BYLAW NO. 2339

CONSOLIDATION OF A BYLAW OF THE CITY OF MEDICINE HAT to control and regulate businesses and industries within the City of Medicine Hat.

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the Licensing Bylaw.

2. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

"Applicant" means any person who makes an application for any license under the provisions of this Bylaw.

"Business" means an activity or enterprise conducted for gain, benefit, advantage, or livelihood, including every trade, industry, occupation, employment, or calling, and the providing of goods and services, and without restricting the generality of this definition, it includes the activities specifically enumerated in Schedule "B" of this Bylaw.

"Bylaw Enforcement Officer" shall mean any Police Officer, Special Constable or Bylaw Enforcement Officer of the City of Medicine Hat.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Canvasser" means a person who carries on the business of canvassing, whether as principal, employee or agent.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Canvassing" means:

(a) selling or attempting to sell, goods, wares, merchandise, food or services; or
(b) entering into agreements for the sale of goods, wares, merchandise, food or services, where the sales transaction is solicited, negotiated or concluded by telephone, or in person at
(c) the buyer's residence,
(d) the buyer's place of employment, or
(e) a location other than the seller's permanent business premises, and where the goods, wares, merchandise, food or services that are the subject matter of the transaction are neither in the possession of the salesperson (in the case of goods, wares, merchandise or food) nor available to be performed (in the case of services) at the time a sale or agreement for sale is made.

"Carnival" means any entertainment or festivity where rides and/or games of chance are made available to the public for a fee.

"Circus and other Entertainments" includes circus, circus riding, menageries, exhibitions, freak shows, sideshows, midways,

"Chief of Police" means the Chief of Police of the City Police Department, and includes any person designated by the said Chief of Police to perform his duties with respect to this Bylaw.

Amended by:
Bylaw 2755
Oct. 21, 1991

"City" means the municipal corporation of the City of Medicine Hat, or the area contained within the boundary thereof, according to the context in which the term is used.

"Council" means the Council of the City of Medicine Hat.

Amended by:
Bylaw 2935
Aug. 8, 1994

"Contractor" means any person who, for compensation undertakes to do, provide or carry on any of the trades or occupations listed in Classification 6 of Schedule "B" to this Bylaw but does not include the employees of any licensed contractor.

Amended by:
Bylaw 2992
Oct. 2, 1995

"Craft Show" means a group of five or more persons at a single location, for a period of not more than two weeks, displaying to the public the hand made craftwork, clothing, food or artwork that they have available for sale.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Fortune Teller" means a natural person who, for remuneration or gain of any kind, purports to:

(a) foretell the future, or
(b) temporarily or permanently alter the normal functioning of the human mind

by any means whatsoever, and without limiting the generality of the foregoing includes a palm-reader, hypnotist, astrologer, numerologist, card-reader, graphologist, phrenologist, crystal-ball gazer, medium, or laser therapist.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Garage Sale" means the displaying and offering for sale of five or more items of goods, wares or merchandise (other than boats, motor vehicles or recreational vehicles of any kind) on private residential property.

"Home Occupation" means an occupation, trade, professions or craft carried on by a person who is an occupant of a residential building as a use secondary to the residential use of the building.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Huckster" means a person who sells or offers for sale any meat, fish or agricultural produce of any kind from premises occupied by the person.

"Inspector" means the person or persons appointed from time to time as License Inspectors of the City of Medicine Hat.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Kiosk" means a stall, table, booth or other type of readily movable business premises, not affixed to real property and occupied or operated for the purpose of providing services or of displaying and offering for sale any goods, wares or merchandise.

Amended by:
Bylaw 2755
Oct. 21, 1991

"License" means a license issued under the provisions of this Bylaw, and for the the purposes of Section 5 includes a card or other type of document issued by the Inspector under Section 12.2.

Amended by:
Bylaw 2794
Dec. 21,1992

"License Year", in relation to any license issued under the provisions of this Bylaw, means a period of 365 consecutive days commencing the day on which the license is issued.

"Licensee" means a person holding a valid license issued pursuant to this Bylaw.

