

**TOWN OF INUVIK
BY-LAW #1878/L+P/01**

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK IN THE NORTHWEST TERRITORIES TO PROVIDE FOR THE LICENSING, REGULATING AND CONTROLLING OF BUSINESSES OPERATING WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF INUVIK

WHEREAS pursuant to Sections 109 - 112, and 178 – 180 of the Cities, Towns and Villages Act of the Northwest Territories, R.S.N.W.T. 1988, c. C-8, and subsequent amendments thereto;

AND WHEREAS it is deemed desirable and necessary that the Town license, regulate and control businesses within the Town of Inuvik municipal boundaries;

NOW THEREFORE BE IT RESOLVED that the Council of the Municipal Corporation of the Town of Inuvik, in Council duly assembled, enacts as follows:

SHORT TITLE

1. This by-law may be cited as the **“Business Licencing By-law”**.

INTERPRETATION

- A] **“Applicant”** means any person who makes an application for a license under the provisions of this by-law.
- B] **“Business”** means a company, partnership or sole proprietorship which includes:
- (i) a profession, trade, manufacture or undertaking of any kind;
 - (ii) an adventure in the nature of trade; and,
 - (iii) the sale or offer for sale of goods or services in any public place;
- but does not include a business that is regulated by an Act of Parliament or any other exempt business prescribed by regulation.
- C] **“Canvasser”** means any person whether a resident of the town or not, who solicits orders by telephone, telecopier or other means for the purchase, sale or trade of merchandise or who offers a service for sale or trade.
- D] **“Charitable or Non-Profit Organization”** means any religious, charitable, scientific, literary or educational organization which is a registered Canadian charitable organization, pursuant to the Income Tax Act of Canada.
NOTE: *Proof of registration number must be submitted with application.*
- E] **“Council”** means the elected Council of the Municipal Corporation of the Town of Inuvik.
- F] **“General Contractor”** means a profession or trade carried out by a person or business that provides contract construction services or technical advice on construction contracts and generally supervises sub-trades in the completion of significant construction projects.

INTERPRETATION (cont'd)

- G] **“Hawker/Peddler”** means any person who, whether as principal or agent, goes from house to house or locates on any street or roadway or elsewhere other than a building which is their permanent place of business, and offers for sale any merchandise to any person or offers to expose for sale to any person by means of samples, patterns, cuts or blueprints, merchandise to be afterward delivered in or shipped to the Town; but does not include a principal or agent selling to a wholesale or retail dealer.
- H] **“Licencing Period”** means the period between January 1 and December 31 during which a licence is issued.
- I] **“Licensee”** means a person holding a valid license issued pursuant to this by-law.
- J] **“Non-Resident Business”** includes any person, business, trade, profession, industry, calling or provider of goods or services which is not situated within or does not maintain a permanent place of business within the corporate boundaries of the Town of Inuvik, but operates either partly or wholly within the corporate boundaries of the Town of Inuvik.
- K] **“Officer”** means the By-law Enforcement Officer of the Town of Inuvik.
- L] **“Person”** means any individual, sole proprietorship, partnership, body corporate, society, or any combination of two (2) or more of the aforementioned.
- M] **“Premises”** means any store, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied, by a person for the purpose of any business.
- N] **“Resident Business”** means any person carrying on a business as herein defined, and establishing a permanent office and/or location of operation within the corporate limits of the Town of Inuvik in the Northwest Territories.
- O] **“Resident Hawker/Peddler”** means a person who has resided in Inuvik for twelve (12) months prior to applying for a Hawker/Peddler Business Licence.
- P] **“Sub-Trades”** means any person or business that provides a service performed by a ‘duly licenced/certified’ journeyman, i.e. carpenters, electricians, plumbers, gas fitters, etc.
- Q] **“Student Business”** includes any business operated by a person under the age of twenty-one (21) years presently attending an educational institution or enrolled in an ongoing educational program.
- R] **“Town Manager”** means the Senior Administrative Officer of the Municipal Corporation of the Town of Inuvik.
- S] **“Town”** means the Municipal Corporation of the Town of Inuvik in the Northwest Territories.
- T] **“Transient Contractor”** means any person that does not maintain a permanent place of business within the town and who acts as a contractor.
- U] **“WCB Certificate”** means a Certificate of Compliance or similar document issued annually by the Workers’ Compensation Board of the Northwest Territories evidencing compliance with the Workers’ Compensation Act.

