

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-225

**BY-LAW FOR LICENSING, REGULATING AND GOVERNING
BUSINESS IN THE CITY OF NORTH BAY**

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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW 2012-225

**BEING A BY-LAW FOR LICENSING, REGULATING
AND GOVERNING BUSINESS IN THE CITY OF NORTH BAY**

WHEREAS the *Municipal Act* R.S.O. 2001, Section 10 (2) authorizes a single tier municipality to pass by-laws respecting business licensing;

AND WHEREAS it is considered desirable to license, regulate and govern certain business in the City of North Bay so as to ensure the health and safety of the public;

AND WHEREAS it is considered desirable to license, regulate and govern certain business in the City of North Bay so as to mitigate any nuisance caused by the operation of any such business;

AND WHEREAS General Government Committee Report 2012-09 approved the licensing, regulating and governing of businesses within the City of North Bay was passed by Council on the 12th day of November, 2012.

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. DEFINITIONS

For the purpose of this by-law:

- 1.1 **"Act"** refers to the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, except where specific reference is made to another Act of the Legislature of the Province of Ontario or the Parliament of Canada.
- 1.2 **"Antique"** shall mean any good, object, material, merchandise or item of any kind which is of a higher value because of its age.
- 1.3 **"Antique/Collectible Show"** shall mean the offering for sale, on a temporary basis at one location, goods, wares or merchandise that have not been recently produced or manufactured.
- 1.4 **"Applicant"** shall mean a Person who is required to be licensed pursuant to this By-Law or who has made application for a licence to the Issuer of Licences and shall include a Licensee.
- 1.5 **"Appropriate Authority having jurisdiction"** shall mean:
 - (i) with regard to health matters, the Medical Officer of Health, or his or her designate for the North Bay Parry Sound District Health Unit,
 - (ii) with regard to building matters, the Chief Building Official for the City, or his or her designate,
 - (iii) with regard to fire safety matters, the Chief Fire Official for the City, or his or designate,
 - (iv) with regard to police matters, the Chief of Police for the City or his or her designate.
- 1.6 **"Arts"** shall mean those kinds of articles which are the creation of the Applicant from raw materials such as oil paintings, water-colour paintings, wood and other sculptures.

- 1.7 **"Auction"** shall mean a public sale to Persons in which bids on goods, articles, merchandise, effects, etc., are received by an Auctioneer and where each bid offers more than the last previous bid, the article being put up for Auction sold to the highest bidder. This shall not include a Silent auction or Chance Auction, as defined as follows:
- (i) **"Silent Auction"** shall mean an Auction conducted by means of written bids given on displayed goods, wares or merchandise with the final declaration of sale being made to the last individual having submitted a bid on the specified bid sheet for that item; and
 - (iii) **"Chance Auction"** (also known as a "Chinese Auction") shall mean an Auction conducted by means of predetermining a set price on an item, thence receiving verbal bids on such an item. The final declaration of sale shall be made to the highest bidder who shall then pay the price, based on the difference between the predetermined price and the highest bid.
- 1.8 **"Auctioneer"** shall mean a Person who conducts a sale by Auction.
- 1.9 **"Business"** shall mean any business wholly or partly carried on within a municipality even if the business is being carried on from a location outside the municipality and includes:
- (i) trades and occupations,
 - (ii) exhibitions, festivals and other organized public amusements held for profit or otherwise,
 - (iii) the sale or hire of goods or services on an intermittent or one-time basis and the activities of a hawker or peddler, and
 - (iv) the display of samples, patterns or specimens of goods for the purpose of sale or hire.
- 1.10 **"Business Day"** shall mean a day other than a Saturday or Sunday and any Statutory Holidays on which City Hall is closed for business.
- 1.11 **"Business Licence Fee"** shall mean a non-refundable monetary charge imposed by the City to issue a licence as set out in Schedule "A" hereto.
- 1.12 **"By-Law"** shall mean this By-Law and any amendments thereto passed by Council.
- 1.13 **"Cash security deposit"** shall mean cash or certified cheque.
- 1.14 **"Chief Building Official"** shall mean the person or his or her designate who may, from time to time, be appointed by Council to the position of Chief Building Official in conformity with the provisions of the *Ontario Building Code Act*, R.S.O. 1992, c. 23, and amendments thereto.
- 1.15 **"Chief of Police"** shall mean the person or his or her designate who may, from time to time, be appointed as Police Chief by North Bay Police Services Board.
- 1.16 **"Circus/Midway"** shall mean:
- (i) a Business operating amusement ride(s) or other device(s);
 - (ii) a Business operating authorized games of chance, or
 - (iii) a performance exhibiting equestrian, animal, and acrobatic acts and their equipage intended to entertain or amuse or provide entertainment to the public.

- 1.17 **"City"** shall mean The Corporation of the City of North Bay.
- 1.18 **"City Clerk"** shall mean the person or his or her designate who may, from time to time, be appointed by Council to act as the City Clerk.
- 1.19 **"City Engineer"** shall mean the person or his or her designate who may, from time to time, be appointed by Council to act as the City Engineer.
- 1.20 **"Corporation"** shall mean The Corporation of the City of North Bay.
- 1.21 **"Council"** shall mean the Council of The Corporation of the City of North Bay.
- 1.22 **"Craft"** shall mean those kinds of articles which are the creation of the Applicant from raw materials wherein a limited amount of equipment is used and the article is utilitarian in nature such as woven material and carved objects.
- 1.23 **"Craft Show"** shall mean the temporary exhibition and offering for sale of Arts and Crafts.
- 1.24 **"Door-to-Door Sales/Service Person"** shall mean a person who goes from place to place selling or offering for sale a service of any kind.
- 1.25 **"Fire Chief"** shall mean the person or his or her designate who may, from time to time, be appointed by Council to act as Fire Chief for the City and is ultimately responsible to Council as defined in the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4.*
- 1.26 **"Fire Prevention Officer"** shall mean the person or his or her designate who is appointed as a Fire Prevention Officer under the provisions of the *Fire Protection and Prevention Act., 1997, S.O. 1997 c. 4.*
- 1.27 **"Food"** shall mean food or drink for human consumption and includes refreshments and confections, but excludes liquor.
- 1.28 **"Hawker and Peddler"** shall mean any Person:
- (i) who goes from door to door with goods, wares or merchandise for sale or who carries and displays samples, patterns or specimens of any goods, wares or merchandise for which immediate sales are made and for which orders are taken with delivery to follow;
 - (ii) who sells from a permanent structure on a temporary basis, goods, wares or merchandise for sale, or who carries and displays samples, patterns or specimens of any goods, wares or merchandise for which immediate sales are made and for which orders are taken with delivery to follow; or
 - (iii) that is engaged in retail sales but does not have a commercial store front and includes their employees but does not include:
 - (a) Service Clubs,
 - (b) Not for Profit Clubs,
 - (c) Charitable Organizations or
 - (d) Such other institutions, organizations or clubs as the Council by Resolution may approve.
- 1.29 **"Issuer of Licences"** shall mean the City Clerk or his or her designate.

- 1.30 **"Letter of Credit"** shall mean an irrevocable letter of credit that shall be drawn on a chartered Canadian Bank and deemed to be automatically extended without amendment for one (1) year from the present or any future expiration date thereof, unless thirty (30) days prior to any such date the bank shall notify the City in writing by registered mail that the bank elects not to consider this letter of credit renewed for any such additional period.
- 1.31 **"Licence"** shall mean a City of North Bay Business Licence issued pursuant to this By-Law.
- 1.32 **"Licensee"** shall mean a Person who has been issued a Licence pursuant to this By-Law either in the current calendar year or in a previous calendar year and shall include an Applicant.
- 1.33 **"Manager of Purchasing"** shall mean the person or his or her designate who may, from time to time, be appointed by Council to act as the Manager of Purchasing.
- 1.34 **"Masculine"** shall include the feminine gender and the neuter.
- 1.35 **"Medical Officer of Health"** shall mean the Medical Officer of Health, or his or her designate, for the North Bay Parry Sound District Health Unit
- 1.36 **"Month"** shall mean a calendar month.
- 1.37 **"Municipal Enforcement Officer"** shall mean a person or his or her designate who may, from time to time be appointed by the Council whose duties include the enforcement of this By-Law.
- 1.38 **"Non-Profit Charitable Organization"** shall mean an organization, whether incorporated or not, which:
- (i) has objects and purposes that are exclusively or wholly charitable;
 - (ii) is recognized by Revenue Canada as being "charitable"; and
 - (iii) is in compliance with the reporting requirements under the *Charities Accounting Act* or is completing a Public Information Return under the *Income Tax Act*.
- 1.39 **"Non-Profit Non-Charitable Organization"** shall mean an organization whether incorporated or not, which has objects and purposes that are both charitable and non-charitable and that raises money for the relief of poverty, the advancement of education, the advancement of religion, culture and the arts, health and welfare or for athletic clubs and associations.
- 1.40 **"Non-Resident"** shall mean a person who has not resided continuously in the City for at least three (3) months immediately preceding the time of commencing a business in the City.
- 1.41 **"Operate"** shall mean to directly or indirectly manage, work, control, maintain, put or keep in a functional state any Business.
- 1.42 **"Outdoor Patio"** shall mean an encroachment on a sidewalk or boulevard outside of or immediately adjacent to a building or other structure providing services in the nature of a restaurant or tavern or like business and within or on which may be included objects such as tables, chairs, temporary entrance shelters, canopies, umbrellas, parasols and decorative planters.

