

# CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY

## BY-LAW NO. 2003-09

### BEING A BY-LAW TO REQUIRE TRANSIENT TRADERS AND AUCTIONEERS TO PAY LICENSE FEES BEFORE COMMENCING TO TRADE WITHIN THE TOWNSHIP OF BONNECHERE VALLEY

WHEREAS, authority for this by-law is contained in Section 150(1) of the Municipal Act, 2001, Chapter 25,

AND WHEREAS, the Council of the Township of Bonnechere Valley deems it appropriate to exercise its licencing powers for the purpose of Consumer Protection, Section 150(2),

NOW THEREFORE, the Council of the Corporation of the Township of Bonnechere Valley enacts as follows:

1. That this by-law be cited as the “Transient Trader/Auctioneers by-law.”
2. Definitions:

Auctioneer – resident	Person residing within the County of Renfrew possessing a Renfrew County Auctioneers License
Auctioneer – non-resident	Person residing outside the County of Renfrew possessing a Renfrew County Auctioneers License
Business	A trade, calling, business, occupation, manufacture or industry and includes the sale, order or hire of goods and services on an intermittent or one-time basis.
Transient Trader	Person who conducts business on an ad hoc basis and pays no business tax to the Township of Bonnechere Valley under the Assessment Act
Transient Trader’s Place of Business	Any premise, real property or public property, excluding the streets within the Village of Eganville or municipal roads within the entire Township
3. Transient Trader:

Any person or persons wishing to carry on a business as a Transient Trader shall be required to obtain a license from the Corporation of the Township of Bonnechere Valley. The cost of said license shall be assessed on a fiscal year basis and shall be assessed at the following rates:

Class #1	Door to door sales, magazines, encyclopedias, vacuum cleaners, taxi services, etc.	\$200.00
Class #2	Mobile food	\$200.00
Class #3	Transient photographers	\$200.00
Class #4	Midways sponsored by a local organization	\$200.00
	Midways <u>Not</u> sponsored by a local organization	\$500.00
Class #5	Produce stands, chip wagons and ad hoc food outlets	\$200.00
Class #6	Fleamarkets, trade shows, craft shows, etc.	\$200.00
4. Auctions:
  - (a) Persons wishing to conduct an auction within the Township are required to obtain the appropriate license from the Clerk/CAO at the Municipal Office. Refunds for unused portions of auction licenses are not permitted.

- (b) Persons wishing to auction goods, be it old or new, shall be required to have said auction conducted by an auctioneer who is licensed by the County of Renfrew.
  - (c) All auctioneers must comply with the regulations and provisions herein.
  - (d) All auctioneers must be licensed prior to the date of the auction.
  - (e) Fees for auctions shall be as follows:
    - Class #1 Auctions considered to be household auctions which are held for the purpose of liquidating personal property from an estate, etc. shall be assessed at the rate of \$25.00 per auction.
    - Class #2 Auctions considered to be a business conducted by a 'Resident Auctioneer' shall be assessed at the rate of \$100.00 per auction.
    - Class #3 Auctions considered to be a business conducted by a Non-Resident Auctioneer' shall be assessed at the rate of \$1,200.00 per annum which entitles 12 auctions. The fee for one auction shall be the same as the fee for twelve auctions.
4. Licenses issued under this by-law are not transferrable.
5. All licensees shall cause their license to be prominently displayed in their place of business or on their person if no premise is associated with their business, at all times that the said business is being conducted.
6. For the purpose of this by-law, a certificate of authorization from the Renfrew County Health Unit must be produced before a license will be issued. This requirement may be waived at the discretion of the Clerk/CAO.
7. This by-law does not apply to:
  - (a) any sale taking place on Township property where a rental fee has been paid.
  - (b) a licensee who has been invited onto Township property by any person or group renting on Township property.
9. Enforcement:
  - (a) This by-law shall be enforced under the Provincial Offences Act by any person designated by the Township as the By-Law Enforcement Officer.
  - (b) Any person who contravenes any of the provisions of this by-law is guilty of an offence and is liable to a fine of up to \$2,000.00 exclusive of cost, recoverable under the provisions of the Provincial Offences Act.
  - (c) For the purposes of this by-law, each day of continued offence shall be deemed to be a separate offence.
10. The issuer of Licenses may refuse to issue a license unless and until compliance with the provisions of the by-law or any other requirements referred to herein is established by the applicant, owner of the business or by the occupier of the premises for which the license is required.
11. This by-law shall come into force and effect on the day of passing. Any previous by-law or portion thereof inconsistent herewith be and is hereby repealed.

READ A FIRST AND SECOND TIME THIS THE 3<sup>RD</sup> DAY OF FEBRUARY, 2003.  
READ A THIRD TIME AND PASSED THIS THE 3<sup>RD</sup> DAY OF FEBRUARY, 2003.

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Reeve Arlene Felhaber

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CAO Bryan Martin