

**TOWN OF WALDHEIM**  
**BYLAW NO. 7-2006**  
**BUSINESS LICENCE BYLAW**

**A BYLAW OF THE TOWN OF WALDHEIM IN THE PROVINCE OF  
SASKATCHEWAN TO PROVIDE FOR THE LICENSING, CONTROL,  
REGULATION AND GOVERNING OF CERTAIN BUSINESSES AND  
OCCUPATIONS IN THE TOWN.**

**WHEREAS**, it is deemed necessary and expedient that persons engaged in certain businesses and occupations should be licensed by the Town of Waldheim and be subject to certain regulations;

**NOW THEREFORE, THE COUNCIL OF THE TOWN OF WALDHEIM ENACTS AS FOLLOWS:**

1. In this Bylaw, unless the context otherwise requires, the following words or terms shall be held to have the following definitions:
  - (a) "Apprentice" shall mean a person at least 16 years of age who enters into a written agreement to learn a skilled trade with an employer, a joint training committee or the Director of Apprenticeship and Trade Certification in accordance with *The Apprenticeship and Trade Certification Act*.
  - (b) "Auctioneer" shall mean an individual who conducts the bidding at a sale by auction of any property.
  - (c) "Auction Sales Company" shall mean an individual firm or corporation that holds a sale by auction of any property.
  - (d) "Contractor" and "Subcontractor" shall mean a contractor or subcontractor as defined by *The Builder's Lien Act* or every apprentice, labourer, journey person or trades person of the building and/or construction trade not employed by a contractor or subcontractor who holds a valid and subsisting license pursuant to the provisions of this Bylaw.
  - (e) "Direct Seller" and Direct Sales Contractor shall mean direct sellers and direct sales contractors as defined by *The Direct Sellers Act*.
  - (f) "Employer" shall mean any person, firm partnership or business association that employs journey persons, helpers, labourers, apprentices or other employees.
  - (g) "Health Officer" shall mean the Provincial Health Officer.
  - (h) "Journey person" shall mean a trades person who holds a Journey person's certificate issued pursuant to *The Apprenticeship and Trade Certification Act* regulations.
  - (i) "Laborer" shall mean any person who is employed for wages to perform labour of any kind, whether employed under a contract of services or not.
  - (j) "Produce Dealer" shall mean any person or persons offering fruit, vegetables or any edible produce for sale who does not have provincial exemption.
  - (k) "Trades person" means a person, other than an apprentice, who works for remuneration at any trade including an employer who works at any trade.
  - (l) "Transient Trader" shall mean any transient trader or sales agent who carries on business within the Town of Waldheim and who offers goods or merchandise for sale by retail or by auction or who solicits any person who is not a wholesaler or retail dealer for orders for the future delivery of goods and/or merchandise and who is not assessed commercial property tax or who is not the tenant of the owner of assessed commercial property.
  - (m) "Unclassified or Unspecified" shall mean any person carrying on a trade, business, calling or other occupation for which a fee is charged which is not listed as a special category in Schedule "A" of this bylaw and who is not assessed a commercial property tax or who does not pay rent and is not a tenant of the owner of assessed commercial property.

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2. Persons required to be licensed under the provisions of this bylaw are all those persons, firms, business associations or bodies corporate who conduct any of the business, industries, trades, callings or occupations as defined in Section 1 or listed in Schedule "A" to this bylaw, and who are not assessed commercial property tax or who are not a tenant of the owner of assessed commercial property.
3. **LICENSES REQUIRED**

No person shall carry on any of the several trades, occupations, callings or businesses herein after specified in this bylaw in the Town of Waldheim without a valid and subsisting license procured pursuant to the provisions of this bylaw until he procures a license pursuant to this bylaw, and every person so licensed shall be subject to the provisions of this bylaw.
4. Any person seeking a license hereunder shall make application to the Town Office.
5. Each application for a license under this bylaw shall include the following information:
  - (a) The name and address of the applicant
  - (b) The nature of the business for which the license is required.
  - (c) The place where the business in respect of which the license is required is to be exercised or carried on.
  - (d) The period for which the license is required.
6. The license shall be in the form such as prescribed by the Town Administrator.
7. The fee for licenses shall be those prescribed and fixed by Schedule "A" of this bylaw and is hereby incorporated into and made part of this bylaw.
8. In case of new applications for license, the prescribed license fee shall be paid in full at the time of filing of the application.
9. **GRANTING OF LICENSE**
  - (a) In the case of application for a new license or an application for renewal of an existing license, the Town Administrator or his designate may grant such license or renewal of license without referring the application to the Council, unless in his/her opinion, circumstances warrant reference of the application for Council's approval.
  - (b) One copy of each license shall be delivered to the person licensed.
  - (c) No license or renewal of a license issued pursuant to the provisions of this bylaw may be assigned by the person or body corporate.
10. **DURATION OF LICENSE**
  - (a) Every non-resident license granted under the provisions hereof, unless specifically mentioned to be for a shorter period and unless it shall sooner become forfeited, shall be for the current year at the time of the issue thereof, and shall expire on the 31st day of December next succeeding the date of issue.
  - (b) No rebate shall be allowed or granted to any licensee, in respect of forfeiture of a license or on account of the non-use of the rights and privileges thereby granted, or for any other cause, unless the consent of the Council of the Town of Waldheim is granted by resolution.