- 1.43 **"Owner"** shall mean the registered owner, tenant, beneficial owner, lessee or occupant of the lands and premises or the Person or his authorized agent in lawful control of the real property, premises, or building within the geographical boundaries of the City and who permits the operation or maintenance of any business.
- 1.44 **"Pawnbroker"** shall mean a person who carries on the business of taking by way of pawn or pledge any article for the repayment of money lent thereon, as defined in the *Pawnbrokers Act*, R.S.O. 1990, c. P.6, as amended.
- 1.45 **"Pawnbrokers Act"** shall mean the *Pawnbrokers Act*, R.S.O. 1990, c. P.6 and the Regulations enacted thereunder as amended from time to time or any Act and Regulation enacted in substitution therefor.
- 1.46 **"Pawn Shop"** shall mean a business or premise where the business of a Pawnbroker is carried out.
- 1.47 **"Person"** shall include any individual, corporation, partnership, company, association, agent or trustee or party and the heirs, executors, administrators, or other legal representative of such person, to whom the context can apply according to law and shall include any group of persons comprising a society or other organization.
- 1.48 **"Pet Shop"** shall mean every shop, place, business or premise in which dogs, cats, fish, reptiles, birds or any other pet that is generally understood to be domesticated is sold or kept for sale.
- 1.49 **"Place of Amusement"** shall mean a building, premises, room or area which contains facilities, equipment or machines for the playing of:
- (i) three or more games of chance, or
 - (ii) three or more games of mixed chance and skill, or
 - (iii) a combination of three or more games of chance and games of mixed chance and skill.
- Games shall include, but shall not be limited to, video games, pinball games, table top hockey games, table top soccer games, electronic games, and billiard tables, pool tables or bagatelle tables or bowling alleys and any other games that are not contrary to the Criminal Code of Canada R.S.C., 1985, c. C-46.
- 1.50 **"Place of Business"** shall mean any place, Premises or Location, or part thereof, in or from which a Business is carried on, and includes a shop, office or a vehicle for the purpose of carrying on the Business.
- 1.51 **"Premises"** shall mean land, including any and all buildings or other structures thereon and includes any vehicle or conveyance used in the operation of a Business.
- 1.52 **"Precious Metals"** shall mean a valuable metal, which includes but is not limited to gold, silver and platinum.
- 1.53 **"Property Taxes"** shall mean the amount of taxes levied on real property under the *Ontario Municipal Act*, 2001 S.O. 2001, c.25, and the *Education Act* and any amounts owed under the *Drainage Act*, the *Tile Drainage Act* and the *Shoreline Property Assistance Act* with respect to real property and includes any amounts deemed to be taxes by or under any other Act and any amounts given priority lien status by or under any Act.

- 1.54 **"Provincial Offences Act"** shall mean the *Provincial Offences Act*, R.S.O. 1990, c. P.33 and the Regulations enacted thereunder as amended from time to time or any Act and Regulation enacted in substitution therefor.
- 1.55 **"Purchase"** shall mean to obtain Precious Metals by paying money or its equivalent and shall include the terms purchase, exchange and acquire by any means and "purchasing" and "purchased" has a like meaning.
- 1.56 **"Purchase Event"** shall mean an event held for primary purpose of purchasing Precious Metals from members of the public at large or from a Person or Persons invited to the purchase event.
- 1.57 **"Refreshment Vehicle"** shall mean any Vehicle from which Food and/or refreshments are sold or offered for sale for consumption by the public and includes without limiting the generality of the foregoing, carts, wagons, trailers and trucks.
- 1.58 **"Resident"** shall mean a Person who has resided continuously in the City for a period of three (3) or more months immediately preceding the time of commencing a Business in the City.
- 1.59 **"Restaurant"** shall mean any Premises in which Food is prepared and provided for sale for immediate consumption within the building or premises and includes but is not limited to, an accessory take-out service, an ice cream establishment, dairy bar, tea room, sandwich shop, lunch counter and fish and chip shop but does not include any class of refreshment vehicle.
- 1.60 **"Seasonal Restaurant"** shall mean:
- (i) a building, structure or part thereof where Food is prepared on or off the premises and is offered for sale to the public; and
 - (ii) that is not operated for more than eight (8) months in any calendar year.
- 1.61 **"Sidewalk"** shall mean that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.
- 1.62 **"Sign"** shall mean any device, structure, fixture or placard using graphics, symbols, and/or written copy for the primary purpose of identifying, providing directions or advertising any establishment, product, goods or services, with the exception of window displays, interior signs, national flags and painting of exterior building walls. For the purpose of removal of signs, this definition may also include all sign structures as well as any inflatable advertising devices.
- 1.63 **"Singular"** includes the plural and the plural includes the singular.
- 1.64 **"Special Event Organizer"** shall mean the Person who organizes any type of Craft Show, Trade Show or Antique/Collectible Show (collectively referred to as the "Show"), whether for profit or not.
- 1.65 **"Tattoo and/or Body Piercing Parlour"** shall mean a Business or Premise where the skin of an individual is marked by puncturing it and inserting a pigment or pigments to make permanent marks or designs and/or where parts of a body are punctured by a sharp-pointed instrument for the purpose of making a hole or opening through which an item may be attached to the body but shall not include a Premises which is operated solely for the purpose of piercing earlobes.

- 1.66 **"Tobacco"** shall mean a product composed in whole or in part of tobacco, including tobacco leaves, and any extract of tobacco leaves. It includes cigarette papers, tubes, filters and snuff but does not include any food, drug or device that contains nicotine to which the *Food and Drugs Act*, R.S.C., 1985, c. F-27 applies.
- 1.67 **"Trade Show"** shall mean a Business or a Person which coordinates a show or similar exhibition of three (3) or more vendors or businesses exhibiting, offering for sale, selling or otherwise displaying for delivery at a later date, goods, wares, merchandise, items, or services of a similar nature and where the vendors or Businesses will be organized at a specific location for a period not to exceed fourteen (14) consecutive days.
- 1.68 **"Vehicle"** shall include an automobile, motorcycle, motor vehicle, trailer, mobile home, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power and shall include a motorized snow vehicle or all terrain vehicle.
- 1.69 **"Zoning Administrator"** shall mean a person who may be appointed from time to time by Council to the position of Zoning Administrator for the City.

2. GENERAL PROVISIONS - BUSINESS LICENSING

- 2.1 Every Person carrying on, conducting, operating, maintaining, keeping or engaging in any Business specifically identified in Schedule "A" hereto shall be required to obtain a Licence from the Issuer of Licences.
- 2.2 The Owner of a premise shall not permit a person to operate a Business on the premises without a Licence, where such Licence is required by this By-Law.
- 2.3 For the purposes of this By-Law a Business shall not include:
- 2.3.1 a manufacturing activity or an industry, except to the extent that it sells its products or raw materials by retail,
- 2.3.2 the selling of goods by wholesale, or
- 2.3.3 the generation, exploitation, extraction, harvesting, processing, renewal or transportation of natural resources.

3. APPLICATION FOR NEW LICENCE

- 3.1 Every Person required to obtain a Licence pursuant to this By-Law:
- 3.1.1 shall apply in writing on the appropriate application form as provided by the Issuer of Licences;
- 3.1.2 shall deposit, at the time of application, with the Issuer of Licences, all required non-refundable Business Licence Fees as set out in Schedule "A" to this By-Law for each Business category; and
- 3.1.3 provide any required approvals, inspections or documentation required by the provisions of this By-Law or as deemed necessary by the Issuer of Licences.
- 3.2 The Applicant shall be responsible for obtaining all necessary inspections, documents and approvals as set out on the application form and as deemed necessary by the Issuer of Licences.

- 3.3 The Issuer of Licences shall not issue a Licence until:
- 3.3.1 all required approvals and inspections as required by the application have been obtained by the Applicant,
 - 3.3.2 Business Licence Fees have been paid in full,
 - 3.3.3 all Property Taxes are paid to the satisfaction of the City when required as a condition of obtaining a licence,
 - 3.3.4 any outstanding fines imposed under the *Provincial Offences Act* for the contravention of a provision of any City of North Bay By-Law arising out of the operation of a Business, whether such fines are owed by the Applicant personally or by any Business of which the Applicant is an Owner, as defined by this By-Law, and
 - 3.3.5 all of the required documentation has been provided to the Issuer of Licences.
- 3.4 There shall be a separate Licence for each of the premises to be used by the Applicant.
- 3.5 There shall be a separate application for each category of Business operated and Licence to be issued.
- 3.6 The Applicant shall comply with all requirements as set out in this By-Law as well as all applicable Federal, Provincial, Municipal Statutes, Regulations, By-Laws and Codes and any other provisions that may govern the Business, Place or Premises used in the carrying on of the Business and/or the Persons carrying on the Business or engaged in it and to which the application pertains.
- 3.7 The Issuer of Licences, upon receipt of the application for a Licence may make, cause to be made, or request, any additional documents, investigations, approvals or inspections to be made in respect of such application for a Licence as the Issuer of Licences deems appropriate or in the interest of the general public, and any costs incurred for such inspection or documents shall be at the Applicant's expense.
- 3.8 Upon receipt of a completed application, together with all required documentation for a Licence and the appropriate Business Licence Fees have been paid, the Issuer of Licences may prior to the issuance of any such Licence:
- 3.8.1 make any inquiries to any municipal official or employee, who has carried out inspections relative to the business under application,
 - 3.8.2 receive reports from such municipal officials and employees as may be deemed necessary, and
 - 3.8.3 inquire into all relevant matters in order to ascertain if the Applicant is entitled to a Licence under the provisions of this By-Law.
- 3.9 Upon being satisfied that the Applicant is entitled to obtain a Licence under the provisions of this By-Law, the Issuer of Licences shall prepare and issue a Licence to the Applicant.

4. APPLICATION FOR RENEWAL LICENCE

- 4.1 Every Person required to renew a Licence previously granted under this By-Law, shall submit to the Issuer of Licences, an application form for renewal of the Licence as provided by the Issuer of Licences.

- 4.2 Every Applicant shall ensure that the information on the application is up to date.
- 4.3 Where there has been a change of circumstance the Issuer of Licences shall not issue a Licence until:
 - 4.3.1 all required approvals and inspections have been obtained by the Applicant,
 - 4.3.2 the required documentation has been provided,
 - 4.3.3 all Business Licence Fees have been paid in full,
 - 4.3.4 all Property Taxes are paid to the satisfaction of the City when required as a condition of obtaining a licence, and
 - 4.3.5 any outstanding fines imposed under the *Provincial Offences Act* for the contravention of a provision of any City of North Bay By-Law arising out of the operation of a Business, whether such fines are owed by the Applicant personally or by any Business of which the Applicant is an Owner, as defined by this By-Law.
- 4.4 Where the Issuer of Licences receives an application for renewal of a Licence previously granted under this By-Law and the appropriate fees have been paid, he or she shall, prior to the issuance of any such Licence:
 - 4.4.1 make inquiries into all relevant matters in order to ascertain if the Applicant is entitled to obtain a renewed Licence under the provisions of this By-Law,
 - 4.4.2 inquire into any and all relevant changes in circumstances since the previous Licence was issued to the Applicant ,
 - 4.4.3 make any inquiries to any municipal official or employee, who has carried out inspections or investigations relative to the Business under application, and
 - 4.4.4 receive reports from such municipal officials and employees as may be deemed necessary.
- 4.5 When the Issuer of Licences is satisfied that the Applicant is entitled to obtain a Licence under the provisions of this By-Law, the Issuer of Licences shall prepare and issue a Licence to the said Applicant.

