



Village of Delia - Province of Alberta

By-Law #638-2019 – Business Licensing Bylaw

Being a bylaw of the Village of Delia, Alberta to control and regulate all business carried on within the Village.

WHEREAS the Municipal Government Act, Chapter M-26 Revised Statutes of Alberta, 2000 as amended from time to time, is the authority for Councils to enact a bylaw for the purpose of regulating and controlling business within the Village;

AND WHEREAS Council deems it desirable and equitable to enact a new business bylaw;

NOW THEREFORE the Council of the Village of Delia, duly assembled, enacts as follows:

Short Title

1) The short title of this Bylaw shall be the "Business Licensing Bylaw".

Definitions

2) In this Bylaw the following words shall be defined as:

- a) "Act" means the Municipal Government Act, being Chapter M-26, Revised Statutes of Alberta, 2000;
- b) "Applicant" means a person who applies for a license or renewal of a license required by this bylaw;
- c) "Application" means a written application for a business license as provided for in this bylaw;
- d) "Business" means any business, trade, profession, industry, occupation, employment or calling and the providing of goods and/or services, including from the premises of their home or residence;
- e) "Business Premises" means any store, office, warehouse and shop, factory, building enclosure, yard or other place occupied or capable of being occupied for the purpose of carrying on a business;
- f) "Charitable or non-profit organization" means a person acting for a charity or in the promotion of general social welfare and includes:
 - i) a religious society or organization,
 - ii) a service club,
 - iii) a community, veteran or youth organization, and
 - iv) a social, sporting or fraternal organization or club;
- g) "Council" means the Council of the Village of Delia;

- h) "CAO" means the Chief Administrative Officer of the Village of Delia;
- i) "Hawker or peddler" means any person who, whether as a principal or agent:
- i) goes from house to house selling or offering for sale any merchandise or a service, or both, to any person, and who is not a wholesale or retail dealer in that merchandise or service, and not having a permanent place or business in the municipality,
 - ii) offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise or a service, or both, to be afterwards delivered in, and/or shipped into a municipality,
 - iii) sells merchandise or a service, or both, on the streets or elsewhere than at a building that is his permanent place of business but does not include any person selling:
 - a- meat, fruit or other farm produce that has been produced, raised and grown by themselves, or
 - b- fish of their own catching;
- j) "Licensee" means a person holding a valid and subsisting license issued, pursuant to the provisions of this bylaw;
- k) "License year" means a calendar year period commencing on January 1st and ending on December 31st;
- l) "Local Medium" means any form of advertising that is targeted towards any resident or business within the municipal limits of the Village;
- m) "Person" means a natural person, firm, corporation, association and includes a partnership;
- n) "Resident" means that the business maintains a permanent place of business in the Village of Delia, as determined by the CAO during the license year;
- o) "Village" means the municipal corporation of the Village of Delia.

Conditions

- 3) No person shall, within the Village, actively promote or solicit any business unless they hold a valid and subsisting license to do so, issued pursuant to the provisions of this bylaw.
- 4) Any advertising of the business in local mediums shall be deemed to be proof of the fact that the person is carrying on or operating any such business.
- 5) Every person applying for a business license shall submit to the CAO a completed application form, a copy of which is attached hereto as Schedule "A".
- 6) Each application for a business license shall be accompanied by a fee of Twenty-Five Dollars (\$25.00).
- 7) A resident business license for existing business shall be renewed no later than the 31st day of January each license year.

- 8) All hawker and peddler business license fees are payable on or before the desired work or service is performed or before goods are sold.
- 9) Every business license issued under this bylaw shall be posted in a conspicuous place in the business premises of said license.
- 10) Businesses have an option to be listed on the Village's website for no charge when they purchase their annual business license.
- 11) The issuance of a business license under this bylaw does not constitute development approval under the Village's Land Use Bylaw.
- 12) Without restricting the generality of the provisions of this bylaw, charitable and non-profit organizations shall not be required to obtain a business license.
- 13) In any case, where an application has been refused or a business license has been revoked, the person seeking the license may appeal to the Council. All appeals shall be made in writing.
- 14) If a license is revoked by Council or surrendered by the operator, there will be no refund.
- 15) A decision of Council on an appeal is final and binding on all parties.
- 16) Any person who contravenes any provisions of this bylaw is guilty of an offense and is liable to a penalty by way of fine not to exceed Five Hundred (\$500.00) dollars, in addition to the license fee.

Liability Insurance

- 17) Where a policy of liability insurance to be held in connection with the carrying on of any business, the applicant indemnifies and saves harmless the Village against any loss, damage, claims, actions, judgments, costs and expenses suffered or sustained by reason of or in connection with the carrying on of the business.

Enforcement

- 18) The Village is not required to enforce this bylaw. In deciding whether to enforce this bylaw the Village may take into account any practical concerns, including available municipal budget and personnel resources.

Severability

- 19) Should any section or part of the bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this bylaw and the bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this bylaw.

Repeal

- 20) Bylaw #583-11 is hereby repealed.


In Force

13) This bylaw shall come into full force and effect on the day that it is finally passed by Council by giving it third and final reading and it is signed in accordance with the Municipal Government Act.

READ A FIRST TIME THIS 13 DAY OF Feb, 2019.



Mayor David Sisley



Chief Administrative Officer
Mark Nikota

READ A SECOND TIME THIS 13 DAY OF Feb 2019.

READ A THIRD TIME AND FINALLY PASSED THIS 13 DAY OF Feb, 2019.



Mayor David Sisley



Chief Administrative Officer
Mark Nikota



VILLAGE OF DELIA
APPLICATION FOR BUSINESS LICENSE

Fee \$25.00

Date _____

- Is this Business ☐ New or ☐ Existing
- Is this a Home-based Business? ☐ Yes ☐ No

Name of Business _____

Mailing Address _____

Business Location _____

Type of Business _____

What services/products do you offer the customer?

I consent to the listing of my business on the Village of Delia website Business Directory yes ☐ no ☐

Name of Applicant _____

Telephone Number _____ (bus) _____ (fax) _____ (other)

Email Address _____

Signature of Applicant _____

OFFICE USE ONLY

Notes:

1. Commercial A change of use requires a development permit.
2. Home Based Business A home occupation development permit is required.

Application DENIED for the following reason(s):

OR

Application APPROVED on: _____ 20 ____ . Issued on: _____ 20 ____

Business License #: _____ Receipt #: _____

Authorized Signature: _____

Please download and fill out
the above form, then fax or
mail it, to:
Village of Delia, P.O. Box
206, Delia, AB, T0J 0W0
Fax #403-364-2089