

Village of Alliance  
In the Province of Alberta  
Bylaw 2019-02  
“Business License By-law”

**BEING A BYLW OF THE VILLAGE OF ALLIANCE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE LICENSING AND REGULATING OF BUSINESSES.**

**WHEREAS** THE MUNICIPAL GOVERNMENT ACT, R.S.A. 2000, c. M-26- THAT COUNCIL OF THE VILLAGE OF ALLIANCE MAY AUTHORIZE THE REVISION OF ALL OR ANY OF THE BYLAWS OF THE MUNICIPALITY; and

**AND WHEREAS** THE COUNCIL MAY BY BYLAW CONTROL OR REGULATE BUSINESS AND INDUSTRY CARRIED ON WITHIN THE MUNICIPALITY AND MAY LICENSE ANY OR ALL BUSINESS OR INDUSRTY; and

**AND WHEREAS** THE COUNCIL OF THE VILLAGE OF ALLIANCE CONSIDERS IT NECESSARY TO REGULATE AND LICENSE BUSINESSES OPERATING WITHIN THE VILLAGE OF ALLIANCE,

**NOW THEREFORE** THE COUNCIL OF THE VILLAGE OF ALLIANCE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

**1. TITLE**

- a. This Bylaw may be cited as the “**Business License**” Bylaw.

**2. DEFINITIONS:**

- a. “**Administrator**” shall mean person appointed by Council as the Chief Administrative Officer pursuant to the Act or his/her designate;
- b. “**Business**” shall mean a person, any business, trade or profession, industry occupation, employment or calling and the providing of goods and/or services.
- c. “**Bylaw**” means a bylaw of the Village of Alliance.
- d. “**Contractor**” shall mean and include any person, company, firm or corporation who is normally engaged in the building and/or construction industry and who accepts contracts. This meaning shall NOT include the owner of any building or premises who is personally doing work in, upon or about such building or premise.
- e. “**Council**” means the municipal council of the Village of Alliance.
- f. “**Hawker/Peddler**” shall mean 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 Village,
  - 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 municipality, or
  - iii. Sells merchandise or a service, or both, on the streets or roads or elsewhere than at a building that is a permanent place of business but does not include any person selling meat fruit or other farm produce that has been produced, raised or grown or fish of their own catching.
- g. “**Home Occupation**” shall mean an occupation for gain or support which shall be an incidental and subordinate use to the principle residential use and shall be restricted to the dwelling unit and accessory building.
- h. “**Licensee**” shall mean the person appointed to the position or business holding a valid license issued pursuant to this bylaw.
- i. “**License Inspector**” shall mean the person appointed to the position or a member of the Royal Canadian Mounted Police or a Peace Officer appointed pursuant to the Peace Officer Act or a Bylaw Enforcement Officer.
- j. “**Municipality**” means the Village of Alliance
- k. “**Special Event**” shall mean an event intended to attract members of the public for the purpose of selling, displaying or promoting goods or services,

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entertaining or educating held over one or more days on a regular basis (ie. A farmer’s market)

**3. GENERAL PROVISIONS**

- a. No person shall, within the limits of the municipality, carry on, or be engaged in any business without first obtaining a license from the municipality
- b. The fees payable for licenses issued shall be valid from January 1 to December 31. All licenses shall expire at midnight on December 31 of the year said license was issued except as otherwise provided for in this bylaw
- c. Licensees shall post licenses in the place of business

**4. BUSINESS LICENSE REQUIREMENTS**

- a. No Person shall carry on or operate any Business within or temporarily within the Town without holding a valid and subsisting Business License issued pursuant to the provisions of this Bylaw, unless specifically exempted by Provincial or Federal law or this Bylaw.
- b. Any advertising of a Business shall be *prima facie proof* that the Business is being carried on or operating.
- c. A Person who operates more than one Business, either separately or together, shall maintain in force a valid Business License for each Business.

**5. EXEMPTIONS**

- a. No business license shall be required:
- b. For a business carried on or operated by the Village;
- c. For utilities that are under the jurisdiction of the Alberta Energy & Utilities Board of the Province of Alberta;
- d. For a supplier bringing in bulk goods to a licensed business for the purposes of resale;
- e. For a day home provider that is registered with a provincially approved Day Home Agency;
- f. For a person who is 18 years of age or younger and a resident of the Village of Alliance, provided the annual gross revenue from the business does not exceed \$5,000 per year; ·
- g. For any business operating solely from a Farmers' Market or Craft or Trade show;
- h. For door-to-door fundraisers for local schools, charitable and not-for-profit organizations;
- i. For non-local charitable and non-profit organizations, but if requested, such organizations may be required to provide the Licensing Officer with:
- j. The name of the organization, the Articles of Memorandum of Incorporation, and such other information as the Licensing Officer requires to determine that the organization is a charitable or non-profit organization as defined by the Bylaw;
- k. A description of the business which the organization wishes to carry on and the time and place where it is to be carried on.
- l. For the employees of a person who holds a valid and subsisting license;
- m. For a business carried on by the Government of the Province of Alberta or the Government of Canada;
- n. For any business exempted from municipal licensing by a Statute or Canada or Alberta
- o. For any business holding a valid business license as issued any another municipality within the boundaries of Flagstaff County excepting peddler, transient trader, or transient tradesman;
- p. For such businesses as Council, by resolution, may from time to time exempt.

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**6. LICENSING OFFICER**

- a. The powers and duties of the Licensing Officer are:
  - i. To receive and deal with all applicants for licenses and transfer thereof including the collection of money paid under this bylaw;
  - ii. To ascertain that all information furnished by an applicant in connection with an application for a license or transfer of a license is true in substance and face;
  - iii. To keep adequate records of all applicants for licenses and in a form required by Council whenever requested from time to time concerning the administrations of business licenses;
  - iv. To prosecute violations of this bylaw and to administer the bylaws and as far as practicable to see that all persons concerned conform to the provisions of this bylaws and to prosecute such persons who fail to comply therewith.
- b. Any premises or place, in respect

**7. SEVERABILITY**

5.1 Should any provision of this Bylaw be found invalid, the invalid provision shall be severed, and the remaining Bylaw shall be maintained.

**8. EFFECTIVE DATE**

6.1 This Bylaw shall come into full force and effect, on the date of third and final reading.

READ a first time on this \_\_\_\_ day of \_\_\_\_\_, 2019.

READ a second time on this \_\_\_\_ day of \_\_\_\_\_, 2019.

Given UNANIMOUS consent to go to third reading on this \_\_\_\_ day of \_\_\_\_\_, 2019.

READ a third and final time on this \_\_\_\_ day of \_\_\_\_\_, 2019.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer