

BY-LAW NO. 911-13

**BEING A BYLAW OF
MACKENZIE COUNTY,
IN THE PROVINCE OF ALBERTA**

**TO REGULATE AND SET BUSINESS LICENSE REGULATIONS AND
REQUIREMENTS FOR BUSINESSES ENGAGED IN BUSINESS
IN MACKENZIE COUNTY**

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

WHEREAS, pursuant to section 7(l) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all of the matters listed therein; and

WHEREAS, pursuant to section 8 of the *Municipal Government Act*, a council may in a bylaw:

- a) Regulate or prohibit;
- b) Deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways;
- c) Provide for a system of licenses, permits or approval including any or all of the matters listed therein;

**NOW THEREFORE, MACKENZIE COUNTY, IN THE PROVINCE OF ALBERTA,
HEREBY ENACTS AS FOLLOWS:**

1. CITATION

1.1 This bylaw may be cited as the Mackenzie County Business License Bylaw.

2. DEFINITIONS

2.1 In this Bylaw unless the context otherwise requires.

- a) Applicant – means a person who applies for a license or renewal.
- b) ABL – means Annual Business License
- c) Business – means a commercial or industrial activity, profession, trade, occupation, or any activity providing goods and services.

- d) Business License – means an annual license issued by the County for the privilege of doing any kind of business, trade, profession, or any other activity in the County, by whatever name called, which document is required to be conspicuously posted or displayed except to the extent to the taxpayer’s business license tax or other financial information is listed thereon.
- e) County – means Mackenzie County
- f) License – means a business license issued pursuant to the By-Law, entitling the licensee to carry on the activity therein specified for the period of the time therein specified.
- g) Licensee – means a person to whom a license has been issued, pursuant to the provisions of the By-Law
- h) License Fee – means a fee payable for a license as established in the Fee Schedule bylaw
- i) Non-Profit Organization – means any organization designed for charitable purposes and not organized for profit or personal gain.
- j) Person – means and includes any person, or firm, or partnership, or body corporate or association.
- k) Act – means the Municipal Government Act, being Chapter M-26 Revised Statutes of Alberta, 2000 as amended or replaced periodically.

3. PERSONS SUBJECT TO LICENSE

- 3.1 All businesses within the County and specific businesses with head offices located outside of the County but doing business within the County.

4. EXEMPTIONS

- 4.1 Not for profit organizations, recreational societies and charitable organizations, etc.
- 4.2 Farmers, Egg Farmers, etc.
- 4.3 A non-resident business whose only business activity is the supply or delivery of wholesale or bulk goods to a resident business

- 4.4 An employee who is employed by a person/business who holds a business license
- 4.5 Any person who provides light duty from time to time such as paper deliveries, baby-sitting, yard work, snow shoveling, etc.

This does not mean each of these exemptions CAN NOT participate; they are encouraged to obtain a license, and be added to the database.

5. PROCEDURE AND ISSUANCE OF LICENSE

- 5.1 All applicants should make application to the County on the ABL application form which will be found on the Mackenzie County website as well as in all County offices.
- 5.2 A statutory declaration where required by the County, in regards to the information contained within the form.
- 5.3 The registered property owner's signature is required on both the application and eventual license.
- 5.4 Every person who makes an application for a license shall submit to and assist in every inspection required by the County.
- 5.5 The County will communicate the program through community media, social media, and through physical postings.
- 5.6 Administration will assign NAICS codes to each business which is the North American standard for categorizing businesses.
- 5.7 There will be no fee charged until March 1st, 2014. Fees will be waived for the first year, or portion thereof, until the March 1st deadline in relation to new business.
- 5.8 If a business is sold and/or changes ownership, or if the primary place of conducting business changes, an amendment is required.
- 5.9 Hawkers and Peddlers licensing will be issued in accordance with the Hawkers and Peddlers bylaw.

6. FEES

- 6.1 Business Licensing is optional for 2013 but is mandatory beginning in 2014. All businesses located within the County or certain businesses

with head offices outside the County working in the County will be subject to the fee.

- 6.2 Fees will be nonrefundable and if an owner has multiple businesses, multiple licenses will be required. The deadline will be March 1st of each year and if the deadline falls on a holiday or weekend, the deadline will be postponed until the following business day.
- 6.3 Reminders will be sent to each business and be posted well before March 1st of each year (Minimum of 14 days advertised)
- 6.4 Fees are as per the Fee Schedule bylaw

7. NON ISSUANCE OF LICENSES

- 7.1 No license shall be issued unless the proper forms and application is received by County Administration.
- 7.2 No license shall be issued if the application is received but not correctly submitted.
- 7.3 An employee/business must comply with all sections of the bylaw, failure to do so will result in non-issuance of the ABL.

8. DISPLAYING LICENSES

- 8.1 The ABL must be displayed and visible at all times.
- 8.2 Every license shall bear on its face the date on which it is issued and the current year's approval sticker.
- 8.3 Licenses should be location and owner specific. A change in either of these will require amendment.
- 8.4 The County has the right to inspect a premise to insure it has proper licensing.
- 8.5 Temporary ABL's will be issued for such events as trade shows, circuses, etc.
- 8.6 An ABL owner may never deface or reproduce the License.

9. TRANSFER OF LICENSE

- 9.1 No license shall be transferred without consent of Administration.

10. ADMINISTRATION

- 10.1 The County shall receive, consider, and decide upon all applications.
- 10.2 Record such information and create business database as well as code (NAICS).
- 10.3 Ensure payment of the appropriate fee.
- 10.4 Report to council about the ABL's periodically.

11. REVOCAION OF ABL

- 11.1 The County may revoke an ABL if there are reasonable grounds to do so.
- 11.2 When an ABL is revoked or suspended the ABL owner shall be notified in writing.

12. APPEALS

- 12.1 In every case where:
 - a) An application for a license has been refused,
 - b) A license has been issued, subject to conditions,
 - c) A license has been revoked, or
 - d) A license has been suspended,

the applicant may appeal to Council.

An appeal shall be made in writing and addressed to Council; this shall be proposed within 30 days following refusal, revocation, and/or suspension or subject to conditions. Council will then make a decision within 14 days on the specific case and appeal.

13. PENALTIES

Any business who contravenes or disobeys, or refuses or neglects to obey any provision of the Bylaw by doing any act which the business is prohibited from doing or if they fail to do any act that falls under the ABL, the business will face the corresponding penalty fee listed in the Fee Schedule bylaw.

This Bylaw shall come into force and effect upon the date of the passing of the third and final reading.

READ a first time this 16th day of July, 2013.

READ a second time this 16th day of July, 2013.

READ a third time and finally passed this 16th day of July, 2013.

(original signed)

Bill Neufeld
Reeve

(original signed)

Joulia Whittleton
Chief Administrative Officer