

THE CITY OF EDMONTON
BYLAW 18333
BUSINESS LICENCE BYLAW AMENDMENT No. 36

Edmonton City Council enacts:

1. Bylaw 13138, the Business Licence Bylaw, is amended by this bylaw.
2. Section 2 is deleted and replaced with the following:

DEFINITIONS

2

In this bylaw:

- (a) “Artisan Goods” means goods handcrafted, designed or cultivated by a Person or their agent, but does not include second hand goods or industrially produced goods;
- (b) “Business” means:
 - (i) a commercial, merchandising or industrial activity or undertaking,
 - (ii) a profession, trade, occupation, calling or employment, or
 - (iii) an activity providing goods or services,as described in Schedule “A”, and whether or not for profit and however organized or formed, including a co-operative or association of Persons;
- (c) “Bylaw Enforcement Officer” means an individual appointed by the City Manager to carry out enforcement duties pursuant to the Enforcement Bylaw, Bylaw 16368, as amended, or a Peace Officer as defined in the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended;
- (d) “City” means the City of Edmonton;
- (e) “City Manager” means the chief administrative officer of the City or delegate;
- (f) “Consultation Fee” means a fee payable for referring an

application to issue or renew a Licence to a regulatory authority for either consultation or notification as established in Schedule “B”;

- (g) “Licence” means a licence issued pursuant to this bylaw;
- (h) “Licence Fee” means a fee payable for a Licence as established in Schedule “B”;
- (i) “Licensee” means a Person holding a valid and subsisting Licence;
- (j) “Municipal Tag” means a municipal tag as defined in the Enforcement Bylaw, Bylaw 16368;
- (k) “Non-Profit Organization” means any incorporated or unincorporated organization formed for charitable purposes and not organized for profit or personal gain, including purposes which are of a philanthropic, benevolent, educational, health, humane, religious, cultural, artistic or recreational nature;
- (l) “Person” means a person as defined in the *Interpretation Act*, RSA 2000, c I-8.
- (m) “Subsequent Offence” means any offence under this bylaw committed by a Person after that Person has already been convicted of an offence under this bylaw or has voluntarily paid a fine for such an offence; and
- (n) “Violation Ticket” means a violation ticket as defined in the *Provincial Offences Procedure Act*, RSA 2000, c P-34.

3. “Peace Officer” or “peace officer” is deleted and replaced with “Bylaw Enforcement Officer” in the following sections:

- (a) in section 7(b)(i);
- (b) in section 20(b);
- (c) in section 21;
- (d) in section 34(b);
- (e) in section 44(b);
- (f) in section 47(c);

- (g) in section 53(b);
- (h) in section 55(b);
- (i) in section 75(2);
- (j) in section 80(b);
- (k) in section 85(2); and
- (l) in section 89(b).

4. Section 21.1 is inserted after section 21:

PRODUCTION OF RECORD	21.1	A Licensee shall produce any records that the Licensee is required to collect or maintain pursuant to this bylaw when requested to do so by a Bylaw Enforcement Officer.
---------------------------------	------	--

5. Section 57.2 is deleted and replaced with:

VENDORS	57.2	<ul style="list-style-type: none"> (a) A Licence for a Festival is a valid Licence for vendors operating within the Festival while the Festival is in operation. (b) It is a deemed condition of every Licence for a Festival that the Licensee must maintain an up-to-date list of all vendors operating at the Festival that includes: <ul style="list-style-type: none"> (i) the legal name and, if applicable, the trade name of the vendor; (ii) the business address of the vendor; (iii) the business telephone number of the vendor; and (iv) a general description of the type of goods sold by the vendor at the Festival.
----------------	------	---

6. Section 58 is deleted and replaced with:

PUBLIC MARKET ORGANIZER

REGULATIONS	58	It is a deemed condition of every Licence for a Public Market Organizer that the Licensee must:
--------------------	----	---

- (a) only permit vendors who hold a Licence for Public Market Vendor, vendors who sell Artisan Goods, or vendors who sell food to operate at the Licensee's market; and
- (b) maintain an up-to-date list of all vendors operating at the Licensee's market that includes:
 - (i) the legal name and, if applicable, the trade name of the vendor;
 - (ii) the business address of the vendor;
 - (iii) the business telephone number of the vendor; and
 - (iv) a general description of the type of goods sold by the vendor at the Licensee's market.

