



Village of Marwayne

Business License Bylaw No. 567-18

A BYLAW TO LICENSE AND CONTROL ALL BUSINESS CARRIED ON WITHIN THE MUNICIPALITY.

WHEREAS, pursuant to Section 7(e) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the following matters: business, business activities and persons engaged in business;

WHEREAS, pursuant to Section 8(c)(ii) of the *Municipal Government Act*, a council may pass bylaws establishing fees for licences, permits and approvals that are higher for persons or businesses who do not reside or maintain a place of business in the municipality;

AND WHEREAS Council deems it desirable and necessary to pass a Business Licensing Bylaw;

NOW THEREFORE, Council for the Village of Marwayne, duly assembled, hereby enacts as follows:

1. This bylaw may be cited as the “Village of Marwayne Business License Bylaw”.

2. **DEFINITIONS**

The following definitions shall apply, unless the context otherwise requires:

- a. “Agent” means every person who, by mutual consent, acts for the benefit of another, including a sales representative, employee or independent distributor;
- b. “Applicant” means a person who applies for a license;
- c. “Business” means
 - i. A commercial, merchandising or industrial activity or undertaking;
 - ii. A professional, trade, occupation, calling or employment, or
 - iii. An activity providing goods or services
- d. “Business License” means a license issued as outlined in Schedule “C”.
- e. “Carry on”, “carried on” means to continue, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or agent;
- f. “Chief Administrative Officer” (CAO) means the CA) duly appointed by the Village of Marwayne as per the *Municipal Government Act*;
- g. “Council” means Council for the Village of Marwayne
- h. “Designate” means the Administrative Assistant or Development Officer.
- i. “Operator” means one who owns, operates, or engages in a business;
- j. “Peace Officer” means a member of the RCMP, Peace Officer, Community Peace Officer or Bylaw Enforcement Officer
- k. “Village” means the Village of Marwayne
- l. “Hawker or Peddler” means any person who, whether as principal or agent:
 - i. Goes from house to house selling or offering for sale any merchandise or 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 of business within the municipality.
 - ii. Offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise or service, or both, to be afterwards delivered in and shipped into the municipality, or;
 - iii. Sells merchandise or a service, or both, on streets, roads or elsewhere than at a building that is his permanent place of business, but does not include any person selling meat, fish of his own catching, fruit or produce that has been produced, raised or grown by himself.

3. **LICENSE**

- 3.1 Every business operating within the Village shall as a prior condition of its operation, shall obtain a business license issued by the CAO or designate;
- 3.2 County of Vermilion River non-resident businesses may also obtain a business license issued by the CAO or designate;
- 3.3 Each license shall be valid from the date of issue to the 31st day of December in the same year unless revoked or surrendered.

4. **LICENSE PROCEDURES**

- 4.1 Every person applying for a business license shall submit, to the CAO or designate, a completed application form Schedule “A”, attached to and forming a part of this Bylaw, and signed by the applicant.
- 4.2 The applicant shall comply with all Village and Provincial Bylaws, The issuance of a business license under this bylaw does not constitute development approval under the Village of Marwayne’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 CAO or designate shall forthwith cancel any existing license and refuse any applications for license.
- 4.3 The Village shall issue an invoice in December of each year, for the following year’s license fees, to all existing holders of valid business licenses.
- 4.4 Every application for a business license for an existing business shall be submitted to the CAO or designate prior to the 28th day of February of each year.
- 4.5 Any advertising of the businesses referred to in this Bylaw shall be deemed to be prima facie proof of the fact that the person advertising is carrying on or operating any such business.
- 4.6 Without restricting the generality of the provisions of this Bylaw, religious, charitable, garage sales, or community organizations shall not be required to obtain a license.
- 4.7 In every case where an application for a business license has been refused or a business license has been revoked, the person seeking the license may appeal to the Village Council. All appeals shall be made in writing.
- 4.8 A decision of Council on an appeal is final and binding on all parties.
- 4.9 A business license shall include all relevant information about the business as outlined in Schedule “B,” and persons shall be requested to provide a profile for the Economic Development Committee as outlined in Schedule “D”. Schedule “D” will apply to first time applicants, thereafter, the Committee may change the Schedule as needed.

5. **LIABILITY INSURANCE**

- 5.1 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.

6. **FEES & FINES**

- 6.1 Each application for a business license shall be accompanied by a fee as set out in Schedule “B”

- 6.2 If a license is revoked by Council or surrendered by the operator, there will be no refund;
- 6.3 Businesses have an option to be listed in a Village of Marwayne Business Directory on the Village's website for no charge when they purchase their annual business license; and an option to hot link their business website URL, their email address on the business directory and advertise for an annual fee.
- 6.4 Any failure to comply with any of the provisions of this Bylaw is an offence under the Bylaw and shall be subject to penalty as outlined in Schedule "A" of this bylaw.

