

TOWN OF PICTURE BUTTE

BYLAW # 689/92

A BYLAW OF THE TOWN OF PICTURE BUTTE TO PROVIDE FOR THE LICENSING AND REGULATING OF CERTAIN BUSINESSES, TRADES, PROFESSIONS AND OCCUPATIONS.

PURSUANT TO SECTION 222 to 235 inclusive of the Municipal Government Act being Chapter M-26 R.S.A., 1980, and amendments thereto, the Council of the Town of Picture Butte, in the Province of Alberta, duly assembled, enacts as follows:

THAT:

1. This Bylaw shall be known as the "Licensing Bylaw" of the Town of Picture Butte, in the Province of Alberta.
2. In this Bylaw, unless the context otherwise requires:
 - a) "**COUNCIL**" shall mean the Council of the Town of Picture Butte.
 - b) "**BUSINESS**" includes every business, trade, profession, industry, occupation, employment or calling and the providing of good 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 Picture Butte any of the following trades or occupations:

The erection, addition, alteration, improvement, repair, renovation, excavating 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 the installation, repairing, alteration, extending or removing of any heating, gas filling, steam fitting, plumbing, sheet metal, lighting, electronic, electrical air conditioning, refrigerating or other fixture, apparatus, appliance or thing, in, on or about any building or structure within the Town; the lathing, plastering, preparation of wall 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:
 - 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 Picture Butte;
- 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 Picture Butte;
 - c) sells merchandise on the streets or roads or elsewhere than at a building that is his permanent place of business, but,
- 2) 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 Picture Butte Land Use Bylaw No. 657.
- f) **“RESIDENT”** means a person who either resides principally within the Town of Picture Butte, or has established premises within the Town from which to do business.
- g) **“NON-RESIDENT”** means a person who does not operate the business, trade, profession or occupation from taxable premises within the Town of Picture Butte.
- h) **“NON-RESIDENT TAXPAYER”** means a person who is the owner of taxable premises within the Town of Picture Butte, does not reside within the Town of Picture Butte, and does not operate the business, trade, profession or occupation from taxable premises within the Town of Picture Butte.
- i) **“PERSON”** means and includes a firm, a partnership or a body corporate.
- j) **“TOWN”** means the Town of Picture Butte or the area contained within the corporate boundaries of the Town of Picture Butte.
- k) **“AUTHORIZED OFFICER”** means the Administrator for the Town of Picture Butte or his/her duly authorized assistants or agents or such persons as may be appointed by the Administrator of the Town of Picture Butte.
- l) **“LICENSE INSPECTOR”** means the Administrator for the Town of Picture Butte or his/her duly authorized assistants or agents or such persons as may be appointed by the Administrator of the Town of Picture Butte.
- m) **“LICENSE”** means a license issued pursuant to this bylaw.

3. No person shall within, or partly within and partly without, the limits of the Town of Picture Butte, 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 Bylaw, and holds a valid and subsisting license, issued pursuant to the provisions of this Bylaw.
 - a) A license issued after the 30th day of September shall pay a license fee equal to one-half the fee required for the full year.
 - b) A person who commences or carries on a business without obtaining a business license shall be required to pay a fee of two (2) times the fee set out in Schedule "A".
4. Persons granted licenses under this Bylaw 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 Picture Butte.
5. Every license issued under this Bylaw 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 this Bylaw shall terminate on the 31st day 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 non-usage of the rights and privileges hereby granted or for any other reason.
8. Licenses issued under this Bylaw 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 required thereon.
10. No license shall be issued to a person under the provisions of this Bylaw 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 to a person until such time as the applicant holds a valid Development Permit of the Town of Picture Butte.
12. No business license shall be issued if the applicant fails to comply with the provisions of or regulations under any Bylaw of the Town of Picture Butte.
13. The License Inspector may at any time revoke or suspend any license issued under the provisions of this Bylaw for failure to comply with any of the conditions or regulations herein.

14. Any person violating any of the provisions of this Bylaw or any other person responsible for such violation shall be liable on summary conviction before a Magistrate or any Justice having jurisdiction therein, to a penalty not exceeding Two Thousand, Five Hundred Dollars (\$2,500.00), exclusive of cost imposed, to imprisonment for any period not exceeding six (6) months unless such fine and costs, including the costs of committal are sooner paid.
15. It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provision of the Bylaw is declared invalid, all other provisions thereof shall remain valid and enforceable.
16. Bylaw # 685/91 is hereby rescinded.
17. This Bylaw shall become effective on January 1, 1992.

MOVED by Councillor E. Anderson that Bylaw #689/92 be read a first time this 23rd day of March, 1992. CARRIED.

MOVED by Councillor B. Foord that Bylaw #689/92 be read a second time this 23rd day of March, 1992 CARRIED.

MOVED by Councillor B. Vogt that permission be granted to give third reading to Bylaw #689/92 at this meeting. CARRIED UNANIMOUSLY.

MOVED by Councillor A. Vance that Bylaw #689/92 be read a third time and finally passed this 23rd day of March, 1992. CARRIED.

Rick Casson
R.L. Casson, Mayor

Nona C. Trenerry
N.C. Trenerry, Municipal Administrator