

TOWN OF BRUNO

BYLAW # 01/2020

A BYLAW TO CLASSIFY, REGULATE, LICENSE AND GOVERN BUSINESSES & BUSINESS ACTIVITY

The Council of the Town of Bruno enacts as follows:

1. This Bylaw shall be known as the "Licensing Bylaw".

DEFINITIONS

2. In this Bylaw:

"business", "premises", have the same meaning as given them in *The Municipalities Act*.

"Contractor" means and includes any person or persons who contract to alter, maintain, repair or remove buildings or structures, installs heating plants, plumbing or fixtures, electrical, or who makes a business of executing work according to contract.

"Council" means the Council of the Town of Bruno, in the Province of Saskatchewan.

"Direct Seller" means a person who does not have a business premises in the Town who:

- a) Goes from house to house selling or offering for sale, or soliciting orders for future delivery of goods or services; and/or
- b) By telephone offers for sale or solicits offers for future delivery of goods or services; and/or

"Home-Based Business" means a home based business or home occupation whose premises are located on land or within a building where the land or building is primarily used for residential purposes.

"Licensee" shall mean and include any person who has been issued and holds a valid and subsisting license under the provisions of this Bylaw.

"License Inspector" shall mean any person appointed to perform the duties of Inspection and Compliance under contract or if no contractor has been appointed, shall mean the Administrator or Designate.

"Municipality" or "Town" means the Town of Bruno, in the Province of Saskatchewan.

"Petty Trade" shall mean any business with gross revenues of less than \$5,000.00 per annum.

"Transient Trader" means a person carrying on business in a municipality who:

- a) offers goods or merchandise for sale by retail or auction; or
- b) solicits any person who is not a wholesaler or retail dealer for orders for the future delivery of goods or merchandise.



LICENSE REQUIRED

3. Persons required to be licensed under the provisions of this Bylaw are:
 - a) All persons carrying out business within the Municipality;
 - b) Direct Sellers and Transient Traders;
 - c) Contractors.
 - d) Home-Based Business
 - e) Trade show organizers

 4. a) Any business operating from a booth set up at any Trade Fair in the Town of Bruno, which Trade Fair has been granted the approval of the Town of Bruno shall be exempt from the provisions of this bylaw. This exemption applies only to the operation of the business at the Trade Fair site during the hours that the trade show is open to the public and does not exempt the business from the provisions of this bylaw which would apply to other operations in the Town of Bruno.

 5. In an effort to encourage youth entrepreneurship this bylaw shall not apply to any person enrolled in school or enrolled at least 50% of the time in recognized post secondary training.

 6. The following shall be the duties of the License Inspector under this Bylaw:
 - a) To prepare a classified alphabetical list or lists, as the case may be, of all parties liable to take out a license and to use all diligence to have the same correct and submit the same monthly, or as often as required, for examination and use of the Town Administration.
 - b) To keep a register containing names of all persons applying for licenses, the name of all persons to whom licenses have been granted or refused.
 - c) To prosecute all persons guilty of offence against this Bylaw, and to be vigilant and active in the discharge of his duty.


 7. Every person carrying on or engaged in business in respect of which a license is required shall, upon request of the License Inspector, give the Inspector all information necessary to enable him to carry out his duties.

 8. Every person who is required to obtain a license under this bylaw shall make application to the License Inspector for such license. All applications for license may be made verbally unless the License Inspector directs the same to be in writing, in which case such application shall be addressed to the License Inspector of the Town of Bruno, and shall contain the following information:
 - a) Name, address and occupation of the Applicant.

 - b) Nature of the license applied for and stating specifically the nature and description of the applicant's business activities in the municipality.

 - c) The place where the license is to be exercised or where the business is to be carried on.

 - d) The period for which the license is required.

 9. The fee payable in respect of any license required under the provisions of this Bylaw shall be the amount set out in Schedule "A" of this Bylaw. All such license fees shall be paid to the Town of Bruno.
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10. Where the License Inspector refuses to issue any license, he shall submit an application for license together with his report to Council and shall advise the Applicant of the date on which Council will consider the application. On the date above indicated, the Applicant shall have the opportunity to make representations to Council regarding his application and the report of the License Inspector. The decision of Council shall be final and shall not be subject to review or appeal.
11. No person shall carry on any business set out in Section 3 of this Bylaw, within the municipality unless he has in his possession a valid and subsisting license for the purpose, issued in accordance with the provisions of this Bylaw.
12. Every license granted under this Bylaw shall be made out in duplicate and one copy shall be kept in the Audit File.
13. Every licensee granted a license to carry on the business and who occupies premises in connection therewith shall keep the license posted up in a conspicuous place on the licensed premises. All persons licensed under the provisions of this Bylaw where there are no licensed premises shall, on demand of the License Inspector, a peace officer or other person duly authorized to demand its production, produce the license to such official for inspection purposes.
14. No licensee shall offer for sale; services, goods or merchandise or solicit orders for future delivery of goods or merchandise within the Town:
 - a) other than of kinds described in the license; or
 - b) by any method except as stated in the license; or
15. Council may by resolution suspend or revoke any license granted under the provisions of this Bylaw.
16. If the licensee fails to comply with any of the provisions of this bylaw, his license will be automatically revoked, in which case no refund will be available to the licensee.
17. Except where otherwise provided in this Bylaw or unless specifically mentioned to be issued for a shorter period, every license issued under this Bylaw shall expire on the 31st day of December of the year of issue.
18. A license issued pursuant to this Bylaw shall be non-transferable and non-assignable without prior written permission from the License Inspector.
19. Licensees shall have the option of having their business information included on the Town of Bruno website business directory, as well as special features as from time to time as are made in the Town of Bruno Newsletter.
20. In the event a person fails to comply with Section 7 of this Bylaw within 10 days from the date on which the request is made under Section 7, he is guilty of an offence and liable on summary conviction to a fine not exceeding \$50.00 for every day for which the default continues.
21.
 - a) In the event, for any reason
 - i. there is non-compliance with the provisions contained in this Bylaw; or
 - ii. any person carries on business which is governed by this Bylaw, without first obtaining a license and paying the prescribed fee; then such person is in breach of this Bylaw and is guilty of an offence.



- b) Upon summary conviction the offender is liable:
- i. for a first offence, to a fine of not less than \$200.00 nor more than \$1000.00;
 - ii. on a subsequent offence, to a fine of not less than \$500.00 nor more than \$2000.00.

25. Bylaw No. 05/07 is repealed.

26. This Bylaw shall come into force and take effect January 1st, 2020.

seal



Mayor – Dale Glessman

Administrator – Colette Radcliffe

Schedule "A"

Business License Fees:

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| 1) All persons required to be Licensed under Section 3 | \$50.00/year |
| 2) Transient or Contrators | \$50.00/year or \$20/day |

