



A BYLAW OF THE VILLAGE OF MARWAYNE TO AMEND THE BUSINESS LICENSE BYLAW NO. 567-18.

WHEREAS pursuant to Section 7(e) of the *Municipal Government Act*, a Council may pass bylaws for municipal purposes respecting the following matters – business, business activities and persons engaged in business;

WHEREAS pursuant to Section 8(c)(ii) of the *Municipal Government Act*, a council may pass bylaws establishing fees for licenses, permits and approvals that are higher for persons or businesses who do not reside or maintain a place of business in the municipality;

AND WHEREAS the Village of Marwayne deems it necessary to amend the Business License Bylaw No. 567-18;

NOW THEREFORE under the authority of the *Municipal Government Act*, the Council of the Village of Marwayne, in the Province of Alberta, enacts as follows:

1. DEFINITIONS

The following definitions shall apply, unless the context otherwise requires:

Agent means every person who, by mutual consent, acts for the benefit of another, including a sales representative, employee or independent distributor;

Applicant means a person who applies for a license;

Business means

- i. A commercial, merchandising or industrial activity or undertaking;
- ii. A professional, trade, occupation, calling or employment, or
- iii. An activity providing goods or services

Business License means a license issued by the Village of Marwayne on cardstock, complete with business license number, address, and business name that is signed by the CAO or designate annually.

Carry On (past and present tense) means to continue, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or agent;

Chief Administrative Officer is the head of the municipality duly appointed by the Village of Marwayne Council as per the *Municipal Government Act*;

Council means the entirety of the Councillors elected to office for the Village of Marwayne;

Non-Resident Business means a business located in the County of Vermilion River;

Operator means one who owns, operates, or engages in a business;

Village means the Village of Marwayne in the Province of Alberta; and



Hawker and/or Peddler means any person who, whether as principal or agent:

- i. Goes from house to house selling or offering for sale any merchandise or service, or both, to any person, and who is not a wholesale or retail dealer in that merchandise or service, and not having a permanent place of business within the municipality.
- ii. Offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise or service, or both, to be afterwards delivered in and shipped into the municipality, or;
- iii. Sells merchandise or a service, or both, on streets, roads or elsewhere than at a building that is his permanent place of business, but does not include any person selling meat, fish of his own catching, fruit or produce that has been produced, raised or grown by himself.

2. LICENSE

2.1 Every business operating within the Village must, as a prior condition of its operation, obtain a Business License issued by the CAO or designate;

2.2 County of Vermilion River Non-Resident Businesses may also obtain a Business License issued by the CAO or designate;

2.3 Each license shall be valid from the date of issue to the 31st day of December in the same year unless revoked or surrendered.

3. LICENSE PROCEDURES

3.1 Every person applying for a Business License shall submit, to the CAO or designate, a completed application form Schedule "A", attached to and forming a part of this Bylaw, and signed by the applicant.

3.2 The applicant must comply with all Village Bylaws and Provincial and Federal laws. The issuance of a Business License under this bylaw does not constitute development approval under the Village of Marwayne's Land Use Bylaw. The holder of an existing Business License or an applicant for a Business License is responsible for obtaining such development approval as may be necessary. Where such approval cannot be obtained, the CAO or designate shall forthwith cancel any existing license and refuse any applications for a license.

3.3 The Village shall issue an invoice by December of each year, for the following year's Business License fees, to all existing holders of valid Business Licenses.

3.4 Business License renewal payments for an existing business must be submitted to the CAO or designate prior to the 28th day of February of each year.

3.5 Any advertising of the businesses referred to in this Bylaw shall be deemed to be prima facie proof of the fact that the person advertising is carrying on or operating any such business.



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- 3.6 Without restricting the generality of the provisions of this Bylaw, religious, charitable, garage sales, or community organizations shall not be required to obtain a license.
- 3.7 In every case where an application for a Business License has been refused or a Business License has been revoked, the person seeking the license may appeal to the Village Council. All appeals shall be made in writing and provided to the CAO or designate a minimum of one (1) week prior to the scheduled Council Meeting.
- 3.8 A decision of Council on an appeal is final and binding on all parties.
- 3.9 A Business License shall include all relevant information about the business as outlined in Schedule "B", attached hereto for reference.

