

**CORPORATION OF THE TOWN OF HAY RIVER**

BEING A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER, IN THE NORTHWEST TERRITORIES, TO PROVIDE FOR THE REGULATING, CONTROLLING AND LICENSING OF BUSINESSES CARRIED ON WITHIN THE TOWN, BUT NOT INCLUDING A BUSINESS THAT IS REGULATED BY AN ACT OF PARLIAMENT OR ANY OTHER EXEMPT BUSINESS PRESCRIBED BY REGULATION PURSUANT TO THE CITIES, TOWNS AND VILLAGES ACT;

PURSUANT TO SECTIONS 103, 110, 111, 112, 113, 174, 175, 177, 179, 180, 181, 183, 188, 229 AND 230 OF THE CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 1987(1), CHAPTER 14, AS AMENDED, AND TO THE PROVISIONS OF THE BUSINESS LICENSE ACT, R.S.N.W.T., 1974, CHAPTER B-4, AS AMENDED;

WHEREAS PURSUANT TO SECTION NUMBER 1 OF REGULATION NUMBER 16, OF THE REVISED REGULATIONS OF THE NORTHWEST TERRITORIES 1980, A BUSINESS THAT IS CARRIED ON WITHIN ANY MUNICIPALITY HAVING BY-LAWS GOVERNING THE ISSUANCE OF BUSINESS LICENSES IS EXEMPT FROM THE BUSINESS LICENSE ACT;

AND WHEREAS THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER, DEEMS IT DESIRABLE TO LICENSE BUSINESSES CARRIED ON WITH THE TOWN;

NOW, THEREFORE THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER, IN REGULAR SESSION DULY ASSEMBLED, ENACTS AS FOLLOWS:

**SHORT TITLE:**

1. THIS BY-LAW MAY BE CITED AS THE "BUSINESS LICENSE BY-LAW".

**INTERPRETATION:**

2. IN THIS BY-LAW:

- (a) "Act" means the Cities, Towns and Villages Act, S.N.W.T., 1987(1), Chapter 14, as amended;
- (b) "Applicant" means any person who makes an application for any license under the provisions of this By-law;
- (c) "Application" means an application submitted by an applicant for a license as prescribed in Schedule "B" to this By-law;
- (d) "Business" means any person engaged in commercial activity for gain or livelihood but does not include a business that is regulated by an Act of Parliament or the Legislative Assembly of the Northwest Territories or any other exempt business as may be prescribed by regulation;

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- (e) "Canvasser" means any person who solicits orders by telephone, telecopier or other means for the purchase, sale, or trade of merchandise or who offers services for sale or trade;
- (f) "Council" means the Council of the Municipal Corporation of the Town of Hay River, Northwest Territories;
- (g) "Hawker or Pedlar" means any person who, whether as principal or agent, goes from house to house or locates on any street or roadway or elsewhere, other than a building which is his permanent place of business, and offers for sale or trade any merchandise to any person or offers to expose for sale or trade to any person by means of samples, patterns, cuts, blueprints, or merchandise to be afterward delivered in or shipped to the Town but does not include a principal or agent selling to a wholesale or retail dealer in such merchandise;
- (h) "Home Occupation" means any business carried on by a person who is an occupant of a residential building as a use secondary to the residential use of the building, and as defined in the zoning and planning by-laws of the Town;
- (i) "Justice" means a Judge of the Territorial Court, or any Justice of the Peace;
- (j) "License" means a business license or annual renewal license issued pursuant to this By-law;
- (k) "Licensee" means a person holding a valid license issued pursuant to this By-law;
- (l) "Licensing Period" means the period between April 1 and March 31 next thereafter during which a license is issued;
- (m) "Non-Conforming Business" means a business conducted as a non-conforming use pursuant to the zoning and planning by-laws of the Town, the Act, or the Planning Act, R.S.N.W.T. 1974, Chapter P-8, as amended;
- (n) "Non-Resident Business" means any business which does not maintain a place of business in the Town for a period of at least 183 days of any licensing period;
- (o) "Officer" means a Peace Officer pursuant to the Summary Conviction Procedures Act, S.N.W.T., 1978(1) Chapter 3, as amended;

