

# THE CITY OF MELFORT

## Office Consolidation

### THE LICENSING BYLAW

NO. 2007-25

Including Amendments to August, 2008

**All persons making use of this consolidation are reminded that it has no legal status and that the amendments have been embodied for convenience of reference only. A certified copy of the Bylaw and amendments should be consulted for all purposes of interpreting and applying the law.**

**AMENDMENTS TO THE LICENSING BYLAW NO. 2007-25**

**AMENDMENTS**

**DATE PASSED**

Bylaw No. 2008-22 (Amend Schedules A & B)

August 11, 2008

## CITY OF MELFORT BYLAW NO. 2007-25

### A BYLAW OF THE CITY OF MELFORT TO PROVIDE FOR THE LICENSING, REGULATING AND GOVERNING OF BUSINESS AND PERSONS ENGAGED IN CERTAIN OCCUPATIONS AND PLACES USED FOR CERTAIN PURPOSES TO BE KNOWN AS THE "LICENSING BYLAW"

---

The Council of the City of Melfort, in the Province of Saskatchewan, enacts as follows:

1. **TITLE**

This Bylaw may be cited as “**The Licensing Bylaw**”.

2. **PURPOSE**

The purpose of this Bylaw is to license businesses in the City of Melfort so as:

- (a) to regulate businesses;
- (b) to gather land-use information
- (c) to ensure compliance with land-use and building regulations;
- (d) to facilitate planning decisions; and
- (e) to ensure the once licensed, the person complies with all terms and conditions of the license as set out under the Bylaw.

3. **DEFINITIONS**

In this Bylaw, unless otherwise required, the expressions:

- (a) **"Business"; "Occupant"; "Owner"; "Person"** shall have the same meaning as given them in the Cities Act.
- (b) **"Bylaw Enforcement Officer"** shall mean a business or person hired or contracted by the City of Melfort to enforce the Bylaws of the City.
- (c) **"Council"** shall mean and include the Council of the City of Melfort.
- (d) **"City"** shall mean the City of Melfort.
- (e) **"Home Based Business/Home Occupation"** means an activity conducted wholly or partly on the business operator's residential premises.
- (f) **"License Inspector"** shall mean the Inspector of Licenses for the City of Melfort and shall include an Assistant Inspector of Licenses, Bylaw Enforcement Officer, and anyone acting as such during his absence from duty for any cause.
- (g) **"Licensee"** means a business/person holding a valid and subsisting license issued pursuant to the provisions of this Bylaw.
- (h) **"Non-Profit Organization"** means a non-profit corporation that is registered under the provisions of *The Non-Profit Corporations Act, S.S. 1979, C.N-41*.
- (i) **"Non-Resident Business"** includes any business, trade, profession, industry, occupation, calling or provider of goods or services, and does not reside or maintain a

place business within the corporate boundaries of the City of Melfort, but operates either partly or wholly within the corporate boundaries of the said City.

- (j) **"Police" or "Police Officer"** shall mean any member of the R.C.M. Police or any police officer in the employ of the City.

4. **LICENSE REQUIRED**

- (a) Subject to subsection 4(b), no person shall carry on business within the City unless such person holds a valid and subsisting license to do so issued pursuant to the provisions of this Bylaw.
- (b) A license shall not be required:
- i) For any activity carried on by the City or at a location operated by an official or employee of the City acting on behalf of the City in his/her capacity as such official or employee.
  - ii) For such other activities as Council may, by resolution, exempt from the requirements of this bylaw.
  - iii) For any person, activity or premises, if such person, activity or premises is exempt from municipal licensing by Federal or Provincial statute.
- (c) 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 is issued.

5. **LICENSE FEES**

The fee payable in respect of any license required under the provisions of this Bylaw shall be in the amount set out in Schedule "B" of this Bylaw.

6. **PRORATING OF FEES**

- (a) Subject to subsection 6(b), no fee in respect to either a new license application or an annual renewal of a license shall be prorated for any reason.
- (b) The license for a business in its first year of operation, or a non-resident business may be prorated to the following:

LICENSES \$100 & UNDER	
January 1 to June 30	100%
July 1 to December 31	50%

LICENSES OVER \$100	
January 1 to June 30	100%
July 1 to September 30	50%
October 1 to December 31	25%

- (c) No refunds shall be issued with respect to any license except when a license is revoked as provided for by Section 13.

