

BYLAW NO. 07/2014
The Business License Bylaw, 2014

THE COUNCIL FOR THE TOWN OF ROULEAU IN THE PROVINCE OF SASKATCHEWAN
ENACTS:

PART 1
General Matters

1. Short Title

This Bylaw may be cited as “The Business License Bylaw, 2014”.

2. Purpose

The purpose of this bylaw is to license businesses in the Town of Rouleau so as:

- (a) to regulate businesses;
- (b) to ensure compliance with land-use and building regulations;
- (c) to gather land-use information; and
- (d) to facilitate planning decisions.

3. Definitions

In this Bylaw,

- (a) “business” means any of the following activities:
 - (i) a commercial, merchandising or industrial activity or undertaking;
 - (ii) the carrying on of a profession, trade, occupation, calling or employment; or
 - (iii) an activity providing goods or services;
- (a.1) “business day” means a weekday- Monday, Tuesday, Wednesday, Thursday or Friday- with the exception of any statutory holiday which falls on any of those days;
- (b) “contractor” means a person who constructs, alters, maintains, repairs or removes buildings or structures, installs heating plants, plumbing or other fixtures or performs other similar work in the Town of Rouleau and who does not have a business premise in the Town of Rouleau.
- (c) “direct sales contractor” means a person who does not have business premises in the Town of Rouleau and who sells, offers for sale or solicits orders for:
 - (i) constructing, altering, renovating, maintaining, repairing, adding to or improving a building that is used or is to be used as a house by the owner, occupier or person in control of it; or
 - (ii) altering, maintaining or improving real property to be used in connection with a house.
- (d) “direct seller” means a person who does not have business premises in the Town of Rouleau and:
 - (i) goes from house to house selling or offering for sale, or soliciting orders for the future delivery of goods or services;
 - (ii) by telephone offers for sale or solicits orders for the future delivery of goods or services; or
 - (iii) does both of the things mentioned in subclauses (i) and (ii);
- (e) “farmers’ market” means a group of persons operating collectively which sells products that they bake, make, or grow;

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- (f) “home-based business” means no more than one non-resident person shall be employed in relation to home based businesses on any site and that all home based businesses shall be conducted entirely indoors, and no more that 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 40meters/square, may be occupied by home based businesses;
- (g) “transient trader” means a transient trader within the meaning of The Municipalities Act
- (h) “town” means the Town of Rouleau.

PART 2
General Licensing

License Required

- 4. (1) No person shall carry on any business in the Town of Rouleau without a license
- (2) No person shall carry on a home-based business in the Town of Rouleau without a license.

Application

- 5. (1) A person must apply in writing to the Town of Rouleau for a license before commencing business.
- (2) An application must include all requested information, including:
 - (a) name, occupation and address of the applicant
 - (b) the nature of the business for which the license is required;
 - (c) the place where the business is to be carried on;
 - (d) the area of the premises where the business will be carried on;
 - (e) the name under which the business will be operated; and
 - (f) the name of the contact person.

License Fee

- 6. (1) A person must pay the fee provided for in Schedule No. 1 when applying for a license.
- (2) A person will not be issued a license until the fee outlined in subsection (1) has been paid.

Provincial License Required

- 7. (1) A license will not be issued under this Bylaw to any person required by law to obtain a provincial license, until the person has first produced the required provincial license to the Town of Rouleau
- (2) Any license issued under this Bylaw without the person first obtaining the required provincial license is invalid.

License Issued for One Year Unless Otherwise Stated

- 8. (1) Every license shall be for one (1) year from the date of issue of the license unless otherwise stated on the license.

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Renewal

9. (1) A person must renew their license annually in the manner prescribed by the Town of Rouleau.
- (2) A person must pay the fee provided for in Schedule No. 1 when renewing the license.

Discontinuance or Change

10. (1) A person must notify the Town of Rouleau if a business is discontinued.
- (2) A person must notify the Town of Rouleau if either the size or nature of the business changes.
- (3) A person must apply for a new license if the business relocates.
- (4) A person purchasing or taking over a business must apply for a new license but shall not be required to pay a new license fee.

License to be Displayed

11. (1) Any license issued under this Bylaw must be displayed in a prominent place at the place of business for which the license was issued.

Zoning and Building Standards

12. (1) A license will not be issued under this Bylaw for any business or any premises occupied by the business which does not conform to any zoning, building, plumbing and other requirements of the Town of Rouleau.
- (2) The issuing of a license to a person does not relieve that person of the responsibility of conforming with any zoning, building, plumbing, and other requirements of the Town of Rouleau.

Granting of Licenses

13. The Town of Rouleau may issue licenses in the following circumstances:
- (a) the required application form has been completed;
- (b) the required license fee has been paid;
- (c) if required, the necessary provincial license has been produced;
- (d) the business or the premises occupied by the business complies with all the zoning, building, plumbing and other requirements of the Town of Rouleau.

Revoking or Suspending of Licenses

14. (1) If a licensee contravenes any term or condition of this Bylaw, the Town of Rouleau may suspend or cancel the license.
- (2) The Town of Rouleau may reinstate a suspended license if it is satisfied that the licensee is complying with the Bylaw.

Enforcement of Bylaw

15. (1) The administration and enforcement of this Bylaw is hereby delegated to the Chief Administrative Officer of the Town of Rouleau and the appointed Bylaw Enforcement Officer.

Inspections

16. (1) The inspection of property by the Town of Rouleau to determine if this Bylaw is being complied with is hereby authorized.

