

**DISCLAIMER:**

Council for the Town of Grande Cache has reviewed and approved this By-Law. The original document is signed, sealed and filed at the Town Office. For a copy of the original, please contact the Town Office at: [admin@grandecache.ca](mailto:admin@grandecache.ca) or 780.827.3362.

**THE TOWN OF GRANDE CACHE  
BY-LAW NO. 678**

**BEING A BY-LAW OF THE TOWN OF GRANDE CACHE IN THE PROVINCE OF ALBERTA,  
TO PROVIDE FOR THE LICENSING, CONTROL AND REGULATION OF ALL BUSINESSES  
OR INDUSTRIES WITHIN THE TOWN OF GRANDE CACHE.**

**WHEREAS *The Alberta Municipal Government Act, RSA 2000, Chapter M-26 as amended,***  
provides as follows:

Section 7 A council may pass by-laws for municipal purposes respecting the following matters:

- a) authorize council to pass by-laws for municipal purposes respecting business activities and persons engaged in business;
- b) permit council to provide for a system of licenses, permits or approvals.

**AND WHEREAS** Council of the Town of Grande Cache is of the opinion that it is desirable to establish a by-law to regulate business activities and persons engaged in business within the municipal boundaries;

**NOW THEREFORE BE IT RESOLVED THAT** Council of the Town of Grande Cache, duly assembled in Council Chambers at Grande Cache, in the Province of Alberta, enacts as a by-law the following:

**PART ONE - NAME AND INTERPRETATION**

1.1 This by-law may be referred to as the Grande Cache Business License By-Law.

1.2 In this By-Law:

- a) **Adult Person** means any natural person over the age of eighteen (18) years of age.
- b) **Artist** means a person who strictly produces items or objects that are distinctive and unique from other items or objects, and which are individually produced (art is an expression of beauty which is used for decorative purposes only).
- c) **Business** means every business, trade, profession, industry, occupation, employment or calling and the providing of goods and services.
- d) **Carnival** means any entertainment or festivity where games of chance are carried on, and where goods, wares or merchandise are sold or offered for sale, whether or not it is held in a building enclosure or in the open.
- e) **Charitable Organization** means any religious, charitable, scientific, literary or educational organization, which is a registered Canadian charitable organization, pursuant to the Income Tax Act of Canada.
- f) **Chief Administrative Officer** means the Chief Administrative Officer for the Town of Grande Cache, and anyone authorized by the Chief Administrative Officer to act on his behalf.
- g) **RCMP** means the Royal Canadian Mounted Police, or anyone authorized by the Detachment Commander to act on their behalf.
- h) **Circus** means circuses and other entertainment of a similar nature, usually carried on by showmen.

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- i) **Delivery/Courier Services** means a business whose primary or significant purpose involves the delivering of messages, documents and packages for patrons or customers of the delivery/courier service.
  - j) **Hawker or Peddler** means any person going from house to house, or from party to party, selling or offering for sale, any merchandise or service, or both, but does not include any person selling:
    - i) meat, fruit or other produce that has been produced, raised or grown by himself;
    - ii) fish of his own catching.
  - k) **Home Occupation** means a business carried on by a person, who is an occupant of a residential business, as a use secondary to the residential use of that building.
  - l) **Huckster** means any person who sells or offers for sale:
    - i) meat, fruit or other farm produce that has been produced, raised or grown by himself;
    - ii) fish of his own catching.
  - m) **Improvement** means anything constructed, erected, built, placed, demolished, dug, drilled or moved on, or in, the land, except a thing that is neither affixed to the land, nor intended to be, or become part of that land.
  - n) **Itinerant Show** means any form of a commercial entertainment or amusement conducted or performed by a person not a resident of the town, but does not include entertainment produced by a person in the town who has a business license for producing or staging such entertainment.
  - o) **License Inspector** means a person appointed by resolution of Council for the Town of Grande Cache, or anyone authorized to act on his behalf.
  - p) **License** means a license pursuant to this by-law.
  - q) **Licensee** means a person holding a valid license issued pursuant to this by-law.
  - r) **Market – Farmers or Flea** means the business of providing to persons for compensation, stalls or other similarly restricted areas for the disposal and sale of goods, wares or merchandise to the public.
  - s) **Mechanical Trade** means the trade of gas fitter, plumber, sheet metal worker or steamfitter.
  - t) **Office** means a building, or any part of a building, used by the owner or tenant for the purpose of conducting a business therein.
  - u) **Pawnbroker** means any person who carries on the business of receiving, or taking by way of pawn or pledge, any personal property for the payment of money loaned thereon.
  - v) **Person** means a corporation, or firm, as well as a natural person.
  - w) **Premises** means any store, office, warehouse, factory, building enclosure, yard or other place occupied, or capable of being occupied, for any purpose.
  - x) **Resident** means a natural person who has resided in the Town continuously for twelve months prior to the date that the license is applied for. In the case of a firm or corporation, one which is assessed for, and is liable for business tax to the Town of Grande Cache.
  - y) **Second-Hand Dealer** means any person, who carries on the business of purchasing, selling or having in his possession for sale, or advertises for sale, goods that have been used, reconditioned or remade, including antiques, but does not include an Auctioneer or used Motor Vehicle Dealer.

