

BYLAW NO. 2024-001

TOWN OF CORONACH

Business License Bylaw

THE COUNCIL OF THE TOWN OF CORONACH, IN THE PROVINCE OF SASKATCHEWAN,
ENACTS AS FOLLOWS:

1. SHORT TITLE

This Bylaw may be cited as The Business License Bylaw.

2. PURPOSE

The purpose of this bylaw to regulate and license any business or trade within the municipality except businesses operating from a commercially assessed property within the Town of Coronach.

3. DEFINITIONS

3.0 Building

As defined in The Municipalities Act “any structure used or occupied or intended for supporting or sheltering any use or occupancy, and includes a trailer, mobile home, or portable shack that is:

(i) situated within the municipality for a period of more than 30 days;

And, is not;

(ii) in storage; or a travel trailer.”

3.1 Business

As defined in The Municipalities Act is “any of the following activities, whether or not for profit and however organized or formed:

(i) a commercial, merchandising or industrial activity or undertaking;

(ii) the carrying on of a profession, trade, occupation, calling or employment;

(iii) an activity providing goods or services;

and, in the case of a rural municipality, does not include:

(iv) the cultivation of plants or the raising of livestock, whether in an artificial or controlled environment or on land;

(v) the keeping of bees or the extracting of honey; or,

(vi) fur farming”.

3.2 Contractor

Means and includes any person that undertakes a contract to provide materials or labor to perform a service or do a job.

3.3 Council

Means the Council of the Town of Coronach.

3.4 Designated Officer

Means any person appointed by the Town of Coronach for the purpose of enforcing the provisions of this bylaw.

3.5 Direct Seller

As defined in The Direct Sellers Act is “a person who:

(i) goes from house to house selling or offering for sale, or soliciting orders for the

future delivery of, goods or services;
(ii) by telephone offers for sale or solicits orders for the future delivery of goods or services; or,
(iii) does both of the things mentioned in subclauses (i) and (ii).

Examples include but are not limited to the sale of security systems, vacuum cleaners, food.

3.6 Farmer's Market/Pop-up Market/Trade shows

A food market at which local farmers sell fruit and vegetables and often meat, cheese and bakery products directly to consumers and/or a regular gathering of people for the purchase and sale of provisions, other commodities, advertising and promotion where dealings are conducted.

3.7 Food Truck

A large vehicle equipped with facilities for cooking and selling food.

3.8 Goods

As defined in The Direct Sellers Act goods "includes any articles, commodities, substances or things and any agreement that entitles the holder thereof to purchase or obtain goods".

3.9 Home Occupation

Means a small sales-oriented business conducted from a residential building. Examples include Norwex, Tupperware, Thirty-one, Zyla Activewear, etc.

3.10 License

Means a business license issued by the Town.

3.11 Services

As defined in The Direct Sellers Act services "includes any agreement: (i) to install or apply goods, whether or not the goods become part of any real property; (ii) to perform work, labour or service of any kind; (iii) that entitles the holder thereof to purchase or obtain services;

3.12 Storefront Business

A retail store or the façade of a commercial building or entryway, typically on the ground floor or street level and including display windows which draw visual attention to a business and/or its merchandise.

3.13 Town

Means the Town of Coronach.

3.14 Unclassified

Means a business which cannot be classified in any other category per Schedule B of the Bylaw.

4. Scope

a) No person shall carry on any trade, business or calling within the Town unless they have in their possession a valid license for the purposes issued in accordance with the provision of this bylaw.

b) A license **shall not be required** for:

- i) Wholesalers or any person engaged in a business that sells only to retail outlets, offices, schools, hospitals, or other institutions;
- ii) Local religious, charitable or non-profit community organizations;
- iii) Business carried on by the Town or by someone contracted or appointed by the Town and working exclusively for the Town within the Town Limits to provide a Town service (however, if

you will also conduct business in Town Limits for another person, a business license would be required);

iv) Persons conducting business in a commercially assessed property;

v) any person engaged in a business that may be specifically exempt or exempted by resolution of Council;

vi) Persons conducting business as a farmer's market, pop-up market, and/or trade show; and/or,

vii) Persons having business in a home occupation.

