

TOWN OF PONOKA

BY-LAW NO. 282-10

A BYLAW OF THE TOWN OF PONOKA IN THE PROVINCE OF ALBERTA TO REPEAL AND REPLACE BYLAW NO. 492-85 AND ALL AMMENDMENTS THERETO AND TO PROVIDE FOR LICENSING, CONTROL AND REGULATION OF BUSINESSES WITHIN THE TOWN OF PONOKA AND TO PROVIDE FOR THE APPOINTMENT OF A LICENSE INSPECTOR.

WHEREAS the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 as amended, authorizes a Municipality by bylaw to control, regulate and license businesses within their boundaries;

NOW THEREFORE, the Council of the Town of Ponoka in the Province of Alberta duly assembled and under the powers conferred upon it by authority of the Municipal Government Act, R.S. A. 2000, Chapter M-26, as amended, enacts as follows:

1. SHORT TITLE

This Bylaw may be cited as the “Town of Ponoka Business License Bylaw”.

2. DEFINITIONS

“**Act**” means the *Municipal Government Act*, R.S.A.2000, Chapter M-26, as amended;

“**Advertiser**” means any person who by appointment or otherwise:

- a) sells and/or attempts to sell
- b) solicits
- c) collects money
- d) distributes advertising material (handbills, circulars, etc) or samples
- e) uses a vehicle or other device for the purpose of visually advertising the merchandise or nature of business on any street within the Town boundaries

“**Applicant**” means a person who applies for a license or the renewal of a license as required by this Bylaw;

“**Application**” means a written application in the prescribed form for a business license or a renewal of a business license as required by this bylaw;

“**Auctioneer and Auctioneering**” means any person who sells, offers for sale, or intends to sell goods, chattels or anything whatsoever by public action and is defined as the business conducted by an “auctioneer”;

“**Automotive and related**” means any business or individual person where new or used motorized vehicles, ATVs, recreational vehicles are sold, salvaged, serviced, repaired, painted, washed, cleaned, upholstered, or where parts, tires, gasoline, propane, or motor oil are sold for motor vehicles.

Note: Under the Fair Trading Act, specific automotive businesses must obtain and provide proof of an approved license from the Alberta Motor Vehicle Industry Council (AMVIC) **before** being issued a municipal business license;

“**Bed & Breakfast**” means a dwelling occupied by the property owner of the Bed & Breakfast host as a primary residence, in which are offered overnight accommodation and a breakfast meal, for rent to guests who are temporarily visiting the Town and area;

“**Building Mover**” means any person or company who engages in the business of moving any structures including but not limited to manufactured homes, ready to move dwellings and stick built structures;

“**Business**” shall have the same meaning as provided by the Municipal Government Act in accordance with the definition provided in Section 1 (1) (a) and amendments thereto as follows:

1. a commercial, merchandising or industrial activity or undertaking,
2. a profession, trade, occupation, calling or employment, or
3. an activity for providing goods or services;

whether or not for profit and however organized or formed, including a co-operative or association of persons;

“Business License” means a license issued, pursuant to this bylaw with or without conditions, for the purpose of licensing any business operating within the corporate limits of the Town of Ponoka;

“Business Premises” means any store, office, warehouse, residence, yard, or other place occupied for the purpose of carrying on a business;

“Caterer” means any person or business who prepares food to be consumed at a premise other than those of the licensee;

“Charitable or Non-Profit Organization” means an association or corporation acting for charity or in the promotion of general social welfare and includes:

1. a religious society or religious organization
2. a service club
3. a community, veterans or youth organization
4. a social, sport or fraternal organization or club

“Chief Administrative Officer” means the Chief Administrative Officer for the Town of Ponoka;

“Contractor- General” means any person, agent, owner or firm who is responsible for construction and supervision of the erection, alteration, construction, moving, repair or demolition of buildings or structures within the Town;

“Contractor - Subtrade” means any person, agent, owner or firm who performs a trade or occupation for a General Contractor;

“Collector or Collection Agency” means a person or company who carries on the business of collecting or attempting to collect debts for other persons and includes process servers;

“Council” means the Municipal Council of the Town of Ponoka in the Province of Alberta;

“Delivery Service” means the business of operating a business which transports materials for gain either wholly or partly within the boundaries of the Town of Ponoka;

“Development Authority” means the Development Officer of the Town of Ponoka;

