

The Licensing Bylaw

VILLAGE OF BULYEA

BYLAW NO. 18/16

A BYLAW OF THE VILLAGE OF BULYEA TO PROVIDE FOR THE LICENSING, REGULATING AND GOVERNING OF PERSONS ENGAGED IN CERTAIN OCCUPATIONS AND OF PLACES USED FOR CERTAIN PURPOSES TO BE KNOWN AS THE “LICENSING BYLAW”

The Council of the VILLAGE of BULYEA in the Province of Saskatchewan enacts as follows:

1. Title

This bylaw shall be known as the “Licensing Bylaw”.

2. Purpose

The purpose of this Bylaw is to license businesses in the Village of Bulyea in order to:

- a) Regulate businesses;
- b) Ensure compliance with land-use and building regulations;
- c) To gather land-use information
- d) To gather workforce statistics
- e) To facilitate planning decisions
- f) Ensure that once licensed, the person complies with all terms and conditions of the license as set out under the Bylaw.

3. Authority

The authority for this bylaw is *The Municipalities Act*.

4. Definitions

In this bylaw:

- a) “Act” means *The Municipalities Act* and amendments thereto
- b) “Administrator” means the Village of Bulyea administrator, or other person designated by him/her to issue business licenses pursuant to this Bylaw
- c) “Business” means any of the following activities, whether or not for profit and however organized or formed:
 - a. A commercial, merchandizing or industrial activity or undertaking;
 - b. the carrying on of a profession, trade, occupation, calling or employment;
 - c. An activity providing goods or services;
- d) “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 Village and who doesn’t have a business premises in the Village
- e) “Direct Seller” means a person who does not have a business premises in the Village and:

- a. Travels from house to house selling or offering for sale, or soliciting orders for the future delivery of goods or services; and/or
- b. By telephone offers for sale or solicits orders for the future delivery of goods or services;
- f) “Goods” means any article, thing or substance and includes subscriptions for books, magazines and printed matter
- g) “Home Based Business” means a business located on land or with a building where the land or building is primarily used for residential purposes and the owners are the full time residents
- h) “Services” means performing a service or any work, act or deed, for any compensation whether monetary or otherwise
- i) “Transient Trader” means a person carrying on a business who:
 - a. Offers goods or merchandise for sale by retail or auction
 - b. Solicits any person who is not a wholesaler or retail dealer for orders for the future delivery of goods or merchandise; but does not include a person who is required to be licensed pursuant to the *Direct Sellers Act*, or who is an occupant of property that is used for business purposes.
- j) “Village” means the Village of Bulyea

5. **License Required**

Every person conducting business in the Village of Bulyea requires a business license.

6. **Application**

- a) A person must apply in writing to the Village for a Business License before commencing any business.
- b) An application must include all requested information, including but not limited to:
 - a. Name and address of the applicant
 - b. Phone, cell, fax numbers and email of applicant and business
 - c. Nature of the business for which the application is required
 - d. Place where the business is to be carried on
 - e. Name under which the business will be operated
 - f. Area of the premises where the business will be carried on
 - g. The name of the contact person
 - h. A completed Development Permit and supporting documents (when applicable)
- c) Notwithstanding the provisions of this bylaw, the Village, at its sole discretion, may require the general contractor of a project to provide a list of sub trades for the project and the total business license fee will be payable by the general contractor with the terms of the business license to expire at the end of the project. Business licenses for the individual sub trades will be included within the business license of the contractor. The cost will follow Schedule "A" and applied to each sub trade to a maximum of \$100.00.

7. **License Fee**

- a) A person must pay the fee prior to the license being issued. A person will not be issued a license until the fee of has been paid according to the schedule.

- b) The following establishments are considered exempt from obtaining a Business License from the Village.
 - a. Publicly funded organizations such as, but not limited to, educational institutions, educational administration, municipal administration and its entities, and hospitals.
 - b. Non-profit organizations, service groups and community groups such as but not limited to, churches or places of worship, unless operating a service for profit out of a location within the Village limits.
 - c. Any business that is assessable for the purpose of taxation in respect to their Business.

8. **Licenses Issued for One Year**

Every license, unless suspended or revoked, shall be valid until the end of the year in which it was purchased.

9. **Renewal**

- a) A person must renew their license annually (no later than January 31 of each year) or purchase a license for each project before beginning the project.
- b) Submission of application is required in writing for all renewals.
- c) A person must pay the fee established in Schedule "A" in order to renew the license.

10. **Premises Licensed Separately**

- a) If a business is carried on at more than one location, a person must obtain a license for each location.
- b) If more than one business is carried on in one location, a person must obtain a license for each business.
- c) A license issued under the provisions of this Bylaw is only valid at the location for which it is issued.

11. **License to be displayed**

All persons licensed under this bylaw shall, at all reasonable times, upon the request, produce such license for inspection purposes.

12. **Revocation of Licenses**

The Council may, by resolution, suspend or revoke any license granted under the provision of this bylaw, and where such license is revoked the licensee shall be entitled to a refund of that part of the license fee proportioned to the unexpired term for which it is granted.

13. **Enforcement of Bylaw**

- a) The administration and enforcement of this Bylaw is hereby delegated to the Administrator of the Village.
- b) The Administrator is hereby authorized to further delegate the administration and enforcement of this bylaw to any other person.

14. **Inspections**

- a) The inspection of property by the Village to determine if this Bylaw is being complied with is hereby authorized.
- b) Inspections under this bylaw shall be carried out in accordance with Section 362 of *The Municipalities Act*.
- c) 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.

15. **Offences and Penalties**

Any person who contravenes this bylaw is guilty of an offence and upon conviction, shall be liable to the penalty provided for by the General Penalty Bylaw of the Village.

16. **Scope**

If any section, subsections, sentence, clause, phrase or other portion of this bylaw is for any reason held invalid or unconstitutional by a court of competent jurisdiction, that portion shall be deemed separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.

17. **Repeal**

Bylaw # 88/90 is hereby repealed.

18. **Effective Date of Bylaw**

This bylaw shall come into force and take effect on January 1, 2016.

[SEAL]

Mayor

Administrator

Read a third time and adopted
this ____ day of _____

Administrator

Certified a true copy of bylaw number _____
Adopted by resolution on the _____
Day of _____, 20_____.

Schedule "A"

To Bylaw #18/16
Village of Bulyea

Business License Rates:

1. All Business Activities (Contractor, Direct Seller, Home Based, Transient Trader)
\$25.00
2. Individual Subtrades (included with Contractor license)
Up to \$100.00

Village of Bulyea
Box 37, Bulyea, Saskatchewan, S0G 0L0

APPLICATION FOR BUSINESS LICENSE

Name of Business: _____

Name of Applicant: _____

Address: _____

Phone Number: _____ Cell Phone: _____

Fax Number: _____ Email: _____

Nature of Business: _____

Place where the license is to be exercised or where the proposed calling is to be carried on:

Contact Person (*if different from the applicant*): _____

Address: _____

Phone Number: _____ Cell Phone: _____

Fax Number: _____ Email: _____

Applicant's Signature _____

Date: _____

If your business license has been approved, a receipt will be issued and considered to be the Business License.

BUSINESS LICENSE No. _____

BUSINESS CATEGORY: _____

Municipal Official's Signature: _____

Date: _____