

BYLAW 16-2016

A BYLAW OF THE CITY OF
LLOYDMINSTER
IN THE PROVINCES OF ALBERTA AND
SASKATCHEWAN TO LICENSE,
REGULATE, AND CONTROL BUSINESS,
TRADES, AND PROFESSIONS WITHIN
THE CITY OF LLOYDMINSTER

WHEREAS pursuant to the *Lloydminster Charter* the City has the general power to pass bylaws for municipal purposes;

WHEREAS pursuant to the *Lloydminster Charter* the City has the power to pass bylaws for municipal purposes respecting business, business activities and persons engaged in business and to:

- (a) regulate or prohibit;
- (b) deal with any development activity, industry, business or thing in different ways, and, in doing so, to divide each of them into classes or subclasses and deal with each class or subclass in different ways, and;
- (c) provide for a system of licenses, inspections, permits or approvals.

AND WHEREAS the *Lloydminster Charter* provides authority to the City to pass bylaws respecting the enforcement of bylaws;

AND WHEREAS the Council of the City of Lloydminster deems it desirable to regulate, classify and license all businesses, business activity and persons engaged in business within the City of Lloydminster;

NOW THEREFORE, be it resolved that the Council of the City of Lloydminster enacts as follows:

SHORT TITLE

1. This Bylaw shall be cited as the "Business License Bylaw".

DEFINITIONS

2. The definitions listed in Schedule A attached to this Bylaw shall apply, unless the context otherwise requires.

APPOINTMENT, AUTHORITY AND DUTIES OF THE CITY MANAGER

3. Except where specific authority is reserved to Council, in the Bylaw the administration and enforcement of this Bylaw is hereby delegated to the City Manager.
4. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may:



- a) delegate any powers, duties or functions under this Bylaw to a Designated Officer;
 - b) carry out any inspections that are reasonably required to determine compliance with this Bylaw;
 - c) establish any forms required for the administration of this Bylaw.
5. The City Manager or delegate is further authorized to:
- a) receive, review and consider all Applications;
 - b) approve or refuse Applications, with or without conditions;
 - c) cancel, suspend, alter, add conditions to or revoke a License;
 - d) collect the appropriate fees in accordance with Schedule A of this Bylaw;
 - e) issue an Order requiring compliance with the provisions of this Bylaw;
 - f) initiate and conduct any legal action required to ensure compliance with the provisions of this Bylaw;
 - g) maintain a register containing the names of all persons applying for Licenses, the names of all persons to whom Licenses have been granted or refused, the nature of each License granted or refused and the fees collected for each License;
 - h) refer any Application that has not been approved or License that has been revoked or suspended to Council for their review if the City Manager in his/her sole discretion deems it necessary or desirable to do so; and
 - i) carry out anything further required for the administration of this Bylaw.

GENERAL REGULATIONS REGARDING LICENSES

6. Except as provided in this Bylaw, no Person shall engage in or operate a Business in the City unless that Person holds a valid and subsisting License to do so that has been issued pursuant to the provisions of this Bylaw.
7. The issuance of a License under this Bylaw does not authorize or permit the Licensee to carry on Business or any activity under such License which is contrary to the provisions of the City Land Use Bylaw.
8. Before the issue of a License, the applicant must submit to the City Manager the following:
- a) an Application in a form established by the City Manager;
 - b) a current corporate registry search for all corporate applicants;
 - c) the fee as described in Schedule A of this Bylaw; and
 - d) a valid Development Permit, when required by the Land Use Bylaw.
9. At the discretion of the City Manager the following documents and information may be requested:
- a) proof of compliance with any applicable federal, provincial or municipal legislative or regulatory requirements including approvals, authorizations or licenses if required;
 - b) any certificate required by a Public Health Officer;
 - c) proof of Fire Inspection Approval from the Lloydminster Fire Department, when required; and
 - d) any additional information deemed necessary by the City Manager.
10. Any License issued without the submissions to the City Manager of all required documents shall be considered invalid.