Amended by:
Bylaw 2935
Aug. 8, 1994

"Mechanical Trade" means any person who, for compensation, carries on any of the trades designated in Classification 8 of Schedule "B" to this Bylaw but does not include the employees of any licensed mechanical trade.

"Money Lender" includes any person, firm or corporation engaged in the business of lending money and who takes security for the repayment thereof.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Natural Person" means a individual human being.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Non-Resident" means a person who is not a resident.

Amended by:
Bylaw 3484
May 4, 2004

"Pawnbroker" means any person who lawfully exercises the trade of receiving or taking goods as security for the repayment of money lent thereon.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Pedlar" means a person who, as principal, employee or agent, goes from place to place within the City, selling or attempting to sell any goods, wares, merchandise, food or services that are either in the possession of the person (in the case of goods, wares, merchandise or food) or available to be performed (in the case of services) at the time a sale is made.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Person" means a natural person or a body corporate, and includes a partnership, a firm, an association or other group of persons acting in concert.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Photographer" means a person who carries on the business of taking photographs or videotapes or developing or finishing photographic film of any kind, and includes a person who sells goods, wares or merchandise incidental to the business of a photographer.

"Premises" means the store, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied, by any person for the purpose of any business.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Resident" means:

(a) a natural person who has resided in the City, or within thirty five (35) kilometres of the City, at least three (3) months; or
(b) a person who has both
  (i) carried on business, and
  (ii) maintained a place of business in the City for a continuous period of at least three (3) months.

Amended by:
Bylaw 3484
May 4, 2004

"Secondhand Dealer" means any person who carries on a business which includes purchasing, selling, exchanging or in any way dealing in goods of any kind or nature, which have been used or purchased by a person to be used, all commonly known as secondhand goods, but does not include:

(a) a person who deals exclusively in secondhand books or cards;
(b) an auctioneer when disposing of goods by public auction; or
(c) used motor vehicle dealers.

Amended by:
Bylaw 2992
Oct. 2, 1995

"Trade Show" means a group of five or more persons at a single location, for a period of not more than two weeks, displaying to the public the types of goods, wares, merchandise, food or services that they have available for sale but does not include a Craft Show.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Transient Trader" means a non-resident who, as principal, employee or agent, sells or attempts to sell goods, wares, merchandise or services from premises occupied by the person, but does not include a Huckster.

Amended by:
Bylaw 2755
Oct. 21, 1991

"Wholesaler" means a non-resident who sells or attempts to sell goods, wares, merchandise or food directly from a vehicle, or from a trailer pulled by a vehicle, to a retail business.

3. 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 City unless he holds a valid and subsisting license so to do issued pursuant to this Bylaw.

3.2 Any person engaged in or carrying on one or more different businesses either separately or together shall buy a license for each business.

3.3 Every person who operates more than one store, branch, or premises in respect of any business shall take out a separate license in respect of each such separate store, branch, or premises.

Amended by:
Bylaw 2992
Oct. 2, 1995

3.4 No permit or approval shall be issued under:

(a) Bylaw No. 1678 (the City of Medicine Hat Building Permit Bylaw);
(b) Bylaw No. 2126 (the Plumbing and Drainage Regulation Bylaw); or
(c) any City bylaw pursuant to which permits or approvals are issued for work involving electrical or gas connections

unless the applicant is the holder of a subsisting business license under this Bylaw in respect of the type of work in question.

4. EXCEPTIONS

This Bylaw shall not apply to:

(a) a club incorporated by Private Act of the Legislature of Alberta, or
(b) any other institution or association which the Council of the inspector decides is not conducted for gain,

(c) members of any professional association regulated by members of their own profession pursuant to a provincial statute.

5. APPOINTMENT AND DUTIES OF LICENSE INSPECTOR

5.1 The City Council may, by Resolution, appoint such Inspectors as may be required to carry out the provisions of this Bylaw.

