

BYLAW NO. 1507-01

(Consolidated Office Version – Updated May 12, 2025)

BEING A BYLAW OF THE CITY OF WETASKIWIN IN THE PROVINCE OF ALBERTA, TO REPEAL AND REPLACE BYLAW NO. 1484-00 TO LICENCE AND REGULATE CERTAIN BUSINESSES, ACTIVITIES AND PERSONS ENGAGED IN BUSINESSES WITHIN THE CITY OF WETASKIWIN.

WHEREAS the Municipal Government Act, R.S.A. 1994, Chapter M-26.1, as amended grants a municipality the authority to regulate and licence activities, industries or businesses.

THEREFORE, the Council of the City of Wetaskiwin in the Province of Alberta duly assembled, hereby enacts as follows:

1. That bylaw shall be known as the 'Business Licence Bylaw'.

2. DEFINITIONS

- a) **APPLICANT** means any Person who makes an Application for any Business Licence under the provisions of this Bylaw.
- b) **APPLICATION** means a written Application for a Business Licence as provided for by this Bylaw and includes an Application to renew or transfer.
- c) **BUSINESS** shall have the same meaning as provided by the *Municipal Government Act*, C. M-26.1, RSA 1994, and amendments thereto.
- d) **BUSINESS LICENCE** means a Licence issued pursuant to this Bylaw.
- e) **BUSINESS PREMISES** means any store, office, warehouse, factory, building enclosure, yard or other place occupied or capable of being occupied for the purpose of carrying on a Business.
- f) **CHARITABLE OR NON-PROFIT** means a Person acting for charity or in the promotion of general social welfare and include
- g) **ORGANIZATION** a religious society or organization a service club a community, veteran's or youth organization a social, sport or fraternal organization or club.
- h) **CITY** means the Municipal Corporation of the City of Wetaskiwin.
- i) **CITY MANAGER** means the Chief Administrative Officer of the City, as appointed pursuant to the *Municipal Government Act*, or their designate.
- j) **COUNCIL** means the Municipal Council of the City.
- k) **EVENT VENDORS' LICENCE** means a Business Licence issued to an Event organizer pursuant to this Bylaw to fulfil the business licencing requirements for Mobile Retail Vendors doing business at the Event. *(BL 2090-25)*
- l) **EVENT** means a temporary outdoor gathering held by a third party on a public or private

property in the City of Wetaskiwin. (BL 2090-25)

- m) HAWKER AND PEDDLER means any person who, whether as principal or agent, locates on any street or roadway or elsewhere other than a building which is his permanent place of business, and offers for sale any merchandise to any person.
- n) HOME OCCUPATION means a Business carried on by a Person who is an occupant of a dwelling unit, as a use secondary to the residential use. This does not include Group Care Facilities.
- o) LAND USE BYLAW means the Land Use Bylaw of the City.
- p) LICENCE OFFICER means a person appointed in writing by the City Manager.
- q) LICENCEE means a Person holding a valid and existing Business Licence issued pursuant to the provisions of this Bylaw.
- r) BOOTH MARKET means development used for the sale of food or new or used goods by multiple vendors renting tables or space in an enclosed building or in outdoor space, and for the purposes of this Bylaw does not include vending activities taking place as part of an Event as defined in this Bylaw.”
- s) MOBILE VENDOR means:
 - i. Traveling or Temporary Sales Selling goods or services other than food or beverages place to place, or from a temporary location in any place where the public has an expected right of access, but not including sales to a wholesale or retail dealer in any such goods;
 - ii. Traveling or Temporary Food Sales Selling food or beverages place to place, or from a temporary location in any place where the public has an expected right of access, but not including sales to a wholesale or retail dealer in any such goods (BL 1933-19)
- t) NON-RESIDENT BUSINESS means a Business that is not a Resident Business or a Regional Resident Business.
- u) PEACE OFFICER means a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, or a Special Constable.
- v) PERSON means any individual, firm, corporation, or partnership of any kind.
- w) REGIONAL RESIDENT BUSINESS means a Business that is established and located within the corporate limits of the County of Wetaskiwin or the Town of Millet.
- x) RESIDENTIAL LANDLORD means an individual or company that owns four or more residential rental units within the City of Wetaskiwin.
- y) RESIDENT BUSINESS means a Business that is established and located within the corporate limits of the City of Wetaskiwin.
- z) SPECIAL EVENT means an Event held on City property and/or a street or lane

