

Business Licence Bylaw

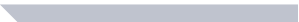
No. 1025 – 22

TOWN OF HIGH LEVEL

AMENDING BUSINESS LICENCE BYLAW INDEX

BYLAW AMENDMENTS

BYLAW #	DESCRIPTION	ADOPTED



TOWN OF HIGH LEVEL

BUSINESS LICENCE BYLAW # 1025-22

A BYLAW OF TOWN OF HIGH LEVEL IN THE PROVINCE OF ALBERTA, TO ADOPT A BUSINESS LICENCE BYLAW

WHEREAS the [Municipal Government Act, Revised Statutes of Alberta 2000 – Chapter M-26](#), current as of December 8th 2021, and all Amendments thereto states that a Council may pass bylaws for municipal purposes respecting businesses, business activities, and persons engaged in business; and

WHEREAS pursuant to Section 7(i) of the *Municipal Government Act*, a Council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all matters listed therein; and

WHEREAS pursuant to Section 8 of the *Municipal Government Act*, a Council may in a bylaw passed under this Division:

- a) regulate or prohibit;
- b) deal with any development, activity, industry, business, or thing in different ways, divide each of them into classes and deal with each case in different ways; and
- c) provide for a system of licencing, permits, or approvals, including any or all of the following:
 - i. establishing fees for licences, permits and approvals, including fees for licences, permits and approvals that may be in the nature of a reasonable tax for the activity authorized or for the purpose of raising revenue;
 - ii. establishing fees for licences, permits and approvals that are higher for persons or businesses who do not reside or maintain a place of business within the Municipality;
 - iii. prohibiting any development, activity, industry, business, or thing until a licence, permit or approval has been granted;
 - iv. providing that terms and conditions may be imposed on any licence, permit or approval, the nature of the terms and conditions and who may impose them;
 - v. setting out the conditions that must be met before a licence, permit or approval is granted or renewed, the nature of the conditions and who may impose them;
 - vi. providing for the duration of licences, permits and approvals and their suspension or cancellation for failure to comply with a term or condition or the bylaw or for any other reason specified in the bylaw;
 - vii. establish and specify the fees, rates, fares, tariffs, or charges that may be charged for the hire of taxis or limousines; and
- d) provide for an appeal, the body that is to decide the appeal and related matters.

WHEREAS the Council of the Town of High Level deems it to be in the public interest to repeal Bylaw 873-08 including all amendments thereto, and Bylaw 942-12 including all amendments thereto, and replace them with a new Business Licence Bylaw;

NOW THEREFORE the Council of the Town of High Level, in the Province of Alberta, duly assembled, does hereby adopt the Town of High Level Business Licence Bylaw on this 25th day of April 2022.

READ a First time this 28th day of March 2022.

STATUTORY Public Hearing held this 25th day of April 2022.

READ a Second time this 25th day of April 2022.

READ a Third and final time this 25th day of April 2022.

SIGNED AND PASSED this 24th day of May 2022.

[Original signed by C. McAteer]

Mayor

[Original signed by S. Beaton]

Municipal Clerk

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1.0 ENACTMENT

1.1 TITLE OF THIS BYLAW

- 1.1.1. This bylaw shall be known as, and may be cited as the “Town of High Level Business Licence Bylaw”.

1.2 PURPOSE OF THIS BYLAW

- 1.2.1. To provide for the licencing control and regulating of any business or industry in the Town of High Level, along with the related fees and penalties.

1.3 EFFECTIVE DATE OF THIS BYLAW

- 1.3.1 This bylaw comes into force and takes effect upon the date of its third and final reading by COUNCIL.
- 1.3.2 Business License Bylaw No. 873-08, and all amendments thereto, are hereby repealed and replaced.
- 1.3.3 License and Enforcement Appeal Committee Bylaw No. 942-12, and all amendments thereto, are hereby repealed.

2

2.0 INTERPRETATION

2.1 NUMBERING SYSTEM

2.1.1 In the numbering system used in this bylaw:

- a) the first number indicates the Section;
- b) the second number indicates the Subsection of the Section; and
- c) the third number indicates the Article of the Subsection.

2.1.2 An Article in this bylaw may be divided into Clauses, which are indicated by lower case letters in parentheses, and the Clauses may be divided into Sub-clauses, which are indicated by roman numerals in parentheses.