5.2 An 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 for the purpose of ascertaining whether the proprietor of such premises is complying with the provisions of this or any other applicable Bylaw,
(d) refuse to grant a license or, to revoke or suspend any license if, in his opinion, there are just and reasonable grounds for the refusal of the application or for the revocation of suspension of the license subject to the right of the applicant to appeal the refusal, revocation or suspension to Council,
(e) issue a license, with or without conditions, upon payment of the appropriate fee.

5.3 Where a license is revoked or suspended, an Inspector shall notify the licensee of such revocation or suspension and the reason or reasons for same.

6. PROCEDURE FOR APPLICATION

6.1 All applications for licenses pursuant to this Bylaw shall be made to the Inspector on the form provided for that purpose.

6.2 All applications for licenses shall give the description in detail of the premises in or upon which the applicant intends to carry on the business, trade, profession or other occupation in respect of which he has made an application for a license; and no person to whom a license has been granted shall carry on such business, trade, profession or other occupation in or upon any premises other than those set forth on the said application and license without first making an application pursuant to this section for a new license or a transfer of such license as hereinafter provided.

6.3 All premises in or upon which the applicant proposes to carry on or conduct any business, trade, profession or other occupation in respect of which he is required to hold a license pursuant to the provisions of this Bylaw shall first be approved by the Inspector and the applicant shall, upon request, produce such certificates or letters of approval as may be required by federal, provincial or municipal authorities, before any such license is granted.

7. TRANSFER OF LICENSES

7.1 Any person desiring to obtain a transfer of any license, or interest in any license, issued pursuant to this Bylaw and held by another person, shall make an application the same as that required to obtain a license under this Bylaw; and the powers, conditions, requirements and procedures relating to the granting and refusal of licenses and appeals thereon, shall apply.

7.2 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, trade, profession or other occupation without first having obtained a transfer of license or a new license.

7.3 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, trade, profession or other occupation without first having applied to the Inspector to have his license altered; and the powers, conditions, requirements and procedure relating to the granting or refusal of licenses and appeals thereon, shall apply to all such applications.

Amended by:
Bylaw 2391
May 6, 1985

7.4 Any person desiring to obtain a transfer of any license issued pursuant to this bylaw, or any other bylaw of the City, shall be required to pay a processing fee in the sum of $10.00.

7.5 A non-resident is not allowed to transfer his or her license.

Amended by:
Bylaw 2794
Dec. 21, 1992

8. <u>LICENSE FEES AND DURATION OF LICENSES</u>

8.1 The fee payable for a license issued under the provisions of this Bylaw shall be:

(a) the fee specified in Schedule "B" in the case of an Applicant that carries on any business of a kind described in Schedule "B", irrespective of whether the Applicant also carries on other types of business from the same premises; and
(b) the fee specified in Schedule "A" in the case of any other Applicant.

Amended by:
Bylaw 2794
Dec. 21, 1992

8.2 Every license issued under the provisions of this Bylaw is valid and subsisting for a license year, unless:

(a) the license specifically states that it is valid for some period of time other than a license year, under the provisions of this or any other bylaw; or
(b) the license has been sooner revoked, suspended or cancelled.

9. POSTING OF LICENSES

Every license issued pursuant to this Bylaw shall be posted in a conspicuous place on the premises or on the thing or article in respect of which the license is issued.

10. REVOCATION AND SUSPENSION OF LICENSES

10.1 This section is in addition to the power of revocation and suspension given to the Inspector in Clause 5.2.

Amended by:
Bylaw 2794
Dec. 21, 1992

10.2 If a licensee is convicted twice in a license year of a breach of any of the provisions of this Bylaw any license issued to such licensee pursuant to the provisions of this Bylaw shall be ipso facto cancelled.

10.3 If a licensee is convicted:

(a) of an offence under the provisions of the Criminal Code with respect to houses of ill fame or bawdy houses, or slot machines, or betting or gaming houses, or
(b) of an offence which by its nature is, in the opinion of the Chief of Police, facilitated by the type of licensed business carried on by the convicted licensee,

the license issued to such licensee under the provisions of this Bylaw shall ipso facto be cancelled.