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- (p) "Person" means an individual, partnership, corporation, association, or other similar cooperative organization;
- (q) "Place of Business" means any premises occupied or capable of being occupied by a person for the purpose of carrying on any business;
- (r) "Resident Business" means any business which maintains a place of business within the Town for at least 184 days of any licensing period;
- (s) "Seasonal Tourist Business" means any business that operates primarily for the traveling public on a seasonal basis only;
- (t) "Senior Administrative Officer" means the Senior Administrative Officer of the Town appointed by Council pursuant to Section 44 of the Act;
- (u) "Student Business" means any business owned and operated by a person presently attending an educational institution or enrolled in an ongoing post-secondary educational program;
- (v) "Summary Conviction Procedure Act" means Summary Conviction Procedure Act S.N.W.T., 1978(1) Chapter 3, as amended;
- (w) "Town" means the Municipal Corporation of the Town of Hay River, Northwest Territories;
- (x) "WCB Certificate" means a Certificate of Compliance or similar document issued annually by the Workers' Compensation Board of Northwest Territories evidencing compliance with the Workers' Compensation Act, S.N.W.T. 1977(1), Chapter 7, as amended.

**APPLICATION OF BY-LAW**

3. This By-law shall apply to all persons carrying on business in the Town except a person or group registered as a non-profit organization under the Societies Act, R.S.N.W.T. 1974, Chapter C-10, as amended.

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**LICENSING**

4. (a) All persons carrying on or operating a business in the Town shall be required to obtain a business license in the class prescribed in this By-law.  
  
(b) A person engaged in or carrying on one or more different businesses, either separately or together, shall be required to apply for and obtain a license for each business pursuant to this By-law.  
  
(c) All licenses issued pursuant hereto shall be displayed in a conspicuous manner at the place of business to which the license pertains.
5. **CLASSES** - For the purposes of this By-law, all businesses shall be divided into the following classes:
  - (a) Commercial;
  - (b) Home Occupation;
  - (c) Student;
  - (d) Seasonal Tourist;
  - (e) Non-Conforming, and
  - (f) Non-Resident.
6. **FEEES** - (a) All persons applying for a license shall make application to the Town by completion of the form set out in Schedule "B" to this By-law. At the time of the submission of the application for a license, the applicant must pay the appropriate fee for the class of license being applied for pursuant to Schedule "A" to this By-law.  
  
(b) The fees payable to the Town for a license issued on or after the 1st day of November in any licensing period shall be one half of the annual license fee set out in Schedule "A".
7. **TERM** - Subject to the provisions of this By-law, a license is valid and current from the date of issue until the 31st day of March next after the date of issue.
8. **CONDITIONAL LICENSES** - (a) Notwithstanding any other provisions of this By-law, where an applicant for a license is unable to produce a valid WCB Certificate in accordance with the terms of this By-law, and provided that the Senior Administrative Officer is satisfied that all other criteria



for the issue of a license have been complied with, the Senior Administrative Officer may issue a conditional license. In the event that the applicant is unable to produce a WCB Certificate as required within the said 60 day period, the license shall be deemed to be canceled.

- (b) Where an applicant is unable to strictly comply with the terms of any other By-laws applicable to the business and such non-compliance is of a minor nature, does not involve danger to life or health and will not prejudicially affect other persons, a license may be issued to the applicant subject to such conditions as the Senior Administrative Officer may require, the particulars of such conditions to be endorsed thereon.
9. **NON-TRANSFERABLE** - Licenses issued under this By-law are not transferable.
  10. **AMENDMENTS** - In the event that an applicant or licensee wishes to change any information contained in the application submitted to the Town, whether prior to or after the issue of a license, the applicant or licensee shall make application for such changes to the Senior Administrative Officer and submit therewith any applicable administrative fee. The Senior Administrative Officer shall consider such application, and, if appropriate, amend the original application form submitted by the applicant or licensee accordingly. In the event that a license has been issued on the basis of the former application, the license shall be amended accordingly.
  11. **EXPIRY** - Every license issued under the provisions of this By-law shall terminate at midnight on the 31st day of March next after the date of issue, unless:
    - (a) the terms of this By-law otherwise expressly provide;
    - (b) the license provides otherwise, or
    - (c) the license has been sooner canceled or forfeited.
  12. **DISCRETION TO ISSUE** - Subject to section 26 herein, the Senior Administrative Officer may refuse to issue a license to an applicant if the Senior Administrative Officer has reasonable and probable grounds to believe and does believe that the business or applicant does not or will not meet the requirements for the issue of a license pursuant to this By-law.



