

## TOWN OF SLAVE LAKE

### BY-LAW #34-2003

A BYLAW OF THE TOWN OF SLAVE LAKE, IN THE PROVINCE OF ALBERTA TO PROVIDE LICENSING AND CONTROL OF ANY BUSINESS WITHIN THE TOWN OF SLAVE LAKE.

WHEREAS, it is provided in and by the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, Part 2, as amended, that the Council may by by-law license and control all businesses within the Town of Slave Lake including the manner of operation, the nature of the operation and the location thereof, and may license any or all such businesses whether or not the business has a business premises within the municipality.

AND WHEREAS, the Council of the Town of Slave Lake deems it necessary to provide for a by-law for the purpose of licensing and controlling all businesses operated within the Town of Slave Lake for 2003.

NOW THEREFORE the Council of the Town of Slave Lake duly assembled enacts as follows:

#### PART 1 - TITLE

- a) This Bylaw may be cited as "THE BUSINESS LICENSE BYLAW" of the Town of Slave Lake.

#### PART 2 - DEFINITIONS

- a) Application shall mean a written application for a business license as provided for in Schedule "A" of this Bylaw.
- b) Business shall mean a trade, profession, occupation, employment, or calling and the providing of goods and services.
- c) Business License shall mean a license issued pursuant to this Bylaw.
- d) Business Premises shall mean a store, office, warehouse, building enclosure, or yard capable of being occupied for the purpose of carrying on a business.
- e) Hawker/Peddler shall mean any person whether as principal or agent who:
- (i) goes from house to house or business to business selling or offering for sale any merchandise or services, or both, to any person; or
  - (ii) offers or exposes for sale to any person by means of samples, patterns, cuts, or blueprints, merchandise, or services, or both, to be afterwards delivered in and shipped into the municipality; or
  - (iii) sells merchandise or services, or both, on the streets, or elsewhere than at a building that is his permanent place of business.
- f) Home Based Business shall mean a home business carried on by an occupant of a residential building as a use secondary to the residential use and which does not change the character or outside appearance thereof or have any exterior evidence of such a secondary use other than approved signage and business vehicle. The following types of home based businesses are:
- (i) "Home craft/Child Care" (Type A):  
Means home crafts for gain or support as a direct result of the extension of a hobby or child care services not exceeding five (5) children at any given time conducted within the dwelling at their private residence. A Home craft may involve direct client contact, but only to a minor extent and requires no additional employees. Home crafts may include but are not limited to sewing, tailoring and similar domestic crafts, handicrafts, hobbies, music instruction, and tutoring.
  - (ii) "Direct Sales" (Type B):

## TOWN OF SLAVE LAKE

### BY-LAW #34-2003

Means a home based business operated by a person who carries on the business of selling or offering for sale goods or services or both, or entering into agreements for the sale of goods or services or both, for delivery or performance at a future date, where the salesperson offers for sale, solicits, negotiates or concludes the sale of agreement in person at a location other than at the seller's residence.

- (iii) "Professional Services" (Type C):  
Means a small-scale business or professional office operated in a home by a person who occupies the dwelling as a residence. A home office is limited to a desk, a telephone and related office equipment, does not engage in the warehousing or sale of goods, and requires no additional employees. A home office may include but is not limited to offices of accountants, doctors, business consultants, contractors, lawyers, bookkeepers, and architects.
- (iv) "Bed & Breakfast" (Type D):  
Means a dwelling in which no more than four units (without cooking facilities) are made available for the temporary accommodation of the travelling or vacationing public. The number of approved units will depend on the availability of on-site parking. The bed and breakfast shall be operated by a person who occupies the dwelling as a private residence.
- (v) "Other" (Light Industrial/Light Commercial) (Type E):  
Means a home based business, excluding the above noted, operated in the home and may be extended to an accessory residential building provided that the minimum on-site parking requirements are met. The number of non-resident employees working on-site shall not exceed two at any given time.