7. **COMPLIANCE WITH PROVISIONS OF BYLAW**

- (a) Every person carrying on or engaged in business in respect of which a license is required shall, upon request of the License Inspector, give to the Inspector all information necessary to enable him to carry out his duties.
- (b) A person carrying on or engaged in any such business who fails to furnish such information within 10 days from the date on which the request is made is guilty of an offense and liable on summary conviction to a fine not exceeding \$10.00 for every day for which the default continues.
- (c) For the purpose of ensuring compliance with this Bylaw, a license inspector may, after being properly identified, at any reasonable time enter and inspect any business and may be accompanied by any person having special or expert knowledge on any matter to which this bylaw relates. Any person hindering, preventing, or refusing such free access shall be guilty of a breach of this bylaw.

8. **APPLICATION FOR LICENSES**

All applications for licenses must be in writing, addressed to the License Inspector of the City of Melfort, and shall contain the following information:

- (a) Name, address and occupation of the applicant.
- (b) Nature of the license applied for.
- (c) The place where the license is to be exercised or where the proposed calling is to be carried on.
- (d) The period for which the license is required.

9. **GRANTING OF LICENSES**

All licenses required under the provisions of this Bylaw shall be issued by the License Inspector except where the Council reserves to itself the right to decide whether a license shall be issued or not.

- (a) Where the License Inspector refuses to issue any license he shall forthwith submit the application for license together with the report thereon to the Council and advise the applicant of the date on which the Council will consider the application.
- (b) Every license granted under this Bylaw shall be made out in duplicate and one copy shall be delivered to the licensee who shall produce the same whenever it may be demanded by any police officer in the employ of the City or other person duly authorized to demand its production.

10. **TERM OF BUSINESS LICENSE**

- (a) All licenses issued pursuant to this Bylaw shall be for a calendar year, or portion thereof remaining, and shall expire on December 31<sup>st</sup> of the year in which it was issued.
- (b) Every person to whom a business license has previously been issued intending to continue conducting any activity for which a license is required pursuant to this Bylaw in the year subsequent thereto will be invoiced prior to February 28<sup>th</sup> of that subsequent year, unless the City is advised in writing that a license is no longer required due to discontinuance of the business.
- (c) In the event a person to whom a business license has previously been issued:
  - i) refuses or neglects to renew his/her business license prior to February 28<sup>th</sup>; or
  - ii) fails to tender the applicable license fee or provide information required by the City prior to February 28<sup>th</sup>;

that person shall be deemed to be conducting a business without a license contrary to the provisions of this Bylaw, if that person continues conducting business activities, and shall be subject to prosecution therefore.

11. **FEES PAYABLE AT CITY HALL**

All license fees required to be paid under the provisions of this Bylaw shall be paid to the City at City Hall, 202 Burrows Avenue West, Melfort.

12. **DISPLAY OF LICENSES**

Every licensee granted a license to carry on the business and who occupies premises in connection therewith shall keep the license posted up in a conspicuous place on the licensed premises. All persons licensed under the provisions of this Bylaw where there are no licensed premises shall, on demand of the License Inspector or a customer or client, produce the license to such individual.

13. **REVOCAION OF LICENSES**

The City Administration may suspend or revoke any license granted under the provisions of this Bylaw and where such license is revoked the licensee shall be entitled to a refund of that part of the license fee proportioned to the unexpired term for which it is granted.

14. **PARTNERSHIPS**

In all cases of partnership firms, incorporated companies, or other like combinations or associations, no more than one license shall be required to be taken out for any one place or premises, but in the case of shows, a license shall be required for each separate show or exhibition when held under a separate canvas or tent.

15. **PROVINCIAL LICENSE REQUIRED**

A license will not be issued under this Bylaw to any person required by law to obtain a provincial license, until the person has first produced the required provincial license to the City. Any license issued under this Bylaw, without the person first obtaining the required provincial license is invalid.

16. **AUTHORITY APPROVAL REQUIRED**

A license will not be issued under this Bylaw to any person for a business for which the License Inspector determines that third party approval is required from:

- a) provincial or municipal fire inspector(s).
- b) public health inspector of the Kelsey Trail Health Region.
- c) the R.C.M.Police; or
- d) any other third party as required

until such time as the required third party approval is granted.

17. **ZONING AND BUILDING STANDARDS**

The issuing of a license to a person does not relieve that person of the responsibility of conforming to any zoning, building, plumbing, and any other requirements of the City.

