

CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE

BY-LAW NO. 80-26

A By-Law for Licensing, Regulating and Governing of Transient Traders within the Municipality of North Grenville

WHEREAS subsection 11(2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (the “Act”), authorizes a municipality to pass a by-law respecting the health, safety and well-being of persons;

AND WHEREAS subsection 11(3) of the Act, authorizes a municipality to pass a by-law respecting business licensing;

AND WHEREAS Section 128 of the Act, provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances.

AND WHEREAS Section 391 of the Act, provides that a municipality may impose fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS section 429 of the Act, provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under that Act;

AND WHEREAS section 434.1(1) of the Act, provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under this Act;

NOW THEREFORE the Council of the Corporation of the Municipality of North Grenville hereby enacts as follows:

DEFINITIONS

1. In this by-law:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the Municipality, as amended from time to time, or any successor thereof;

“Designated provision” means any section of this By-law designated in accordance with section 14;

“Licence” means a licence issued by the Municipality that permits a Person to operate as a Transient Trader pursuant to this by-law:

“Merchandise” means any goods, wares, foodstuffs, beverages, articles, products, or other tangible items, as well as services offered or sold in exchange for money or other consideration.

“Municipality” means the corporation of the Municipality of North Grenville or the geographic area as the context requires;

“Officer” means a person appointed by the Municipality as a Municipal Law Enforcement Officer and any police officer;

“Person” includes an individual, sole proprietorship, partnership, limited partnership, trust or corporation, or an individual in his or her capacity as a trustee, executor, administrator or other authorized agent;

“Transient Trader” means a person who sells merchandise at a temporary location, who is not a permanent merchant in that place;

GENERAL PROVISIONS

2. No person shall carry on a business as a transient trader in the municipality without a licence issued by the municipality, and shall pay the licence fee required for transient traders as set out in Fees and Charges By-Law, before selling or offering for sale any merchandise within the Municipality of North Grenville.
3. Every person applying for a licence shall, as part of their application, provide a list describing in full the merchandise to be sold or offered for sale under the licence, and shall specify the proposed location where the merchandise will be offered for sale. The application requirements, including required supporting documentation and the method of submission, shall be determined by the Director.
4. A person may apply for a licence on behalf of multiple transient traders participating in a sale of merchandise event, provided that the applicable fee, as set out in the Fees and Charges By-Law, is paid in full. The issuance of such a licence shall be at the sole discretion of the Officer reviewing the application.
5. Every person issued a licence under this By-Law shall ensure that the licence is prominently and continuously displayed at the location where the merchandise is being offered for sale.
6. An Officer may refuse to issue a licence under this By-Law for reasons including, but not limited to, the following:
 - a. The application is incomplete or contains false, misleading, or inaccurate information;
 - b. The application was not submitted within the required timeframes as established by the Director;
 - c. The applicant has a history of non-compliance with this by-law;
 - d. The applicant has failed to provide proof of adequate insurance coverage as required by the Director; or
 - e. The proposed location for the sale of merchandise is unsuitable, prohibited, or deemed inappropriate by the Municipality due to safety, zoning, traffic, or community impact considerations.
7. A licence issued under this By-Law may be revoked at any time by an Officer if the licensee is found to be in contravention of any provision of this By-Law or any condition attached to the licence.

EXEMPTIONS

8. This by-law does not apply to the sale of the stock of a bankrupt or an insolvent person, within the meaning of any Bankruptcy or Insolvency Act enforced in Ontario, nor to the sale of any stock damaged by or by reason of fire, which is being sold or disposed of within the Municipality in which the business was being carried on at the time of the bankruptcy, insolvency or fire, so long as no goods, wares or merchandise are added to such stock.
9. This by-law does not apply to the sale of locally grown produce and farm goods.
10. This by-law does not apply to events sanctioned or sponsored by the Municipality, or to events organized and operated by a registered charity or non-profit community organization, provided that all proceeds from the event are directed exclusively to charitable or community purposes.

ENFORCEMENT & PENALTIES

11. Any person contravening this by-law, shall upon request by an officer identify themselves by providing their legal name and current address.
12. No person shall hinder, obstruct, or attempt to obstruct an Officer, or any employee or agent acting on behalf of the Municipality, in the performance of their duties under this By-Law.
13. Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the Provincial Offences Act.
14. Sections 2, 5, 11, 12 of this By-law are hereby designated as parts of this By-law to which the Administrative Penalty By-law applies.
15. Any person shall, upon issuance of a penalty notice for a contravention of this By-law, in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any administrative fees, in accordance with the Administrative Penalty By-law.
16. All the provisions of this by-law continue to apply in the Provincial Offences Act in addition to the designated provisions of this by-law.
17. Where a person has not paid the administrative penalty within thirty (30) days in accordance with the Administrative Penalty By-law, the Municipality may add the administrative penalty to the tax roll for any property for which the owner or owners are responsible for paying the administrative penalty under Section 15.

INTERPRETATION & ADMINISTRATIVE

18. In the interpretation of this by-law, words in the singular include the plural and vice-versa, words in one gender include all genders, and "person" includes an individual, body corporate, partnership, trust, and unincorporated organization.
19. The Clerk of the Municipality of North Grenville is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantic or descriptive nature or kind to this by-law and schedules as may be deemed necessary after passage of this By-Law, where such modifications or corrections do not alter the intent of the By-Law.
20. This By-law shall be known as the Transient Trader By-Law.
21. This By-Law shall come into force and effect on the day it is passed.

PASSED AND ENACTED
This 7th Day Of July 2026.

Original Signed
Nancy Peckford
Mayor

Original Signed
Lindsey Lee
Clerk