



THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2011-53

A BY-LAW TO AMEND BY-LAW NO. 2007-38, BEING A BY-LAW TO LICENSE, REGULATE AND GOVERN BUSINESSES CARRIED ON WITHIN THE MUNICIPALITY

PASSED:

As Amended by By-Law No.:

By-Law No.	Passed on:	By-Law No.	Passed on:
2009-20	March 10th, 2009		
2009-21	March 10th, 2009		
2009-19	April 14th, 2009		
2009-32	April 14th, 2009		
2009-45	April 28th, 2009		
2011-53	May 24, 2011		

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TO LICENSE, REGULATE AND GOVERN BUSINESSES CARRIED
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WHEREAS Section 8 of the *Municipal Act, 2001*, as amended provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the *Municipal Act, 2001*, as amended, grants municipalities the capacity, rights, power and privileges of a natural person for the purpose of exercising its authority under the Act; and

AND WHEREAS under Section 11 of the *Municipal Act, 2001*, as amended, a lower tier municipality may pass by-laws respecting matters within the sphere of jurisdiction set out therein;

AND WHEREAS Section 151 and Section 160 of the *Municipal Act, 2001*, provides that a local municipality may provide for a system of licenses with respect to a business and pass by-laws licensing businesses under any section of the *Municipal Act* or any other Act.

AND WHEREAS Council of The Corporation of the Town of Wasaga Beach passed By-Law No. 2007-38, to license, regulate and govern businesses carried on within the Municipality, deems it expedient to amend the said by-law regarding provisions for Hawker and Peddler licensing;

NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach HEREBY ENACTS as follows:

1. THAT By-Law No. 2007-38, Section U, Offences and Penalties, is hereby amended, by adding, the following:

- Section 1.1 Every person who contravenes Section F(1) of the By-Law, in so far as the requirement to obtain a license under Schedule “A21” (Hawker and Peddler), shall be subject to a minimum fine of not less than one thousand (\$1,000) dollars upon conviction.
2. THAT By-Law No. 2007-38, Schedule “A21” (Hawker and Peddler) is hereby amended by adding the following to Section C – Requirements and Conditions of Licence:
- 8.1 Where a licensee offers products for sale from a stationary location, the licensee shall post a copy of a valid business licence at the location that is clearly visible to customers and the public alike.
 - 8.2 Where a licensee solicits businesses door-to-door, the licensee shall first produce a copy of the business licence during the initial introduction to the home owner or occupant, prior to offering any goods or products for sale.
 - 10.1 The licensee shall obtain a valid general liability insurance policy in the amount of two million (\$2,000,000) dollars, which shall accompany the application for the business license.
 - 10.2 The licensee shall maintain, in force, a valid insurance policy required in Section 10.1 above, while being the holder of the valid business licence for the Town of Wasaga Beach.
 - 10.3 Where such liability insurance policy is cancelled or otherwise invalidated, the licensee agrees to immediately send written notice by Registered Mail to the Town’s Business Licensing Office.
 - 12. The licensee agrees they will not apply and hold more than two (2), 30-day Hawker and Peddler licences within any calendar year.

3. THAT By-Law No. 2007-38, Schedule “B” (Fees/Inspections/Approvals) is hereby amended as follows:

Hawker/Peddler: Business Licence Fee - \$300
Inspections/Approvals as Required:
Insurance Proof
30 days from issuance
Maximum 2 licences per year

4. THAT By-Law No. 2007-38, Schedule “C” (Expiry Dates) is hereby amended, as follows:

Remove “Hawker/Peddler” from the “Category of License” that is adjacent to the “Expiry Date” column that reads “31st day of December for the year of issuance”, and amend by creating and adding a new “Category of License” and “Expiry Date”, as follows:

Category of Licence: Hawker and Peddler
Expiry Date: 30 days from day of issuance to a maximum of two (2) licenses per year

5. THAT all previous By-Laws and resolutions and parts of by-laws and resolutions relating to the licensing, regulation and governing of a Hawker and Peddler license in the Town of Wasaga Beach inconsistent with the provisions of this by-law, are hereby repealed.
6. THAT this By-Law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF MAY, 2011.

Cal Patterson, Mayor

Twyla Nicholson, Clerk