

**BYLAW NO. 1958/2023
TOWN OF REDCLIFF**

A BYLAW OF THE TOWN OF REDCLIFF, IN THE PROVINCE OF ALBERTA, PROVIDING FOR THE LICENSING OF ALL BUSINESS ENTERPRISES OPERATING WITHIN THE CORPORATE LIMITS OF THE TOWN OF REDCLIFF.

WHEREAS pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M-26.1, a Council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business.

NOW THEREFORE the Council of the Town of Redcliff, duly assembled, enacts as follows:

**PART I
SHORT TITLE, DEFINITIONS**

SHORT TITLE

(1) This Bylaw may be cited as the "Business License Bylaw."

DEFINITIONS

- (2) Any word or expression that is specifically defined in the Acts and Regulations listed in Section (3) are adopted for the purposes of the interpretation and application of this Bylaw and have the same meaning under this Bylaw as defined in those statutes, unless otherwise specifically defined differently in this Bylaw or unless the context necessarily implies a different meaning.
- (3) In this Bylaw:
- (a) **ADULT SERVICES** shall mean any business providing adult entertainment, usually in the form of live performances, or electronic or photographic reproductions featuring full or partial nudity, or sexual services.
 - (b) **APPLICANT** shall mean a **Person** who applies for a:
 - (i) **Business License**; or
 - (ii) renewal of an existing **Business License**.
 - (c) **APPLICATION** shall mean a written **Application** for a **Business License** on a form issued by the Town of Redcliff.
 - (d) **BUSINESS LICENSE** shall mean a **License** issued by the Town of Redcliff to operate a business within the corporate limits of the Town pursuant to this Bylaw.
 - (e) **BUSINESS LICENSEE** shall mean a **Person** holding a valid and subsisting **Business License** issued pursuant to the provisions of this Bylaw.
 - (f) **BUSINESS LICENSE FEE** shall mean the fee charged by the **Town** as prescribed in the Fees, Rates & Charges Bylaw.
 - (g) **BUSINESS LICENSE INSPECTOR** shall mean an employee of the **Town** appointed by the CAO as a **Business License Inspector**.



- (h) **BUSINESS LICENSE YEAR** means the period commencing January 1st and ending December 31st of the same calendar year.
- (i) **BUSINESS PREMISES** shall mean any place where a **Person** is **Carrying-on-Business** and includes any land, building, structure, vehicle, or location.
- (j) **BYLAW ENFORCEMENT OFFICER** means a **Person** appointed by **Council** as a **Bylaw Enforcement Officer** for the **Town**.
- (k) **CAO** means the person appointed to the position of Chief Administrative Officer for the Town, by Council, within the meaning of the *Municipal Government Act* of *Alberta*. May also be referred to as the Municipal Manager.
- (l) **CARRYING-ON-BUSINESS** shall include any trade, profession, industry, vocation, or calling that provides goods and/or services for gain, benefit, advantage, or livelihood. Proof of one transaction in the business within the boundaries of the **Town** is sufficient to establish that the **Person** carried on or engaged in the business.
- (m) **CANNABIS** has the same meaning as in the Controlled Drugs and Substances Act.
- (n) **CANNABIS PRODUCTION AND DISTRIBUTION FACILITY** means the business, as licensed by Health Canada, primarily for one or more of the following:
- (i) the production, cultivation, and growth of **Cannabis**;
 - (ii) the making, testing, manufacturing, assembling, processing, or in any way altering the chemical or physical properties of semi-finished **Cannabis** goods and products;
 - (iii) the storage of **Cannabis** materials, goods, and products; or
 - (iv) the transporting, shipping and sale of materials, goods and products to the Alberta Gaming and Liquor Commission or other agencies designated by provinces outside of the province of Alberta responsible for the distribution and sale of **Cannabis** in those provinces.
- (o) **CANNABIS RETAIL STORE** means the business of displaying and selling recreational **Cannabis** and **Cannabis** accessories, as authorized by the Alberta Gaming, Liquor, and Cannabis Act.
- (p) **CHARITABLE OR NON-PROFIT OR NOT-FOR-PROFIT ORGANIZATION** means an association acting for a charity or in promotion of the general social welfare and must be registered as a charity under a Federal or Provincial Act or regulation.
- (q) **COUNCIL** means the duly elected and sworn in **Council** of the **Town**.
- (r) **CRAFT OR TRADE SHOW** means an organized activity at which:
- (i) crafts, goods or services are displayed and/or for sale by **Charitable or Non-Profit or Not-For-Profit Organization(s)**; or
 - (ii) trades people are offering goods or services for sale for a profit.
- (s) **ESCORT** means any business providing escort services.