2.2 DEFINITIONS

2.2.1 The following words, terms, and phrases, wherever they occur in this bylaw, have the meaning assigned to them as follows:

A

ABATTOIR

means a commercial development where animals are slaughtered and/or meat is cut, wrapped, frozen, cured, smoked, or aged.

ACCESSORY USE

means a use subordinate, incidental to and exclusively devoted to a principal use of a building, structure, or property.

ACCOMMODATIONS

means a bed and breakfast, apartment rentals, hotel or motel, lot rentals, campgrounds, or industrial camps.

ACT

means the [*Municipal Government Act being Chapter M-26 of the revised Statutes of Alberta*](#), and any amendments thereto.

ADULT ENTERTAINMENT FACILITY

means a DRINKING ESTABLISHMENT, nightclub, RESTAURANT, or other establishment that features live performances of an explicit nature, escort services, or showcasing media materials inclusive of adult content.

AIRPORT SHUTTLE

means a vehicle used in an AIRPORT SHUTTLE business.

ALCOHOL SALES

means the selling of alcoholic beverages for consumption off premises. Typical uses include liquor stores.

AMUSEMENT ARCADE

means a development with mechanical or electronic games that are provided for public entertainment, but does not include ADULT ENTERTAINMENT FACILITY, casino, or bingo.

APPLICANT

means a person who applies for a BUSINESS LICENCE, renewal or transfer of the BUSINESS LICENCE in accordance with this bylaw.

ART GALLERY

means a development used for the public display and/or sale of art.

AUCTION FACILITY

means a development used for the auctioning of goods, MOTOR VEHICLES and equipment, including the temporary storage of such goods and equipment.

AUTOMOTIVE SALES AND RENTAL

means a development used for the sale, service, and rental of MOTOR VEHICLES, but does not include RECREATIONAL VEHICLE SALES AND SERVICE or automotive body and paint service.

AUTOMOTIVE SERVICE

means a development used for the service and repair of MOTOR VEHICLES, automotive body and paint work, the sale of gasoline, lubricating oils, and other automotive fluids, or any combination of such, but does not include AUTOMOTIVE SALES AND RENTAL, a FUEL STATION, or a CAR WASH.

B

BREWERY, WINE, DISTILLERY

means a development where beer, wine, spirits, or other alcoholic beverages are manufactured, which may also have areas and facilities for preparing, cooking and serving food, and serving alcoholic beverages.

BUSINESS

means any trade, profession, industry, occupation, employment or calling and the providing of goods and/or services.

BUSINESS LICENCE

means a BUSINESS LICENCE issued pursuant to this bylaw.

BUSINESS LICENCE OFFICER

means the DEVELOPMENT AUTHORITY, a Municipal Enforcement Officer, or a PEACE OFFICER for the enforcement of this bylaw.

BUSINESS SUPPORT SERVICE

means a development used to provide support services to a permitted use or discretionary use in a land use district. Such businesses may be characterized and not limited to the provision of support functions, including: printing, duplicating, binding, or photographic processing; office maintenance or custodial services; secretarial services; security services; sale, rental, repair or servicing of office and business equipment, furniture and machines; and, sale, rental, repair or servicing of computers, cellular phones, and fax machines.

BULK OIL, FUEL AND CHEMICAL STORAGE

means a development where refined or crude oil, liquid, or solid chemical is stored outdoors and may include the sale of such.

C

CANNABIS PRODUCTION AND DISTRIBUTION

means a development used principally for one (1) or more of the following activities as it relates to cannabis:

- a) the production, cultivation, and growth of cannabis;
- b) the processing of raw materials;
- c) the making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
- d) the storage or shipping of materials, goods and products; or
- e) the distribution and sale of materials, goods and products to RETAIL – CANNABIS stores or to individual customers.

CAR WASH

means a development used for the cleaning of MOTOR VEHICLES.

CATERING SERVICE

means a development where foods and beverages, to be served off the premises, are prepared for sale to the public.

COMMUNITY HALL

means a development that provides auditorium, banquet, exhibition, gymnasium, meeting or seminar facilities, and does not include an ADULT ENTERTAINMENT FACILITY.

