



Bylaw 2017-03 Business Licenses

A bylaw of the Town of Eston to provide for the classification, control, regulation and licensing of persons engaged in certain businesses.

The Council of the Town of Eston, in the Province of Saskatchewan, enacts as follows:

1. Short Title

1.1. This bylaw may be cited as the Business Licenses Bylaw.

2. Definitions

In this Bylaw, unless the context otherwise requires, the expression:

2.1. "Administrator" shall mean the Administrator for the Town of Eston.

2.2. "Business" means any of the following activities, whether or not for profit and however organized or formed:

2.2.1. A commercial, merchandising or industrial activity or undertaking;

2.2.2. The carrying on of a profession, trade, occupation, calling or employment;

2.2.3. An activity providing goods or services.

2.3. "Contractor" means a person who constructs, alters, maintains, repairs or removes buildings or structures, installs heating plants, plumbing or other fixtures or performs other similar work in the Town and who does not have a business premises in the Town.

2.4. "Council" shall mean the Council of the Town of Eston.

2.5. "Direct Seller" as defined in *The Direct Sellers Act* means a person who:(i) goes from house to house selling or offering for sale, or soliciting orders for the future delivery of, goods or services; (ii) by telephone offers for sale or solicits orders for the future delivery of goods or services; or (iii) does both of the things mentioned in subclauses (i) and (ii).

2.6. "Home Based Business" means where the business operates primarily from land or within a building where the land or building is principally used for residential purposes.

2.7. "License Inspector" shall mean the Administrator of the Administrator's designate who is authorized to administer and enforce the provisions of this Bylaw.

2.8. "Town" shall mean the Town of Eston.

2.9. "Transient trader" means a person carrying on business in a municipality who offers goods or merchandise for sale by retail or auction but who is not a wholesaler or retail dealer selling business to business.

3. Licenses Required

3.1. No person shall within the Town carry out or engage in any business until such a person has obtained a license in accordance with this Bylaw and paid the fees listed in Schedule A.

3.2. Every person seeking a license under this Bylaw shall make application at the Town Office.

3.3. Applications shall be made on the Business License Application Form as provided by the Town Office.

3.4. All applications shall be accompanied by payment of the required fee.

3.5. Where the Province of Saskatchewan requires a license, registration, bond, or certificate for a business or profession the applicant shall provide satisfactory proof of meeting that requirement with the application for a license.

4. Validity

4.1. A license is valid from the date of issue up to and including December 31st of the year of issue.

4.2. Licenses are not transferable.

- 4.3. Council may suspend or revoke any license by resolution of Council. The License Inspector may temporarily suspend a license until the next regular meeting of the Council.
- 4.4. The License Inspector may refuse to issue a license to any applicant. The applicant shall be notified of the reason for the refusal.
- 4.5. Where a license has been refused, suspended or revoked the applicant may appeal to Council in writing and Council shall hear that appeal at their next regular meeting. The decision of Council will be considered as final.

5. Exempt Businesses

This Bylaw does not apply to:

- 5.1. Any business specifically exempted by resolution of Council.
- 5.2. Any students in full time study, up to and including post-secondary, who are engaged in seasonal occupations.
- 5.3. Any business assessed for property tax as commercial or industrial property or renting premises that is assessed for property tax as commercial or industrial property.
- 5.4. Local service clubs, non-profit organizations or recreational/social groups engaged in fundraising activities for the benefit of the community.
- 5.5. Home based businesses or contractors with annual gross revenue of less than \$5,000.

6. Penalties

- 6.1. Any person who violates any provision of this bylaw is guilty of an offence and shall be liable upon summary conviction to a fine of \$500 for a first offense and \$1,000 for all subsequent offenses.
- 6.2. As per *The Municipalities Act*, if a licence fee imposed by a bylaw passed for the licensing of building contractors is unpaid, a designated officer:
 - 6.2.1. May give a written notice to any person by whom the contractor is employed requiring that person to pay the licence fee out of moneys payable by that person to the contractor; and
 - 6.2.2. If the designated officer gives written notice pursuant to clause (a), shall send a copy of the written notice to the contractor.
- 6.3. As per *The Municipalities Act*, on receipt of a written notice requiring the person to pay a licence fee, the amount of the licence fee may be recovered in the same manner as taxes may be recovered

7. Terms

- 7.1. Bylaw No. 7-2001 Business Licensing is hereby repealed.
- 7.2. This Bylaw shall come into force on the day of its final passing.

Mayor

[SEAL]

Administrator



Bylaw 2017-03
Business License
Schedule A

1. General Business
Applies to all businesses not covered in Section 5 or Category 2, 3, 4 or 5 below

General business per year	\$100
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2. Contractors

Contractor per year	\$200
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3. Transient Trader

Transient trader per year	\$50
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4. Direct Sellers

Per salesperson per year	\$50
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Yearly licenses are valid to December 31 of the current year.

All annual fees shall be prorated for the remaining months of the year, including the month in which it is being purchased.