



BYLAW

Bylaw Number: **932/23**
Bylaw Name: **Business License Bylaw**

A BYLAW OF THE TOWN OF BASSANO, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT OF REGULATING AND CONTROLLING OF BUSINESSES CARRIED ON WITHIN THE TOWN LIMITS

WHEREAS the *Municipal Government Act* R.S.A. c.M-26 and regulations as amended, authorizes a Council to pass a bylaw for the purpose of regulating, controlling, and licensing all businesses being carried on within the Town;

AND WHEREAS the Council of the Town deems it expedient to pass such a Bylaw,

NOW THEREFORE the Council of the Town in the Province of Alberta, duly assembled, enacts as follows:

1. NAME OF BYLAW

1.1 This Bylaw may be cited as the "Business License Bylaw".

2. DEFINITIONS

1.1. In this Bylaw all definitions in the Act shall apply.

1.2. Interpretations of the Bylaw shall be consistent with the requirements of the Act.

1.3. "Act" means the *Municipal Government Act, R.S.A. 2000, C-26* as amended, repealed and replaced from time to time.

1.4. "Air B&B" means a residential property that is rented to travellers on a short-term basis and which is typically advertised via websites or applications such as AirBnB or VRBO.

1.5. "Applicant" means a person who applies for a license or renewal of a license required by the Bylaw and shall also mean a person who is appealing the refusal, revocation, or suspension of a license.

1.6. "Bed and Breakfast" means a property which provides a room to sleep in for the night and a morning meal, and includes a private house or small hotel offering this type of service.

1.7. "Business" means business, commerce, or industry.

1.8. "Bylaw" means the Business License Bylaw 932/23.

- 1.9. "Carry on business" means to conduct, operate, perform, keep, hold, occupy, deal in, or use for gain whether as principal or agent.
- 1.10. "Charitable or Non-Profit Organization" means a person, association of persons, or a corporation, acting for charity, or in the promotion of general social welfare as determined by the License Inspector, and includes;
- 1.10.1. a religious society or organization;
 - 1.10.2. a service club;
 - 1.10.3. a community, veterans, or youth organization;
 - 1.10.4. a social, sport or fraternal organization or club;
 - 1.10.5. an employer's or employee's organization, and,
 - 1.10.6. schools funded by the public, engaged in work or activity for which moneys remain in the school coffers or are donated to charity.
- 1.12. "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of the Town as appointed by Council, or a person designated to act on Chief Administrative Officer's behalf.
- 1.13. "Council" means the municipal council to the Town, in the province of Alberta.
- 1.14. "Enforcement Officer" means an Enforcement Officer appointed by the Town pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, to enforce Town Bylaws, a member of the Royal Canadian Mounted Police, and a Community Peace Officer appointed under the *Peace Officer Act*, R.S.A. 2006, c. P-3.5.
- 1.15. "Hotel" means an establishment providing accommodations, meals and other services for travelers and tourists.
- 1.16. "Inn" means an establishment providing accommodations, meals, and other services for travellers and tourists.
- 1.17. "License" means a license issued by the License Inspector pursuant to this Bylaw.
- 1.18. "Licensee" means the holder of a valid business license issued pursuant to the provisions of this Bylaw.
- 1.19. "License Inspector" means and includes an Enforcement Officer, License Inspector, the Chief Administrative Officer, or anyone appointed by Council to carry out the provisions of the Bylaw.
- 1.20. "License Year" means a calendar year period commencing January 1st and ending December 31st.

