



REGIONAL MUNICIPALITY
OF **WOOD BUFFALO**

Consolidated Version
of
The License Bylaw

(being Bylaw No. 01/031 of the Regional Municipality of Wood Buffalo, as amended by Bylaw No. 19/023, consolidated and printed under the authority of the Chief Administrative Officer of the Regional Municipality of Wood Buffalo)

This is certified to be a true copy of consolidated Bylaw No. 01/031 of the Regional Municipality of Wood Buffalo.

Jade Brown
Chief Legislative Officer

The text shown in parentheses in various locations throughout this document identifies the corresponding amending bylaw which authorized the change. For example (BL 19/023) refers to Bylaw No. 19/023.

BYLAW NO. 01/031

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO PROVIDE FOR THE LICENSING, CONTROL AND REGULATION OF ALL BUSINESS OR INDUSTRY WITHIN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO.

WHEREAS, by virtue of the power conferred on it by Sections 7 & 8 of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1 and Amendments thereto, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, duly assembled, enacts as follows:

PART I - GENERAL LICENSING PROVISIONS

1. SHORT TITLE

This Bylaw may be cited as “The License Bylaw”.

2. INTERPRETATION

In this Bylaw, unless the context otherwise requires:

- (a) “Act” means the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1 and Amendments thereto, or replaced, from time to time.
- (b) “Applicant” means a person who applies for a license or a renewal of a license required by this Bylaw.
- (c) “Business” means any business as defined in section 1(1) of the Municipal Government Act or successor legislation.
- (d) “Carry on” means carry on, operate, perform, keep, hold, occupy, deal in or use for gain, whether as principal or agent, and includes all aspects of promoting, marketing, advertising, selling, delivering, supporting and servicing the goods or services of the business, but excluding responding to tenders.
- (e) “Charitable” or “not-for-profit organization” means a person, association of persons or a corporation, acting for charity or in the promotion of general social welfare and includes:
 - (i) a religious society or organization;
 - (ii) a service club;
 - (iii) a community, veterans or youth organization;
 - (iv) a social, sport or fraternal organization or club;
 - (v) an employers or employees organization.

- (f) “Chief License Inspector” means a person appointed by the Manager, Corporate Services.
- (g) “Council” means the Regional Council of the Regional Municipality of Wood Buffalo.
- (h) “Municipality” means the Regional Municipality of Wood Buffalo, a municipal corporation.
- (i) “Licensee” means a person holding a valid and subsisting license issued pursuant to the provisions of this Bylaw.
- (j) “License Inspector” means an Inspector appointed to assist in carrying out the administration and enforcement of this Bylaw and includes the Chief License Inspector and RCMP.
- (k) “Person” means a natural person or a corporate body and includes a partnership, a group of persons acting in concert or an association unless the context explicitly, or by necessary implication, otherwise requires.
- (l) “Planning Bylaw” means any Land Use Bylaw of the Municipality, as amended or replaced.
- (m) “Planning Division” means the Planning and Development Department charged with the control and management of the Planning Bylaw.
- (n) “Premises” includes a store, office, warehouse, factory, building, enclosure, yard or other place occupied, or capable of being occupied, by any person for the purpose of any business.
- (o) “Resident Business” means a business which has been established or the principals of which have been resident in the Municipality for a period of at least six (6) months or the person has established a permanent place of business which can be verified by providing a copy of a lease which extends for a period of at least six (6) months. Any resident business shall pay a license fee in the amount hereinafter provided.
- (p) “Non-Resident Business” means a person who carries on a business and does not ordinarily maintain, within the Municipality, a permanent place of business or a principal residence. Any non-resident business shall pay a license fee in the amount hereinafter provided.

3. NECESSITY FOR LICENSE

This bylaw applies to all persons carrying on business activities within the municipality, whether residents or non-residents.

- (1) No person within the municipality shall:
 - (a) carry on or operate any business, calling, trade or occupation or
 - (b) carry on any undertaking or do any act or use or have any article for which a license is required under the provisions of this Bylaw unless they hold a valid and subsisting license issued pursuant to the provisions of this Bylaw.
- (2) Notwithstanding subsection (1), no license shall be required:
 - (a) for a business carried on or operated by the Municipality or at a location operated by an official or employee of the Municipality acting on behalf of the Municipality in their capacity as such official or employee.
 - (b) by an official or an employee of the Municipality carrying out any act in their official capacity.
 - (c) for any business carried on or operated by Keyano College, Fort McMurray School District No. 2833 and Fort McMurray Roman Catholic School District No. 32 as it relates to the normal operation of their respective educational systems or under the Joint Use Agreement with the Municipality.
 - (d) for such other businesses as Council by Resolution may from time to time exempt.
- (3) Notwithstanding any other provision of this Bylaw, a license shall not be required of a business carried on by the Government of the Province of Alberta or the Government of Canada.
- (4) No person being the owner, or having control of land or premises within the Regional Municipality of Wood Buffalo shall rent, lease or otherwise allow any person to carry on or operate any business, calling, trade or occupation unless that person has first obtained and is the holder of a current license from the Municipality.

4. EXEMPTIONS FROM PAYMENT OF LICENSE FEES

- (1) Where any charitable or not-for-profit organization wishes to be exempted from the requirements of this Bylaw to pay a license fee, it shall apply in writing to the License Office for such exemption providing the License Office with:
 - (a) the name of the organization and such other information as the License Office requires to determine that the organization is a charitable or not-for-profit organization as defined by this Bylaw; and
 - (b) a description of the business which the organization wishes to carry on and the time and place where it is to be carried on.
- (2) Where such exemption has previously been granted to the organization applying under the same or similar circumstances, or a similar relief or benefit was granted to the same

or a similar organization pursuant to a provision of this Bylaw, the License Inspector may issue a license to the applicant without requiring the payment of a license fee by such organization.