18. **DISCONTINUANCE, CHANGE, RELOCATION OR TRANSFER**

- (a) A person must notify the License Inspector:
  - iii) if a business is discontinued; or
  - iv) if any changes are made with regard to location, ownership, registered business name, mailing address or other nature of the business.
- (b) No person to whom a license has been issued under this Bylaw shall change the location of the premises in which he carries on his business, activity, profession or other occupation without first having applied to the License Inspector to have his license altered to reflect the new location and payment of a fee of Ten Dollars (\$10.00; and the powers, conditions, requirements and procedure relating to the granting or refusal of licenses and appeals thereon, shall apply to all such applications.
- (c) Unless otherwise provided herein, any subsisting license issued under this Bylaw may be transferred upon application to the License Inspector and payment of a fee of Ten Dollars (\$10.00), provided that the applicant has the required qualifications and furnishes legal documentation releasing the rights and interests of the previous owner.
- (d) No person who purchases the interest of, or part of the interest of, any person licensed pursuant to this Bylaw shall carry on or continue such business, activity, profession or other occupation without first having obtained a transfer of license or a new license.
- (e) The provisions of this Section shall not apply to Transient Traders, Hawkers and Peddlers, or with regard to relocation from one Home Based Business premises to another similar premises.

19. **PENALTY ON OUTSTANDING ACCOUNT**

The due date for licenses invoiced in accordance with this Bylaw shall be the date as indicated on the invoice. Account balances outstanding after the due date will be considered over due and will be subject to a penalty of 1.5% per month compounded monthly until the account including all penalties are paid in full.

If an account is not paid in full by the due date, the license may be revoked for non-payment and will not be reissued until all arrears and accrued penalties are paid in full.

20. **PROCEDURE FOR VIOLATION NOTICES**

- (a) Where a person commits or is alleged to have committed an offence for which a penalty is set out in Schedule 6 of this Bylaw, a License Inspector or any other person authorized by the Director shall issue a Notice of Violation to such person.
- (b) The Notice of Violation shall be in the form or substantially in the form of Form 6C and shall provide for the voluntary payment of a penalty in the amount set forth in Column 6A of Schedule 6 for the offence which the person is alleged to have committed.
- (c) Voluntary payment of a penalty specified in a Notice of Violation shall be made on or before the date indicated on the Notice of Violation. Voluntary payment shall be made at the front counter at City Hall during normal business hours.

- (d) If payment of the amount specified on the Notice of Violation is made on or before the date indicated on the Notice of Violation, the person alleged to have committed the offence shall not be liable to prosecution for the offence indicated.
- (e) 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, a License Inspector or other authorized person shall lay an information under oath as to the offence before a Justice of the Peace for the purpose of obtaining a Summons.
- (f) The information referred to in subsection (e) shall be in the form or substantially in the form of Schedule 6D.
- (g) The Summons shall be in the form or substantially in the form of Schedule 6E and shall provide for the voluntary payment of a penalty in the amount set forth in Column 6B of Schedule 6F for the offence which the person is alleged to have committed. The Summons shall be served by a Police Officer or other authorized person.
- (h) Voluntary payment of a penalty specified in a Summons shall be made on or before the date indicated on the Summons. Voluntary payment shall be made at the front counter at City Hall during normal business hours.
- (i) If payment of the amount specified on the Summons is made on or before the date indicated on the Summons, the person alleged to have committed shall not be liable to prosecution for the offence indicated.
- (j) If payment of the amount specified on the Summons is not made on or before the date indicated on the Summons, the person to whom the Summons has been issued shall be liable to prosecution of the alleged contravention of any provision of this Bylaw.

## 21. **OFFENCES AND PENALTIES**

- (a) Every person who contravenes a provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not more than:
  - i) \$2,000.00 in the case of an individual; and
  - ii) \$5,000.00 in the case of a corporation.
- (b) In case of a conviction for the non-payment of the license fee payable to the City under this Bylaw the convicting justice may adjudge payment thereof in addition to the penalty.
- (c) Such penalty or penalty and license fee, as the case may be, may be recovered and enforced by summary conviction before a Provincial Magistrate or Justice of the Peace having jurisdiction in the City, and upon default of payment, the person convicted may be committed to jail or the guardroom of the Royal Canadian Mounted Police force, or to a public lock-up for any time determined by the Provincial Magistrate or Justice, not exceeding thirty days, unless the penalty, or penalty and license fee, are sooner paid.

## 22. **PROSECUTION**



In a prosecution for contravention of a bylaw against engaging in or operating a business without a license, proof of one transaction in the business or that the business has been advertised is sufficient to establish that a person is engaged in or operates the business.

23. **FROM WHOM LICENSE RECOVERABLE**

In accordance with Subsections 9(2) to 9(5) of *The Cities Act*, if any contractor fails to pay the license fee imposed by this Bylaw, the licensing officer may give notice in writing to any person by whom the contractor is employed requiring the person to pay the license fee out of the monies payable by him to the contractor and upon receipt of the notice by that person, the amount of the license fee shall to the extent of monies so payable be a debt due by that person to the City and may be recovered in the same manner as taxes may be recovered.

24. **BYLAWS REPEALED**

Bylaw No. 2007-05 of the City of Melfort is hereby repealed.

25. **COMING INTO FORCE**

This Bylaw shall come into full force and take effect on the 1<sup>st</sup> day of January, 2008.

**INTRODUCED AND READ** a first time this 19<sup>th</sup> day of November, 2007.

**READ A SECOND TIME** this 19<sup>th</sup> day of November, 2007.

**READ A THIRD TIME AND PASSED** this 19<sup>th</sup> day of November, 2007.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**S E A L**

**CERTIFIED A TRUE COPY** of Bylaw No. 2007-25, adopted by Council on the 19<sup>th</sup> day of November, 2007.

\_\_\_\_\_  
City Clerk

**City of Melfort**  
**SCHEDULE "A"**  
**To Bylaw No. 2007-25**

**DEFINITIONS OF TYPES OF ACTIVITIES:**

**"Accountant" (3)** is any public accountant not having an established place of business in the City as an accountant.

**"Advertising Distributor" (9)** means a business/person who solicits and/or distributes almanacs, blotters, cards, catalogues, circulars, coupons, calendars, flyers, handbills, posters, samples, thermometers, directories or any other like article or matter that are designed or intended to advertise any article, product, trade or business.

**"Ambulance Service" (9)** means any person who owns or keeps for hire or profit a motor vehicle for the purpose of conveying sick or injured persons, PROVIDED HOWEVER, that no application for a license under this section shall be accepted unless a license to operate such vehicle is first obtained from the Provincial Motor License Branch and is produced to the License Inspector.

**"Appraiser" (3)** . means a person who is authorized to fix the value of property, etc.

**"Auctioneer" (3)** includes any person selling or offering for sale by public auction any real or personal property, including wares, merchandise, machinery, effects, automobiles or other such like goods.

**"Automatic Vending Machine" (8)** means any automatically or mechanically coin operated vending machine or device for the sale of any non-alcoholic beverages or for the sale of any goods or merchandise including gum, peanuts, candy or other confectioneries, provided that the said vending machine or device is not owned and serviced by the proprietor of the business in which the said vending machine or device is located.

**"Barber" (11)** means any person who carries on a barbering business for profit or gain.

**"Beauty Parlor" (11)** means any person who carries on the business of hairdresser or operates a beauty parlor.

**"Bed and Breakfast" (11)** means every person who keeps or conducts a boarding house not licensed as a public hotel and having up to four beds available for the use of boarders or lodgers.

**"Bookkeeper" (3)** is any public bookkeeper not having an established place of business in the City as a bookkeeper.

**"Building Movers" (2)** means any person carrying on the business of moving buildings within the City, into the City or out of the City.

**"Canteen" (5)** includes any person who operates a canteen in a public place or a mobile canteen going from place to place from which food, drink, confectioneries, cigars, cigarettes or tobacco is sold and for which all food is prepared in other premises and disposable utensils are used, provided that the cooking of hamburgers and wiener sausages in the canteen shall not be a violation of the terms of the license.

**"Canvasser Distributor" (9)** means a business/person who solicits and/or distributes almanacs, blotters, cards, catalogues, circulars, coupons, calendars, flyers, handbills, posters, samples, thermometers, directories or any other like article or matter that are designed or intended to advertise any article, product, trade or business.

**"Canvassers for Subscriptions" (9)** includes every person canvassing for subscriptions to daily, weekly or monthly papers, magazines or periodicals printed outside the City.

**"Car Dealer" (3)** includes every person carrying on a business whereby new or used motor vehicles are sold, traded or offered for sale and does not have an established place of business in the City.

**"Caterer" (5)** is any person, club or organization who or which for profit, supplies or furnishes group dinners or luncheons, PROVIDED HOWEVER, that this shall not apply to dinners, banquets or luncheons served or supplied by;

- Religious organizations, primarily for its own member or adherents.
- Hospitals which receive public aid under the Hospital Act.
- Canadian Legion and Service Clubs and fraternal organizations.
- The expression "Religious Organizations" as used in the first clause hereof shall include the Young Men's Christian Association, the Young Women's Christian Association and/or any similar organization.

**"Circus" (6)** includes any proprietor or manager of a traveling circus or other like traveling exhibition provided that:

- There shall be displayed at the entrance of every circus, exhibition, show, palmist booth, merry-go-round, riding device or any like amusement, a sign bearing the admission fee charged for same in plain letters or figures at least four inches high in size and satisfactory in style and position to the License Inspector.
- No license shall be issued under this section unless the Provincial License for the exhibition in question is produced to the License Inspector.

**"Chimney Sweep" (2)** is any person who carries on the business or trade of a chimney sweep other than a plumber or tinsmith regularly engaged in the plumbing or tinsmith business.