- z) **Subcontractor** means any person who undertakes to sub-contract from a general contractor or owner, and pays his own benefits.
- aa) **Adult Video** means:
- i) a video (cassette, digital or otherwise) or its packaging bearing any form of label, sticker, image or language indicating the video contains explicit sexual material;
  - ii) a video classified by any film classification board to contain depictions of explicit sexual activity;
  - iii) a video containing depictions of explicit sexual activity;
- bb) **Video Store** means any premises, or part thereof in which videos are provided in the pursuance of a business, and includes an adult video store.

## **PART TWO – APPOINTMENT AUTHORITY AND DUTIES OF LICENSE INSPECTOR**

- 2.1 Mayor and Council may appoint a License Inspector and such assistants as may be required to carry out the provisions of this by-law.
- 2.2 The License Inspector is authorized to:
- a) receive, consider and deal with all applications for a license and transfers thereof;
  - b) record such information with respect to licenses as may be considered necessary by him;
  - c) periodically visit and inspect business premises and construction sites for the purposes of ascertaining whether the proprietor or contractor is complying with the provisions of this or any other applicable by-law;
  - d) issue a license without conditions, upon payment of the appropriate fee;
  - e) prosecute violators of this by-law.

## **PART THREE – REQUIREMENT OF LICENSE**

- 3.1 No person shall carry on or operate a business which is either wholly within, or partly within and partly outside the Town of Grande Cache unless he holds a valid and subsisting business license to do so issued pursuant to this by-law.
- 3.2 The provisions of 3.1 do not apply to any business specifically exempted by provincial legislation.

## **PART FOUR – APPLICATION AND ISSUANCE OF LICENSES**

- 4.1 Every application for a license shall be made by an adult person.
- 4.2 Every application for a license shall conform to the provisions of this by-law and any other by-law, Provincial Statute or Federal Act, applicable to that business.
- 4.3 If, in the opinion of the License Inspector, an applicant for a license has complied with the terms of this by-law and all other applicable by-laws, Provincial Statutes or Federal Acts, the applicant shall be issued the license applied for upon payment of the applicable fee.
- 4.4 An application for a license for any business, which is not carried on by a corporation, shall be made by a person who will be actively engaged in the management and control of the business. If, in the course of any year, additional persons are added to those sharing the control of the licensed operation, their names shall be forthwith given to the License Inspector. Failure to disclose to the Town of Grande Cache any of the

information required herein shall be grounds for immediate revocation of the license issued, and the forfeiture of any fee paid for the license.