- (t) **GARAGE SALES** means the displaying and offering for sale of five or more items of goods, wares, or merchandise on private residential property.
- (u) **GENERAL CONTRACTOR** shall mean any **Person** who enters into a contract with another **Person** for the purpose of erection, alteration, cleaning, moving, repair, or demolition of a building or structure or other infrastructure.
- (v) **HOME OCCUPATION** means an occupation, trade, profession, or craft carried out on a residential property by one or more of the occupants of the residence and clients may or may not come to the property to receive goods or services.
- (w) **KID STAND** means an informal stand set up by children under the age of 12 to sell goods to passersby, typically located on private residential property.
- (x) **LOCAL BUSINESS** – means a business that has a permanent business location within the corporate limits of
- (i) The Town of Redcliff,
 - (ii) The City of Medicine Hat, or
 - (iii) Cypress County.
- (y) **MECHANICAL TRADE** means any **Person** who, for compensation, carries on any of the trades designated in the regulations passed pursuant to the Apprenticeship and Industry Training Act, and includes, but is not limited to:
- (i) electrical contractor;
 - (ii) plumbing contractor;
 - (iii) steamfitting & pipefitting contractor;
 - (iv) gasfitting contractor;
 - (v) motor mechanic;
 - (vi) auto body mechanic;
 - (vii) sheet metal contractor;
 - (viii) electronic technician;
 - (ix) refrigeration mechanic;
 - (x) heavy duty mechanic;
 - (xi) elevator contractor;
 - (xii) locksmith.
- (z) **MOBILE FOOD VENDOR** means a vehicle or trailer used to prepare, process, and sell food. The vehicle or trailer may use electricity, natural gas, wood, charcoal, or propane powered cooking equipment to prepare and/or store food.
- (aa) **NON-LOCAL BUSINESS** shall mean any business that is not **in the corporate limits of:**
- (i) **The Town of Redcliff,**
 - (ii) **City of Medicine Hat, or**



- (iii) **Cypress County.**
- (bb) **PEACE OFFICER** means:
- (i) A member of the Royal Canadian Mounted Police,
 - (ii) A Peace Officer as appointed by the *Peace Officer Act* of Alberta, and a Bylaw Enforcement Officer as appointed by the Town to enforce the bylaws of the Town.
- (cc) **PEDDLER** shall mean any **Person** who as principal or agent **Carries On Business** in the **Town** by soliciting, negotiating or concluding sales contracts in person at any place other than the seller's place of business, without an expressed invitation from the consumer and includes any **Person** that may be known as a huckster or transient trader. A **Person** selling farm produce grown or raised by the **Person** is not considered a **Peddler**.
- (dd) **PEDDLER LICENSE** shall mean a license issued to a **Person** to be a **Peddler** in the Town.
- (ee) **PERSON** shall mean a natural **Person**, trustee, legal representative, proprietorship, body corporate, association, or partnership.
- (ff) **RENTAL ACCOMMODATION BUSINESS** shall mean **Carrying-on-Business** by renting or leasing three or more dwelling units on one property.
- (gg) **SEASONAL BUSINESS** shall mean:
- (i) a garden tilling business;
 - (ii) a weed cutting business;
 - (iii) the business of snow removal; or
 - (iv) other similar business.
- (hh) **TEMPORARY LICENSE** means a business license issued by the Town that is valid for a limited period of time as identified on the License.
- (ii) **TOWN** means the municipal corporation of the **Town** of Redcliff, or the area contained within the **Town** boundaries as the context requires.
- (jj) **VIOLATION TAG** means a notice or tag in such a form as may be prescribed from time to time by the CAO, issued by the Town, allowing a voluntary payment option of a fine established under this Bylaw directly to the Town.
- (kk) **VIOLATION TICKET** means a summons by means of a violation ticket (Part 2) or an offence notice by means of a violation ticket (Part 3) in accordance with the provisions of the *Provincial Offences Procedure Act* of Alberta.