**"Chiropractist or Chiropractor" (11)** is any person who engages in the business as a chiropractist or a chiropractor or a manipulative healer and every person who in any public place who purports to heal the sick in any way.

**"Christmas Tree Vendor" (1)** means a business/person or organization that sells or offers for sale Christmas trees on any site outside of a building.

**"Collection Agency" (11)** includes every person who collects accounts and charges a commission or fee therefore.

**"Contractor" (2)** – means a contractor, sub-contractor, master mechanic, journeyman or jobber that engages in, or enters into any contract for the erection, demolition, alteration, repair, or removal of buildings or structures, installation of heating, plumbing or other fixtures, painting and/or other allied trades and shall include all contractors, sub-contractors, master mechanics, journeymen or jobbers, undertaking any municipal work, whether waterworks, sewage or otherwise.

**"Craft" (7)** means an item that is made with one's own hands and skills.

**"Craftsman or Crafter" (7)** means a person who has the knowledge and skills of a craft.

**"Decorator" (11)** includes every person that decorates designs or executes the interiors of buildings and furnishings.

**"Direct Seller" (10)** means an individual or firm which is licensed under The Direct Sellers Act, and

- goes from house to house selling or offering for sale or soliciting orders for the future delivery of goods or services; or

- ❑ by telephone offers for sale or solicits orders for the future delivery of goods or services; or
- ❑ does both of the things mentioned in the above two sub clauses.

**"Disc Jockey" (6)** means a person who announced and plays popular recorded music.

**"Drafting Services" (3)** is any person engaged in the profession of drafting or engineering not having an established place of business in the City.

**"Dray Services" (11)** means a business/person that derives some portion of their revenue from the operation of a delivery or dray service whether as a distinct separate business or as an incidental or part of any other business. For the purpose of this Bylaw every dray, truck, trailer, tractor, cart, wagon, vehicle, horse or team of horses, attached to any of the foregoing conveyances used in the transportation of goods, wares, merchandise, stone, gravel, fuel, building materials, cement, manure, blacktop or any other thing, or used for the purpose of excavating, ploughing, moving buildings or for any purpose similar to these, especially enumerated in this section, shall be deemed a dray unless the context otherwise requires.

**"Electrolysis" (11)** is any person who is engaged in the practice of Electrolysis in the City.

**"Engineering Services" (3)** is any person engaged in the profession of engineering not having an established place of business in the City.

**"Farm Products Dealer" (5)** means a business/person that offers for sale or solicits orders for the future delivery of farm products, and is not otherwise licensed as a butcher or grocer and is not a direct seller by virtue of The Direct Sellers Act.

**"Farmers Market" (5)** includes every person or group of persons operating a market where the producer offers produce, fruit, handicrafts and other similar products for sale. Dairy products not included.

**"Financial Services" (3)** means a business/person that markets the products and services offered by institutions like banks or companies of various kinds for the facilitation of a range of financial transactions and other related activities in the world of finance like loans, insurance, credit cards, investment opportunities and money management as well as providing information on the stock market and other issues like market trends.

**"Fish Dealer/Peddler" (5)** means a business/person that offers for sale or solicits orders for the future delivery of fish and is not otherwise licensed as a butcher or grocer and is not a direct seller by virtue of The Direct Sellers Act.

**"Floor Sander" (2)** is any person carrying on a business of floor sanding or finishing and not otherwise licensed as a contractor.

**"Florist" (7)** is any person carrying on the business of a florist and sells flowers, cut flowers, plants, bulbs and other things of a like nature and does not have an established place of business within the City.

**"Fruit Dealers" (5)** is any person who engages in the business of selling fresh fruit and who is not otherwise licensed as a grocer.

**"Fumigator" (11)** is a person carrying on the business of a fumigator or an insect or rodent exterminator.

**"Fur Dealer" (1)** is a person engaged in the business of a dealer in raw furs, skins or hides.

**"Garden Tilling" (1)** is any person operating a motorized cultivating outfit or aerating machine for gain.

**"Golf Driving Range" (6)** includes every person operating a place where the patrons pay a fee, whether by way of membership or otherwise for the purpose of practicing or exemplifying the driving of golf balls.

**"Hair Dresser" (11)** means any person who carries on a hair dresser/styling business for profit or gain.

**"Hawker" (9)** is any person who, whether as principal or agent, goes from house to house or locates on any street or roadway or elsewhere other than a building which is his permanent place of business, and offers for sale any merchandise to any person or exposes for sales to any person by means of samples, patterns, cuts or blueprints, merchandise to be afterwards delivered in or shipped into the City; but does not include a principal or agent selling to a wholesale or retail dealer in such merchandise.