- 4.5 Where the License Inspector issues a license, which is subject to certain conditions, he shall endorse on the license, the particulars of such conditions.
- 4.6 Every license issued under this by-law shall be posted in a conspicuous place in the business premises of the applicant license.
- 4.7 Every license issued under the provisions of this by-law shall terminate at midnight on the 31<sup>st</sup> day of December of the year in which said license was issued, or such date if the license has been revoked.
- 4.8 The License Inspector may refer any application for a license, or for a transfer or renewal of a license, to such persons or Town Departments as he deems advisable in the circumstances, and the License Inspector shall deal with the application when such comments have been received.
- 4.9 All licenses issued are subject to the applicable land use regulations in force in the Town of Grande Cache, and the issuance of a license shall not be deemed as approval to carry on a business in, or on any premises in contravention of such regulations. In any case where a license is granted to a person to carry on a business in or on premises where such activity is not permitted by the Land Use By-Law of the Town of Grande Cache, the License Inspector shall forthwith cancel the license and refund the license fee to the applicant.
- 4.10 All businesses required to hold a license pursuant to Section 3.1 shall pay an annual license fee per business site in accordance with schedules provided by Mayor and Council, and available on request from the Administration Office of the Town of Grande Cache.
- 4.11 Should a license be issued after June 30<sup>th</sup> to a newly established business in any year, the license fee shall be one-half of the applicable annual license fees. A subsisting license issued under this by-law may be transferred to another person upon application to the License Inspector, and payment of 10% of the annual license fee, provided that the transferee has the necessary qualifications for such license.
- 4.12 The provisions of subsection 4.11 shall not apply to non-resident contractors, vendors of Christmas trees, transient businesses, canvassers, hawkers, peddlers, hucksters or itinerant shows, all of whom are required to pay the full annual license fee regardless of the date the license is used and shall not be permitted to transfer the license.
- 4.13 Where a license is revoked or surrendered, the licensee is not entitled to any refund.
- 4.14 No business license shall be required for public educational and institutional uses.

## **PART FIVE – REVOCATION, SUSPENSION AND APPEALS**

- 5.1 Where an application for a license is refused, or where a license is revoked or suspended, the License Inspector shall notify the applicant, in writing, of such refusal, revocation or suspension and the reasons for it.
- 5.2 In every case where:
  - a) an application for a license has been refused;
  - b) a license has been issued, subject to conditions;
  - c) a license has been revoked;
  - d) a license has been suspended;the applicant may appeal to Mayor and Council.

- 5.3 An appeal, pursuant to Section 5.2, shall be made, in writing, addressed to the Chief Administrative Officer, and shall be made within thirty (30) days after date of the refusal, revocation, suspension or date upon which the license was issued subject to conditions.
- 5.3 Mayor and Council, after hearing an appeal pursuant to Section 5.2 may:
- a) direct a license be issued without conditions;
  - b) direct a license be issued with conditions;
  - c) uphold the decision of the License Inspector on grounds that appear just and reasonable to Mayor and Council.

## **PART SIX – SPECIFIC REGULATIONS RESPECTING CERTAIN SPECIFIC BUSINESSES**

6.1 In addition to the general provisions of this by-law, including the requirements of a business license, the businesses dealt with in this part are also subject to the following regulations.

### **6.2 Video Rental Stores**

- a) No person shall operate a video rental store without first obtaining a license.
- b) No person shall rent or sell adult videos without first obtaining an adult video rental license.
- c) The annual license fee for a video rental store and adult video rental store shall be in accordance with schedules approved by Mayor and Council.
- d) No owner or operator of a video rental store in which adult videos are provided, shall permit any person under the age of eighteen (18) years to enter, or remain in any part of such store where adult videos are provided, or within three meters of any adult video, unless such adult video is located in an adult video area.
- e) Every owner or operator of a video rental store, in which any adult video is provided shall affix, in a prominent location inside such store and at every entrance to any adult video area, a sign or signs sufficient to indicate clearly to persons in the store, that no person under the age of eighteen (18) years is permitted to enter an adult video store, or any video area, in accordance with this by-law.
- f) Every owner or operator of a video store and every person working in such store shall ensure that no adult video or container for an adult video shall be displayed in such a manner as to be visible from outside the store.
- g) Every owner or operator of a video store, including an adult video store, and every person working in such a store, shall ensure that no person under the age of eighteen (18) years is permitted to enter an adult video store, or any video area, in accordance with this by-law.
- h) Every owner or operator of a video store, and every person working in such store, shall ensure that no adult video or container for an adult video, shall be displayed in a video store that is not an adult video store, or in a location where it can be seen by persons in the store, unless such adult video or container is in a separate location in such store to which persons under the age of eighteen (18) years cannot access.