11. Unless otherwise determined by the City Manager in his/her sole discretion, any License may be renewed on the same terms and conditions upon payment to the City of the annual License fee on or before the date specified in the annual renewal notice that is provided to the Licensee.
12. The City Manager may refuse to issue or renew a license and may impose conditions on a License for the following reasons:
 - e) the Applicant or Licensee does not or no longer meets the requirements of this Bylaw with respect to the License applied for or held;
 - f) the Applicant has breached a condition of the License;
 - g) the Applicant or Licensee or any of its officers or employees:
 - i. furnishes false information or misrepresents any fact or circumstance to a Designated Officer or the City Manager;
 - ii. has, in the opinion of the City Manager based on reasonable grounds, contravened this Bylaw or any applicable bylaw whether or not the contravention has been prosecuted;
 - iii. has, in the opinion of the City Manager based on reasonable grounds, contravened the provisions of any federal, provincial, or municipal legislation or regulation;
 - iv. fails to pay a fine imposed by a court for a contravention of this Bylaw;
 - v. fails to pay any fee required by this or any other applicable Bylaw; or
 - h) in the opinion of the City Manager, based on reasonable grounds, it is in the public interest to do so.
13. A Licensee shall not contravene any condition of a License.
14. An Applicant or Licensee shall forthwith advise the City Manager in writing if:
 - a) the business ceases to operate; or
 - b) the operating or mailing address or phone number of the business changes;
 - c) the business has been sold or taken over by a new owner or operator;
 - d) there is a change in the partners of the business if the License is issued to a partnership, or;
 - e) there is a change in the officers or directors of the corporation if the License is issued to a corporation.
15. All Businesses must adhere to all applicable federal, provincial and municipal legislation and regulations.
16. Every Person who knowingly makes a false statement in an Application or a renewal or who withholds information required in the Application is guilty of an offence under this Bylaw.
17. No owner, operator or manager of a hotel, motel, mall, commercial business, or any other lands or buildings in the City, shall knowingly allow, suffer, or permit any Person to carry on any Business thereon without such Person being the holder of a valid License as required under this Bylaw.
18. All persons who obtain or renew a Business License shall be considered in good standing with the City, and each business shall have the option to be listed in the



City of Lloydminster Business Directory at no additional cost.

19. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may carry out whatever inspections are reasonably required to determine compliance with the Bylaw, including entering upon any lands or premises, and may require a person holding a License to provide any information required to make a decision regarding that License. Any person who fails to provide access to land or premises or information to the City Manager pursuant to this section shall be guilty of an offence.

EXCEPTIONS TO LICENSE REQUIREMENT

20. The following persons may carry on or operate a business in the City of Lloydminster without a business license:
- a) the Crown in right of Alberta and Saskatchewan;
 - b) the Crown in right of Canada;
 - c) a Crown corporation.
 - d) a business or a member of a registered professional or occupational association who provides proof of membership in an association and because of the membership is exempt from purchasing a municipal business license as per the *Professional and Occupational Associations Registration Act*, R.S.A. 2000, c. P-26, as amended from time to time.
- There will be no inclusion in the City of Lloydminster Business Directory and no License will be issued if the person or business claims an exemption under this section.
21. No License is required for the conduct of any business:
- a) carried on within the limits of the Lloydminster and District Exhibition Grounds at any time throughout the calendar year;
 - b) any person under the age of eighteen (18) years providing an individual light duty occasional service such as those including but not limited to paper deliveries, babysitting, yard work, snow shoveling;
 - c) being operated in any City of Lloydminster facility by City of Lloydminster employees during the course of their employment; or
 - d) that is operated as a subsidiary of the City of Lloydminster.
22. At the sole discretion of the City Manager, where a local non-profit organization is sponsoring an event, show or performance for a charitable or community purpose, the requirement for the show producer or company to purchase a business license may be waived.
23. The Council may exempt any person, organization, firm or company from the application of this Bylaw by resolution when Council deems it in the public interest so to do.



TERM OF LICENSE

24. Every License is valid from the date of approval to 12:00 midnight on December 31 of the year issued, unless sooner revoked, suspended or cancelled. The City Manager may in his/her sole discretion issue a License for a limited term or specified date not to exceed one year from the date on which the License is issued or renewed, where he considers it appropriate to do so. A Person may not appeal a decision to issue a License for a limited term or for a specified date.