3. A Licence Officer shall be authorized to carry out the necessary provisions of this Bylaw.
4. The City shall ensure:
 - a) all Applications for a Business Licence or transfers are reviewed, considered and dealt with.
 - b) if all requirements of this Bylaw are met, Business Licences are issued with, or without conditions, where deemed appropriate, upon payment in full of the required fee as set out in the Fees and Charges Bylaw in effect. (BL 2090-25)
5. Authority of Officers
 - a) A Licence Officer may:
 - (i) conduct investigations with regards to proposed applications, where necessary;
 - (ii) refuse to grant a Business Licence, or revoke or suspend any Business Licence, or add conditions to an existing Business Licence if, in the opinion of the Licence Officer, there are just and reasonable grounds for the decision subject to the right of the Applicant to appeal the refusal, revocation, suspension, or conditions to Council;
 - (iii) conduct inspections of Business Premises where necessary;
 - (iv) periodically check and inspect Business Premises, for the purpose of ascertaining compliance with this Bylaw; and
 - (v) initiate such legal action as is necessary to ensure compliance with the provisions of this Bylaw or with any conditions imposed upon the issuance of a Business Licence.
 - b) A Peace Officer may:
 - (i) conduct investigations with regards to proposed applications, where necessary;
 - (ii) conduct inspections of Business Premises where necessary;
 - (iii) periodically check and inspect Business Premises, for the purpose of ascertaining compliance with this Bylaw; and
 - (iv) initiate such legal action as is necessary to ensure compliance with the provisions of this Bylaw or with any conditions imposed upon the issuance of a Business Licence.
6. Business Licence Requirement
 - a) No Person shall carry on or operate any Business within or partly within the City without holding a valid and subsisting Business Licence issued pursuant to the provisions of this Bylaw, unless specifically exempted by Provincial or Federal law, or this bylaw.

- b) Charitable or non-profit organizations registered under the Alberta Societies Act are exempt from obtaining a business licence.
- c) For profit businesses working in conjunction with charitable or non-profit organizations are required to obtain a business licence.
- d) No Licence is required by a Mobile Retail Vendor as part of the activities of a Booth Market or an Event provided the event organizer holds a business licence or Event Vendors' Licence specific to the activity. For greater clarity, any Mobile Food Vendor operating as part of a Booth Market or an Event must obtain an individual business licence to ensure fire inspection requirements are met. (BL 2090-25)
- e) Any advertising or soliciting of the Business shall be prima facie proof of the fact that the Business is being carried on, or operating.
- f) Any Person who operates one or more Businesses either separately or together shall buy a Business Licence for each Business.
- g) With the exception of short term accessory locations of seven days or less any Person who operates more than one store, branch, or premises within the City in respect of any Business shall take out a separate Business Licence for each separate store, branch or premises.
- h) All Mobile Vendors shall get a business licence. An exception shall apply if the vendor is a charitable or non-profit vendor (BL 2090-25)

7. Business Licence Application and Issuance

- a) Any Person applying for a Business Licence shall submit to the City a complete written Application in a form as provided by the City. The completed form must be signed by the Applicant, or in the case of a corporation, its duly appointed agent.
- b) No Application shall be considered complete unless accompanied by the corresponding fee as set out in the Fees and Charges Bylaw in effect. (BL 2090-25)
- c) Every Application for an existing Business shall be submitted to the City no later than the 31st of January of each Business Licence year.
- d) Every Business Licence is valid from January 1 to December 31 of the year issued, unless sooner revoked, suspended or cancelled.

8. Business Licence Revocations or Suspensions

- a) A Business Licence may be revoked or suspended for non-compliance with a Bylaw notwithstanding that the Licencee has not been prosecuted for the contravention of that Bylaw.
- b) Where a Business Licence is revoked or suspended pursuant to subsection 8.a), the City shall notify the Licencee of such revocation or suspension and the reason or reasons for the revocation or suspension. Notification shall be in the form of one of the following methods:
 - i) by delivery of a notice to the Licencee personally; or
 - ii) by registered mail to the mailing address as shown on the Business Licence.