### **6.3 Adult Video Store**

- a) No adult video store may obtain a license without first securing land use approval, pursuant to the provision of the Land Use By-Law.
- b) Every Licensee of an adult video store shall prominently display, at the premises

- licensed, at all times, and shall produce the license upon request by the Chief Administrative Officer, License Inspector, or any member of the RCMP.
- c) Carry on business only in the name in which the license is issued, or such other business or trade name provided to the License Inspector, and shown on the license.
  - d) Advertise, promote and carry on such business only under the name in which the license is issued, or such other business or trade name provided to the licensing section and shown on such license.
  - e) No owner, operator or any person working in an adult video store, shall permit any person under the age of eighteen (18) years to enter or remain in such store.
  - f) No owner, operator or any person shall work in an adult video store in which adult videos are provided, unless such person is of the age of eighteen (18) years or older.
  - g) Every owner or operator shall post, and keep posted at every entrance to any adult video store operated by such operator, and in a prominent location inside such store, signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen (18) years is permitted to enter or remain in such store or any part thereof.

#### 6.4 Carnivals

- a) The annual license fee for a carnival shall be in accordance with the schedules approved by Mayor and Council.
- b) The license fee for a carnival, sponsored and operated by a charitable organization, may be waived at the discretion of the License Inspector. Any decision of the License Inspector may be appealed to Mayor and Council.

#### 6.5 Circus

- a) The License Inspector shall not issue a license for a circus, other than one held in the Recreation Centre or approved outdoor location.
- b) The licensee, manager, agent or person in charge of every circus or other show above-mentioned, before opening for public admission, shall permit the License Inspector, or any member of the RCMP, to examine all exhibits, and shall give to the examining officials, full information with regard to all exhibits and performances and of the performance or entertainment amounts to an imposition upon the patrons or the prospective patrons thereof, or is in the nature of a "sell" or "fake" such exhibit, performance or entertainment shall not be permitted to take place.
- c) Where any circus proposes to provide electrical or mechanical devices for the use of the public, such electrical or mechanical devices shall be subject to inspection and appropriate approval of an electrical safety officer, approved by the Town, prior to any license being issued.

#### 6.6 Mechanical Trade

- a) In the case of a Mechanical Trade, no license shall be issued to an individual, or company until the License Inspector is satisfied that:
  - i) the individual or company; or
  - ii) an officer of the company actively engaged by the company; or
  - iii) an employee of the individual or company, actively engaged by the individual or company;has a valid subsisting provincial certificate for the mechanical trade or trades in which the individual or company wishes to engage.
- b) Any license granted to an individual or company is granted subject to the following conditions:

- i) if the license was granted to an individual or company, based upon his, or its qualifications under sub-section (1), and he or it ceases to be actively engaged in the business, or ceases to be so qualified, the license shall be revoked;
  - ii) if the license was granted based upon the qualifications of an officer or employee actively engaged by the individual or company, and that person ceases to be actively engaged by that individual or company, ceases to be qualified, the license shall be revoked.
- c) No person having the qualifications required under sub-section (1) of this section shall allow such qualification to be used as a basis for obtaining a business license if such qualifications have previously been used to obtain another business license that is still subsisting.
- d) In the case of an Electrical Contractor, no license shall be issued until the License Inspector is notified that the contractor's qualifications are to the satisfaction of the Town of Grande Cache.

#### 6.7 Hawkers or Peddlers

- a) The License Inspector may require any Hawker or Peddler to establish his identity with the RCMP by giving to the RCMP a photograph of himself and his fingerprints, or other such identification as is acceptable to the RCMP.
- b) A separate license is required for each Hawker or Peddler, regardless of whether that Hawker or Peddler is an employee of some other person.
- c) This section does not apply to charitable organizations, or to the representative of a wholesale vendor distributing articles of merchandise on a wholesale basis to retail merchants for resale.
- d) The applicant shall satisfy the requirements of Alberta Consumer and Corporate Affairs.

#### 6.8 Home Occupations

- a) No license for a home occupation shall be granted until the applicant has first obtained the necessary development approval under the applicable land use regulations of the Town.
- b) The annual license fee for home occupation shall be in accordance with schedules approved by Mayor and Council.
- c) Any person carrying on a home occupation who:
  - i) is physically handicapped; or
  - ii) can prove that he must operate a business from his home, and should be considered for compassionate reasons, may apply to the Town to be relieved of paying the whole or any part of the license fee established for his home occupation.
- d) All applications for relief from the full payment of a license fee shall:
  - i) be made, in writing, to the Chief Administrative Officer, setting out the particulars and the relief requested;
  - ii) be made only once in each calendar year; and
  - iii) apply only for the year in which the application is made.
- e) The License Inspector, at his discretion, may waive the Business License Fee for an artist, provided sufficient proof is submitted.
- f) The Chief Administrative Officer, upon receipt of an application for the reduction of a home occupation license fee, pursuant to sub-section (d), shall submit the same to Council for consideration.
- g) Council may, after the consideration of the applicant, grant the relief of the whole or a portion of the license fee due and payable, or may refuse the application for relief.

### 6.9 Hucksters

- a) No license shall be issued to a huckster until:
  - i) the applicant has received approval from the Chief Administrative Officer;
  - ii) the License Inspector may require any Huckster to establish his identity with the RCMP, by giving to the RCMP a photograph of himself and his fingerprints, or other such identification as is acceptable to the RCMP.
- b) A separate license is required for each Huckster, regardless of whether that Huckster is an employee of some other person.
- c) It shall be a condition of every license issued to a Huckster, that he may carry out his business only between the hours of 9:00 am to 8:00 pm, Monday to Saturday, and not on a holiday.

### 6.10 Itinerant Shows

- a) The license fee for an itinerant show shall be in accordance with schedules approved by Mayor and Council.

### 6.11 Farmers or Flea Markets

- a) A person organizing a Farmers or Flea Market shall be required to obtain a license for each location.
- b) Notwithstanding sub-section (a), charitable organizations registered pursuant to the Income Tax Act of Canada, are not required to obtain a license for organizing a Farmers or Flea Market.
- c) A person operating a stall on the premises of a market does not require a license, provided that the operator is a resident of the Town of Grande Cache.
- d) With the exception of a vendor of agricultural produce, any non-resident operator of a stall of a market shall be required to obtain a license.
- e) A person organizing a market shall furnish to the License Inspector or RCMP upon request, all information available to him concerning the operator, or any stall that is operated on the premises of the market.
- f) A person who is the operator of a stall that is operated on the premises of a market, shall furnish to the License Inspector, or RCMP, upon request, all information available to him concerning the operator or operations of any such stall or restricted area.
- g) Where food goods are exhibited for sale at a market, the tables containing such food shall be grouped together and not interspersed with tables with non-food items.

### 6.12 Second-Hand Dealers

- a) No Second-Hand Dealer shall acquire any second-hand merchandise from any person unless that person:
  - i) is eighteen (18) years of age or older;
  - ii) does not appear to be under the influence of liquor;
  - iii) properly identifies himself as required in Part (g)(v).
- b) No Second-Hand Dealer shall alter, repair, dispose of, or in any way, part with possession of a second-hand off the street merchandise acquired in the course of his business from persons bringing the particular items to his/her premises until fifteen (15) days from the date of acquisition have elapsed, exclusive of Sundays and holidays. During the fifteen (15) days, the Second-Hand Dealer shall keep the acquired merchandise on the premises separate and apart from the other merchandise, so they may be examined at any time during business hours by an RCMP officer, who may be accompanied by a private citizen who is there in order to

