

**The Village of Mayo  
By-Law No. 319**

**A by-law to provide for the licensing and regulating of businesses in the Village of Mayo.**

**WHEREAS** Section 265(c) of the Municipal Act of the Yukon Territory authorizes the Council of a municipality to license and regulate all businesses carried on within the municipality;

**NOW THEREFORE**, the Council of the Municipality of the Village of Mayo, in open meeting assembled, **HEREBY ENACTS AS FOLLOWS:**

SHORT TITLE

1. This by-law may be cited as the "Municipal Business License By-law".

INTERPRETATION

2. In this by-law, unless the context otherwise requires,
  - (a) "business" means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal, or other services for the purpose of gain or profit;
  - (b) "carry on or operate a business" includes the action of any person who advertises himself by newspaper, or otherwise, as open for business of any kind, or who advertises himself as open to render professional or other services to any other person;
  - (c) "Council" means the council of the Village of Mayo;
  - (d) "License inspector" means (the person) a Village of Mayo Permanent Full Time Staff Member appointed from time to time by by-law or resolution of Council as License Inspector for the Village of Mayo;
  - (e) "non-related businesses" means businesses which would not normally be seen to be of the same complementary nature or kind in the carrying on of any commercial or industrial undertaking or the providing of professional, personal, or other services;
  - (f) "non-resident business" means a business, other than a resident business, carried on within the Village or with respect to which any work or service is performed within the Village;  
Note: Hawkers, peddlers, street vendors, mobile vendors and door to door salesmen are considered separately from non-resident businesses.
  - (g) "person" includes a corporation or partnership;
  - (h) "premises" includes the store, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied, by any person for the purpose of any business;
  - (i) "resident business" means a business carried on within or from a permanent place of business situated within the Village;

(j) "Village" means the Village of Mayo;

(k) "A Hobby" means a business carried on by a person on or from his or her residence, for the occasional sale of handmade products or crafts.

#### DUTIES OF A LICENSE INSPECTOR

3. The duties of the License Inspector are:

(a) to receive and deal with all applications for licenses and transfers thereof;

(b) to keep a record of all applications for licenses and transfers of licenses;

(c) to keep on file duplicates of all licenses issued;

(d) to ascertain as far as reasonably practicable that all information furnished by an applicant in connection with an application for a license or transfer of license is true in substance and fact;

(e) to prepare and issue all licenses pursuant of the terms of this by-law;

(f) as often as necessary, to inspect all premises licensed or required to be licensed pursuant to the provisions of this by-law in order to ascertain that such premises comply with the said provisions of all Village Bylaws and Territorial and Federal Acts;

(g) to administer this by-law and, as far as practicable, see that all persons concerned conform to its provisions, and to prosecute persons who fail to comply herewith; and

(h) to prepare and update as required, or cause to be prepared and updated, a listing of licenses which will include a general description of the goods and/or services provided which shall be used as

(i) a basis for invitational bids or contracts for the Village

(ii) a basis for answering queries from any party as to availability of goods and services within the Village.

#### NECESSITY FOR LICENSE

4. (a) No person shall carry on or operate any business within, or partly within partly without, the Village, without first having obtained a business license and paid the license fee prescribed in this by-law.

(b) This by-law shall not apply to any business which is exempted by any statute of the Yukon Territory from being required to hold a municipal business or trades license.

(c) Every license issued pursuant to this by-law shall be valid only in respect of the person to whom the said license is issued, and in respect of the address of the business stipulated thereon.

5. Any person who carries on or operates non-related businesses in or from any one premises shall obtain one license.
6. For the purpose of this by-law, where a business is carried on, in or from, more than one premises in the Village, each premises shall be deemed a separate business.

#### SPECIAL EVENT LICENSE

7. When an application has been made, and it is determined by the License Inspector that a business or an event is not of an ongoing nature, a special event license may be issued for a definite length of time not to exceed five days, and the fees shall be as set out in Schedule "A" to this by-law.

#### JUNIOR BUSINESSES

8. When an applicant has not attained the age of eighteen years, and where that applicant is able to assure the License Inspector that the business applied for will not exceed a gross revenue of six thousand dollars for the year in which the application is made, then a Junior Business License may be issued, and the fees shall be as set out in Schedule "A" to this by-law.

#### HOBBY LICENSE

9. When an applicant carries on a business from his or her residence, such as the occasional sale of handmade products or crafts, a hobby license may be issued, and the fees shall be as set out in Schedule "A" to this by-law.

#### HAWKERS, PEDDLERS, STREET VENDORS, DOOR TO DOOR SALES MEN LICENCE

10. Hawkers, Peddlers, Street Vendors, Door to Door Sales Men will be required to purchase a Village of Mayo business license prior to or on the day they are setting up their temporary business in the community of Mayo. License fees shall be as set out in Schedule "A" to this by-law.
11. (a) The fee payable for a license issued between the 1st day of January and the 30th day of June in any year shall be the full license fee set out in Schedule "A" to this by-law, and the fee for a license issued between the 1st day of July and the 31st day of December in any year, shall be one half of the fee set out in Schedule "A".  
  