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**11. DISPLAY OF LICENCES**

- (a) Every licensee granted a license to carry on a business who occupies premises in connection therewith shall keep the license posted in a conspicuous place on the licensed premises.
- (b) All persons licensed under the provisions of the bylaw where there are no licensed premises shall on demand of the Bylaw Officer or other person duly authorized in that behalf produce the license to such officials.

**12. REVOCAION OF LICENCE**

- (a) The Council may by resolution suspend or revoke any license granted under the provisions of this bylaw.
- (b) The granting or refusal to grant a license, the granting of a renewal of a license or the refusal to grant the renewal of a license or the revoking of any license pursuant to the provisions of this bylaw shall be wholly within the discretion of the Town Administrator and/or his lawful designate.
- (c) The Council of the Town of Waldheim may delegate to the Medical Health Officer the power to revoke the license, if any person who sells food or drink for human consumption in the Town of Waldheim but who neglects or refuses to comply with the rules, orders or regulations of the Minister of Public Health or with the bylaws of the Town of Waldheim relevant to such business.

**13. SPECIAL PROVISIONS**

The following are regulations which must be complied with in connection with certain licenses:

- (a) No business which is not assessed a commercial property tax shall be conducted on such premises without first having taken out a license.
- (b) The act of wife, husband, servant, clerk or employee of any person licensed to carry on business under this bylaw shall be deemed and be taken to be the act of the Licensee as though he had done the act himself.
- (c) No person to whom a license is granted under this bylaw shall conduct a business so licensed on any street, lane, or public place unless the license permits him to do so.
- (d) In all cases where the legislature of the Province of Saskatchewan has required any person to obtain a Provincial License in respect to any business, no license shall be granted under the provisions of this bylaw unless or until the applicant shall have first obtained and produced a Provincial License and every application for license under this bylaw shall in such case state that such Provincial License has first obtained.
- (e) The Bylaw Officer or other authorized Town of Waldheim employees, member of the R.C.M.P., the Provincial Health Officer, the Building Inspector and the Fire chief shall have free access to all buildings and grounds in which any business licensed under the provisions of the bylaw are carried on. Any person hindering, preventing or refusing such free access after any such Officer has demanded admission and displayed his badge or credentials of office, shall be liable to prosecution for breech of this bylaw.

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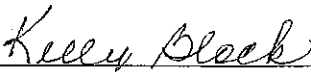
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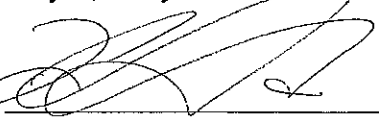
- (f) No license shall be granted to any person under the provisions of this bylaw which involves the occupation of buildings or premises for the purpose of carrying on the business to be licensed until the Council is satisfied that the premises comply with the various bylaws of the Town of Waldheim, Provincial Statutes or regulations passed hereunder and it shall be the duty of the Bylaw Officer to obtain the necessary reports for the guidance of the Town Council and it shall be the duty of the Building Inspector, Fire chief, Provincial Health Officer or any other officer upon the request of the Bylaw Officer to inspect the buildings in which the proposed licensed business is to be carried on and to give to the Bylaw Officer a report in writing as to whether or not the same are suitable for the carrying on of the proposed business.
- (g) Every general contractor shall erect or cause to be erected on every construction site, a notice board showing the name of the general contractor and the name or names of all subcontractors working or who will be working on the site.
14. Any person who carries on a business, industry or calling which is required to be licensed under this or any other bylaw without first obtaining a license to do so, or having applied for a license which application has been refused, carries on such business, industry or calling, shall be guilty of an infraction of this bylaw.
15. Any person who is carrying out any of the activities mentioned in Section 2 of this bylaw fails, neglects or refuses to comply with any of the provisions of this bylaw relative thereto, shall be guilty of an infraction of this bylaw.
16. Any person guilty of any infraction to any of the provisions of this bylaw shall, upon summary conviction, be liable to a fine not exceeding \$2000.00, and in addition thereto to an amount not less than that amount which is double the license fee that is payable in accordance with Schedule "A" of this bylaw and in default of payment of such fine and costs, the offender may be imprisoned for a term not exceeding thirty days.
17. Where in any case a person is convicted for the non payment of a license fee payable to the Town of Waldheim under the provisions of this bylaw, the summary conviction court may order payment forthwith by the accused of the said license fee.
18. All events undertaken or sponsored by a local religious, charitable or nonprofit community organization is exempt from the payment of fees set out in Schedule "A".
19. Bylaw No. 3-85 is hereby repealed after this bylaw comes into effect as of August 8, 2006.