LICENSE RENEWALS

13. (1) A license issued pursuant hereto shall be renewed annually in accordance with this By-law by submission to the Town of the application form set out in Schedule "B" hereto prior to the expiry of the current license.
- (2) Notwithstanding any other provisions of this By-law, in the event that a license renewal application is not submitted to the Town by 5:00 p.m. the 30th day of April in the licensing period applied for, any person carrying on a business within the Town shall be deemed to be in contravention of Section 4(a) of this By-law.

ADMINISTRATION

14. The Senior Administrative Officer is hereby appointed to carry out the terms of this By-law.
15. The powers and duties of the Senior Administrative Officer under this By-law shall be:
  - (a) to receive and deal with all applications for licenses;
  - (b) to prepare and issue all licenses pursuant to this By-law;
  - (c) to keep a record of all applications and retain on file a duplicate counterpart of all licenses issued;
  - (d) to ascertain, as far as is reasonably practicable, that all information furnished by an applicant in connection with an application for a license is true in substance and in fact;
  - (e) to conduct all inspections of premises which the Senior Administrative Officer deems necessary;
  - (f) to administer this By-law, and, as far as is practicable, ensure that all persons concerned conform to its provisions and to prosecute persons who fail to comply therewith, and
  - (g) to report to Council as required from time to time.
16. Every license issued pursuant to the provisions of this By-law shall be deemed to be subject to the licensee complying with and observing the terms and provisions of all regulations and By-laws of the Town, including but not limited to the following:
  - (a) zoning;



- (b) development;
- (c) health, and
- (d) fire.

17. CANVASSERS, HAWKERS AND PEDLARS

- (1) All canvassers, hawkers and pedlars who are required to be bonded and licensed by the Government of the Northwest Territories, must produce a valid direct sellers license prior to having a license issued hereunder.
- (2) Every canvasser, hawker and pedlar engaged in business shall carry upon his person the license issued and shall, upon demand, produce the license to an officer or any person to whom goods are offered for sale or trade.

18. HOME OCCUPATION

In addition to any other licensing requirements, an applicant wishing to carry on business within a residential area must apply directly to Council which must be satisfied that the applicant is in compliance with all applicable legislation, regulations and By-laws prior to the issuance of a license.

19. NON-CONFORMING BUSINESS

In addition to any other licensing requirements, an applicant wishing to carry on a non-conforming business within the Town must apply directly to Council which must be satisfied that the applicant is in compliance with all applicable legislation, regulations and By-laws prior to the issuance of a license.

SUSPENSION OR CANCELLATION OF LICENSES

20. Where any person has failed to observe and comply with:

- (a) any conditions endorsed on his license, or
- (b) any terms or provisions of this By-law, or applicable Act of Parliament, Act of the Legislative Assembly of the Northwest Territories or any By-law of the Town,

the Senior Administrative Officer may cancel the appropriate license or licenses of such person. In each such case, the fees paid for the issue of all such licenses are forfeited to the Town.



