

TOWN OF LA RONGE
Business License Bylaw 679, 2024

A bylaw to classify, license, and regulate business activity within the Town of La Ronge.

The Council of the Town of La Ronge, in the Province of Saskatchewan hereby enacts as follows:

PART 1 TITLE

1.1. This bylaw may be cited as “Business License Bylaw 679, 2024.”

PART 2 INTERPRETATION

2.1. General

- 2.1.1. The headings used in this bylaw are for convenience only and do not form part of this bylaw and are not to be used in the interpretation of this bylaw.
- 2.1.2. Any enactment referred to herein is a reference to an enactment of the Province of Saskatchewan and regulations thereto, as amended, revised, consolidated, or replaced from time to time, and any Bylaw referred to herein is a reference to a bylaw of the Town, as amended, revised, consolidated, or replaced from time to time.
- 2.1.3. Unless otherwise defined in this bylaw, terms herein shall have the meanings as set out in *The Northern Municipalities Act, 2010*.
- 2.1.4. Every provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this bylaw shall remain valid and enforceable.
- 2.1.5. Nothing in this bylaw relieves a Person from complying with any federal, provincial, or Municipal law or regulation, order, or other lawful direction.

2.2. Definitions

2.2.1. In this bylaw:

“**Act**” means the *Northern Municipalities Act 2010* of the Province of Saskatchewan.

“**Business**” means any of the following activities, whether or not for profit and however organized or formed:

- a) a commercial, merchandising, or industrial activity or undertaking;
- b) the carrying on of a trade, profession, occupation, calling, or employment;
- c) an activity providing goods and services.

“**Charity**” means an organization that is incorporated as a non-profit corporation in the Province of Saskatchewan, is a registered charity authorized to issue tax receipts for donations pursuant to *The Income Tax Act*, or is an organization that can demonstrate that their activities are for social, recreational, educational, religious, or philanthropic purposes from which its members, owners, and shareholders, do not receive any direct economic gain.

“**Chief Administrative Officer**” or “**CAO**” means the person appointed by Council as the Chief Administrative Officer for the Town, including their lawful deputy and anyone designated by the Chief Administrative Officer or Council to implement this bylaw or portions thereof.

“**Contractor**” means a Person who constructs, alters, renovates, maintains, repairs, or removes landscaping, buildings, or structures, or installs building HVAC, plumbing, or operating systems and fixtures, or who performs similar work in the Town and is not a Local Business.

“Council” means the Council of the Town of La Ronge.

“Day Care” means a Business that’s core business activity is the provision of childcare services, including a day home.

“Designated Officer” means any Person designated as a Town Bylaw Enforcement Officer, as well as any Person appointed by the CAO.

“Direct Sales Contractor” means a vendor licensed with the Province under the Direct Sellers Act and who sells, offers for sale, or solicits orders for:

- a) constructing, altering, renovating, maintaining, repairing, adding to or improving a building that is used or is to be used as a house by the owner, occupier, or Person in control of it; or
- b) altering, maintaining, or improving real property to be used in connection with a house; and
- c) is not a Local Business.

“Direct Seller” means a person licensed with the Province under the Direct Sellers Act and who:

- a) goes from dwelling to dwelling selling or offering for sale or soliciting orders for the future delivery of goods or services; or
- b) by telephone offers for sale or solicits orders for the future delivery of goods or services; and
- c) is not a Local Business.

“Group Home” means a single dwelling unit in which 3 or more residents (exclusive of staff or receiving family) live as a family under responsible supervision consistent with the requirements of its residents and includes nursing homes and geriatric centres, all of which include overnight accommodation. The home must be licensed or approved under Provincial Statutes.

“Home-Based Business” means a Business conducted entirely within a residential building, or accessory building thereto, by the inhabitants of the dwelling, and where the use does not change the character of the dwelling and is clearly secondary to the residential use.

“License” means a license issued by the Town to carry on a Business in Town.

“Local Business” means any Business with an office or operational premises within the Town, or within 25 kilometers of the Town boundaries, including Home-Based Businesses.

“Market” means a group of at least of six Persons operating collectively, and where space, booths, stalls, or tables are rented or allotted to Persons to sell items or goods that are made, grown, or harvested in Saskatchewan.

“Mobile Vendor” means a Person selling confectionary items, coffee, lunches, snacks, ice cream, or other products from a mobile vehicle, mobile structure, or a food cart.

“Occupant” includes a Person residing on land or in a building, a Person entitled to possession of land or a building if there is not a Person residing on the land or in the building, or a leaseholder.

“Person” means a natural person, corporation, partnership, or firm.

“Student Business” means a business with no employees that is operated by someone under the age of 21, who is enrolled in a secondary or post secondary educational institution, and who is providing light duty services in the community, such as paper deliveries, babysitting, yard work, snow shoveling, and similar activities approved by the CAO.

“Town”, “Municipality”, or “Municipal” means the Town of La Ronge.

