



THE CORPORATION OF THE TOWN OF HUNTSVILLE

BY-LAW NUMBER 2025-18

Being a By-law to license, regulate and govern certain businesses in the Town of Huntsville

WHEREAS Council considers it in the public interest to enact a by-law to license regulate and govern various classes of businesses;

AND WHEREAS Part IV of the Municipal Act, 2001 allows the enactment of by-laws to license, regulate and govern businesses, and to impose conditions on the obtaining, holding and keeping of Licenses to carry on such businesses;

AND WHEREAS Council wishes to exercise its powers over businesses, the persons carrying on or involved in the operation of the businesses including the powers to impose conditions on the obtaining, holding or renewing of Licenses and for the suspension, denial and revocation of Licenses as this By-law and Municipal Act, 2001 provide;

AND WHEREAS the regulation of the businesses in this by-law, the requirement for a License and the imposition of such conditions will aid in the Application and enforcement of this by-law and other laws so as to assist in allowing, amongst other things, for the identification and qualification of the persons responsible for the operation of the business, the identification of the location of businesses, the regulation and inspection of equipment, vehicles, premises and other property used to carry on business, and allowing for the protection of persons dealing with or affected by such businesses and persons;

NOW THEREFORE THE CORPORATION OF THE TOWN OF HUNTSVILLE ENACTS AS FOLLOWS:

1.0 Definitions

The following defined terms shall be used within the attached Schedules to this by-law where applicable:

- 1.1 **“Applicant”** means a Person applying for a License or renewal of a License under this By-law or a Person whose License has been suspended or revoked in accordance with this By-Law;
- 1.2 **“Application”** means an Application for a Business License;
- 1.3 **“Business License,”** means a license issued under this by-law;
- 1.4 **“By-Law Enforcement Officer”** means a person who is appointed by Council to enforce by-laws enacted and passed by Council;
- 1.5 **“Clerk”** means the Clerk of the Town of Huntsville or their designate;
- 1.6 **“Committee”** means a committee that sits as an Appeals Committee as per the Appeals Committee By-law and the Appeals Committee Appointing By-law;

- 1.7 “**Council**” means the Council of the Corporation of the Town of Huntsville;
- 1.8 “**Licensee**” means an Applicant or Owner of the business who has been issued and holds a Valid Business License;
- 1.9 “**Licensing Issuer**” means a By-Law Enforcement Officer who has reviewed and ruled upon an Application or who has imposed a suspension or revocation of a license.
- 1.10 “**Owner**” means the registered Owner of the land, and includes a trustee acting on behalf of the registered Owner or the estate of a registered Owner;
- 1.11 “**Place of Business**” means any Place, premises, location, or part thereof which acts as a business or has received a Business License under this by-law;
- 1.12 “**Place**” means a space, area or spot used for a particular purpose;
- 1.13 “**Terms and Conditions**” means a Condition or Conditions imposed by a By-law Enforcement Officer or the Committee on a Business License either at the time of its issuance or in connection with a suspension of the Business License;
- 1.14 “**Town**” means the Corporation of the Town of Huntsville;
- 1.15 “**Valid**” means currently in effect and not expired;

2.0 **Business Licenses – General Requirements**

- 2.1 No person shall operate, conduct, maintain, or engage in any of the following categories of business within the Town except in accordance with the applicable schedule to this by-law:

Schedule “A” Refreshment Vehicles;
Schedule “B” Transient Traders;
Schedule “C” Erotica Vendor
Schedule “D” Massage Parlor
Schedule “E” Adult Entertainment Establishment

- 2.2 No person shall operate, conduct, maintain or engage in a Garage or Yard Sale except in accordance with Schedule “F” of this by-law.
- 2.3 Every person licensed under this by-law shall at all times maintain and keep safe, clean, repaired and in good condition the Place of Business for which the Business License is issued.
- 2.4 The issued Business License shall be in the form of Schedule “G”

3.0 **Issuance, Revocation, Suspension, Conditions and Grounds for Refusal of License**

- 3.1 After reviewing an Application and making any further enquiries they deem reasonably necessary, a By-Law Enforcement Officer has the authority to issue, refuse, or renew a License, to revoke or suspend a License, and to impose Terms and Conditions on a License.
- 3.2 A By-Law Enforcement Officer shall refuse to issue a License under this by-law to anyone who has:

- a. been convicted of any offence included in sections 150 to 174 inclusive of the *Criminal Code of Canada* R.S.C. 1985 c. C46, as amended, (Sexual Offences), for which a pardon has not been granted;
 - b. who submits false information or documents;
 - c. who has not satisfied all of the requirements under the respected schedule of this by-law;
- 3.3 No License shall be issued to any Person whose Application does not include any premises of which the By-Law Enforcement Officer approves. In particular the By-Law Enforcement Officer shall not approve any premises in which the carrying on or operation of the business for which the Application is being made is in contravention of any by-law of the Town or any applicable Provincial or Federal legislation.
- 3.4 A By-Law Enforcement Officer may revoke a License if it was issued in error or granted based on incorrect or false information.

4.0 **Appeals**

- 4.1 All appeals of a decision of the Licensing Issuer to refuse to issue or renew a License, to revoke or suspend a License, and/or to impose Terms and Conditions on a License shall be heard by the Committee.

5.0 **Refunds**

- 5.1 No refunds will be provided once an Application has been reviewed, denied, revoked, or issued by an By-Law Enforcement Officer.

6.0 **Obstruction**

- 6.1 No Person shall hinder or obstruct, or attempt to hinder or obstruct, any By-Law Enforcement Officer exercising a power or performing a duty under this By-law.
- 6.2 Every Person who has been alleged to have contravened any of the provisions of this By-law, shall identify themselves to an By-Law Enforcement Officer upon request. Failure to do so shall be deemed to have hindered or obstructed a By-Law Enforcement Officer under section 9.1 of this By-law.