PART 2 GENERAL REGULATIONS

REQUIREMENT TO POSSESS BUSINESS LICENSE

- (4) Every **Person Carrying-on-Business** within the corporate limits of the **Town** is required to have a current, valid **Business License** issued pursuant to the provisions of this Bylaw, unless exempted by Federal, Provincial, or municipal statutes or regulations.
- (5) A **Business License** does not give a person the right to be a **Peddler**. A separate **Peddler License** is required for a **Peddler**.
- (6) Advertising for sale on a private property more than one item of any kind is considered to be **Carrying-on-Business**.

BUSINESS LICENSE APPLICATION REQUIREMENTS

- (7) **Application** for a **Business License** shall:
 - (a) Be in writing on the application form as prescribed by the Town of Redcliff;
 - (b) Be signed and submitted by the **Person** or a director or officer of the **Person** intending to be **Carrying-on-Business**;
 - (c) Be accompanied by a Certificate of Qualification where such Certificate is required by Federal or Provincial statute or regulation for the operation or performance of a particular business, calling, profession, trade, or occupation; and
 - (d) Include payment of the **Business License Fee** as set out in the **Town's Fees, Rates and Charges Bylaw**.

TERMS OF BUSINESS LICENSE

- (8) The **Business License Inspector** may refuse to grant a **Business License** if:
 - (a) The application is incomplete;
 - (b) Required Federal or Provincial licensing or Certificate of Qualification has not be provided;
 - (c) There are reasonable grounds to believe the business may jeopardize public health and safety;
 - (d) There are reasonable grounds to believe the business will be or is involved in criminal activities; or
 - (e) There are reasonable grounds to believe the business will contravene or is in contravention of **Town** bylaws.
- (9) The **Business License Inspector** shall only issue a **Business License** for a **Business Premises** located in the **Town** if there is an approved Development Permit for the proposed **Business Premises**, if required.



- (10) The **Business License Inspector** may impose any conditions on a **Business License** that are deemed necessary to:
- (a) Protect the public health and safety;
 - (b) Reduce the potential for the **Business Licensee** to be involved in criminal activities;
 - (c) Reduce the potential for contraventions of the **Town** bylaws; and
 - (d) Protect the public interest.
- (11) Every **Business License** issued under the provisions of this Bylaw shall terminate at midnight on the 31st day of December of the **Business License Year** in which the **Business License** was issued, unless the **Business License** is terminated by revocation or surrendered prior to midnight on the 31st day of December of the **Business License Year**.

POSTING AND INSPECTION

- (12) Every **Business License** issued pursuant to this Bylaw shall be picked up by the **Business Licensee**, or delivered or mailed to the **Business Licensee** by the **Town**.
- (13) The **Business Licensee** shall post the **Business License** in a conspicuous place on the **Business Premises**.
- (14) All **Business Premises** located within the corporate limits of the **Town** in respect of which a **Business License** has been applied for or has been issued pursuant to the provisions of this Bylaw shall be subject to inspection by the **Business License Inspector**.
- (15) A **Business Licensee** shall produce the **Business License** for inspection purposes whenever required to do so by the **Business License Inspector**.
- (16) The **Business License Inspector** is hereby authorized to enter into any **Business Premises** during normal business hours located within the corporate limits of the **Town** in respect of which a **Business License** has been applied for or has been issued pursuant to the provisions of this Bylaw, to inspect for conditions that may contravene or fail to comply with the provisions of this Bylaw.