“Trade Show” means an event, operated for a period of less than 1 consecutive week per calendar year in Town, where companies of a specific industry or theme invite the public to a showcase, demonstration, and sale of their latest products, offerings, goods, and services. Typical examples of such shows are home improvement shows, hobby shows, and sportsman shows.

“Transient Trader” means a Person carrying on Business in Town who:

- a) offers goods, services, or merchandise for sale or auction; or
- b) solicits any Person who is not a wholesaler or retail dealer for orders for future delivery of goods or merchandise; and
- c) is not a Local Business,

but does not include a Person who is required to be licensed pursuant to the Direct Sellers Act or who is an Occupant of property that is used for business purposes.

“Traveling Exhibition” means a traveling circus, carnival, rodeo, or similar traveling show or public interest event or exhibition that is operated for a period of less than 1 consecutive week per calendar year in Town.

PART 3 GENERAL PROVISIONS

- 3.1. With the exception of those provisions in Section 3.2, a Person carrying on a Business in the corporate boundaries of Town, prior to commencing operation, must have a License.
- 3.2. The following entities and activities do not require a License:
 - a) activities and services exempt by Federal or Provincial statute, or directly operated by the Government of Saskatchewan or Canada;
 - b) activities and services directly operated by the Town;
 - c) Charities;
 - d) Businesses who are not Local Businesses and whose only business activity in Town is the delivery of goods or merchandise;
 - e) an owner who is renting 2 or fewer rooms or suites within a dwelling, provided the dwelling is being used as the principal residence for the owner and the interval of rent payable is one month or longer.
- 3.3. Any documented form of advertising, promotion, solicitation, monetary transaction, or business activity occurring in Town shall be deemed to be prima facie proof that the Person is carrying on a Business in Town.
- 3.4. Persons requiring a License must complete and submit a License application to the Town with all the requested information, including but not limited to:
 - a) name, occupation, and address of the applicant;
 - b) nature of the Business;
 - c) the place where the Business will be operated;
 - d) the name under which the Business will be operated;
 - e) any information deemed reasonable by the Town.
- 3.5. A Person must pay the applicable License fee provided in Schedule “A” prior to issuance of a License. Licenses or License fees shall not be refundable, pro-rated, or transferable.
- 3.6. Any License granted under this Bylaw shall be deemed invalid if any required provincial license is not acquired and maintained.
- 3.7. A License will not be issued under this bylaw for any Business or premises occupied by the Business that does not conform to Town bylaws, including the Zoning Bylaw.
- 3.8. If the Town concludes a License application should be denied, the applicant will be notified and provided the

reasons for the denial.

- 3.9. Any License issued under this Bylaw must be displayed in a prominent place at the place of business or event for which the License was issued. If such License cannot be displayed prominently given the nature of the Business, the License should be readily available to be produced upon request of a Town employee.
- 3.10. If a Business is carried on at more than one location, a Person must obtain a License for each location. A License issued under the provisions of this bylaw is only valid at the location for which it was issued.
- 3.11. Nothing contained in this bylaw limits a Person from being liable for any violation of any regulation made pursuant to any applicable municipal, provincial, or federal legislation.

PART 4 PERPETUAL BUSINESS LICENSES

- 4.1 Perpetual Business Licenses are a category of Licenses that are for Local Businesses, and such Licenses shall remain valid until any of the following occurs:
 - a) the Business operation is discontinued;
 - b) the nature of the Business changes;
 - c) the Business premises is relocated or a new premises is added;
 - d) a new Person takes over the Business;
 - e) until deemed invalid or otherwise revoked by the Town for non-compliance with Town Bylaws.
- 4.2 Prior to a Perpetual Business License becoming invalid under the provisions of Section 4.1 a) through d), the licensee must notify the Town and, in the case of b) or c), acquire a new License. Such applications for a new License are subject to the same License fee prescribed in Schedule "A".
- 4.3 Local Businesses who have a valid License at the time of adoption of this bylaw will be issued a Perpetual Business License without further application or fee.

PART 5 PERIODIC BUSINESS LICENSES

- 5.1. Periodic Business Licenses are a category of Licenses available to Contractors, Direct Sales Contractors, Direct Sellers, Markets, Trade Shows, Traveling Exhibitions, Mobile Vendors, and Transient Traders, and such Licenses are valid until the earliest date of occurrence of the following:
 - a) the specific expiry date indicated on the License (i.e., the end of the event for Markets, Trade Shows, and Traveling Exhibitions, or (for all others) the end of the calendar year in which it was issued);
 - b) the date the Business operation is discontinued;
 - c) the date that the nature of the Business changes;
 - d) the date a new Person takes over the Business;
 - e) the date it is deemed invalid or otherwise revoked by the Town for non-compliance with Town Bylaws.
- 5.2. Licenses for Markets and Trade Shows cover all Persons offering goods and merchandise at such events.
- 5.3. Markets, Trade Shows, and Traveling Exhibitions operated and coordinated by Charities, or whose activities are deemed by the CAO to be primarily offered as a community event or celebration, shall be exempt of the Periodic Business License fee provided in Schedule "A".
- 5.4. Mobile Vendors must obtain a License for each mobile structure, food cart, or vehicle offering mobile vendor services.
- 5.5. Written approval must be gained from the applicable landowner for Licenses issued to Markets, Trade Shows, Traveling Exhibitions, and Mobile Vendors prior to setting up at any location. With regard to public sidewalks, streets, parks, and public right of ways, permission may be withheld by the Town.

