



TOWN OF MANNING, ALBERTA

BYLAW #883-20

HAWKERS AND PEDDLERS LICENSE Bylaw

A Bylaw of the Town of Manning for the purpose of Licensing, Control and Regulation for Hawkers and Peddlers within the Town of Manning.

WHEREAS the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000 and amendments thereto, provides that a council of a Municipality may by Bylaw, control and regulate business, business activities and persons engaged in business within the municipality and provide for a system of licenses, permits or approvals for same,

AND WHEREAS it is desirable and in the best interest of the Town of Manning that a bylaw be passed regulating, licensing and controlling hawkers and peddlers operating within the corporate limits of the Town of Manning.

NOW THEREFORE PURSUANT to the provisions of the Municipal Government Act, Chapter M26, the Council of the Town of Manning, Alberta, in regular session duly assembled, enacts as follows:

SEVERABILITY

If any provision of this bylaw is declared invalid because of any word, phrase, clause, sentence, paragraph or section of this by-law or any documents which form part of this bylaw or an application thereof to any person or circumstance is declared invalid, the remaining provisions shall not be affected thereby, but shall remain in force.

SECTION 1 – SHORT TITLE

This Bylaw may be cited as the “Hawkers and Peddlers License Bylaw”.

SECTION 2 – DEFINITIONS

- 2.1 **“Hawkers and Peddlers License”** means a license issued pursuant to this Bylaw.
- 2.2 **“Council”** shall mean the Council of the Town of Manning
- 2.3 **“Exemption”** shall mean an exemption to the requirement to obtain a Hawkers and Peddlers License, such exemptions to be given by a Council resolution.
- 2.4 **“Hawker or Peddler”** means a person whether as a principle or agent who:
 - a) Goes from residence to residence selling, or offering for sale any merchandise or service to any person, and who is not a wholesale or retail dealer in merchandise or service with a permanent place of business within the Town of Manning;
 - b) Offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints merchandise to be afterwards delivered or shipped into the Town of Manning.

- c) Sells merchandise on the streets or roads or elsewhere than a building that is his permanent place of dwelling or business within the Town of Manning;
- 2.5 **"Mobil Vending Units"** means a motor vehicle, trailer, or similar structure designed for the purpose of offering products for sale.
- 2.6 **"Person"** means a person or persons, firm, partnership or body corporate including a partnership, a group or persons acting in concert or any association unless the context explicitly or by necessary implication, otherwise requires.
- 2.7 **"Town"** means the Town of Manning.

SECTION 3 – GENERAL

- 3.1 No person shall, within the Town of Manning, carry on or operate any business as a hawker or peddler unless he/she hold a valid and subsisting license to conduct such business pursuant to the provisions of this bylaw.
- 3.2 The person shall make a written Application to the Town of Manning on the form specified in Schedule 'A' which is hereby declared to form a part of this bylaw
- 3.3 When submitting the Application, the person shall pay the required license fee as listed in Schedule 'B' which is hereby declared to form a part of this bylaw.
- 3.4 A Hawkers and Peddlers License shall be in effect for the duration stated on the business license provided.
- 3.5 Hawkers and Peddlers issued a License under this bylaw shall carry the license on their person at all times when conducting their business within the Town of Manning.
- 3.6 The Licensee will produce the license for the inspection by a designated officer for the Town of Manning or upon the request of any customer he approaches within the Town of Manning
- 3.7 A Designated Officer of the Town of Manning may at any time revoke or suspend a license issued under the provisions of this Bylaw for failure to comply with any of the conditions or regulations herein.

SECTION 4 – CONDITIONS AND REGULATIONS

- 4.1 No Hawker and Peddler License shall be granted until such time as the applicant holds a valid Provincial or Federal License, where required by law.
- 4.2 No Hawkers and Peddlers License shall be granted until the applicant has submitted to the Town of Manning the proper fee as provided by this Bylaw
- 4.3 Hawker, Peddlers and salesmen shall not call upon a resident before 9:00am or after 7:00pm.
- 4.4 Mobile vending units shall not be allowed to park on Town streets. They shall only be allowed on private property with the written consent of the owner, or in places specified by Council resolution.
- 4.5 No business shall conduct its operation in such manner as to offend the general public. Upon receipt of bona fide complaints, the Bylaw Officer may advise the proprietor of the nature of the complaint and may require that the matter be rectified.
- 4.6 If the Bylaw Officer for the municipality finds a hawker, peddler or mobile vending unit in operation and such hawker, peddler or mobile vending unit does not have

a valid and subsisting license to conduct business pursuant to the provisions of this bylaw, the Bylaw Officer may close the "business" immediately.

SECTION 5 – PENALTIES

- 5.1 Any person who contravenes any provisions of this Bylaw is guilty of an offense and is liable on summary conviction to a fine, as set out in Schedule 'B' in addition to any license fee he may be required to pay. If unable to pay any fine levied and any license fee charged, may not obtain a license, until such fine, license fee and costs of committal are paid.
- 5.2 Where a person is convicted of operating a business for which a license fee is payable, without payment of such fee having been made, the court shall, in addition to the fine imposed pursuant to subsection (1) hereof, direct the payment of the applicable license fee to the municipality.

SECTION 6 – REPEAL

- 6.1 This By-law hereby repeals Bylaw #584.

SECTION 7 – EFFECTIVE DATE

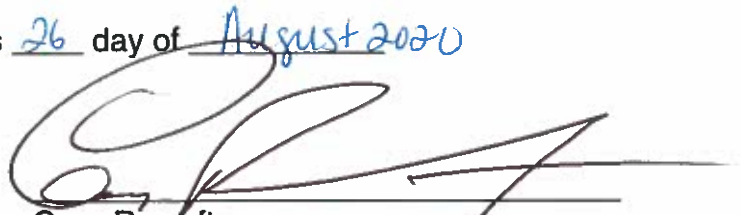
- 7.1 This By-law shall come into effect the date upon third and final reading.

READ A FIRST TIME this 26 day of August 2020

READ A SECOND TIME this 26 day of August 2020

Moved and passed unanimously that the "Hawkers & Peddlers Bylaw", be presented for third and final reading.

READ A THIRD AND FINAL TIME this 26 day of August 2020


Greg Rycroft
Mayor


April Doll
Chief Administrative Officer



Schedule 'A'

Town of Manning

Hawkers & Peddler License Application

IMPORTANT NOTE:

The Issuing of this license to a person by the Town of Manning does not relieve that person of the responsibility to obtain any provincial/federal license that may be required by law. _____ (please initial)

Name of Business: _____

Description of Business: _____

Owner's Name: _____

Mailing Address: _____

Phone #: _____ Fax #: _____

Email Address: _____

Location of vending/selling: _____

Type of License: _____ Annual _____ Daily

Applicant Signature

Bylaw Officer Signature

Date

Date

This personal information is being collected under the authority of the Town of Manning and will only be used for the licensing of businesses within the Town of Manning. It is protected by the privacy provisions of the Freedom of Information Act. If you have any questions about the collection of this information please contact the Town of Manning

Office Use Only

Approved / Declined

Fee PAID \$ _____

Date License Issued _____

Date License Expires _____

SCHEDULE 'B'

License Fees:

Hawkers and Peddlers License	Daily License	\$50.00
	Annual License	\$250.00

Annual Licenses shall be effective from the date of purchase up to and not greater than a 12-month period.

Penalties:

Failure to obtain license	\$500.00 + License Fee
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