

TOWN OF SALTCOATS

BYLAW NO. 07-2010

A BYLAW OF THE TOWN OF SALTCOATS TO PROVIDE FOR THE LICENSING OF PERSONS ENGAGED IN CERTAIN OCCUPATIONS, TRADES OR CALLINGS, TO BE KNOWN AS THE "LICENSING BYLAW."

The Council of the Town of Saltcoats in the Province of Saskatchewan enacts as follows:

1. Bylaw No. 284, Bylaw No. 387, Bylaw No. 387 (Amendment) and Bylaw No. 7-2000 are hereby repealed.
2. In this bylaw:
 - (a) "Business" means any trade, occupation or calling which involves the sale or attempted sale of goods, materials, labour or services either on a part-time or full time basis, by a person or persons soliciting the sale of same.
 - (b) "Council" shall mean the Council of the Town of Saltcoats.
 - (c) "Town Administrator" means the Town Administrator for the Town of Saltcoats.
 - (d) "Person" includes a corporation.
 - (e) "Town" shall mean the Town of Saltcoats.
3. Every person engaged in or carrying on a business within the Town who is assessed on a business tax basis shall have the payment of such taxes be deemed an annual license fee.
4. License Required

No person shall carry on any business unless and until he has procured a license to do so pursuant to the Bylaw and every person so licensed shall be subject to the provisions of this Bylaw. No person shall carry on any business activity including but not limited to:

- (a) Operating a bed and breakfast;
- (b) Operating a boarding, lodging or rooming house;
- (c) Acting as a direct seller or direct sales contractor;
- (d) Operating a family child care home;
- (e) Operating a day care centre;
- (f) Acting as a fish pedlar;
- (g) Operating a group care facility;
- (h) Operating a group care home;
- (i) Operating a home-based business or home occupation;
- (j) Operating a nursing home or personal care home;
- (k) Operating an office of convenience;

- (l) Operating a personal care home;
 - (m) Operating a public eating establishment;
 - (n) Operating a personal service establishment;
 - (o) Acting as a pawn broker, second hand dealer or antique dealer;
 - (p) Operating a residential care facility;
 - (q) Operating a residential care home;
 - (r) Hosting or operating a trade show;
 - (s) Acting as a transient trader;
- in the Town without a valid license.

5. License Not Required

A business license is not required for

- (a) Any activity carried on by the Town or at a location operated by an official or employee of the Town acting on behalf of the Town in his capacity as such official or employee.
- (b) Such other activities as Council may by resolution exempt from the requirements of this bylaw.
- (c) Any activity undertaken by a charity.
- (d) Any activity exempted from municipal licensing by any statute of Canada or the Province of Saskatchewan.
- (e) A farmer selling food or food products, that, at the time of delivery, are in a frozen or perishable state grown or raised in Saskatchewan on his own farm; or
- (f) A farmer selling products raised in Saskatchewan on his own farm; provided a written declaration to this effect is given to the Town Administrator.

6. License Fee

Except as hereinafter set forth, the fee payable in respect of any license required under the provisions of the Bylaw shall be the sum of (Note: Caterers are excluded from the first three sub clauses but are covered under the fourth sub clause.):

- (a) Resident or ratepayer in the Town of Saltcoats.....\$40.00
- (b) Resident or ratepayer in the R.M. of Saltcoats No. 213 or other rural municipality but having a Saltcoats mailing address.....\$40.00
- (c) Any other person.....\$60.00
- (d) Pertaining to caterers, those that are not non-profit organizations and are not residents or ratepayers of the Town of Saltcoats nor have a Saltcoats mailing address.....First occasion - \$25.00; additional occasion within calendar year (up to a total maximum of \$60) - \$10.00.

7. Compliance with Provisions of Bylaw

(a) Every person carrying on or engaged in any business in the Town shall:

- (1) Prior to conducting his business, report to the Town Administrator,
- (2) Upon request of the Town Administrator, give to the Administrator all information necessary to enable her to carry out her duties.

(b) A person carrying on or engaged in any such business who fails to furnish such information within ten (10) days from the date on which the request is made is guilty of an offence and liable on summary conviction to a fine not exceeding \$5.00 for every day for which the default continues.

8. Granting of Licenses

Subject to the provisions of the Urban Municipality Act, if all provisions of this Bylaw have been complied with, a license shall be issued. A general receipt of the Town issued by the Town Administrator and indicating payment of the prescribed license fee shall constitute a "License" under this Bylaw.

9. Duration of License

Every license issued under this Bylaw shall expire on the 31st Day of December of the year in which said license was issued, except:

- (a) Licenses specifically mentioned to be issued for a shorter period or sooner revoked or forfeited; and
- (b) Licenses issued to Direct Sellers who hold valid licenses from the Province of Saskatchewan, in which case expiry will coincide with the provinces financial year ending on March 31st of the following year.

10. Pro-rated Fee After September 1st

The license in respect of any business commenced after September 1st, shall be reduced by 50% for the balance of the year.

11. Transfer of Licenses

Subject to the provisions of this or any other Bylaw, a license granted pursuant to the provisions of this Bylaw may be transferred on payment of a fee of \$10.00

12. Revocation of Licenses

The Council may by resolution suspend or revoke any license granted under the provisions of this Bylaw and where such license is revoked, the licensee shall be entitled to a refund of that part of the license fee proportionate to the unexpired term for which it was granted.

13. Administration

The Town Administrator shall be responsible for the administration of this Bylaw and shall have the authority to appoint other persons to carry out the provisions of this Bylaw. All license fees shall be paid at the office of the Town Administrator.

14. Businesses held on Streets or Lanes

Unless otherwise specifically provided for in this Bylaw, no person to whom a license is granted under the provisions of this Bylaw shall conduct the business so licensed on any street or lane unless specifically authorized by Council.

15. Penalties

Any person who violates any provision of this bylaw shall be guilty of an offence and liable on Summary Conviction to a fine of not less than \$50.00 and not more than \$200.00.

16. Coming into Force

This Bylaw shall come into force and take effect when given third reading and approved by The Council of the Town of Saltcoats.

MAYOR

ADMINISTRATOR

Certified a true copy of Bylaw No. 07-2010
Adopted by resolution of the Council on the
18th day of August, 2010

ADMINISTRATOR