REVOCAION, AND SUSPENSION

- (17) The **Business License Inspector** may revoke or suspend a **Business License** if, in their opinion:
- (a) Public health and safety may be jeopardized by the continuation of the business;
 - (b) There is a breach of the Criminal Code that warrants the revocation or suspension; or
 - (c) The **Business Licensee** is in continual and ongoing contravention of this Bylaw or other bylaws of the **Town**.
- (18) Upon a **Business License** being revoked or suspended, the **Business License Inspector** shall notify the holder of the **Business License** by delivering the notice personally, or by registered or certified mail to the place of business as shown on the **Business License**.



APPEALS OF BUSINESS LICENSE INSPECTOR DECISIONS

- (19) In every case where a **Business License** has been refused, revoked, or suspended, the **Applicant** or **Business Licensee** may request an administrative review of the decision be performed by the **CAO**. The administrative review shall only consider if the decision of the **Business License Inspector** is consistent with established Town Bylaws, Policies and Procedures.
- (20) Where the **Applicant** or **Business Licensee** is not satisfied with the administrative review of the **CAO**, the **Applicant** or **Business Licensee** may appeal the **CAO's** decision to **Council**.
- (21) With respect to Sections (19) and (20) the **CAO** and or **Council** may:
- (a) Confirm the refusal, revocation, or suspension;
 - (b) Direct the **Business License** to be issued;
 - (c) Reinstate the revoked **Business License**; or
 - (d) Remove or vary the suspension of the **Business License**.
- (22) An administrative review under Section (19) or an appeal under Section (20) shall be made by the **Applicant** or **Business Licensee** within 30 days after such refusal, revocation, suspension or administrative review.
- (23) The fees for an administrative review or appeal of a decision of the **Business License Inspector**, or **CAO** are contained in the Fees Rates and Charges Bylaw.
- (24) All requests for administrative reviews or appeals under Sections (19) and (20) shall be made in writing addressed to the **CAO** of the **Town** and shall be dated as of the date received by the **CAO**.

TRANSFER OF BUSINESS LICENSE

- (25) A **Business Licensee** may not transfer a **Business License** to another **Person**.

PART 3
ADDITIONAL REGULATIONS REGARDING CERTAIN BUSINESSES

CANNABIS PRODUCTION AND DISTRIBUTION FACILITY

- (26) Approval of an **Application** for a **Business License** for a **Cannabis Production and Distribution Facility** shall be conditional upon the **Applicant** providing the **Business License Inspector**:
- (a) Proof of a valid and subsisting license issued by Heath Canada; and
 - (b) Proof of each employee's compliance with any qualifications, conditions, or training requirements set by Heath Canada and applicable legislation.
- (27) The **Business License Inspector** may share all information received in the above Section with law enforcement agencies.



- (28) The **Business Licensee** for a **Cannabis Production and Distribution Facility** must maintain and keep on the premises:
- (a) Proof of a valid and subsisting license issued by Health Canada; and
 - (b) Proof of each employee's compliance with any qualifications, conditions, or training requirements set by Health Canada and applicable legislation.
- (29) A **Business License** for a **Cannabis Production and Distribution Facility** is automatically revoked if at any time the business's Health Canada license is revoked, cancelled, or expired and not renewed.

CANNABIS RETAIL STORE

- (30) Approval of an **Application** for a **Business License** for a **Cannabis Retail Store** shall be conditional upon the **Applicant** providing the **Business License Inspector**:
- (a) Proof of a valid and subsisting license pursuant to the Alberta Gaming, Liquor, and Cannabis Act and other applicable legislation; and
 - (b) Proof of each employee's compliance with any qualifications, conditions, or training requirements set out in the Alberta Gaming, Liquor and Cannabis Act and other applicable legislation.
- (31) The Business License Inspector may share all information received in the above Section with law enforcement agencies.
- (32) The **Business Licensee** for a **Cannabis Retail Store** must maintain and keep on the premises:
- (a) Proof of a valid and subsisting license issued under the Alberta Gaming, Liquor and Cannabis Act; and
- (33) A **Business License** for a **Cannabis Retail Store** is automatically revoked if at any time the business' provincial license is revoked, cancelled, or expired and not renewed.