5. FORM OF LICENCE

- 5.1 Every Licence shall show therein:
 - 5.1.1 the operating name of the Business or Person to whom the Licence is issued,
 - 5.1.2 the operating address of the Premises or location for which the Licence is issued,
 - 5.1.3 the category of Licence granted,
 - 5.1.4 the date of issue of the licence,
 - 5.1.5 the date of expiration of the licence, and
 - 5.1.6 shall be signed by the Issuer of Licences.

6. ADMINISTRATION FEES

- 6.1 An administration fee of Twenty-Five Dollars (\$25.00) will apply to the following:

Duplicate Licence:

- 6.1.1 In the event that the Licence issued under this By-Law is lost or destroyed, the Issuer of Licences upon satisfactory proof of such loss or destruction, and upon payment of the administration fee, shall issue a duplicate of the original Licence, upon which shall be stamped or marked the word "DUPLICATE" or "COPY". The expiry date of the "Duplicate" or "Copy" shall be the same as the one being replaced.

Late Renewals:

- 6.1.2 In the event that a Licence is not renewed on or before the existing expiry date, notwithstanding any charge(s) that may be laid under this By-Law, the Applicant shall also be required to pay a \$25.00 Administration Fee in addition to the applicable Business Licence Fee.

7. CHANGE OF NAME

- 7.1 Where the ownership of a Business is not changed or affected but the operating name has changed, the Licensee shall within thirty (30) Business Days of such change notify the Issuer of Licences and upon being satisfied that there has been no other change in the circumstances of the Licenced Business, the Issuer of Licences may issue a replacement of the original Licence. The Licensee shall return and surrender their Licence in order to affect such a change at no cost. The expiry date of the Licence shall be the same as the one being replaced.

8. CHANGE OF OWNERSHIP

- 8.1 Every Licensee shall, upon change of ownership of the Licenced Business return and surrender their current Licence to the Issuer of Licences. The new owner shall make application for a new Licence as set out in this By-Law.

9. CHANGE OF PREMISES

- 9.1 Where a currently Licenced Business changes Premises, such new Premises shall not be deemed to be Licenced. The Licensee shall notify the Issuer of Licences within seven (7) Business Days of the change of location and surrender to the Issuer of Licences the Licence issued with respect to their previous Premises. The Issuer of Licences shall upon payment of a fee in the amount of Twenty-Five Dollars (\$25.00) and being satisfied that the new location meets all the requirements as set out in this By-Law issue a replacement to the original Licence. The expiry date of the Licence shall be the same as the one being replaced.

10. LICENCE PERSONAL

- 10.1 No Person shall enjoy a vested or property right in any Licence or the continuance of any Licence or such a Licence and such rights shall remain the property of the City.
- 10.2 Licences are not transferable.

11. NUISANCE ABATEMENT

- 11.1 Every Person required to be Licensed under this By-Law, in addition to any other provisions or requirements expressed elsewhere in the By-Law, shall comply with the following requirements:
- 11.1.1 at all times maintain and keep safe and clean and in good condition and repair any Place of Business for which the Licence is issued including any Vehicle used for or by the Licensed Business,
 - 11.1.2 shall not breach or violate or cause, suffer, or permit any breach or violation of any By-Law of the City or of any statute, Order-In-Council, or Regulation of the Legislature of the Province of Ontario or the Parliament of Canada or of any Agency, Board or Commission thereof, in, upon, or in connection with the Business or Premises for, or in relation to which such Licence was issued,
 - 11.1.3 shall not cause, suffer or commit any nuisance to arise in, on, or in connection with the Place of Business, Vehicle or Premises, for which the Licence was issued,
 - 11.1.4 shall not cause, suffer or permit any shouting, noise or other disturbance on, in or in connection with the Place of Business, Vehicle or Premises for which the Licence was issued, that is unnecessary, unreasonable or contrary to any municipal By-Law prohibiting the same, and if any such shouting, noise or other disturbance occurs, the Licensee shall immediately take steps to cause the same to be abated,
 - 11.1.5 shall not cause, suffer, or permit any obstruction on any highway, lane or public place in front of or adjoining the place or premises for which the Licence was issued, and
 - 11.1.6 shall not cause, suffer or permit any profane, offensive or abusive language or disorderly conduct in, on, or in connection with any Vehicle or Premises for which the Licence was issued.
- 11.2 Every Person who acquires a Licence that is issued under this By-Law is responsible for the due performance and observance of all the provisions of this By-Law by their employees, agents, invitees and all other persons in or upon the Premises that is Licensed under the provisions of this By-Law.

12. INSPECTION

- 12.1 A Municipal Enforcement Officer, Issuer of Licences, Police Officer or other duly appointed individual may at all reasonable times, inspect or cause to be inspected the Premises, facilities, equipment, Vehicles, and other property used or kept for hire in connection with the carrying on of a Business that is Licensed or that is required to be Licensed pursuant to this By-Law.
- 12.2 No person shall hinder or obstruct, or attempt to hinder or obstruct, a Municipal Enforcement Officer, Issuer of Licences, Police Officer or other duly appointed individual who is exercising a power or performing a duty under this By-Law, including carrying out an inspection.
- 12.3 The owner of a premises shall, upon request by a Municipal Enforcement Officer, Issuer of Licences, Police Officer or other duly appointed individual, provide forthwith information relating to any person conducting Business on the premises who is required to obtain

a Licence pursuant to this By-Law, including the corporate name, business name, address, phone number, and dates of operation at that premises.

- 12.4 No person shall knowingly provide false information in any application under this By-Law or in any document, correspondence or other form of communication required to be furnished under this By-Law.

13. POSTING OF LICENCE

- 13.1 Every Person licensed pursuant to this By-Law shall post in a prominent and conspicuous place the current Licence on the premises or that part thereof to which the Licence pertains. The Licensee shall ensure that the Licence is positioned in such location that it may be readily seen and read by persons entering the Premises.
- 13.2 Where a Licence is issued to a Person who goes from place to place or to a particular place with food, goods, wares, or merchandise for sale, the Licensee shall keep the Licence with them at all times while carrying out their Business and shall exhibit it to any Municipal Enforcement Officer, Issuer of Licences, Police Officer or other authority having jurisdiction who so requests.

14. REFUSAL TO GRANT A LICENCE

- 14.1 The Issuer of Licences may refuse to grant or issue a licence to any Applicant who:
- 14.1.1 has failed to comply with the requirements of this By-Law or other applicable By-Laws of the City or of any Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board of Commission thereof, in, upon or in connection with the applied for licensed activity of the Business or Premises, facilities, equipment, Vehicles or other property used or kept for hire in connection with the Licensed activity,
 - 14.1.2 has any outstanding Property Taxes owing to the City, or
 - 14.1.3 has any outstanding fines imposed under the *Provincial Offences Act* for the contravention of any provision of this By-Law.
- 14.2 The Issuer of Licences may also, at their discretion, refuse to grant or issue a Licence to any Applicant where the Issuer of Licences believes it is not in the public interest to do so.

15. SUSPENSION/REVOCAION

- 15.1 The Issuer of Licences may suspend or revoke a Licence issued to any Licensee who:
- 15.1.1 has failed to comply with the requirements of this By-Law or other applicable By-Laws of the City or of any Local Board thereof, or of any Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency or Board of Commission thereof, in, upon or in connection with the applied for Licensed activity of the Business or Premise, facilities, equipment, Vehicles and other property used or kept for hire in connection with the Licensed activity,
 - 15.1.2 has outstanding Property Taxes owing to the City, or

- 15.1.3 has any outstanding fines imposed under the *Provincial Offences Act* for the contravention of any provision of this By-Law.
- 15.2 The Issuer of Licences may also suspend or revoke any Licence issued to any Applicant where the Issuer of Licences believes it is in the public interest to do so.
- 15.3 Any suspension of a Licence may be subject to such terms and conditions as the Issuer of Licences may prescribe.
- 15.4 No person shall operate any Business or Premise contrary to any Licence suspension or terms and conditions thereto or where such Licence has been revoked.

16. NOTICE AND APPEAL

- 16.1 Where the Issuer of Licences refuses to issue, suspends, or revokes a Licence the said Issuer of Licences shall notify the Applicant in writing of such decision and the said notice shall set out the grounds upon which the issue of the said Licence is refused, suspended or revoked and shall state that the Applicant or Licensee may appeal such decision by filing an appeal with the Clerk of the municipality within fifteen (15) days of receiving the notice.
- 16.2 Upon receipt of an appeal from the Applicant, the Clerk and Council shall follow the procedure set out in this By-Law.
- 16.3 A Hearing Committee may hear any interested parties or afford them an opportunity to be heard on any matter where Council is required by law to hold a hearing in relation to any act, by-law or decision.
- 16.4 The Hearing Committee shall be comprised of the Mayor, the Chair and the Vice-Chair of the Standing Committee to which the matter relates, or their nominees from the Standing Committee. Any other Councillor may sit to hear the interested parties, but shall not be a Member of the Hearing Committee for the purpose of making a recommendation to the Council.
- 16.5 The Hearing Committee shall be bound by the *Statutory Powers Procedure Act*, R.S.O. 1990, c. 22, as amended.
- 16.6 Except as otherwise herein provided this By-Law applies mutatis mutandis to the Hearing Committee.
- 16.7 Upon the conclusion of a hearing conducted by the Hearing Committee, the Hearing Committee shall, as soon as practicable, make a written report to Council summarizing the evidence and arguments presented by the parties, the findings of fact made by the Hearing Committee and the recommendations, if any, of the Hearing Committee with reasons therefor on the merits on the application in respect of which the hearing has been conducted.
- 16.8 After considering the report of the Hearing Committee, Council may thereupon in respect of such application, do any act, pass any by-law or make any decision that it might have done, passed or made, had it conducted the hearing itself.

17. CHARITABLE ORGANIZATIONS

17.1 Any non-profit charitable organization selling items for the purpose of raising funds for such charitable organization shall be required to obtain a Licence and no Business Licence Fee shall be payable for such Licence under the provisions of this By-Law. All monies being raised at the event must be wholly for the benefit of the charitable organization.