- (3) Subject to Section 4(2) hereof, the License Inspector shall refer all applications for such exemptions to the Manager, Corporate Services with their recommendations thereon.
- (4) The Manager, Corporate Services may grant any exemption applied for herein with or without condition, or may refuse to grant any such exemption.
- (5) Where an exemption from payment of license fees is granted pursuant to this Section, the organization shall comply with all provisions of this Bylaw relating to the business carried out.
- (6) Where an exemption is refused, an organization may appeal such decision to Council, pursuant to Section 10 (5) as if the license had been refused.
- (7) Notwithstanding Subsection (1) of this Section, a License shall not be required for the following:
 - (a) The sale by any person of agricultural products raised, grown or produced by such person within the Province of Alberta.
 - (b) The sale by any person of fish caught by such person within the Province of Alberta.

5. (1) INDIVIDUAL LICENSE

A license shall be issued to a person who owns or carries on a particular business.

(2) BUSINESS ON SEVERAL PREMISES

Where a business is carried on in more than one place, one license fee shall be required in respect of all locations, subject to the following conditions:

- (a) the business license must identify all locations,
- (b) each location must be carrying on the same business, under the same business name, with the same owners.

(3) COMBINATION LICENSES

Licenses to carry on two or more businesses by one person may be issued on one form of license provided each business and the proper license fee, therefor, is shown on such form. Each business shall, however, be deemed to be separately licensed.

6. COMPLIANCE WITH PART III

A person licensed or required to be licensed by this Bylaw shall comply with the provisions of Part III of this Bylaw relative to the business in respect of which the license is issued or required.

7. PROCEDURE FOR ISSUANCE OF LICENSES

(1) FORM OF APPLICATION

An applicant for a license shall make application to the License Inspector on a form supplied by the License Office furnishing such information as the form shall require and such additional information as the License Inspector may, from time to time, require including but not limited to:

- (a) Every Federal or Provincial Certificate, authority, license or other document of qualification that may be required in connection with the carrying on of a business.
- (b) A Provincial License where required under any Provincial Act.
- (c) Any Certificate or other approval required by any provision of this Bylaw in respect of the business.
- (d) Compliance with all occupancy and land-use bylaws.
- (e) Any fee or charge payable for Licences under this Bylaw as prescribed in the *Fees, Rates and Charges Bylaw*. (**BL 19/023**)

(2) FAILURE TO COMPLY

- (a) A license will not be issued to any applicant not properly licensed or approved or otherwise not in compliance with any Federal, Provincial or Municipal law, regulation, or bylaw.

8. NULLIFICATION OF LICENSE

- (1) Where any certification, authority, license or other document of qualification under this or any other Bylaw, or any Statute of Canada or of the Province of Alberta is suspended, cancelled, terminated or surrendered, any license issued under this Bylaw based in whole or in part on such certificate, authority, license or other document of qualification shall be deemed to have been automatically revoked effective the date of the suspension, cancellation, termination or surrender aforesaid.
- (2) Where a license is revoked pursuant to Subsection (8) (1) hereof, the licensee shall forthwith:
 - (a) return the license to the License Office or
 - (b) furnish the License Office with proof satisfactory to it of a renewal or reissue of any certificate, authority, license or other document of qualification referred to in Subsection (8) (1) hereof.

9. INSPECTIONS, RENOVATION AND REFUSAL

Where a business or its location or locations require any approval or certificate under this Bylaw, then the location or locations where the business is to be carried on, including the land and building therefor, may be inspected by those persons, inspectors and departments whose approval or certificate is required.

10. SUSPENSIONS

- (1) Subject to an appeal to Council, the Chief License Inspector may refuse to grant or may revoke or suspend any license required or issued pursuant to this Bylaw, if, in their opinion, there are just and reasonable grounds for the refusal of the application or for the revocation, or suspension, of the license.
- (2) A suspension of a license under this Section may be:
 - (a) for a period of time not exceeding the unexpired term of the license; or
 - (b) where the suspension is for non-compliance with a Bylaw, until the holder of the suspended license, in the opinion of the Chief License Inspector, complies with that Bylaw.
- (3) A license may be revoked or suspended for non-compliance with a Bylaw or any regulations passed pursuant to the Safety Codes Act in effect at the time, notwithstanding the holder of that license has not been prosecuted for a contravention of that Bylaw or the said Act or Regulations thereunder.
- (4) Upon a license being revoked or suspended as hereinbefore provided, the Chief License Inspector shall notify the licensees thereof:
 - (a) by serving a notice to them personally; or
 - (b) by certified mail or registered letter to the place of business or residence, and such mailing shall be deemed good and sufficient service upon the business at the time that it is received;
 - (c) after delivery of such notice, the business shall not be carried on until such time as a new license is issued or the suspended license is reinstated.
- (5) In every case where an applicant for a license has been refused a license or where a license has been revoked or suspended, the person or persons seeking the license shall be entitled to appeal to Council. Council shall be the final judge of whether the refusal or revocation of the license was just or reasonable.
- (6) Every such appeal shall be made in writing, addressed to the Manager, Corporate Services, within thirty (30) days after a license has been refused, revoked or suspended, otherwise the right of appeal shall be barred and extinguished.