**"Handyman" (11)** includes individuals who repair items or make general repairs for hire or gain.

**"Hypnotist" (11)** includes any hypnotist, phrenologist, astrologist or other person of similar calling.

**"Ice Cream and/or Soft Drink Parlors or Booths" (5)** includes any person who owns or operates any place for the serving or sale of ice cream and soft drinks provided that a restaurant or lunch counter which is subject to a business tax shall not be required to be licensed under this paragraph.

**"Interior Decorator (11)** . means a person who specializes in designing architectural interiors and their furnishings.

**"Janitorial Services" (11)** is any person or persons supplying a janitorial service which includes window cleaning to two or more buildings.

**"Job Printers" (3)** is any person carrying on the business as a job printer in the City.

**"Landscaping" (1)** is any person providing landscaping services, selling nursery stock or operating any mechanical cultivating outfit for gain.

**"Manicurist" (11)** . means a person who cleans and trims and polishes the nails.

**"Massage Therapist" (11)** . means an individual who uses a combination of therapeutic techniques in order to stimulate and enhance the life of another person.

**"Miniature Golf" (6)** includes every person operating a place where the patrons pay a fee, for the purpose of practicing or exemplifying the driving of golf balls.

**"Mobile Vendors" (8)** means any person who keeps a non-motor vehicle or vehicles for the sale of food, shall pay the annual fee provided in this bylaw for each vehicle.

**"Monument Sales" (10)** is a person carrying on the business of monument sales within the City, and does not have an established place of business.

**"Peddler" (9)** is any person who, whether as principal or agent, goes from house to house or locates on any street or roadway or elsewhere other than a building which is his permanent place of business, and offers for sale any merchandise to any person or exposes for sales to any person by means of samples, patterns, cuts or blueprints, merchandise to be afterwards delivered in or shipped into the City; but does not include a principal or agent selling to a wholesale or retail dealer in such merchandise.

**"Pedicurist" (11)** . means a person who cares for one's feet by cutting and shaping the nails.

**"Photographers" (11)** is a person who carries on the business of photographer and does not have an established place of business in the City.

**"Piano Tuner" (6)** is a person carrying on the business or occupation of tuner, repairer or cleaner of organs or pianos.

**"Private Service Homes" (11)** means a facility, licensed pursuant to Provincial Statute that provides specialized care to any person. Without limiting the generality of the foregoing, approved homes may include day care homes and centers, group care facilities, nursing homes, special care homes and personal care homes.

**"Produce Dealer" (5)** means a business/person that offers for sale or solicits orders for the future delivery of produce, and is not otherwise licensed as a butcher or grocer and is not a direct seller by virtue of The Direct Sellers Act.

**"Reflexology" (11)** is any person engaged in the practice of Reflexology in the City.

**"Repairman" (11)** includes individuals who repair items or make general repairs for hire or gain.

**"Sign Installers" (4)** is any person engaged in the business of sign erection, repair or painting.

**"Tattoo Parlor" (11)** includes any premises where tattooing is performed for gain.

**"Tombstone Sales" (10)** is a person carrying on the business of tombstone sales within the City, and does not have an established place of business.

**"Tow Truck Service" (11)** is a business/person that tows or transports vehicles.

**"Transient Dry Cleaners" (11)** includes every person or agent thereof, not resident of the City, who picks up clothing or other articles for dry cleaning outside the City limits whether the clothing or articles are privately owned or on a lease basis.

**"Transient Trader" (12)**, as defined in Subsection 9(1) of The Cities Act, means a person carrying on business in a city who:

- (a) offers goods or merchandise for sale by retail or auction; or
- (b) solicits any person who is not a wholesaler or retail dealer for orders for the future delivery of goods or merchandise;

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.

**"Used Car Dealers" (3)** includes every person carrying on the business whereby used motor vehicles are sold, traded or offered for sale and does not pay any fee or tax in respect to the business of a new car dealer.

**"Vending Machines" (8)** means any automatic or coin operated vending machine or device for the sale of goods or merchandise including gum, peanuts, candy or other confections provided that the said vending machine or device is not owned and serviced by the proprietor of the business in which the said machines or devices are located.

**"Watch Repair" (11)** is any person carrying on the business of repairing watches, clocks, etc. not conducted in a jewelry store.

**"Welder" (11)** is any person carrying on the business of an electric welder or oxyacetylene welder or cold welder not having a regular place of business in the City.

**"Unclassified" (13)** includes every person carrying on any trade or business for gain if in regard to licensing of same, no specified provision is anywhere made in this bylaw.

**City of Melfort  
SCHEDULE "B"  
To Bylaw No. 2007-25**

In this Schedule B to Bylaw 2007-25, the expression:

**"Business - Residential Premises"** shall mean a business conducted wholly or in part on a business owner's property that is primarily used as a residence.