7.0 **Penalties**

- 7.1 Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act R.S.O. 1990, c. P.33.
- 7.2 Every person guilty of an offence under this by-law may, if permitted under the Provincial Offences Act, shall pay a set fine and the Chief Judge of the Ontario Court Provincial division, shall be requested to establish set fines in accordance with Schedule "H" attached to this by-law.
- 7.3 Each day a contravention occurs constitutes a new offence.

8.0 **Administrative Penalties**

- 8.1 Every person who contravenes any of the provisions of this By-law, including those

contained in any of the Schedules and every director of a corporation who concurs in such contravention by the corporation is guilty of an offence and may be subject to an Administrative Penalty or as an offence and conviction liable to a fine in keeping with the provisions of the Provincial Offences Act.

- 8.2 A By-Law Enforcement Officer who finds that a person has contravened any provision of this By-law may issue a penalty notice addressed to that person.
- 8.3 Any person who contravenes any provision of this By-law shall, upon issuance of a penalty notice pursuant to Section 7.2, be liable to pay to the Municipality an administrative penalty in the amount as noted within the Fee and Charges Bylaw.
- 8.4 A By-Law Enforcement Officer has the right to issue an elevated fine as noted under the Fee and Charges By-law, when a violation has reoccurred at the same property, or by the same Person.
- 8.5 The penalty notice shall be given to the person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
- a. Particulars of the contravention, including to which property it applies;
 - b. The amount of the administrative penalty;
 - c. A statement advising that an administrative penalty will constitute a debt to the Municipality.
- 8.6 A person who has been issued a penalty notice shall pay the administrative penalty within fifteen (15) days from the date the notice was issued.
- 8.7 An administrative penalty that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the property on which the offence occurred.

9.0 **Severability**

- 9.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law. Such section shall be severed, and it is hereby declared that the remainder of the by-law shall be valid and shall remain in full force and effect. All Schedules referred to in this by-law are deemed to be part of this by-law.
- 9.2 In the event of any conflict between any provisions of this by-law or any other by-law heretofore passed, the provisions of this By-law shall prevail.

10.0 **Enforcement**

- 10.1 This By-law shall be enforced by a By-Law Enforcement Officer.
- 10.2 Nothing herein shall be deemed to limit the ability of the Ontario Provincial Police to enforce this by-law at any time.

11.0 **Schedules**

- 11.1 Schedules A,B,C,D,E,F,G, and H attached form part of this by-law.

12.0 **Repeal**

12.1 That By-law No. 2009-94 and any amendments thereto are hereby repealed upon receiving approval from the Ministry of the Attorney General for the set fines as identified in Schedule “H” of this by-law.

13.0 **Short Title**

13.1 The short title of this by-law shall be the “Business Licensing By-Law”

Enacted and passed this **24th** day of **February 2025**.

Signed _____
Mayor (Nancy Alcock)

Signed _____
Clerk (Tanya Calleja)

SCHEDULE “A” TO BY-LAW No. 2025-18

REFRESHMENT VEHICLES

1.0 **Definitions:**

The following terms shall be used in addition to definition in the governing bylaw for this Schedule:

- 1.1 **“Accessory Structure”** means a portable structure to a maximum size of 160 square feet that is located on the same lot, intended for storage of goods or products in conjunction with the Refreshment vehicle, or a structure used to cover in a seating/dining area, and does not include the sale of any food or drink.
- 1.2 **“Cart”** means a bicycle, portable wagon or handcart that is moved from Place to Place exclusively by muscular power;
- 1.3 **“Catering Truck”** means a motor vehicle from which prepackaged Food and beverages, are offered for sale to employees and other workers, on private property at the invitation of a property Owner or business or a contractor working on the property;
- 1.4 **“Certificate of Inspection”** means a certificate of approval issued by the Health Unit or applicable persons after a successful Food Safety Inspection Report has been conducted;
- 1.5 **“Commercial General Liability Insurance”** means a certificate of insurance issued by an authorized representative of the insurance company. The insurance company must be authorized to carry on the business of insurance in the Province of Ontario in accordance with the *Insurance Act*, R.S.O. 1990, c. I.8 as amended, that shows the proof of liability coverage as required by this by-law. The Town reserves the right to request a certified copy of the insurance policy issued by the authorized representative of the insurance company.
- 1.6 **“Community Planning Permit By-law”** means any by-laws enacted by the Town under Section 34 of the Planning Act, RSO 1990 c. P.13 that restricts the use of land.
- 1.7 **“Food”** shall include Food or drink for sale and human consumption it includes refreshments, confections and alcohol sales licensed through the Alcohol and Gaming Commission for Ontario;
- 1.8 **“Food Truck”** means a motorized vehicle from which Food is cooked, carried or offered for sale for consumption to the general public but does not include a Catering truck, trailer, Cart or vehicle propelled only by muscular power;
- 1.9 **“Highway”** as defined in the Highway Traffic Act, R.S.O. 1990, c. H.8;
- 1.10 **“Refreshment Vehicle”** means any vehicle, Cart, Food Truck or Stand from which Food is sold or offered for sale for consumption by the public and includes wagons, trailers, bicycle carts, Catering trucks and portable structures;
- 1.11 **“Special Event”** has the same meaning as in the Town’s SEAT by-law;
- 1.12 **“Stand”** means a portable building or structure that is used to prepare and/or serve Food

to the general public.

1.13 “**Waste**” means any material, substance, byproduct that is discarded and includes.

2.0 **Refreshment Vehicle Licenses:**

2.1 No person shall operate a Refreshment Vehicle anywhere within the Town without possessing and displaying a Valid Business License issued by the Town.

2.2 A Refreshment Vehicle is permitted to have up to one accessory structure associated with the business.

2.3 In accordance with Sentence 2.4, a maximum of two (2) Refreshment Vehicles shall be placed on an individual lot within the Town.

