

TOWN OF MOOSOMIN

BYLAW 10-92

**A BYLAW OF THE TOWN OF MOOSOMIN TO PROVIDE FOR THE LICENSING, CONTROLLING, REGULATING AND GOVERNING OF CERTAIN BUSINESSES CARRIED ON IN THE TOWN OF MOOSOMIN.**

The Council of the Town of Moosomin, in the Province of Saskatchewan, enacts as follows:

**INTERPRETATION AND APPLICATION:**

- (1) In this Bylaw unless the context otherwise requires, expressions, words or phrases used mean the same as The Urban Municipality Act 1984, or other applicable Statues of The Province of Saskatchewan.
- (2) Wherever in this Bylaw the following words or terms are used they shall, unless the context otherwise provides, be held to have the following meaning:
  - (a) **ADMINISTRATOR** means a person occupying the position of Administrator of the Town of Moosomin.
  - (b) **ARTS** means a person who instructs a student or students in the Fine Arts which minister to the love of the beautiful, the intellectual and tasteful.  
Examples are: Music, Painting, Sculpture, Poetry, Architecture, Dancing and Drama.
  - (c) **CONTRACTOR** means and includes any person or persons who contract or covenant to do anything for another specifically, or who makes a business of executing work according to contract.
  - (d) **COUNCIL** means and includes the Council of the Town of Moosomin.
  - (e) **EMPLOYEE** means one who works for an employer for wages or salary and who is provided with benefits such as Workers Compensation, Unemployment Insurance or Canada Pension Plan.
  - (f) **GENERAL CONTRACTOR** means évery person who contracts for work who employs or engages one or more subcontractors, or who engages in two or more trades, occupations or callings.
  - (g) **HOME OCCUPATION** means an occupation or trade, profession or craft conducted for gain in a dwelling unit or accessory building on the same site by the resident or residents, which is clearly incidental and secondary to the principal use of the site and which does not create or become a public nuisance due to noise, traffic or parking, and which is permitted only at Councils' discretion.
  - (h) **LICENSE INSPECTOR** means the Inspector of Licenses for the Town of Moosomin and includes anyone acting as such during his absence from duty for duty for any cause.
  - (i) **PERSON** means a Corporation, Partnership, Association as well as a private individual.

- (j) **SUB-CONTRACTOR** means one who contracts to someone other than the ultimate consumer, usually a General Contractor. A Sub-Contractor may employ two helpers and still be a Sub-Contractor.
- (k) **TOWN** means the Town of Moosomin.
- (l) **TRANSIENT TRADER** means as defined in The Urban Municipality Act, 1984.

The following persons shall be exempt from the Transient Traders Fees as provided for in this Bylaw.

- (a) A Farmer selling products raised in Saskatchewan on his own farm.
- (b) A person holding written authority that he is selling goods, wares or merchandise for the CNIB, or to raise funds for a religious, charitable or benevolent purpose.

(3) **LICENSE INSPECTOR:**

There shall be an Office appointed by the Council to be called the "License Inspector" of the Town of Moosomin.

**DUTIES:**

The following shall be the duties of the License Inspector:

- (a) To advise the Administrator of all matters incident to his office.
- (b) To make an inspection of all premises in connection with which a license is sought or required and to make every inquiry with reference to matters relating to the granting of licenses requisite to securing a due observance of this Bylaw.
- (c) To assist the Administrator in the collection of all licenses under the provisions of this Bylaw, to ascertain from time to time whether the persons licensed under this Bylaw continue to comply with the provisions of this Bylaw.

(4) **ADMINISTRATOR'S DUTIES:**

The following shall be the duties of the Administrator under this Bylaw.

- (a) To attend all meetings of the Committee or the Council whenever requested to do so, or when he may find it necessary to do so on business connected with the duties of his office.

- (b) To keep a register containing the names of all persons applying for licenses, the name of all persons to whom licenses have been granted or refused, together with in the latter case, the grounds for refusal.
- (c) To report to the Finance Committee any failure on the part of any person to comply with the provisions of this Bylaw, and under the direction of the Committee to prosecute all persons guilty of an offence against any Bylaw.

(5) **LICENSE REQUIRED:**

Unless otherwise assessed on the last revised assessment roll of the Town of Moosomin no person shall in the Town of Moosomin:

- (a) Carry on or be engaged in any business referred to in this Bylaw or carry on any undertaking, do any act, matter of thing, or use or have any article or thing in respect of which a license is required under the provisions of this Bylaw, unless and until such person has first obtained a license.
- (b) This Bylaw does apply to every "Home Occupation" business herein defined if they are also assessed on the last revised assessment roll of the Town of Moosomin and their annual tax levy does not equal the fee set out in "Schedule A" of this Bylaw. In which case they shall pay the amount of the difference between the annual tax levy and the said fee set out in "Schedule A".
- (c) Persons who are assessed on the last revised assessment roll of the Town of Moosomin and who contract for work and engage persons who are not Sub-Contractors or Employees as defined in this Bylaw, shall obtain a General Contractors License for each specific contract, or the non Sub-Contractor or Non-Employee shall himself obtain a business license and pay the fee set out in "Schedule A" for their own type of work.

(6) **LICENSE FEES:**

The fees payable in respect of any license required under the provisions of this Bylaw shall be in the amount set out in "Schedule A" of this Bylaw and shall be paid to the Town of Moosomin in the manner hereinafter set forth.

All renewal license fees shall be paid on or before January 31st in each and every year. In case of new applications for licenses the prescribed fee shall be in full at the time of filing the application.

(7) **COMPLIANCE WITH PROVISIONS OF BYLAW:**

Every person failing to comply with the provisions of this Bylaw shall be guilty of a breach thereof and shall be subject to the penalties imposed under the provisions of the penalty section of this Bylaw.

