

**Village of Warburg
Bylaw # 156/18**

**A BYLAW TO PROVIDE FOR THE LICENSING AND
REGULATION OF PERSONS, FIRMS, BUSINESSES,
INDUSTRY OR CORPORATIONS IN THE VILLAGE OF
WARBURG, IN THE PROVINCE OF ALBERTA**

WHEREAS, under the authority of the Municipal Government Act, Chapter M-26 of the Revised Statutes of Alberta 1994 and amendments thereto, to provide for the licensing and regulation of persons, firms, businesses, industry or corporations engaged in certain activities, and of places and/or things used for certain purposes in the Village of Warburg.

NOW THEREFORE the Council of the Village of Warburg, duly assembled, enacts as follows:

1. THAT this Bylaw may be cited as the Village of Warburg Business License Bylaw.
2. License Year: The License Year shall be from January 1st of any year until December 31st of the same year.
3. All previous business license bylaws within the Village of Warburg are hereby rescinded.
4. Definitions:
 - a. Adult Person - any living person, male or female, over the age of 18
 - b. Business - includes business, trade, profession, industry, or occupation, employment or calling and the providing of goods and services.
 - c. Cannabis Retail Store – means a retail store licensed by the Province of Alberta to sell Cannabis and Cannabis Accessories to the public, for consumption elsewhere.
 - d. Canvasser - is any adult person, whether a resident of the Village or not who takes or attempts to take orders, by telephone or by going from house to house or by any other means, for sales of merchandise or services to be furnished or performed in the future.
 - e. Contractor or Sub-contractor - is any person contracting with or employed directly by the owner or his agent to do work or service upon an improvement but does not include one who merely furnished material.
 - f. Hawker or Peddler - means any person who, whether as principal or agent:
 - i) Goes from house to house selling or offering for sale any merchandise or services, or both, to any person, and who is not a wholesale or retail dealer in such merchandise or services, and not having a permanent place of business within the corporate boundaries (limits) of the Village, or
 - ii) Offers or exposes for sale to any person by means of samples, patterns cut or blueprints, merchandise or services, or both, be afterwards delivered in and shipped into the Village, or
 - iii) Sells merchandise or services, or both, on the streets or road or elsewhere than at a building, but does not include any person selling:
 - a) Meat, fruit or other farm produce that has been produced, raised or grown by himself, or
 - b) Fish of his own catching, or
 - c) Any representative of a wholesale distributor of merchandise on a wholesale basis to retail merchants.

- g. Licensee - is a person holding a valid license issued pursuant to this bylaw.
- h. Resident Business - includes any trade, profession, industry, occupation, employment or calling and providing of goods and services, whose business premise or branch business premise is located permanently inside the corporate limits of the Village of Warburg.
- i. Non-resident Business - includes any trade, profession, industry occupation, employment or calling and providing goods and services, whose business premise or branch business premise is located permanently outside the corporate limits of the Village of Warburg.
- j. Village - means the Village of Warburg and/or its duly appointed officials.

5.

- a. The Village may revoke the license of a licensee in violation of the provisions of this or any other bylaw of the village, by notifying the licensee in writing to suspend all operations of the licensed business until the provisions of the applicable bylaw are complied with.
- b. No person shall carry on or operate business within the Village or partly outside the village without first paying the applicable license fee prescribed in this bylaw.
- c. If in the opinion of the village an applicant for a license has complied with the terms of this bylaw and any other applicable bylaw, the applicant may be issued the license applied for upon payment of the proper fee.
- d. Without restricting the generality of the provisions of this bylaw, religious, charitable or community organizations shall not be required to obtain a license.
- e. Every license issued pursuant to this bylaw shall expire on the 31st day of December of the current License Year in which it is issued, unless otherwise revoked or cancelled.
- f. If in the opinion of the village there are just and reasonable grounds because of violation of this bylaw or because of unbusinesslike actions the Village may revoke or cancel a license issued to a licensee.
- g. If in the opinion of the village there are just and reasonable grounds because of a violation of a bylaw, the Village may refuse to issue or to renew the license of a licensee.

6. Appeal where License Refused:

- a. In every case where a license has been refused, revoked or cancelled, the duly appointed official of the village shall, in writing, inform the licensee or person seeking the license that the license has been refused, revoked or cancelled and the reasons for doing so.
- b. In every case where a license has been refused, revoked or cancelled, the licensee or person seeking the license may appeal to the Village council.
- c. All appeals shall be made in writing addressed to the Municipal Administrator of the Village of Warburg.

7. Penalties

- a. Any person violating any of the provisions of this bylaw shall be guilty of an offense and liable on summary conviction to a penalty of \$300.00 for first offence
and double of the fine amount for any subsequent offence
- b. Where the offense is non-payment of any license fee payable hereunder, the convicting magistrate may adjust payment thereof in addition to the fine imposed.

8. License Fees

a. License fees payable by businesses, contractors, sub-contractors, canvassers, and/or hawkers/peddlers shall fall under one of the four license fee classifications being:

- i) Resident Business - \$25.00 per year
- ii) Non-resident Business - \$50.00 per year
- iii) Resident Hawkers/Peddlers - \$25.00 per year
- iv) Non-resident Hawkers/Peddlers - \$50.00 per year
- v) Cannabis Retailer - \$1000.00 per year

9. Payment of License Fees:

a. All license fees shall be paid to the Village of Warburg and upon receiving such fees the Village will issue a valid license for the current year.

b. All resident business license fees are payable on or before January 31st of the current license year or in the case of a new business, the date of the business opening.

c. All non-resident business license fees are payable on or before the desired work or service is performed before goods are sold.

10. Enforcement:

a. The Bylaw Enforcement Officer, Special Constable, Municipal Administrator or other special appointment by Council shall be empowered to enforce the provisions of this Bylaw.

This Bylaw shall replace Village of Warburg Bylaw #8/96 and Bylaw #144/15, and all other Bylaws to this effect and shall come into force and be effective upon the day of its third and final reading.

DONE AND PASSED in open council assembled at Warburg, in the Province of Alberta, this 10th day of September, A.D. 2018

Read a first time this 10th day of September, A.D. 2018.

Read a second time this 10th day of September, A.D. 2018.

Read a third time with the unanimous consent of the Council Members present and finally passed 10th day of September, A.D. 2018.



Mayor Kevin Maine



Christine Parkewitz
Municipal Administrator

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