- g) License Officer shall mean a person authorized by Council to carry out the provisions of this By-Law.
- h) Local Non-Resident shall mean any business whose permanent office or place of business is situated in either a commercial, industrial, or residential district within the boundaries of Municipal District No. 124 which does not possess a membership to the Slave Lake & District Chamber of Commerce.
- i) Non-Resident shall mean any business, which does not have a permanent office or place of business within the Town of Slave Lake or within the boundaries of Municipal District No. 124.
- j) Resident shall mean a business whose permanent office or place of business is situated in either a commercial, industrial, or residential district within the Town of Slave Lake or within the boundaries of Municipal District No. 124. All businesses located within Municipal District No. 124 conducting business within the boundaries of the Town of Slave Lake must also be a member of the Slave Lake & District Chamber of Commerce.
- k) Secretary Treasurer shall mean the Secretary Treasurer of the Town of Slave Lake and anyone designated by the Secretary Treasurer to act on his/her behalf.
- l) Town shall mean the Town of Slave Lake.
- m) M.D. shall mean Municipal District of Lesser Slave River No. 124.
- n) Town Council shall mean the Municipal Council of the Town of Slave Lake.
- o) Chief Administrative Officer shall mean the Chief Administrative Officer of the Town of Slave Lake or anyone designated by the Chief Administrative Officer to act on his behalf.

### PART 3 - REQUIREMENT OF A BUSINESS LICENSE

- a) No person shall carry on or operate any business within or partly within the Town of Slave Lake without holding a valid and subsisting business license issued pursuant to the provisions of this By-Law unless specifically exempted by law.
- b) The following businesses and organizations shall be exempt from 3(a):

## TOWN OF SLAVE LAKE

### BY-LAW #34-2003

- (i) registered charitable organization;
- (ii) religious groups;
- (iii) service clubs;
- (iv) minor sports associations;
- (v) schools;
- (vi) scouts, brownies, guides, and other similar organizations;
- (vii) type A home based businesses;
- (viii) suppliers bringing bulk goods to a licensed business for the purpose of resale.

#### PART 4 - LICENSE OFFICER

- a) The Town Council shall appoint a license officer to carry out the provisions of this By-law.
- b) The duties of a license officer are:
  - (i) to receive and consider applications for a business license;
  - (ii) to conduct investigations with regard to proposed applications where necessary;
  - (iii) to conduct inspections of business premises where necessary;
  - (iv) to collect business license fees pursuant to this bylaw;
  - (v) to grant, with or without conditions, or refuse a business license where deemed appropriate and for just and reasonable grounds;
  - (vi) to revoke a business license for just and reasonable grounds. Notice of revocation may be made by personal service upon the holder of the business license or by sending the notice by single registered mail to the person's residence or place of business;
  - (vii) to commence prosecutions for violation of this By-Law.

#### PART 5 - LICENSE APPLICATIONS

- a) Every person applying for a business license shall submit to the license officer a written application as in the form of Schedule "A", attached to and forming part of this By-Law, and signed by the applicant or in the case of a corporation, its duly appointed agent.
- b) Every business located within the boundaries of Municipal District No. 124 conducting business within the boundaries of the Town of Slave Lake shall submit to the license officer proof of M.D. residency as well as proof of membership to the Slave Lake & District Chamber of Commerce.
- c) A business license fee for an existing business, each year, shall be payable within thirty (30) days of invoicing. Renewal will be automatic upon payment of the proper fee as provided by this By-Law.

#### PART 6 - PREREQUISITES FOR A BUSINESS LICENSE

- a) No business license shall be granted until such time as the applicant holds a valid development permit where required

## TOWN OF SLAVE LAKE

### BY-LAW #34-2003

by the Land Use By-Law for the business.

- b) No business license shall be granted until such time as the applicant holds a valid Provincial or Federal License where required by law.
- c) No business license shall be granted until the applicant has submitted to the license officer the proper fee as provided by this By-Law.

#### PART 7 - CONDITIONS OF A BUSINESS LICENSE

- a) Every business license issued under this By-Law shall be posted in a conspicuous place in the business premises of the business license holder.
- b) In the case of a business operating one or more outlets in the same building only one business license shall be required.
- c) All contractors, whether general or sub, will be required to obtain a business license.
- d) Every person carrying on or engaged in any business in respect of which a license is required under this By-Law, upon request of the license officer, shall give to the license officer, all information necessary to enable him/her to carry out his/her duties.
- e) Every business license issued under the provisions of the By-Law, unless revoked, shall terminate at midnight on the 31st day of December in the year in which the said license was issued.
- f) Every business issued a license under the provisions of this By-Law shall maintain in good standing the prerequisite conditions listed in clause 6(a) and 6(b).
- g) The Town shall maintain a list of licensed businesses for public inspection.

