

BYLAW NUMBER 379/09**OF THE VILLAGE OF ALIX,**

**BEING A BYLAW OF THE VILLAGE OF ALIX
IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE LICENSING AND
REGULATION OF BUSINESSES, OCCUPATIONS AND PROPERTIES WITHIN
THE MUNICIPALITY.**

**WHEREAS BY VIRTUE OF THE POWER CONFERRED UPON IT UNDER THE
ALBERTA MUNICIPAL GOVERNMENT ACT, THE COUNCIL OF THE VILLAGE
OF ALIX DULY ASSEMBLED IN OPEN COUNCIL, ENACTS AS FOLLOWS:**

1. TITLE

1.1 This bylaw shall be referred to as the "Business License Bylaw" of the Village of Alix.

2. DEFINITIONS

- a) ACT shall mean the Alberta Municipal Government Act
- b) BUSINESS shall include business, trade, profession, industry, occupation, employment or calling and the providing of goods and services.
- c) CARRY ON shall mean to operate, perform, keep, hold, occupy, deal in or use for gain, whether as principle or agent.
- d) CHARITABLE OR NON-PROFIT ORGANIZATION shall mean a person, association of persons, or a corporation, acting for charity or in the promotion of general social welfare which can not at any time distribute a dividend or profit to its members and includes:
 - i a religious society or organization
 - ii a service club
 - iii a community, veterans or youth organization
 - iv a social, sport or fraternal organization or club
- e) COUNCIL shall mean the Municipal Council of the Village of Alix
- f) FARMERS MARKET shall mean any persons, society or organization who carries on a business of providing stalls, tables or space for which a fee is charged for a person to sell home grown vegetables, home grown fruits or fish of his own catching, or home manufactured products.
- g) GENERAL CONTRACTOR shall mean any person who enters into a contract or contracts to build or renovate on a project.
- h) HAWKER AND PEDDLAR shall mean any person whether as a principle or agent who:
 - i) goes from house to house or business to business selling or offering for sale any merchandise to any person, and who is not a wholesale or retail dealer in such merchandise with permanent place of business in the Village of Alix.
 - ii) offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise to be afterwards delivered in or shipped into the Village of Alix.
 - iii) sells merchandise on the streets or roads or elsewhere other than a building that is his permanent place of business.
- i) HOME OCCUPATION shall mean any business, occupation, trade, calling or craft carried on from a residence or accessory residential building, by one or more members of a family actually occupying the said residence and for which a home occupation has been approved under the provisions of the Land Use Bylaw.
- j) LICENSE shall mean a license granted by the Village of Alix entitling the applicant to carry on a business.

- k) NON LOCAL BUSINESS shall mean a business that does not have an Alix mailing address.
- l) LOCAL BUSINESS shall mean a business having an Alix mailing address.
- m) PERSON shall mean a natural person, business, sole proprietorship, a partnership or corporation.
- n) PREMISES shall include 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.
- o) SUPPLIER shall mean a business, that supplies goods for resale or services to the holder of a Village Business License.
- p) VILLAGE shall mean the Village of Alix, a municipal corporation in the Province of Alberta.

3. APPOINTMENT OF ENFORCEMENT OFFICER

The Lacombe County Peace Officer, under contract to the Village, shall have the authority to enforce the terms of this bylaw.

4. NECESSITY FOR A LICENSE

No person shall within or partly within the Village of Alix corporate limits:

- i) carry on any business or;
- ii) carry on any undertaking or do any act or use or have any article, for which a license is required under the provisions of this bylaw unless he holds a valid license issued pursuant to the provisions of this bylaw.

5. LICENSE NOT REQUIRED

Exemptions

- a) Charitable or non-profit organizations.
- b) Farmers Markets
- c) Suppliers, be exempt only while operating as previously defined.

When an exemption is granted to an organization, person or business pursuant to this section, unless the exemption, when granted, specifically otherwise provides, the organization, person or business shall comply with the provisions of this bylaw relating to the business to be carried on, other than the requirement to pay a license fee.

6. REQUIREMENT OF PROVINCIAL LICENSE

Every person who applies for a business license from the Village is required to be in possession of a valid provincial license where such is required by the Province of Alberta.

7. TERM OF LICENSE

The term of the License issued under this bylaw is for one year from January to December 31 in each calendar year.

8. POSTING OF LICENSE

The owner of the business shall post the license in a conspicuous place on his business premises.

9. REVOCATION OR SUSPENSION OF LICENSE

a) The Enforcement Officer may revoke or suspend any license issued under the provisions of this bylaw

- i) for failure to comply with any of the conditions or regulations of this bylaw
- ii) for failure to comply with any other bylaw or regulation of the Village, or
- iii) for failure to comply with any legislation or regulation of the Province of Alberta.

iv) if in the opinion of the Enforcement Officer the holder of a license intends or appears to intend to defraud or appears to have defrauded the public in any way or,

v) if in the opinion of the Enforcement Officer the conduct of the licensee is offensive.

b) Where a fee has been paid by cheque and such is not accepted and cashed by the bank on which it is drawn, the license will automatically be revoked.

10. APPEAL OF SUSPENSION OR REVOCATION

a) Where a license has been revoked the person to whom the license was issued shall be entitled to appeal to council.

b) After hearing the appellant and the evidence adduced, council may,

- i) confirm the suspension or revocation
 - ii) give conditional approval
 - iii) may direct that the license be issued either conditionally or unconditionally as may be deemed expedient in the public interest;
- The decision of council shall be final.

11. OFFENSES AND PENALTIES

Any business that contravenes any provision of this bylaw is guilty of an offense and is liable for a fine of \$100.00.

12. LICENSE FEE

Fee Schedule "A" attached to and forming part of this bylaw may be changed by resolution of council from time to time.

This bylaw shall come into force and effect upon third reading.

Read a first time this 18th day of November, 2009.

Read a second time this 18th day of November, 2009.

Read a third and final time this 18th day of November, 2009.

C. J. Peterson
Mayor

[Signature]
CAO

Bylaw #379/09
Schedule "A"

Local Business	\$ 50.00
Non Local Business	\$ 100.00

C J Peterson

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