7. **SERVABILITY**

- 7.1 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.

8. **REPEAL**

- 8.1 That Bylaw 504-11 is repealed.

This Bylaw shall come into effect upon the date of third reading.

**READ A FIRST TIME THIS 15th DAY OF September, A.D. 2018,
READ A SECOND TIME THIS 15th DAY OF September, A.D. 2018,
READ A THIRD TIME BY UNANIMOUS CONSENT OF COUNCIL AND
FINALLY PASSED THIS 15th DAY OF September, A.D. 2018,**

Mayor

Chief Administrative Officer

Schedule "A" Bylaw 567-18

Annual Business License Fees

Fees shall be levied according to the following:

<u>BASIC</u>	<u>Annual Fee</u>
Resident Business	\$25.00
Resident Home based Business	\$25.00
County of Vermilion River non-resident business	\$25.00
Hawker or Peddler	\$250.00
Business Directory Listing	No Charge
Hot link business URL and email address only	No Charge

<u>UPGRADED</u>	<u>Annual Fee</u>
Featured Businesses can be one or a combination of the following options:	

- Business Card Advertising on the website for one year: \$250/yr
 - Only 15 spots available
 - First come with payment, first serve
- Enhanced listings – develop own page within the municipal website
 - Update weekly \$100/yr
 - Update monthly \$50/yr

Advertising Deadline:

The advertising deadline will be November 30 of each year.

Late Payment Fee for Business License:

(in addition to applicable normal fees)

Payment received February 28th or later add \$50.00

Penalties:

1st Offence \$400.00
2nd and Subsequent Offences \$1000.00

When invoicing an optional Chamber of Commerce annual membership will also be listed.



Schedule "B", Bylaw 567-18

Village of Marwayne
Business License Application

Before you begin...

- Is this Business ____New or ____Existing?
- Is this a Home-based Business? ____ Yes ____ No

Company Name

Contact Name

Business Location (physical address)

Mailing Address

City _____ Prov. _____ Postal Code _____

Business Phone _____ Business Fax _____

Business email

Description-what services/products do you offer the customer, and what industry sector do you think best categorizes this business:

CONSENT FOR DISCLOSURE OF BUSINESS INFORMATION

I consent to the listing of my business in the Village of Marwayne Website Business Directory and on a publicly-accessible database for Economic Development purposes.

Yes _____ Your business will be categorized using the attached Business Codes

Signature of Applicant

No _____

Signature of Applicant

Yes No _____ Add your business WEBSITE AND EMAIL OR ENHANCED LISTING to your listing (EXTRA charge)

Signature of Applicant

Other Information for all businesses: (**This section if mandatory for Home Based Businesses**)

1. Please list any hazardous materials that may be stored on premises (if applicable)

2. Location of on-site parking:

Number of Employees who do not reside at the site _____

3. Approximate number of daily clients _____

4. Approximate number of weekly clients _____

5. Specify method of transportation of goods and services to and from the work site

Applicant Declaration

I, _____, of _____ am the authorized agent/owner named above and I certify the truth of all statements and representations contained therein. I understand that the issuance of a License shall not be deemed to be waiver of any of the provision of the Business License Bylaw could result in the License being revoked or suspended. I further acknowledge that in the event a License is issued, any departure from, or contravention of the provisions of the Business License Bylaw or any Federal or Provincial Statues, that there shall be no right of claim whatsoever against the Village of Marwayne or any official thereof and any such claim is hereby expressly waived.

_____ This ____ day of _____, 20____.

Signature of Owner/Applicant

The personal information requested on this form is being collected for the purpose of procession your application and is governed, authorized and protected by the Freedom of Information and Protection of Privacy Act (FOIP). By providing this information, you consent to its use for the above purposes. If you have any questions with respect to the collection or release of this information, please contact the Village of Marwayne FOIP Coordinator at 780-847-3962.

FOR OFFICE USE ONLY

- Resident \$25.00
- Non-Resident \$25.00
- CVR Non-Resident \$25.00
- Peddler \$250.00
- Business Card ad \$250.00
- Enhanced Listing \$100.00 OR \$50.00

Receipt # _____ Date _____ License # _____

Business Code _____

Signature of Licensing Officer

*****All revenues collected from the Village of Marwayne Business Licenses are reinvested back into the community by way of economic development projects and initiatives. Some examples include, website, investment attraction activities, brochures, business workshops, retention & expansion, special events, business support services, and demographic information provision.*****

**Return to: Village of Marwayne, Box 113, Marwayne, AB T0B 2X0
Cheques made payable to: Village of Marwayne**

“It’s Classified” Help us best describe your business

All businesses licensed by the Village of Marwayne will appear in the business directory of the Village’s website at www.marwayne.ca

Businesses are currently classified in the categories indicated below.