“Development Permit” means a document which authorizes development of a parcel of land or a business issued pursuant to the Town Land Use Bylaw;

“Direct Selling Business” means businesses designated as direct selling businesses under the *Designation of Trades and Businesses Regulation; Alberta Regulation 178/99 and for which Part 10 of the Fair Trading Act and amendments thereto* applies regardless of the method of solicitation for the provision of goods or services;

Note: Under the Fair Trading Act, specific direct selling businesses must obtain and provide proof of an approved license from the province of Alberta **before** being issued a municipal business license;

“Door to Door Sales” means all persons soliciting, advertising or selling products or services in a manner that involves door to door inquiries with the exclusion of businesses or services identified within Section 3 (3) (A thru W) of Alberta Regulation 178/99 – Designation of Trades and Businesses Regulation and amendments thereto; (refer to Direct Selling Business for additional clarification);

“Enforcement Officer” means a Bylaw Enforcement Officer appointed by the Town pursuant to the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26, as amended, to enforce the Town

Bylaws, and includes a member of the Royal Canadian Mounted Police and, when authorized, a Special Constable. (Refer to Bylaw No. 125-02)

“Farmer’s Market” means any person, society or organization belonging to the Alberta Agricultural Farmer’s Market Program who is in the business of providing stalls, tables or space for which a fee is charged to persons selling, on a temporary basis, goods, wares, services or merchandise which have been handcrafted, grown or produced, caught, processed or baked to the general public;

Note: Vendors selling goods, wares, services or merchandise outside the Farmer’s Market location must have a business license solely in their name to do so.

“Fire Chief” means the Director of Protective Services;

“Group Home” means a facility which provides accommodation for up to six people who may be aged, disabled, or undergoing rehabilitation, and where qualified staff is present at all times; **see also Social Care Facility**

“Handyman” means a person employed to maintain or repair land and/or buildings when the extent of any one job does not necessitate obtaining a building permit;

“Hawker or Peddler” means any person who does not ordinarily maintain a permanent place of business within the Town but who by principal or agent goes about Town selling goods, wares, merchandise, or food products on foot (door to door) or from a vehicle or trailer, located in any street or roadway;

Note: This does not include any person selling meat, fish, fruit or produce which has been produced, grown or caught in Alberta by that person.

“Home Business” means any business, occupation, trade or craft carried on from a residence or accessory residential building;

“Home Catalogue Sales Representative” means persons soliciting, promoting or selling products by means of catalogue or home party sales;

“Home Office” means the use of a part of a residential dwelling to establish a business office which:

1. is not visited by a significant number of clients,
2. does not change the external appearance or residential character of the dwelling,
3. is carried on only by the actual residents of that dwelling, and
4. whose primary function is to answer a business phone ; pay the bills of the business and to establish off-site appointments; and
5. complies with the Town Land Use Bylaw.

This includes home offices established to provide child care for up to three children who do not live at the residence;

“Kennels /Boarding /Grooming” means a business where three or more dogs over the age of three months are kept OR where three or more dogs over the age of three months are harbored for compensation or sale AND shall include the carrying on of a business providing dog grooming services;

“Licensee” means an individual person, firm, sole proprietorship, partnership or corporation holding a valid and subsisting business license issued pursuant to this Bylaw;

“License Inspector” means and includes a By-Law Enforcement Officer, the Development Officer, CAO or their designate;

“License Year” means the period commencing January 1 and ending December 31 of the same year;

“Medical Health Officer” means a Public Health Inspector appointed by Alberta Health Services;

“Mobile Vending Unit or Canteen” means a motor vehicle, trailer, pushcart, or similar structure which does not contain customer seating and is capable of being moved and is designed for the purpose of preparing and offering for sale food products, beverages, frozen products or other items;

Note: All units must have a Public Health Inspection approval for the unit before a business license will be issued.

“Non-Resident” means a person who does not permanently reside within the Town of Ponoka;

“Non-Resident Business” means a person, partnership or business whose office is located outside the corporate limits of the Town of Ponoka;

“Notice of Decision” means the Notice as applicable to the Development Authority’s decision pursuant to this Bylaw and the Land Use Bylaw;

“Pawn Broker” means a person who carries on the business of loaning money on the security of the pledge or pawn of personal property or a person who holds himself out as ready to loan money on such security, but does not include banks, trust companies, credit unions or other similar institutions;

“Person” means a natural person, a group of individuals, firm, corporation, association, partnership, society or other similar cooperative organization;

“Premises” means any store, office, warehouse, factory, building, enclosure, yard or other place occupied, or capable of being occupied, by any person for the purpose of any business;

“Public Market” means a market that is operated by a person or organization that are undertaking the market as a profit or non profit business.