10.4 Upon request by the Medical Officer of Health or the Building Inspector so to do, the License Inspector shall suspend the license of any licensed premises concerned and shall not reinstate such licensee until the Medical Officer of Health or the Building Inspector certifies that the premises concerned are again fit to be used.

11. APPEALS FROM DECISIONS OF LICENSE INSPECTOR

11.1 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, or
(d) a license has been suspended,

the applicant may appeal to City Council.

11.2 An appeal pursuant to Clause 11.1 shall be made in writing addressed to the City Clerk and shall be made within ten (10) days after date of the refusal, revocation, suspension or date upon which the license was issued subject to conditions.

11.3 The Notice of Intention to Appeal shall state in concise fashion the several grounds upon which the appeal is based.

11.4 Council after hearing an appeal pursuant to Clause 11.1 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 which appear just and reasonable to Council.

12. SPECIFIC REGULATIONS REGARDING CERTAIN BUSINESSES

12.1 In addition to the general provisions of this Bylaw, including the requirement of a business license, the businesses dealt with in this part are also subject to the following regulations:

Amended by:
Bylaw 2755
Oct. 21, 1991

12.2 Canvassers, Pedlars and Transient Traders

(1) The Inspector may impose such terms and conditions as he considers reasonable upon a canvasser's, pedlar's or transient trader's license including, subject to the provisions of Section 12.2 (3), a requirement that a person carry a card or other type of document issued by the Inspector while carrying on business as a canvasser, pedlar or transient trader.

(2) A canvasser's, pedlar's or transient trader's license may be issued to a person other than a natural person.

(3) The Inspector shall refer:

(a) every applicant for a canvasser's, pedlar's or transient trader's license, and
(b) every person who wishes to carry on business as a canvasser, pedlar or transient trader as an employee or agent,

to the Medicine Hat Police Service for a criminal record check, and the Inspector shall not:

(c) issue a canvasser's, pedlar's or transient trader's license; or
(d) issue a card or other type of document

to authorize any person to engage in canvassing, peddling or transient trading if the person has within the preceding two years been found guilty of theft, fraud, possession of stolen property or any other criminal offence involving an imputation of dishonest or fraudulent conduct, in Canada or in any other country so far as the Inspector is able to determine with the assistance of the Medicine Hat Police Service.

(4) Section 12.2 (3) shall not be construed or interpreted to derogate from the discretion of the Inspector under Section 5.2 (d) to:

(a) refuse to grant a license or to issue a card or other type of document to a person who has been convicted of a criminal offence of a type other than that specified in Section 12.2 (3), or
(b) refuse to grant a license or to issue a card or other type of document to a person who has been convicted of a criminal offence of a type mentioned in Section 12.2 (3), more than two years before the date on which the application is made.

(5) No person shall carry on the business of a canvasser or pedlar except between the hours of 9:00 o'clock a.m. and 8:00 o'clock p.m. on a day other than a statutory holiday.

(6) Every person carrying on the business of a canvasser, pedlar or transient trader must at all times have in his or her possession proof of authorization under this Bylaw to carry on such business.

12.3 Carnivals, Circus and other Entertainments

(a) The Licensee, Manager, Agent or person in charge of every carnival or circus or other show above mentioned, before opening for public admission, shall permit the License Inspector and Chief of Police or any member of the City Police Department to examine all exhibits and shall give to the examining official or officials, full information with regard to all exhibits and performances, and if the said examining officials are of the opinion that any exhibit, performance or entertainment amounts to an imposition upon the patrons or the respective patrons thereof, or is in the nature of a "sell" or "fake" such exhibit, performance, or entertainment shall not be permitted to take place.

(b) Before the Licensee, Manager, Agent or person in charge of any carnival or circus as herein defined shall be entitled to a license for said circus he must produce to the satisfaction of the License Inspector proof that the carnival or circus carries a public liability policy for an amount of not less than $1,000,000.00.