#### PART 8 - OFFICIALS TO HAVE ACCESS TO LICENSED PREMISES

- a) The license officer shall at all reasonable times have the right, after being properly identified, to enter upon any premises licensed under the provisions of this By-Law for the purpose of inspection or for the purpose of ascertaining if the provisions of this By-Law are being complied with. Any person hindering, preventing or refusing such free access after such person has demanded admission and established his authority shall be guilty of a breach of this By-Law.

#### PART 9 - TRANSFER OF LICENSE

- a) A license granted pursuant to the provisions of this By-Law may, upon approval from the license officer, be transferred from one premise to another premise or from one person or company to another person or company upon the payment of a transfer fee of Five (\$5.00) dollars to be paid at the time of application for transfer.

#### PART 10 - APPEALS

- a) A person seeking a license may appeal to Town Council in every case where an application for a business license has been refused or a business license has been revoked.
- b) An appeal from subsection (a) shall be made by the applicant within thirty (30) days after such refusal or revocation.
- c) All appeals shall be made in writing addressed to the Secretary Treasurer of the Town of Slave Lake and shall be dated as of the date received by the Secretary Treasurer.

## TOWN OF SLAVE LAKE

### BY-LAW #34-2003

- d) Town Council, after hearing the applicant, may:
- (i) direct a business license be issued;
  - (ii) direct a business license be issued with conditions;
  - (iii) refuse to grant a business license;
  - (iv) uphold the revocation of a business license, on grounds, which appear just and reasonable.
- e) A decision of Town Council in respect of an appeal under this section shall be final and binding.

#### PART 11 - LICENSE FEES

- a) The fees payable in respect of any license required under the provision of this Bylaw shall be the amount set out in Schedule "B" attached to and forming part of this By-Law.
- b) The fee payable for a business license issued between the 1st day of January and the 30th day of June in any year shall be the license fee for the full year, or the daily fees.
- c) The fee payable for a business license issued after the 30th day of June in any year shall be based upon the monthly fees as stated in Schedule "B" attached to and forming part of this By-Law.
- d) Where a business license is revoked or surrendered prior to July 1st in any year, the licensee is entitled, upon application, to be refunded one half of the license fee for the full year, but no refund shall be made on applications made after June 30th.

#### PART 12 - PENALTIES

- a) Any person violating any provision of this By-Law shall be guilty of an offense and liable on summary conviction:
- (i) to a penalty of not less than Two Hundred (\$200.00) dollars and not more than Seven Hundred and Fifty (\$750.00) dollars and costs for the first offense; and
  - (ii) to a penalty of not less than One Hundred (\$100.00) dollars for every day the offense continues, exclusive of costs;
- b) As an alternative to (a) above, the license officer or a By-Law Enforcement Officer may enforce the provision of this By-Law and may issue an offense ticket, pursuant to the Provincial Offenses Procedures Act, to any person alleged to have committed one or more breaches. The offense tickets shall state the alleged offense and the amount of the appropriate fine as provided in Schedule "C" attached to and forming part of this By-Law.
- An offense ticket under Section (b) above, may be issued by personal service upon the alleged offender or by leaving it at the residence of the alleged offender or by sending it to the alleged offender by single registered mail.
- d) Where the offense is non-payment of any license fee payable hereunder, the court may adjust payment thereof in addition to the fine imposed.
- e) In default of payment of any business license fees charged by the Town, the Town may recover same by action in a Court of competent jurisdiction or may make such rates a charge against the property to which the rate was payable, such rates are subject to the same penalties and are collectible by the same procedure as taxes levied by the Town.

#### PART 13

TOWN OF SLAVE LAKE


BY-LAW #34-2003


- a) By-Law #30-2003 and amendments thereto are hereby repealed.

PART 14


- a) This by-law shall come into full force and effect on third and final reading


READ A FIRST TIME THIS 21<sup>ST</sup> DAY OF NOVEMBER, 2003 A.D.

  
\_\_\_\_\_  
MAYOR


  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER


READ A SECOND TIME THIS 16<sup>TH</sup> DAY OF DECEMBER, 2003 A.D.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME THIS 16<sup>TH</sup> DAY OF DECEMBER, 2003 A.D.