CONSTRUCTION SERVICE

means a development used to provide landscaping, electrical, plumbing, heating, painting, carpentry, woodworking, or similar services to households or to general contractors, but does not include equipment rental.

COUNCIL

means the elected COUNCIL of the Town of High Level, as defined in Part 5 Division 1 of the [Municipal Government Act](#).

D

DAY CARE FACILITY

means a development used to provide care and supervision, but not overnight accommodation, to children in accordance with the [Social Care Facilities Licensing Act](#), as well as any other applicable Provincial or Federal legislation including any amendments. Typical uses are day care centers and nursery schools, and does not include a PRIVATE BABYSITTING SERVICE.

DEVELOPMENT AUTHORITY

means a person or persons appointed by the Town, pursuant to Section 624 of the ACT to administer the provisions of this bylaw.

DEVELOPMENT PERMIT

means a document issued by the Town permitting a development in compliance with the Town's Land Use Bylaw.

DRINKING ESTABLISHMENT

means a development licensed to serve alcoholic beverages for consumption on the premises as regulated by the [Alberta Gaming Liquor and Cannabis Commission](#).

DRIVE-THROUGH BUSINESS

means a development or part of a development designed to serve customers remaining in their vehicles and may form part of the operations of a CAR WASH or FINANCIAL INSTITUTION, but does not include a DRIVE-THROUGH RESTAURANT or FUEL STATION.

DRIVE-THROUGH RESTAURANT

means a RESTAURANT with one (1) or more of the following features: car attendant services; drive-through food and/or beverage pickup services; or parking primarily intended to allow for the on-site consumption of food within a MOTOR VEHICLE.

E

EQUIPMENT RENTAL FACILITY

means a commercial establishment principally involving the rental of household or other equipment to the public, but does not include MOTOR VEHICLES rentals.

F

FAMILY DAY HOME

means an ACCESSORY USE within a dwelling unit or part thereof used to provide care and supervision, but not overnight accommodation, for adults or children as per the [Social Care Facilities Licensing Act](#) as well as any other applicable Provincial or Federal legislation including any amendments.

FARM IMPLEMENT SALES AND SERVICES

means a development used for the sale and service of farm machinery and equipment.

FINANCIAL INSTITUTION

means a bank, brokerage company, treasury branch, trust company, credit union, finance company, or similar institution.

FUEL STATION

means a development used for the sale of gasoline, diesel, lubricating oils, and other automotive fluids and incidental goods.

FUNERAL HOME

means a development used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services, but does not include a place of worship.

G

GENERAL SERVICE

means a development used to provide services related to the care and appearance of an individual, including the cleaning and repair of clothing, but does not include health service. Typical uses include: dry cleaner and laundromat; hair and tanning salons; tailor, dressmakers, and shoe repair; and facilities that provide pedicures, manicures, massages, and electrolysis.

H

HAWKER or PEDDLER

means the mobile business of selling or offering merchandise or food products for sale to the public.

HOME OCCUPATION

means an ACCESSORY USE in a dwelling unit or its garage that involves a business operated by a resident of the dwelling unit, which is not inclusive of businesses that may cause offensive noise, odour, traffic, or generally serve as a nuisance to adjacent residential landowners.

HOME OFFICE

means an ACCESSORY USE contained within one (1) room of a dwelling unit, for a business that involves office functions only and is operated by a resident of the dwelling unit.

HOTEL

means a commercial development, including a motel, used to provide temporary sleeping accommodation to the public, and which may also contain a RESTAURANT, DRINKING ESTABLISHMENT, or convention / banquet hall.

HOUSEHOLD REPAIR SERVICE

means a development that provides repair services for household goods, equipment and appliances, but does not include GENERAL SERVICE. Typical uses include: electronics and appliance repair shops; and furniture refinishing and upholstery shops.

I

INDUSTRIAL OPERATION

means a development used for manufacturing, assembling, warehousing, processing, or distribution of materials or goods.

L

LOGGING SERVICE

means a development used to provide services for the harvesting of timber for the forest products industry.

LIMOUSINE SERVICE

means a luxury passenger transportation service with a MOTOR VEHICLE operated by chauffeurs provided for a fee based on time and distance travelled.

LUMBER YARD

means a development for the storage and the wholesale or retail sale of forest industry products, which may include the sales of associated hardware and tools.