18. INSURANCE

18.1 All insurances required herein shall be provided at the time of application in a form acceptable to the Issuer of Licences and in the amount as specified pursuant to the applicable Sections of this By-Law.

19. LICENCE FEES AND INSPECTIONS

19.1 The Business Licence Fees to be paid for a Licence and the renewal for a Licence shall be as set out in the attached Schedule "A".

19.2 Incomplete applications shall be considered not to have been received and may be returned to the Applicant or held pending further information. In any case where the application remains incomplete after the date established for obtaining or renewing such Licence, the Applicant may be required to submit a new application in accordance with provisions of Section 3 hereof.

20. EXPIRY OF LICENCE

20.1 For the purpose of every new Licence issued, the date of expiry shall be the date as set out on the Licence.

21. PENALTY

21.1 A person who contravenes a provision of this By-Law is guilty of an offence and on conviction is liable to a fine of not less than \$500.00 and not more than \$50,000.00.

22. LICENCE RECORDS

22.1 The Issuer of Licences shall maintain records of Applications and related documentation, inspection reports, departmental and agency approvals and Licences issued, in accordance with the City's Retention By-Law.

23. SEVERABILITY

Should any section of this By-Law be declared by a Court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

24. ADVERTISING

Any Sign advertising any event or business shall be in accordance with City of North Bay By-Law No. 2006-143, and any amendment thereto, being a By-Law to Restrict and Regulate Signs and Other Advertising Devices, Including Posting of Notices on Public Property within the City of North Bay.

25. REPEAL

25.1 By-Law 2004-191 and any amendments thereto are hereby repealed.

26. **ENACTMENT**

26.1 This By-Law shall take effect on January 1, 2013.

READ A FIRST TIME IN OPEN COUNCIL THE 26TH DAY OF NOVEMBER, 2012

READ A SECOND TIME IN OPEN COUNCIL THE 26TH DAY OF NOVEMBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THE 26TH DAY NOVEMBER, 2012.

"original signature on file"

MAYOR ALLAN McDONALD

"original signature on file"

CITY CLERK CATHERINE CONRAD

RELATING TO THE ANNUAL FEES FOR BUSINESS LICENCES

BUSINESS CLASS	BUSINESS LICENCE FEE	SCHEDULE
Auctioneer	\$100.00 per year	B
Circus/Midway	\$100.00 per visit	C
Door-to-Door Sales/Service Person	\$200.00 per year	D
Firearms Repair Facility	\$50.00 per year	E
Hawkers and Peddlers		F
<u>Class A - Resident</u>	\$100.00 per year January 1 st to December 31 st of each calendar year	
<u>Class B - Non-Resident</u>	\$300.00 per year July 1 st to June 30 th of the next calendar year	
<u>Class C - All-Inclusive Annual</u>	\$3,000.00 per year January 1 st to December 31 st of each calendar year	
Outdoor Patios	\$10.00 per location per year	G
Pawnbroker	\$100.00 per year	H
Pet Shop	\$50.00 per year	I
Places of Amusement	\$100.00 per year	J
Precious Metal Purchasers	\$150.00 per event (non-resident) \$300.00 per year (resident)	K
Refreshment Vehicles		L
<u>Class A</u>	\$200.00 per year \$50.00 each additional vehicle	
<u>Class B</u>	\$200.00 per year \$50.00 each additional vehicle	
<u>Class C</u>	\$200.00 per year \$50.00 each additional vehicle	
<u>Class D</u>	\$50.00 per year \$25.00 per additional cart	
Restaurants	\$50.00 per year	M
Seasonal Restaurants	\$100.00 per year	N
Special Events	Licence Fees are only applicable to Non-Residents of the City.	O
<u>Class A - Craft</u>	\$10.00 per day	
<u>Class B - Trade</u>	\$25.00 per day	
<u>Class C - Antique</u>	\$25.00 per day	
Tattoo and Body Piercing Parlours	\$100.00 per year	P
Tobacco Sales	\$50.00 per year	Q

THIS IS SCHEDULE "B" TO BY-LAW 2012-225 OF THE CORPORATION
OF THE CITY OF NORTH BAY

AUCTIONEER

Applicable to:	Every Person who sells or offers goods for sale by public Auction.
Definitions:	<p>Auctioneer – shall mean a person who conducts a sale by Auction.</p> <p>Auction - shall mean a public sale to Persons in which bids on goods, articles, merchandise, effects, etc., are received by an Auctioneer and where each bid offers more than the last previous bid, the article being put up for Auction sold to the highest bidder. Shall not include a Silent auction or Chance Auction.</p> <p>(i) Silent Auction - shall mean an Auction conducted by means of written bids given on displayed goods, wares or merchandise with the final declaration of sale being made to the last individual having submitted a bid on the specified bid sheet for that item.</p> <p>(ii) Chance Auction – (also known as a “Chinese Auction”) shall mean an Auction conducted by means of predetermining a set price on an item, thence receiving verbal bids on such an item. The final declaration of sale shall be made to the highest bidder who shall then pay the price, based on the difference between the predetermined price and the highest bid.</p>
Exemptions:	<p>The requirement to obtain an “Auction Licence” does not apply to:</p> <ol style="list-style-type: none"> 1. a Sheriff or court Bailiff acting under a court procedure; 2. a Municipality conducting an auction under the tax sale provisions of the <i>Municipal Act, 2001</i>; 3. a Person who engages the services of a licensed Auctioneer to conduct an Auction on his or her behalf; 4. a Person registered under the <i>Real Estate and Business Brokers Act</i> who is selling real estate by public auction; 5. a Person licensed under the <i>Livestock Community Sales Act</i> who is conducting a community livestock sale; 6. Silent Auction and Chance Auction.
Licence Fee:	<p>\$100.00 per year.</p> <p>Every Auctioneer shall advise the Issuer of Licences a minimum of seven (7) days in advance, of the time, date and location of every auction scheduled by such Auctioneer.</p>
Licence Circulated to:	<ol style="list-style-type: none"> 1. North Bay Police Service.
Special Conditions:	<ol style="list-style-type: none"> 1. Every Auctioneer shall keep a proper ledger of account of the Auction transacted by them as an Auctioneer. The entries in the ledger shall give the names and addresses of the owners of the goods, wares, merchandise or effects to be sold, the description of the same, the price for which the same was sold, the names and addresses of the persons purchasing such goods, wares, merchandise or effects or any portion thereof, the price for which the item was sold and the Auctioneer shall forthwith, after the sale of same, or any portion thereof, account for the proceeds and pay to the person entitled to such proceeds, less the Auctioneer’s legal and proper commissions and charges and they shall, in case no sale is made of such goods, on payment of their proper costs and charges, return such goods to the person entitled to receive such goods on demand being made for such goods.

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| | <p>2. No Auctioneer shall:</p> <ul style="list-style-type: none">(i) permit any disorder in their auction room or offices,(ii) conduct or permit to be conducted any mock auction,(iii) knowingly make or permit to be made any misrepresentation as to the nature, content, quantity or value of any goods, wares, merchandise or effects which may be offered for sale by them,(iv) give away articles or sell them for nominal amounts for the purpose of stimulating bidding,(v) do any act that is calculated to or which may reasonably have the effect of confusing a purchaser as to the amount they pay for any article(s),(vi) by deceit, falsehood, or other fraudulent means stimulate or raise bids or cause to stimulate or raise bids affecting the selling price of any item offered for sale to the public by public auction,(vii) sell or put up for sale by auction any goods, wares, merchandise or effects held on a reserve bid basis without first announcing to those in attendance at the auction the fact that such item is held on a reserve bid. <p>3. The Applicant shall provide to the Issuer of Licences at the time of application, proof of liability insurance in the minimum amount of \$2,000,000.00.</p> |
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CIRCUS / MIDWAY

Applicable to:	To any Person operating a circus/midway.
Definitions:	<p>"Circus/Midway" shall mean:</p> <ul style="list-style-type: none"> (i) a Business operating amusement ride(s) or other device(s); (ii) a Business operating authorized games of chance, or (iii) a performance exhibiting equestrian, animal, and acrobatic acts and their equipage intended to entertain or amuse or provide entertainment to the public.
Exemptions:	None
Licence Fee:	\$100.00 per visit
Application Circulated to and Approvals Required From:	N/A
Special Conditions:	<ol style="list-style-type: none"> 1. No Person having control or charge of such an operation shall commence to assemble or erect any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus, or mechanical device or ride or any other structure or erection until a licence has been obtained. 2. No Licence shall be issued for a circus involving amusement devices or show involving carnival rides unless the applicant submits: <ul style="list-style-type: none"> (i) a valid and current licence to carry on business in Ontario issued by the Technical Standards & Safety Authority, or its successor; (ii) a valid and current Ontario Amusement Device Permit issued by the Technical Standards & Safety Authority , or its successor, for each ride. 3. Every Person making application shall provide proof of liability insurance in the amount of Five Million Dollars (\$5,000,000.00) and in a form acceptable to the City. Such insurance shall provide a minimum thirty (30) days written notification to the City of any change, expiration or cancellation of such policy. Where the operation of such Circus/Midway will take place on any City owned property, liability insurance shall also include and name "The Corporation of the City of North Bay" as an additional insured. 4. The electrical system, equipment, fuses and switches shall be inaccessible to the public and cables on the ground in areas used by the public shall be protected as required by the Ontario Electrical Safety Authority. 5. All electrical systems shall be operated and maintained in a safe manner. 6. Every Person to whom this schedule relates shall keep good order in or at any building or premises in respect to which a licence has been issued, and at his own expense shall keep a sufficient staff of employees or servants for that purpose. 7. Every Person to whom this schedule relates shall produce a list of the names, address and date of birth of all employees, agents or contractors, upon demand of a police officer. 8. No Circus/Midway or other like traveling exhibition or side show, or other entertainment connected therewith, shall be exhibited in the City of North Bay for longer than a period of ten (10) consecutive days.

