

## TOWNSHIP OF WILMOT

### BY-LAW NO. 97-30

#### BY-LAW TO LICENSE, REGULATE AND GOVERN HAWKERS AND PEDLARS

**WHEREAS** Part XVII.I of the Municipal Act, R.S. O. 1990, Chapter M.45, as amended, permits Councils of Townships to pass By-laws for licensing, regulating and Governing any business carried on within the Township.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:**

#### Definitions

1. The following terms shall have the corresponding meanings for the purposes of this Bylaw:
  - (a) Person shall mean any human being or corporation.
  - (b) Resident means any person who has resided continuously within the Township of Wilmot for at least one (1) year prior to making an application for a license under this by-law.
  - (c) Non-Resident means any person who is not a "Resident" of the Township of Wilmot.

#### Licence Required

2. Every person who goes from place to place with goods, wares or merchandise for sale within the Township either directly, or who sells by way of samples or catalogue for delivery later, shall obtain a license known as a "Hawkers and Pedlars Licence" from the Township.
3. Every person who proposes to conduct a daily sale in a specific location within the Township for the sale of goods, wares or merchandise either directly, or by way of sample or catalogue for delivery later shall obtain a license known as a "Specific Location Daily Sales Licence" from the Township.

#### Application for Licence

4. Every applicant for a "Hawkers and Pedlars License" or for a "Specific Location Daily Sales Licence" shall provide the following to the Township of Wilmot:
  - (a) A completed application form, signed by the applicant;
  - (b) A Police Records Report, from Waterloo Regional Police, in respect of the applicant;
  - (c) A fee in the amount as follows:

i)	Hawkers and Pedlars Licence (Resident)	\$ 25.00
	Hawkers and Pedlars Licence (Non-Resident)	\$350.00
ii)	Specific Location Daily Sales Licence	\$250.00
	Annual Maximum	\$750.00

### **Display of Licence**

- 6 Every licensee shall ensure that the Licence issued to the licensee is carried with him/her at all times and shall be exhibited upon demand to any municipal or peace officer.

### **Expiration of Licence**

7. Every "Hawkers and Pedlars Licence" issued under this By-law, unless sooner revoked, shall expire on the 31<sup>st</sup> day of December of the year for which it was issued.
8. Every "Specific Location Daily Sales Licence" issued under this By-law, unless sooner revoked, shall expire at midnight on the fifth day following its issuance.

### **Revocation of Licence**

9. Any licence issued under this By-law is subject to revocation and may be revoked by resolution of Township of Wilmot Council. Upon such revocation, any part of the licence fee proportionate to the unexpired part of the term for which the licence was granted shall be returned to the licensee.

### **Charitable / Non-Profit Organizations**

10. Any charitable or non-profit organization who applies for a "Hawkers and Pedlars Licence" or a "Specific Location Daily Sales Licence" shall be subject to the provisions of this by-law save, and except any fee may be waived.

### **Enforcement**

11. Any person who contravenes any provision of this By-law is guilty of an offence and is liable, upon conviction, to a fine or penalty prescribed by the *Provincial Offences Act*.
12. This by-law hereby rescinds By-Law No. 91-72.
13. This by-law shall come into effect on the date of the final passing thereof.

**READ a first and second time on the 14<sup>th</sup> day of April, 1997.**

**READ a third time and finally passed in Open Council on the 14<sup>th</sup> day of April, 1997.**

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**Mayor**

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**Clerk**

**THE CORPORATION OF THE TOWNSHIP OF WILMOT**

**SET FINE SCHEDULE TO BY-LAW No. 97-30**

**TITLE: BY-LAW TO LICENSE, REGULATE AND GOVERN  
HAWKERS AND PEDLARS**

<u>COLUMN 1</u>	<u>COLUMN 2</u> PROVISION CREATING OR DEFINING OFFENCE	<u>COLUMN 3</u> SET FINE (Includes Costs)
1.	Selling goods door to door without a licence	\$55.00
2.	Selling goods from a specific location without a licence.	\$155.00

**NOTE:** The penalty for the offences indicated above is Section 11 of By-law No. 97-30, a certified copy of which has been filed.