**"Business - Commercial Premises"** shall mean a business conducted wholly or in part on a business owner's property that is primarily a commercial or industrial property, subject to commercial/industrial assessment.

**CATEGORY 1 – Seasonal Trades**

Business - Residential Premises	\$50.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$100.00

**CATEGORY 2 – Contractors**

Business - Residential Premises	\$250.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$350.00

**CATEGORY 3 – Professional Services**

Business - Residential Premises	\$250.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$350.00

**CATEGORY 4 – Sign Installers**

Business - Residential Premises	\$100.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$150.00

**CATEGORY 5 – Food Services**

Business - Residential Premises	\$100.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$150.00

**CATEGORY 6 – Entertainment**

Business - Residential Premises	\$50.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$100.00

**CATEGORY 7 – Crafts**

Business - Residential Premises	\$25.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$50.00

**CATEGORY 8 – Vendors**

**Vendors:**

Business - Residential Premises	\$10.00 plus \$5.00 per machine
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$25.00 plus \$5.00 per machine

**Box Candy Sales (unless 100% non-profit organization):**

Business - Residential Premises	\$50.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$100.00

**CATEGORY 9- Canvassers/Subscriptions**

Business - Residential Premises	\$100.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$150.00

**CATEGORY 10 – Direct Sales (refer to definitions provided in *The Direct Sellers Act*)**

Business - Residential Premises	\$25.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$50.00
Licensed under <i>The Direct Sellers Act</i>	\$20.00 or \$30.00

**Direct Sellers Contractor:**

Business - Residential Premises	50.00
Business - Commercial Premises	50.00
Business . Non-Resident	100.00

**CATEGORY 11 – General and Personal Services**

Business - Residential Premises	\$100.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$150.00

**CATEGORY 12 – Transient Traders**

Non-Resident: Goods/merchandise under \$1,000 in value	\$100.00/day Maximum \$500.00
Non-Resident: Goods/merchandise over \$1,000 in value	\$150.00/day Maximum \$600.00

**CATEGORY 13 – Unclassified**

Business - Residential Premises	\$100.00
Business - Commercial Premises	\$50.00
Business . Non-Resident	\$150.00



**City of Melfort**  
**SCHEDULE "C"**  
**To Bylaw No. 2007-25**

**NOTICE OF VIOLATION**



**BYLAW VIOLATION  
NOTICE**

Ticket No. \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Vehicle License # \_\_\_\_\_ Make/Model \_\_\_\_\_  
Date \_\_\_\_\_ Time \_\_\_\_\_ A.M. P.M.  
Location \_\_\_\_\_

**TYPE OF OFFENCE**

This official ticket is issued for a breach of the following bylaw:

Traffic Bylaw

Dog Bylaw

Licensing Bylaw

Zoning Bylaw

Waste Bylaw

Other

Bylaw # \_\_\_\_\_ Section \_\_\_\_\_

Description of Offense: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Penalty: \$ \_\_\_\_\_ Payment must be made within 30 calendar days of date of issue. If payment is made within fourteen calendar days of issue, the discounted penalty is \$ \_\_\_\_\_.

Issued By \_\_\_\_\_

Payment may be made in person at Melfort City Hall (202 Burrows Avenue West) weekdays between the hours of 8:00 A.M. and 4:30 P.M. or by mail to:  
City of Melfort, Box 2230, Melfort, Sask., S0E 1A0

**City of Melfort  
SCHEDULE "D"  
To Bylaw No. 2007-25**

**INFORMATION**

**INFORMATION**

Information No. \_\_\_\_\_  
Ticket No. \_\_\_\_\_

**Canada** }  
**Province of Saskatchewan** } **ON BEHALF OF HER MAJESTY THE QUEEN**  
**Provincial Court, City of Melfort** }

**THIS IS THE INFORMATION OF** [insert name, address and occupation of informant]

(hereinafter called the Informant). The informant says that he/she has reasonable and probable grounds to believe and does believe that:

[insert name, address and birth date of accused] did;

on or about the \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_ at the City of Melfort, in the Province of Saskatchewan, commit the following offence:

[insert description of offence]

contrary to the provisions of the Licensing Bylaw, being Bylaw No. 2007-25 of the said City of Melfort.

**AND FURTHER** the Informant says that a Notice of Violation for the above captioned offence was issued and that no payment has been received in accordance with the instructions contained in the said Notice.

SWORN BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_, at Melfort in the Province of Saskatchewan.