Amended by: Bylaw 2992 Oct. 2, 1995

12.4 General Contractors, Project Managers, Sub-contractors and Mechanical Tradespersons

Amended by: Bylaw 2992 Oct. 2, 1995

(a) For the purposes of this Bylaw and notwithstanding any other definition of resident herein contained a general contractor, project manager, building construction sub-contractor or mechanical tradesperson shall be deemed a resident if said person's permanent place of business is located within a 15 mile radius of the City.

Amended by: Bylaw 2992 Oct. 2, 1995

(b) Upon request of the License Inspector a person making application for a building permit shall furnish a list disclosing the general contractor or project manager, subcontractors, mechanical tradespersons and materials suppliers in respect of the project.

Amended by: Bylaw 2992 Oct. 2, 1995

(c) An Applicant for a license to carry on business as a General Contractor or Project Manager in respect of a specific construction or renovation project or projects must provide to the License Inspector a complete and accurate list of all persons or firms that the Applicant anticipates using as subcontractors or materials suppliers on the project or projects, including the addresses and telephone numbers of such persons or firms.

Amended by: Bylaw 2992 Oct. 2, 1995

(d) The License Inspector may at any time request a holder of a subsisting General Contractor license or Project Manager license to provide a complete and accurate list of all persons or firms that the Licensee is then using as subcontractors or materials suppliers on any construction or renovation project supervised or managed by the Licensee, including addresses and telephone numbers of such persons or firms, and refusal to supply such a list or failure to supply the list within a reasonable time after the request is made, shall be grounds for the License Inspector to revoke the Licensee's license to carry on the business of General Contractor or Project Manager.

12.5 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 City.

(b) 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 City Council to be relieved of paying the whole or any part of the license fee established for his home occupation.

(c) All applications for relief from the full payment of a license fee shall:

(i) be made in writing to the City Clerk setting out the particulars and the relief requests,

Amended by: Bylaw 2794 Dec. 21, 1992

(ii) be made only once in a license year, and

Amended by: Bylaw 2794 Dec. 21, 1992

(iii) apply only for the license year in which the application is made.

(d) The City Clerk upon receipt of an application for the reduction of a home occupation license fee pursuant to Subsection (b) shall submit the same to Council for its consideration.

(e) Council may, after due consideration of the application, grant the relief of the whole or a portion of the license fee due and payable or may refuse the application for relief.

12.6 Hucksters

Amended by: Bylaw 2755 Oct. 21, 1991

(a) No license shall be issued to a huckster until the applicant has received written approval from the Medical Health Officer of the Southeastern Alberta Health Unit.

(b) 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 a.m. to 8:00 p.m. Monday to Saturday and not on a Sunday or a Holiday.

(c) Each huckster is required to take out a separate license regardless of whether or not that huckster is the employee of some other person.

12.7 Mechanical Trade

(a) In the case of a Mechanical Trade, no license shall be issued to an Individual or Company until the Licence Inspector is satisfied that either:

(i) the Individual or Company, or

(ii) an Officer or Shareholder of the Company actively engaged by the Company, or

Amended by: Bylaw 2935 Certificate Aug. 8, 1994

(iii) an employee of the Individual or Company actively engaged by the Individual or Company, is the holder of a Trade

under the Apprenticeship and Industry Training Act 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 Subsection (a), and he or it ceased to be actively engaged in the business or ceased 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 or ceases to be qualified, the license shall be revoked.

(c) No person having the qualifications required under Sub-section (a) 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 which is still subsisting.

Amended by: Bylaw 3484 May 4, 2004

12.8 Repealed.

Amended by: Bylaw 3484 May 4, 2004

12.9 Repealed.

Amended by: Bylaw 2755 Oct. 21, 1991

12.10 <u>Garage Sales</u>

(1) A maximum of two garage sales in each calendar year may be conducted on each private residential property in the City.

(2) A garage sale must not be conducted for a period of more than three days, whether consecutive or not.

(3) A person who contravenes the provisions of this section by:

(a) using or allowing to be used residential property owned or occupied by the person for more than two garage sales in a calendar year, or

(b) using or allowing to be used residential property owned or occupied by the person for a garage sale lasting more than three days

is guilty of an offense and liable upon summary conviction to pay a fine of not less than $50.00 and not more than $2,500.00 or to be imprisoned for not less than three (3) days in default of payment of the fine.

