

**TOWN OF BOW ISLAND
BYLAW 2010:01**

A Bylaw of the Town of Bow Island, in the Province of Alberta, to license and regulate businesses, trades and occupations within the Town of Bow Island.

Under the authority of, and subject to the provisions of the Statutes of Alberta 2000 as amended, the Council of the Town of Bow Island in the Province of Alberta, in Council assembled, enacts as follows:

1. Bylaw No. 2008:10 and amendments thereto are hereby repealed.
2. This Bylaw may be cited as the Town of Bow Island Business License Bylaw.
3. Definitions:
 - a) "Business" means an activity or enterprise conducted for gain, benefit, advantage, or livelihood, including every trade, industry, occupation, employment, or calling involving the providing of goods and/or services.
 - b) "Carnival" means any entertainment or festivity where rides and/or games of chance are made available to the public for a fee.
 - c) "Charitable Organizations" includes any religious, charitable, cultural, recreational and service organization which is registered pursuant to the Canadian Income Tax Act or which is so designated by the Town of Bow Island.
 - d) "Circus" includes circuses, menageries, circus rides, side-shows, midways, exhibitions and other entertainment usually carried on by showmen.
 - e) "Council" means the Council of the Town of Bow Island.
 - f) "Local Resident" means a person or organization who has established a permanent residence or place of business in the Town of Bow Island or the County of Forty Mile No. 8.
 - g) "Licensee" means a person holding a valid license issued under the authority of this bylaw.
 - h) "Person" includes corporation, firm partnership, individual person, his heirs, executors, administrators, or other legal representatives.

- i) "Premises" means a store, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied, by any person for the purpose of any business.
 - j) "Resident Contractor" means a person who offers goods and/or services to a Town customer by contract and has an office located in the Town or the County of Forty Mile No. 8.
 - k) "Non Resident Contractor" means a person who offers good and/or services to a Town customer by contract and who does not have an office located in the Town nor the County of Forty Mile No. 8.
 - l) "Town" means the Town of Bow Island.
 - m) "Transient Salesperson" includes any hawker, peddler, door to door salesman, canvasser, service person, etc., who has not otherwise bought a Town business license. This does not include a person selling farm produce raised or grown by himself in the Province of Alberta, and commercial fish of his own catching caught in the Province of Alberta.
 - n) "Deliverymen and Truckers" means any person(s) engaged in the business of delivering and/or picking up in the Town any goods, articles, or effects of any kind or nature.
4. No person shall carry on or conduct any business as defined herein, in the Town, who is not a holder of a valid and subsisting license for that business.
 5. Every person who proposes to do business within the Town shall, prior to doing business obtain the required license from the Town. For those businesses requiring a license of the Province of Alberta, the Alberta license shall be affixed in a conspicuous place on the premises and shall be available for inspection by the Town on demand. No person shall be required to purchase more than one business license for his operations on a site covered by a single certificate of title.
 6. Any licensee who refused to permit an inspection, or who refuses to produce his license on demand, shall be guilty of an offence and shall be liable upon summary conviction to the penalties imposed under this bylaw.
 7. The council of the Town may for cause cancel any license issued under this bylaw.
 8. The Town Administration shall issue licenses as provided in this bylaw, signed and sealed with the Town seal enforced by a peace officer or member of the RMCP.
 9. The Town shall approve, if satisfied as to the conditions, the transfer or assignment of licenses issued under this bylaw.

10. The license period shall be a calendar year for annual licenses. Licensing other than annual shall be due before the business commences.
11. Each transient salesperson, fish truck, fruit truck shall require an individual license.
12. Town Council may by resolution waive license fees for charitable organizations.
13. Issuance of the following licenses shall require the prior signed approval of the officer in charge of the Bow Island/Foremost RCMP Detachment:
 - a) Circuses
 - b) Carnivals

OFFENCES AND PENALTIES

1. If any person is found to be carrying on or operating a business without a valid and subsisting license issued pursuant to this bylaw, a peace officer or member of the RCMP may cause to be served upon such person a violation ticket allowing payment of a penalty, said penalty being the purchase of the required license and the sum of \$100.00 charged to the business in question in lieu of prosecution.
2. Every person who commits a breach of any of the provisions of this bylaw shall upon summary conviction thereof, be liable to a fine not exceeding twenty five hundred dollars (\$2,500.00) and costs, and in default thereof to imprisonment for a period not exceeding six months.
3. It is the intention of Council if any provisions of this bylaw be declared invalid all other provisions shall remain valid and enforceable.

SCHEDULE OF FEES

1. Local businesses, trades, contractors, subcontractors, occupations, excepting deliverymen and truckers; \$50.00 per annum
2. Non Resident Contractors; \$50.00 per day or \$200.00 per annum
3. Fish trucks, fruit trucks, tool auctions; \$75.00 per day or \$250.00 per annum
4. Transient Salespersons whose headquarters are not in Bow Island as peddlers, door to door salespeople; \$75.00 per day or \$250.00 per annum
5. Non-resident auctioneers; \$75.00 per event
6. Circuses and Carnivals subject to Section 13; \$100.00 per day

Read a first time this 22nd day of February, 2010.
Read a second time this 22nd day of February, 2010.
Read a third and final time this 22nd day of February, 2010.

MAYOR
Date: March 8, 2010

TOWN MANAGER
Date: March 8, 2010