



**Currently
Enforced**

Bylaw: 02-2022

Hawkers, Peddlers and Mobile Vendors Permit

BEING A BYLAW OF THORHILD COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE TO REGULATE BUSINESS, BUSINESS ACTIVITIES AND PERSONS ENGAGED IN BUSINESS WITHIN THORHILD COUNTY.

WHEREAS, the Municipal Government Act, being Chapter M-26.1 of the Revised Statutes of Alberta 2000 and amendments thereto, provides that a Council of a Municipality may by by-law control and regulate business, business activities and persons engaged in business within the municipality and provide for a system of permits or approvals, and

WHEREAS, Thorhild County Council wishes to establish a bylaw for regulating, permitting and controlling Hawkery, Peddlers and Mobile Vendors operating within the corporate limits of Thorhild County;

NOW THEREFORE, The Council for Thorhild County in the Province of Alberta, duly assembled, enacts as follows:

PART 1. INTERPRETATION

1.0 TITLE:

- a) This Bylaw may be cited as the Hawkery, Peddlers and Mobile Vendors Permit Bylaw.

1.1 DEFINITIONS:

- a) "Application" shall mean application for a Hawker, Peddlers and Mobile Vendors permit application and application for renewal of a permit required by this bylaw.
- b) "Council" shall mean the Municipal Council of Thorhild County.
- c) "County" shall mean Thorhild County.
- d) "Development Officer" shall mean a person appointed as a Development Officer of Thorhild County.
- e) "Exemption" shall mean an exemption to the requirement to obtain a permit.
- f) "Hawker or Peddler" shall mean a person whether as a principle or agent who:

- Goes from residence to residence selling or offering for sale any products, merchandise or service to any person who is not a wholesale or retail dealer in merchandise or service with a permanent place of business in Thorhild County.
 - Offers or exposes for sale to any person by means of products, merchandise or services to be afterwards delivered or shipped into Thorhild County.
- g) “Hawkers, Peddlers and Mobile Vendors Permit” shall mean a permit issued pursuant to this bylaw.
- h) “Mobile Vending Units” shall mean a motor vehicle, trailer, temporary structure or display, or stand that is not permanently affixed to real property.
- i) “Mobile Vendor” shall mean any person selling goods, food, amusements or services from a Mobile Vending Unit that is designed for offering the sale of goods, food, amusements or services.
- j) “Peace Officer” shall mean a member of the Royal Canadian Mounted Police, a Peace Officer appointed pursuant to the Peace Officer Act, or a Bylaw Enforcement Officer appointed by Thorhild County.
- k) “Person” includes a corporation and the heirs, executors, administrators, or other legal representatives of a person.

PART 2. GENERAL PROVISIONS

- 2.0 No Person shall, within the County, carry on or operate any business as a Hawker, Peddler or Mobile Vendor unless they hold a valid and subsisting permit to conduct such business pursuant to the provisions of this bylaw.
- 2.1 Charitable or Non-Profit Organizations from within Thorhild County who utilize the proceeds from the sale of goods and services to support projects within the community, will be exempted from permit fees, but must meet the other requirements of this bylaw.
- 2.2 The Person shall make written Application for a permit to the Office of Thorhild County.
- 2.3 When submitting the Application, the Person shall pay the required permit fee as listed in Schedule “A” which forms part of this bylaw.
- 2.4 A Hawkers, Peddlers and Mobile Vendors permit shall be in effect for the duration stated on the permit provided.

- 2.5 Hawkers and Peddlers issued a permit under this bylaw shall carry the permit on their Person at all times when conducting their business within Thorhild County.
- 2.6 The permit holder will produce the permit for the inspection by a Development Officer, Peace Officer or upon the request of any customer they approach within Thorhild County.
- 2.7 Mobile Vendors issued a permit under this bylaw along with all other required permits and licenses must be clearly visible at the Mobile Vending Unit at all times.
- 2.8 A Development Officer or a Peace Officer may at any time revoke or suspend a permit issued under the provisions of this bylaw for failure to comply with any of the conditions or regulations herein.