MOBILE FOOD VENDOR

- (34) Approval of an **Application** for a **Business License** for a **Mobile Food Vendor** shall:
- (a) Proof of valid Inspection Certificate(s), issued by an Alberta Safety Codes Officer, within the past 12 months; and
 - (b) Be conditional upon the **Applicant** providing the **Business License Inspector** with a site location plan indicating the **Applicant's** intended operation locations.
- (35) If the **Applicant** wishes to operate a **Mobile Food Vending** unit in a location not identified in their original location plan, they must provide the **Business License Inspector** with an updated location plan and receive **Business License Inspector** approval.
- (36) A **Business License Fee** for a **Mobile Food Vendor** shall be paid to the **Town** at the time of the **Business License Application** and may be for a daily, weekend, monthly or **Business Year**, as chosen by the **Applicant**, as set out in the Fees, Rates and Charges Bylaw.

(37) A **Mobile Food Vendor**, while in operation, may be located, subject to the approval of the **Business License Inspector**:

- (a) On private property, with written consent from the landowner, in the Downtown Commercial, General Commercial, Highway Commercial, Light Industrial, and Heavy Industrial Land Use Districts, as defined in the Land Use Bylaw; or
- (b) On **Town** owned land, streets, roads, and highways.
- (c) On private property, with written consent from the landowner, in the Downtown Commercial, General Commercial, Highway Commercial, Light Industrial, and Heavy Industrial Land Use Districts, as defined in the Land Use Bylaw; or
- (d) On **Town** owned land, streets, roads, and highways.

PEDDLER

(38) Every **Peddler** engaged in **Carrying-on-Business** in the **Town** shall carry on their person a **Peddler License** issued by the **Business License Inspector**.

(39) A **Peddler License** shall be applied for and subject to the approval of the **Business License Inspector** prior to the **Peddler Carrying-on-Business** in the **Town**.

(40) A **Peddler License** will not be issued to a trustee, legal representative, proprietorship, body corporate, association, or partnership.

(41) **Application** for a **Peddler License** shall:

- (a) Be in writing on the current standard **Town** form;
- (b) Be signed and submitted by the **Person** intending to be a **Peddler**;
- (c) Be accompanied with photo identification document(s) acceptable to the **Business License Inspector** that includes a unique identification number;
- (d) Include a criminal record check, completed in the last 90 days, for every **Person** who wishes to carry on business as a **Peddler**. In the case where a **Peddler** will be representing a **Person Carrying-on-Business**, other than the **Peddler**, include by a criminal record check, completed in the last 90 days, for the owner or manager of the **Person Carrying-on-Business**;
- (e) Be accompanied by a Certificate of Qualification where such Certificate is required by Federal or Provincial statute or regulation for the operation or performance of a particular business, calling, profession, trade, or occupation; and
- (f) Include payment of the **Business License Fee** as set out in the **Town's Fees, Rates and Charges Bylaw**.

(42) The **Business License Inspector** shall not issue a **Peddler License** if the **Applicant** has within the preceding two years been found guilty of theft, fraud, possession of stolen property or any other criminal offence involving an imputation of dishonest or fraudulent conduct, or person crimes, in Canada or in any other country so far as the **Business License Inspector** or **Business License** is able to determine with the assistance of the RCMP.