\_\_\_\_\_  
Signature of Informant

\_\_\_\_\_  
A JUSTICE OF THE PEACE IN AND FOR THE  
PROVINCE OF SASKATCHEWAN

**City of Melfort**  
**SCHEDULE "E"**  
**To Bylaw No. 2007-25**

Modified Criminal Code Summons (Front)

**SUMMONS TO A PERSON**  
**CHARGED WITH A VIOLATION**

Ticket No. \_\_\_\_\_

Canada }  
Province of Saskatchewan } **ON BEHALF OF HER MAJESTY THE QUEEN**  
Provincial Court, City of Melfort }

TO \_\_\_\_\_ Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_  
\_\_\_\_\_

**WHEREAS YOU HAVE THIS DAY BEEN CHARGED BEFORE ME that**, on or about the \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_ at the City of Melfort, in the Province of Saskatchewan, you did commit the following offence:

contrary to the provisions of the Licensing Bylaw, being Bylaw No. 2007-25 of the said City of Melfort.

**AND WHEREAS** a Notice of Violation for the above captioned offence was issued and our records indicate that no payment has been received in accordance with the instructions contained in the said Notice.

**IF VOLUNTARY PAYMENT IN THE AMOUNT OF \_\_\_\_\_ IS NOT RECEIVED ON OR BEFORE \_\_\_\_\_, YOU ARE COMMANDED, IN HER MAJESTY'S NAME:**

(1) to appear before the presiding judge of **The Provincial Court of Saskatchewan at 105 Crawford Avenue East**, Melfort, Saskatchewan, on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_ at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon (Melfort Time) or before any justice for the said Province who is there, and to attend thereafter as required by the Court in order to be dealt with according to law; and

**YOU ARE WARNED THAT FAILURE WITHOUT LAWFUL EXCUSE TO ATTEND COURT IN ACCORDANCE WITH THIS SUMMONS IS AN OFFENCE UNDER SUBSECTION 145(4) OF THE CRIMINAL CODE (CANADA).**

DATED this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_, at Melfort in the Province of Saskatchewan.

\_\_\_\_\_  
A JUSTICE OF THE PEACE IN AND FOR THE  
PROVINCE OF SASKATCHEWAN

**SUBMIT THIS STUB WITH PAYMENT**

**Payment Instructions on the Back**

Ticket No. \_\_\_\_\_

Payment to:  
The City of Melfort  
City Hall . 202 Burrows Avenue West  
P. O. Box 2230  
Melfort, Saskatchewan S0E 1A0

**City of Melfort**  
**SCHEDULE "E" (cont'd)**  
**To Bylaw No. 2007-25**

Modified Criminal Code Summons (Back)

**SUMMONS TO A PERSON  
CHARGED WITH A VIOLATION**

**PAYMENT INSTRUCTIONS**

1. Payment may be made in person at Melfort City Hall, 202 Burrows Avenue West, during normal business hours.
2. Payment may also be made by mailing this Summons, together with the exact amount of the penalty specified therein for voluntary payment, to the following address:

The City of Melfort  
PO Box 2230  
Melfort, SK S0E 1A0
3. Payment must be received prior to the date specified in the summons. Voluntary payment can not, and will not, be accepted after the date specified for voluntary payment. If you choose to send your payment by mail, it is your responsibility to ensure that your payment is posted in sufficient time to be received prior to the date specified.
4. Avoid prosecution by paying promptly. If payment is not received by the City of Melfort in accordance with the instructions contained herein, a mandatory court appearance is required at the time and place specified herein.
5. You are warned that failure, without lawful excuse, to attend court in accordance with this summons is an offence under subsection 145(4) of the Criminal Code (Canada), which provides as follows:

%4) Every one who is served with a summons and who fails, without lawful excuse, the proof of which lies on him, to appear at a time and place stated therein, if any, for the purposes of the Identification of Criminals Act (Canada) or to attend Court in accordance therewith, is guilty of:

  - (a) an indictable offence and is liable to imprisonment for a term not exceeding two years; or
  - (b) an offence punishable on summary conviction.+
6. For inquiries, please contact the City of Melfort at 752-5911.

**City of Melfort**  
**SCHEDULE "F"**  
**To Bylaw No. 2007-25**

Offences for which a Notice of Violation may be Issued

<u>Section No.</u>	<u>Description of Offence</u>	<u>Column A</u>	<u>Column B</u>
4(a)	Conducting business activity without a license.	\$ 200.00	\$ 300.00
4(c), 8(c)	Conducting business activity from a Premises not identified on a business license.	\$ 100.00	\$ 150.00
10(c)	Continuing to conduct business activity without making application for renewal of previous license, payment of prescribed fees or provision of required information within specified period of time.	\$ 200.00	\$ 300.00
12	Failing to post copy of business license at premises from or at which business activities are being conducted.	\$ 100.00	\$ 150.00
12	Failing to produce copy of business license when requested to do so by License Inspector.	\$ 100.00	\$ 150.00