11. ISSUANCE OF LICENSES

(1) LICENSE FEES

No license shall be issued until the applicant therefor has paid to the License Office the fee set forth or calculated as set forth in the *Fees, Rates and Charges Bylaw*. **(BL 19/023)**

(2) PAYMENT BY CHEQUE

Where a fee required pursuant to Subsection (1) has been paid by the tender of an uncertified cheque, the license:

- (a) is issued subject to the cheque being accepted and cashed by the bank without any mention of this condition being made on the license; and
- (b) is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

12. INSPECTIONS DURING LICENSE YEAR

Where a business involves the occupation of a specific building or a specific location and such business is reasonably believed to require a license under this Bylaw or the *Fees, Rates and Charges Bylaw*: **(BL 19/023)**

- (1) A Police Officer, a License Inspector or any other person authorized by Council or the Manager, Corporate Services may inspect the building or location for any purpose under this Bylaw at all reasonable times during the license year; and
- (2) no person shall attempt to prevent, obstruct or hinder any person authorized by this section from making such inspection.

13. DISPLAY AND PRODUCTION OF LICENSE

(1) DISPLAY ON SPECIFIC PREMISES

Every licensee who holds a license under this Bylaw which applies to specific premises shall, so long as the license is in force, keep it, or a duly authorized copy thereof, posted in some conspicuous place on the licensed premises visible by the public.

(2) PRODUCTION WHERE NO SPECIFIC PREMISES

Every licensee who holds a license under this Bylaw which is not limited to specific premises shall, so long as the license is in force, carry on their person, or have immediately available the license or a duly authorized copy thereof, and such licensee shall, upon request, forthwith produce same to a Police Officer, a License Inspector or any person with whom they are doing business to which the license relates.

14. LICENSE YEAR

- (1) The term “license year” means the period commencing May 1 and ending on the next succeeding April 30.
- (2) Except as otherwise provided in this Bylaw or the *Fees, Rates and Charges Bylaw*, a license shall cover the period from the date of issue to the end of the current license year. **(BL 19/023)**
- (3) Every license shall bear on its face the date on which it will expire.

15. ADMINISTRATION

- (1) CHIEF LICENSE INSPECTOR

This Bylaw shall be administered by the Chief License Inspector who shall be appointed from time to time by the Manager, Corporate Services.

PART II - DEFINITION OF BUSINESSES

16. IN THIS BYLAW

- (1) (a) “Amusement Arcade” means a business where three or more machines, games or devices are kept for the purpose of furnishing entertainment or amusement to the public for a fee.
(b) An Amusement Arcade License is not required by a person who has been issued a license pursuant to this Bylaw to carry on a business.
- (2) “Amusement, Sport or Arcade machines”, means any machine, equipment or device operated for the amusement or entertainment of the operator for a fee by the insertion of a coin or token in a slot used in conjunction with such machine, equipment or device, and includes coin or token operated machines for showing of pictures or photos or slides and further includes games of skill.
- (3) “Auctioneer” means a person who sells or offers for sale by public or private auction any real or personal property.
- (4) “Auto wrecker” means a person who carries on the business of wrecking or dismantling motor vehicles and selling or otherwise disposing of the parts or salvage thereof.
- (5) “Boarding Kennel” means a business where four or more dogs over the age of six months are kept or harboured for compensation and not for sale.

- (6) “Contractor” includes any person who entered into a contract or contracts for the erection, alteration, cleaning, moving, repair or demolition of buildings or structures within the Municipality, and, without limiting the generality of the foregoing, includes a person who carries on any one or more of the following businesses:
 - (a) Building or carpentry;
 - (b) Excavator, concrete, sidewalk, road, bridge or paving;
 - (c) Roofing, siding, stucco, glass installer or insulating;
 - (d) Linoleum installation, floor finishing or rug installation;
 - (e) Painting, decorating, paper hanging, terrazzo or tile contractors;
 - (f) Brick or stone mason, structural steel or welding;
 - (g) Landscaping or ditching; and
 - (h) Janitor Service, window washing, rug, furnace or chimney cleaner.
- (7) “Direct Selling” means a person engaged in direct selling.
- (8) “Handicraft” means any arts or crafts made by hand from raw material.
- (9) “Hawker, Food Products”
 - (a) includes any person who, as principal or agent, goes about selling or offering for sale any food products anywhere other than a building which is their permanent place of business.
 - (b) shall not include any person selling fish, meats, fruit or other farm products which have been produced, raised or grown by them in the Province of Alberta, or fish of their own catching.
- (10) “Hawker, Non-Food Products” shall not include any person who, whether as principal or agent,
 - (a) goes about selling or offering for sale any merchandise to any person; or
 - (b) sells or attempts to sell merchandise on the streets or roads or elsewhere than at a building which is their permanent place of business.
- (11) “Home Occupation” means a business carried on by a person, who is an occupant of a residential building, as a use secondary to the residential use of that building.
- (12) “Market Operator” (farmer, trade, flea) means the person in the business of providing to other persons for compensation, stalls or other restricted areas for the display and sale of goods, wares or merchandise to the public.
- (13) “Pawnbroker” means 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.

- (14) “Pet Dealer” means a person who raises pets for sale, purchases pets for other than their personal use or enjoyment or sells pets acquired in any manner.
- (15) “Professional canvasser or promoter” means a person who canvasses for contributions, sells anything or organizes and promotes entertainment and performances on behalf of any charitable or non-profit organization for a monetary or other return in excess of actual disbursements made and expenses incurred by such person.
- (16) “Second-hand dealer” means a person who carries on a business of acquiring secondhand goods, wares or merchandise of any kind for the purpose of selling or offering for sale such goods, wares or merchandise.
- (17) “Teenage Dance Operator” means a person who, at any time, arranges, promotes or manages a dance after the hour of 8:00 o=clock in the afternoon, at which all the participants other than sponsors, supervisors, orchestra and others employed or engaged in operating the dance or furnishing the facilities required therefor, are under the age of 19 years.
- (18) “Used Car Dealer” includes any person who in any one year offers for sale, trade or exchange a greater number than three (3) secondhand or used motor vehicles of any description.
- (19) “Work Camp” - means any facility or improvement established on a temporary basis for the purpose of providing accommodation and ancillary services to persons who are employed in mining, lumbering, construction, drilling, resource exploration or any similar industry and excludes the land on which the facility or improvement is situated:
 - (i) “Work Camp, Permanent” means a work camp which is operated or occupied for twelve or more consecutive months.
 - (ii) “Work Camp, Temporary” means a work camp which is operated or occupied for less than twelve consecutive months.