- 1.21 "Motel" means an establishment providing accommodations, meals, and other services for travelers and tourists.
- 1.22 "Non-resident" means a business that is not permanently located in the Town limits, as determined by the License Inspector, during the License Year.
- 1.23 "Owner" means the registered Owner shown as the Owner of a parcel of land on the Town assessment roll prepared by the Town pursuant to the *Municipal Government Act* or is registered as such under the *Land Titles Act*, RSA 2000, c L-4, as amended, as the owner of the fee simple estate in a parcel of land.
- 1.24 "Operator" means the Person who controls, governs, directs, or is responsible for the activity carried on at the premises of the Business and can include the Person who is actually in charge at any particular time.
- 1.25 "Person" means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative.
- 1.26 "Rental Property" means a building, portion thereof, or group of buildings within the Town and which is rented, leased, let, or made available for living purposes, and is not a Hotel, Motel, Inn, Bed and Breakfast, or Air B&B.
- 1.27 "Resident" means a business that is permanently located, owned, leased, or rented in the Town limits, as determined by the License inspector, during the License Year.
- 1.28 "Town" means the Town of Bassano.
- 1.29 "Violation Tag" means a ticket or similar document issued by the Town pursuant to the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended, repealed, or replaced from time to time.

3. NECESSITY FOR LICENSE

- 3.1 No Person shall within or partly within the Town's corporate limits;
 - 3.1.1 carry on any undertaking or do any act or use or have any article, for which a License is required under the provisions of the Bylaw unless they hold a valid License issued pursuant to the provisions of the Bylaw.

4. BUSINESS EXEMPTED FROM OBTAINING A BUSINESS LICENSE

- 4.1 All Businesses shall apply for and obtain a Business License except as exempted by this Section.

- 4.2 Any Charitable or Non-Profit Organization shall be exempt from the requirement to obtain a Business License provided that:
- 4.2.1 the proposed Business complies with all bylaws of the Town, and any other statutes or regulations,
 - 4.2.2 written approval has been provided by the License Inspector, and
 - 4.2.3 the Business is not engaged in the carrying out of a carnival or a circus
- 4.3 A Business License shall not be required for the following Businesses,
- 4.3.1 an architect's corporation, a joint firm, a registered architect or a visiting project architect under the *Architect's Acts*;
 - 4.3.2 an Alberta surveyor, a surveyor's corporation or a surveyor's partnership registered under the *Land Surveyor's Act*;
 - 4.3.3 a professional engineer, licensee, permit holder or certificate holder under the *Engineering, Geological and Geophysical Professions Act*;
 - 4.3.4 a Business that is to be in operation for less than four (4) months and which is operated by full-time students;
 - 4.3.5 a medical doctor who is registered with the *College of Physicians and Surgeons of Alberta*;
 - 4.3.6 a dentist who is registered with the *Dental Association of Alberta*;
 - 4.3.7 a barrister or solicitor registered under the *Law Society of Alberta*;
 - 4.3.8 newspaper or flyer delivery person who delivers the product to houses or businesses;
 - 4.3.9 residential garage sales, provided that the sale takes place on residential property where the Owner, or primary resident when referring to a Rental Property, directly supervises and controls the sale and the sale only takes place up to a maximum of four (4) weekends per calendar year; and
 - 4.3.10 a Business that owns or operates residential rental properties.
- 4.4 Any Business may exhibit or carry on a Business at the location of a trade show or exhibition recognized by the License Officer for a consecutive period not exceeding seven (7) days without a Business License being required. Such trade shows and exhibitions include, but are not limited to the Bassano Rodeo, Airshow, Craft Fairs, and Town events such as the BBQ competition.

5. APPLICATION FOR A BUSINESS LICENSE

- 5.1 An Applicant shall make an application to the License Inspector, in the form and manner prescribed by the License Inspector, and shall provide such information as is required by the License Inspector, including, but not limited to;
- 5.1.1 name of the Owner of the Business;
 - 5.1.2 name of the Operator of the Business;
 - 5.1.3 name, address and telephone numbers of the Applicant;

- 5.1.4 a description of the Business;
 - 5.1.5 the location of the Business;
 - 5.1.6 the name of the Business; and
 - 5.1.7 any required Municipal or Provincial approvals.
- 5.2 Full payment of all fees required by the Bylaw shall accompany each application for a Business License as shown in Schedule "A".
- 5.3 The License Inspector shall provide, by advertisement, a written notice e-mailed to all current License holders, that gives advance warning to apply for the next License Year. Such advertisement and notice shall be provided on or following December 31st of each License Year.
- 5.4 Where an application is to renew an existing Business License for the following License Year, it shall be considered as an application required under this Part, except that the Business shall not be considered as operating without a License provided that an application is received on or before January 31st of the License Year. Any Business operating without a current Business License will be subject to penalties as of February 1st of the Licensing Year as stated in Schedule "B" of this Bylaw.