- (a) This Section shall not be construed or interpreted to derogate from the discretion of the **Business License Inspector** to:



- (i) refuse to grant a **Peddler License** to a **Person** who has been convicted of a criminal offence of a type other than that specified in this Section; or
 - (ii) refuse to grant a **Peddler License** to a **Person** who has been convicted of a criminal offence of a type mentioned in this Section, more than two years before the date on which the application is made.
- (43) The **Business License Inspector** may refuse to grant a **Peddler Business License** if:
- (a) The application is incomplete;
 - (b) Required federal or provincial licenses or certificates have not be provided;
 - (c) There are reasonable grounds to believe the **Peddler** may jeopardize the health and safety of the public;
 - (d) There are reasonable grounds to believe the **Peddler** will be involved in illegal activities; and
 - (e) There are reasonable grounds to believe that the **Peddler** will contravene the bylaws of the **Town**.
- (44) A **Peddler** shall produce the **Peddler License** and photo identification for inspection purposes whenever required to do so by a **Peace Officer** or **Business License Inspector**.
- (45) A **Peddler's License** shall be valid for only the term specified on the **Peddler License** and in no case shall the **Peddler License** be valid beyond midnight on the 31st day of December of the **Business License Year**. There is no renewal of a **Peddler's License**.
- (46) No **Person** shall carry on the business of a **Peddler** except between the hours of 9:00 a.m. and 8:00 p.m. on a day other than a Saturday, Sunday, or statutory holiday.
- (47) The **Business License Inspector** may revoke or suspend a **Peddler License** if, in their opinion:
- (a) Public health and safety may be jeopardized by the continuation of the **Peddler License**;
 - (b) There is a breach of the criminal code that would prevent the **Person** from receiving a **Peddler's License**; or
 - (c) The **Peddler** is in continual and ongoing contravention of this bylaw and other bylaws of the **Town**.
- (48) Upon a **Peddler License** being revoked or suspended, the **License Inspector** shall notify the holder of the **Peddler License** by delivering the notice personally and requiring the **Peddler** to surrender the **Peddler License**. Where personal delivery and surrender of the **Peddler License** is not possible, the notice may be sent by registered or certified mail to the place of business as shown on the **Peddler License**.

SEASONAL BUSINESS

- (49) A **Business License** for a **Seasonal Business** shall be applied for and be subject to the approval of the **Business License Inspector** prior to the **Person Carrying-on-Business** in the **Town**. A **Business License Fee** as set out in the Fees, Rates and Charges Bylaw for a **Seasonal Business** shall be paid to the **Town** at the time of the **Business License Application**.



- (a) The provisions of sections (57)(58)(63) shall not apply to **Business License Fees** for a **Seasonal Business**.

PART 4 EXEMPTIONS

- (50) Schools, not for profits, and charitable organizations hosting fundraising events, including door to door fundraisers, and using volunteers, are exempt from requiring a **Business License**.
- (51) The provisions of this Bylaw shall not apply to a **Person Carrying-on-Business** exempted by provincial or federal statutes or regulations.
- (52) A **Business License** is required of the **Mechanical Trade** and not to individual employees of the licensed **Mechanical Trade**.
- (53) The holder of a **Business License** issued for a **Craft or Trade Show** in which all participants are Not for Profit Organizations and where the proceeds of the **Craft or Trade Show** are stated to be utilized toward a project within the **Town**, may apply to the **Business License Inspector** for a refund of the **Business License Fee**.
- (54) **Garage Sales** shall be permitted without a **Business License** subject to the following:
- (a) A maximum of two garage sales in each calendar year may be conducted on each private residential property in the **Town**.
- (b) **A garage sale** must not be conducted for a period of more than three days, whether consecutive or not.
- (55) **Kid Stands** (i.e. lemonade stand) shall be permitted without a **Business License** subject to the following:
- (a) The persons running the stand are under the age of 12 years,
- (b) The persons receiving profit from the stand are under the age of 12 years,
- (c) That the stand is informal and without:
- (i) Regular business hours;
- (ii) Professionally produced promotional materials;
- (iii) Professional equipment; and
- (iv) Walls and roofs;
- (d) Hours of operation are limited from 10:00 AM to 8:00 PM; and
- (e) Are not operated during class time on a Prairie Rose School Division school day.