For the purposes of this subsection, “operation” means the date the facility or improvement, or any part thereof, is assembled for use and extends to the date on which the facility or improvement is disassembled or removed.

- (20) “Trade Show” means the business of organizing a commercial exhibition
 - (a) of 10 or more participants,
 - (b) where the exhibition is less than one week in duration, and
 - (c) for the purpose of having the participants exhibit samples, demonstrate products or services and/or selling products or services to the public. (BL 05/007)
- (21) “Cannabis” means cannabis as defined in the proposed federal Cannabis Act and includes any products containing cannabis. (BL 18/016)

- (22) “Cannabis-related business” means carrying on of activity where;
- (i) the use of cannabis for medical or any other purposes is advocated or promoted;
 - (ii) cannabis or paraphernalia used in the consumption of cannabis are sold or otherwise provided to persons for any purpose;
 - (iii) cannabis is stored for a purpose of sale or distribution; or
 - (iv) cannabis is consumed in any form. (BL 18/016)

PART III - SPECIAL PROVISIONS RELATING TO CERTAIN BUSINESSES

17. AMUSEMENT ARCADE

- (1) Both the Proprietor and the Manager of any Amusement Arcade shall be jointly and severally responsible for providing adequate continuous and proper supervision and control of the premises on which the business is carried on at all times when the same is open to the public.
- (a) At all times when an Amusement Arcade is open to the public, either the Proprietor or the Manager shall be personally present on the said premises.
 - (b) No person shall act as Manager for an Amusement Arcade unless they are the full age of 18 years.
 - (c) The Proprietor of an Amusement Arcade shall not employ any person less than 18 years of age in connection in any way with the operation of the said Amusement Arcade.
 - (d) A person who is either a Proprietor or Manager or an employee of an Amusement Arcade shall not, during business hours, participate in the playing of any machines, games or devices operated or available to the patrons of the arcade.
 - (e) The Proprietor or Manager in charge of an Amusement Arcade shall only keep or allow on the premises slot or automatic machines that do not contravene the prohibitions contained in the Canadian Criminal Code and, no license for any machine contravening the Canadian Criminal Code, as amended, shall be valid.
- (2) Notwithstanding Subsection (1) or any thing elsewhere provided in this Bylaw, an Amusement Arcade License shall not be required in respect of rides operated for the amusement of children.

18. AUCTIONEER

- (1) Every Auctioneer shall keep proper books of account in which shall be recorded:
- (a) The names and addresses of all persons who engage them to sell Real and Personal Property on their behalf.
 - (b) An accurate description of all property received.
 - (c) The names and addresses of all persons to whom the Real or Personal Property is sold.
 - (d) An accurate description of all property sold and the price at which such sale was made.

- (2) The books of every Auctioneer shall be kept open at all times for the inspection of any Police Officer or License Inspector.
- (3) All goods and chattels received by an Auctioneer shall be kept separate and apart from other goods and chattels received previously for a period of five (5) days, exclusive of Saturdays, Sundays and Public Holidays, from the date such goods and chattels are received and, during such five (5) day period, such goods and chattels may be examined and inspected at any time by any Police Officer or any person appointed by the Chief of Police for this purpose.
- (4) An Auctioneer License is not required for:
 - (a) A sale by auction to which the Seizure Act, as amended or replaced from time to time, applies.
 - (b) A sale of the estate of a deceased person where the sale is made on the authority of the Executor or Administrator of the estate.
 - (c) A sale by auction of goods and chattels taken in distress under the authority of a statute or recovery of a tax, rate or imposition made or levied pursuant to such statute.
- (5) Subject to Subsections (7) and (8), unless they hold a valid and subsisting License as an Automobile Dealer, an Auctioneer shall not consign, sell or offer to sell a motor vehicle by auction.
- (6) Where a motor vehicle is being sold on behalf of
 - (a) the Municipality in a sale of unclaimed property pursuant to the Municipal Government Act, R.S.A. 1994, as amended or replaced from time to time;
 - (b) a Peace Officer as defined in the Motor Vehicle Administration Act, R.S.A. 1980, as amended or replaced from time to time, selling an abandoned vehicle;
 - (c) notwithstanding Subsection (6), an Auctioneer may conduct an auction involving the sale of one or more motor vehicles.
- (7) Where a motor vehicle is part of a consignment of the major portion of the sale of household effects or of a business liquidation, an Auctioneer may sell by auction the motor vehicle along with the balance of the consignment.
- (8) An Auctioneer shall not sell nor permit to be sold at an auction:
 - (a) any item or portion of the goods which they are auctioning so covered or disguised that the persons bidding at the auction do not know what goods are being tendered for the bid; or
 - (b) any goods in the form of chance or by lot so that the persons bidding are not aware of what article or group of articles they may obtain.

- (9) An Auctioneer shall not employ or knowingly allow another person to bid for the purpose of raising the bids made by others with the bona fide intention of completing a purchase whether or not any genuine bidder makes a higher bid.
- (10) An Auctioneer shall comply with all of the requirements of The Fair Trading Act, S.A. 1998, c.F-1.05, as amended or replaced from time to time.