4. LIABILITY INSURANCE

- 4.1 Where a policy of liability insurance to be held in connection with the carrying on of any business, the applicant indemnifies and saves harmless the Village against any loss, damage, claims, actions, judgments, costs and expenses suffered or sustained by reason of or in connection with the carrying on of the business.

5. FEES & FINES

- 5.1 Each application for a Business License must be accompanied by a fee as set out in Schedule "B", attached hereto for reference.
- 5.2 If a Business License is revoked by Council or surrendered by the operator, there will be no refund;
- 5.3 Businesses shall be listed in a Village of Marwayne Business Directory on the Village's website for no charge when they purchase their annual Business License.
- 5.4 Any failure to comply with any of the provisions of this Bylaw is considered an offence and shall be subject to the applicable fines and/or penalties as outlined in Schedule "A", attached hereto for reference.

SHOULD any provision of this Bylaw be determined to be invalid, then such provisions shall be severed and the remaining bylaw shall be maintained.

This Bylaw shall come into force and effect upon receiving third and final reading and having been signed by the Mayor and Chief Administrative Officer for the Village of Marwayne.

READ A FIRST TIME IN COUNCIL THIS 20th DAY OF JANUARY, 2025.

READ A SECOND TIME IN COUNCIL THIS 20th DAY OF JANUARY, 2025.

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READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 20th DAY OF JANUARY, 2025.

Chris Neureuter, Mayor

Shannon Harrower, CAO



SCHEDULE "A" – Business License Fees

Type	Fee
Business License (resident, home based & non-resident)	\$25.00 per year
Hawker and/or Peddler	\$250.00 per year
Payment after February 28 th of any year	\$50.00 per year, in addition to the required \$25.00 fee, plus applicable interest
Operating without a License	\$400.00 for the first offence \$1000.00 for the second and subsequent offences



SCHEDULE "B" – Business License Application

Is this Business ___New or ___Existing?

Is this a Home-based Business? ___Yes ___ No

Company Name _____

Contact Name _____

Business Location (physical address) _____

Mailing Address _____

City _____ Prov. _____ Postal Code _____

Business Phone _____ Business Fax _____

Business email _____

Description-what services/products do you offer the customer, and what industry sector do you think best categorizes this business:

CONSENT FOR DISCLOSURE OF BUSINESS INFORMATION

I consent to the listing of my business in the Village of Marwayne Website Business Directory and on a publicly-accessible database for Economic Development purposes.

Yes

No

Other Information for all businesses: **(This section if mandatory for Home Based Businesses)**

1. Please list any hazardous materials that may be stored on premises (if applicable)

2. Location of on-site parking:

3. Number of Employees who do not reside at the site _____

4. Approximate number of daily clients _____

5. Approximate number of weekly clients _____

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APPLICANT DECLARATION

I, _____, of _____ am the authorized agent/owner named above and I certify the truth of all statements and representations contained therein. I understand that the issuance of a License shall not be deemed to be waiver of any of the provision of the Business License Bylaw could result in the License being revoked or suspended. I further acknowledge that in the event a License is issued, any departure from, or contravention of the provisions of the Business License Bylaw or any Federal or Provincial Statues, that there shall be no right of claim whatsoever against the Village of Marwayne or any official thereof and any such claim is hereby expressly waived.

Signature of Owner/Applicant

Date

The personal information requested on this form is being collected for the purpose of processing your application and is governed, authorized and protected by the Freedom of Information and Protection of Privacy Act (FOIP). By providing this information, you consent to its use for the above purposes.

FOR OFFICE USE ONLY

Resident	<input type="checkbox"/>	\$25.00
Non-Resident	<input type="checkbox"/>	\$25.00
CVR Non-Resident	<input type="checkbox"/>	\$25.00
Peddler	<input type="checkbox"/>	\$250.00
Late (after Feb. 28)	<input type="checkbox"/>	\$50.00