LICENSE FEES AND LICENSES REQUIRED

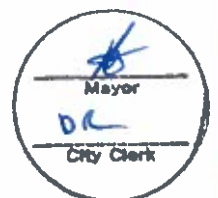
25. Every applicant for a License shall pay the non-refundable fee set forth in Schedule B.
26. Any License issued after the 30th day of September in the current year, will be required to pay one-half of the annual fee as set forth in Schedule B, with the exception of:
- a) Any fee based on a daily rate; or
 - b) Any fee based on a per vehicle rate.
27. Where a business that is required to be licensed under this Bylaw is operated by the same owner in more than one premise or location in the City, a separate and individual License shall be required for each premise or location as if it were a separate business.
28. An administration fee may be imposed, as outlined in Schedule B, at the sole discretion of the City Manager.

CONSEQUENCE OF LATE PAYMENT OF LICENSE RENEWAL FEE

29. An additional late fee as indicated in Schedule B shall be assessed and collected for each License that is not renewed by the date that is indicated on the annual Business License renewal form provided by the City.
30. If a License has not been renewed within two (2) months of the date that is indicated on the annual License renewal form, then the business will be recorded as closed.
31. Any business that wishes to renew their License once the Business has been recorded as closed must follow all steps that are required to apply for a new Business License, which would include but is not limited to providing evidence of a valid development permit.

TRANSFER OF LICENSE

32. A License is not personal property. A Licensee may not sell, transfer, assign, lease or otherwise dispose of or deal in a License.



POSTING OF LICENSE

33. A License shall be posted in a prominent location so that it is visible to anyone entering the Business Location.
34. A License issued to a Business that is not conducted from a fixed location shall be carried on the person of the Licensee or on or in the vehicle or apparatus from which such Business is conducted and shall be provided forthwith to the City Manager upon demand.

REGULATIONS PERTAINING TO PARTICULAR BUSINESSES

35. In addition to the general provisions of this Bylaw, the following business specific regulations are also applicable.

Child Care Facility

36. Prior to the issue of a License, each Child Care Facility must provide a valid provincial license indicating that the facility has been inspected and approved to operate as a child care facility.

Farmer's Market

37. Any Farmer's Market operating within the City is required to obtain a Business License, and pay the fees as outlined in Schedule B attached to this bylaw.
38. A License for a Farmer's Market is a valid License for vendors operating within the Farmer's Market while the Farmer's Market is in operation. Any Person operating as a vendor outside of the hours of operation of the Farmer's Market is required to obtain a valid Business License in accordance with this Bylaw.

Local Non-profit Organization

39. A local Non-Profit Organization operating a Commercial Business and using the proceeds from the Commercial Business to support local programs will qualify for the yearly License fee as indicated in Schedule B upon providing evidence to the City Manager's satisfaction:
 - a) that they are registered as a Non-Profit Organization provincially or federally, and;
 - b) as to the local programming that is being supported by the Commercial Business.

Mobile Vendor

40. A separate license is required for each motor vehicle, trailer or operated by a mobile vendor.
41. Applicant must submit written approval from landowner for each intended operating location with their initial License Application; further, updated current approval letters must be provided upon License renewal.



42. Applicant must submit proof of approval from the Public Health Officer with their license application.
43. Applicant must submit Fire Inspection Approval from the Lloydminster Fire Department with their license application.

Mobile Vendor (operating on City owned property)

44. A separate license is required for each motor vehicle, trailer or cart operated by a mobile vendor on City of Lloydminster owned property.
45. Applicant must request written approval from the City Of Lloydminster for each intended operating location with their initial license application; further, updated current approval letters must be provided upon license renewal.
46. Applicant must submit proof of approval from the Public Health Officer with their license application.
47. Applicant must submit Fire Inspection Approval from the Lloydminster Fire Department with their license application.
48. Any Mobile vendor operating on property owned by the City Of Lloydminster is required to obtain a vending permit in addition to a Business License and to pay the fees as outlined in Schedule B attached to this bylaw.

Pop-Up Store

49. All licenses issued will be valid for a maximum of 3 months.
50. A separate license is required for each operating location.
51. Subsequent applications for new operating locations within the 3 month period will be charged an Administration Fee as set out in Schedule B.
52. Applicant must submit written approval from the property owner for each operating location.
53. Applicant must submit proof of approval from the Public Health Officer for each location where the proposed operating activity would require such approval.