2.4 Upon receipt of a second Refreshment Vehicle application on a lot, a By-law Enforcement Officer, shall take the following factors into consideration:

- (a) that there were not two of the same kind of Refreshment Vehicle(s) on the same property;
- (b) the minimum distance between Refreshment Vehicles, as prescribed in sentence 6.11 for structures;
- (c) the minimum parking requirements as set out in the Town’s Community Planning Permit By-law for the existing uses on site can be maintained;
- (d) the requested second refreshment vehicle does not offer the same types of Food as any fixed restaurant within 100m

3.0 **Exemptions:**

3.1 Sections 2.1, 2.2, 2.3, 4.1 and 4.2 of this Schedule “A” do not apply to a Refreshment Vehicle when it is:

- (a) operated by, or on behalf of, a charitable organization with all the proceeds from the operation of the Refreshment Vehicle being retained by, or provided to, the charitable organization;
- (b) approved by a By-law Enforcement Officer to operate on a not-for-profit sales basis; or
- (c) operated as part of a Special Event as defined in the SEAT By-law.

4.0 **Refreshment Vehicle Business License Application:**

4.1 Every person making Application for a Business License shall submit the following information and/or documentation to the Town as part of a completed Application package:

- (a) a completed Town Business License Application form with the required Business License fee as contained in the Town Fees and Charges By-law currently in effect;

- (b) proof of Valid insurance (as applicable);
 - (i) Commercial General Liability Insurance in an amount not less than two million dollars (\$2,000,000.00) per occurrence for the term of the Business License.
 - (ii) automotive liability insurance in an amount not less than two million dollars (\$2,000,000) for all motor vehicles being operated as Refreshment Vehicles on any portion of a Highway.
- (c) written permission, from the Owner of the Place of Business, that includes a time frame in which the Refreshment Vehicle can be operated;
- (d) a copy of a Certificate of Inspection from a Health Unit Inspection;
- (e) a copy of each of the following where applicable:
 - (i) a TSSA annual inspection certificate, MFSE-002
 - (ii) a copy of certificate of hydro inspection – ESA
 - (iii) a copy of the current vehicle ownership and safety certificate
 - (iv) a recent (within six months) Certificate of inspection for the fire suppression system
 - (v) a Field Approval by TSSA or certified and labeled by a certified organization accredited by the Standards Council of Canada
 - (vi) inspection by the Town's Fire Department
 - (vii) A site sketch of where the Refreshment Vehicle will be located on the property
 - (viii) Details on type of Foods and beverages that will be sold

4.2 The By-Law Enforcement Officer shall, prior to the issuance of the Business License, confirm compliance of the proposed site with the Community Planning Permit By-law, as set out in the Application.

5.0 **Term of a Refreshment Vehicle Business License:**

5.1 The term of every Business License shall be indicated on the Business License. After such time the Business License shall become null and void. The term of any Business License issued shall be either:

Annual – January 1st-December 31st inclusive;

Seasonal – May 1st to October 31st inclusive

Monthly – Thirty (30) consecutive calendar days (extension of a seasonal license)

6.0 **General Provisions:**

6.1 No person licensed under this by-law shall create, cause or permit any nuisance to arise in any Place of Business for which the Business License is issued, or in connection with any object or vehicle used for or by the licensed business.

6.2 No person shall operate a Refreshment Vehicle anywhere within the Town:

- (a) between the hours of 11:00 p.m. and 7:00 a.m. when parked or located on private property;
- (b) outside of the hours specified in a Special Event permit when operating as part of a Special Event, which may be different then the hours specified in 7.2(a);
- (c) outside of the hours identified in a Business License when parked or located on

Town property.

- 6.3 Unless authorized as part of a Special Event permit, no person shall locate a Refreshment Vehicle on any portion of a sidewalk or roadway at any time.
- 6.4 Unless the roadway has been closed by the authority having jurisdiction for a Special Event, no person operating a Refreshment Vehicle shall dispense a Food product from the Refreshment Vehicle to any person while the person is located on a roadway.
- 6.5 No person shall operate a Refreshment Vehicle within 10 metres of a Restaurant currently open for business when, in the opinion of the Town, the Refreshment Vehicle is offering for sale or selling comparable Food products to that of the open Restaurant.
- 6.6 No person shall operate a Refreshment Vehicle within 50 metres of an area being used as part of a Town approved Special Event unless:
 - a) The Licensee already has an established Place of Business which is in closer proximity to the location of the Special Event;
 - b) The Licensee of the Refreshment Vehicle has been approved to participate in the Special Event; or
 - c) Written confirmation has been obtained from the Special Event organizer indicating non-objection to the Refreshment Vehicle location if located within 50 metres of the Special Event.
- 6.7 No person shall operate a Refreshment Vehicle consisting of a Food Truck, trailer or Stand unless:
 - a) a Waste receptacle with a lid is provided by the Licensee for customer Waste collection;
 - b) the Waste receptacle is located in a position to be easily accessible by customers at all times;
 - c) the Waste receptacle is emptied at the conclusion of each business day by the Licensee or other person in control of the Food Truck, trailer or Stand;
 - d) all emptied Waste is disposed of in accordance with the by-laws of the authority having jurisdiction at the sole expense of the Licensee.
- 6.8 No person shall operate a Refreshment Vehicle unless all litter and debris in the immediate area of the Refreshment Vehicle that has been generated by the operation of the Refreshment Vehicle is picked up and placed in the Licensee's provided Waste receptacle by the Licensee or other person in control of the Refreshment Vehicle.
- 6.9 No person shall operate a Refreshment Vehicle that uses liquid propane gas (LPG) or natural gas (LNG) unless an inspection of the Refreshment Vehicle has been conducted and a Valid approval certificate issued by a licensed gas fitter or the Technical Standards Safety Association (TSSA). A Valid inspection certificate must be obtained and provided to a By-law Enforcement Officer at least once each year that the Refreshment Vehicle is in operation.
- 6.10 Refreshment Vehicles conducting any cooking operations, shall have one portable fire extinguisher installed in accordance with NFPA 10 (not less than a 3A10BC rating)

(5lbs). An additional Class K fire extinguisher shall be provided for cooking appliance hazards that involve combustible cooking media (vegetable oils and animal oils and fats). Each portable extinguisher shall have a tag securely attached to it showing that it has been serviced within the last 12 months by a qualified contractor.