DOOR-TO-DOOR SALES/SERVICE PERSON

Applicable to:	Every person that goes from place to place selling or offering for sale a service of any kind.
Definitions:	A Person who goes from place to place selling or offering for sale a service of any kind.
Exemptions:	None
Annual Licence Fee:	\$200.00 per year
Licence Circulated to:	1. North Bay Police Service
Special Conditions:	<ol style="list-style-type: none"> 1. Every Door-to-Door Sales/Service Person shall produce to the Issuer of Licences at the time of application, two pieces of identification, one of which shall be photographic identification. Such identification shall clearly state the applicant's name and current residential address. 2. Every Door-to-Door Sales/Services Person shall produce to the Issuer of Licenses at the time of application, a letter from their employer authorizing them to conduct business on behalf of the employer. This letter shall include the name of the business, current business address of the business together with the name of a contact person for complaint purposes. 3. No Person shall engage in, or carry on his business by passing door-to-door within the City before 9:00 a.m. any day or after 7:00 p.m. any day. 4. Every Door-to-Door Sales/Service Person shall provide a current Criminal Record check for all owners, operators and employees who are eighteen (18) years of age or over, which shall be obtained by them at their own expense from the North Bay Police Service or the local Police Service where they reside. 5. Each Licence shall be issued for the period of time that the Door-to-Door Sales/Service Person is selling his or her service within the City. The Door-to-Door Sales/Service Person will require a new Licence each time they attend within the City to sell their service. 6. Every Door-to-Door Sales/Service Person will produce to any homeowner a copy of the Licence that they have been provided by the City at the request of the homeowner.

FIREARMS REPAIR FACILITY

Applicable to:	Every person who operates a firearm repair facility in which firearms are discharged.
Definitions:	A Repair Facility in which firearms are discharged.
Exemptions:	None
Annual Licence Fee:	\$50.00 per year
Licence Circulated to:	1. North Bay Police Service
Special Conditions:	<ol style="list-style-type: none"> 1. No person without a Licence shall operate a firearm repair facility in which firearms are discharged. 2. No Licensee shall discharge a firearm at the licensed premises except for the purpose of testing the firearm. 3. Every Licensee shall ensure that any building in which firearms are discharged for the purpose of testing are fully enclosed and protected to ensure that no projectile can escape such structure.

HAWKER AND PEDDLER

Applicable to:	<p>Hawker and Peddler shall mean any Person who:</p> <ol style="list-style-type: none"> 1. Goes from door to door with goods, wares or merchandise for sale or who carries and displays samples, patterns or specimens of any goods, wares or merchandise for which immediate sales are made and for which orders are taken with delivery to follow. 2. Sells from a permanent structure on a temporary basis, goods, wares or merchandise for sale, or who carries and displays samples, patterns or specimens of any goods, wares or merchandise for which immediate sales are made and for which orders are taken with delivery to follow. 3. Is engaged in retail sales but does not have a commercial store front and includes their employees but does not include: <ol style="list-style-type: none"> (i) Service Clubs (ii) Not for Profit Clubs (iii) Charitable Organizations or (iv) Such other institutions, organizations or clubs as the Council by Resolution may approve.
Definitions:	<p><u>Class A:</u> Class A Licence shall mean a Licence issued to a Resident.</p> <p style="padding-left: 40px;">Resident shall mean a Person who resides in the City and does not have a Place of Business in the City in which the Business is normally carried on and shall include a person who conducts Business in a place, premises or location on a one-time or temporary basis.</p> <p><u>Class B:</u> Class B Licence shall mean a Licence issued to a Non-Resident</p> <p style="padding-left: 40px;">Non-Resident shall mean a Person who has not resided continuously in the City for at least three (3) months immediately preceding the time of commencing a Business in the City.</p> <p><u>Class C:</u> Class C Licence shall mean an annual Hawker and Peddler Licence issued to the owner of the premises, in lieu of requiring individual persons to obtain Hawker and Peddler Licences to operate a Business on that premises.</p>
Exemptions:	<p>The requirement to obtain a Hawker and Peddler Licence does not apply to:</p> <ol style="list-style-type: none"> 1. The sale of goods by wholesale. 2. Persons who sell goods that are grown or produced on their own agricultural operation within the City, or family members or employees who have written authority to sell the goods on their behalf. 3. Persons who sell Christmas trees on a seasonal basis. 4. Persons who conduct Business on a premises for which the Owner holds a valid Class C Licence.
Licence Fee:	<p><u>Class A:</u> \$100.00 per year (Resident) Licences shall run from January 1st to December 31st of each calendar year.</p> <p><u>Class B:</u> \$300.00 per year (Non-Resident) Licences shall run from July 1st to June 30th of the next calendar year.</p> <p><u>Class C:</u> \$3,000.00 per year (Annual) Licence shall run from January 1st to December 31st of each calendar year.</p>

Application Circulated to and Approvals Required:	<ol style="list-style-type: none">1. City of North Bay Zoning Department (if applicable)2. North Bay Parry Sound District Health Unit (if applicable)
Special Conditions:	<ol style="list-style-type: none">1. All Signs promoting any event shall be in accordance with City of North Bay By-Law No. 2006-143, and any amendments thereto, being a By-Law to restrict and Regulate Signs and Other Advertising Devices, Including Posting of Notices on Public Property within the City of North Bay.

OUTDOOR PATIO

Applicable to:	Every Person with an outdoor patio on any sidewalk within the City.
Definitions:	Outdoor Patio shall mean an encroachment on a sidewalk or boulevard outside of or immediately adjacent to a building or other structure providing services in the nature of a restaurant or tavern or like business and within or on which may be included objects such as tables, chairs, temporary entrance shelters, canopies, umbrellas, parasols and decorative planters.
Exemptions:	None
Licence Fee:	\$10.00 per location per year
Application Circulated to and Approvals Required From:	1. City of North Bay Engineering Department.
Special Conditions:	<ol style="list-style-type: none"> 1. Every owner requesting an Outdoor Patio Licence shall produce a policy of insurance and shall include and name "The Corporation of the City of North Bay " as an additional insured and will be given at least thirty (30) days' notice in writing of any cancellation, insuring the City for at least the amount of Two Million Dollars (\$2,000,000.00) for comprehensive general liability against loss or damage resulting from bodily injury or death of one or more persons, or from loss or damage to property resulting from any accident. A copy of this certificate of such policy shall be deposited with the Issuer of Licences prior to the licence being issued. 2. Every Applicant for an Outdoor Patio Licence shall submit a sketch for the approval of the City Engineer and the Issuer of Licences, to show that: <ol style="list-style-type: none"> (i) adequate space of a minimum of five (5) feet in width for pedestrian passage is being maintained, and (ii) current standards of engineering requirements for public services is being maintained, including fire hydrants, drainage, etc. 3. The City Engineer shall prepare a Report to Council to authorize the use of the sidewalk by the Licensee and Council shall make the final determination as to whether or not the City will allow the Outdoor Patio. 4. The Licensee shall not encumber the sidewalk any further than as shown on the sketch approved by the City Engineer and the Issuer of Licences. 5. The Licensee shall not damage the sidewalk area or make any permanent attachments to the sidewalk area. 6. The Licensee shall maintain the sidewalk area in the manner shown on the sketch approved by the City Engineer and the Issuer of Licences. 7. The licensee shall clean and keep clean the area of the Outdoor Patio and keep it free from papers and rubbish of any kind. 8. No tables, chairs, temporary entrance shelters, canopies, umbrellas, parasols or decorative planters shall be placed so as to interfere with access by wheelchairs.

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| | <ol style="list-style-type: none">9. The Licensee shall erect and maintain a fence or other vertical barrier to delineate the perimeter of the licensed sidewalk area. The top rail of a fence shall be painted reflective yellow and the remainder of the fence shall be painted in a contrasting colour for the benefit of visually impaired people.10. The sidewalk area shall not be used for tables, chairs, temporary entrance shelters, canopies, umbrellas, parasols or decorative planters positioned in such a manner as to obstruct exit from the restaurant.11. The Licensee shall clearly illuminate patio entrances and patio to restaurant entrances.12. The Licensee shall comply with all other applicable laws.13. No advertising is permitted on the sidewalk by virtue of the Outdoor Patio Licence.14. No frame sandwich board signs are permitted on the sidewalk near the Outdoor Patio. |
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PAWNBROKER

Applicable to:	Every Person who carries on the Business of a Pawnbroker.
Definitions:	<p>Pawnbrokers – means a Person who carries on the Business of taking by way of pawn or pledge any article for the repayment of money lent thereon, as defined in the <i>Pawnbrokers Act</i>, R.S.O. 1990, c.P.6, as amended.</p> <p>Pawn Shop – means a Business or Premise where the business of a Pawnbroker is carried out.</p>
Exemptions:	NONE
Licence Fee:	\$100.00 per year
Application Circulated to and Approvals Required From:	<ol style="list-style-type: none"> 1. City of North Bay Zoning Department. 2. North Bay Police Service
Special Conditions:	<ol style="list-style-type: none"> 1. Every Pawnbroker shall give to the City security to the satisfaction of the City Clerk in the sum of \$2,000.00 for the due observance by the Pawnbroker under the <i>Pawnbrokers Act</i>, R.S.O. 1990, c.P.6, as amended. 2. The operation of the Business shall conform to the provisions of the <i>Pawnbrokers Act</i>, R.S.O. 1990, c.P.6, as amended and all applicable North Bay Police Services Board By-Laws that may be in force. 3. Every Pawnbroker shall provide a current Criminal Record check for all owners, operators and employees who are eighteen (18) years of age or over, which shall be obtained by them at their own expense from the North Bay Police Service or the local Police Service where they reside. 4. For the purposes of this By-Law the initial Criminal Record Check must be dated within the last sixty (60) days of the initial Application for a Pawnbroker's Licence. All subsequent renewals for a Pawnbroker's Licence must include a Criminal Record Check that is current within the last two (2) years.

PET SHOP

Applicable to:	Every Person that operates a Pet Shop.
Definitions:	Pet Shop shall mean every shop, place, business or premise in which dogs, cats, fish, reptiles, birds or any other pet that is generally understood to be domesticated is sold or kept for sale.
Exemptions:	The requirement to obtain a "Pet Store Licence" does not apply to: (i) An animal shelter operated on or behalf of a public authority; (ii) A veterinary hospital or clinic; or (iii) Any facility in which animals are placed for care pursuant to the <i>Animals for Research Act</i> , R.S.O. 1990, c.A.22, as amended.
Annual Licence Fee:	\$50.00 per year
Application Circulated to and Approvals Required From:	1. City of North Bay Building Department 2. City of North Bay Fire Department 3. City of North Bay Zoning Department 4. North Bay & District Humane Society
Special Conditions:	1. If the North Bay and District Humane Society finds an animal that is in distress, the Licencing Officer may suspend or revoke the licence. 2. A Licence may be revoked or suspended where an animal is sold or offered for sale where it is prohibited by Federal or Provincial Law or Municipal By-Law of the City of North Bay.