M

MANUFACTURED HOME – MOBILE SALES

means a development used for the sale of Manufactured Homes – Mobile and/or Manufactured Home – Modular, which may include the storage and display of such units.

MINI-STORAGE

means a development that provides cubicles for rent to the public for the storage of goods, and may include an office building containing eating and sleeping facilities for security personnel, but may not be used as a dwelling unit.

MOTOR VEHICLE

means as defined in the [Traffic Safety Act](#), and any amendments thereto.

MUSEUM

means a place or building in which works of artistic, historical, archeological, and scientific value are cared for and exhibited.

N

NON-PROFIT ORGANIZATION

means an organization that exists solely to provide programs and services that are of public benefit.

O

OFF-SITE

means a location other than the site which is the subject of the BUSINESS LICENCE.

OILFIELD SERVICE

means a development used to provide services for field operations in the exploration and extraction of fossil fuels. Typical uses include power tongs and anchor services.

P

PAWNBROKER

means a person who carries on a business of loaning money on the security of the pledge or pawn of personal property or a person who holds themselves out as ready to loan money on such security, and does not include FINANCIAL INSTITUTIONS.

PEACE OFFICER

means a Municipal Enforcement Officer, a Bylaw Enforcement Officer, a Community PEACE OFFICER, member of the Royal Canadian Mounted Police (RCMP), BUSINESS LICENCE OFFICER, or any other designate authorized by the Chief Administrative Officer.

PET SERVICE

means a development for the purpose of accommodation, boarding, breeding, grooming, impoundment, training, or the sale of small domestic animals including, but not limited to, cats and dogs.

PRIVATE BABYSITTING SERVICE

means a service provided in a private residence where care is provided for children, some or all of whom are children of persons other than the person providing the service, and does not require a licence under the [Social Care Facilities Licensing Act](#).

PROFESSIONAL SERVICE

means a development used to provide PROFESSIONAL SERVICES, but does not include health service or government service. Typical uses are offices providing the following services: accounting, architectural, employment, engineering, insurance, investment, legal, real estate, secretarial, or travel agent.

R

RECREATIONAL EQUIPMENT

means equipment defined as an off-highway vehicle in the [Traffic Safety Act](#), and includes boats, but does not include a RECREATIONAL VEHICLE.

RECREATIONAL SERVICE – INDOOR

means a development used for sports or recreation within an enclosed building and any related accessory development for the users of the principal facilities.

RECREATIONAL SERVICE – OUTDOOR

means a development used for outdoor sports or leisure and any related ACCESSORY USES for the convenience of the users of the principal outdoor facilities.

RECREATIONAL VEHICLE

means a portable structure with seating and sleeping capacity to provide temporary living accommodation that is either carried on or pulled by another vehicle, or transported under its own power.

RECREATIONAL VEHICLE SALES AND SERVICE

means a development used for the sales, rental, and service of RECREATIONAL VEHICLES.

RECYCLING DEPOT

means a development for collecting, sorting and temporary storage of recyclable materials such as bottles, cans, paper, boxes, and small household goods, and does not include a SALVAGE YARD.

RESTAURANT

means a development where foods and beverages are prepared and served for consumption on-site by the public and may include a take-out component as an ACCESSORY USE.

RETAIL – ADULT

means a development where more than 50 percent of the retail store inventory is for the sale or rental of media materials including adult content, and / or where more than 50 percent of the retail store inventory is offering the display and sale of non-clothing merchandise and/or products intended for adult use.

RETAIL – CANNABIS

means a development used for a retail store licensed by the Province of Alberta, where non-medicinal cannabis and cannabis accessories are offered for sale to the public.

RETAIL – CONVENIENCE

means a development used for retail sales of those goods required by residents on a day-to-day basis in an enclosed building. Typical uses include: small food stores; drug stores; video sales and rentals; and, variety stores selling confectionary, tobacco, groceries beverages, pharmaceuticals, personal care items, hardware, and printed matter.

RETAIL – GENERAL

means a development used for retail sale of groceries, beverages, household goods, furniture and appliances, clothing, hardware, home improvement supplies, garden supplies, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and similar goods from within an enclosed building.

RETAIL – LIQUOR

means a store that sells alcoholic beverages and products for OFF-SITE consumption.