7. Section 59 is deleted and replaced with:

PUBLIC MARKET VENDOR

LICENCE REQUIRED	59	Every vendor at a market open to the public must have a Licence to operate as a Public Market Vendor.
-----------------------------	----	---

8. Section 60 is deleted and replaced with:

EXCEPTION	60	Section 59 does not apply to a vendor who sells only Artisan Goods or food.
------------------	----	---

9. Section 61 is deleted and replaced with:

RECORD

61

A Licensee holding a Licence as a Public Market Vendor shall maintain an up-to-date inventory of all goods sold by the Licensee within the past 30 days that includes:

- (a) a general description of the good;
- (b) the date of sale;
- (c) the location of sale; and
- (d) the total amount of compensation provided by the purchaser to the Licensee for the good.

10. Section 62 is deleted.

11. Section 106 is deleted and replaced with:

CITY MANAGER

106

Without restricting any other power, duty or function granted by this bylaw, the City Manager may:

- (a) carry out whatever inspections are reasonably required to determine compliance with this bylaw;
- (b) require a Person holding a Licence to provide any information required to make a decision regarding that Licence;
- (c) delegate any powers, duties or functions under this bylaw to an employee of the City;
- (d) establish forms for the purposes of this bylaw; and
- (e) modify or waive the requirement for a Licence, any deemed condition of a Licence, or any requirement for issuance of a Licence pursuant to this bylaw, including reducing or waiving the applicable fee(s).

12. In Schedule “A” - Business Licence Classifications:

- (a) the category and description for “Farmer’s Market” is deleted and replaced with:

Farmers' Market A market approved as an Alberta Approved Farmers' Market by the Province of Alberta.

- (b) the category and description for "Festival" is deleted and replaced with:

Festival A public event conditionally approved by the City of Edmonton and which occurs on, or impacts, property owned, leased or controlled by the City of Edmonton.

- (c) the category and description for "Flea Market" is deleted.

- (d) the category and description for "Flea Market Vendor" is deleted.

- (e) the following category and description for "Public Market Organizer" is added after "Personal Services Shop":

Public Market Organizer The business of organizing a market open to the public or providing stalls, tables or spaces to vendors displaying goods for sale, offering goods for sale, or selling goods.

- (f) the following category and description for "Public Market Vendor" is added after "Public Market Organizer":

Public Market Vendor A vendor who obtains a stall, table or space from a Public Market Organizer to display goods for sale, to offer goods for sale, or to sell goods. This does not include vendors who only sell Artisan Goods or food.

13. In Schedule "B" - Fees and Consultations:

- (a) the category, licence fee and consultations requirement for "Flea Market" is deleted.

- (b) the category and licence fee for “Flea Market Vendor” is deleted.
- (c) the following category, licence fee, consultations requirement, and notifications requirement for “Public Market Organizer” is added after “Personal Services Shop”:

Business	Licence Fee	Consultations	Notifications
Public Market Organizer	\$235	<ul style="list-style-type: none"> • Fire Rescue Services 	<ul style="list-style-type: none"> • Alberta Health Services • Edmonton Police Service

- (d) the following category and licence fee for “Public Market Vendor” is added after “Public Market Organizer”:

Business	Licence Fee
Public Market Vendor	\$55

Read a first time

Read a second time

Read a third time

SIGNED AND PASSED

CITY OF EDMONTON

MAYOR

CITY CLERK