Amended by: Bylaw 2755 Oct. 21, 1991

12.11 <u>Kiosks and Trade Shows</u>

(1) Subject to the provisions of sections 12.11 (2) and 12.11 (3) a resident who wishes to carry on business at a kiosk must be the holder of a subsisting Kiosk License.

(2) A resident who holds both:

(a) a subsisting home occupation permit approved by the Municipal Planning Commission, and

Amended by:
Bylaw 2935
Aug. 8, 1994

(b) a subsisting license under Classification 9 of Schedule “B” of this Bylaw in respect of that home occupation permit

is entitled to carry on a business of selling the goods, wares or merchandise that are the subject matter of the home occupation permit, at any kiosk at any commercial property in the City without a Kiosk License.

(3) A person who owns or occupies a building in which five or more businesses are located is entitled, upon payment of the prescribed fee set out in Schedule "B", to obtain an annual license described as a Mall Kiosk License under which an unlimited number of persons may carry on business from kiosks in the building without any additional licensing requirement apart from the Mall Kiosk License.

(4) A person who is a participant in a Trade Show is entitled to

(a) accept orders or payments of money at the Trade Show location for performance of services or for delivery of goods, wares or merchandise at another location, or

(b) sell or attempt to sell any goods, wares, merchandise or services for immediate delivery or performance at the Trade Show location,

without any additional licensing requirement apart from the Trade Show license.

13. <u>OFFENCES AND PENALTIES</u>

Amended by:
Bylaw 2391
May 6, 1985

13.1 Where any person is found to be carrying on or operating a business without a valid and subsisting license issued pursuant to this, or any other licensing bylaw of the City, the City may cause to be served upon such person a violation ticket allowing payment of a penalty, said penalty being the greater sum of $25.00 or 50% of the annual license fee charged for the business in question in lieu of prosecution.

13.2 If the person upon whom such violation ticket is served fails to pay the sum stated therein within seven (7) days from the date of service thereof, the provisions of this section for acceptance of payment in lieu of prosecution do not apply.

13.3 Nothing in Subsection (1) above shall prevent any person from defending a charge of committing a breach of this bylaw.

13.4 Every person who commits an offence against this bylaw is liable to a fine and penalty of not more than $2,500.00 and not less than the applicable license fee and shall in default of payment thereof, or in the alternative, be liable to imprisonment for any period not exceeding two months.

13.5 Every person who commits an offence of a continuing nature is liable to a fine not exceeding $2,500.00 for each day such offence is continued.

13.6 It is the intention of the Council that each separate provision of this bylaw shall be deemed independent of all other provisions and it is further the intention of the Council that if any provision of this bylaw be declared invalid, all other provisions shall remain valid and enforceable.

Amended by:
Bylaw 2794
Dec. 21, 1992

13.7 Repealed.

14. REPEAL OF BYLAW 1468

Bylaw No. 1468 and all amendments thereto are hereby repealed.

15. EFFECTIVE DATE OF BYLAW

(a) The intention of Council is that Schedules "A" and "B" attached hereto be retroactive in their effect and said Schedules are hereby deemed to have received Third Reading and come into force as of the 31st day of December A.D., 1983.

(b) All of the other aspects of this Bylaw shall come into force as of the 19th day of March A.D., 1984

READ A FIRST TIME in Open Council this 5th day of March A.D. 1984

READ A SECOND AND THIRD TIME AND FINALLY PASSED in Open Council this 19th day of March A.D. 1984

I HEREBY CERTIFY that this is a true and correct copy of Bylaw No. 2339 consolidated pursuant to Section 69 of the *Municipal Government Act* to incorporate all subsequent amendments thereto, printed under the authority vested in me by the said Section 69 and by City of Medicine Hat Bylaw No. 1957.

CERTIFIED THIS _____ DAY OF _____, 20___.