- 6.11 No person shall operate a Refreshment Vehicle using any combustible fuel appliance within 3 meters of any structure, door, window, other opening into a building or refreshment vehicle.
- 6.12 All LPG, LNG or combustible fuel containers shall remain in a secure position.
- 6.13 No person shall operate a Refreshment Vehicle drawn or propelled by one or more animals.
- 7.0 **Additional Regulations for Refreshment Vehicles Operating on Town Property:**
- 7.1 No person shall operate a Refreshment Vehicle from any Town owned property unless:
 - (a) it is operated in accordance with any rental agreement or applicable Business License Terms and Conditions;
 - (b) it is removed from the Town property each day between 11:00 p.m. and 7:00 a.m.

SCHEDULE “B” TO BY-LAW No. 2025-18

TRANSIENT TRADERS

1.0 **Definitions:**

The following terms shall be used in addition to definition in the governing bylaw for this Schedule:

- 1.1 **“Background Check”** means a criminal record and police check;
- 1.2 **“Commercial General Liability Insurance”** means a certificate of insurance issued by an authorized representative of the insurance company. The insurance a company must be authorized to carry on the business of insurance in the Province of Ontario in accordance with the *Insurance Act*, R.S.O. 1990, c. I.8 as amended, that shows the proof of liability coverage as required by this by-law. The Town reserves the right to request a certified copy of the insurance policy issued by the authorized representative of the insurance company.
- 1.3 **“Special Event”** has the same meaning as in the Town’s SEAT by-law;
- 1.4 **“Transient Trader”** means any person who goes from place to place selling or offering for sale a service of any kind or any goods, wares or merchandise for sale, or who carries and displays samples, patterns or specimens of any goods, wares or merchandise for which immediate sales are made or for which orders are taken with delivery to follow;
- 1.5 **“Valid”** means currently in effect and not expired.

2.0 **Transient Trader License:**

- 2.1 No person shall carry on business activities as a Transient Trader anywhere within the Town without possessing and displaying a Valid Business License issued by the Town.

3.0 **Exemptions:**

- 3.1 Sections 2.1 and 4.1 of this Schedule “B” do not apply to the following activities as they are not deemed Transient Trader businesses for the purposes of business licensing under this by-law:
- (a) a manufacturing activity or industry;
 - (b) the sale of goods by wholesale;
 - (c) the generation, exploitation, extraction, harvesting, processing, renewal or transportation of natural resources;
 - (d) the sale of goods, wares or merchandise in accordance with the Federal *Bankruptcy and Insolvency Act*, R.S., 1985, C. B-3;
 - (e) the sale of goods, wares or merchandise if they are grown or produced by a farmer or an employee of a farmer on land within the Town of Huntsville and offered for sale or sold on the farm where the goods, wares or merchandise was grown or produced;

- (f) the sale of goods, wares or merchandise at a Special Event, craft show, bazaar, the 100K or Huntsville Farmers' Market or other like event;
- (g) the sale of goods, wares or merchandise by an existing retailer if the temporary selling activity is an extension of the existing permanent business.
- (h) the sale of goods, wares or merchandise or the solicitation of donations by a charitable organization or non-profit group or agency.

4.0 Transient Trader Business License Application:

4.1 Every person making Application for a Transient Trader Business License shall submit the following information and/or documentation to the Town as part of a completed Application package:

- (a) a completed Town Business License Application form with the required Business License fee as contained in the Town Fees and Charges by-law currently in effect;
- (b) proof of valid Commercial General Liability Insurance in an amount not less than two million dollars (\$2,000,000.00) per occurrence for the term of the Business License;
- (c) written permission, from the Owner of the Place upon which the business will be operated;
- (d) a list of all employees names, addresses and birth dates, along with a Background Check for each person engaged as a Transient Trader which shall be obtained by the Applicant at its own cost and shall have been issued within in the past 365 days.

4.2 The By-Law Enforcement Officer shall prior to the issuance of the Business License, confirm compliance of the proposed site as set out in the Application with the Community Planning Permit Bylaw.

5.0 Term of a Business License:

5.1 The term of every Business License shall be indicated on the Business License. After such time the Business License shall become null and void. The maximum term of any Business License issued shall be either:

Semiannually - Six (6) consecutive Months

5.2 Transient Traders shall only operate in business:

Monday through Friday - regular business
hours; Saturdays - 12:00 P.M. to 6:00 P.M.;
Sundays and Statutory Holidays – Prohibited.

6.0 General Provisions:

6.1 Transient traders shall always respect the residents of the Town; especially if asked to remove themselves, their employee(s) merchandise or vehicles from a resident's property.

- 6.2 Transient traders shall upon demand produce their Business License immediately.
- 6.3 No person shall carry on the business of a Transient Trader without the written permission of the property Owner, including the Town.
- 6.4 No person can carry on the business of a Transient Trader in a location which would cause a public hazard.
- 6.5 Every person licensed under this by-law shall not create, cause or permit any nuisance to arise in any Place of Business for which the Business License is issued, or in connection with any object or vehicle used for or by the licensed business.
- 6.6 Unless authorized as part of a Special Event permit, no Transient Trader shall locate their Place of Business on any portion of a sidewalk or roadway at any time.
- 6.7 Unless the roadway has been closed by the authority having jurisdiction for a Special Event, no Transient Trader shall conduct their business with any person while the person is located on a roadway.

