than massages, unless the Licensee obtains the approval of the Licensing Inspector to permit such offering, sale or services.
- 15.11 In a Massage Clinic, no Person shall offer, sell, give, perform or solicit any Massages unless they are a Massage Therapist.

**Pawnbroker**

- 15.12 A Pawnbroker must not carry on the Business of a Second Hand Dealer at the same premises.
- 15.13 An Applicant for a Business Licence for a Pawnbroker, must submit to the Town, in a form acceptable to the Licensing Inspector, the following information:
- (a) full name (first, middle and last name) of the applicant;
  - (b) date of birth of the applicant;
  - (c) disclosure of criminal record information of the applicant;
  - (d) if the applicant is a corporation, the applicant must supply the above information for all primary managers owners, partners, directory and officers of the corporation;
  - (e) full list of employees of the business including their:
    - i. full name, (first middle and last name);
    - ii. date of birth;
    - iii. disclosure of criminal record information; and
    - iv. job title.
- 15.14 A Pawnbroker must:
- (a) Not accept items to be pawned from a Person under the age of 18 years;
  - (b) maintain records in a form acceptable to the Licensing Inspector, in which will be permanently recorded at the time of each transaction the following information:
    - i. date and time of the goods received;
    - ii. copies of 2 pieces of identification of the Person pawning the item of which one must be a piece of government issued identification with photo;
    - iii. description of the goods including the make, model, serial #, manufacturer's name, distinguishing marks
    - iv. amount of money advanced for the pawned item; and
    - v. the name of the employee that conducted the transaction.
  - (c) Issue a receipt signed by the Person pawning the goods that contains:
    - i. the day, month and year the advance money is due;
    - ii. the amount of money advanced;
    - iii. the interest rate charge

iv. the name and address of the Pawnbroker.

- (d) retain copies of the above receipts for 2 years after the date of the transaction;
- (e) identify goods received with an identification tag or sticker to associate the items with the record of the transaction;
- (f) not accept goods that have been altered; on which the manufacturer's identification number or serial number has been removed, defaced, tampered with or in any way altered;
- (g) not carry on Business in a residential dwelling unit, or any premises located in a Residential Land Use district in the Town's Land Use Bylaw.

### **Real Estate Agent**

15.15 Where a real estate agency has a Business Licence, then the individual realtors working for that agency do not require an individual Business Licence.

### **PART 16 – APPEALS**

16.1 An Applicant may file an appeal upon:

- (a) An application for a Business Licence being refused,
- (b) A Business Licence has been revoked or suspended, or
- (c) A condition has been imposed on a Business Licence.

16.2 All appeals shall be made to the Chief Administrative Officer.

16.3 All appeals shall be made in writing, in a form as may be prescribed by the Chief Administrative Officer.

16.4 After considering the Appeal, the Chief Administrative Officer shall:

- (a) Direct a Business Licence to be issued, reinstated or refused,
- (b) Direct a Business Licence to be issued or reinstated with conditions,
- (c) Uphold the revocation or suspension of a Business Licence.

The decision of the CAO is final and binding.

### **PART 17 – ENFORCEMENT**

17.1 A Person who contravenes any provision or requirement of this Bylaw is guilty of an offence.

17.2 Any Person who contravenes any provision of this bylaw shall be liable for a minimum penalty, as follows:

- (a) A fine of Three-Hundred Dollars (\$300) for the first offence;
- (b) A fine of Five-Hundred Dollars (\$500) for the second offence;
- (c) A fine of One-Thousand dollars (\$1000) for a third or subsequent offence thereafter.

17.3 In any case, a Person who is guilty of an offence under this Bylaw is liable to a fine in an amount not exceeding \$10,000.

17.4 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, on which it constitutes, and a Person is liable to a fine for each such day.

17.5 A Municipal Tag may be issued for an offence under this Bylaw.

- 17.6 If a Municipal Tag is issued for an offence, the Municipal Tag must specify the fine amount established by this Bylaw for the offence.
- 17.7 A Municipal Tag may be issued to any Person either:
- (a) Personally, or
  - (b) By mailing a copy to such Person at their last known address.
- 17.8 Where a Municipal tag is issued pursuant to this Bylaw, the Person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town, the penalty specified within the time period indicated on the Municipal Tag.
- 17.9 If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Peace Officer is authorized to issue a Violation Ticket.
- 17.10 Notwithstanding any other provisions in this Part, a Peace Officer is authorized to immediately issue a Violation Ticket to any Person the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

**PART 18 – SCHEDULES**

- 18.1 Schedule “A” forms part of this Bylaw and is an integral part thereof.

**PART 19- REPEAL**

- 19.1 Bylaw #1209/17 is hereby repealed.

**PART 20 – DATE OF FORCE**

- 20.1 This Bylaw comes into effect on the date it was passed.

**PART 21 – TRANSITORY PROVISIONS**

- 21.1 A Licence issued under Bylaw #1209/17 remains valid until the term of such Licence expires, unless the Licence is:
- (a) terminated, revoked, or suspended by the Town.
  - (b) replaced by a Business Licence issued under this Bylaw.

READ for the First time this 12<sup>th</sup> day of May, 2026.

READ for the Second time this 12<sup>th</sup> day of May, 2026.

READ for the Third time this 12<sup>th</sup> day of May, 2026.

-Original Signed-

**MAYOR LAURA SVAB**

-Original Signed-

**CAO KIM ISAAK**

## SCHEDULE "A"

## Business Licence Fees

<i>Description</i>	<i>Licensing Fee</i>
<b>Business Licence Transfer</b>	\$36.30
<b>Resident Canvasser</b>	\$100
<b>Non-Resident Canvasser</b>	\$200
<b>Resident Contractor Business Licence</b>	\$135
<b>Non-Resident Contractor Business Licence</b>	\$400
<b>Public Market or Farmers Market</b>	\$135
<b>Home Based Business</b>	\$110
<b>Resident Daily Business Licence Fee</b>	\$30.25
<b>Non-Resident Daily Business Licence Fee</b>	\$60.50