To help us provide the best possible description of your business, please indicate one or two categories that best describe the nature of your business.

- | | |
|--|--|
| <input type="checkbox"/> Accommodations | <input type="checkbox"/> Greenhouses |
| <input type="checkbox"/> Agriculture Services | <input type="checkbox"/> Grocers - Retail |
| <input type="checkbox"/> Alternative Medicine | <input type="checkbox"/> Hardware Retail |
| <input type="checkbox"/> Artisans, Crafts, & Galleries | <input type="checkbox"/> Insurance Agents & Brokers |
| <input type="checkbox"/> Banks | <input type="checkbox"/> Laundromat |
| <input type="checkbox"/> Beauty | <input type="checkbox"/> Lawyers |
| <input type="checkbox"/> Bobcat & Backhoe Services | <input type="checkbox"/> Liquor Stores |
| <input type="checkbox"/> Bookkeeping Services | <input type="checkbox"/> Lounges |
| <input type="checkbox"/> Building & Property Maintenance | <input type="checkbox"/> Mechanics |
| <input type="checkbox"/> Car & Truck Wash | <input type="checkbox"/> Oil & Gas |
| <input type="checkbox"/> Clothing – Alterations | <input type="checkbox"/> Plumbing Contractors |
| <input type="checkbox"/> Clothing – Accessories | <input type="checkbox"/> Postal Service |
| <input type="checkbox"/> Clothing – Agricultural | <input type="checkbox"/> Recycling Depots |
| <input type="checkbox"/> Computer-Business Consultants | <input type="checkbox"/> Registries |
| <input type="checkbox"/> Contractors-General | <input type="checkbox"/> Restaurants & Food Services |
| <input type="checkbox"/> Electric Contractors | <input type="checkbox"/> Septic |
| <input type="checkbox"/> Fitness & Fitness Centres | <input type="checkbox"/> Trucking |
| <input type="checkbox"/> Gas Bar & Convenience | <input type="checkbox"/> Welding |



Business License
Village of Marwayne
(insert year)

This is to certify that

_____ (insert Business Name)

Has purchased a License to carry on business within the corporate limits of the Village of Marwayne until the 31st day of December, _____ unless this license be sooner suspended or forfeited.

This License is issued to, accepted and held by

_____ (insert Business Name) _____

Which is subject to any or all bylaws, rules and regulations that are now, or hereafter may be in force, respecting the same or the trade, business or calling hereby licensed to be carried on.

Given under my hand and the corporate seal of
THE VILLAGE OF MARWAYNE IN THE PROVINCE OF ALBERTA

On _____, _____ A.D.

Authorizing Signature

License Number: _____



Economic Development Committee Business Profile (Optional)

1. How many total Employees does your business have? _____ Please record # of each category:
____full time ___part time ____seasonal ____contract

2. Has your attitude toward doing business in this community changed during the last two years? ____
If yes, has it improved or deteriorated? Why?
 - _____
 - _____
 - _____

3. Identify your top three markets?
 - _____
 - _____
 - _____

4. Where is your company's fastest growing market?
 - _____
 - _____
 - _____

5. What are the advantages of doing business in this community?
 - _____
 - _____
 - _____

6. What are the disadvantages of doing business in this community?
 - _____
 - _____
 - _____

7. Where are your primary competitors located?
 - _____
 - _____

8. Are there any buyers or suppliers that could benefit from being located closer to your operation?
 - _____
 - _____

9. Are there any barriers to your company's expansion in this community?
 - _____
 - _____
 - _____

10. Does your company plan to expand in the next 2 to 5 years?
 - _____

11. Have you seen an increase in sales due to marketing initiatives by the Village and Chamber? If so, which ones?
 - _____
 - _____
 - _____

12. What is your company's fastest growing geographic market?
 - _____

13. What is your companies demographic market (customer profile)?

Age _____ Gender _____ Approx income bracket _____

14. What services or products does your business offer?

- _____
- _____
- _____

15. Why have you chosen to base your business in The Village of Marwayne?

- _____
- _____
- _____

16. Would you like someone from the Economic Development to follow up with you? Yes No

Signature _____

Date _____

The information on this form is collected under the authority of Bylaw 504-11 and the FOIP Act and is used solely by the Economic Development Committee for the purposes of assisting and encouraging business in the Village of Marwayne. Questions about the collection of the following information can be directed to the Village of Marwayne, Box 113, Marwayne, Alberta T0B 2X0 or call 780-847-3962.