SCHEDULE “C” TO BY-LAW No. 2025-18

EROTICA VENDORS

1.0 **Definitions:**

The following terms shall be used in addition to definition in the governing bylaw for this Schedule:

- 1.1 **“Background Check”** means a criminal record and police check;
- 1.2 **“Commercial General Liability Insurance”** means a certificate of insurance issued by an authorized representative of the insurance company. The insurance a company must be authorized to carry on the business of insurance in the Province of Ontario in accordance with the *Insurance Act*, R.S.O. 1990, c. I.8 as amended, that shows the proof of liability coverage as required by this by-law. The Town reserves the right to request a certified copy of the insurance policy issued by the authorized representative of the insurance company.
- 1.3 **“Community Planning Permit Bylaw”** means any bylaws enacted by the Town under 173/16 of the Planning Act, RSO 1990 c. P.13 that restricts the use of land.
- 1.4 **“Erotic” or “Erotica”** means goods, wares or merchandise that is designed to appeal to an Erotic or sexual appetites or inclinations;
- 1.5 **“Erotica Vendor”** means any person who sells Erotica but does not include:
 - (a) A bookseller of Erotic books which has less than 10% of titles in stock; or
 - (b) A lessor of Erotic motion pictures on videotape, DVD, Blu-ray or other media which has less than 10% of titles in stock; or
 - (c) A seller of Erotic merchandise which has less than 5% of merchandise.
- 1.6 **“Operator”** means the person who deals with the day to day operations of the business;
- 1.7 **“Residential”** means an area zoned for Residential use in the Town’s Community Planning Permit Bylaw;

2.0 **Erotica Vendor Licenses:**

- 2.1 No person shall operate as an Erotica Vendor anywhere within the Town unless the Community Planning Permit Bylaw permits the use and establishment possesses and displays a Valid Business License issued by the Town.

3.0 **Erotica Vendor Business License Application:**

- 3.1 Every person making Application for an Erotica Vendor Business License shall submit the following information and/or documentation to the Town as part of a completed Application package:
 - (a) a completed Town Business License Application form with the required Business License fee as contained in the Town Fees and Charges by-law currently in effect;

- (b) written permission, from the Owner of the Place upon which the business will be operated;
- (c) Commercial General Liability Insurance in an amount not less than two million dollars (\$2,000,000.00) per occurrence for the term of the Business License; and
- (d) a list of all employees names, addresses and birth dates, along with a Background Check for each person engaged as a Transient Trader which shall be obtained by the Applicant at its own cost and shall have been issued within in the past 365 days.

3.2 The By-Law Enforcement Officer shall prior to the issuance of the Business License, confirm compliance of the proposed site as set out in the Application with the Community Planning Permit Bylaw

4.0 **Term of an Erotica Vendor Business License:**

4.1 The term of every Business License shall be indicated on the Business License. After such time the Business Licence shall become null and void. The term of any Business License issued shall be:

Annual – Jan 1st to December 31st inclusive.

5.0 **General Provisions:**

5.1 Every Licensee shall ensure that the Erotica being sold cannot be seen from outside the Place of Business.

5.2 Every Licensee shall not permit any person to shout, speak to, distribute handbills to, or solicit persons passing by the Place of Business for the purpose of promoting or patronizing the Erotica Vendor or entering such establishment.

5.3 Every Licensee shall not use any public address system, sound equipment, loud speaker or similar devices outside the licensed Place of Business.

5.4 No Licensee shall use any sign, advertising or advertising device, including any printed matter, photograph, drawing or other artistic rendering appealing to or designed to appeal to Erotic or sexual appetites posted or used outside the Place of Business for the purpose of promoting the Erotica Vendor.

5.5 No person may erect or maintain any sign advertising the business of an Erotica Vendor, except in accordance with Town By-laws, including the Sign By-law.

5.6 Nothing within this by-law shall be deemed to constrain any person from erecting or maintaining any sign or advertising on any interior wall of an Erotica Vendor's Place of Business, the Licensee shall ensure that content of such sign or advertising is not visible from the exterior of such Place.

5.7 The sales of Erotica shall not be conducted in any part of the premises used for Residential purposes.

5.8 No entrance to any Residential use shall be through any part of the Erotica Vendor.

- 5.9 Every Licensee shall not refuse entry any time of the day or night to the By-law Enforcement Officer or an Ontario Provincial Police Officer carrying out an inspection to determine whether the by-law is being complied with, and the By-law Enforcement Officer or Ontario Provincial Police Officer may make such examinations, investigations and inquiries as they determine in their sole discretion are necessary.

SCHEDULE “D” TO BY-LAW No. 2025-18

MASSAGE PARLOUR

1.0 **Definitions:**

The following terms shall be used in addition to definition in the governing bylaw for this Schedule:

- 1.1 **“Background Check”** means a criminal record and police check;
- 1.2 **“Commercial General Liability Insurance”** means a certificate of insurance issued by an authorized representative of the insurance company. The insurance company must be authorized to carry on the business of insurance in the Province of Ontario in accordance with the *Insurance Act*, R.S.O. 1990, c. I.8 as amended, that shows the proof of liability coverage as required by this by-law. The Town reserves the right to request a certified copy of the insurance policy issued by the authorized representative of the insurance company.
- 1.3 **“Community Planning Permit By-law”** means any bylaws enacted by the Town under 173/16 of the Planning Act, RSO 1990 c. P.13 that restricts the use of land.
- 1.4 **“Massage”** includes the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person’s body, but does not include body rubs performed, offered or solicited for the purpose of medical or therapeutic treatment persons otherwise duly qualified, licensed, certified or registered to do so under the laws of the Province of Ontario;
- 1.5 **“Massage Parlor”** means a Place where body rubs, including the kneading, manipulation, rubbing, massaging, touching or stimulating by any means of a person’s body, are performed, offered or solicited in the premises or part of the premises, excluding premises or part of them where body- rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment or registered to do so under a statute of Ontario.
- 1.6 **“Operator”** means the person who deals with the day to day operations of the business;
- 1.7 **“Residential”** means an area zoned as Residential in the Town’s Community Planning Permit Bylaw;

2.0 **Licenses:**

- 2.1 No person shall operate as a Massage Parlour anywhere within the Town unless the Community Planning Permit Bylaw Permits the use and without possessing and displaying a Valid Massage Parlour Business License issued by the Town.

