



The Village of
Nampa
A Place Close To The Heart

BYLAW #471

BEING A BYLAW OF THE VILLAGE OF NAMPA IN THE PROVINCE OF ALBERTA TO ESTABLISH LICENSING OF ALL BUSINESSES WITHIN THE VILLAGE OF NAMPA

WHEREAS, pursuant to section 7(e) of the *Municipal Government Act RSA 2000*, a council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business; and

WHEREAS, pursuant to section 7(i) of the *Municipal Government Act RSA 2000*, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all matters listed therein; and

WHEREAS, pursuant to section 7 (e) of the *Municipal Government Act R.S.A. 2000*, Chapter M-26 and amendments thereto, the Council of the Village of Nampa may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business; and

NOW THEREFORE, the Council of the Village of Nampa, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

- A. This bylaw may be cited as the Village of Nampa Business License Bylaw.

2. DEFINITIONS

- A. **ACT** means the *Municipal Government Act*, being Chapter M-26 Revised Statutes of Alberta, 2000 as amended or replaced from time to time.
- B. **APPLICANT** means a person who applies for a license or renewal of a license required by this Bylaw and shall mean a person who is appealing from the refusal, revocation or suspension of a license.
- C. **BUSINESS** means a commercial, merchandising or industrial activity or undertaking a profession, trade, occupation, calling or employment or an activity providing goods and services, as described in Schedule "B" of this bylaw and whether or not for profit and however organized or formed, including a cooperative or association of persons.
- D. **BUSINESS LICENSE OFFICER** means the Chief Administrative Officer, Development Authority, Bylaw Enforcement Officer or Peace Officer for the enforcement of the bylaw.
- E. **BUSINESS LOCATION** means the premises used or occupied by any person in the conduct of a business.
- F. **COUNCIL** means the Council of the Village of Nampa, elected pursuant to the *Local Authorities Act*, Revised Statutes of Alberta, 1994 and amendments thereto;
- G. **HOME OCCUPATION** means a business that is conducted in or from a residence in the Village of Nampa.
- H. **LICENSE** means a license issued pursuant to this bylaw.
- I. **LICENSE AUTHORITY** refers to BUSINESS LICENSE OFFICER.

- K. **NON-PROFIT ORGANIZATION** means a society or other entity which operates primarily for the benefit of the public and includes, without limitation:
 - i) or other religious organization;
 - ii) church service club; community,
 - iii) veterans, or youth organization; and
 - iv) a social, sport or fraternal club or organization.
- L. **VILLAGE** means the Village of Nampa, a municipal corporation of the Province of Alberta, and where the context so requires means the area contained within the corporate boundaries of the said municipality.

3. PERSONS SUBJECT TO LICENSE

- A. No person shall carry on any business as set out in Schedule "B" without having a valid business license.
- B. Notwithstanding any other provision in this Bylaw; a license shall not be required of a business carried on by the Government of Canada, the Government of Alberta or the Village of Nampa, nor shall a license be required by a person or business if any federal or provincial enactment exempts such person or business from requirements of municipal licensing.

4. EXEMPTIONS

- A. No Business License is required by:
 - I. a non-resident business whose only business activity is the supply or delivery of wholesale or bulk goods to a resident business;
 - II. any person who is an employee of another person who holds a Business License or a person or other entity not required to obtain a license pursuant to this Section 4, unless otherwise provided in this Bylaw;
 - III. any person under the age of eighteen (18) years providing individual light duty occasional services such as paper deliveries, babysitting, yard work and snow shovelling; and
 - IV. a person selling meat, fruit or other farm produce that has been raised or grown by him/herself (ie. Farmer's Market vendor)
 - V. any non-profit organization.
- B. For the purposes of section 4.1 (b), an "employee" is a person who is paid a salary or wage with respect to which there are deductions for any of Income Tax, Canada Pension Plan or Employment Insurance.

5. PROCEDURE FOR ISSUANCE OF LICENSE

A. Form of Application

An applicant for a license shall make application to the Village on the prescribed form, furnishing such information as the form shall require and such additional information as the Village may, from time to time require, including:

- i. license fee payable in respect of the business as established by Council.
- B. All licenses issued are subject to the land use regulations in force in the Village and the issuance of a license shall not be deemed as approval to carry on a business

in or on any premises in contravention of such regulations. In any case, where a license is granted to a person to carry on a business in or on premises where such activity is not permitted by the land use regulations of the Village of Nampa, the License Authority shall forthwith cancel the license.

- C. The License Authority shall not issue a license to a hawker for the purpose of selling food products or edibles of any nature unless and until, the food products and the license have both been approved and a permit issued from the Environmental Health Officer. Proof of approval must be provided by applicant to License Authority, prior to issuance of a Business License.
- D. No hawker who uses a vehicle in connection with sales as a hawker shall park the vehicle adjacent to a street unless the License Authority has first approved the location for such purpose.