THIS IS SCHEDULE "J" TO BY-LAW 2012-225 OF THE CORPORATION
OF THE CITY OF NORTH BAY

PLACE OF AMUSEMENT - (Pool Tables, Bowling Alleys, Arcades)

Applicable to:	Any Premises defined as a Place of Amusement.
Definitions:	<p>"Place of Amusement" shall mean a Business or Premises in which are offered facilities for the playing of:</p> <p>(i) three or more games of chance, or (ii) three or more games of mixed chance and skill, or (iii) a combination of three or more games of chance and games of mixed chance and skill.</p> <p>Games shall mean games that are not contrary to the <i>Criminal Code of Canada</i>, and shall include, but are not limited to video games, pinball games, table top hockey games, table top soccer games, electronic games, and billiard tables, pool tables or bagatelle tables or bowling alleys.</p>
Exemptions:	<ol style="list-style-type: none"> 1. Those with less than a total of three (3) games, machines and/or tables. 2. Bingo halls where electronic equipment is used for the purposes of conducting Bingo games.
Annual Licence Fee:	\$100.00 per year
Application Circulated to and Approval Required From:	<ol style="list-style-type: none"> 1. City of North Bay Fire Prevention 2. City of North Bay Zoning Department 3. City of North Bay Building Department 4. North Bay Parry Sound District Health Unit
Special Conditions:	<p>The Licensee shall ensure that:</p> <ol style="list-style-type: none"> 1. Orderly conduct is maintained in the Place of Amusement. 2. The operation of the Place of Amusement shall be conducted in a manner that is not in any way adverse to the public interest. 3. Every part of the Place of Amusement is sufficiently lighted so as to permit the safe use of the facility by the public. 4. Waste receptacles are accessible to the users.

PRECIOUS METAL PURCHASERS

Applicable to:	Any Person who purchases precious metals, including but not limited to gold, silver or platinum.
Definitions:	<p>"Precious Metals" shall mean a valuable metal, which includes but is not limited to gold, silver and platinum.</p> <p>"Purchase" includes purchase, exchange and acquire by any means and "purchasing" and "purchased" has a like meaning.</p> <p>"Purchase Event" shall mean an event held for primary purpose of purchasing Precious Metals from members of the public at large or from a Person or Persons invited to the purchase event. A Purchase Event shall not be longer than three (3) consecutive days.</p>
Exemptions:	A person purchasing gold from a person engaged in the business of selling gold such as a jeweler or a gold distributor.
Licence Fee:	<p>\$150.00 per event (Non-Resident)</p> <p>\$300.00 per year (Resident)</p>
Application Circulated to and Approvals Required from:	<ol style="list-style-type: none"> 1. City of North Bay Zoning Administrator (if applicable) 2. City of North Bay Fire Department (if applicable)
Special Conditions:	<ol style="list-style-type: none"> 1. No Person shall purchase, offer to purchase or advertise to purchase Precious Metals by any means, unless such person is the holder of a Licence issued under this By-Law for such purpose. 2. Any Person holding a Purchase Event shall produce to the Issuer of Licences at the time of application, two pieces of identification, one of which shall be photographic identification. Such identification shall clearly state the applicant's name and current residential address 3. No Person shall obtain any Precious Metals from any Person who is known to be or appears to be: <ol style="list-style-type: none"> (a) under the age of eighteen years; or (b) under the influence of alcohol or drugs. 4. No Person shall hold, sponsor, advertise or promote a Precious Metals Purchase Event unless such Person holds a Licence issued under this By-Law for such purpose and in accordance with the terms of the Licence and this By-Law. 5. The Applicant for a Licence pursuant to this By-Law shall, both before and after a Licence is issued, produce such books, records or other documents or information as the Issuer of Licences may consider necessary to corroborate any of the statements contained in the application. 6. The Issuer of Licences may refuse to issue a Licence or having issued a Licence under this part, may revoke same if: <ol style="list-style-type: none"> (a) any of the information set out in the application or statutory declaration of the Applicant or owner is false;

- (b) the Purchase Event is advertised or conducted in any manner other than that described in the application or in any manner calculated to mislead or deceive the public;
- (c) the Purchase Event is held in a location or conducted in any way in a manner contrary to the provisions of this By-Law or contrary to any condition imposed in the licence;
- (d) the Applicant refuses to produce any records, books, documents, or other information requested by the Issuer of Licences in accordance with this By-Law; or
- (e) the Applicant refuses to permit the Issuer of Licences to inspect any premises or inspect or test any measuring or weighing or other devices used in the purchase of the precious metals.

7. Where an Applicant for a Licence wishes to hold a Purchase Event at more than one site, a separate Licence shall be required for each site. A Business Licence Fee shall be payable for each such additional Licence.
8. The Licence for the Purchase Event shall be displayed in a clearly visible location on the Premises where the Purchase Event is held.
9. Applicants for a Licence shall ensure all advertising material distributed, displayed or published to promote a Purchase Event, including any radio or television broadcast, or internet promotion, contains a statement that the Purchase Event is held under the authority of this By-Law and shall state the number and expiry date of the licence issued for such Purchase Event under this By-Law, and that the Seller of the Precious Metals is over the age of 18 years with no exceptions.
10. For the purposes of this By-Law a Criminal Record Check must be dated within the last sixty (60) days of the Application for a Precious Metal Purchaser Licence.

REFRESHMENT VEHICLES

<p>Definitions:</p>	<p>Refreshment Vehicle means any Vehicle from which Food and/or refreshments are sold or offered for sale for consumption by the public and includes without limiting the generality of the foregoing, carts, wagons, trailers and trucks. Refreshment Vehicles are divided into the following classes:</p> <p>Class A: a <u>motorized vehicle</u>, other than a motor assisted bicycle or motorcycle, from which food that is <u>prepared and cooked on-site</u> is offered for sale, e.g., a chip truck.</p> <p>Class B: a <u>motorized vehicle</u>, other than a motor assisted bicycle or motorcycle, from which food that is <u>prepared and cooked off-site</u> is offered for sale, e.g., a catering truck;</p> <p>Class C: a <u>non motorized vehicle</u> propelled by muscular power, motor assisted bicycle, trailer, or motorcycle, or which can be moved from location to location by a motorized vehicle from which food that is <u>prepared and cooked on-site</u> is offered for sale, e.g., hot dog cart;</p> <p>Class D: a <u>non motorized vehicle</u>, propelled by muscular power, motor assisted bicycle, or motorcycle, or which can be moved from location to location by a motorized vehicle from which <u>prepackaged and prepared foods are sold on site</u>, or frozen confectionary and beverages are offered for sale, e.g., ice cream cart.</p>
<p>Exemptions:</p>	<p>Seasonal Restaurants – See Schedule "N"</p>
<p>Licence Fee:</p>	<p>Class A: \$200.00 Per Year \$ 50.00 Each Additional Vehicle</p> <p>Class B: \$200.00 Per Year \$ 50.00 Each Additional Vehicle</p> <p>Class C: \$200.00 Per Year \$ 50.00 Each Additional Vehicle</p> <p>Class D: \$ 50.00 Per Year \$ 25.00 Each Additional Vehicle</p>
<p>Application Circulated to and Approval Required From:</p>	<ol style="list-style-type: none"> 1. City of North Bay Building Department 2. City of North Bay Zoning Department 3. City of North Bay Fire Prevention 4. North Bay Parry Sound District Health Unit 5. Proof of Insurance (\$2,000,000.00) 6. Licensed Gas Fitter Inspection <p>All Classes of Refreshment Vehicles must obtain and provide proof of the necessary inspections annually prior to renewing Refreshment Vehicle Licence.</p>
<p>Special Conditions:</p>	<ol style="list-style-type: none"> 1. Every Licensee shall: <ol style="list-style-type: none"> a) ensure that every Refreshment Vehicle is equipped with a metal refuse container with a self closing lid, and such container shall be kept in a clean and sanitary condition, b) ensure that the metal refuse container be emptied at least once daily,

- c) ensure such containers shall be used for the disposal of all refuse,
- d) ensure that every refuse container is located in such a position so as to be easily accessible by persons making purchases while the Refreshment Vehicle is stopped,
- e) ensure that the Refreshment Vehicle and all parts and equipment for use in the dispensing of refreshments is maintained in a clean and sanitary condition and at all times in good repair,
- f) ensure that hard ice cream and related products are maintained in a hard condition in the Refreshment Vehicle at all times, as approved by the North Bay Parry Sound District Health Unit,
- g) ensure that soft ice cream and related products are stored in a refrigerated cabinet suitable for the storage of soft ice cream, as approved by the North Bay Parry Sound District Health Unit,
- h) ensure that all dispensing equipment is of a sanitary design and cleaned on a daily basis,
- i) ensure that adequate refrigeration, as approved by the North Bay Parry Sound District Health Unit, is provided for perishable Food that shall be kept so refrigerated,
- j) ensure that the date of expiration is clearly and legibly marked on or affixed to the wrapper of all sandwiches or pre-packaged food sold from the Refreshment Vehicle,
- k) ensure that beverages, which shall include but shall not be limited to, milk, juices, and soft drinks, are only sold in individual disposable containers,
- l) ensure that Refreshment Vehicles from which hot, prepared foods are sold are so equipped as to maintain such foods so heated at a temperature as approved by the North Bay Parry Sound District Health Unit,
- m) ensure that no LPG (liquefied petroleum gas) LNG (liquefied natural gas) or any combustible fuelled appliance is operated within ten (10) feet of any structure, door, window, or opening that shall include an alcove or alleyway,
- n) ensure that the Refreshment Vehicle is free from holes, crevices or cracks and all surfaces are readily washable and are kept clean and in good condition,
- o) ensure that only single service disposable cups, plates, forks, spoons, knives and containers are used and serviettes shall be provided from a dispenser, and
- p) ensure that all condiments are in sealed single serve packages or a sealed container.

2. Every person selling or handling refreshments and Food shall be clean and neat in appearance and shall maintain clean hands at all times. If no sink is available for hand washing then every person selling or handling refreshments and Food shall be supplied with gloves or hand sanitizer.