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PART 5 BUSINESS LICENSE FEES

- (56) **Business License Fees** for a **Business License** are as per the Fees, Rates, and Charges Bylaw as amended.
- (57) For a business that did not hold, and was not required to hold a business license in the previous calendar year, the license fee is applied for as follows:
- (a) between the 1st day of January and the 31st day of August in any **Business License Year** the **Business License Fee** shall be amount for the full year;
 - (b) after the 1st day of September in any **Business License Year** the **Business License Fee** shall be one-half the amount of the full year;
- (58) For a Business that was required to have a business license in the previous calendar year the license fee shall not be prorated.
- (59) **Business License Fees** for renewal of an existing **Businesses License** become due on January 1 of the new **Business License Year**. Where a **Business License Fee** for renewal of a **Business License** has not been received by the **Town** before the first day of March of the new **Business License Year**, the **Business License** will be cancelled.

PART 6 OFFENCES, ENFORCEMENT AND PENALTIES

OFFENCES

- (60) Any Person who breaches or contravenes any provision of this Bylaw is guilty of an offence punishable by issuance of:
- (a) A summons/violation ticket (Part 2); or
 - (b) An offence notice/violation ticket (Part 3); or
 - (c) Will be served a violation tag.
- (61) Any notice, violation or summons ticket will be served by a **Peace Officer** in accordance with the provisions of the Provincial Offences Procedure Act.

VIOLATION TAGS, PENALTIES AND ENFORCEMENT

- (62) No Person shall willfully obstruct, hinder, or interfere with a Peace Officer or any other Person authorized to enforce and engaged in the enforcement of provisions of this Bylaw.
- (63) Any Person who breaches or contravenes any provision of this Bylaw is guilty of an offence.
- (64) Where a **Peace Officer**, **Bylaw Enforcement Officer** or **Business License Inspector** believes on reasonable and probable grounds that a contravention of this Bylaw has occurred they may:
- (a) Enter the business to investigate;
 - (b) Request to see the copy of the **Business License** and any other documentation required as part of a **Business License** under this Bylaw;



- (c) At their discretion, give **the Person** in contravention of this Bylaw 24 hours to correct the contravention;
 - (d) Serve upon the **Person** a written violation notice; or
 - (e) Commence proceedings by issuing a ticket as outlined in Section (60)(70).
- (65) Nothing in this Bylaw shall be construed as curtailing or abridging the right of the **Town** to obtain compensation or to carry out an action for loss of or damages to property from or against the **Person** responsible.
- (66) A **Person** shall not be convicted of an offence if it is established upon a preponderance of the evidence that the **Person** took all reasonable steps under the circumstances to avoid the contravention of this Bylaw.
- (67) A Person who is guilty of an offence under this Bylaw is liable to pay a fine of not less than the specified penalty for that offence and not more than two thousand dollars (\$2,000.00) or, in default of payment of a fine, to imprisonment for a period of not more than six (6) months.
- (68) Where a Peace Officer believes on reasonable and probable grounds that an offence has taken place consisting of a breach or contravention of this Bylaw, the Peace Officer may commence proceedings against a Person by issuing a **Violation Ticket** in accordance with the provisions of the *Provincial Offences Procedure Act of Alberta*.
- (69) If a **Violation Ticket** is issued pursuant to this Bylaw that an offence has taken place consisting of a breach or contravention of this Bylaw, the **Violation Ticket** may provide for a specified penalty, which specified penalty shall be the amount set out in Schedule "A" of this Bylaw in the case of any offence listed in that Schedule "A" of this Bylaw.
- (70) Where a Peace Officer believes on reasonable and probable grounds that an offence has taken place consisting of a breach or contravention of this Bylaw, the Peace Officer may serve upon a Person a **Violation Tag**.
- (71) If a **Violation Tag** is issued pursuant to this Bylaw that an offence has taken place consisting of a breach or contravention of this Bylaw, the **Violation Tag** shall provide for an amount of money that the Town will accept as payment for the alleged offence, which amount of money shall be the specified penalty set out in Schedule "A" of this Bylaw.
- (72) Service of any **Violation Tag** under this Bylaw on a Person shall be sufficient if the **Violation Tag** is:
- (a) Personally served;
 - (b) served by registered mail to the Business Premises; or
 - (c) attached to or left upon the main door of the Business Premises in respect of which the offence is alleged to have committed by.
- (73) A **Violation Tag** placed upon or affixed to Premises pursuant to this Bylaw shall not be removed from the Premises by anyone other than a Peace Officer or a Person lawfully entitled to possession of the Premises.