6. DISPLAY AND PRODUCTION OF LICENSE

- A. A Business License shall be posted in a conspicuous place at the Business location so that it is visible to the customers of the Business.
- B. A Business License issued with respect to a Business that is not conducted at a fixed location shall be carried on the person of the Licensee or in or on the vehicle or apparatus from which such Business is conducted and shall be shown to a Business License Officer upon demand.
- C. All Business Licenses remain the property of the Village of Nampa.

7. LICENSE YEAR

- A. Every license issued under the provisions of this Bylaw shall terminate at midnight on the 31st day of December of the year in which said license was issued or such earlier date if the license has been revoked or suspended.
- B. Notwithstanding Subsection 7.1, the Village may issue a license for a special event for the time period required or approved for the event.
- C. Every license shall bear on its face the date on which it is issued and the current year's approval sticker.

8. ISSUANCE OF LICENSES

- A. No license shall be issued until the applicant has paid to the Village the fee as established by Council.
- B. The Village shall after October 31 of the license year, accept the annual fee for the remainder of the current year and the subsequent year of a new application.

9. TRANSFER OF LICENSES

- A. A subsisting license issued under this Bylaw may not be transferred to another person.

11. ADMINISTRATION

- A. The Village of Nampa shall:
 - i. receive, consider and decide upon all applications for a license;
 - ii. record such information with respect to licenses as may be considered necessary;

- iii. ensure payment of the appropriate fee; and
- iv. report to the Council on licensing in such a manner and at such times as they may require.

12. SCHEDULES

The document attached hereto and marked Schedule "A" and Schedule "B" shall form part of this Bylaw.

THAT this Bylaw shall come into effect on the final reading thereof.

READ a first time this 20 day of December, 2022

READ a second time this 20 day of December, 2022

READ a third time and finally passed this 20 day of December, 2022

for: Alysa Roshuk
MAYOR - Deputy Mayor

Dianne Roshuk
CHIEF ADMINISTRATOR OFFICER

SCHEDULE "A"

BUSINESS LICENSE FEE SCHEDULE

Business Located on Commercial Property	\$50.00 Annual
Home Based Business/Other	\$50.00 Annual
Public Market (weekly)	\$10.00 Weekly

SCHEDULE "B"

CLASSIFICATIONS

For the purpose of business license issuance, businesses shall be classified in one of the following categories.

"ACCOMMODATIONS" means a bed and breakfast, apartment rentals, hotel and/or motel, lot rentals, industrial camps.

"ALCOHOL SALES" means the selling of alcoholic beverages for consumption either on or off the premises. Typical uses are taverns, bars, lounges or liquor stores.

"AUTOMOTIVE SERVICES" means an automotive body and paint service, repairs automotive sales and service, automotive wrecker, automotive specialty, recreational vehicles sales and service, snowmobile and accessories sales, mechanics, tire sales, car rentals.

"BUSINESS SUPPORT SERVICE" means a printing, duplicating or binding services, photographic processing, office maintenance, secretarial services, security, sales, rental and repairs to office equipment, electronics sales, and communication services.

"CONSTRUCTION SERVICE" means lawn and landscaping services, electrical and plumbing heating services, painting, woodworking or similar services. Janitorial services, general contractors, heavy equipment sales and rentals, home renovations service and storage services.

"DELIVERY/TRANSPORTATION SERVICES" means providing vehicles for the delivery or transportation of people or goods. Typical uses include a trucking service, log haul service, bulk fuel service and taxis.

"FIREARM/AMMUNITION DEALER" means selling, purchasing, manufacturing, importing, exporting, repairing or altering of any firearm or ammunition.

"GAMING ESTABLISHMENT" means a facility requiring a bingo facility license or casino facility license pursuant to the Gaming and Liquor Act.

"GENERAL RETAIL SERVICE" means a dry-cleaning service, hair salon, tanning salon, laundromat, convenience store, tailor, shoe repair, pedicures, manicures and electrolysis service, video outlet, recycle depot, grocery store, clothing sales, fitness centre and industrial sales.

"GENERAL CONTRACTOR" means any person or business engaged in construction, building trades or construction project management that is under contract to develop or build any capital projects.

"HAWKER or PEDDLER" means the business of selling or offering merchandise and food

SCHEDULE "A"

BUSINESS LICENSE FEE SCHEDULE

Business Located on Commercial Property	\$50.00 Annual
Home Based Business/Other	\$50.00 Annual
Public Market (weekly)	\$10.00 Weekly