6. LAND USE AND DEVELOPMENT CONTROL

- 6.1 The issuance of a Business License under this Bylaw does not constitute development approval under the Town's Land Use Bylaw. The holder of an existing Business License or an Applicant for a Business License is responsible for obtaining such development approval as may be necessary. Where such approval cannot be obtained, the License Inspector shall forthwith cancel any existing license and refuse any applications for license.

7. APPROVAL, REFUSAL, SUSPENSION OR REVOCATION OF A BUSINESS LICENSE

- 7.1 The License Inspector shall approve and issue a Business License to any Business, following the submission of an application as required by this Bylaw, which complies with this Bylaw and all other bylaws of the Town, and any other statutes or regulations.
- 7.2 Where any certificate, authority, license, document or any qualification under this or any other Bylaw or under any Statute of Canada or the Province of Alberta is suspended, cancelled, terminated, or surrendered, any license issued under this Bylaw based in whole or in part on such certificate, authority, license, document, or qualification shall be revoked automatically forthwith, with no refund.
- 7.3 Where a license is revoked pursuant to Section 7.2 hereof, the licensee shall forthwith;
- 7.3.1 Return the license to the Town Office; or
 - 7.3.2 Furnish the License Inspector within three (3) days of revocation proof satisfactory to the License Inspector, of renewal or re-issuance of any certificate, authority, license, document, or qualification referred to in Section 7.2 hereof at which time the license will be considered for suspension, renewal, or re-issuance.

- 7.4 Where an application for a Business License is refused, the License Inspector shall forthwith advise the Applicant of the reason or reasons for the refusal in writing.
- 7.5 Where in the opinion of the License Inspector the loss of qualification under Section 7.2 is temporary, the License Inspector may immediately suspend the license in question for a period not to exceed thirty (30) days. Re-issuance of the license after suspension shall be without the requirement to apply for a Business License.
- 7.6 Where a License is revoked or suspended the Business shall immediately cease operating and shall not commence operating until a Business License is approved and issued by the License Inspector.
- 7.7 Where a License is issued by the License Inspector it shall bear;
 - 7.7.1 the identification of the Town;
 - 7.7.2 the License Year;
 - 7.7.3 the expiry date;
 - 7.7.4 the classification of the Business, as determined by the License Inspector;
 - 7.7.5 the name of the Business, and
 - 7.7.6 the location of the Business.
- 7.8 Each Business License issued shall be clearly displayed at the location of the Business for which it was issued.
- 7.9 Each License issued shall expire at the end of the current License Year.
- 7.10 A License is automatically revoked if payment of fees required by the Bylaw made by cheque or other instrument is not accepted by the financial institution on which it is issued.
- 7.11 Business License fees double on February 1st annually for any unpaid License fee for existing Businesses. Business Licenses that are unpaid by January 31st annually will be charged a \$75 penalty in addition to the doubling of License fees.
- 7.12 The classification of the Business, as determined by the License Inspector, shall include all subsidiary and ancillary uses at the location operated by the same owner and no separate licenses or fees shall be required.

8. APPEAL

- 8.1 Where the License Inspector refuses an application for a License, or suspends or revokes a License, the Applicant, may appeal the decision of the License Inspector.
- 8.2 An Applicant wishing to appeal the decision of the License Inspector shall make a written request to the CAO stating the basis of the appeal, accompanied by the fee as shown in Schedule "A".

- 8.3 The appeal shall be heard by the Licensing Appeal Board, which shall consist of members of Council at the time and place set by the CAO.
- 8.4 The Licensing Appeal Board may, following a hearing of the Appeal;
 - 8.4.1 confirm the refusal, revocation, or suspension;
 - 8.4.2 direct that the License be issued;
 - 8.4.3 reinstate the revoked License;
 - 8.4.4 remove or vary the suspension; or
 - 8.4.5 refund all or part of the fee required by Section 5.2

9. DUTIES OF THE LICENSE INSPECTOR

- 9.1 The License Inspector shall;
 - 9.1.1 administer and enforce the requirements of the Bylaw;
 - 9.1.2 collect all fees required by this Bylaw and credit such fees to an account of the Town; and
 - 9.1.3 provide reports and advise Council on business licensing, in such manner and at such times as Council may require.
- 9.2 The License Inspector may conduct inspections with regard to applications for a Business License where necessary.
- 9.3 The License Inspector may conduct investigations of any Business to ascertain that the Business complies with the requirements of this Bylaw.
- 9.4 Every Person carrying on or engaged in any Business is required, on the request of the License Inspector, to give to the License Inspector all information necessary to enable them to carry out his duties.

10. LICENSE FEES

- 10.1 License fees shall be as prescribed by this Section as listed in Schedule "A" of this Bylaw.
- 10.2 Where a Business makes an application for a Business License up to 30 days prior to January 1st that Business License will be deemed valid through the next calendar year.

11. PENALTIES

- 11.1 Every Person who violates any of the provisions of this Bylaw, who suffers or permits any act or thing to be done in contravention or in violation of this Bylaw, neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, is guilty of an offence, and upon conviction, shall be liable for the specified penalty as contained in Schedule "B" of this Bylaw..
- 11.2 Where the offence is for non-payment of any License Fee payable hereunder, the Court may take the payment of the Business License fee into consideration when imposing a sentence.

- 11.3 An Enforcement Officer is hereby authorized and empowered to issue a Violation Tag, as set out in Schedule "C", to any Person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.
- 11.4 All Businesses operating within the corporate limits of the Town that have not purchased their yearly Business License shall be prosecuted in accordance with Section 11.1.
- 11.5 A summons or Violation Ticket issued under this Bylaw shall be served in accordance with the *Provincial Offences Procedure Act*, as amended from time to time.

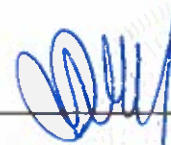
12. REPEAL

- 12.1 Bylaw 832/11 is hereby repealed.

13. EFFECTIVE DATE AND READINGS

- 13.1 Read a first time this 11 day of April 2023.
- 13.2 Read a second time this 11 day of April 2023.
- 13.3 Read a third and final time this 11 day of April 2023.

TOWN OF BASSANO



MAYOR



CHIEF ADMINISTRATIVE OFFICER



SCHEDULE "A"
TOWN OF BASSANO - BUSINESS LICENSE BYLAW 932/23
FEES

General Business License Fees

Resident	\$70.00
Non-Resident	\$120.00

Other Charges

Request for Appeal	\$150.00
--------------------	----------



SCHEDULE "B"
TOWN OF BASSANO - BUSINESS LICENSE BYLAW 932/23
PENALTIES

Offence	Residential	Non - Residential
3.1 and 5.4 Failure to obtain/hold a License	\$140.00	\$240.00
5.2 and 5.4 Failure to pay License fee	\$75.00	\$75.00

A Violations of all other sections of this Bylaw are subject to a specified penalty as follows:

1st Offence - \$75.00

2nd Offence (within one year of committing 1st offence) - \$150.00

3rd Offence (within one year of committing 1st offence) - \$300.00



Schedule "C"

Town of Bassano

Business License Bylaw 932/23 - Violation Tag

Pursuant to the Town's Business License Bylaw 932/23 this is notification that you are hereby in contravention of the bylaw and are subject to pay the specified penalty to the Town within 14 days of receiving this notice.