LICENSE REQUIREMENTS

3. No person shall carry on or operate a business that is either wholly or partly within the town unless he or she holds a valid and subsisting license to do so, issued pursuant to this by-law. A license will be valid and current from the date of issue for the current year unless sooner terminated.
4. The Town Manager shall cause to be kept a record of all applications for business licenses, and all business licenses issued by the Town.
5. Every application for a license under this by-law shall be duly completed on Form "A", attached to and forming part of this by-law, and shall be submitted to the Town Manager together with the following:
 - A] the appropriate fee prescribed in Schedule "A" to this by-law; and,
 - B] a duly completed certificate as per Form "B" attached to this by-law (where required) certifying that the applicant has complied with the requirements of the Workers' Compensation Ordinance.
6. Upon being satisfied that an application is in compliance with this by-law, and that the applicant is entitled to the license applied for, the Town Manager shall issue the license to the applicant as per Form "C" attached to this by-law.
7. Any license issued under this by-law is not transferable.
8. Unless expressly granted for a shorter period, every license issued under this by-law shall be current and have effect from the date of its issuance until the 31st day of December next following OR until revoked, whichever occurs first.
9. Every license issued pursuant to this by-law to a resident business shall, during its currency, be displayed in a conspicuous place at the licensee's place of business.
10. Every license issued pursuant to this by-law shall, during its currency, be produced on demand for inspection by the Town Manager or his designated officer.
11. Every license issued pursuant to this by-law shall be surrendered to the Town Manager or his designated officer within seven (7) days after its expiry or revocation, whichever occurs first.
12. Where a licensee changes his business name or address, he shall forthwith notify the Town in writing of the change and provide the Town Manager with such proof of the change as may be required and the Town Manager may amend the license to reflect the change.
13. Every license issued pursuant to this by-law shall be deemed to be issued upon the following condition:
 - A] the licensee shall observe and conform with all applicable by-laws of the Northwest Territories and all other applicable statutes and regulations in addition to Town of Inuvik by-laws.

REVOCAATION

14. The Town Manager may revoke any license issued under this by-law where he is satisfied that:
 - A] the license was issued in error whether due to misrepresentation or otherwise;
 - B] the license has breached the conditions of the license; or,
 - C] the license has violated the provisions of the by-law, or of an ordinance of the Government of the Northwest Territories or other applicable statutes and Municipal By-laws.

REVOCATION (cont'd)

15. Every person who contravenes any of the provisions of this by-law is guilty of an offense, pursuant to S-153 of the Municipal Ordinance R.S.N.W.T. 1974 c-M-15, and is liable on summary conviction to imprisonment not exceeding one (1) month or to a fine not exceeding one thousand dollars (\$1,000.00) or to both such fine or imprisonment.
16. The following surtaxes may be levied, as required:
- A] Licenses are due and payable on January 1st each year;
 - B] Renewal licenses not paid on or before May 1st will be subject to a surtax of \$50.00; and,
 - C] Renewal licenses not paid on or before September 1st will be subject to a surtax of \$100.00.

EXEMPTION

17. The following persons or groups shall be exempt from the application of this by-law:
- A] a person or group registered as a non-profit organization under the Societies Act.
 - B] a person, group or business exempted under the Business Act.
 - C] a student business.

REPEAL

18. By-law 1462/L+P/97 is hereby repealed.

COMING INTO FORCE

19. This by-law shall come into effect upon the 1st day of February, 2001.

READ A FIRST TIME THIS 10th DAY OF January, 2001 A.D.

READ A SECOND TIME THIS 10th DAY OF January, 2001 A.D.

READ A THIRD TIME AND FINALLY PASSED THIS 24th DAY OF January, 2001 A.D.



MAYOR



SENIOR ADMINISTRATIVE OFFICER

SCHEDULE "A"

BUSINESS LICENSE FEES			
Peddler/Hawker	Resident of Inuvik		\$100.00
	Non-resident	For first 3 days	\$250.00
		Each day thereafter	\$100.00
Contractors	Resident		\$100.00
	Non-resident		\$500.00
All other businesses	Resident		\$100.00
	Non-resident		\$500.00

TOWN OF INUVIK
APPLICATION FOR LICENSE

License No.: _____

Form No.: _____

Name of Company/Business: _____

Mailing Address: _____

Street Address: _____

Address of Principle Office (if different): _____

Telephone No.: _____

Name of Applicant: _____

I hereby apply for a license under the Business Licence Ordinance of the Town
Business Licence By-law for the purpose of carrying on the business of _____

_____ during the calendar year ending December 31, _____.

Number of employees (excluding applicant): _____

Date: _____

Signature: _____

Please print name: _____

Position with Company/Business: _____

WCB Certificate Enclosed: yes no

Health Inspection Certificate: yes no