BY-LAW #2632/09
OF THE
CITY OF CAMROSE
PROVINCE OF ALBERTA

A BY-LAW OF THE CITY OF CAMROSE TO PROVIDE FOR THE LICENSING AND REGULATING OF BUSINESSES CARRIED ON WITHIN THE CITY.

WHEREAS the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, authorizes a Council to control and regulate all businesses within the municipality, including the licensing of any or all such businesses, and

WHEREAS it is deemed expedient by the Council of the City of Camrose to pass a By-Law to provide for the licensing of businesses carried on in whole or in part within the City;

NOW THEREFORE the Council of the City of Camrose in Council duly assembled enacts as follows:-

1. This By-Law may be cited as "The Business License By-Law".

2. **Definitions**

(a) "Business" means any business or contractor, trade, profession, industry, occupation, employment of calling dealing with the providing of goods and/or services, but does not include any person sponsored by the Camrose Regional Exhibition and Agricultural Society, Jaywalker's Jamboree, the Farmer's Market or personal craft sales of a periodic or seasonal nature.

(b) "City" means the City of Camrose.

(c) "County" means Camrose County, including any municipalities therein.

(d) "Contractor" means and includes any person who by contract or other monetary agreement, participates in any construction or demolition project and without the generality of the foregoing, includes any business connected with excavating, landfilling, building, renovating, repairing, decorating or landscaping.

(e) "Council" means the Council of the City of Camrose.

(f) "General Public" means anyone other than a wholesale or retail business.

(g) "Goods" means any article, thing or substance and includes subscriptions for books, magazines or any printed matter.

(h) "Hawker" or "Pedlar" means any person who, whether as principal or agent,

(i) goes from house to house selling or offering for sale any merchandise or service, or both, to any person, and who is not a wholesale or retail dealer in that merchandise or service, and not having a permanent place of business in the City or County, or

(ii) offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise or a service, or both, to be afterwards delivered in and shipped into the City, or

(iii) sells merchandise or a service, or both, on the streets or roads or elsewhere than at a building that is his permanent place of business.

(i) "Home Occupation" means a business that is conducted in or from a residence in the City or County.

(j) "License" means a business license issued pursuant to this By-Law, entitling the licensee to carry on the activity therein specified for the period of time therein specified.

(k) "Licensee" means a person to whom a license has been issued, pursuant to the provisions of this By-Law.

(l) "License Inspector" means and includes a By-Law Enforcement Officer, Licensing Officer, or anyone appointed by Council to carry out the provisions of this By-Law.

(m) "Non-Resident" means any person who is not a resident, as defined in this By-Law, of the City or County.

(n) "Person" means and includes any person, or firm, or partnership, or body corporate or association.

(o) "Premises" means and includes any store, office, warehouse, factory, building, enclosure, yard or other place used or capable of being used for the purpose of carrying on a business.

(p) "Resident" means a person who permanently occupies a dwelling place, other than a hotel or motel, in the City of Camrose or County or who has purchased or leased a business premises in the City or County for the purpose of carrying on a business.

(q) "Services" means performing a service or any work, act or deed, for any compensation whether monetary or otherwise.

3. **Regulations**

(a) Every person carrying on any business in the City of Camrose shall be the holder of a valid license and shall pay to the City for such license, a fee prescribed in the Schedule of Fees as attached to this By-Law.

(b) Any person or business shall, before being issued a license, complete an application form as required by the License Inspector, and shall supply all the information required in the application.

(c) No license shall be issued to any person unless he is the holder of a valid Provincial or Federal license, where required by Provincial or Federal legislation.

(d) All licenses issued pursuant to this By-Law, unless previously revoked or suspended, shall be valid for the period of time stated thereon and shall expire at twelve o'clock midnight of December 31st. in the year in which they were issued, except that Hawkers, Pedlars and Direct Salesmen may obtain a daily license and pay to the City a fee as prescribed in the Schedule of Fees in this By-Law.

(e) A valid license shall be displayed in a prominent place in the business premises and any person holding a valid license shall forthwith produce same for inspection when required to do so by a License Inspector.

(f) Notwithstanding the provisions of this by-law, the City, at its sole discretion, may require the general contractor of a project to provide a list of subtrades for the project and the total business license fees will be payable by the general contractor with the term of the business licenses to expire at the end of the project. Business licenses for the individual subtrades will be included within the business license of the contractor.

(g) A supplier bringing bulk goods to a licensed business for the purposes of resale shall not be required to obtain a business license.

(h) A person carrying on more than one business must possess a separate business license for each business.

(i) A business license is not transferrable from one person to another.

(j) A person who carries on or intends to carry on a business from more than one location must obtain a separate business license for each business location.

(k) Any advertising of the business shall be prima facie proof of the fact that the business is being carried on, or operating.

4. **A License Inspector:**

(a) Shall receive and review all license applications.

(b) Shall forward application forms for inspection by other City departments as required.

(c) May inspect business premises before issuing a license and at any time thereafter to ensure that all regulations are observed.

(d) Shall collect, or cause to be collected, all license fees as prescribed in this By-Law.

(e) May grant a license, or refuse to grant a license if in his opinion there is reasonable and just cause for refusal.

(f) May revoke or suspend a license if, in his opinion, there is reasonable and just cause for such action.

(g) May issue:-
(i) a warning ticket
(ii) a violation ticket providing for a voluntary penalty
(iii) a summons requiring an accused to appear in court to a charge of violating this By-Law.