“Recreational Vehicles Sales Outlet” see automotive and related definition

“Resident” means a person who is a permanent resident of the Town of Ponoka;

“Resident Business” for the purposes of this bylaw means a person, trade or craft, partnership or corporation:

1. whose business headquarters, business enterprise or residence is located within the corporate boundaries of the Town of Ponoka, or
2. who pays property taxes to the Town and holds a valid business license pursuant to this bylaw.

“Second Hand Dealer” means the business of purchasing, selling or exchanging of articles or things of any kind or nature which have been worn or used and includes the business of purchasing, selling, exchanging or in any way dealing in scrap metal or junk;

“Social Care Facility” means a facility which provides a place of care for four (4) or more persons who may be aged or infirm or who require special care; **Note:** A social care facility providing accommodation or care for 4 or more persons shall hold a subsisting license issued by a Director under the *Social Care Facilities Licensing Act* prior to being issued a Municipal Business License;

“Sub-Contractor” see Contractor – Sub trades

“Subdivision and Development Appeal Board” means a duly appointed Board established under bylaw of the Town of Ponoka who shall hear and decide upon appeals against the decision or lack of decision by the Development Authority;

“Town” means the Municipal Corporation of the Town of Ponoka and where the context so requires means the area contained within the Corporate Limits of the said municipality;

“Trade Show” means the assembling of persons or trade professionals in one location for the purpose of promotion of their individual businesses or the promotion of providing goods and services;

“Violation Ticket” means a tag or ticket whereby the person alleged to have committed a breach of a provision of this By-law is given an opportunity to pay a voluntary penalty to the Town of Ponoka in lieu of prosecution for the offense;

3. APPOINTMENT, POWERS AND DUTIES - DEVELOPMENT AUTHORITY

- 3.1 The Chief Administrative Officer or Council shall appoint the Development Authority to carry out the provisions of the bylaw. The Development Authority is authorized to enforce and administer this bylaw and is hereby authorized:
- a) To receive, review and approve with conditions where necessary all applications for a business license;
 - b) To classify businesses for the purposes of establishing applicable license fees;
 - c) To conduct investigations with regard to proposed applications and where applicable the Development Authority shall not issue a Business License until the applicant obtains and holds a valid development approval pursuant to the Land Use Bylaw;
 - d) To conduct inspections of business premises, as necessary, to ensure compliance with this bylaw and to request, where necessary, confirmation of inspections by the respective agency including but not limited to Medical Health Officers, Fire Inspections and Building Inspections;
 - e) To collect business license fees pursuant to this By-law;
 - f) To refuse to grant; to cancel; to suspend; to revoke or refuse to renew business licenses where deemed appropriate pursuant to this By-law if there is reasonable and just cause to do so and if in the opinion of the Development Authority, they believe that:
 - 1. The Applicant has contravened the provisions or requirements of this bylaw or other bylaws of the Town or any applicable Provincial or Federal licenses, permits, approvals, clearances or insurances;
 - 2. The Business has changed to the extent that a new application for a Business License would be refused or is required;
 - 3. The Licensee has withheld or concealed information from the Development Authority or has provided false information on an application for a Business License; or
 - 4. The Licensee refuses to admit the Development Authority into the business premises or vehicle from which the business is carried out.
 - g) To maintain appropriate records pertaining to the licensing of businesses, infractions of this Bylaw, and generally all matters arising out of the application and enforcement of this Bylaw; and
 - h) To specify the format appearance of forms for business license applications and licenses under this By-law as required from time to time.

4. NECESSITY FOR LICENSE

Notwithstanding any provision of this bylaw, a business license is not required by any person or business if any Statue of Canada or the Province of Alberta exempts such person or business from the requirements of municipal licensing. **The onus to provide proof of exempt status rests with the business license applicant and is not the responsibility of the Development Authority.**

- 4.1 No person shall within the boundaries of the Town of Ponoka;
- a) carry on or operate a business; or
 - b) carry on any undertaking or do any act or use for which a business license is required;
- unless he/she holds a valid business license issued pursuant to the provisions of this bylaw.