21. (1) Notwithstanding Section 20, and subject to the provisions of this By-law, before any license is suspended or canceled, the Senior Administrative Officer shall:
- (a) allow the licensee, or that person's representative, an opportunity to be heard by Council, and
  - (b) serve written notice on any ~~the~~ licensee at least three (3) days prior to the date of the hearing.
- (2) the notice shall:
- (a) set out the time and place of the hearing, and
  - (b) advise the licensee of the purpose of the hearing and the right of the licensee to attend and make representation.
- (3) The notice must either be served personally or by single registered mail addressed to the applicant at the address set out in the application.
- (4) Where the Council, or the Senior Administrative Officer, is of the opinion that there is imminent danger to public health and safety, the Senior Administrative Officer may
- (a) abridge the time for notice, or
  - (b) take appropriate action without the notice or hearing required.
- (5) Any person may appeal the decision of Council within thirty (30) days to a justice.
22. Any person who is convicted twice in any licensing period for contravening provisions of this By-law shall, in addition to any other penalty, have its business license canceled for the remainder of such licensing period.

INSPECTION

23. Any place of business in respect of which a license has been issued shall be subject to inspection at any time during regular hours of business by the Senior Administrative Officer or by any person duly authorized under this By-law.

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24. Any person who, after demand for inspection has been made by the Senior Administrative Officer, authorized person, or Officer, refuses admittance to a place of business for which such person has charge or control, shall be guilty of an offence.

APPEALS

25. The provisions of Sections 179, 180 and 181 of the Act shall apply *mutatis mutandis* in respect of appeals.

PUNISHMENT FOR VIOLATIONS

26. (1) Any person violating any provision of this By-law is guilty of an offence and is liable upon Summary Conviction:
- (a) For a first offence during any licensing period,
    - (i) in the case of an individual, to a fine not exceeding five hundred dollars (\$500.00), plus court costs, and
    - (ii) in the case of a corporation, to a fine not exceeding one thousand dollars (\$1,000.00), plus court costs, and
  - (b) For each subsequent offence during a licensing period;
    - (i) in the case of an individual, to a fine not exceeding one thousand dollars (\$1,000.00), plus court costs, and
    - (ii) in the case of a corporation, to a fine not exceeding five thousand dollars (\$5,000.00), plus court costs, and
  - (c) imprisonment for a period not exceeding six (6) months, in default of payment of any fine imposed.
- (2) In the case of an offence contrary to Section 4(a) herein the justice shall, in addition to any other penalty imposed, order payment of the relevant license fees in accordance with the provisions of this By-law.
- (3) Pursuant to the Summary Conviction Procedures Act, an Officer may issue a Summary Offence Ticket Information to any person who violates any provisions of this By-law and such person may, pursuant to the said Act, pay to the Town the voluntary penalty for such offence

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as set out in schedule "C" hereto at any time prior to the court date specified in the Summary Offence Ticket Information.

(4) Any person charged with an offence and who is issued a Summary Offence Ticket Information is not required to appear in court in answer to the summons if, within the time stated therein, he

(a) signs the plea of guilty endorsed on the summons, and

(b) delivers the summons and the specified penalty to the place stated on the summons,

and upon so doing the person charged shall be deemed to be convicted of the offence charged.

GENERAL

27. Schedules "A", "B" and "C" referred to herein and attached hereto form part of this By-law.

28. Upon this By-law coming into full force and effect, all current valid business licenses shall continue in effect to March 31st, 1991.

29. By-law #1137 is hereby repealed.

READ A FIRST TIME THIS 11<sup>th</sup> DAY OF February A.D., 1991.

READ A SECOND TIME THIS 11<sup>th</sup> DAY OF March A.D., 1991

READ A THIRD AND FINAL TIME THIS 18<sup>th</sup> DAY OF March A.D.,

1991 AND PASSED WITH THE CONSENT OF COUNCIL.

  
MAYOR

  
SENIOR ADMINISTRATIVE OFFICER



By-Law No. 1395

SCHEDULE "A"

SCHEDULE OF FEES ATTACHED TO AND FORMING A PART OF BY-LAW NO. 1395

<u>CLASS OF LICENSE</u>	<u>FEE</u>
COMMERCIAL	\$94.00
HOME OCCUPATION	125.00
STUDENT	10.00
SEASONAL TOURIST	50.00
NON-CONFORMING	188.00
NON-RESIDENT	250.00