3. No Licensee or person employed with any Licensee under this section shall be suffering from any form of contagious disease while actively engaged in his or her work.

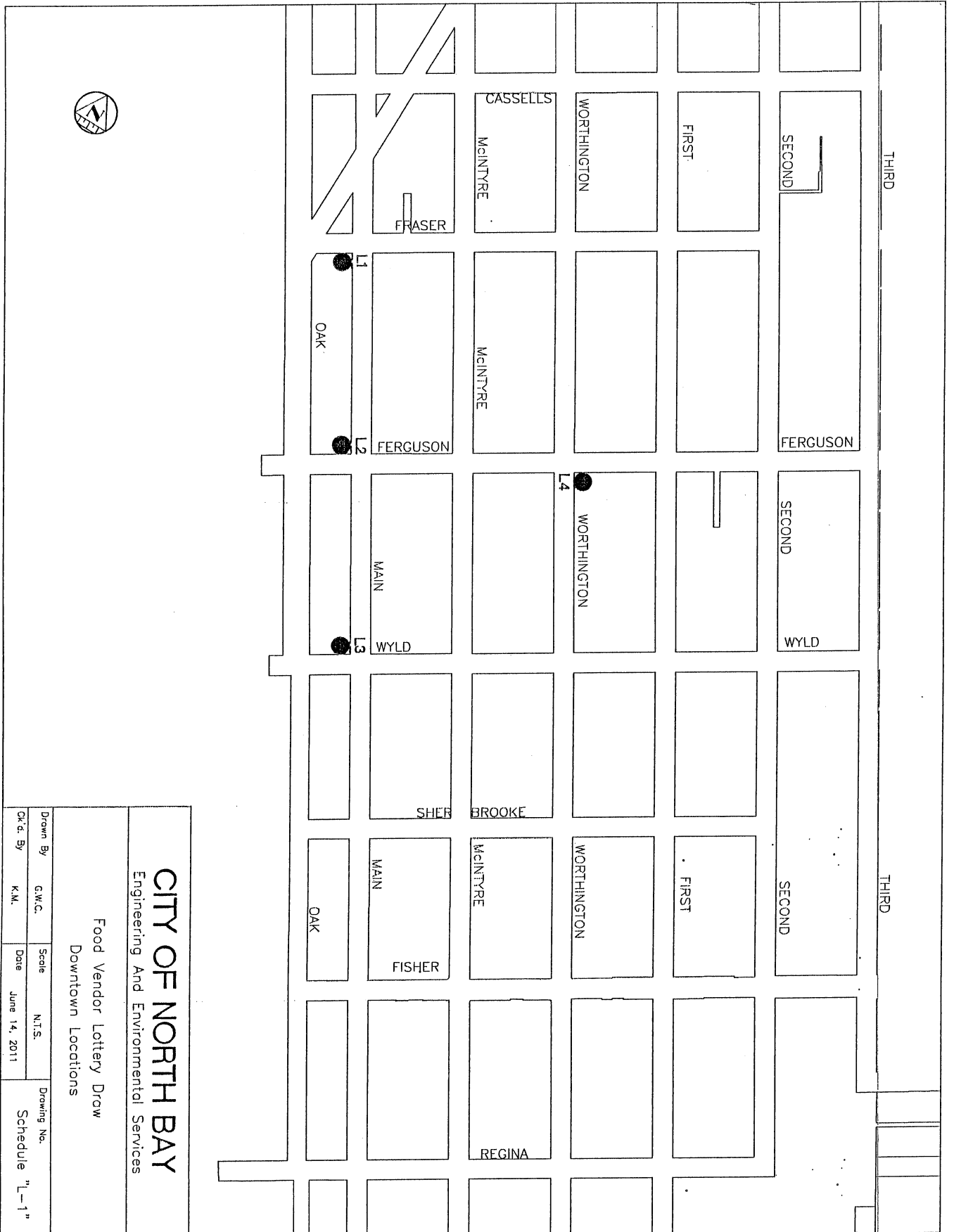
4. Gloves must be worn by any Licensee or Employee handling Food or refreshments who has an open cut or wound on their hands.

5. Every Licensee shall take out a separate Licence for each Refreshment Vehicle owned or operated by them and the Licence shall be affixed so as to be clearly visible.

6. Every Licensee shall at his or her own expense, whenever required to do so by the Issuer of Licences, bring such Refreshment Vehicle to any person designated by the Issuer of Licences for inspection.
7. All Refreshment Vehicle owners shall carry a minimum of Two Million Dollars (\$2,000,000.00) liability insurance and shall furnish proof of this coverage satisfactory to the City prior to being licensed. Such insurance shall contain an endorsement specifying that the municipality shall be given a minimum thirty (30) days written notice of any change, expiration, or cancellation of such policy. Where the Refreshment Vehicle has been granted permission to operate on City property, the policy shall also contain an endorsement identifying "The Corporation of the City of North Bay" as an additional insured.
8. Every Licensee shall ensure that each operator or employee is made familiar with the contents of this Section and shall not permit any operator under their control, management, supervision or direction to breach any of the provisions of this Section and any Regulations from the North Bay Parry Sound District Health Unit or any other Authority having Jurisdiction.
9. No Licensee or employee of a Refreshment Vehicle shall dispense Food to any person while such person is standing on a roadway.
10. No Licensee or Employee of a Refreshment Vehicle shall operate within thirty (30) metres of an existing restaurant with the exception of the Refreshment Vehicles operating within the provisions of Section 11.
11. No Licensee or Employee of a Refreshment Vehicle shall when operating on public property operate from any other location in the central business district as defined on Schedule "L-1" attached to this by-law other than in the areas designated as follows:
 - 11.1 100 Block, Main Street West, in the marked location in the vicinity of the C.I.B.C. identified as "L1" as shown on the attached Schedule "L-1"
 - 11.2 100 Block, Main Street West, in the marked location in the vicinity of the Royal Bank identified as "L2" as shown on the attached Schedule "L-1"
 - 11.3 200 Block, Main Street East, in the marked location in the vicinity of Century 21 identified as "L3" as shown on the attached Schedule "L-1"
 - 11.4 100 Block, Worthington Street West, in the marked location adjacent to Lot #7, identified as "L4" as shown on the attached Schedule "L-1"
12. No Licensee or Employee of a Refreshment Vehicle shall operate from any of the locations referred to in section 11 above unless that operator is the successful bidder for one of the locations as a result of a lottery type scheme, such scheme to be advertised in the local newspaper in the month of April of each year and the draw shall be on the first Monday in the month of May of each calendar year. The lottery shall be conducted by the Manager of Purchasing and shall be open to all licensed owners or operators of food carts.

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| | <ol style="list-style-type: none">13. In the event that only one licensed owner or operator has filed for the draw by the closing date, the requirements in section 11 above may be waived by the City Clerk and the Refreshment Vehicle owner or operator may select one location per refreshment vehicle.14. In the event the successful bidder of one of the designated locations referred to in section 11 above chooses not to continue to use the designated location prior to the end of the season, the location may be assigned to the second bidder for the remainder of the year. In the event that no bidder wishes to use the remaining or unassigned spots the Licensee of a Refreshment Vehicle may use any of the designated locations on a first come first serve basis.15. If the successful bidder of one or more of the designated locations referred to in section 11 above does not use the said designated location for a period of 14 consecutive days the spot will be deemed abandoned and may be assigned to the bidder drawn second in the draw.16. In cases where there was no draw the location may be used on a first come first serve basis. |
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THIS IS SCHEDULE "L-1" TO BY-LAW
2012-225 OF THE CORPORATION OF THE
CITY OF NORTH BAY



CITY OF NORTH BAY
Engineering And Environmental Services

Food Vendor Lottery Draw
Downtown Locations

Drawn By	G.W.C.	Scale	N.T.S.	Drawing No.
Ch'd. By	K.M.	Date	June 14, 2011	Schedule "L-1"

RESTAURANTS

Applicable to:	Restaurants.
Definitions:	"Restaurant" shall mean any Premises in which Food is prepared and provided for sale for immediate consumption within the building or premises and includes an accessory take-out service, an ice cream establishment, dairy bar, tea room, sandwich shop, lunch counter, fish and chip shop but does not include any class of Refreshment Vehicles.
Exemptions:	Seasonal Restaurants
Licence Fee:	\$50.00 per year.
Application Circulated to and Approvals Required From:	<u>Initial applications</u> must be submitted to the following: <ol style="list-style-type: none"> 1. North Bay Parry Sound District Health Unit 2. City of North Bay Zoning Administrator 3. City of North Bay Building Department 4. City of North Bay Fire Prevention
Renewals:	Licence must be renewed on a yearly basis.
Special Conditions:	<ol style="list-style-type: none"> 1. If the North Bay Parry Sound District Health Unit finds that the operation and maintenance of a Licenced Restaurant does not conform with the requirements of the <i>Health Protection and Promotion Act</i>, R.S.O. 1990, c.H.7, and the Food Premises Regulation, the Building, Fire and Licencing Departments may immediately suspend the licence until the situation has been rectified to the satisfaction of the Authority having Jurisdiction.