3.0 **Business License Application:**

- 3.1 Every person making Application for a Massage Parlour Business License shall submit the following information and/or documentation to the Town as part of a completed Application package:
 - (a) A completed Town Business License Application form with the required Business License fee as contained in the Town Fees and Charges by-law currently in effect;

- (b) Written permission, from the Owner of the Place upon which the business will be operated;
- (c) Commercial General Liability Insurance in an amount not less than Five million dollars (\$5,000,000.00) per occurrence for the term of the Business License; and
- (d) a list of all employees names, addresses and birth dates, along with a Background Check for each person working in the Massage Parlour which shall be obtained by the Applicant at its own cost and shall have been issued within in the past 365 days.

3.2 The By-Law Enforcement Officer shall as a condition of the Business License confirm compliance with the Community Planning Permit Bylaw of the proposed site as set out in the Application prior to the issuance of a Business License.

4.0 **Term of a Massage Parlour Business License:**

4.1 The term of every Business License shall be indicated on the Business License. After such time the Business License shall become null and void. The term of any Business License issued shall be:

Annual – Jan 1st to December 31st inclusive.

5.0 **General Provisions:**

- 5.1 Every Licensee shall ensure that a Massage cannot be seen or heard outside the Place of Business.
- 5.2 Every Licensee shall not permit any person to shout, speak to, distribute handbills to, or solicit persons passing by the Place of Business for the purpose of promoting or patronizing the Massage Parlour or entering such establishment.
- 5.3 Every Licensee shall not use any public address system, sound equipment, loudspeaker or similar devices outside the licensed Place of Business.
- 5.4 No Licensee shall use any sign, advertising or advertising device, including any printed matter, photograph, drawing or other artistic rendering appealing to or designed to appeal to Erotic or sexual appetites posted or used outside the Place of Business for the purpose of promoting the Massage Parlour.
- 5.5 No person may erect or maintain any sign advertising the business of a Massage Parlour, except in accordance with Town By-laws, including the Sign By-law.
- 5.6 Nothing within this by-law shall be deemed to constrain any person from erecting or maintaining any sign or advertising on any interior wall of a Massage Parlour's Place of Business, the Licensee shall ensure that content of such sign or advertising is not visible from the exterior of such Place.
- 5.7 The Massage Parlor shall not extend to any part of the premises used for Residential purposes.
- 5.8 No entrance to any Residential use shall be through any part of the Massage Parlour.

- 5.9 No Premises or part thereof used as a Massage Parlor shall be used as a dwelling or for sleeping purposes.
- 5.10 Every Licensee shall not refuse entry any time of the day or night to the By-law Enforcement Officer or an Ontario Provincial Police Officer carrying out an inspection to determine whether the by-law is being complied with, and the By-law Enforcement Officer or Ontario Provincial Police Officer may make such examinations, investigations and inquiries as they determine in their sole discretion are necessary.
- 5.11 No Owner or Operator may use or permit to be used any camera or other photographic or recording device at a Massage Parlour, except in the entrance lobby of the Place of Business for security purposes.

SCHEDULE “E” TO BY-LAW No. 2025-18

ADULT ENTERTAINMENT ESTABLISHMENT

1.0 Definitions:

The following terms shall be used in addition to definition in the governing bylaw for this Schedule:

- 1.1 **“Background Check”** means a criminal record and police check;
- 1.2 **“Certificate of Proof of Age”** means an original of a legal birth certificate or other certificate or card issued pursuant to a statute or regulation of the Government of Canada or the Province of Ontario or another Province or Territory within Canada, attesting to the date of birth or age of the Individual to whom it is issued.
- 1.3 **“Commercial General Liability Insurance”** means a certificate of insurance issued by an authorized representative of the insurance company. The insurance company must be authorized to carry on the business of insurance in the Province of Ontario in accordance with the *Insurance Act*, R.S.O. 1990, c. I.8 as amended, that shows the proof of liability coverage as required by this by-law. The Town reserves the right to request a certified copy of the insurance policy issued by the authorized representative of the insurance company.
- 1.4 **“Community Planning Permit Bylaw”** means any bylaws enacted by the Town under 173/16 of the Planning Act, RSO 1990 c. P.13 that restricts the use of land.
- 1.5 **“Erotic” or “Erotica”** means goods, wares or merchandise that is designed to appeal to an Erotic or sexual appetites or inclinations;
- 1.6 **“Adult Entertainment Establishment”** means any land, structure or premises or part thereof in which is provided, in pursuance of a trade, calling business or occupation, services appealing to or designed to appeal to Erotic or sexual appetites or inclinations.
- 1.7 **“Operator”** means the person who deals with the day to day operations of the business.
- 1.8 **“Live Performance”** means any performance, exhibition or activity designed to appeal to Erotic or sexual appetites or inclinations:
 - (a) in which a principal feature or characteristic is the nudity or partial nudity of any person; or
 - (b) in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word, picture, symbol or representation having a like meaning or implication is displayed in any sign, advertisement, or advertisement device, and without restricting the generality of the foregoing, includes any performance, exhibition, or activity, involving striptease dancers, go-go dancers, exotic dancers, wet clothing contests, or best body part contests.
- 1.9 **“Residential”** means an area zoned as Residential in the Town’s Community Planning Permit Bylaw.

2.0 **License:**

- 2.1 No person shall operate an Adult Entertainment Establishment anywhere within the Town unless the Community Planning Permit Bylaw permits the use and without possessing and displaying a Valid Adult Entertainment Establishment Business License issued by the Town.

3.0 **Business License Application:**

- 3.1 Every person making Application for a Adult Entertainment Establishment Business License shall submit the following information and/or documentation to the Town as part of a completed Application package:
- (a) a completed Town Business License Application form with the required Business License fee as contained in the Town Fees and Charges By-law currently in effect;
 - (b) certificate of proof of age that the Applicant is (19) nineteen years of age;
 - (c) the current prescient of the premises in which the Adult Entertainment Establishment is to be operated;
 - (d) Commercial General Liability Insurance in an amount not less than Five million dollars (\$5,000,000.00) per occurrence for the term of the Business License; and
 - (e) a current criminal record search for all Owners, Operators and employees who are (18) eighteen years of age or over; which shall be obtained by them at their own expense.

