

SCHEDULE "A53" TO BY-LAW 2007-38

SPECIAL SALE

A. DEFINITION:

1. "Special Sale" means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

Bankrupt	Selling Out	Water Damage
Insolvent	Lease Expiring	Creditor
Trustee	Closing Out	Forced
Receiver	Discontinuing	Garage
Liquidation	Fire	Yard
Moving Out	Smoke	Lawn

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business.

B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:

1. For the purpose of protecting the health and safety of the customers, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

C. REQUIREMENTS AND CONDITIONS OF LICENCE:

1. No person shall sell, offer to sell, display or advertise for sale in any way any goods, wares or merchandise by way of special sale within the limits of the Town without first obtaining a licence to do so.
2. Any sale conducted by a religious or charitable organization or educational institution shall be required to obtain a licence to do so; however, shall not be required to pay the fee as outlined below.
3. In the case of a neighbourhood special sale, one permit may be issued with one fee being paid, subject to a list detailing all participants and the street addresses being provided to the Business Licensing Office;
4. For greater certainty, the participants or the street address of a neighbourhood special sale must comply with this Schedule.
5. Fees:
 - a. The fees to obtain a permit for a special sale shall be as shown on Schedule "B" attached to this By-law;

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- b. If an applicant attends the municipal office to purchase a special sale licence prior to the date of the special sale, and said licence is issued, he shall be subject to an early payment rate as shown on Schedule "B" attached to this By-law.
6. Where the applicant is not the owner of the goods, the application shall be accompanied by a statutory declaration of the owner of the goods, verifying the details of said application.
7. The applicant shall produce all books, records or other documents as the Business Licensing Officer shall deem necessary to corroborate any of the statements contained in the application.
8. No person shall add to or replenish the goods described in the application or substitute any goods thereof.
9. A special sale shall be conducted between the hours of 8:00 a.m. and 8:00 p.m. only.
10. A licence for a special sale shall be issued only two times for any one location in any calendar year.
11. A licence for a special sale shall be issued only two times to any one person in any calendar year.
12. No sign advertising a special sale shall be of a size greater than one (1 sq.m) square meter.
13. No sign advertising a special sale shall fail to show the street address and date of sale.
14. One sign only may be placed in each direction of travel on the roadway adjoining the location of the special sale and no sign shall be placed in such a location as to impede vehicular or pedestrian traffic.
15. No signs may be erected until three (3) days previous to the date of the special sale, and any and all signs shall be removed immediately upon the close of said special sale.
16. No goods, wares or merchandise may be placed or displayed at a distance closer than six (6 m) metres (19.68') to the roadway or street line.
17. **Licence Refusal/Revocation:**

The Business Licensing Officer may refuse to issue a licence or may revoke any licence already issued for a special sale if:

- a. any attempt is made to add to or replenish the goods described in the application or substitute any goods thereof;
- b. the sale is advertised or conducted in a manner other than that described in the application, or is in any manner calculated to mislead or deceive the public.