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- (b) No person shall obstruct a designated officer who is authorized to conduct an inspection under this Section, or a person who is assisting a designated officer.

PART 3
Specific Licensing

Application of Part 2

17. Part 2 of this Bylaw does not apply to businesses licensed under this Part except Sections, 5,7,8,11,12,13,14,15 and 16.

Transient Traders

18. For the purposes of this Bylaw, transient traders are classified into the following categories:
- (a) farmers' markets;
 - (b) mobile food vendors;
 - (c) trade shows; and
 - (d) other transient traders.

Other Transient Traders

19. (1) Subject to Section 18, no person shall carry on business in the Town of Rouleau as a transient trader without a license.
- (2) A person operating a business as a transient trader must pay the fee provided for in Schedule No. 1 when applying for a license.
- (3) A person will not be issued a license to operate a business as a transient trader until the fee outlined in subsection (2) has been paid.
- (4) If a transient trader carries on a business at more than one location, a license must be obtained for each location.
- (5) A license issued for a transient trader is only valid at the location for which it is issued.
- (6) A person operating a business as a transient trader must renew their license annually in the manner prescribed by the Town of Rouleau.
- (7) A person operating a business as a transient trader must pay the fee provided for in Schedule No. 1 when renewing the license.

Direct Sellers or Direct Sales Contractors

20. (1) No person shall carry on business as a direct seller or a direct sales contractor in the Town of Rouleau without a license.
- (2) A person operating as a direct seller or direct sales contractor must pay the fee provided for in Schedule No.1 when applying for a license.
- (3) A person operating as a direct seller or direct sales contractor will not be issued a license until the fee outlined in subsection (2) has been paid.
- (4) A person operating as a direct seller or direct sales contractor must renew their license annually in the manner prescribed by the Town of Rouleau.
- (5) A person operating as a direct seller or direct sales contractor must pay the fee provided for in Schedule No. 1 when renewing the license.

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Contractors

21. (1) No person shall carry on business as a contractor in the Town of Rouleau without a license.
- (2) A person operating as a contractor must pay the fee provided for in Schedule No. 1 when applying for a license.
- (3) A person operating as a contractor will not be issued a license until the fee outlined in subsection has been paid.
- (4) A person operating as a contractor must renew their license annually in the manner prescribed by the Town of Rouleau.
- (5) A person operating as a contractor must pay the fee provided for in Schedule No. 1 when renewing the license.

PART 4
Offences and Penalties

Offences and Penalties

22. (1) No person shall:
- (a) obstruct or hinder any designated officer or any other person acting under the authority of this Bylaw; or
- (b) fail to comply with any other provision of this Bylaw.
- (2) Except where a penalty is specifically provided for in this Bylaw, every person who contravenes any provision of subsection (1) is guilty of an offence:
- (a) in a case of an individual, to a fine not exceeding \$100.00 and, in the case of a continuing offence, to a further fine not exceeding \$100.00 for each day during which the offence continues; and
- (b) in the case of a corporation, to a fine not exceeding \$1,000.00 and, in the case of a continuing offence, to a further fine not exceeding \$1,000.00 for each day during which the offence continues.

Notice of Violation Offences

23. (1) (a) a police officer or a designated officer may issue a notice of bylaw violation to any person committing a first or second offence under subsection (1). The notice shall require the person to pay to the Town of Rouleau the amount specified in clause (1)(a) or (b);
- (b) the fine may be paid:
- (i) in person, during regular office hours, to the staff located at the Town Office at 111 Main Street, Rouleau. Sk.
- (ii) by mail addressed to the Town of Rouleau Box 250 Rouleau, Sk. S0G 4H0.

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Coming into Force

24. This Bylaw comes into force and takes effect as of October 14, 2014

Read a first time this 14th day of October, 2014

Read a second time this 14th day of October, 2014

Read a third time and passed this 14th day of October, 2014

25. Bylaw No. 4/85 his hereby repealed

Mayor

C.A.O.

Certified a true copy of Bylaw No. 07-2014
approved by council this 14th day of October 2014

Guy Lagrandeur

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Schedule 1

The following shall be the license fees to be charged for the diverse trades, businesses, occupations, callings or industries in the Town of Rouleau:

(1)	AUCTIONEER	\$50.00
(2)	BARBERS, HAIR DRESSERS, HAIRSTYLIST MANICURIST AND/OR BEAUTICIANS	\$50.00
(3)	BUILDING MOVERS	\$50.00
(4)	CATERERS	\$50.00
(5)	Chiropodist, Chiropractor, Reflexologist and/or Massage Therapist	\$50.00
(6)	Contractors	
	(a) General Building Contractor	\$50.00
	(b) Carpenters	\$50.00
	(c) Concrete Mason, Stone Mason, Brick Layer	\$50.00
	(d) Electrical	\$50.00
	(e) Heating and/or Air Conditioning	\$50.00
	(f) Plasterer, Drywaller	\$50.00
	(g) Plumbing	\$50.00
	(h) Painting and Decorating	\$50.00
	(i) Roofing and/or Insulation	\$50.00
	(j) Other trades not specifically provided for	\$50.00
(7)	Delivery	\$50.00
(8)	Drays	\$50.00
(9)	Fuel Dealers	\$50.00
(10)	House and Window Cleaners	\$50.00
(11)	Landscape Gardeners	\$50.00
(12)	Removing, Hauling or Excavating	\$50.00
(13)	Direct Sellers	As per “ <i>Direct Sellers Act</i> ”

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