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BY-LAW NO. 1395

BUSINESS LICENSE FEE \$ \_\_\_\_\_  
Period ending March 31, 19\_\_

SCHEDULE "B"

TOWN OF HAY RIVER

APPLICATION FOR BUSINESS LICENSE

I, \_\_\_\_\_, of the \_\_\_\_\_  
(NAME) (CITY/TOWN)  
of \_\_\_\_\_ in the \_\_\_\_\_,  
(NAME OF CITY/TOWN) (PROVINCE OR TERRITORY)  
representing \_\_\_\_\_  
(NAME OF BUSINESS)

do hereby apply for a Business License under the terms of By-law No. 1395 for the purpose of carrying on a business during the year ending March 31, 19\_\_, at the following location:

LOT \_\_\_\_ BLOCK \_\_\_\_ PLAN \_\_\_\_, CIVIC ADDRESS: \_\_\_\_\_  
\_\_\_\_\_ in the Town of Hay River.

NATURE OF BUSINESS: \_\_\_\_\_

CLASS OF LICENSE APPLIED FOR: \_\_\_\_\_

EMPLOYMENT: OWNER/OPERATOR - FULL TIME \_\_\_\_ PART TIME \_\_\_\_  
EMPLOYEES: FULL TIME \_\_\_\_ PART TIME \_\_\_\_ SEASONAL \_\_\_\_

DATE: \_\_\_\_\_ APPLICANT'S SIGNATURE \_\_\_\_\_

OFFICE USE ONLY

LICENSE NUMBER \_\_\_\_\_ RECEIPT NUMBER \_\_\_\_\_

DATE OF LICENSE \_\_\_\_\_ DATE OF RECEIPT \_\_\_\_\_

DATE INITIAL

ROUTING \_\_\_\_\_  
ZONING \_\_\_\_\_  
BY-LAW \_\_\_\_\_  
COUNCIL \_\_\_\_\_  
W.C.B. \_\_\_\_\_  
APPROVED \_\_\_\_\_

SCHEDULE "C"

VOLUNTARY FINES

OPERATING A BUSINESS WITHOUT A VALID LICENSE [S.4(a)]. . .	\$100.00
FAILING TO POST A BUSINESS LICENSE [S.4(c)] . . . . .	\$100.00
FAILING TO PRODUCE BUSINESS LICENSE UPON DEMAND [S.17(2)].	\$100.00

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BY-LAW NO. 1395 "A"

CORPORATION OF THE TOWN OF HAY RIVER

BEING A BY-LAW of the Municipal Corporation of the Town of Hay River in the Northwest Territories, to amend By-Law No. 1395, the "Business Licence By-Law", pursuant to the Cities, Towns and Villages Act, RSNWT, 1988, Chap. C-8, Sections 109 to 112, as amended.

NOW THEREFORE, the Council of the Corporation of the Town of Hay River, in session duly assembled, enacts as follows:

1. That Schedule "A" - Schedule of Fees attached to and forming a part of By-Law No. 1395, is hereby repealed, and replaced by Schedule "A" attached to and forming part of this By-Law.

READ A FIRST TIME this 16 day of January, 1995.

READ A SECOND TIME this 16 day of January, 1995.

READ A THIRD AND FINAL TIME this 16 day of January, 1995  
and passed with the consent of Council.

  
MAYOR

  
SENIOR ADMINISTRATIVE OFFICER

BY-LAW NO. 1395 "A"

SCHEDULE "A"

<u>CLASS OF LICENCE</u>	<u>FEE</u>
COMMERCIAL	\$ 100.00
HOME OCCUPATION	\$ 132.50
STUDENT	\$ 10.00
SEASONAL TOURIST	\$ 50.00
NON-CONFORMING	\$ 188.00
NON-RESIDENT	\$ 275.00



BY-LAW NO. 1395 "B"

CORPORATION OF THE TOWN OF HAY RIVER

BEING A BY-LAW of the Municipal Corporation of the Town of Hay River in the Northwest Territories, to amend By-Law No. 1395, the "Business License By-Law," pursuant to the Cities, Towns and Villages Act, RSNWT, 1988, Chap C-8, Sections 109 to 112, as amended.