19. DELETED (BL 19/023)

20. CONTRACTORS

- (1) No person shall carry on or operate the business of a Contractor unless or until they hold a subsisting license issued pursuant to the provisions of the Bylaw for each of the defined categories.
- (2) A Contractor as herein defined shall supply to the License Inspector, upon request, the names and addresses of each sub-contractor engaged by them to carry out any of the work on any building or structure on which such Contractor holds the contract.
- (3) The issuance of a license hereunder shall not be deemed to authorize any activity by a Contractor except where such is permissible pursuant to the Land Use Bylaw of the Municipality and the required permit or permits have been obtained.

21. DIRECT SALESMAN

- (1) A license for direct selling is not required by:
 - (a) A farmer engaged in direct selling of produce raised on their own farm in the Province of Alberta, or a person who is an employee of a farmer and has written authority of the farmer to sell such produce on the farmer's behalf.
 - (b) Subject to Subsection (2), a person who does not sell directly to the end users of their products, commonly known as commercial travelers, whether a resident or non-resident of the Municipality.
- (2) Notwithstanding Clause (b) of Subsection (1), a person who engages in direct selling to an employee of a wholesaler, retailer or manufacturer requires a license.
- (3) No person shall have or allow any Direct Salesman to engage in direct selling on behalf of the person unless the Direct Salesman has taken out a Direct Salesman License.
- (4) Every person who allows Direct Salesmen to engage in direct selling on their behalf shall furnish to the License Inspector a list of the names and addresses of all such Direct Salesmen.

22. HAWKER, FOOD PRODUCTS

- (1) No Hawker who uses a vehicle in connection with their sales as a Food Products Hawker shall:
 - (a) permit the vehicle to remain stopped on any portion of a street except where parking is allowed; or
 - (b) permit the vehicle to stand adjacent to a street unless the location where they are standing the vehicle, for the purpose of their trade, has first been approved for such purpose by the Municipality.
- (2) The License Inspector shall not issue a license to a Hawker for the purpose of selling food products or edibles of any nature unless and until the food products and the Licensee have both been approved by the Regional Health Authority and a permit therefor from the Regional Health Authority has been issued.
- (3) There shall be no sales by Hawkers licensed pursuant to this Section within thirty (30) metres of stores selling similar goods.

23. HAWKER, NON-FOOD PRODUCTS

- (1) No Non-Food Products Hawker, who uses a vehicle in connection with their sales as a Non-Food Products Hawker, shall:
 - (a) permit the vehicle to remain stopped on any portion of a street except where parking is allowed; or
 - (b) permit the vehicle to stand adjacent to a street unless the location where they are standing the vehicle for the purpose of this trade has first been approved for such purpose by the Municipality.
- (2) Notwithstanding any other provisions of this Bylaw, a person:
 - (a) who owns or operates premises which are used for or in connection with the production, handling, processing or sales of merchandise and who personally sells such merchandise; or
 - (b) who is a representative of a wholesale vendor distributing articles of merchandise on a wholesale basis to retail merchants thereof for resale by or through them; is not required to obtain a Hawker, Non-Food Products License.
- (3) There shall be no sales by Hawkers licensed pursuant to this Section within thirty (30) metres of stores selling similar goods.

24. KENNEL, BOARDING

- (1) A person applying for a License for a Boarding Kennel shall furnish the following information on an application form supplied by the License Inspector:
 - (a) The civic address and, if available, the legal description of the proposed location of the Kennel.

- (b) The size of the site on which the Kennel is to be located and the distance or distances of all quarters where the pets are to be stored from all dwelling and all other buildings and the nature of all other buildings if they are non-residential.
 - (c) The maximum number of dogs which the Kennel will accommodate.
 - (d) The sanitary arrangements to be made in all parts of the kennel where the dogs are kept, including the details of the water supply and of the drainage and floor materials and cleansing methods installed or proposed to be installed for the Kennel.
 - (e) The construction of the Kennel and quarters in such detail as the Medical Officer of Health or the License Inspector require.
- (2) A Boarding Kennel shall be constructed in accordance with all standards prescribed therefor by the Regional Health Authority and, unless and until the Medical Officer of Health approves the premises to be used for a Boarding Kennel, the License Inspector shall not issue a License to the owner or operator of such premises.
 - (3) A Boarding Kennel License is not required for a veterinary or an animal hospital where animals are only kept on the premises while they are receiving medical or surgical veterinary treatment.
 - (4) The holder of a Boarding Kennel License shall keep the kennel in a clean and sanitary condition at all times.
 - (5) The owner of a Boarding Kennel shall provide individual runs for every dog over the age of six months.

25. MARKET OPERATOR (farmers, traders, flea)

- (1) A person carrying on the business of a Market Operator shall furnish to the License Inspector or a Police Officer upon request all information available to them concerning the operator of any stall or other restricted area that is operated on the premises of a Market.
- (2) A person who is the operator of a stall or other restricted area that is operated on the premises of a Market shall furnish the License Inspector or Police Officer, upon request, all information available to them concerning the operator or operation of any such stall or restricted area.

26. PAWNBROKER

- (1) The License Inspector shall not issue a License as a Pawnbroker to a person who carries on business either as an Auctioneer or as a Secondhand Dealer, or both, or who has a subsisting License under this Bylaw as an Auctioneer or as a Secondhand Dealer.

