



BYLAW NUMBER 318

A Bylaw of the Municipal Corporation of the Hamlet of Fort Liard in the Northwest Territories to provide for the licensing and regulation of business carried on within the municipality, under the Hamlets Act, R.S.N.W.T., 1988, c. H-1, sections 110, 111, and 173 and the Summary Conviction Procedures Act, R.S.N.W.T., 1988, c. S-15, section 11.

WHEREAS the Hamlet of Fort Liard deems it necessary to regulate and control business within the municipality,

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF FORT LIARD, at a duly convened meeting, enacts as follows:

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SHORT TITLE

1. This Bylaw may be cited as the "**Business License Bylaw.**"

INTERPRETATION

2. In this Bylaw,

- "Applicant" means a person applying for a License issued under the provisions of this Bylaw;
- "Application" means an Application for a License – Schedule "A."
- "Business" means a company, partnership, or sole proprietorship, which includes.
- a) a profession, trade, manufacture, or undertaking of any kind;
 - b) an adventure in trade; and,

c) the sale or offer of goods or services in any public place but does not include a business regulated by an Act of Parliament or any other exempt business prescribed.

- “Council” means the Council of the Hamlet;
- “Hamlet” means the Hamlet of Fort Liard in the Northwest Territories;
- “Hawker or Peddler” means any person who, whether as principal or agent, goes from house to house or locates on any street or roadway or elsewhere, other than a building which is their permanent place of business, and offers for sale any merchandise to any person using samples, patterns, cuts or blueprint, merchandise to be afterward delivered in or shipped to the municipality, but does not include a principal or agent selling to a wholesale or retail dealer in such inventory;
- “Home Occupation” means any business carried on by a person who is an occupant of a residential building as a use secondary to the residential use of the building;
- “Industry” means one that employs personnel and capital in manufacturing or provides servicing, a distinct and productive unit or profit-making enterprise;
- “Licence” means a Business License issued under this Bylaw.
- “Licensing Period” means the period between April 1 and March 31 during which a License is issued;
- “Non-Resident” means any person carrying on business within the of the Hamlet without having an established or permanent office or location of operation within the corporate limits of the Hamlet;
- “Person” means any individual, sole proprietorship, partnership, corporate body, society, or any combination of two or more of those above;
- “Private Dwelling” means a home or apartment owned or rented by the occupant or occupants thereof, but the occupant of such a dwelling as a temporary guest;
- “Resident Business” means any person, as defined in this section, carrying on a business and establishing a permanent office or location of operation within the corporate limits of the Hamlet;
- “SAO” means the Senior Administrative Officer or designate of the Hamlet of Fort Liard; and,
- “Schedule” means a schedule attached to and forming part of this Bylaw.

LICENSE REQUIREMENTS

3. No person shall carry on or operate a business unless they hold a valid License under this Bylaw.
4. Each License issued under subsection (3) shall be valid from the date of issue for the current calendar year unless sooner terminated.
5. Any person engaged in or carrying on one or more different businesses, either separately or together, shall be required to hold to each type of business.

PROCEDURE FOR APPLICATION

6. All applicants for a License shall complete an Application in the form set out in Schedule "A" and pay a fee of:

(a) Non-Resident Business/Contractor	\$ 300.00
(b) Resident	\$ 100.00
7. All License Applications shall describe the premises in or upon which the applicant intends to carry on the business applied for.
8. No License shall be issued to operate a home occupation in rental accommodation unless a letter of consent from the agent of the property owner of the premises grants permission to use a business out of the rented premises.
9. All Licenses issued shall designate the premises on which the rights may carry on or engage in the business. The permit authorizes a request to conduct business only in or upon designated premises.
10. A separate License shall be obtained for each location.
11. No Application shall provide false or misleading information regarding any procedure or condition of this Bylaw.
12. A License issued to a Licensee is not valid unless approved by the SAO

POSTING OF LICENSES

13. Every License issued under this Bylaw shall be posted in a conspicuous place on the business premises. The Licensee shall produce the permit for inspection whenever required by the SAO.

