

The Business License Bylaw, 2008-01

1. (1) The Council of the Town of Herbert enacts the Business License Bylaw 2008-01.

Purpose

2. (1) The purpose of this Bylaw is to license businesses in the Town of Herbert so as:
 - (a) To have an inventory of all businesses operating in the town.
 - (b) To facilitate planning decisions.
 - (c) To provide for a permit structure for Transient Operators.

Definitions

3. (1) In this Bylaw,
 - (a) “Town” means The Town of Herbert.
 - (b) “Business” means any activity providing goods or services for a fee operating in or from a commercial or residential property in Town.
 - (c) “Transient Operator” means any business not operating in or from a commercial or residential property in Town.
 - (d) “License” means form issued to a “Business” upon application and payment of prescribed fee.
 - (e) “Permit” means form issued to a “Transient Operator” upon application and payment of prescribed fee.
- (2) Persons representing businesses who deliver supplies or goods to licensed businesses in Town are not considered Transient Operators and are exempt from permit or license fees.

Application and Fee for a Business License

4. (1) Business operators must apply to the Town for a license by completing an application form and paying the business license fee as provided in Schedule 1.
- (2) An application must include all requested information.
- (3) A license will be issued only after the fee outlined in subsection (1) has been paid.
- (4) If a business is carried on at more than one location, a license must be obtained for each location.
- (5) A license issued under the provisions of this Bylaw is only valid at the location for which it is issued.

License Issued for One Year Unless Otherwise Stated

5. (1) Each license shall be for one (1) calendar year unless otherwise stated on the license.
- (2) Licenses issued mid-year will expire on Dec. 31 of the current year.

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Renewal

6. (1) Business license renewal is required January 1 of each year.
- (2) The fee provided for in Schedule 1 must be paid when renewing the license.

Discontinuance or Change

7. (1) The Town must be notified if a business is discontinued.
- (2) The Town must be notified if either the size or nature of the business changes.
- (3) A new license must be obtained if a business relocates.
- (4) A new license must be obtained for a business coming under new ownership but there shall be no requirement to pay a new license fee.

License to be Displayed

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

Onus for Compliance to Statutes or Regulations is on Business Owner

9. (1) Licenses issued under this Bylaw do not negate a business from adhering to all statutes and regulations pertaining to that business, whether these are Federal, Provincial or Municipal.

Application and Fee for a Permit

10. (1) Transient Operators must apply to the Town for a Permit by completing an application form and paying the business permit fee as provided in Schedule 1.
- (2) An application must include all requested information.
- (3) A permit will not be issued until the fee outlined in subsection (1) has been paid.
- (4) If a transient operation is carried on at more than one location, a permit must be obtained for each location. A Permit to solicit may list the Town as one location for solicitation purposes only. Once there is establishment of a contract or contracts a permit must be obtained for each location.
- (5) A permit issued under the provisions of this Bylaw is only valid at the location for which it is issued.

Permit Issued for 60 Days unless otherwise Stated

11. (1) Every permit shall be for 60 days from date of application unless otherwise stated on the permit.
- (2) Permits must be renewed at the end of the permit period.

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Specific Operations Exceptions

12. (1) A license or permit will not be required for any business or transient operator operating within the limits of the rodeo grounds of the Town **during the annual rodeo**.
- (2) Trade Shows or Farmers' Markets must obtain a permit to operate in Town.
 - (a) The permit will cover all persons offering goods or merchandise at the event.
- (3) Notwithstanding sub-clause (2) above; Auxiliaries, Church Groups, Registered Non-profit Organizations, School sponsored groups and Service Clubs based in Town are not required to obtain a permit, but must notify the Town of the particulars of each event.

Revoking or Suspending of Licenses or Permits

13. (1) If a licensee or transient operator contravenes any term or condition of this Bylaw, the Town may suspend or cancel the license or permit.
- (2) The Town may reinstate a suspended license or permit if it is satisfied that the licensee or transient operator is complying with the Bylaw.
- (3) An appeal for the suspension or cancellation of a license or permit may be made to Council.

Enforcement of Bylaw

14. (1) The administration and enforcement of this Bylaw is hereby delegated to the Administrator for The Town of Herbert or his/her delegate.
- (2) Businesses or Transient Operators in violation of provisions of this Bylaw will be required to obtain a License or Permit at double the cost as prescribed in Schedule 1.

Obtaining a License or Permit

15. (1) Licenses or Permits applications must be obtained at or from Herbert Town Office, 503 Herbert Avenue, Herbert SK in person; by mail, Box 370 Herbert SK S0H 2A0; or Fax (306) 784-2402; or by email t.o.herbert@sasktel.net.

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Coming into Force

16. This Bylaw comes into force and takes effect as of February 25, 2008.
Read a first time this 25th day of February, 2008.
Read a second time this 25th day of February, 2008.
Read a third time and passed this 25th day of February, 2008.

“Trevor Regier”
Town Administrator

“SEAL”

“Albert (Al) Kildaw”
Mayor

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Schedule 1

License fee for businesses: (License is valid for one year commencing January 1 unless otherwise stated on the license)	\$ 5.00
Permit fee for Transient Operators: (Permit is valid for 60 days from date of issue unless otherwise stated on the permit.)	\$10.00