- (2) Every Pawnbroker shall keep a record satisfactory in form to the Chief License Inspector in which shall be permanently recorded at the time of each transaction, the following information:
 - (a) An accurate, detailed description of each item of property taken as a pledge and all identifying markings, serial numbers, makes or models or other identification placed or marked on the property.
 - (b) The date and time of day when the property was given to the Pawnbroker as security.
 - (c) The rate of interest which is to be charged on the loan which is made on the security of the pledge.
 - (d) The full name and address, as confirmed by identification, and a detailed description of the person or persons tendering the property as security for the loan.
 - (e) The folio or serial number of the pledge.
- (3) The Pawnbroker shall not erase, obliterate, deface or alter the record made pursuant to Subsection (2) and shall not direct, allow or suffer any other person to erase, obliterate, deface or alter the record.
- (4) The record required to be kept by Subsection (2) and every item of property in the Pawnbroker's place of business which was acquired as a security for a loan shall at all times be open to inspection by a Police Officer, a License Inspector or any person appointed by Council or by the Chief License Inspector for that propose.
- (5) At the time a borrower deposits or delivers any personal property as security for a loan, the Pawnbroker shall without requiring or accepting any fee or charge for so doing deliver to the borrower a note of memorandum signed by the Pawnbroker containing a summary of the information which is required to be inserted in the record kept pursuant to Subsection (2) other than the description of the borrower.
- (6) Every Pawnbroker shall retain a permanent record of each transaction. These records must be available to the Police or a person appointed by the Chief Licensing Inspector upon request.
- (7) A Pawnbroker shall not:
 - (a) allow any property received by them as security for a loan to be redeemed or removed from their place of business before seventy-two (72) hours have elapsed from the time the property was tendered to the Pawnbroker as security; or
 - (b) sell any property which they have received as security for a loan and which has not been redeemed within the time allowed to the borrower for redemption before three (3) months have elapsed from the time when the property was furnished to the Pawnbroker as a pledge.

- (8) At the time any property received as security for a loan is either redeemed by the owner or sold because it has not been so redeemed, the pawnbroker shall enter in the record kept pursuant to Subsection (2):
 - (a) the name and address of the person purchasing or redeeming such property; and
 - (b) the date of sale or redemption.

- (9) A Pawnbroker shall not accept property as security for a loan or advance a loan on the receipt or promise of delivery of any property from:
 - (a) a person who is or who appears to be under the influence of alcohol or any drug; or
 - (b) a person who actually is or who appears to be under the age of eighteen (18) years; or
 - (c) any person failing to identify himself adequately as set out in Subsection (2) (d) herein; or
 - (d) a person who the Pawnbroker knows or has reasonable grounds to believe may have stolen or otherwise illegally acquired the property offered for security for a loan.

- (10) No Pawnbroker shall accept property on which the manufacturer's identification number or serial number has been removed, defaced, tampered with or in any way altered unless the prior written approval of the Police has first been obtained.

27. PET DEALERS

- (1) For the purpose of this Section, "pet" means an animal or bird kept by a person for other than work or food.

- (2) A Pet Dealer's License is not required of:
 - (a) a person who sells not more than one litter of pups in any calendar year; or
 - (b) a person who sells animals only to a Pet Dealer licensed pursuant to the Bylaw; or
 - (c) the Society for Prevention of Cruelty to Animals.

- (3) A Pet Dealer shall:
 - (a) maintain the quarters and every retail outlet operated by them in a sanitary, well-ventilated, clean and well-lit condition and free from any offensive odors;
 - (b) keep the animals in sanitary, well-bedded, well-ventilated, lighted, clean and substantially constructed quarters which are maintained at a healthful temperature at all times.
 - (c) where the quarters are less than twelve (12) metres distance from other buildings or premises to which the public has access, have the quarters furnished with a concrete or other impermeable floor with a drain opening constructed as a plumbing feature capable of being cleaned and washed.
 - (d) if the pets include birds, keep the birds in adequately sized cages having removable metal or other impermeable bottoms which shall be cleaned daily;
 - (e) adequately feed and water their stock of pets and keep the same in a clean, healthy condition free from vermin and disease;

- (f) report to a veterinarian any sign of infection or disease or any unhealthy condition existing or spreading among their stock of pets; and
 - (g) if any dogs are over the age of six months and are kept for a period of longer than seventy-two (72) hours, provide separate runs for each such dog.
- (4) A Pet Dealer shall not:
- (a) keep their pets in crowded quarters;
 - (b) sell any diseased pet;
 - (c) sell any dog under the age of eight weeks;
 - (d) display any animal in a shop or display window except where such windows are out of drafts and not in direct sunlight.
- (5) A Pet Dealer shall secure a certificate to the effect that each dog kept or sold by them has been inoculated against distemper and shall furnish such certificate to the purchaser of each dog sold by the Dealer.
- (6) A Pet Dealer shall obtain the name, address and description of every person selling a pet to them and, if the Dealer has reason to suspect that the pet may be stolen or unlawfully acquired by the seller, report the matter to the Police.
- (7) The Medical Officer of Health may inspect the premises operated by a Pet Dealer and all quarters owned by them at all reasonable times or at any time upon a complaint being furnished to them which they consider to be valid.

28. SECONDHAND DEALER

- (1) A Secondhand Dealer shall keep a book or record in a form satisfactory to the Chief License Inspector in which shall be permanently recorded at the time any secondhand property is acquired the following information:
- (a) An accurate, detailed description of any personal property acquired, and any markings, serial numbers or other identification on such property.
 - (b) The price paid for such property.
 - (c) The date and time of day such property is acquired.
 - (d) The folio or serial number of the acquisition.
 - (e) The full name and address, as confirmed by identification, and a detailed description of the person from whom such acquisition was made.
- (2) A Secondhand Dealer shall not erase, obliterate or in any way remove any entry in the record kept pursuant to Subsection (1) hereof, and shall not permit allow or suffer any other person to erase, obliterate or remove anything from the record and shall be responsible for keeping the record available at all times to produce on the demand of any Police Officer, the License Inspector or any person appointed by the License Inspector or by Council for this purpose.