(8) **APPLICATION FOR LICENSE:**

All applications for license, except as hereinafter provided may be made verbally unless the Administrator or the License Inspector directs the same to be in writing. Such applications shall contain the following information.

- (a) Name & Address & Occupation of the Applicant.
- (b) The nature of the License applied for.
- (c) The place where the license is to be exercised or where the proposed calling is to be carried on.
- (d) Where the law requires, the applicant shall produce the Provincial License required and issued under the Direct Sellers Act, or the Auctioneers Act, or other relevant provincial statute or regulation.

(9) **GRANTING OF LICENSE:**

- (a) All licenses require under the provisions of this Bylaw may be issued by the Administrator except where the Council reserves to itself the right to decide whether a license shall be issued or not.
- (b) Where the Administrator refuses to issue any license he shall forthwith submit the application for the license together with a report thereon to the Finance Committee of Council and advise the application of the date on which the Committee will consider the application.
- (c) The Council reserves the right to decline the granting of a license to the operator of a Taxi. Before a license is granted to an operator of a Taxi, an application shall be submitted in writing to the Council. Once an application to operate has been granted by the Council a license shall be issued each succeeding year unless Council directs otherwise.
- (d) A Business License shall be issued by the Administrator indicating the amount of fee paid and for which type of business the fee is applied under the Bylaw.

(10) **DURATION OF LICENSE:**

Every License granted under the provisions hereof, unless specifically mentioned to be for a shorter period and unless some shall sooner become forfeited shall be for the year current at the time of issue thereof, and shall expire on the 31st day of December next succeeding the date of issue.

(11) **REDUCTION IN LICENSE FEES:**

Unless otherwise provided for the amount to be charged for all licenses in respect of any business commenced shall be the yearly license fee, except provided that any license issued on and after September 1st the amount shall be one-half the fee for the full year except Direct Sellers Licenses.

(12) **DISPLAY OF LICENSES:**

Every person granted a license to carry on a 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, Administrator, or other duly authorized person in that behalf, produce the license to such official.

(13) **REVOCATION OF LICENSES:**

The Council may by resolution suspend or revoke any license granted under the provisions of this Bylaw. Where such license is revoked, the licensee shall be entitled to a refund of that part of the license proportioned to the unexpired term for which is was granted.

(14) **BUSINESS ON STREET OR LANE:**

Unless specifically provided for in this Bylaw no person to whom a license is granted shall conduct the business so licensed on any street or lane.

(15) **REGULATIONS RESPECTING CERTAIN TRADES OR CALLINGS:**

"Transient Traders" shall not display signs of their trades, occupations or calling, a distance greater than three (3) metres from their vehicle whether motor or otherwise, railway car, or any other licensed or unlicensed premises or place.

(16) PENALTIES:

Any person who is guilty of a violation of the provisions of this Bylaw shall be liable upon summary conviction to a penalty of not less than One Hundred & Fifty (\$150.00) Dollars and not more than Six Hundred (\$600.00) Dollars exclusive of costs. The convicting Judge of the Magistrates Court may adjudge the payment of such license fee or fees in addition to the penalty imposed.

(17) SIGNS, BILLBOARDS AND OTHER ADVERTISING DEVICES IN BUSINESS OCCUPATIONS:

The following regulations and fees shall apply to all persons regardless of the fact that such persons are assessed for business and included on the last revised assessment roll of the Town of Moosomin.

- (a) Every person erecting and using or causing to be erected and used, or continuing the use of any signs, billboards, or other advertising devices in the Town other than on land used and occupied for business purposes shall pay an annual license fee of \$ 20.00 per sign.
- (b) If any person neglects or refuses to obtain the annual license required herein for erecting and using or causing to be erected and used, or continuing the use of any sign, billboard, or other advertising devices, the Council may authorize by resolution the removal or destruction of any such sign, billboard, or other advertising devices erected or used with such license.
- (c) If any person neglects or refuses to maintain any sign, billboard, or other advertising devices erected or used, in good state of repair and condition suitable to the Council, the Council may at any time revoke an existing license or refuse to grant a license and may by resolution authorize the removal or destruction of any such signs, billboards or other advertising devices.

(18) THIS BYLAW SHALL TAKE EFFECT JANUARY 1st, 1993.

Bylaw Nos. 4-89 and 25-89 are hereby

repealed.  
(There is a true copy of ~~repealed~~  
adopted by resolution No. 92-235  
of the Council of the Town of  
Moosomin, Saskatchewan this 16th  
day of February, A.D. 1992

Paul Peterson  
Town Administrator  
(Seal)

Bill Deary  
MAYOR

Bob Wilson  
ADMINISTRATOR

SCHEDULE "A" TO BYLAW NO. 10-92

The following shall be the License Fees charged  
for the Businesses referred to in Bylaw No. 10-92.

<u>Business:</u>	<u>Annual License Fee Unless Otherwise Specified:</u>
<u>ARTS</u>	\$ 25.00
 <u>GENERAL CONTRACTORS:</u>	
Fee Covers All Sub-Contractors Involved in the Contract:	
(a) Single or total Contract Permit Value does <u>NOT</u> <u>EXCEED</u> \$ 500,000.	\$ 400.00
(b) Single or total Contract Permit Value <u>EXCEEDS</u> \$ 500,000	\$ 600.00
 <u>ALL OTHER CONTRACTORS:</u>	 \$ 150.00 Per Year <u>or</u> \$ 60.00 For One Contract.
 <u>ALL OTHER BUSINESSES EXCEPT TRANSIENT TRADERS:</u>	 \$ 150.00
 <u>TRANSIENT TRADERS:</u>	 \$ 300.00 Per Year <u>or</u> \$ 75.00 Per Day.