Taxi Business

54. The Applicant for the Business License must present the approved development permit and proof that the Applicant has been approved to operate a taxi business in the City of Lloydminster at the time of applying for the License.
55. All Taxi Companies are required to comply with the City's Taxi and Vehicle for Hire Bylaw, as well as all provisions of this bylaw, and any other pertinent municipal, provincial, and federal legislation.
56. The City Manager may in his/her sole discretion revoke, suspend or cancel the Business License of any taxi company that does not comply with the City's Vehicle for Hire Bylaw or any provision of this Bylaw.



Adult Entertainment and/or Erotic Entertainment or Services

57. All Businesses and Business Locations providing Adult Entertainment or Erotic Entertainment must adhere to all applicable federal, provincial and municipal legislation, regulation and bylaws with respect to Adult Entertainment and Erotic Entertainment; failure to do so shall result in the revocation of the Business License.
58. No owner, operator or any person working in a facility providing Adult Entertainment and or Erotic Entertainment shall:
- a) permit any person under the legal age in accordance with the applicable provincial legislation to enter or remain in any such Business Location;
 - b) display adult video tapes or sexually explicit material so that they are visible from outside the Business Location;
 - c) display any sign or other form of advertisement that indicates that sexually explicit displays, shows or material are available in the Business Location or, in the opinion of the City Manager, are otherwise not in good taste, so that they are visible from outside the Business Location;
 - d) display or distribute any advertisement or business card in any location that suggests or indicates that the services provided include sexual intercourse or any other form of sexual gratification.
59. The owner or operator of a Business Location providing Adult or Erotic Entertainment shall post and keep posted at every entrance to the Business Location signs sufficient to indicate clearly to any person approaching or entering the location, that no person under the legal age in accordance with the applicable provincial legislation is permitted to enter or remain in such Business Location.
60. The owner or operator of a Business providing Adult Entertainment and or Erotic Entertainment shall, upon reasonable notice being given, allow inspection of the Business Location by the City Manager at any time as required by the City Manager.

Escort or Escort Services, Body Rubber or Body Rub Parlors

61. Businesses operating as an Escort Service or Agency or Body Rub Parlor shall:
- a) carry on business only from an office at the specified premises as noted in the license, and all records pertaining to the business shall be maintained and kept at the specified premises;
 - b) maintain and receive calls from all telephone lines used in the business at the specified premises and not "call forward" to any other premises;
 - c) keep on the specified premises a current list of all persons employed by the Business containing the following information:
 - a. the true name of each employee and any alias or common nickname by which that person is known, and;
 - b. the birth date of each employee.
 - d) provide to the City Manager upon request a list of services offered, performed or solicited and the respective fees to be charged for such services;
 - e) produce to the City Manager upon request any written record required to be kept or maintained under this section;



- f) allow inspection of the specified premises by the City Manager at all times when the business is in operation and, upon reasonable notice, at any time as required by the City Manager; and
 - g) not permit or allow the use of any camera, photographic device, projection device, or recording device in the specified premises, except for a recording device utilized exclusively for security purposes.
62. Every escort, body rubber and adult or erotic entertainer operating independently from a non-commercial premises shall:
- a) obtain a License;
 - b) be the age of majority in accordance with applicable provincial legislation, and;
 - c) produce their License forthwith and in any event within 2 hours of being requested to do so by the City Manager.

Massage Service and Massage Therapy

63. Any person operating as an individual licensed massage therapist, from a non-commercial location, must provide evidence of a valid Development Permit and a provincially recognized massage therapy certificate or license, prior to the issue of a Business License.
64. Any person providing massage services from a non-commercial location, must provide evidence of a valid Development Permit, and provide details of the type of service provided by the Business prior to the issue of a Business License.

Tobacco Retailer

65. A Tobacco Retailer must carry on business from a commercial premise and shall not carry on business as a Home Based Business, from a residential dwelling unit or from a mobile business unit.
66. A Tobacco Retailer must abide by all applicable federal, provincial and municipal legislation, regulation and bylaws.