4.0 **Term of an Adult Entertainment Establishment Business License:**

- 4.1 The term of every Business License shall be indicated on the Business License. After such time the Business License shall become null and void. The term of any Business License issued shall be:

Annual – Jan 1st to December 31st inclusive.

5.0 **General Provisions:**

- 5.1 Every Licensee shall ensure that a Live Performance cannot be seen or heard outside the Place of Business.
- 5.2 Every Licensee shall not permit any person to shout, speak to, distribute handbills to, or solicit persons passing by the Place of Business for the purpose of promoting or patronizing the Adult Entertainment Establishment or entering such establishment.
- 5.3 Every Licensee shall not use any public address system, sound equipment, loud speaker or similar devices outside the licensed Place of Business.
- 5.4 No Licensee shall use any sign, advertising or advertising device, including any printed matter, photograph, drawing or other artistic rendering appealing to or designed to appeal to Erotic or sexual appetites posted or used outside the Place of Business for the purpose of promoting the Adult Entertainment Establishment.
- 5.5 No person may erect or maintain any sign advertising the business of an Adult Entertainment Establishment, except in accordance with Town By-laws, including the Sign

By-law.

- 5.6 Nothing within this by-law shall be deemed to constrain any person from erecting or maintaining any sign or advertising on any interior wall of an Adult Entertainment Establishment's Place of Business, the Licensee shall ensure that content of such sign or advertising is not visible from the exterior of such Place.
- 5.7 The Adult Entertainment Establishment shall not extend to any part of the premises used for Residential purposes.
- 5.8 No entrance to any Residential use shall be through any part of the Adult Entertainment Establishment.
- 5.9 No Premises or part thereof used as an Adult Entertainment Establishment shall be used as a dwelling or for sleeping purposes.
- 5.10 Every Licensee shall ensure that no services are provided at an Adult Entertainment Establishment other than in accordance with the requirements of this by-law.
- 5.11 No Owner or Operator may use or permit to be used any camera or other photographic or recording device at an Adult Entertainment Establishment by any person, except in the entrance lobby of the Place of Business or when the business is closed for security purposes.
- 5.12 Every Licensee shall not refuse entry any time of the day or night to the By-law Enforcement Officer or an Ontario Provincial Police Officer carrying out an inspection to determine whether the by-law is being complied with, and the By-law Enforcement Officer or Ontario Provincial Police Officer may make such examinations, investigations and inquiries as they determine in their sole discretion are necessary.

SCHEDULE “F” TO BY-LAW No. 2025-18

GARAGE OR YARD SALES

1.0 Definitions:

The following terms shall be used in addition to definition in the governing bylaw for this Schedule:

- 1.1 **“Garage or Yard Sale”** means a sale of personal effects by a private Individual, community association or family provided that the personal effects are owned by the Individual, community association or family that resides where the sale is occurring;

2.0 General Provisions:

- 2.1 No person shall have more than four (4) sales held in a calendar year.
- 2.2 Each sale shall be no longer than two (2) days, three (3) days on a statutory long weekend.

Schedule “G”



No: 20XX-01-1111

TOWN OF HUNTSVILLE PERMIT

This Business License is granted to **XXXXXX XXXXX** of **XXX XXXXX XXXX** to carry on the Business of a **XXXXXX XXXXX** - in accordance with By-law 2025-XX and any amending By-laws.

Provided that **XXXXXX XXXXX** shall duly observe all such By-laws, Rules and Regulations, matters and things as are, or may be enacted by the Council of the Corporation of the ***TOWN OF HUNTSVILLE***.

Business License Valid Until: XX XXX, 201X

By-Law Enforcement Officer

THE CORPORATION OF THE TOWN OF HUNTSVILLE

PART I PROVINCIAL OFFENCES ACT

**By-Law No. 2025-18 – Business Licensing By-Law
Schedule “H”**

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1.	Fail to maintain, keep safe, clean or repair any Place of Business	1.19	\$ 250.00
2.	Hinder or obstruct an officer from performing their duty	5.1	\$ 250.00
3.	Operate Refreshment Vehicle without a Business License	Sch A 2.1	\$ 250.00
4.	Place more than one Accessory Structure on any property	Sch A 2.2	\$250.00
5.	Create, cause or permit nuisance in connection with licensed Place of Business	Sch. A 6.1	\$ 250.00
6.	Operate Refreshment Vehicle within the Town during prohibited hours on private property	Sch. A 6.2a	\$ 250.00
7.	Operate Refreshment Vehicle within the Town outside of the Special Event hours	Sch. A 6.2b	\$ 250.00
8.	Operate Refreshment Vehicle within the Town outside of the hours identified in a Business License	Sch. A 6.2c	\$ 250.00
9.	Locate Refreshment Vehicle on a sidewalk or roadway	Sch. A 6.3	\$ 250.00
10.	Dispense a food product while a person is on a roadway	Sch. A 6.4	\$ 250.00
11.	Operate Refreshment Vehicle within 10 meters of a Restaurant	Sch. A 6.5	\$ 250.00
12.	Operate Refreshment Vehicle within 50 meters of a Special Event where approval has not been obtained	Sch. A 6.6	\$ 250.00
13.	Fail to provide Waste container	Sch. A 6.7a	\$ 250.00
14.	Fail to pick up litter or debris from the immediate area	Sch. A 6.8	\$ 250.00