PART 6 ENFORCEMENT

Inspections and Orders to Remedy

- 6.1. The inspection of property by the Town to determine if this bylaw is being complied with is hereby authorized as per Section 382 of the *Act*. Inspections under this bylaw shall be carried out by a Designated Officer in accordance with the *Act*, and no Person shall obstruct a Designated Officer or a Person who is assisting a Designated Officer in conducting an authorized inspection under this bylaw.
- 6.2. A Designated Officer may request that a Person supply confirmation of a condition, a thing, or an activity by providing a certificate, letter, or other documentation from an expert in a field related to the condition, thing, or activity. Failure to comply with such request shall be an offence under this bylaw.

Offences and Penalties

- 6.3. A Designated Officer may make an order that a Person is in violation of the provisions contained within this bylaw. Orders, and appeals of orders, given under this bylaw shall comply with Section 384 and 385 of the *Act*.
- 6.4. Any Person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of, or in violation of, any of the provisions of this bylaw, or neglects to or refrains from doing anything required to be done by any of the provisions of this bylaw is guilty of an offence punishable on summary conviction. The amount prescribed below is designated as the specified penalty sum for that violation for the purposes of entering a default or deemed conviction pursuant the provisions of *The Summary Offences Procedure Act, 1990*.
 - a) Section 6 violations - \$1,000.00
 - b) All other violations of this bylaw - \$200.00
- 6.5. A Designated Officer who has reasonable grounds to believe that a Person has contravened any provision of this bylaw, may serve that Person a Notice of Violation. The Notice of Violation shall indicate the bylaw contravention and penalty, as well as the voluntary payment that the Town will accept if payment is received within 30 days. Voluntary payment of a Notice of Violation shall be discounted to 50% of the prescribed amount provided in Section 6.4. Upon acceptance and receipt of voluntary payment for a contravention, the Person will no longer be liable for prosecution of that offence.
- 6.6. If payment of the amount specified on the Notice of Violation is not made on or before the date indicated on the Notice of Violation, an Officer may issue a Summons Ticket. The Summons Ticket sets out the prescribed bylaw contravention and penalty, the date by which a voluntary payment of the full penalty will be accepted, and the court date for prosecution of the contravention of the bylaw if payment is not received.
- 6.7. Nothing in this bylaw shall be construed to prevent any Person from exercising his or her right to defend a charge of contravention of this bylaw.
- 6.8. Every day during which there is an infraction of this bylaw shall constitute a separate offence.
- 6.9. Any Person who commits a second or subsequent offence within 12 months of committing a prior offence under a provision of this bylaw shall be liable upon summary conviction to a fine amount that is double that of the applicable prescribed amount provided in Section 6.4.
- 6.10. A Person to whom a Notice of Violation or Summons Ticket is being issued pursuant to this Section must, upon request, provide their name and address.
- 6.11. Service of an orders, Notice of Violation, or Summons Ticket pursuant to this bylaw may be made:
 - a) personally;
 - b) by registered mail to the last known address of the Person being served;

- c) by posting a copy of the notice, order, or document at the land, building, or on a vehicle to which the notice, order, or document relates.

6.12. Fines may be paid:

- d) in person, during regular office hours, to Town personnel at the Town Office located at 1212 Hildebrand Drive; or
- e) by mail addressed to the Town Office, Box 5680, La Ronge, Saskatchewan, S0J 1L0

PART 8 EFFECTIVE DATE

8.1. Business Bylaw 305/92 is hereby repealed.

8.2. This bylaw shall come into full force and effect upon final passage of Council.

SEAL

Mayor

Joe Hordycki

Chief Administrative Officer

Read a first time 27th day of May, 2024

Read a second time this 27th day of May, 2024

Read a third and final time this 27th day of May, 2024

Schedule "A" – Business License Fees

Perpetual Business Licenses

Local Businesses (excepting Day Cares, Group Homes, and Student Businesses)	\$150
Day Cares	\$0
Group Homes	\$0
Student Businesses	\$0

Periodic Business Licenses

Contractors and Direct Sales Contractors	\$150 per year
Direct Sellers	\$150 per year
Mobile Vendors	\$150 per year
Other Transient Traders	\$150 per year
Traveling Exhibitions	\$150 per event *
Trade Shows	\$150 per event *
Markets	\$150 per event *

* The fee may be waived under the provisions of Section 5.3 of this bylaw. An event may also be considered a series of dates in a calendar year if the CAO determines that the location and nature of the event is contiguous.