RETAIL – SPECIALTY STORE

means a store that specializes in, and offers a wide variety of brands, styles and models from a relatively narrow category of specific goods for retail sale.

S

SALVAGE YARD

means a facility for the storage, processing, or transshipment of derelict MOTOR VEHICLES, machinery, scrap metal, and similar materials for sale.

SHOPPING CENTRE

means a development comprising three (3) or more separate commercial use facilities that operate as one (1) unit and share a common parking lot.

SPECIAL EVENT

means a for-profit private event held on Town-owned or privately-owned land which increases the volume of vehicular traffic and parking requirements due to event attendees, including but not limited to: carnivals, circuses, commercial or industrial fairs, or similar events that are temporary in nature and held for a short period of time.

T

TAXI BROKER

means a passenger transportation service with a MOTOR VEHICLE provided for a fee based on time and / or distance travelled.

THEATRE

means a development where live entertainment or motion pictures are provided to the public, not including an ADULT ENTERTAINMENT FACILITY.

V

VETERINARY CLINIC

means a development used for the medical care and treatment of domestic animals and incidental overnight accommodation, and does not include PET SERVICE.

VIOLATION TAG

means a municipal tag or similar document issued by a PEACE OFFICER in relation to an offence under this bylaw.

VIOLATION TICKET

means a ticket issued pursuant to the [Provincial Offences Procedures Act](#), as amended, and the regulations thereunder.

W

WAREHOUSE

means the indoor storage of equipment, goods, MOTOR VEHICLES, RECREATIONAL VEHICLES, materials, or products as part of a commercial or industrial development.

WAREHOUSE STORE

means a development used for retail sale of goods at discounted prices, which provides a no-frills experience and warehouse shelving stocked with merchandise intended for purchase in bulk or higher volumes.

3

3.0 BYLAW PROVISIONS

3.1 CONFORMITY WITH THIS BYLAW

- 3.1.1** No person shall carry on any business transaction, conduct any work, or provide services within the Town without first being licenced to do so and having paid the fees as prescribed in Article 3.4.4. of this bylaw.
- 3.1.2** In addition to the requirements of this bylaw, an APPLICANT must comply with all Federal, Provincial and other Municipal legislation.
- 3.1.3** No person shall be issued a BUSINESS LICENCE without valid DEVELOPMENT PERMIT approval(s) issued by the DEVELOPMENT AUTHORITY under the Town's Land Use Bylaw where necessary.
- 3.1.4** The BUSINESS LICENCE OFFICER shall not issue a BUSINESS LICENCE to a HAWKER or PEDDLER for the purpose of selling food products or edibles of any nature unless and until, the food products have been approved and a permit is issued by an Environmental Health Officer. Proof of this approval must be submitted to the BUSINESS LICENCE OFFICER.
- 3.1.5** No HAWKER or PEDDLER who uses a vehicle in connection with product sales as a HAWKER or PEDDLER shall park a vehicle within the Town's streets, sidewalks, lanes, or public parking lots unless the BUSINESS LICENCE OFFICER has first approved the location for such a purpose.
- 3.1.6** The operation of a HAWKER or PEDDLER mobile vending unit shall only be permitted on private property with the written consent of the registered landowner or their representative.
- 3.1.7** When an owner is carrying on more than one (1) BUSINESS from the same premises, this shall be considered as one (1) BUSINESS for the purposes of this bylaw.
- 3.1.8** Notwithstanding Article 3.1.7., if the BUSINESS activities are distinctly different, a BUSINESS LICENCE must be obtained for each separate BUSINESS.
- 3.1.9** Non-resident BUSINESSES shall obtain a BUISNESS LICENCE to conduct business within the Town of High Level.
- 3.1.10** BUSINESS owners that operate the same BUSINESS from more than one (1) location, must indicate this on the application form and will be provided with a separate BUSINESS LICENCE certificate for each location.