- 4.2 The issuance of a license under this bylaw does not authorize or permit the Licensee to carry on a business or any activity under such license contrary to the provisions of the Town of Ponoka Land Use Bylaw or any other legislation.

5. LICENSE NOT REQUIRED

- 5.1 Notwithstanding Section 4 above, no license is required for:

- a) Charitable or non-profit organizations registered under the Alberta Societies Act who are exempt from obtaining a business license; (proof of exemption from municipal licensing must be provided)
- b) Foster Homes as interpreted and administered under the Child, Youth, and Family Enhancement Act of Alberta
- c) Day Care Home for Children as defined and provided for under Town of Ponoka Land Use Bylaw 013-97 and all amendments thereto;
- d) the operator of a stall within a duly licensed Farmer's Market under the provisions of this bylaw; (a license is required for vendors' to sell their product outside the limits of the Farmer's Market premises)
- e) any person providing educational instruction through a program organized by the Town or any person engaged solely in teaching cultural, educational or recreational skills;
- f) any person employed by or an official acting on behalf of the Town of Ponoka for the express purpose of carrying out a contract for the Town;
- g) a person displaying or selling goods in conjunction with the annual Ponoka Agricultural Society County Fair or the annual Town of Ponoka Trade Show and Fair and the annual Ponoka Stampede;
- h) any business which is excluded from the requirements of this Bylaw by an Act of the Legislature or other Provincial Statute including, but not limited to the following:
 - Legal Professions Act;
 - Medical Act;
 - Pharmaceutical Act;
 - Optometry Act;
 - Chartered Accountants Act;
 - Certified General Accountants Act;
 - Certified Management Accountants Act;
 - Insurance Act; and
- i) For such other businesses as determined by Council or other legislation from time to time as exempt.

6. PREREQUISITIES FOR A BUSINESS LICENSE

- 6.1 A Business License will not be issued:

- a) to any person under 18 years of age.
- b) until such time as the applicant holds a valid Development Permit where applicable or required pursuant to the Land Use Bylaw;
- c) until such time as the applicant holds a valid Provincial or Federal license where required by law;

- d) if the applicant fails to comply with any other bylaw of the Town of Ponoka or Statute of the Province of Alberta or Statute of Canada;
- 6.2 No Business License shall be granted until the applicant has submitted the proper fees as provided by this bylaw;
- 6.3 No Business License shall be valid unless signed by the Development Authority or anyone designated to act on their behalf;
- 6.4 No person shall operate more than one business, calling, trade, or occupation from any one premise without obtaining a business license for each and every business, calling, trade, or occupation carried on in excess of the original one;
- 6.5 No business license shall be issued for a business identified as a discretionary use until:
- Fourteen days after the Development Permit has been approved and issued under the provisions of this bylaw and the Town of Ponoka Land Use Bylaw, or
 - Where an appeal is made pursuant to the Land Use Bylaw, a license shall not be issued until such time as the appeal has been heard and a decision rendered by the Subdivision and Development Appeal Board.
- 6.6 Every Social Care Facility must have an approved Development Permit from the Town and must obtain a license to operate a Social Care Facility pursuant to the *Social Care Facilities Licensing Act and the Supportive Living Accommodation Licensing Regulation and all amendments thereto*;
- 6.7 Christmas Tree Vendors must obtain a Business License and must list the site(s) to be used and shall pay the appropriate fees. They must also comply with any other Town of Ponoka bylaws applicable to the operation and upon the approved site(s). The site must be properly cleaned of all left-over trees, branches, boxes, and other debris within 1 week of the cessation of sales and to the satisfaction of the Development Authority.
- 6.8 General Contractor shall include with an application for business license a letter setting out the names and addresses of each sub-contractor engaged by the General Contractor to carry out any of the work on any building or structure on which the General Contractor holds a contract.
- 6.9 No person shall carry on any business within the corporate limits of the Town of Ponoka from any street, sidewalk or Town owned property without the express consent of the Development Authority. Note: Mobile Vending Units may be permitted at special events occurring on Town owned property with the written permission of the Development Officer.
- 6.10 Any person who engages in the business of moving houses or other structures shall comply with the provisions of Town of Ponoka Land Use Bylaw 013-97 and any other Provincial or Federal Statute AND shall provide a security deposit with the Town either by cash or certified check in the amount of \$2500 before the structure is moved. Upon completion of the move and if the Town is satisfied that no damage has been done as a result of the move, the security deposit will be returned. If any damage is caused as a result of the move, the amount of damage will be established by the Development Officer and such amount will be deducted from the security deposit before any portion will be returned. Damages exceeding the security deposit will be the responsibility of the registered landowner. Any unpaid amount will be a charge against the property and collected in like manner as the property tax.
- 6.11 Any person who engages in the business of conducting sales by means of home party or catalogue including but not limited to products such as cosmetics, house wares, or holistic remedies etc. shall have a business license. In the event the parent company has obtained an annual business license, all home catalogue sales representatives may be covered under the license issued to the parent company.