5. (a) All applicants for a license shall, before a license is issued, pay to the City a license fee as prescribed in the Schedule of Fees in this By-Law.

(b) The license fee for a person commencing a business, listed in Schedule 1 or Schedule 2, after the 30th day of June of the current calendar year, shall be one half of the annual fee prescribed in this By-Law in said Schedule 1 or Schedule 2.

(c) In the event that a license is revoked or surrendered, no refunds will be issued.

(d) Every person desiring to conduct a Home Occupation shall complete an application form as required by the City Development Officer and shall before a license is issued, obtain a Home Occupation Permit

5, (e) A Home Occupation Permit may at any time be revoked by the Development Officer if in his opinion there is reasonable and just cause for such action.

6. **Appeal**

(a) Any person who has been refused a business license, or had a business license revoked or suspended may appeal the decision of the License Inspector to Council.

(b) An appeal must be made in writing, addressed to the Manager of Corporate and Protective Services, and be made within fourteen consecutive days of the date the appellant was notified of the decision.

(c) The written appeal shall specify the grounds for the appeal.

(d) The appeal shall be heard by City Council within thirty (30) days of receipt of the appeal.

(e) City Council may hear from the appellant and the License Inspector and any other person claiming to be affected by the decision which is subject of the appeal or accept any other information deemed pertinent to the subject matter of the appeal.

(f) At the conclusion of the appeal hearing, City Council may uphold, vary or rescind the decision of the License Inspector. A decision of City Council shall be final and binding.

7. **Penalty**

(a) Every person who contravenes any provision of this By-Law is guilty of an offense and is liable on summary conviction:-

(i) For a first offense, to a fine of not less than two hundred and Fifty Dollars ($250.00) nor greater than Two Thousand Five Hundred ($2,500.00). Dollars.

(ii) For a second or subsequent offense, to a fine of not less than Five Hundred ($500.00) and not more than Two Thousand Five Hundred ($2,500.00) Dollars.

(b) In the event that a person is convicted under this By-Law for operating a business while not holding a valid license, the court may, in addition to any other penalties, order that the accused pay the required fee for the license.

(c) Notwithstanding any other penalty provisions of this By-Law, a License Inspector may issue a voluntary penalty in lieu of a summons and the accused may within ten (10) days pay the following monetary penalty to the City:-

(1) For license categories listed in Schedule 1 or 2:

(i)	For the first offense	$200.00
(ii)	For a second and subsequent offense	$350.00

(2) For license categories listed in Schedule 3:

(i)	For the first offense	$250.00
(ii)	For a second and subsequent offense	$400.00

(3) By paying a voluntary penalty, whether in person or by an agent or by mail, an accused shall be deemed to be guilty of the offense.

(4) In the event that a person who has been refused a license, or had a license revoked or suspended, carries on a business, he shall be guilty of an offense and be liable on Summary Conviction to a fine of Two Hundred and Fifty Dollars ($250.00) for each day that such business is carried on. Upon conviction under this paragraph, the Court may order that the accused cease to carry on such business.

(d) A person holding a business license issued pursuant to this By-Law is subject to all pertinent Federal, Provincial and City regulations.

8. The City of Camrose By-Law #2293/01 and amendments thereto are hereby repealed.

9. This By-Law shall take effect on the day of final passing thereof.

READ a FIRST time in Council this 7th day of December, A.D.2009.

Mayor	Manager of Corporate and Protective Services

READ a SECOND and THIRD time and FINALLY PASSED this 7th day of December, A.D. 2009.

Mayor	Manager of Corporate and Protective Services

BY-LAW #2632/09

SCHEDULE OF FEES

Business License Fees for existing businesses are due and payable on or before the 31st day of January of the current calendar year or payable immediately upon commencing a new business in the City.

SCHEDULE 1		**Annual**
Fees		
(A)	CITY Businesses	$125.00
(B)	COUNTY Businesses	$180.00
SCHEDULE 2		
(A)	"HOME OCCUPATION"	$180.00
	(City and County Businesses)	
(B)	(If home occupation gross sales are not anticipated or did not in the last year of operation *exceed* $10,000)	$ 40.00
SCHEDULE 3		
(A)	NON-CITY or NON-COUNTY Businesses	* $250.00
	(*Note: Daily fee of $125.00) Includes Hawker, Pedlar or Direct Salesman	

Note: All invoices for Business License Fees outstanding after January 31st of the current calendar year shall be subject to a 1 1/2% per month interest charge on the unpaid balance.

BY-LAW #2650/10
OF THE
CITY OF CAMROSE
IN THE PROVINCE OF ALBERTA

A BY-LAW TO AMEND THE BUSINESS LICENSE BY-LAW #2632/09

Pursuant to the Municipal Government Act, R.S.A. 2000, C. M-26, as amended, the Municipal Council of the City of Camrose, duly assembled enacts as follows:

1. The Business License By-Law is amended by this By-Law.

2. Section 2(a) is amended by adding "City Center Camrose," after "Camrose Regional Exhibition and Agricultural Society,".

3. This by-Law shall take effect on the final passing thereof.

READ a FIRST time in COUNCIL this 26th day of April, 2010.

MAYOR

MANAGER OF CORPORATE AND PROTECTIVE SERVICES

READ a SECOND time in COUNCIL this 26th day of April, 2010.

MAYOR

MANAGER OF CORPORATE AND PROTECTIVE SERVICES

READ a THIRD time and FINALLY PASSED in COUNCIL this 26th day of April, 2010.

MAYOR

MANAGER OF CORPORATE AND PROTECTIVE SERVICES