(b) The holder of a non-resident business license shall not be entitled to a refund of that portion of the license fee applicable to a non-resident business upon becoming a resident business as defined in this by-law.  
  
(c) In addition to all license fees otherwise payable under this by-law, every person who fails to acquire a business license at the time his is required to do so shall, when such business license is finally issued, pay a penalty of ten percent of the applicable license fee for every thirty days or portion thereof during which the business has operated without a valid business license.  
  
(d) No business license shall be issued to any person until such person has paid all license fees and penalties required to be paid under this by-law.

12. Every license issued under the provisions of this by-law shall terminate at midnight on the 31st of December in any year unless the license has been sooner cancelled or forfeited.

#### CONDITIONAL LICENSE

13. Where the License Inspector issues a license subject to certain conditions, they shall endorse on the license the particulars of such conditions.

#### LICENSES SUBJECT TO ZONING

14. All licenses are granted subject to the provisions of any Zoning by-law of the Village and the issuance of a license shall not be deemed as approval to carry on a business in or on any premises in contravention of the provisions of a Zoning by-law in force in the Village. Where a license is granted to a person to carry on a business in or on premises where such activity is not permitted by the Zoning by-law, the License Inspector shall forthwith cancel the license and refund the license fee to the applicant.

#### POSTING OF LICENSE IN PREMISES

15. Every license issued under this by-law shall be made out and mailed or delivered to the licensee who shall post the license in a conspicuous place in his business premises. Where a licensee has no premises within which to post the license, they shall produce the license when required to do so during business hours by a License Inspector or any Peace Officer.

#### TRANSFER OF A LICENSE

16. (a) Where a licensee makes application to change his place of business the License Inspector may, upon the payment of a ten dollar transfer fee and the surrender of the original license, issue a replacement license reflecting the address of the new place of business.  
  
(b) No replacement license shall be issued in accordance with subsection (a) where the premises to which the applicant wishes to transfer the license does not comply with the requirements of any applicable Zoning by-law or the proposed use of those premises would not comply with the requirements of the said by-law.  
  
(c) Where a licensee makes application to transfer his license to another person the License Inspector shall, upon payment of a ten dollar transfer fee and the surrender of the original license, issue a replacement license in the name of the transferee.

#### APPEAL WHERE LICENSE REFUSED

17. (a) Any person who has applied for but failed to be granted a license may appeal to Council and the Council may by resolution refuse in any particular case to grant the request of an applicant for license.  
  
(b) Every such appeal shall be made in writing within thirty days after a license has been refused, otherwise the rights of appeal shall be barred and extinguished.

REVOKING OF LICENSE

18. (a) Council may revoke a license for reasonable cause after giving 15 days notice to the licensee and after giving the licensee an opportunity to be heard at the first regular meeting after expiration of the 15 days notice.
- (b) The notice and opportunity to be heard referred to in subsection (a) is not required in respect of a licensee who by reasonable effort cannot be found.

INTERMUNICIPAL BUSINESS LICENSE

19. The holder of an inter-municipal business license as issued under by-law #182 or subsequent revised IMBL bylaws shall not be required to obtain any further license from the Village of Mayo.

PENALTIES

20. (a) Every person who is required by this by-law to be licensed in respect of a business and who carries on or engages in such business within the Village without being licensed, commits an offense and is liable, upon conviction, to a fine not exceeding fifty (\$50.00) dollars for each day that he carries on or engages in such business while unlicensed.
- (b) Every person who violates or fails to comply with the provisions of this by-law in respect of which no penalty is specified, commits an offense and is liable on summary conviction to a fine not exceeding five hundred (\$500.00) dollars or to imprisonment for a term not exceeding six months, or to both fine and imprisonment.

ENACTMENT

21. By-law #93 is hereby repealed.
22. This by-law shall come into full force and effect on the final passing thereof.

Read a first and second time this 15 day of Nov., 2017.

Read a third time and finally passed this 6 day of Dec., 2017.

  
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Mayor

  
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Chief Administrative Officer

**Schedule "A" to**  
**Village of Mayo**  
**By-Law #319**

**Municipal Business License Fee Schedule**

The fees prescribed in this Schedule apply to resident business licenses. Non-resident business license fees are double the amounts shown, except for Hawkers, Peddlers, Street Vendors who pay a daily license fee.

<u>CLASSIFICATION</u>	<u>ANNUAL FEE</u>
1. All Businesses	\$40.00
2. Special Event	\$15.00
3. Junior	\$ 5.00
4. Hobby License	\$15.00
5. Hawkers, Peddlers, Street Vendors License	\$5.00 per day in the community