_____
ANGELA CRUICKSHANK
MUNICIPAL SECRETARY AND CITY CLERK
CITY OF MEDICINE HAT

SCHEDULE "A" TO BYLAW NO. 2339

AS AMENDED BY BYLAW NO. 4075
MARCH 6, 2012

The license fees for all classes of businesses not specifically listed in Schedule “B” are as follows:

	Effective April 1 2012	Effective January 1, 2013	Effective January 1, 2014
1. If licensee is a resident	$ 72.00	$ 74.00	$ 76.00
2. If licensee is not a resident	$625.00	$638.00	$651.00

SCHEDULE "B" TO BYLAW NO. 2339

AS AMENDED BY BYLAW NO. 4075

MARCH 6, 2012

NOTE: UNLESS OTHERWISE INDICATED, THE FEES SET OUT IN THIS SCHEDULE ARE APPLICABLE TO RESIDENTS ONLY. IN THE CASE OF A NON-RESIDENT THE FEE FOR A LICENSE IS **$625.00** (EFFECTIVE APRIL 1, 2012), **$638.00** (EFFECTIVE JANUARY 1, 2013) AND **$651.00** (EFFECTIVE JANUARY 1, 2014) UNLESS SOME OTHER FEE FOR NON-RESIDENTS IS SPECIFICALLY PROVIDED FOR IN THIS SCHEDULE.

		Effective April 1 2012	Effective January 1 2013	Effective January 1 2014
1.	Amusement Park Operator Note: Covers go-cart racing, shooting gallery, trampoline, merry-go-round, batting cage, miniature golf, or any other form of amusement for which a charge is made.	$109.00	$111.00	$113.00
2.	Auctioneer	$109.00	$111.00	$113.00
3.	Canvasser (a) Resident (b) Non Resident (i) Natural Person (ii) Person other than Natural Person Note: A license under classification 3(b)(ii) above entitles the licensee to employ an unlimited number of natural persons, irrespective of whether they are residents, to carry on the business of canvassing within the City under the auspices of that license and subject to the specific terms and conditions of that license, without payment of any additional licensing fee for each such natural person.	$36.00 $139.00 $1,378.00	$37.00 $142.00 $1,407.00	$38.00 $145.00 $1,437.00
4.	Carnival Operator Note: A license under classification 4 is not valid for a full license year, but covers only the specific event for which the license is issued.	$277.00	$283.00	$289.00
5.	Circus (a) Where Applicant is a not-for-profit service club having a branch in Medicine Hat (b) Any other Applicant (Resident or Non-Resident) Note: A license under classification 5 is not valid for a full license year, but covers only the specific event for which the license is issued. The license fees set out in classification 5 are for a one day circus only; in the case of a circus with performances on more than one day, the fee is the amount stated multiplied by the number of days on which circus performances are to be staged.	$310.00 $619.00	$317.00 $632.00	$324.00 $645.00

		Effective April 1 2012	Effective January 1 2013	Effective January 1 2014
6.	Building Construction and Renovation Note: Classification 6 applies to general contractors and project managers, and to sub-contractors performing any trade, occupation or calling associated primarily with construction or structural renovation of buildings, including without limitation the following types of work: Acoustical Installation Asphalt Installation Bricklaying Building Movers Carpentry Ceramic Tile Installation Chimney Repairs Concrete Crane/Hoist Lifting Damp-proofing Decorating Demolition Door/Window Installation Drywalling Eavestroughing Excavation Flooring Installation Foundation Coating Framing Glassworking (including Glazing) Insulation Installation Lathing Installation Masonry Painting Paving Precast Concrete Installation Reinforcing Steel Installation Roofing Sandblasting Scaffold Installation Siding Installation Sewer and/or Water Installation Stuccoing and/or Plastering Structural Steel Installation	$139.00	$142.00	$145.00
7.	Huckster (a) Resident (b) Non-Resident Note: Each huckster who wishes to sell from more than one location is also required to pay an additional amount for each additional location after the first one.	 $72.00 $416.00 $72.00	 $74.00 $425.00 $74.00	 $76.00 $434.00 $76.00