Introduced and read a first time this 8th day of August, 2006.

Read a second time this 8th day of August, 2006.

Read a third time this 8th day of August, 2006.

  
\_\_\_\_\_  
Mayor, Kelly Block


  
\_\_\_\_\_  
Administrator, D. Chris Adams

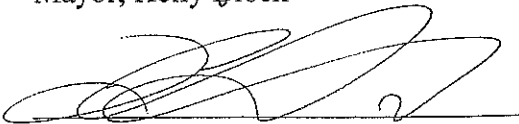
( S E A L )

**TOWN OF WALDHEIM**  
**SCHEDULE "A" TO BYLAW NO. 7-2006**  
**BUSINESS LICENCE BYLAW**

<u>BUSINESS TYPE</u>	<u>FEE</u>	
	(Non Resident)	(Resident)
Auctioneer	\$150.00	\$ 50.00
Contractors: General Contractors, Heavy Equipment Operators, Electricians, Brick Layers, Drywall Installers, Plumbers, Roofers, Carpenters, Painters, non-specified		
Annual total construction value or invoiced work under \$50,000.00	\$100.00	\$ 50.00
Annual total construction value or invoiced work over \$50,000.00	\$200.00	\$ 50.00
Direct Sellers: - refrigerated food delivery per truck	\$150.00	\$ 50.00
- other	\$100.00	\$ 50.00
Produce Dealer	\$150.00	\$ 50.00
Transient Traders - Value per Individual Item less than \$200.00	\$100.00	
- Value per Individual Item more than \$200.00	\$150.00	
All others or Unspecified	\$150.00	\$100.00

Adopted this 8th day of August, 2006.

  
 \_\_\_\_\_  
 Mayor, Kelly Block

  
 \_\_\_\_\_  
 Administrator, D. Chris Adams

(SEAL)

# TOWN OF WALDHEIM

## Business License Application

(In Accordance with Bylaw # 7-2006)

Date : \_\_\_\_\_ 20\_\_\_\_

Registered Business Name: \_\_\_\_\_

Operating Name of Business (if different from above): \_\_\_\_\_

Nature of Business: \_\_\_\_\_

Civic Address of Operation: \_\_\_\_\_

Business Start/Effective Date: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Are you 18 years or older? Yes  No

Business Mailing Address: \_\_\_\_\_

Prov.: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_

Contact (if different from Owner): \_\_\_\_\_ Owner/Contact Phone: (\_\_\_\_) \_\_\_\_\_

I/We hereby make application for a Business License in respect to the above in accordance with the Bylaws of the Town of Waldheim relating to operating a business within the Town of Waldheim, Bylaw # 7-2006.

I/We have complied with requirements under all Town of Waldheim Bylaws relating to the business(s) listed above. (e.g. Zoning, etc.)  
\_\_\_\_\_(initial)

Note: The issuing of a license to a person by the Town does not relieve that person of the responsibility to obtain any provincial license that may be required by law. \_\_\_\_\_(initial)

<b>Status:</b>	<b>Resident</b> <input type="checkbox"/>	<b>Non-Resident</b> <input type="checkbox"/>
<b>Business Category:</b>	Direct Seller: <input type="checkbox"/>	Value per Individual Item <input type="checkbox"/> < \$200.00 <input type="checkbox"/> > \$200.00
	Transient Trader <input type="checkbox"/>	(Services, goods or merchandise sold)
	Contractor/Subcontractor <input type="checkbox"/>	Annual total construction value <input type="checkbox"/> < \$ 50,000.00 <input type="checkbox"/> > \$ 50,000.00
	Other (Please Specify) <input type="checkbox"/>	_____

Name: \_\_\_\_\_  
(please print)

\_\_\_\_\_  
Signature

<b>For Office Use Only</b>	
Received by: _____	Date Issued: _____
Customer Application #: _____	Category Assigned: _____
Amount: _____	
License Insp. Approval: _____	Discretionary Use Approval: _____

*WB*