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- c) After notification to the Licencee by the City, the Business shall not operate.
 - d) When any required certificate, authority, licence or other document of qualification issued by the Government of Canada, or the Government of the Province of Alberta is terminated or surrendered, any Business Licence issued pursuant to this Bylaw is immediately null and void and shall be considered as being revoked.
 - e) Where a Business Licence is revoked, the Licencee shall immediately return the Business Licence to the City and the Business shall not operate until such time as a new Business Licence is issued.
 - f) Where a Business Licence is suspended, the Licencee may resume operation when the Business Licence is reinstated.
 - g) Where a Business Licence is revoked or suspended the Licencee is not entitled to a refund of the Business Licence fee.
 - h) If, in the opinion of a designated officer, the continued carrying on or operation of a business in contravention of this or any other bylaw or enactment that the City is authorized to enforce is dangerous to public safety or property, the designated officer may by written order require the owner of the business to eliminate the danger to public safety in a manner specified, or to cease business operation. *(BL 1662-06)*
 - i) Without restricting the generality of the foregoing, the order may direct the business owner to:
 - i) Stop doing something.
 - ii) Change the way in which the business is doing something, or
 - iii) Take any action or measures necessary to remedy the contravention of the enactment or bylaw, and, if necessary, to prevent a re-occurrence of the contravention. *(BL 1662-06)*
 - j) The order shall state a time within which the owner must comply with the directions, and state that if the owner does not comply with the directions within a specified time, the municipality will take the action or measure at the expense of the owner. *(BL 1662-06)*
 - k) The City may take whatever action or measures are necessary to remedy a contravention of any order made pursuant to this section, if the person to whom the order is directed has not complied with the order within the time specified in the order, and the appeal periods respecting the order have passed or, if an appeal has been made, the appeal has been decided and it allows the municipality to take the action or measures. *(BL 1662-06)*
 - l) If the order directed the owner to cease business operations, the City may, under this section, close the business premises and use reasonable force to remove the occupants. *(BL 1662-06)*
 - m) The expenses and costs of an action or measure taken by the City under this section are an amount owing to the City by the person who contravened the enactment or bylaw. *(BL 1662-06)*

- n) A person who receives a written order under this section may by written notice request council to appeal the order within 14 days after the date the order is received. After appeal hearing the order, the council may confirm, vary, substitute or cancel the order. *(BL 1662-06)*
- o) A person affected by the decision of a council under this section may appeal to the Court of Queens Bench if the procedure requires to be followed by this Act is not followed, or the decision is patently unreasonable. *(BL 1662-06)*
- p) The appeal must state the reasons for the appeal and must be made within 30 days after the date the decision of council is served on the person affected by the decision. *(BL 1662-06)*
- q) The Court may confirm the decision or declare the decision invalid and send the matter back to the council with directions. *(BL 1662-06)*

9. Appeals

- a) In the case where an Application has been refused or a Business Licence has been revoked or suspended, the Applicant or Licencee may appeal to Council.
- b) The Applicant or Licencee shall make an appeal in writing within thirty (30) days after such refusal, revocation or suspension and shall state the grounds upon which the appeal is based. The appeal must be accompanied by a fee as set out in the Fees and Charges Bylaw in effect *(BL 2090-25)*, for the appeal to be considered complete.
- c) All appeals shall be addressed to the City Manager and shall be considered received as of the date received by the City, if the appeal meets all the requirements of subsection 9b).
- d) All appeals shall be heard by Council and Council may:
 - i) direct a Business Licence be issued or reinstated, or
 - ii) direct a Business Licence be issued or reinstated with conditions, or
 - iii) direct a Business Licence be refused, or
 - iv) uphold the decision of the Peace Officer on grounds that appear just and reasonable to Council.
- e) The Appeal Fee may be returned to the applicant with the appeal decision. If the applicant fails to attend the appeal hearing the appeal fee will be forfeited to the City of Wetaskiwin. *(BL 1662-06)*

10. Business Licence General Regulations

- a) No Business Licence shall be issued to any Person until the City receives the required fee as set out in the Fees and Charges Bylaw in effect. *(BL 2090-25)*
- b) No Business Licence shall be issued to any Person until the Applicant proves to the satisfaction of the City that the Person has complied with all the requirements of the Government of Canada and the Government of the Province of Alberta relating to the proposed Business or Business Premises, if applicable.
- c) No new Business Licence shall be issued until the Applicant holds a valid City Development Permit where required by the Land Use Bylaw.

- d) A Business Licence is not valid unless signed by a licence officer
- e) A valid Business Licence issued pursuant to this Bylaw shall be posted in a conspicuous place in the Business Premises for which the Business Licence is issued.
- f) Persons soliciting business or performing work on behalf of a non-resident or regional resident business shall carry a copy of the business licence.
- g) Every Person operating any Business in respect of which a Business Licence is required under this Bylaw shall, upon request, give to a Peace Officer all information necessary to enable him to carry out his duties. (BL 2090-25)
- h) Once a Business Licence has been issued, no refund or partial refund of the Business Licence Fee is granted for any reason whatsoever.

