

BYLAW NO. 874

Being a bylaw of the Village of Big Valley, Alberta to provide for the licensing, control and regulation of Hawkers and Peddlers within the Village of Big Valley.

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

WHEREAS it is desirable and in the best interest of the Village of Big Valley that a Bylaw be passed regulating, licensing and controlling hawkers and peddlers operating within the municipal boundaries of the Village of Big Valley.

NOW THEREFORE the Council of the Village of Big Valley, duly assembled, hereby enacts as follows:

1. Short Title

The short title of this Bylaw shall be the "Hawkers and Peddlers Bylaw".

2. Purpose

The purpose of this bylaw is to provide for the licensing, control and regulation of Hawkers and Peddlers within the Village of Big Valley.

3. Definitions

- (1) Application – shall mean an application for a Hawkers and Peddlers license and application for renewal of a license as required by this Bylaw.
- (2) Council – shall mean the Council of the Village of Big Valley.
- (3) Designated Officer – means the Chief Administrative Officer of the Village and/or the Bylaw Enforcement Officer.
- (4) Exemption – shall mean an exemption to the requirement to obtain a Hawkers and Peddlers license, such exemption to be given by a Council resolution.
- (5) Hawker or Peddler – shall mean a person whether as a principle or agent who:

Mayor: 
CAO: 

- i) goes from residence to residence selling, or offering for sale any merchandise or service to any person, and who is not a wholesale or retail dealer in merchandise or service with a permanent place of business within the Village of Big Valley;
 - ii) offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise to be afterwards delivered and shipped into the Village of Big Valley, or
 - iii) sells merchandise on the streets or roads or elsewhere other than a building that is his/her permanent place of dwelling or business within the Village of Big Valley.
- (6) Hawkers and Peddlers License – shall mean a license issued pursuant to this Bylaw.
- (7) Mobile Vending Units – means a motor vehicle, trailer, or similar structure designed for the purpose of offering products for sale.
- (8) Person – means a person or persons, firm, partnership, or body corporate including a partnership, a group of persons acting in context or any association unless the context explicitly or by necessary implication, otherwise requires.
- (9) Village – means the Village of Big Valley.

4. Licensing

- (1) No person shall, within the Village, carry on or operate any business as a hawker or peddler unless he/she holds a valid and subsisting license to conduct such business pursuant to the provisions of this Bylaw.
- (2) Local service groups, producers or organizations may be given an Exemption to the requirements of this Bylaw, by a letter from the Chief Administrative Officer. An example of such an organization would be a school fundraiser where students would be selling door to door. An example of a local producer would be a market garden and sale of the produce.
- (3) The person shall make a written Application to the Village of Big Valley on the form specified in Schedule “A” which is hereby declared to form a part of this Bylaw.
- (4) When submitting the Application, the person shall pay the required license Fee as listed in Schedule “B” which is hereby declared to form a part of This Bylaw

- (5) A Hawkers and Peddlers license shall be in effect for the duration stated on the business license provided.
- (6) Hawkers and Peddlers issued a license under this Bylaw shall carry the license on their person at all times conducting their business within the Village.
- (7) The licensee will produce the license for inspection by a designated officer for the Village or upon request of any customer he approaches within the Village.
- (8) A Designated Officer of the Village may at any time revoke or suspend a license issued under the provisions of this Bylaw for failure to comply with any of the conditions or regulations herein.

5. Conditions and Regulations

- (1) No Hawkers and Peddlers License shall be granted until such time as the applicant holds a valid Provincial or Federal license, where required by Law.
- (2) No Hawkers and Peddlers License shall be granted until the applicant has submitted to the Designated Officer the proper fee as provided in this Bylaw.
- (3) Hawkers, Peddlers, and salesmen shall not call upon residents before 9:00 a.m. or after 7:00 p.m.
- (4) Mobile vending units shall not be allowed to park on Village streets. They shall only be allowed on private property with the written consent of the owner, or in places specified by Council resolution.
- (5) No business shall conduct its operation in such a manner as to offend the general public. Upon receipt of bona fide complaints, the Designated Officer may advise the proprietor of the nature of the complaint and may require that the matter be rectified.
- (6) If the Designated Officer for the municipality finds a Hawker, Peddler or Mobile Vending Unit in operation and such Hawker, Peddler or Mobile Vending Unit does not have a valid and subsisting license to conduct business pursuant to the provisions of this Bylaw, the Designated Officer may close the "business" immediately.
- (7) A copy of the corporation papers or some other proof of

6. Penalties

- (1) Any person who contravenes any provisions of this Bylaw is guilty of an offence and is liable on summary conviction to a fine, as set out in Schedule "C" in addition to any license fee that he/she may be required to pay.

- (2) Where any of the provisions of this Bylaw have been deemed to be contravened and an offense ticket has been issued for that contravention, the accused may avoid appearing in court to answer to said charge by submitting to the Village a voluntary payment as outlined in Schedule "C", attached to and forming part of this Bylaw.

7. Severability

Should any provision of this Bylaw be invalid, then such provision shall be severed and the remaining Bylaw shall be maintained.

8. Repeal

This Bylaw hereby repeals Bylaw 7 and all amendments thereto.

READ A FIRST TIME this 8th day of June, 2023.

READ A SECOND TIME this 8th day of June, 2023.

Received Unanimous Consent to proceed to third and final reading this 8th day of June, 2023.



READ A THIRD and FINAL TIME this 8th day of June, 2023



MAYOR



CHIEF ADMINISTRATIVE OFFICER

Mayor: 
CAO: 

SCHEDULE "A"
Bylaw 874

Application for Hawkers and Peddlers License

Name of Applicant: _____

Name of Company: _____

Address of Applicant: _____

Address of Company: _____

Phone #: _____ Cell Phone #: _____

E-mail Address: _____ Website: _____

Other Government License Information: _____

Goods or Services being Offered for Sale: _____

License Valid from _____ to _____

Printed Name of Applicant

Signature of Applicant

OFFICE USE ONLY


Application #: _____

Comments: _____

Fee: _____

Receipt #: _____

License #: _____

Mayor: 
CAO: 