3.2. APPLICATION AND RESPONSIBILITIES

- 3.2.1** An APPLICANT for a business registry licence shall complete an application on the [approved form](#), including all information that the form requires, and any such additional information as the BUSINESS LICENCE OFFICER may reasonably require.
- 3.2.2** The APPLICANT is solely responsible for ensuring that all Municipal, Provincial and Federal approvals which may include, but not be limited to those provided by a:
- a) Alberta Public Health Officer;
 - b) Fire;
 - c) Police;
 - d) Building Inspector;
 - e) Alberta Liquor Gaming and Cannabis Commission; or the
 - f) Alberta Motor Vehicle Industry Council
- that are required for the carrying out of any BUSINESS, trade, or occupation have been received prior to operation of the BUSINESS, and are maintained in good standing throughout the duration of the term of the BUSINESS LICENCE and any renewal thereof.
- 3.2.3** Copies of all such licences, permits and approvals referred to in Article 3.2.2. Clauses a. to f. must be provided to the BUSINESS LICENCE OFFICER upon request.
- 3.2.4** The business will comply with all the requirements of this and any other bylaw applicable thereto.
- 3.2.5** The annual BUSINESS LICENCE certificate issued pursuant to this bylaw shall be posted in a visible location at the BUSINESS premises for the licensee, so as to be clearly seen by the public.
- 3.2.6** For those BUSINESS activities that are not carried out at a fixed location, the licence must be:
- a) carried on the person of the licensee;
 - b) carried in or on the vehicle or apparatus from which such BUSINESS is conducted; or
 - c) be shown to a PEACE OFFICER or members of the public upon request.
- 3.2.7** Information updates, such as the change of contact information, shall not require a new application but must be submitted to the BUSINESS LICENCE OFFICER as changes occur throughout the year.
- 3.2.8** A new BUSINESS LICENCE application must be submitted for:
- a) amendments to an existing BUSINESS LICENCE including change in the name or change in the nature of the BUSINESS; and / or
 - b) transfer of the BUSINESS to a new owner.

3.3. EXEMPTIONS

3.3.1. No BUSINESS LICENCE shall be required for:

- a)** any BUSINESS carried on by the Town, any Municipal Government, the Government of Alberta, or the Government of Canada;
- b)** any school division, a provincially regulated child care provider, or a DAY CARE FACILITY (either private or public);
- c)** any health authority;
- d)** any NON-PROFIT ORGANIZATION, including any public community events hosted by a NON-PROFIT ORGANIZATION;
- e)** any BUSINESS operated by a minor;
- f)** a BUSINESS that carries on BUSINESS activities at the Farmer's Market, which is operated by an organization that is registered with the Farmer's Market Association;
- g)** any SPECIAL EVENT hosted by a BUSINESS on privately-owned land who already has a valid BUSINESS LICENCE within the Town of High Level; or
- h)** any BUSINESS which is excluded from the requirements of this bylaw by an Act of the Legislature; the onus of proof of which lies on the BUSINESS, including but not limited to the:
 - i.** Health Professions Act;
 - ii.** Veterinary Professions Act;
 - iii.** Legal Professions Act; and
 - iv.** Chartered Accountants Act.

3.3.2 Notwithstanding Article 3.3.1. Clause b., a FAMILY DAY HOME requires a DEVELOPMENT PERMIT pursuant to the Town of High Level's Land Use Bylaw.

3.4. LICENCE YEAR AND FEES

3.4.1 Each licence issued pursuant to this bylaw shall automatically terminate at midnight on December 31 in the calendar year for which such a BUSINESS LICENCE was issued.

3.4.2 Every licence shall bear on its face the date on which it is issued and the current year's approval sticker.

3.4.3 After October 31 of the current licence year, the Town shall accept the annual fee for the remainder of the current year and the subsequent year of a new application.

3.4.4 BUSINESS LICENCE fees for all BUSINESSES shall be levied in accordance with the Town's annual [Fees Bylaw](#), which are due and payable upon approval of the BUSINESS LICENCE application.

3.5. DUTIES OF A LICENCE OFFICER

3.5.1 The duties of the BUSINESS LICENCE OFFICER shall include as may be necessary:

- a) to receive and consider applications for a BUSINESS LICENCE;
- b) administer and enforce the requirements of this bylaw;
- c) to conduct inspections of BUSINESS premises;
- d) to collect annual BUSINESS LICENCE fees pursuant to this bylaw;
- e) refuse to grant a licence or, to revoke or suspend any BUSINESS LICENCE if there are just and reasonable grounds for the refusal of the application, or for the revocation or suspension of the BUSINESS LICENCE, subject to the right of the APPLICANT to appeal the refusal, revocation or suspension to COUNCIL:
 - i. where a BUSINESS LICENCE is revoked or suspended, the officer shall notify the licensee;
- f) issue a BUSINESS LICENCE, with or without conditions, upon payment of the appropriate fee; and
- g) to initiate legal action for violation of this bylaw when legal to do so.