NOW THEREFORE, the Council of the Corporation of the Town of Hay River, in session duly assembled, enacts as follows:

1. That Section 17 of the Business License By-Law, being By-Law No. 1395 of the Municipal Corporation of the Town of Hay River, is hereby repealed, and the following substituted therefore:

17. (1) All canvassers, hawkers and pedlars who are required to be bonded and licensed by the Government of the Northwest Territories, must produce a valid direct sellers license prior to having a license of a sub-license issued hereunder.
- (2) Where an applicant intends to have canvassers, hawkers, or pedlars operating under its business license, a Salesperson Sub-License shall be issued to each canvasser, hawker, or pedlar upon payment of the appropriate fees as outlined in Schedule "A" of this By-Law.
- (3) Every canvasser, hawker and pedlar engaged in business shall carry upon his person the license or the Salesperson Sub-License issued and shall, upon demand, produce the same to an officer or any person to whom goods are offered for sale or trade.


2. That Schedule "A" - Schedule of Fees attached to and forming a part of By-Law No. 1395, as amended by By-Law # 1395 "A", is hereby repealed, and replaced by Schedule "A" attached to and forming part of this By-Law.

READ A FIRST TIME this 26 day of June, 1995.

READ A SECOND TIME this 26 day of June, 1995.

READ A THIRD AND FINAL TIME this 26 day of June, 1995, and passed with the consent of Council.

  
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MAYOR

  
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SENIOR ADMINISTRATIVE OFFICER



BY-LAW NO. 1395 "B"

SCHEDULE "A"

<u>CLASS OF LICENSE</u>		<u>FEE</u>
COMMERCIAL	\$	100.00
HOME OCCUPATION	\$	132.50
STUDENT	\$	10.00
SEASONAL TOURIST	\$	50.00
NON-CONFORMING	\$	188.00
NON-RESIDENT	\$	275.00
 <u>OTHER FEES</u>		
SALESPERSON SUB-LICENSE	\$	25.00



**BY-LAW NO. 1395 "C"**

**CORPORATION OF THE TOWN OF HAY RIVER**

BEING A BY-LAW of the Municipal Corporation of the Town of Hay River in the Northwest Territories, to amend By-law No. 1395, the "Business License By-Law," pursuant to the Cities, Towns and Villages Act, RSNWT, 1988, Chap C-8, Sections 109 to 112, as amended.

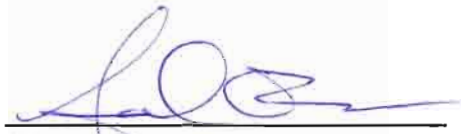
NOW THEREFORE, the Council of the Municipal Corporation of the Town of Hay River, in session duly assembled, enacts as follows:

1. That Section 6(b) of the Business License By-Law, being By-Law No. 1395, of the Municipal Corporation of the Town of Hay River, is hereby repealed, and the following substituted therefore:
  6. (b) The fees payable to the Town for a first time license issued on or after the 1st day of November in any licensing period shall be one half of the annual licensing fee as set out in Schedule "A." No discount of this nature shall be permitted for license renewals.

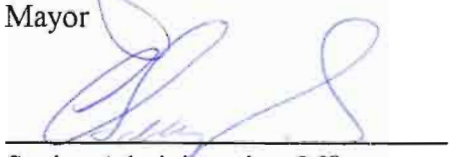
READ A FIRST TIME this 26 day of February, 1996.

READ A SECOND TIME this 26 day of February, 1996.

READ A THIRD AND FINAL TIME this 11 day of March, 1996, and passed with the consent of Council.



Mayor



Senior Administrative Officer

**BY-LAW NO. 1395"D"**

**THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER**

**A BY-LAW** of the Municipal Corporation of the Town of Hay River in the Northwest Territories to provide for the regulation of businesses, business activities and persons engaged in business pursuant to the Cities, Towns and Villages Act, S.N.W.T. 2003, c.22, Section 70.