7. DISPLAY OF BUSINESS LICENSE

- 7.1 Every Business License shall be posted in a conspicuous place in the business premises and the proprietor shall produce the license for inspection purposes to the Development Authority or their designate when required. Any person or company who does not ordinarily maintain a permanent place of business within the Town and who goes about Town conducting business must produce a valid business license or a copy of the license upon request.

8. DURATION OF BUSINESS LICENSE

- 8.1 Every business license issued shall terminate at midnight December 31st of the license year in which it was issued.

9. LAND USE AND DEVELOPMENT CONTROL

- 9.1 The issuance of a Business License under this bylaw does not constitute development approval under the Town Land Use Bylaw. The holder of an existing business license or an applicant for a business license is responsible for obtaining such development approval as may be necessary. Where such approval cannot be obtained, the Development Authority shall forthwith cancel any existing license and refuse any further like applications.

10. BUSINESS LICENSE APPLICATION, RENEWALS AND FEES

- 10.1 Any person applying for a business license shall submit to the Town a completed written application in the prescribed form. The form must be signed by the applicant, or in the case of a corporation, its duly appointed agent.
- 10.2 Annual licensing fees are due and payable by January 31 of each year. Business licenses with outstanding renewal fees become subject to suspension, penalties and fines effective February 1st of each license year as provided in Schedule "C" attached to and forming part of this bylaw.
- 10.3 Council by resolution from time to time may establish and amend fees and penalties as prescribed in Schedule "B" and Schedule "C" of this Bylaw.
- 10.4 Once a Business License has been issued, no refund or partial refund of the Business License fee will be granted at the discretion of the Development Officer.
- 10.5 License fees for resident businesses shall be reduced by 50% effective October 1st of the licensing year. Such reduction shall not apply to hawkers and peddlers, direct sellers, door to door sellers or Christmas tree vendors.
- 10.6 Any applicant purchasing a business license on or after the 1st day of October of each year, with the exception of those listed in 10.5, shall be given the following license fee payment option:
- a) Pay 50% of the current year's license fee; or
 - b) Pay the October 1st 50% reduced rate plus 100% of the applicant's license fees for the upcoming year and receive a 10% discount on the total of those combined fees.

11. INSPECTION AND ENFORCEMENT

- 11.1 Where a business has failed to meet the licensing conditions or is otherwise in non-compliance:
- a) A license may be revoked or suspended until such time as the identified contravention(s) have been rectified.
 - b) Upon a license being revoked or suspended, the Development Authority will notify the licensee by:

1. Delivering a "Notice of Revocation / Suspension of Business License" order personally to the Licensee at the address shown on the Business License application; or; by
 2. Mailing a letter to the place of business or personal residence as shown on the business license which shall be deemed to have been received after three (3) business days.
- c) The Development Authority may reinstate the license order upon the corrective performance of any conditions stated in writing on the Notice of Revocation/ Suspension order.
 - d) The business shall immediately cease operations until such time as a new business license is issued or the existing license is reinstated.
- 11.2 Before approving a Business License application for a discretionary use, or before relaxing or waiving or interpreting any part of the Land Use Bylaw, the Development Authority must notify the owners of nearby land by mail or by advertising in the local newspaper, and if the neighboring landowners reply within 14 days, the Development Authority will consider their comments and recommendations before issuing a Business License or Development Permit in support of the license.
- 11.3 Where a certificate, license or other document of qualification under this or any other bylaw, statute or Province of Alberta regulation has been suspended, cancelled terminated or surrendered, any license issued under this bylaw based in whole or in part on such certificate, authority or license, shall become invalid immediately.
- 11.4 A business license is not valid unless signed by the Development Authority.