3.6. SPECIAL PROVISIONS

Taxi, Limousine, and Airport Shuttle Licences

3.6.1 An APPLICANT for a TAXI BROKER, LIMOUSINE SERVICE, or AIRPORT SHUTTLE BUSINESS LICENCE shall provide the following to the BUSINESS LICENCE OFFICER:

- a) a list of the MOTOR VEHICLES to be used by the BUSINESS including make, model, and licence plate numbers;
- b) a list of all drivers or operators to be employed or engaged by the BUSINESS or otherwise listed in the business operations, including their full names, mailing addresses, and Alberta driver's licence numbers; and
- c) such additional personal and other information which the BUSINESS LICENCE OFFICER may request.

3.6.2 A TAXI BROKER, LIMOUSINE SERVICE, or AIRPORT SHUTTLE BUSINESS owner shall obtain a licence for each taxi, limousine, or AIRPORT SHUTTLE vehicle, and provide the following information to the BUSINESS LICENCE OFFICER:

- a) insurance and registration for each MOTOR VEHICLE as required by the Province of Alberta;
- b) each taxi vehicle shall be inspected at least once every twelve (12) months by a Certified Mechanic; and
- c) any other information required by the BUSINESS LICENCE OFFICER.

3.6.3 Each taxi shall:

- a) prominently display on both sides of its exterior the name and phone number of the TAXI BROKER;
- b) display on its roof an illuminable dome light; and
- c) visibly display their fee schedule in all taxi vehicles.

3.6.4 A BUSINESS LICENCE OFFICER may at any time inspect any taxi, limousine, or AIRPORT SHUTTLE MOTOR VEHICLE to determine the following:

- a) the validity of the taxi, limousine, or AIRPORT SHUTTLE licence;
- b) the validity of the driver's chauffeur licence;
- c) the mechanical condition of the MOTOR VEHICLE; or
- d) standards of repair and cleanliness of the MOTOR VEHICLE.

Chauffeur Licences

3.6.5 No person shall operate, or permit to be operated, a taxi, limousine, or AIRPORT SHUTTLE without a valid chauffeur's licence.

3.6.6 A person applying for a chauffeur licence shall submit all of the following to the BUSINESS LICENCE OFFICER upon applying, and annually thereafter:

- a) a completed chauffeur application;
- b) the fee for the issuance or renewal of a chauffeur licence;
- c) a valid Class 1, Class 2, or Class 4 Provincial Operator's Licence;
- d) a driver's abstract of the person's driving record provided by the Province of Alberta Registrar of Motor Vehicles dated within thirty (30) days of the chauffeur licence application;
- e) a certified Vulnerable Sector Check from the Royal Canadian Mounted Police (RCMP) dated within thirty (30) days of the chauffeur licence application; and
- f) anything else required by this bylaw for the issue or renewal of a chauffeur licence.

3.6.7 No person shall operate a taxi, limousine, or AIRPORT SHUTTLE MOTOR VEHICLE unless their chauffeur licence is openly displayed at all times in the vehicle in such a manner as to be visible to all passengers.

3.6.8 No chauffeur licence or renewal shall be issued to any person who has been convicted under the Criminal Code of Canada within the five (5) year period immediately preceding the date of application of:

- a) an offence relating to homicide, assault, kidnapping, arson, corruption of public morals, or abduction;
- b) an offence relating to robbery or extortion;
- c) an offence of criminal negligence, dangerous driving, impaired driving, or driving while their Alberta driver's licence is revoked or suspended;

- d) has been convicted under the [Criminal Code of Canada](#), or the [Controlled Drugs and Substances Act](#) or any successor legislation within the three (3) year period immediately preceding the date of application, of any offence not described in Article 3.6.8. Clauses a. to c.; and / or
- e) If the BUSINESS LICENCE OFFICER finds that the person has been convicted of an excessive number of offences under the [Traffic Safety Act](#), or any successor legislation and/or any other bylaw of the Town of High Level.