		Effective April 1 2012	Effective January 1 2013	Effective January 1 2014
8.	Mechanical Tradesperson Note: Classification 8 applies to all mechanical or other trades for which journeyman certification is available (irrespective of whether the applicant is a certified journeyman), including without limitation the following types of work: Auto Body Mechanic Electrician Electronic Technician Elevator Constructor Gasfitter Heavy Duty Mechanic Locksmith Motor Mechanic Pipefitter Plumber Recreation Vehicle Mechanic Refrigeration Mechanic Sheet Metal Mechanic Steamfitter Welder	$139.00	$142.00	$145.00
9.	Home Occupation Note: The fee under classification 9 is on account of the business being operated from a residence; hence this fee is in addition to the fee otherwise payable under this Schedule or under Schedule "A" for the business in question.	$72.00	$74.00	$76.00
10.	Hotel or motel where, in addition to accommodation, food and/or alcoholic beverages are also provided	$277.00	$283.00	$289.00
11.	Licensed private club, cocktail lounge or dining lounge, not located in a hotel or motel, serving alcoholic beverages with or without meals	$139.00	$142.00	$145.00
12.	Pawnbroker	$139.00	$142.00	$145.00
13.	Pedlar (a) Resident (b) Non-Resident (i) Natural Person (ii) Person other than Natural Person Note: A license under classification 13(b)(ii) above entitles the licensee to employ an unlimited number of natural persons, irrespective of whether they are residents, to go from place to place within the City carrying on the business of peddling under the auspices of that license and subject to the specific terms and conditions of that license, without payment of any additional licensing fee for each such natural person.	 $36.00 $139.00 $1,378.00	 $37.00 $142.00 $1,407.00	 $38.00 $145.00 $1,437.00

		Effective April 1 2012	Effective January 1 2013	Effective January 1 2014
14.	Photographer (a) Resident (b) Non-Resident Note: A non-resident photographer who works only under contract to one or more schools or churches is entitled to obtain an annual license for the stated fee	 $72.00 $1,378.00 $625.00	 $74.00 $1,407.00 $638.00	 $76.00 $1,437.00 $651.00
15.	Second-hand Dealer	$139.00	$142.00	$145.00
16.	Tattooist	$139.00	$142.00	$145.00
17.	Kiosk (a) Kiosk License (b) Mall Kiosk License both Residents and Non-Residents	 $72.00 $1,037.00	 $74.00 $1,059.00	 $76.00 $1,081.00
18.	Trade Show Organizer (Resident and Non-Resident) Note: A Trade Show Organizer's license is an annual license that entitles the licensee to organize an unlimited number of trade shows during the license year. In addition to the license fee a trade show licensee must pay, at the time of taking out the license, the stated fee for each day that a trade show organized by the licensee will be open to the public. No additional fee is payable by a person who, not being an organizer, participates in a trade show.	$1,037.00 $132.00	$1,059.00 $135.00	$1,081.00 $138.00
18.1	Craft Show Organizer (a) Resident (b) Non-Resident	 $139.00 $619.00	 $142.00 $632.00	 $145.00 $645.00
18.2	Craft Show Participant (a) Resident No additional license is required for a resident to participate in a Craft Show if the resident is a holder of a subsisting license to carry on a craft business, either under Schedule "A" or as a home occupation under Classification 9 of this Schedule. (b) Non-Resident A non-resident Craft Show Participant's license is an annual license that entitles the licensee to participate in an unlimited number of Craft Shows during the license year.	 Free $72.00	 Free $74.00	 Free $76.00
19.	Transient Trader Note: In addition to the license fee, Transient Traders must pay, at the time of taking out a license, the stated fee for each day they will be doing business in the City. (A person who sells goods, wares, merchandise or services as an employee or agent of a licensed Transient Trader is not required to take out a separate license as a Transient Trader.)	$1,378.00 $333.00	$1,407.00 $340.00	$1,437.00 $347.00
20.	Wholesaler	$416.00	$425.00	$434.00

SURCHARGE

The E-Permit surcharge of 5% will be added to all fees contained in this schedule