- (74) Upon issuance and service of a **Violation Tag** under this Bylaw to a Person, the amount of money the Town will accept as payment for the alleged offence shall be the amount of money set out in the **Violation Tag** and upon payment of that amount of money to a Person authorized by the CAO to receive that payment there shall be issued an official receipt therefor by the Town and the payment shall be accepted in lieu of commencing proceedings for the alleged offence.
- (75) Nothing in this Bylaw shall be read or construed as:
- (a) Preventing any Person for exercising that Person's right to defend an allegation that the Person has committed an offence under this Bylaw; or
 - (b) Preventing a Peace Officer from issuing a summons by means of a **Violation Ticket** (Part 2) or an offence nothing by means of **Violation Ticket** (Part 3) in accordance with the provisions of the *Provincial Offences Procedure Act of Alberta* or otherwise initiating court process in any manner permitted by law in respect of an alleged offence for which a **Violation Tag** may be issued, including, but not limited to, for alleged offences under this Bylaw where a **Violation Tag** has already been issued to a Person, but that Person has not paid the amount of money set out in the **Violation Tag** to the Person authorized by the CAO to receive that payment.

INSPECTION OF DOCUMENTS

- (76) Upon the request of a **Peace Officer** or **Bylaw Enforcement Officer**, a **Person** holding a **Business License** or **Peddler License** shall produce the **Business License** or **Peddler License** issued pursuant to this bylaw.
- (77) Information obtained from any document inspected by a **Peace Officer** or **Bylaw Enforcement Officer**, under the authority of this Section, and submitted by them as evidence in a prosecution for an alleged contravention of this Bylaw, shall be prima-facie accepted by the Court as true information without the necessity of proof of the signature or the official capacity of the **Person** who signed or authorized the document(s) from which the information was obtained.

GENERAL

- (78) For the purposes of this Bylaw, a Peace Officer and an appointed **Bylaw Enforcement Officer** is also authorized as a **Business License Inspector**.
- (79) For the purposes of this Bylaw, a **Business License Inspector** is also a **Bylaw Enforcement Officer**.
- (80) Each separate provision of this Bylaw shall be deemed to be independent of all other provisions. If any provision of this Bylaw is deemed or declared to be invalid by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- (81) If any provision of the Bylaw provides for an exception or an exemption, the onus or burden of establishing the exception or exemption in any Court proceedings shall be on the person charged with the offence under the Bylaw.



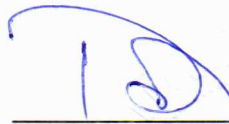
(82) The **Town** of Redcliff Bylaw No. 1618/2009 is hereby repealed upon this Bylaw coming into effect.

Read a first time this 17th day of July, 2023.

Read a second time this 25th day of September, 2023.

Read a third time this 23rd day of October, 2023.

Signed and Passed this 1st day of NOVEMBER, 2023.



MAYOR



MUNICIPAL MANAGER

SCHEDULE A
Specified Fines

Section	Description of Offence	Fine
(4), (58)	Carrying-on-Business without a Business License	\$500.00
(14)	Failing to produce a Business License for inspection purposes to the Business License Inspector	\$500.00
(38), (39), (40), (41)	Parking an operational Mobile Food Vendor or Mobile Cooking Operation in a prohibited area	\$250.00/day
(38), (39), (40), (41)	Parking an operational Mobile Food Vendor or Mobile Cooking Operation in a permitted area not defined on the Business Licensee's site plan	\$50.00/day
(42)	Carrying-on-Business as a Peddler without a Peddler Business License	\$500.00
(46)	Carrying-on-Business as a Peddler outside of the designated hours	\$200.00/offence
Other Offences	Any other offence of this Bylaw not specified or listed in Schedule A	Min: \$50.00 Max: \$1000.00