GENERAL PROVISIONS

14. Where a Licensee wishes to change any information in the Application form or License, the Licensee shall apply for such change to the SAO.
15. License renewals shall be completed by the fifteenth day of January.
16. All Licenses issued shall expire by 2:00 midnight on December 31 of the year the License was issued.
17. Licenses issued under this Bylaw are not transferable.
18. The License fee shall be payable in full by each applicant at the time of the Application, irrespective of the prospective term of the operation of the business.
19. No refunds shall be made, pro-rate or otherwise, on any unexpired License due to cessation of business activities by the Licensee.
20. The SAO shall refuse to issue a License to an applicant who furnishes false or misleading information.



21. The SAO may revoke, suspend, or refuse to issue a License where they are satisfied that the person has violated any Bylaw or an Act of the Northwest Territories concerning any Licensed or requiring to be Licensed under this Bylaw.
25. In every case where an applicant has been refused a License, that person seeking the permit shall be entitled to appeal to the Council, and the Council shall decide whether the refusal was just and reasonable.
26. Every appeal mentioned in subsection (25) shall be made in writing, concisely outlining the grounds on which the request is based and submitted to the Hamlet Office within ten (10) days.
27. Council, after hearing an appeal, may.
 - (a) direct a License be issued without conditions;
 - (b) direct a License be issued with conditions; or,
 - (c) uphold the decision of the SAO and refuse to grant the License.

HAWKERS AND PEDDLERS

28. All hawkers and peddlers that are required to be bonded and Licensed by the Government of the Northwest Territories will not be permitted to obtain a License without a valid Direct Sellers' License.
29. No License shall be issued to a hawker or peddler until that hawker or peddler has established their identity with the SAO.
30. Hawkers and peddlers shall conduct their businesses only between 9:00 a.m. and 9:00 p.m. from Monday to Saturday.

BUSINESS LOCATIONS AND OFFICES

31. All Licensed businesses shall have an office except for a non-resident contractor, service agency, hawker, peddler, or travelling salesperson.
32. A hawker or peddler may only operate on the lot identified on the Application for a License.
33. Any one person may operate one or more businesses from the office.

POWERS AND DUTIES OF THE SAO

34. The SAO is appointed as administrator of this Bylaw.
35. The SAO shall:
 - (a) receive and process all Applications for Licenses;
 - (b) keep a record of all Applications for Licenses;
 - (c) keep a duplicate of all Licenses issued;
 - (d) ascertain, as far as practicable, that all information furnished by an applicant is accurate in substance and fact; and,
 - (e) prepare and issue all Licenses under the provisions of this Bylaw.

PENALTIES

36. Any person violating any provisions of this Bylaw is guilty of an offence and liable, upon summary conviction,
 - (a) in the case of a corporation, a fine not exceeding two hundred and fifty dollars (\$250.00) for an offence during any licensing period, and,



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(b) in the case of an individual to a fine not exceeding one hundred dollars (\$100.00) for an offence during any licensing period.

EFFECTIVE DATE

- 37. This Bylaw is effective January 1, 2023.
- 38. Licenses issued before December 31, 2022, under License Bylaw 296, shall be considered valid until their expiry date unless cancelled for non-compliance.

REPEAL

- 39. Bylaw 120 is repealed on the effective date of this Bylaw.

READ for a First Time this 1st day of September 2022

READ a Second Time this 1st day of September 2022.

READ a Third Time this 27th day of October 2022.



Genevieve McLeod
MAYOR

It is certified that this Bylaw has been made by the requirements of the Hamlets Act - Section 77(1)(d) and the Bylaws of the Hamlet of Fort Liard.



John W. McKee
SENIOR ADMINISTRATIVE OFFICER

SCHEDULE "A"
APPLICATION FOR LICENSE

1. Name of Applicant: _____
2. Name of Business: _____
3. Business Address: _____
4. Mailing Address: _____
5. Location of Business: Lot No.: _____ Block No.: _____
6. Telephone Number of Business: _____
7. Location of Business: (Please Check One)
(a)Outside Home _____ (b)Home Occupation _____
8. Type of Business: _____
9. Is this a non-resident business? Yes _____ No _____
10. Is this a renewal? Yes _____ No _____

I, _____, hereby make Application for a License in accordance with the as above and certify that the above-mentioned information is correct.

Signature of Applicant

Date

For Office Use Only

Fee: \$ _____ License Number _____ Approved? Yes _____ No _____

Date License Issued: _____ For Licensing Period: _____

Senior Administrative Officer per: _____