11. Business Licence Specific Regulations

In addition to the general provisions of this Bylaw, including the requirement of a Licence, the Businesses dealt with in this part are also subject to the following regulations:

- a) Home Occupation(s)
 - i) No Business Licence shall be issued for a Home Occupation Business until the Applicant completes a Declaration in a form provided by the City, which reaffirms that there has been no change to the development as permitted by a City Development Permit and that the Business complies with all of the Home Occupation regulations of the Land Use Bylaw.
- b) Group Care Facility
 - i) Every Group Care Facility must have an approved development permit from the City and must obtain an annual business licence.
 - ii) All Group Care facilities operated or approved by a licenced group may operate under one business licence.
- c) Residential Landlords
 - i) Residential landlords require one business licence that covers all building locations.
 - ii) The number of building or suites will be deemed as the residential landlords inventory.
 - iii) Residential landlords shall provide the City with a current list of all inventories.
- d) Network Marketing and Multi Level Marketing
 - i) All persons soliciting, advertising or selling product or services through network or multi-level marketing shall have a business licence or carry a copy of the licence of the parent company.

- ii) The parent company can cover all persons soliciting, advertising or selling product or services through either network marketing or multi-level marketing by obtaining a business licence.

e) Door to Door Sales

- i) All persons soliciting, advertising or selling product or services door to door shall have a business licence or carry a copy of the licence of the parent company.
- ii) The parent company can cover all persons soliciting or selling products door to door on their behalf within the City by obtaining a business licence.

f) Hawkers and Peddlers

- i) Hawkers and Peddlers must have a business licence to operate within the City.
- ii) Hawkers and Peddlers must have written permission from the property owner to locate and shall have development permits for all signage placed.

g) Removed. (BL 2018-22)

12. General Penalties

- a) Any Person who contravenes any provisions of this Bylaw is guilty of an offense and is liable on summary conviction to a fine not exceeding Ten Thousand Dollars (\$10,000.00) in addition to any Licence fee he may be required to pay pursuant to this Bylaw and in the event of failure to pay or the inability to pay any fine levied and any Licence fee and costs charged, to imprisonment for a period not exceeding one year or until such fine, Licence fee and costs are paid.
- b) Where a Person is convicted of operating a Business for which a Licence fee is payable, without payment of such fee having been made, the Court may, in addition to the fine imposed pursuant to this Bylaw, direct the payment of the applicable Licence fee to the City.
- c) Any Person who commits an offense of a continuing nature is liable to a fine for each day such offense is continued.

13. Voluntary Payment

- a) A person charged with an offense under this Bylaw may, in lieu of prosecution, pay the voluntary fine identified in Schedule "A" (BL 2090-25), within thirty (30) days of the date of issue of the offense ticket.

14. Mobile Vendors (BL 2018-22)

- a) All Mobile Vendors must obtain a Vendor Licence for each mobile unit and the Licence must always be visible or displayed.
- b) Mobile vendors are not permitted to conduct business on any public roadway unless the roadway is closed to thru traffic as part of an approved Special Event Permit, or they obtain permission