THE CORPORATION OF THE TOWN OF HUNTSVILLE

PART I PROVINCIAL OFFENCES ACT

**By-Law No. 2025-18 – Business Licensing By-Law
Schedule “H”**

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
15.	Fail to have LPG, LNG inspected	Sch. A 6.9	\$ 250.00
16.	Fail to have fire extinguisher readily accessible	Sch. A 6.10	\$ 250.00
17.	Operate combustible fuel appliance within 3 meters of any structure, door, window, opening, alcove or alleyway Or refreshment vehicle	Sch. A 6.11	\$ 250.00
18.	Fail to secure all LPG, LNG or combustible fuel containers	Sch. A 6.12	\$ 250.00
19.	Operate a Refreshment Vehicle drawn or propelled by one or more animals	Sch. A 6.13	\$ 250.00
20.	Operate Refreshment Vehicle on municipal property without a rental agreement or Business License	Sch. A 7.1a	\$ 250.00
21.	Fail to remove Refreshment Vehicle from Town owned property between 11:00 PM and 7:00 AM	Sch. A 7.1b	\$ 250.00
22.	Operate as a Transient Trader without a Business License	Sch. B 2.1	\$ 250.00
23.	Operate during prohibited hours	Sch. B 5.2	\$ 250.00
24.	Transient Traders fail to produce Business License	Sch. B 6.2	\$ 250.00
25.	Operate without the written permission	Sch. B 6.3	\$ 250.00
26.	Transient Trader carry on the business in a location causing a public hazard	Sch. B 6.4	\$ 250.00
27.	Create, cause or permit nuisance in connection with licensed Place of Business	Sch. B 6.5	\$ 250.00
28.	Transient Trader located on sidewalk or roadway	Sch. B 6.6	\$ 250.00

THE CORPORATION OF THE TOWN OF HUNTSVILLE

PART I PROVINCIAL OFFENCES ACT

**By-Law No. 2025-18 – Business Licensing By-Law
Schedule “H”**

31.	Transient Trader operate business on a roadway that is not closed	Sch. B 6.7	\$ 250.00
32.	Operate as Erotica Vendor without a Business License	Sch. C 2.1	\$ 250.00
33.	Fail to ensure that all Erotica cannot be seen outside the Place of Business	Sch. C 5.1	\$ 250.00
34.	Permit person to shout, speak, solicit or distribute handbills	Sch. C 5.2	\$ 250.00
35.	Use public address system, sound equipment, or loud speaker outside the Place of Business	Sch. C 5.3	\$ 250.00
36.	Use any sign, advertising or device, posted outside to promote Erotica Vendor	Sch. C 5.4	\$ 250.00
37.	Erect or maintain any sign or advertising not in accordance with Town by-laws	Sch. C 5.5	\$ 250.00
38.	Licensee fail to ensure that signage or advertising is not visible from the exterior	Sch. C 5.6	\$ 250.00
39.	Sell Erotica in premises used for Residential purposes	Sch. C 5.7	\$ 250.00
40.	Permit entrance for Residential use through an Erotic Vendor	Sch. C 5.8	\$ 250.00
41.	Refuse entry for carrying out an inspection	Sch. C 5.9	\$ 250.00
42.	Operate as Massage parlor without a Business License	Sch. D 2.1	\$ 250.00
43.	Fail to ensure that a Massage cannot be seen or heard outside the Place of Business	Sch. D 5.1	\$ 250.00
44.	Permit person to shout, speak, solicit or distribute handbills for promoting the Massage Parlor	Sch. D 5.2	\$ 250.00
45.	Use public address system, sound equipment, or loud speaker outside the Massage Parlor	Sch. D 5.3	\$ 250.00

**THE CORPORATION OF THE TOWN OF
HUNTSVILLE PART I PROVINCIAL OFFENCES ACT
By-Law No. 2025-18 – Business Licensing By-Law
Schedule “H”**

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
46.	Licensee fail to ensure that signage or advertising is not visible from the exterior	Sch. D 5.4	\$ 250.00
47.	Erect or maintain any sign or advertising not in accordance with Town by-laws	Sch. D 5.5	\$ 250.00
48.	Permit Massage Parlor to extend to Residential area	Sch. D 5.7	\$ 250.00
49.	Permit entrance to Residential use through a Massage parlor	Sch. D 5.8	\$ 250.00
50.	Use Massage Parlor for dwelling or sleeping purposes	Sch. D 5.9	\$ 250.00
51.	Refuse entry for carrying out an inspection	Sch. D 5.10	\$ 250.00
52.	Use camera or other photographic or recording device	Sch. D 5.11	\$ 250.00
53.	Operate an Adult Entertainment Establishment without a Business License	Sch. E 2.1	\$ 250.00
54.	Fail to ensure that entertainment cannot be seen or heard outside the Place of Business	Sch. E 5.1	\$ 250.00
55.	Permit person to shout, speak, solicit or distribute handbills for promoting the Adult Entertainment Establishment	Sch. E 5.2	\$ 250.00
56.	Use public address system, sound equipment, or 5.3 loud speaker outside the Adult Entertainment Establishment	Sch. E	\$ 250.00
57.	Use any sign, advertising, device, printed matter 5.4 posted outside designed to promote live entertainment	Sch. E	\$ 250.00
58.	Erect or maintain any sign or advertising not in 5.5 accordance with Town by-laws	Sch. E	\$ 250.00

THE CORPORATION OF THE TOWN OF HUNTSVILLE

PART I PROVINCIAL OFFENCES ACT

**By-Law No. 2025-18 – Business Licensing By-Law
Schedule “H”**

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
59.	Permit Adult entertainment establishment to extend to premises used for Residential purposes	Sch. E 5.7	\$ 250.00
60.	Permit entrance to Residential use through licensed Adult Entertainment Establishment	Sch. E 5.8	\$ 250.00
61.	Use Adult Entertainment Establishment as a dwelling or for sleeping purposes	Sch. E 5.9	\$ 250.00
62.	Provide services not in connection with Adult Entertainment Establishment	Sch. E 5.10	\$ 250.00
63.	Permit use of camera or other photographic or recording Device	Sch. E 5.11	\$ 250.00
64.	Refuse entry for carrying out an inspection	Sch. E 5.12	\$ 250.00
65.	Have more than four (4) sales in a calendar year	Sch. F 2.1	\$ 250.00
66.	Have sale longer than permitted	Sch. F 2.2	\$ 250.00

NOTE: The general penalty provision for the offences listed above is Section 6.0 of the By-law 2025-18, a certified copy of which has been filed.