

T O W N O F V U L C A N

By-Law 1121

A By-Law of the Town of Vulcan, in the Province of Alberta, to provide for the Licensing and Regulating of Certain Businesses, Trades, Professions and Occupations.

PURSUANT to Sections 224 to 231 inclusive of the Municipal Government Act being Chapter M26, 1988 and amendments thereto, the Council of the Town of Vulcan, duly assembled, enacts as follows:

THAT:

1. This By-Law shall be known as the "Licensing By-Law" of the Town of Vulcan.
2. In this By-Law, unless the context otherwise requires:

- a) "Council" shall mean the Council of the Town of Vulcan.
- b) "Business" includes every business, trade, profession, industry, occupation, employment or calling and the providing of goods and services.
- c) "Contractor" means any person who undertakes as principal or sub-contractor to do, provide, or carry on, within the limits of the Town of Vulcan any of the following trades or occupations:

The erection, addition, alteration, improvement, repair, renovation, excavation for, paving for, enlargement, demolition, the roofing, tiling, the laying or sanding of floors, concrete work, or masonry of, on or to any building or structure, within the Town, and installation, repairing, alteration, extending or removing of any heating, gas fitting, steam fitting, plumbing, sheet metal, lighting, electronic, electrical air conditioning, refrigerating or other fixture, apparatus, appliance or thing, in, on or about any building structure within the Town;

the lathing, plastering, preparation of walls for stucco, stuccoing, dry wall plastering, painting, decorating or paper hanging, in, on or to any building or structure within the Town.

- d) "Hawker or Peddler"
 - (1) Means a person not being a body corporate and who, whether as principal or agent

3. No person shall within, or partly within and partly without, the limits of the Town of Vulcan, carry on, or be engaged in any business, unless he has paid the prescribed fee as set out in Schedule "A", which forms part of this By-Law, and holds a valid and subsisting license, issued pursuant to the provisions of the By-Law.

PROVIDED that when a person carries on two or more trades or occupations, double the license fee shall be charged.

- 3.1 Without restricting the generality of the provisions of this By-Law, religious, charitable or community organizations shall not be required to obtain a business license.
4. Persons granted licenses under this By-Law shall conform to all regulations and terms herein specified and be subject to inspection at all times by any duly authorized officer of the Town of Vulcan.
5. Every license issued under this By-Law shall be made out and delivered or mailed to the Licensee, who shall post same in a conspicuous place on his business premises and however required to do so by any duly authorized officer, shall produce the license for inspection purposes.
6. Every license granted under the provisions of the By-Law shall terminate on the 31st of December in the year in which the said license was issued, unless the license has been cancelled or forfeited.
7. No rebate shall be allowed or granted to any Licensee or his assignee in respect of the forfeiture of a license, or on account of the non-usage of the rights and privileges thereby granted or for any other cause.
8. Licenses issued under this By-Law shall not be transferred except to a person who at the same time purchases the business in respect of which the license was issued.
9. All applications for licenses shall be made in writing to the Town Office on a form provided, giving such information and particulars as requested thereon.
10. No license shall be issued to a person under the provisions of this By-law in a case where a Provincial License is required, unless such person is the holder of the required Provincial License.
11. No license shall be issued until such time as the applicant holds a valid Development Permit of the Town of Vulcan when required.
12. No business license shall be issued if the applicant fails to comply with the provisions of this By-law of the Town of Vulcan.

- a) goes from house to house selling or offering for sale any merchandise to any person, and who is not a wholesale or retail dealer in such merchandise with a permanent place of business in the Town of Vulcan;
 - b) offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise to be afterwards delivered in or shipped into the Town of Vulcan;
 - c) sells merchandise on the streets or roads or elsewhere than at a building that is his permanent place of business, but
- ii) does not include a person selling
- (a) meat, fruit or other farm produce that has been produced, raised or grown by himself within the Province of Alberta; or
 - (b) fish of his own catching caught within the Province of Alberta
- (e) "Home Occupation" means an occupation, trade, profession or craft carried on in a residence by one or more members of a family actually occupying the said residence as a dwelling and which home occupation has been approved under the provisions of the Development Zoning By-Law of the Town of Vulcan.
- (f) "Resident" means a person who either resides principally within the Town of Vulcan and the County of Vulcan or has established premises within the Town or County from which to do business.
- (g) "Non-Resident" means a person, firm or corporation who does not operate their business, trade, profession or occupation from taxable premises within the Town of Vulcan or County of Vulcan.
- (h) "Person" means and includes a firm, one or more persons, a partnership or a body corporate.
- (i) "Town" means the Town of Vulcan.
- (j) "Transient Trader" means any person who does not maintain a regular and permanent place of business within the Town.

13. The Council may at any time revoke or suspend any license issued under the provisions of this By-Law for failure to comply with any of the conditions or regulations herein.
14. Any person violating any of the provisions of this By-Law or any other person responsible for such violation shall be liable on summary conviction before a Magistrate or any Justice of the Peace having jurisdiction therein, to a penalty not exceeding Five Hundred Dollars (\$500.00), exclusive of cost imposed, to imprisonment for any period not exceeding thirty (30) days unless such fine and costs, including the costs of committal are sooner paid.
15. By-law No. 839, 842, 1023, 1031, 1039 and 1070 of the Town of Vulcan, are hereby rescinded with the provision that all licenses for the year 1991 obtained prior to the final passing of this By-Law shall remain in full force and effect until December 31, 1991.
16. This By-Law shall have effect from the date of the final reading thereof.

READ, a first time this 11th day of February A.D. 1991.

READ, a second time this 11th day of February A.D. 1991.

READ, a third time, by unanimous consent of the Councillors present, and finally passed the 11th day of February A.D. 1991.

William Up
Mayor

A. Chapple
Municipal Manager

Schedule "A"

YEARLY LICENSE

	<u>Resident</u>	<u>Non-Resident</u>
Business	\$50.00 per year	\$100.00 per year
Contractor	50.00 per year	100.00 per year
Sub-Contractor	50.00 per year	100.00 per year
Hawker or Peddler	50.00 per year	400.00 per year
Transient Trader	N/A	400.00 per year
Home Occupation	50.00 per year	N/A
Any other Business not specifically provided for in this By-Law	50.00 per year	100.00 per year

TERM LICENSE

New Business starting
after Sept. 1st in any
year to Dec. 1st.

	<u>Resident</u>	<u>Non-Resident</u>
Business	\$35.00 per term	\$ 75.00 per term
Contractor	35.00 per term	75.00 per term
Sub-Contractor	35.00 per term	75.00 per term
Hawker or Peddler	35.00 per term	300.00 per term
Transient Trader	N/A	300.00 per term
Home Occupation	35.00 per term	N/A
Any other Business not specifically provided for in this By-Law	35.00 per term	75.00 per term