  
\_\_\_\_\_  
MAYOR

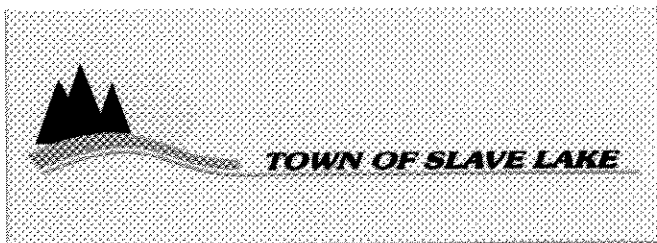
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

November 13, 2003

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**TOWN OF SLAVE LAKE**

**BY-LAW #34-2003**



**Business Licence Fees—Schedule “A”**

328 - 2nd Street N.E.  
P.O. Box 1030  
Slave Lake, Alberta  
T0G 2A0

Phone: (780) 849-8000  
Fax: (780) 849-2633

**BUSINESS LICENSE APPLICATION FORM**

DATE: \_\_\_\_\_

NAME OF APPLICANT: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

HOME PHONE: \_\_\_\_\_

**BUSINESS INFORMATION**

NAME OF BUSINESS: \_\_\_\_\_

DESCRIPTION OF SERVICE / PRODUCT YOUR BUSINESS PROVIDES: \_\_\_\_\_

BUSINESS LOCATION: \_\_\_\_\_  
(Civic Address or Legal Land Description)

MAILING ADDRESS: \_\_\_\_\_

PHONE NO.: \_\_\_\_\_ ALTERNATIVE PHONE NO.: \_\_\_\_\_ FAX NO.: \_\_\_\_\_

1. IS YOUR BUSINESS LOCATED IN YOUR HOME? YES / NO
2. IS YOUR BUSINESS LOCATED IN THE TOWN OF SLAVE LAKE ? YES / NO
3. IS YOUR BUSINESS LOCATED IN MUNICIPAL DISTRICT OF LESSER SLAVE RIVER NO. 124? YES / NO
4. ARE YOU A MEMBER OF THE SLAVE LAKE & DISTRICT CHAMBER OF COMMERCE? YES / NO
5. WILL YOUR BUSINESS SELL TOBACCO PRODUCTS? YES / NO

**PROVINCIAL LICENSING REQUIREMENTS:**

If you answer Yes to any of the following questions, you will require a Provincial Business License. Proof of such licensing will be required prior to the issuance of a business license from the Town of Slave Lake.

**DIRECT SELLING BUSINESS:** Goods and Services must be sold to an individual for personal, family or household use. This section pertains to “Door to Door” selling.

TOWN OF SLAVE LAKE

BY-LAW #34-2003

**HOME BASED BUSINESS  
APPLICATION FORM**

TYPE: \_\_\_\_\_

I/We hereby make application under the provisions of the Town of Slave Lake Land Use By-Law #07-2000, to develop in accordance with the information submitted, which form part of this application. I/We understand and acknowledge the conditions and limitations applying to the issuance of a development permit

PLEASE PRINT:

APPLICANT: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

PHONE #'s: RESIDENCE: \_\_\_\_\_ OTHER: \_\_\_\_\_ ZONING: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: PLAN \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT(S) \_\_\_\_\_

REGISTERED OWNER: \_\_\_\_\_

**IF THE APPLICANT IS NOT THE REGISTERED OWNER OF THE PROPERTY, PLEASE SUBMIT A LETTER FROM THE REGISTERED OWNER GRANTING YOU PERMISSION TO USE THE PROPERTY FOR THE PROPOSED BUSINESS.**

Describe your business: \_\_\_\_\_

What equipment/material do you use in your business? \_\_\_\_\_

Where is the equipment/material kept? \_\_\_\_\_

Where do you perform your business or sell your product? \_\_\_\_\_

How often are people coming to your home regarding your business?  Never \_\_\_\_\_ Visits per Day.

How many employees/people are involved in your business? \_\_\_\_\_ Work on the property? \_\_\_\_\_

What type/size of vehicle may be involved in your business? \_\_\_\_\_

Where is the vehicle parked? \_\_\_\_\_

What part of your dwelling do you use for your business? \_\_\_\_\_

Do you use your garage for your business? \_\_\_\_\_

What type of dwelling will you be operating from?  single detached house  duplex  rowhousing  apartment  other

**RIGHT OF ENTRY:** I, being the owner or person in possession of the above described land and buildings, thereon, hereby consent to an authorized person designated by the Town of Slave Lake entering upon the land and buildings for the purpose of inspection during the processing and duration of the development permit.