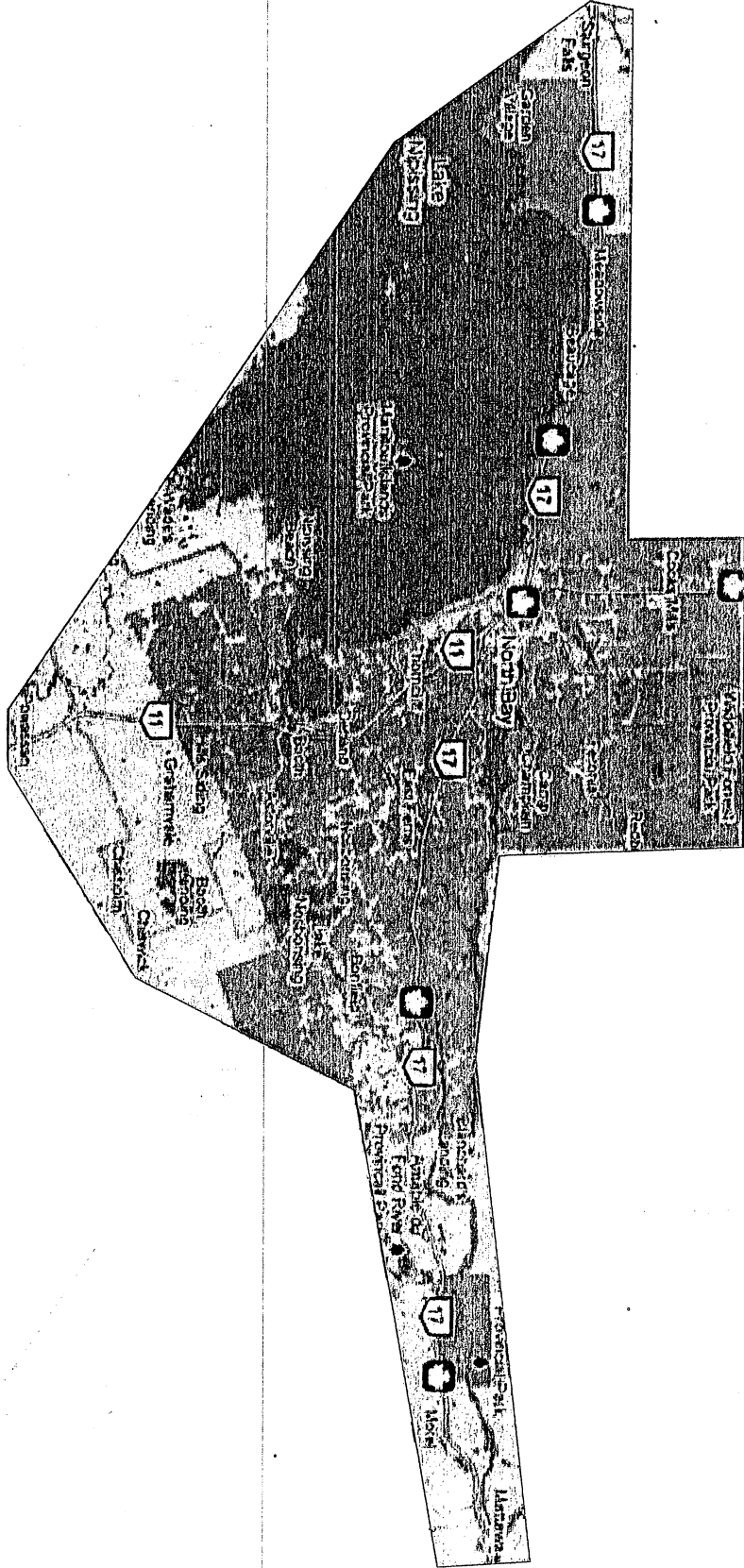
SEASONAL RESTAURANTS

Applicable to:	Seasonal Restaurants.
Definitions:	<p>"Seasonal Restaurant" shall mean:</p> <p>(i) a building, structure or part thereof where Food is prepared on or off the premises and is offered for sale to the public; and</p> <p>(ii) that is not operated for more than eight (8) months of any calendar year.</p>
Exemptions:	None
Licence Fee:	\$100.00
Application Circulated to and Approvals Required From:	<ol style="list-style-type: none"> 1. City of North Bay Building Department 2. City of North Bay Zoning Department 3. City of North Bay Fire Prevention 4. North Bay Parry Sound District Health Unit 5. Proof of Insurance (\$2,000,000.00) 6. Licensed Gas Fitter Inspection 7. City of North Bay By-Law Enforcement Officer <p>A Seasonal Restaurant must obtain and provide proof of the necessary inspections annually prior to their licence being issued.</p>
Renewals:	Licence must be renewed on a yearly basis.
Special Conditions:	<ol style="list-style-type: none"> 1. If the North Bay Parry Sound District Health Unit finds that the operation and maintenance of a Seasonal Restaurant does not conform with the requirements of the <i>Health Protection and Promotion Act, R.S.O. 1990, c.H.7</i>, and the Food Premises Regulation, the Building, Fire and Licencing Departments may immediately suspend the licence until the situation has been rectified to the satisfaction of the Authority having Jurisdiction. 2. The Seasonal Restaurant Licence that is issued is only valid at the municipal address specified on the Seasonal Restaurant Licence. 3. A Seasonal Restaurant Licence is non-refundable. 4. If the Owner/Operator decides at a later date that they wish to move their Seasonal Restaurant from location to location the cost of a Seasonal Restaurant Licence will not be applied towards a Refreshment Vehicle Licence. The full fee payable for a Refreshment Vehicle will be payable.

SPECIAL EVENTS

Applicable to:	Craft Shows, Trade Shows and Antique/Collectible Shows
Definitions:	<p><u>Class A:</u> Craft Shows – means the exhibiting or offering for sale by crafts people, on a temporary basis, goods, wares or merchandise that they themselves have produced.</p> <p><u>Class B:</u> Trade Shows –means a Business or a Person which coordinates a show or similar exhibition of three or more vendors or businesses exhibiting, offering for sale, selling or otherwise displaying for delivery at a later date, goods, wares, merchandise, items and where the vendors or businesses will be organized at a specific location for a period not to exceed fourteen (14) consecutive days.</p> <p><u>Class C:</u> Antique/Collectible Shows – means the offering for sale, on a temporary basis, goods, wares or merchandise that have not been recently produced or manufactured.</p> <p>Special Event Organizer – means the Person who organizes any type of Craft Show, Trade Show or Antique/Collectible Show (collectively referred to as the "Show"), whether for profit or not.</p>
Exemptions:	<p><u>Class A:</u> Any Person who resides permanently within the area outlined in Schedule "O1" attached to this By-Law is exempt from purchasing a licence for a Craft Show. Proof of permanent residency to the satisfaction of the City Clerk will be required.</p>
Licence Fee:	<p>Licence Fees are only applicable to Non-Residents of the City.</p> <p><u>Class A:</u> \$10.00 per day</p> <p><u>Class B:</u> \$25.00 per day</p> <p><u>Class C:</u> \$25.00 per day</p>
Application Circulated to and Approvals Required From:	N/A
Special Conditions:	<ol style="list-style-type: none"> 1. It is the sole responsibility of the Special Events Organizer to: <ol style="list-style-type: none"> (i) make an application to the Licensing Officer at least two (2) weeks before the Show. (ii) ensure that all required Licences, approvals, notifications, permits and certificates are in place for all vendors at the Show, and (iii) provide to the Licensing Officer a list which includes the names, addresses, telephone numbers of all vendors and the products being sold at the Show and shall collect the fees associated with the licence and provide the same to the Licensing Officer at least two (2) days in advance of the Show. 2. All Signs promoting any Special Event shall be in accordance with City of North Bay By-Law No. 2006-143, and any amendments thereto, being a By-Law to Restrict and Regulate Signs and Other Advertising Devices, Including Posting of Notices on Public Property within the City of North Bay.

THIS IS SCHEDULE "O-1" TO BY-LAW
2012-225 OF THE CORPORATION OF THE
CITY OF NORTH BAY



CITY OF NORTH BAY			
Engineering And Environmental Services			
Special Events (Craft Shows - Class A)			
Exemption Area			
Drawn By	G.W.C.	Scale	N.T.S.
Ch. d. By	K.M.	Date	June 8, 2011
			Drawing No.
			Schedule "O-1"

TATTOO AND BODY PIERCING PARLOURS

Applicable to:	Any Business or Premise operating a Tattoo and Body Piercing Parlour.
Definitions:	Tattoo and Body Piercing Parlour shall mean Business or Premise where the skin of an individual is marked by puncturing it and inserting a pigment or pigments to make permanent marks and/or designs and where parts of a body are punctured by a sharp-pointed instrument for the purpose of making a hole or opening through which an item may be attached to the body but shall not include a Business or Premise which is operated solely for the purpose of piercing earlobes.
Exemptions:	None
Annual Licence Fee:	\$100.00 per year
Application Circulated to and Approvals Required From:	<ol style="list-style-type: none"> 1. North Bay Parry Sound District Health Unit 2. City of North Bay Zoning Department 3. City of North Bay Fire Department 4. City of North Bay Building Department
Special Conditions:	<p>Every Licensee shall ensure that:</p> <ol style="list-style-type: none"> 1. All services provided in the Tattoo and Body Piercing Parlour comply with all regulations, guidelines or protocols published or recommended by Health Canada or the Ontario Ministry of Health and Long Term Care. 2. If a person is carrying on a Tattoo and Body Piercing Parlour in their residence the services may not take place in any room that is used as living, eating, food preparing, bathing or sleeping quarters. 3. The use of the premises for the purpose of a Tattoo and Body Piercing Parlour is permitted or conforms to the use permitted under the applicable Zoning By-Law. 4. No Person shall dispose of any needle or other similar instrument, item or tool in an unsafe manner. Biomedical waste is required to be disposed of in accordance with Provincial guidelines and regulations. 5. The Applicant shall provide to the Issuer of Licences at the time of application, proof of liability insurance in the minimum amount of \$2,000,000.00. 6. The Applicant shall provide a current criminal record check for all owners, operators and employees who are eighteen (18) years of age or over, which shall be obtained by them at their own expense from the North Bay Police Service or the local Police Service where they reside. 7. The initial Criminal Record Check must be dated within the last sixty (60) days of the initial Application for a Tattoo and Body Piercing Parlour. All subsequent renewals for a Tattoo and Body Piercing Parlour must include a Criminal Record Check that is current within the last two (2) years. 8. The Applicant shall provide to the Issuer of Licences a Certificate of Inspection prepared by the North Bay Parry Sound District Health Unit.

TOBACCO SALES

Applicable to:	Every Person who is engaged in a Business that includes the sale of tobacco and/or tobacco products.
Definitions:	Tobacco shall mean a product composed in whole or in part of tobacco, including tobacco leaves, and any extract of tobacco leaves. It includes cigarette papers, tubes, filters and snuff but does not include any food, drug or device that contains nicotine to which the <i>Food and Drugs Act</i> applies.
Exemptions:	NONE
Licence Fee:	\$50.00 per year
Application Circulated to and Approvals Required From:	1. North Bay Parry Sound District Health Unit
Special Conditions:	1. The operation of every Business which sells tobacco and/or tobacco products shall conform with the provisions of the <i>Tobacco Act</i> , S.C. 1997, c.13 and the <i>Tobacco Tax Act</i> , R.S.O. 1990, c. T.10, and any amendments thereto, regarding the sale and supply of tobacco and/or tobacco products.