- (3) In addition to making the record required by Subsection (1) hereof, the Secondhand Dealer shall provide a true and accurate record of all transactions to the Police or a person appointed by the Chief Licensing Inspector not later than 10 o'clock in the morning of the business day following the acquiring of the goods.
- (4) A Secondhand Dealer shall:
 - (a) keep all secondhand property acquired by them in connection with their business separate and apart from all other property in their place of business for fifteen (15) days after they have acquired the same; and
 - (b) label all property with the date of acquisition and with the serial and folio number entered in respect of the property in the record required to be kept pursuant of Subsection (1) hereof.
- (5) Where a Secondhand Dealer believes or has reason to believe that any property which they have obtained has been or may have been stolen or otherwise fraudulently obtained, they shall notify the Chief of Police or a Police Office that they have such property in their possession.
- (6) Where a person in the business of selling principally new goods proves to the satisfaction of the License Inspector that they obtained all secondhand goods offered for sale or sold by them either:
 - (a) from persons who furnished the secondhand goods as part of the consideration for the purchase from them of new goods of the same or similar type; or
 - (b) from Government surplus stock purchased by them from any agency disposing of such surplus stock in bulk lots;then they shall not be deemed to be carrying on a business requiring a License as a Secondhand Dealer in respect of that merchandise.
- (7) No Secondhand Dealer shall, in the conduct of their business, accept property from
 - (a) any person actually or apparently under the age of 18 years;
 - (b) any person who fails to identify himself for the purpose of the record required to be kept pursuant to Subsection (1) hereof; or
 - (c) a person who is or who appears to be under the influence of any alcohol or drug.
- (8) A person who is required to obtain a License pursuant to this Section shall not carry on a business of Pawnbroker nor buy or otherwise deal in pawn tickets.

29. TATTOO

No person shall tattoo any person under the age of 18 years unless and until a parent or guardian of the person to be tattooed consents in writing to such person being tattooed.

30. TEENAGE DANCE OPERATOR

- (1) A Teenage Dance Operator shall, as a condition precedent to arranging, promoting or managing a teenage dance, take out a License.
- (2) A License Inspector shall not issue a Teenage Dance Operator License unless the applicant assures the License Inspector in writing that a responsible supervisor, who is not less than 25 years of age, will be in attendance at the dance and that they will be assisted in maintaining order by not less than three (3) adults.
- (3) The License Inspector may refuse to issue a License for a Teenage Dance at a hall where there has been any previous disturbances involving intervention of the Police, whether or not a supervisor is provided for the dance for which the application is made.
- (4) Unless otherwise directed by the Chief License Inspector, a teenage dance shall terminate at 12 o'clock midnight.
- (5) A person who is younger than 13 years of age or is 19 years of age or older and who is not required in connection with the supervision of the dance or furnishing music or services in connection therewith, shall not attend nor participate in a teenage dance and the supervisor or Teenage Dance Operator shall endeavor to prevent any such person, of whom they are aware, from participating in a teenage dance.
- (6) This Section does not apply to dances held:
 - (a) by Junior or Senior High Schools under the supervision of the faculty or staff of the High School in school auditoriums, gymnasiums or other places secured for the use of High School Students only:
 - (b) under the sponsorship of Church groups, the YMCA, the YWCA, or similar Groups operating for the instruction or training of young people.
 - (c) Under the sponsorship of Keyano College, the Students Union or any Organization officially recognized by Keyano College as being associated with it whether the said dances are held on or off the campus as long as the said dances are not open to the public but are restricted to persons attending or associated with the college or guests of those attending.

31. USED CAR DEALER

- (1) No person shall commence or carry on or engage in the business of a Used Car Dealer without having first obtained a License to do so pursuant to the provisions of this Bylaw.
- (2) Every Used Car Dealer, who purchases or receives, or who permits to be left in or at their place or premises for sale or disposal, any secondhand or used motor vehicles of any description, shall forthwith fill in and sign a form satisfactory to the Chief of Police containing the:

- (a) time and date of sale;
- (b) name, address and description of person selling or delivering motor vehicle to the Dealer and whether the person selling or delivering the motor vehicle is doing so on their behalf or on behalf of some other person, in the latter case, showing the name and address of such other person;
- (c) make, model, serial number and engine number of the motor vehicle;
- (d) information as to documents of title or ownership of motor vehicle submitted by the person concerned;

and shall keep such documents on file at their place of business premises and, whenever required to do so, shall permit a Police Officer to inspect the same.

- (3) Every Used Car Dealer shall obtain from each person from whom they purchased a motor vehicle or from whom they received a motor vehicle for sale or other disposal:
 - (a) documents proving that the person concerned owns the motor vehicle concerned or has authority to sell and dispose thereof;
 - (b) a written agreement for sale of the motor vehicle to the Used Car Dealer or written authority for the Used Car Dealer to sell or dispose of such motor vehicle, as the case may be, bearing the signature of the person selling;
 - (c) and shall keep such documents on file at their place of business premises and, whenever required to do so, shall permit a Police Officer to inspect the same.