- assist in locating, and/or identifying goods reported stolen, or suspected of being stolen.
- c) This sub-section shall not apply to the following merchandise, namely:
    - i) household sales of furniture and chattels purchased by lot;
    - ii) estate sales of furniture and chattels by the legal representative;
    - iii) goods and chattels purchased at an auction sale; or
    - iv) bulk purchases of trade-ins purchased from persons carrying on retail business in the Town of Grande Cache.
  - d) Every Second-Hand Dealer shall keep a register consisting of a book of a style and type prescribed by the RCMP.
  - e) The Second-Hand Dealer, or person(s) in his/her employ, shall record information about merchandise that he/she has acquired, together with a description of the person from whom the goods were acquired in the register. The Second-Hand Dealer's register shall be completed as soon as the transaction has taken place.
  - f) Records in the Second-Hand Dealer's register shall be in either official language, written in ink, and in a legible manner.
  - g) Every Second-Hand Dealer, or person(s) in her/her employ, shall enter in the register, the following information:
    - i) the date and time of day of each purchase, sale or exchange
    - ii) the amount paid for the merchandise
    - iii) a detailed description of the merchandise, including the serial number, make and model, or other identification placed or marked on the merchandise by the manufacturer or vendor thereof. If a serial number has been removed, a special note of this fact shall be made
    - iv) the surname and given names of the person from whom the second-hand merchandise were acquired will be entered in the register, together with the seller's address, physical description and telephone number
    - v) two forms of identification required of the seller must also be noted in the register by the Second-Hand Dealer, or his/her employee, including, but not limited to the following types of identification:
      - Drivers License
      - Birth Certificate
      - Credit Card
      - A type of photo identification positively indentifying the seller
      - The license number and description of the vehicle in which the property was delivered in.
  - h) Every person who destroys, alters, mutilates or falsifies any Second-Hand Dealer's register is guilty of an offence.
  - i) Every Second-Hand Dealer must keep his/her register open to inspection by an RCMP officer at all times during business hours.
  - j) Every Second-Hand Dealer shall allow a peace officer to remove his/her register for inspection. The Second-Hand Dealer shall not be held liable for neglect in failing to enter purchases during the time the register is being inspected, PROVIDING he/she makes the necessary entries immediately upon return of the register.
  - k) If so ordered by the RCMP, a Second-Hand Dealer may be directed to deliver a copy of all transactions recorded in his/her registry to the RCMP.

### 6.13 Transient Business

- a) Transient Business means the business carried on by any person who does not ordinarily maintain within the Town, a permanent place of business, and who is not liable for a business tax in respect thereof, and who has as a principal or agent, buys or offers to buy, direct from the producer thereof, any merchandise or service or both, or sells, or offers to sell, any merchandise or service or both.

- b) This section does not apply to Hucksters as defined in Section 1.2 (j), nor to a Hawker or Peddler, who satisfies the requirements of Alberta Consumer and Corporate Affairs.
- c) Notwithstanding anything herein to the contrary, the License Inspector may approve locations for non-permanent kiosks, not exceeding 30.50m<sup>2</sup>, in malls or on any Town-owned property or facility, and may license the manager, and/or owner, in accordance with the schedules approved by Mayor and Council.
- d) Notwithstanding anything herein to the contrary, the License Inspector may approve applications for locations, not exceeding 92.9m<sup>2</sup>, from residents of the Town of Grande Cache for a fee of \$250.00 per annum, plus a per diem of \$50.00.

#### 6.14 Vendors of Christmas Trees

- a) No person shall carry on the business of selling natural Christmas trees in the Town of Grande Cache without first obtaining a license.