Special Event Permits

- 3.6.9 All operators or organizers of SPECIAL EVENTS that are held on Town streets, sidewalks, public parking lots, Town-owned or privately-owned land must apply for and receive a [Special Event Permit](#) from the Town.
- 3.6.10 [Special Event Permits](#) must be applied for at least four (4) weeks prior to the SPECIAL EVENT being held.
- 3.6.11 Notwithstanding Article 3.6.9., SPECIAL EVENTS hosted by a BUSINESS on private property who already have a valid BUSINESS LICENCE within the Town of High Level do not require a [Special Event Permit](#), unless the volume of vehicular traffic and parking requirements are significantly increased due to event attendees.
- 3.6.12 Operators or organizers of non-profit community events do not require a BUSINESS LICENCE, but must obtain a [Special Events Permit](#) approval from the Town if the event requires the closure of a roadway or sidewalk, or the use of a public parking lot.
- 3.6.13 In accordance with to Article 3.6.12., [Special Event Permit](#) applications for non-profit community events must be applied for at least two (2) weeks prior to the community event being held.
- 3.6.14 Only operators of SPECIAL EVENTS must apply for and receive a BUSINESS LICENCE from the BUSINESS LICENCE OFFICER, prior to hosting a SPECIAL EVENT within the Town of High Level, unless exempt under Article 3.3.1. Clause g.
- 3.6.15 If approved, BUSINESS LICENCES for SPECIAL EVENTS shall include specific event dates and are only valid for a one (1) time event.
- 3.6.16 Notwithstanding Article 3.6.15., if a SPECIAL EVENT is to be held more than once in the Town of High Level within the same calendar year, operators may obtain one (1) BUSINESS LICENCE with multiple SPECIAL EVENT dates, as long as:
 - a) The activities within the SPECIAL EVENTS are the same; and
 - b) Any changes to the agreed upon future SPECIAL EVENT dates are approved by the BUSINESS LICENCE OFFICER.
- 3.6.17 Operators or organizers of any SPECIAL EVENT who wish to temporarily close any portion of a public roadway or sidewalk, must submit a [Temporary Road Closure Permit Application](#).

3.7. VIOLATIONS AND PENALTIES

- 3.7.1 Any person who contravenes or neglects to obey any provision of this bylaw by:
 - a) performing any act or thing that is prohibited under the terms of this bylaw; or

b) failing to complete any act or thing that is required to be done under the terms of this bylaw

is guilty of an offence and the Town shall utilize whatever means deemed appropriate to affect collection.

3.7.2 Where a BUSINESS LICENCE OFFICER believes that a person has contravened any provision of this bylaw, the BUSINESS LICENCE OFFICER may serve upon such a person a voluntary payment tag in a form designated by the Town allowing payment of the penalty specified in Article 3.7.7. Clauses a. and b. of this bylaw for such an offence to the Town, and such payment shall be accepted by the Town in lieu of prosecution for the offence in addition to any BUSINESS LICENCE fee the person may be required to pay pursuant to Article 3.4.4.

3.7.3 Notification service of bylaw contraventions is deemed successful if:

a) delivered personally;

b) delivered by registered mail to the business address; or

c) left at the place of BUSINESS.

3.7.4 Subsection 3.7 shall not prevent any PEACE OFFICER from issuing a VIOLATION TAG in relation to an offence under this bylaw.

3.7.5 Subsection 3.7 shall not prevent any BUSINESS LICENCE OFFICER from issuing a VIOLATION TICKET in the form of a summons requiring a court appearance of the defendant, pursuant to the provisions of the [Provincial Offences Procedure Act](#), or from laying any information in lieu of issuing a VIOLATION TICKET.

3.7.6 In prosecution for a contravention of this bylaw against operating a BUSINESS, proof of one (1) transaction in a BUSINESS, or that a BUSINESS has been publicly advertised is sufficient evidence to establish that a person is engaged in or operating a BUSINESS without a BUSINESS LICENCE within the Town of High Level.

3.7.7 The voluntary payment which may be accepted in lieu of prosecution for a contravention of any provisions with this bylaw shall be:

a) First Offence: \$100.00

b) Second Offence: \$200.00