**WHERE AS** the Municipal Corporation of the Town of Hay River deems it desirable to licence business that is carried on within the municipal boundary of the Town of Hay River.

**NOW THEREFORE** the Council of the Town of Hay River, in session duly assembled enacts as follows:

1. That Section 4 – Licencing be amended by adding the following clause and numbering it as 4(d).

That any person making application for a commercial business licence whose place of business is located on the Katlo'deeche First Nation's Hay River Reserve shall be deemed a "Resident Business" with respect to Class of Licence and application fee.

2. That this bylaw will take force and effect upon its final reading.

READ A FIRST AND SECOND TIME this 1<sup>st</sup> day of October, 2007.



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Mayor

READ A THIRD AND FINAL this 2<sup>nd</sup> day of October, 2007.



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Mayor

CERTIFIED that this bylaw has been made in accordance with the requirements of the Cities, Towns and Villages Act, S.N.W.T., 2003, c.22, s. 70 and the bylaws of The Municipal Corporation of the Town of Hay River this 2<sup>nd</sup> day of October, 2007.



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Senior Administrative Officer

THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER  
BY-LAW NO. 1395"E"

A BY-LAW of the Municipal Corporation of the Town of Hay River in the Northwest Territories to amend the Town of Hay River Business Licence By-law No. 1395 as amended to date.

PURSUANT to the Cities, Towns and Villages Act S.N.W.T. 2003, c.22, Section 70.

WHEREAS the Council of the Municipal Corporation of the Town of Hay River has enacted the Business Licence By-law No. 1395; and

WHEREAS the Council of the Municipal Corporation of the Town of Hay River wishes to amend By-Law No. 1395 with respect to canvassers, hawkers and peddlars.

NOW THEREFORE the Council of the Municipal Corporation of the Town of Hay River in session duly assembled hereby enacts as follows:

1. Business Licence By-law No. 1395 is hereby amended by adding the following definitions:

"Town property" means property to which the Town has legal title, a leasehold interest or otherwise administers.

"Private property" means property to which the Town does not have legal title, a leasehold interest or otherwise administers.

"Property owner" means the person named on the legal title or the lease.

2. Business Licence By-law No. 1395 is hereby amended by deleting Section 17 in its entirety and replacing it with:

17. Canvassers, Hawkers and Peddlars

- a. All canvassers, hawkers and peddlars who are required to be bonded and licenced by the Government of the Northwest Territories must produce a valid direct sellers licence prior to having a business licence of a sub-licence issued hereunder.
- b. Where an applicant intends to have canvassers, hawkers or peddlars operating under its business licence a salesperson sublicence shall be issued to each canvasser, hawker or peddler upon payment of the appropriate fees as outlined in Schedule "A" of By-law No. 1395.

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- c. Every canvasser, hawker and peddler engaged in business shall carry upon his person the business licence or the salesperson sublicence issued and shall upon demand produce the same to an officer or any person to whom may ask to see the business licence.
- d. No canvasser, hawker or peddler shall be permitted to use Town property for the purpose of carrying on their business.
- e. No canvasser, hawker or peddler shall be permitted to use private property for the purpose of carrying on their business unless and until they have obtained the written permission of the property owner.
- f. Every canvasser, hawker and peddler applying for a licence must provide to the satisfaction of the Town that they have obtained the written permission of the property owner to carry out their business on the private property.
- g. No canvasser, hawker or peddler shall be issued a licence unless and until the Town is satisfied that all of the requirements of the Business Licence By-law have been met.

READ A FIRST TIME this 22<sup>nd</sup> day of March, 2010.

  
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Mayor

READ A SECOND TIME this 22<sup>nd</sup> day of March, 2010.

  
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Mayor

READ A THIRD AND FINAL TIME this 26<sup>th</sup> day of April, 2010.

  
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Mayor

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CERTIFIED that this bylaw has been made in accordance with the requirements of the CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 2003, C.22, s70 and the bylaws of the Municipal Corporation of the Town of Hay River on this 26 day of April, 2010.



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Senior Administrative Officer

