

TOWNSHIP OF KILLALOE, HAGARTY AND RICHARDS

BY-LAW NO. 09-2012

BEING a by-law to regulate "Transient Traders" wishing to operate within the Township of Killaloe, Hagarty and Richards.

WHEREAS Section 391 of the Municipal Act 2001, provides despite any Act a municipality may pass by-laws imposing fees or charges on persons;

NOW THEREFORE the Council of the Corporation of the Township of Killaloe, Hagarty and Richards enacts as follows:

1. This by-law may be cited as the "Transient Trader By-Law".

2. Definitions:

Business - A trade, calling, business, occupation manufacture or industry and includes the sale, order or hire of goods and services on an intermittent or one-time basis.

Transient Trader - Person who conducts a business on an adhoc basis and pays no business or commercial tax to the Township of Killaloe, Hagarty and Richards.

Transient Trader's Place of business - Any premise, real property, and public property including the streets of the Township of Killaloe, Hagarty and Richards.

3. Transient Trader:

Any person or persons wishing to carry on a business as a Transient Trader shall be required to obtain a permit from the Corporation of the Township of Killaloe, Hagarty and Richards. The cost of said permit shall be assessed on a fiscal year basis and shall be assessed as follows:

Section 1(a) - Door to door sales, magazines, encyclopedias, vacuum cleaners, etc. shall be assessed at the rate of \$ 100.00

Section 1(b) - Mobile food units shall be assessed at the rate of \$20.00 per event no fee shall be assessed on units operated by non-profit organization groups.

Section 1(c) - Transient photographers shall be assessed at the rate of \$100.00.
School photographers are exempted.

Section 1(d) - Midways shall be assessed at the rate of :
(1) Midway sponsored by a local organization \$100.00.
(2) Un-sponsored midway shall pay \$500.00.

Section 1(e) Produce stands, chip wagons and adhoc food outlets shall be assessed at the rate of \$400.00. An additional \$100/month in rental fees applies if the produce stand, chip wagon or adhoc food outlet is located on municipal property.

Section 1(f) Farmer's markets shall be exempt from rate fee.

4. Permits issued under this by-law are not transferable.

5. All permit holders shall cause their permit to be prominently displayed in their place of business or on their person if no premise is associated with their business, at all times that the said business is being conducted.

6. For the purpose of this by-law, any authorization from the Renfrew County & District Health Unit or other regulatory body that is required by the transient trader to conduct his/her business must be produced before a permit will be issued.

The Corporation of the Township of Killaloe, Hagarty and Richards

Part 1, Provincial Offences Act

By-Law #09-2012
Transient Traders By-Law

ITEMS	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provisions or Defining Offence	COLUMN 3 SET FINE
1.	Operating without a Transient Traders Permit (Door to Door Sales, Magazines, Encyclopedias, Vacuum, etc.)	Section 3	\$ 50.00
2.	Operating without a Transient Traders Permit (Mobile Food Units – Non-Profit)	Section 3	\$ 20.00
3.	Operating without a Transient Traders Permit (Transient Photographers, School Photographers are excepted)	Section 3	\$ 50.00
4.	Operating without a Transient Traders Permit. Midway sponsored by local Organizations	Section 3	\$ 50.00
5.	Operating without a Transient Traders Permit. Un-sponsored Midways	Section 3	\$250.00
6.	Operating without a Transient Traders Permit (Produce Stands, Chip Wagons, and ad hoc food outlets)	Section 3	\$250.00

NOTE: Penalty provision for the offences indicated above is Section 7(a)(b)(c) of By-Law #09-2012, a certified copy of which has been filed, and Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.

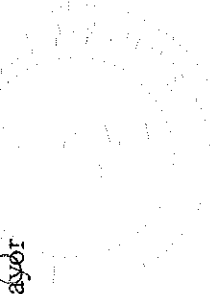
7. Enforcement:

- (a) This by-law shall be enforced under the Provincial Offences Act by any person designated by the Township of Killaloe, Hagarty and Richards as an Enforcement Officer.
- (b) Any person who contravenes any of the provisions of this by-law is guilty of an offence and is liable to a fine under the provisions of the Provincial Offences Act.
- (c) For the purposes of this by-law, each day of continued offence shall be deemed to be a separate offence.
- 8. The Issuer of Permits may refuse to issue a permit unless and until compliance with the provisions of the By-law or any other requirements referred to herein, is established by the applicant, owner of the business or by the occupier of the premises for which the permit is required.
- 9. This by-law shall come into force and effect on final reading thereof.
- 10. This by-law replaces By-Law #12-2005.

Read a first and second time this 1st day of March, 2012.

Read a third time and finally passed this 1st day of March, 2012.

Jennie Wisniewski
Mayor



Aura Kladder
CAO/Clerk-Treasurer