PART 3. CONDITIONS AND REGULATIONS

- 3.0 No permit shall be granted until such time as the applicant holds a valid Provincial or Federal License, where required by law, this may include an Alberta Health Services Food Handling Permit.
- 3.1 No permit shall be granted until the applicant has submitted to the Development Officer the proper fee as provided by this bylaw.
- 3.2 Hawkers, Peddlers, Mobile Vendors and salesmen shall not call upon residents before 9:00am nor after 9:00pm.
- 3.3 Mobile Vendors operating their business on public property must stay within the permitted area/s approved by the Development Officer, as indicated on the approved permit.
- 3.4 The location of a Mobile Vending Unit shall not impede traffic and/or pedestrians, endanger public safety or cause an unwelcome disturbance and must be cognitive of and compliant with all other County Bylaws.
- 3.5 Mobile Vending Units operating on County owned property, the final approval of the application shall require that the Mobile Vendor indemnify and save harmless Thorhild County, its employees and agents, from and against all claims, expenses, actions, losses, costs and suits caused by or arising out of, directly or indirectly, the performance of the permit, or by reason of any matter or thing done by or not done by the Mobile Vendor, its employees or agents. Mobile Vendors are required to show proof of liability insurance.
- 3.6 Mobile Vendors shall assume all responsibility for themselves and anyone whom they have hired or otherwise authorized to sell goods or products at the vending location and to see that they are aware of and comply with the terms and conditions of their permit approval.

- 3.7 Mobile Vending Units shall only be allowed on private property with the written consent of the owner, or in places specified by the Development Officer.
- 3.8 The Mobile Vending Unit and business equipment must be kept in a clean and presentable condition at all times.
- 3.9 Mobile Vendors shall provide garbage and recycling receptacles at the Mobile Vending Unit for all customers to discard any waste from the product sold.
- 3.10 Mobile Vendors are not permitted to leave the Mobile Vending Unit unattended during operation.
- 3.11 Mobile Vendors that carry on business on any grounds that are directly associated with any events that are directly supervised and controlled by Thorhild County, are not required to obtain a permit.
- 3.12 No Hawker, Peddler or Mobile Vendor may sell goods, foods, amusements or services within 100 meters of a commercial retail storefront operation which sells similar goods, foods, amusements or services.
- 3.13 No business shall conduct its operation in such a manner as to offend the general public. Upon receipt of bona fide complaint, the Designated Officer or Peace Officer may advise the Hawker, Peddler or Mobile Vendor of the nature of the complaint and may require that the matter be rectified.
- 3.14 If the Development Officer or Peace Officer finds a Hawker, Peddler or Mobile Vendor in operation and such Hawker, Peddler or Mobile Vendor does not have a valid and subsisting permit to conduct business pursuant to the provisions of this bylaw, the Development Officer or Peace Officer may close the "business" immediately.

PART 4. PENALTIES

- 4.0 Any person who contravenes any provisions of this bylaw is guilty of an offense and shall be liable on summary conviction to a fine of:

First Offence - \$ 200.00


Second Offence - \$ 400.00

Third and Subsequent Offences - \$ 800.00


PART 5. EFFECTIVE DATE AND REPEAL DATE

- 5.0 This Bylaw comes into effect upon the date of the final reading thereof.
- 5.1 Bylaw 1188-2014 Business Licensing Bylaw and any amendments thereto is hereby repealed.

READ A FIRST TIME IN COUNCIL THIS 8th DAY OF FEBRUARY 2022




Reeve



Chief Administrative Officer

READ A SECOND TIME IN COUNCIL THIS 8th DAY OF FEBRUARY 2022




Reeve



Chief Administrative Officer

READ A THIRD TIME IN COUNCIL THIS 22nd DAY OF FEBRUARY 2022



Reeve



Chief Administrative Officer

SCHEDULE A

Permit Fees

Hawkers, Peddlers and Mobile Vendors Permit:

\$30.00/day

\$100/year

A year runs from January 1 to December 31 of the same year