#### 6.15 Pawnbrokers

- a) Every Pawnbroker shall have a sign, with his/her name and the word "Pawnbroker" in large, legible characters, placed over the door outside the shop or other place used by him for carrying on his business.
- b) Every Pawnbroker shall, at all times, keep posted in a conspicuous position on his premises so as to be easily seen and read by persons pledging goods, a card or sign having printed or painted thereon, the rate of profit.
- c) Every Pawnbroker shall keep a register, consisting of a book of a style and type prescribed by the RCMP.
- d) The Pawnbroker, or person(s) in his/her employ, shall record information about merchandise that he/she has acquired, together with a description of the person from whom the goods were acquired in the register. The Pawnbroker's register shall be completed as soon as the transaction has taken place.
- e) Records in the Pawnbroker register shall be in either official language, written in ink, and in a legible manner.
- f) Every Pawnbroker, or person(s) in her/her employ, shall enter in the register, the following information:
  - i) the date and time of day of each purchase, sale or exchange;
  - ii) the amount paid for the merchandise;
  - iii) a detailed description of the merchandise, including serial number, make and model, or other identification placed or marked on the merchandise by the manufacturer or vendor thereof. If a serial number has been removed, a special note of this fact shall be made;
  - iv) the surname and given names of the person from whom the second-hand merchandise were acquired, will be entered in the register, together with the sellers address, physical description and telephone number;
  - v) two forms of identification required of the seller must also be noted in the register by the Pawnbroker, or his/her employee, including, but not limited to the following types of identification:
    - Drivers License
    - Birth Certificate
    - Credit Card
    - A type of photo identification positively indentifying the seller
    - The license number and description of the vehicle in which the property was delivered.
- g) Every person who destroys, alters, mutilates or falsifies any Pawnbroker's register is guilty of an offence.

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- h) Every Pawnbroker must keep his/her register open to inspection by an RCMP officer at all times during business hours.
- i) Every Pawnbroker shall allow a peace officer to remove his/her register for inspection. The Pawnbroker shall not be held liable for neglect in failing to enter purchases during the time the register is being inspected, PROVIDING he/she makes the necessary entries immediately upon return of the register.
- j) If so ordered by the RCMP, a Pawnbroker may be directed to deliver a copy of all transactions recorded in his/her registry to the RCMP.
- k) At the time of taking any pawn or pledge, every Pawnbroker shall deliver to the person pledging articles or goods, a written or printed note containing:
- i) the number of the entry made in said register in respect thereof;
  - ii) the day and month of the year in which the pledge was taken;
  - iii) the name and address of the person pledging goods or articles;
  - iv) description of the goods or articles pledged;
  - v) the amount of money advanced thereon; and
  - vi) name and address of the Pawnbroker;
- and the Pawnbroker shall not receive or retain any goods or articles as pledges or pawns, unless the person pledging the same accepts the note.
- l) The schedule of charges shall be printed in large, legible type on the back of each note given to a customer by a Pawnbroker. Every Pawnbroker shall securely attach to the goods or articles pledged, a duplicate of the note given to the person pledging the same and, on such duplicate note, a true statement of the profit taken by him and shall keep such duplicate note in his custody for one (1) year following the date such goods were redeemed.
- m) No Pawnbroker shall solely, because of the non-production of said note, refuse to redeliver pledged goods or articles to the person entitled thereto upon payment of the amount lawfully owing thereon, if the RCMP certified that the loss of said note has been proven to his satisfaction.
- n) No pledged goods shall be forfeited or sold until the expiration of three (3) months from the date such goods were pledged, exclusive of the day of pledging, PROVIDED, that this section shall not be deemed to authorize a sale or forfeiture if:
- i) the parties have agreed upon a longer period of holding said goods; or
  - ii) such sale or forfeiture would be in any other way contrary to the general law.
- o) Every Pawnbroker shall keep a book of particulars on all sales of unredeemed property, as follows:
- i) number of the pledge;
  - ii) date of the pledge;
  - iii) name of person pledging;
  - iv) date of sale;
  - v) money received in respect of each pledge;
  - vi) name and address of the person purchasing the property.
- p) Every Pawnbroker shall permit the person who pawned the goods, or the person for whom the same were pawned, his legal representative or agent, to inspect the records of sale of goods by auction on payment of ONE (\$1.00) DOLLAR for each inspection.
- q) No Pawnbroker shall purchase, or take in pawn, pledge or exchange, the note aforesaid of any other Pawnbroker.
- r) All books, accounts, entries and notices of all goods pawned shall at all times be open to the inspection of the License Inspector or the RCMP.
- s) No license to carry on business as a second-hand dealer, auctioneer or as a junk collector shall be issued to a Pawnbroker.