This violation tag has been issued by the Town's Bylaw Enforcement Division to:

Property Owner/Occupant	
Location of Offence (address)	
Date of Order	
Offence Section	
Description of Offense	
Order of Violation	<input type="checkbox"/> Warning <input type="checkbox"/> 1 st Offense <input type="checkbox"/> 2 nd Offense <input type="checkbox"/> 3 rd Offense <input type="checkbox"/> Subsequent
Penalty	<input type="checkbox"/> None <input type="checkbox"/> \$75 <input type="checkbox"/> \$_____
<u>Other:</u> 	

Enforcement Officer

Date



SCHEDULE "D"

Business License Application

If any fields are irrelevant to your business, please indicate this by entering "N/A"

<input type="checkbox"/> New Application <input type="checkbox"/> License Renewal/Update Information <input type="checkbox"/> Customer No: _____			
Business License Fees: <input type="checkbox"/> Resident \$70.00 <input type="checkbox"/> Non-Resident \$120.00			
Applicant Information			
Business Name/Trade Name (operating as):			
Corporation Name (required if registered):			
Year Established:	Type of Location: Headquarters/Main Office <input type="checkbox"/> Branch <input type="checkbox"/>		
Corporate Structure: Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/>			
Sole Proprietorship <input type="checkbox"/>			
Business Description 50 words or less:			
Mailing Address and Contact Information			
Street Address or PO Box:			
Town:	Province:	Postal Code:	
General Inquiry Email:			
Website:			
Business Phone:		Business Fax:	
Legal Description (Office Use Only)			
Tax Roll#	Lot	Block	Plan
North American Industry Classification System (NAICS Code):			
Property Information (Street address may be published in business directory)			
Street Address:			
Town:	Province:	Postal Code:	
Existing use of Land or Building:			
Owner Signature/Permission Letter: <i>New applicants must provide Owner OR permission letter authorizing an agent to sign</i>			

Owner/Agent Signature:	Print Name:	Permission letter attached
Primary Contact/Owner Information (will not be published in the business directory)		
Name:	Title:	
Email:	Phone:	
Cell/Alternate:		
Secondary Contact/Owner (will not be published in the business directory)		
Name:	Title:	
Email:	Phone:	
Cell/Alternate:		
About Your Business		
Start date/opening date of business in Bassano:		
What are your days/hours of operation?		
How many employees does your business have?		
Full Time:	Part Time:	Seasonal: Casual:
Please list products and services that your business offers. Be as specific as possible.		
Will you be installing any signage? (If yes, please fill out a sign permit application) Yes No		
In Case of Emergency and/or Disaster		
The following information will be used in cases of an Emergency or Disaster and shared with Town of Bassano Emergency Management Agency. Please list those people that have 24-hour access to your business location.		
Contact Name 1:		
Phone 1:	Phone 2:	
Keyholder Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Contact Name 2:		
Phone 1:	Phone 2:	
Keyholder? Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Are there any DANGEROUS/HAZARDOUS GOODS OR CHEMICALS stored at the Business Location?		
If YES, please specify: Propane <input type="checkbox"/> Gasoline <input type="checkbox"/> Flammable Paint <input type="checkbox"/>		
Other Dangerous/Hazardous Goods/Chemical Storage details:		

DECLARATION

I hereby apply for an annual business license under the provision of the Town's Bylaw 932/23 to provide for the regulating and licensing of all businesses carried on within the boundaries of the municipality.

The issuance of a business license by the Town does not authorize or permit the license holder to carry on a business or any pursuit contrary to all other relevant Town bylaws and requirements, nor excuse violation of any regulation or Act, which may affect this license. Where a business is found to be in contravention of any of the provisions of this or other Town bylaws, an Enforcement Officer may temporarily suspend the license until such time as the contravention is rectified.

I hereby certify the information provided is true and accurate to the best of my knowledge.

NAME OF BUSINESS OWNER or AUTHORIZED AGENT OF THE COMPANY:

Name (Please Print)

Signature

Date (mm/dd/yyyy)

The information in this Business License Application is being collected pursuant to the authority of the Town of Bassano Business Licensing Bylaw 932/23, the Municipal Government Act, RSA 2000, Chapter M-26, as amended and the Freedom of Information and Privacy (FOIP) Act, Chapter F-25 as amended and may be shared in accordance with this legislation, unless specifically noted. For any questions regarding the collection, use or disclosure of this information, please contact the Freedom of Information and Protection of Privacy (FOIP) Coordinator at 403-641-3788.