**TOWN OF SLAVE LAKE**

**BY-LAW #34-2003**

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

I solemnly declare that the above application is true and fully completed to the best of my knowledge and knowing that it is of the same force and effect as if made under oath. I further declare, that if the development permit is approved, I will stay in total conformance with the provisions affecting Home Based Businesses in the Land Use By-Law in effect at the time of the development permit issuance and throughout the validity of the permit.

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

TOWN OF SLAVE LAKE

BY-LAW #34-2003

**HOME BASED BUSINESS PERMIT APPLICATION INFORMATION**

**“HOME BASED BUSINESS”** means a home business carried on by an occupant of a residential building as a use secondary to the residential use and which does not change the character or outside appearance thereof or have any exterior evidence of such a secondary use other than approved signage and business vehicle. The following types of home based businesses are:

**“Home craft/Child Care” (Type A):**

Means home crafts for gain or support as a direct result of the extension of a hobby or child care services not exceeding five (5) children at any given time conducted within the dwelling at their private residence. A Home craft may involve direct client contact, but only to a minor extent and requires no additional employees. Home crafts may include but are not limited to sewing, tailoring and similar domestic crafts, handicrafts, hobbies, music instruction, and tutoring.

**“Direct Sales” (Type B):**

Means a home based business operated by a person who carries on the business of selling or offering for sale goods or services or both, or entering into agreements for the sale of goods or services or both, or delivery or performance at a future date, where the salesperson offers for sale, solicits, negotiates or concludes the sale of agreement in person at a location other than at the seller's residence.

**“Professional Services” (Type C):**

Means a small scale business or professional office operated in a home by a person who occupies the dwelling as a residence. A home office is limited to a desk, a telephone and related office equipment, does not engage in the warehousing or sale of goods, and requires no additional employees. A home office may include but is not limited to offices of accountants, doctors, business consultants, contractors, lawyers, bookkeepers, and architects.

**“Bed & Breakfast” (Type D):**

Means a dwelling in which no more than four units (without cooking facilities) are made available for the temporary accommodation of the travelling or vacationing public. The number of approved units will depend on the availability of on-site parking. The bed and breakfast shall be operated by a person who occupies the dwelling as a private residence.

**“Other” (Type E):**

Means a home based business, excluding the above noted, operated in the home and may be extended to an accessory residential building provided that the minimum on-site parking requirements are met. The number of non-resident employees working on-site shall not exceed two at any given time.

**HOME BASED BUSINESS FEES**

<u>TYPE</u>	<u>BUSINESS LICENSE</u>	<u>PERMIT FEE</u>
Type A - Home crafts	N/A	N/A
Type B - Direct Sales	Required	N/A

**TOWN OF SLAVE LAKE**

**BY-LAW #34-2003**

Type C - Professional Services	Required	\$100.00
Type D - Bed & Breakfast*	Required	\$50.00/unit
Type E - Other*	Required	\$200.00

\* Discretionary Use - Requires Municipal Planning Commission approval.

If you have any questions or require further information regarding Home Based Businesses, please contact:  
Shauna Nilsen at 849-8004.

TOWN OF SLAVE LAKE

BY-LAW #34-2003

BUSINESS LICENSE FEES - SCHEDULE "B"

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LICENSE FEES FOR:

	<u>RESIDENT</u>	<u>NON-RESIDENT &amp; LOCAL NON-RESIDENT</u>
<u>Hawker/Peddler:</u>		
Daily Rate	\$30.00	\$200.00
Yearly Rate	\$140.00	\$500.00
<u>All Other Businesses:</u>		
Yearly Rate	\$140.00	\$420.00
After June 30th	\$70.00	\$210.00

**TOWN OF SLAVE LAKE**

**BY-LAW #34-2003**

**PENALTIES - SCHEDULE "C"**

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**FINE STRUCTURE FOR SECTION 12(b):**

Violation of any Provision of this By-Law:

Double the fee for a business license (including the license fee) plus One Hundred (\$100.00) dollars for each day the offense continues, exclusive of costs.