### 6.16 Amusement Establishments – Indoor

- a) Amusement Establishments – Indoors means a development providing facilities within an enclosed building for two or more table games or electronic games played by patrons for entertainment.
- b) Table game or electronic game means any machine, equipment or device operated for amusement or entertainment by the operator for a fee by the insertion of a coin or token in a slot used in conjunction with such machines, equipment or device, and includes coin- or token-operated machines for the showing of pictures, photos or slides. Amusement, sport or arcade machines shall have a comparable meaning.
- c) No person shall carry on the business of an Amusement Establishment-Indoors without first obtaining a license. The license fee for an Amusement Establishment-Indoors shall be in accordance with schedules approved by Mayor and Council.
- d) No proprietor, manager or employee of an Amusement Establishment-Indoors shall permit any person under the age of sixteen (16) years to remain in an Amusement Establishment-Indoors between the hours of 8:00 am and 11:30 am and 1:00 pm to 3:00 pm, when a school attended by such person is in operation.
- e) In this section, school means a school in the Town of Grande Cache, operated by a Board of Trustees pursuant to the School Act.
- f) No Amusement Establishment-Indoors shall remain open for business unless the manager is present on the premises.
- g) No Amusement Establishment-Indoors shall employ assistants to the manager under the age of sixteen (16) years.
- h) No Amusement Establishment-Indoors business shall employ a person as a manager of that business under the age of eighteen (18) years.

## **PART SEVEN - FINE AND PENALTY**

- 7.1 Every person who violates any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention, or in violation of anything required to be done by any of the provisions of this by-law, or who does not act which violates any provisions of this by-law, shall be deemed to be guilty of an offence against this by-law, and liable to the penalties herein imposed.
- 7.2 Every person who commits an offence against this by-law is liable to a fine and penalty of not more than TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS, and not less than double the applicable license fee.
- 7.3 Every person who commits an offence of a continuing nature is liable to a fine not exceeding TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS for each day such offence is continued.

## **PART EIGHT - MISCELLANEOUS**

- 8.1 It is the intention of the Town of Grande Cache that each separate provision of this by-law shall be deemed independent of all other provisions therein, and it is further the intention of the Town of Grande Cache that if any provision of this by-law be declared invalid, all other provisions shall remain valid and enforceable.
- 8.2 This by-law shall come into force on the date of final passing thereof.

## **PART NINE - REPEAL, EFFECT AND TRANSITIONAL**

Business By-Law No. 416, and all amendments thereto, is hereby repealed.

READ a first time this 10<sup>th</sup> day of December, 2008 A.D.

READ a second time this 22<sup>nd</sup> day of December, 2008 A.D.

READ a third time and finally passed on this 22<sup>nd</sup> day of December, 2008 A.D.

**DONE AND PASSED** as a By-Law of the Town of Grande Cache this 22<sup>nd</sup> day of December, 2008.

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Louise Krewusik  
Mayor

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Darren Ottaway  
Chief Administrative Officer

**SCHEDULE "A"****General Business License**

(unless otherwise provided within this By-Law)

Resident Persons	\$ 65.00
Non-Resident Persons	\$250.00

**Carnivals**

Carnival sponsored and operated by Service club or religious group	\$ 70.00 per day
Itinerant Carnival	\$125.00 per day

<b>Circus</b>	\$125.00 per day
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**Hawkers, Peddlars and Hucksters**

Resident	\$ 45.00
Non-Resident	\$130.00

**Home Occupations**

If residence is used for phone, desk and authorized vehicle only	\$250.00
Residence used for music teacher	\$150.00
Workshop	\$200.00
Other Home Occupation	\$400.00

<b>Itinerant Shows</b> (per location, per annum – plus \$50.00 per show)	\$200.00
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**Markets**

Resident Organizer	\$ 70.00
Non-resident Organizer	\$300.00
Non-resident Operator	\$400.00

<b>Transient Business</b> (plus \$200.00 per day for each day that the merchandise is offered for sale)	\$1,000.00
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<b>Christmas Tree Vendor</b>	\$ 50.00
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<b>Video Store</b>	\$100.00
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<b>Adult Video Store</b>	\$1,000.00
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<b>Pawnbroker</b>	\$1,000.00
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<b>Indoor Amusement</b>	\$ 65.00
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