12. APPEALS TO THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

12.1 Where:

- a) an application for a Business License has been refused, or
- b) a Business License has been revoked or suspended,

The person seeking the business license may appeal to the Subdivision and Development Appeal Board.

- 12.2 All appeals shall be addressed to the Secretary, Subdivision and Development Appeal Board, 5102 – 48 Avenue, Ponoka, AB T4J 1P7 and the effective date shall be the date the appeal notice is received by the Town.
- 12.3 Every such appeal shall be made in writing within 14 days of the issuance of the decision of approval, refusal, revocation or suspension and shall state the grounds upon which the appeal is based and must be accompanied by the required appeal fee as set out in Schedule B.
- 12.4 The Subdivision and Development Appeal Board hearing an appeal must hold the hearing within thirty (30) days from the effective date.
- 12.4 The Subdivision and Development Appeal Board, after hearing the appellant, may:
- a) Direct a Business License be issued or reinstated with or without conditions, or
 - b) Refuse to grant a Business License, or
 - c) Uphold the refusal, revocation or suspension of a business license, on grounds which appear just and reasonable.

Any such appeal decision must be given in writing within fifteen (15) days after the conclusion of the appeal hearing.

- 12.5 A decision of the Subdivision and Development Board in respect of an appeal under this section is final and binding on all parties.

13. PENALTIES

- 13.1 Any person contravening any provision of this bylaw is guilty of an offence and is subject to a penalty or fine as set out in Schedule C attached to and forming part of this bylaw:
- 13.2 All businesses operating within the corporate limits of the Town of Ponoka must renew their business license and submit the appropriate fees by January 31st of that year. A 15% penalty will be added to any outstanding license fees effective February 1.
- 13.3 Businesses operating within the corporate limits of the Town of Ponoka that have not purchased their annual business license or renewal shall be prosecuted in accordance with this bylaw.
- 13.4 An Offence Ticket may be issued by personally serving it upon the alleged offender or by sending it double registered mail.

14. VIOLATION TICKETS

A License Inspector is hereby authorized and empowered to issue a violation ticket to any person who has contravened any provision of this Bylaw.

15. SEVERABILITY PROVISION

Should any provision of the Bylaw be adjudicated invalid such provision shall be severed and the remaining Bylaw shall be maintained in entirety.

16. AMENDMENTS TO SCHEDULES

- a) Town Council may by resolution amend Schedule "A", "B", "C" and "D" from time to time.

17. **EFFECTIVE DATE AND REPEAL OF EXISTING BYLAWS**

a. The following Bylaws and all amendments thereto are hereby repealed:

Bylaw No. 492-85

Bylaw No. 527-86

Bylaw No. 589-88

b. This Bylaw shall come into effect upon third and final reading.

First Reading	September 28, 2010
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Second Reading	September 28, 2010
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Third and Final Reading	October 12, 2010
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TOWN OF PONOKA



MAYOR



CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"

SPECIAL PROVISIONS RELATING TO CERTAIN BUSINESSES

1. PAWN BROKER

- a) No Pawn Broker license will be issued to any person or business enterprise who carries on any business as an auctioneer or as a second hand dealer;
- b) Every pawn broker shall keep a record in a permanent form satisfactory to the Development Authority in which shall be recorded and retained transaction the following information:
 - an accurate description of the property pawned or pledged including any identifying characteristics (ie. removal of serial number, makes, models) of such property;
 - the date and time the property was acquired by the pawn broker and the rate of interest to be paid to the customer;
 - the name address and an accurate description of the person from whom the property was acquired;
 - the books or records and any personal property in the pawn broker's premises shall be open to inspection at all times by any Peace Officer, Bylaw Officer, or Development Authority and will provide a duplicate set of books upon request to any of the afore mentioned individuals;
 - when any property is sold, the pawn broker shall enter into their records:
 - the name and address of the person purchasing or redeeming such property; and
 - the date of redemption or sale.
- c) No pawn broker shall permit any property received as a pledge or pawn or otherwise as security for a loan, to be redeemed or removed from the place of business until after at least 72 hours has elapsed from the time of first receiving such property, and no property shall be sold until a period of three months has elapsed from the time such property was received by the pawn broker;
- d) No pawn broker shall take any property as a pledge or pawn for security for any loan from any of the following classes of persons:
 - any person who appears to be intoxicated by alcohol or under the influence of drugs;
 - any person under the age of 18 years;
 - any person who the pawn broker believes to have acquired the property illegally;
- e) No pawn broker shall allow an employee under the age of 18 years to take or receive any pawn or pledge from any person:

SCHEDULE "B"

TOWN OF PONOKA BYLAW 282-10

FEE SCHEDULE BUSINESS LICENSES

RESIDENT

HOME CATALOGUE SALES REPRESENTATIVE \$ 50.00

COMMERCIAL \$100.00

HOME OFFICE AND HOME BUSINESS \$125.00

NON-RESIDENT

ANNUAL FEE \$250.00

FARMER'S MARKET

ANNUAL FEE \$300.00

PUBLIC MARKET

PER EVENT \$300.00

HAWKER / PEDDLAR/ DIRECT SELLERS AND DOOR TO DOOR SALES

PER SALES EVENT OR CAMPAIGN \$ 350.00

SPECIFIC FEES

Subdivision and Development Appeal Board \$75.00

Reprint Business License previously issued \$10.00

SCHEDULE “C”

PENALTY AND FINE SCHEDULE

First (1st) Offence.....The cost of the Business License plus a penalty equal to the cost of the Business License fee

Second (2nd) Offence.....The cost of the Business License plus a penalty equal to double the cost of the Business License fee

Third (3rd) and subsequent offence.....\$ 500.00 maximum

15% penalty added to any outstanding balance effective February 1 of the current licensing year

VIOLATION TICKETS

A License Inspector is hereby authorized and empowered to issue a violation ticket to any person who has contravened any provision of this Bylaw.

SCHEDULE "D"



Town of Ponoka Business License Permit Application

Year: _____ New License: _____ Renewal: _____ Hawker/Peddler / Door to Door / Direct Sellers (circle correct one)
_____ Contractor _____ Home Office _____ Home Business _____ Out of Town

Registered Business Name or Operating as: _____

Business Mailing Address: _____ Bus. Phone: _____
_____ Bus. Fax: _____

Business Contact Applicant / Owner: _____

Business Owner Mailing Address: _____ Phone: _____
(If different than above) _____ Fax: _____

Email / Web Page: _____

Civic Address of Business: _____ Lot: _____ Block: _____ Plan: _____ OR

Section _____ Township _____ Range _____ W4th Meridian

Type of Business: Commercial/ Retail _____ Industrial _____ Automotive _____ Restaurant _____ Retail _____ Other _____ (provide info)

Detailed Description of Business(No. of parking stalls, type of business, etc) :
(attach additional pages if necessary)

IS YOUR BUSINESS REQUIRED TO OBTAIN A PROVINCIAL OR FEDERAL LICENSE TO OPERATE: Yes _____ No _____

Provincial License # _____ AMVIC # _____

I hereby certify that the above information is correct and acknowledge that any misleading information may result in the refusal or revocation of such business license.

Date

Signature of Applicant

OFFICE USE ONLY:

Development Permit # _____

Roll # _____ Zoning _____ Fees: \$ _____

APPROVED: _____ REFUSED: _____

APPROVED, subject to the following conditions (state reasons)

_____ Use must conform to Town of Ponoka Land Use Bylaw No. 013-97

_____ Must comply with Town of Ponoka Business Bylaw # 282-10

_____ Must comply with _____

You are hereby authorized to proceed with the business as approved provided that any stated conditions are complied with including all Provincial and Federal Legislation. Should an appeal be made against this decision to the Subdivision and Development Appeal Board, this approval and the license shall not come into effect until the Board has rendered a decision regarding the appeal.

In the case of a discretionary use classification the Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Authority may appeal to the Subdivision and Development Appeal Board by serving written notice of appeal to the Board Secretary within 14 days after notice of the decision is given.

DATE OF DECISION: _____ LICENSE ISSUED: _____

DEVELOPMENT AUTHORITY

FIRE INSPECTION SERVICES

HEALTH UNIT INSPECTOR

BUILDING INSPECTOR

Date Business License issued _____ License # _____

Business License Clerk: _____

The personal information on this form is collected under the authority of Section 32© of the Alberta Freedom of Information and Privacy Act and/or Section 642 of the Municipal Government Act and/or Section 39 of the Safety Codes Act. The information will be used to process your application and your name and address may be included on reports that are available to the public.

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