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- from the City of Wetaskiwin and meet the following requirements:
- i. The Mobile Vendor is not located within:
 1. three (3) metres of a building entrance or exit;
 2. six (6) metres of an intersection;
 3. three (3) metres of a back alley or lane;
 - ii. The Mobile Vendor must be oriented toward the sidewalk.
- c) A Mobile Vendor applicant must submit a site plan and obtain approval from the Licence Officer prior to changing their location or deviating from the site schedule provided within their Licence.
- d) A Mobile Vendor shall ensure that during operation, whether on private or public property, the motor vehicle or trailer used by the Mobile Vendor is not parked within:
 - i. 10 metres of the property line of any residential development;
 - ii. three (3) metres of another Mobile Food Vendor;
 - iii. Mobile Food Vendors shall not park within 25 metres of an existing eating establishment, unless there is written permission from that business or the Mobile Vendor is part of a Special Event;
 - iv. Mobile Retail Vendors shall not park within 25 metres of a similar retail establishment, unless there is written permission from that business or the Mobile Vendor is part of a Special Event.
- e) For the purposes of subsection (4) the measurement for setbacks from adjacent uses shall be taken from the building, not the property line.
- f) A Mobile Vendor shall not obstruct access to a fire hydrant, driveway, loading zone, or emergency access.
- g) An Application for a Mobile Vendor Licence shall not be considered complete until the following are submitted to the Licence Officer:
 - i. Vendor Licence application;
 - ii. Locations of operation and a site plan for each location;
 1. Site Plan Requirements:
 - a. Location of where the Mobile Vendor will operate on the site;
 - b. Location of any temporary seating, tables, garbage disposal containers, temporary signage, or other items relating to the Mobile Vendor.
 - iii. Dates and times the vending unit will be at the listed locations;
 - iv. Letter of consent from property owners of locations of operation;
 - v. Completed inspection from the City of Wetaskiwin Fire Services;
 - vi. A picture of the vending unit;
 - vii. Insurance documentation.
- h) In addition to the above, a Mobile Food Vendor must submit:
 - i. A Copy of a Food Handling permit.
- i) A Mobile Vendor shall not operate on private property unless they obtain a letter of permission from the property owner.
- j) All permitted vending locations are subject to the following restrictions:
 - i. A Mobile Vending Unit must not create any visual or physical obstruction that compromises the safety of pedestrians or limit access to objects and areas including

- traffic lights, doorways, fire hydrants, driveways, loading zones, emergency access routes, roadways, and roadway shoulders;
- ii. A Mobile Vending Unit must allow clearance on all sides of the Vending Unit such that pedestrians are able to pass by without congestion easily and safely;
 - iii. Tents and canopies are not permitted to be used as Mobile Vending Units except where permission has been obtained from the City of Wetaskiwin.
- k) Unless the Mobile Vendor is part of an event with an approved Special Event Permit, a Mobile Vendor shall only operate between the hours of:
- i. 6:00 a.m. to 11:00 p.m. Monday to Saturday; and
 - ii. 8:00 a.m. to 10:00 p.m. Sunday or statutory holidays.
- l) A Mobile Vending Unit shall not be left unattended during operation or on-site overnight unless part of an event with an approved Special Event Permit for the latter.
- m) Mobile Vendors shall ensure they provide and maintain garbage disposal containers on any site they operate on.
- n) Mobile Vendors shall ensure that both the site they operate on and any adjacent lands are left in a reasonable state, free from garbage or damage attributed to their operation, following their operation.
- o) There shall be no public consumption of food or beverages within the vehicle or trailer used by a Mobile Food Vendor.

15. Bylaw No. 1484-00 and all subsequent amendments are hereby repealed.

This Bylaw shall come into force and effect on January 1, 2002. This by-law shall take effect on the final passing thereof.

Read a first time this 26th day of November, 2001 .

Read a second time this 17th day of December, 2001.

Read a third time this 17th day of December, 2001.

Original Signed _____

Mayor

Original Signed _____

Chief Administrative Officer

Schedule "A" (BL 2090-25; BL 1933-19)

Section	Offense	Voluntary Fine
6	Operate without a Business Licence	First Offense - Double the fee of a business licence
		Second Offense - Double the fee of a business licence
		Third Offense - Double the fee of a business licence
8 (c)	Operating while business licence is removed or suspended	\$500.00
10 (e)	Not having business licence posted	\$100.00
10 (f)	Not carrying a copy of the business licence when required	\$100.00
11(g)(i)	Fail to obtain a mobile vendor business licence	\$500.00
11(g)(v)	Fail to submit site plan	\$100.00
11(g)(vi)(a)	3 meters of a building entrance or exit	\$100.00
11(g)(vi)(b)	6 meters of an intersection	\$100.00
11(g)(vi)(c)	3 meters of a back alley or lane	\$100.00
11(g)(vi)(d)	3 meters another Mobile Food Vendor	\$100.00
11(g)(vi)(e)	10 meters of the property line of any residential development	\$100.00
11(g)(vi)(f)	25 meters of an existing eating establishment	\$100.00
11(g)(vi)(g)	Removed. (BL 2018-22)	
11(g)(viii)	Obstruct a fire hydrant	\$500.00
11(g)(ix)	Have more than 2 temporary signs on site	\$100.00
10(g)(a)	Operate outside approved times Monday through Saturday	\$250.00
10(g)(b)	Operate outside approved times Sunday and Statutory Holidays	\$250.00
10(g)(xii)	Public consumption inside mobile vendor trailer or vehicle	\$100.00
10(g)(xiii)	Fail to keep site clear of garbage or clean up after you leave	\$250.00