32. DELETED (BL 19/023)

33. CANNABIS RELATED BUSINESS (BL 18/016)

- (1) A person or company applying for a license for a cannabis-related business must hold a valid License issued under the provisions of this Bylaw.
- (2) The provisions of this Bylaw do not apply to production and distribution of cannabis.
- (3) Requirements for cannabis-related business applications
 - (a) A person applying for the issuance or renewal of a license to carry on a cannabis-related business where cannabis is kept or present on the premises must:
 - (i) make application to the Municipality on the form provided for that purpose;
 - (ii) pay to the Municipality the applicable license fee;
 - (iii) provide a security plan for the premises that, in the opinion of the Municipality describes adequate security measures to mitigate risk of theft or robbery at the premises
 - (iv) provide proof of a security alarm contract that includes monitoring at all times during the period for which the license is being sought, and
 - (v) provide proof of ownership or legal possession of the premises, and provide a current criminal record check for:
 - i. the applicant

- ii. if the applicant is a corporation, each shareholder, officer and director, and
 - iii. each on-site manager
- (4) Authority to refuse a license
 - (a) The Municipality may suspend or refuse to issue or renew a license for a cannabis retail store if:
 - (i) the applicant or licensee, or a shareholder, officer, director or on-site manager of the applicant or licensee:
 - (ii) was convicted anywhere in Canada of an offence involving dishonesty
 - (iii) was convicted, found guilty of, or liable for any contravention or offence relating to the conduct of a business similar to that to which the license relates
 - (iv) was convicted, found guilty of, or liable for any contravention or offence, in the Municipality, against this bylaw or against any bylaw authorizing the issuance of a business license or regulating the conduct of a business, or
 - (v) was guilty of misrepresentation, nondisclosure or concealment of any material fact, relating to the subject matter of the license or required to be stated in, the application.
 - (b) A decision of the Municipality under subsection 4(a) may be appealed to Council by submitting a request in writing to the Chief Legislative Officer within 30 days of the decision.
- (5) Further requirements for all cannabis-related businesses
 - (a) A person carrying on a cannabis-related business must not:
 - (i) allow a person under the age of 18 on the premises
 - (ii) advertise or promote the use of a cannabis to a person under the age of 18
 - (iii) allow a person to smoke, vape, consume or otherwise ingest cannabis or products containing cannabis on the premises, or
 - (b) display any advertising or sign that is visible from outside of the premises except for a maximum of two signs which display no images and contain only:
 - (i) alpha-numeric characters,
 - (ii) the business name, and
 - (iii) in a size as permitted under the *Sign Bylaw*.
- (6) Requirements for businesses that keep cannabis on the premises
 - (a) In addition to the requirements of section 3(a), a person carrying on a business where cannabis is kept or present on the premises must
 - (i) install video surveillance cameras that monitor all entrances and exits and the interior of the business premises at all times
 - (ii) retain video camera data for at least 21 days after it is gathered
 - (iii) install a security and fire alarm system that is, at all times, monitored by a licensed third party

- (iv) not allow cannabis, products containing cannabis or other valuables to remain on the premises when the business is not open to the public, unless the cannabis, products and other valuables are securely locked in a safe on the premises, and
 - (v) install and maintain an air filtration system that effectively minimizes odour impacts on neighbouring properties.
 - (vi) disposal plan for unused or contaminated products.
- (7) Requirements for cannabis retailers
- (a) In addition to the requirements of sections 3(a) and 5(a), a person carrying on the business of a storefront cannabis retailer must:
 - (i) prominently display a sign on the premises indicating that no persons under 18 years of age are permitted on the premises;
 - (ii) ensure that two employees are present on the premises at all times when the business is open to the public, including one manager;
 - (iii) not use the premises to carry on business other than the cannabis-related business and accessory uses;
 - (iv) ensure that windows on any street frontage of the premises are not blocked by translucent or opaque material, artwork, posters, shelving, display cases or similar elements;
 - (v) not be open for business between the hours of 8 p.m. and 7 a.m. the next day;
 - (b) promptly, and at least within 30 days, bring to the attention of the Municipality:
 - (i) the name of any new on-site manager, officer, director or shareholder of the licensee, and
 - (ii) any criminal charge brought against the licensee or an on-site manager, officer, director or shareholder of the licensee, and
 - (c) promptly, and at least within 30 days, provide to the Municipality a current police information check for any new on-site manager, officer, director or shareholder of the licensee.

PART IV - OFFENCES AND PENALTIES (BL 18/016)

34. (1) A person who fails to comply with the requirements of this Bylaw, is guilty of an offence and is liable on summary conviction to a penalty provided in the Municipal Government Act as amended from time to time, unless another penalty is provided in a statute of the Province of Alberta that has special application to a Business License hereunder, in which case the penalty provided in the statute shall apply.
- (2) Where the offence is non-payment of any license fee payable a presiding judge may award payment of the fee in addition to the fine imposed.
- (3) As an alternative to subsection (1), the municipality may enforce the provisions of this Bylaw and may issue an offence ticket to any person alleged to have committed one or more breaches of the Bylaw.

- (4) An offence ticket may be issued by personally serving it upon the alleged offender or by leaving it at the residence of the alleged offender or by sending it to the alleged offender by registered mail.

MISCELLANEOUS

35. Each provision of this Bylaw shall be deemed independent of all other provisions herein, and that if, for any reason, one provision shall be declared inoperative, it shall not affect the operation and validity of the other Sections of this Bylaw. (BL 18/016)
36. Bylaw 85/8 and amendments thereto are hereby repealed.
37. This Bylaw shall come into effect as, on and from the date of final reading.
38. This Bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Regional Clerk.

READ a first time this 13th day of March, A.D. 2001.

READ a second time this 10th day of April, A.D. 2001.

READ a third time this 10th day of April, A.D. 2001.

SIGNED and PASSED this 10th day of April, A.D. 2001.

Amendments:

05/007

08/043

18/016

19/023

DELETED (BL 05/007; 08/043; 19/023)