5. Granting of License

a) A person must apply in writing; by completing the application form as in Schedule A, attached hereto and forming part of this bylaw, to the Town before commencing any business.

b) Notwithstanding the provisions of this bylaw, the Town, at its discretion, may require the general contractor of a project to provide a list of sub-trades for the project and the business license fees be payable by the general contractor with the term of the business license to expire at the end of the project. Business licenses for the individual sub-trades listed will be included within the business license of the contractor.

c) The Town may issue a license when:

i) the licensing application is complete;

ii) the required licensing fee has been paid; and,

iii) if required, the necessary provincial licenses have been provided.

d) A person must notify the Town if:

i) the business is being discontinued; or,

ii) either the size or nature of the business is changing.

e) A person must apply for a new license if:

i) the business is relocating; or,

ii) the business is being purchased or taken over by a new person.

f) For Direct Sellers the following information shall be required with the application:

i) Driver's license with photo identification; and,

ii) Copy of a valid provincial license authorizing them as a direct seller.

g) A general receipt issued by the Town, indicating the fee paid and the name of the business shall constitute a license under this bylaw.

h) With the purchase of a business license, the business will be listed on the Business Directory of the Town's website.

i) The Town Office Administration shall keep a License Register showing the following particulars:

i) Names of all persons applying for a license;

ii) Names of all persons to whom licenses have been granted, with amount of license fee collected in each case; and,

iii) Names of all persons to whom licenses have been refused.

6. License Fees

The fee payable in respect of any license required under the provisions of this Bylaw shall be the amount set out in Schedule B attached hereto and forming part of this bylaw.

The fees shall be paid to the Town Office.

No persons shall carry on any of the several trades, occupations, callings, or business in the Town of Coronach, until he/she purchases a license pursuant to this Bylaw and every person so licensed shall be subject to the provisions of this Bylaw.

7. Duration of License

- a) Every license issued under this bylaw shall expire at 11:59pm December 31 in the year that it is issued.
- b) A license issued in respect of any new business that commences after September 1st shall be charged one-half (1/2) of the annual license fee as shown in Appendix B.

8. Revocation of License

Council may refuse, suspend or revoke a license in its absolute discretion, but it shall give reasons for any refusal, suspension or revocation and its actions are not open to review by any court. The license holder will be given the full opportunity to be heard by the Council. No refunds will be issued for suspended or revoked licenses.

9. Enforcement of Bylaw

The administration and enforcement of this Bylaw is hereby delegated to a Designated Officer.

10. Offences and Penalties

- a) Any person found guilty of an infraction of any provision of this Bylaw, shall be subject to the penalties provided in the General Penalty and Fines Bylaw 11.2018 of the Town.
- b) Where, in a prosecution or proceeding under a Bylaw providing for the licensing of any business or of persons carrying on the same or engaged therein, it is alleged that the person proceeded against, carried on, or engaged in such business without first obtaining a license to do so, proof of one transaction in the business shall be sufficient to establish that person proceeded against, carried on or engaged in such business.
- c) If a license fee imposed for the licensing of building contractors is unpaid, a designated officer:
 - i) may give written notice to any person by whom the contractor is employed requiring that person to pay the license fee out of moneys payable by that person to the contractor; and,
 - ii) if the designated officer gives written notice pursuant to clause a), he/she shall send a copy of the written notice to the contractor.
- d) On receipt, by a person mentioned in c)ii), of a written notice requiring the person to pay a license fee, the amount of license fee is, to the extent of the money so payable, a debt due by that person to the Town and may be recovered in the same manner as taxes may be recovered.

11. Repeal Former Bylaws

Bylaw Number 3. 1970, Bylaw 5.1976, Bylaw 6.1983, Bylaw 3.1992, and Bylaw 3.1994 are hereby repealed.

12. Coming into Force

This Bylaw shall come into force on the day of its final reading.

Introduced and read a first time on the 13th day of February 2024.

Given a second reading on the 12th day of March, 2024.

Given a third reading and adopted on the 12th day of March, 2024.

[Signature]
Mayor

[Signature]
Administrator

March 12/2024
Date

Certified a true copy of Bylaw 2024-001
Date Carried on March 12/2024
Resolution # 83, 2024
[Signature] Administrator



Bylaw 2024-001
Town of Coronach
Business License Bylaw

SCHEDULE A- Application for Business License

Date	
Fee	
Contractor (in Town) _____ Contractor (outside Town) _____ Direct Seller _____ Food/Fruit Truck _____ Storefront _____ Unclassified _____	
Business Name	
Business Address	
Business Phone _____ Home Phone _____	
Email _____ Website _____	
Business Owner _____	
Business Description (Primary Function/Goods & Services Provided) _____ _____ _____	
Other Social Media links _____	

I hereby declare that the information listed above is true to the best of my knowledge

Signature of Applicant

Date

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SCHEDULE B- Fee Schedule for Business License

Contractor (reside in town limits)-	\$100.00
Contractor (non-resident of Coronach)-	\$125.00
Direct Sellers (with SK Provincial License & ID)-	\$100.00/person
Food Truck and Fruit Truck-	\$50.00
Storefront Business-	\$125.00
Unclassified-	\$100.00