REVOCAION, CANCELLATION OR SUSPENSION OF LICENSE

67. The City Manager may revoke, suspend or cancel a License if:
- a) the Applicant or Licensee does not or no longer meets the requirements of this Bylaw with respect to the License applied for or held;
 - b) the Applicant has breached a condition of the License;
 - c) the Applicant or Licensee or any of its officers or employees:
 - i. furnishes false information or misrepresents any fact or circumstance to a Designated Officer or the City Manager;
 - ii. has, in the opinion of the City Manager based on reasonable grounds, contravened this Bylaw or any applicable bylaw whether or not the contravention has been prosecuted;



- iii. has, in the opinion of the City Manager based on reasonable grounds, contravened the provisions of any federal, provincial, or municipal legislation or regulation;
 - iv. fails to pay a fine imposed by a court for a contravention of this Bylaw;
 - v. fails to pay any fee required by this or any other applicable Bylaw; or
 - d) in the opinion of the City Manager, based on reasonable grounds, it is in the public interest to do so
68. Notice that a License has been revoked, cancelled or suspended may be given by personal delivery or by registered mail to the Licensee at the place of business or residence as indicated on the License. Notice by registered mail shall be deemed to be received on the earlier of the date on which the registered mail is signed for by any person on behalf of the Licensee or seven (7) days from the date on which the registered mail was sent.
69. The Licensee shall immediately, upon receiving notification that the License has been revoked, cancelled or suspended, terminate the operation of the Business.
70. The Licensee may appeal the decision of the City Manager to Council by filing a written notice of appeal with the City Clerk within fourteen (14) days of the receipt of the notice cancelling, suspending or revoking the License.
71. Council shall, within ten business days of receiving the appeal, arrange a hearing to deal with the appeal. At the hearing, Council will review the written submission of the Licensee, the City Manager and of any other persons that Council deems has the right to make a presentation.
72. Within five business days of the hearing, Council shall:
- a) approve the issue or re-issue of the License;
 - b) confirm the suspension, revocation or cancellation of the License, or;
 - c) approve the issue or re-issue of the License with certain conditions.
73. The decision of Council with regard to the approval or refusal to issue a License shall be final and is not subject to further appeal.
74. No fees for any license that is revoked, suspended or cancelled shall be refunded.

OFFENCES AND PENALTIES

75. A Person who breaches a provision of this Bylaw is guilty of an offence and is liable to a penalty as specified in Schedule C of this Bylaw or, in default of payment, imprisonment.
76. Except as provided by this Bylaw, any Person who engages in or operates a Business in the City without a valid and subsisting License is guilty of an offence and is liable to a penalty in an amount as specified in Schedule C attached to and forming part of this Bylaw or, in default of payment, imprisonment.
77. Each day a Business operates without a License required by this Bylaw is a new and separate offence.



78. In any prosecution for the carrying on of a Business without a valid License issued under this Bylaw, proof of one transaction shall be sufficient to establish that the Person carried on such Business without a License.
79. The conviction of any Person for breach of Section 6 of this Bylaw shall not relieve them from compliance with this Bylaw, and in addition to any penalties, they will be required to obtain a valid License in accordance with the provisions of this Bylaw including the fees set out in Schedule C attached to and forming part of this Bylaw.
80. In addition to any other enforcement remedy provided for herein, the City Manager may suspend or revoke the License of any Person committing a breach of this Bylaw, or issue an order to that Person.
81. If a Person is guilty of a subsequent offence, the penalty amounts are provided in Schedule C attached to this Bylaw.
82. A Bylaw Enforcement Officer may issue a Notice of Violation to any Person who the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
83. A Notice of Violation may be issued:
a) personally, or
b) by mailing a copy to the Person at their last known address.
84. The person to whom a Notice of Violation is issued, may, in lieu of being prosecuted for the offence, pay to the City the penalty, as outlined in Schedule C, and specified in the Notice of Violation within the prescribed time.
85. If the penalty specified on a Notice of Violation has not been paid within the prescribed time, then a Bylaw Enforcement Officer may issue a Violation Ticket or Summary Offence Ticket to any Person who the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw. Notwithstanding the foregoing a Bylaw Enforcement Officer may, in his/her sole discretion, proceed directly to the issuance of a Violation Ticket or Summary Offence Ticket to any Person without the prior issuance of a Notice of Violation.
86. If a Violation Ticket or Summary Offence Ticket is issued in respect of an offence, it may:
a) specify the penalty amount established by this Bylaw for the offence and the recording of such payment by the Court shall constitute acceptance of a guilty plea and the imposition of a fine in the specified amount; or
b) require a person to appear in court without the alternative of making a voluntary payment.

NUMBER AND GENDER REFERENCES

87. All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.



SEVERABILITY

This Bylaw shall come into force and effect on the final day of passing thereof.

Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

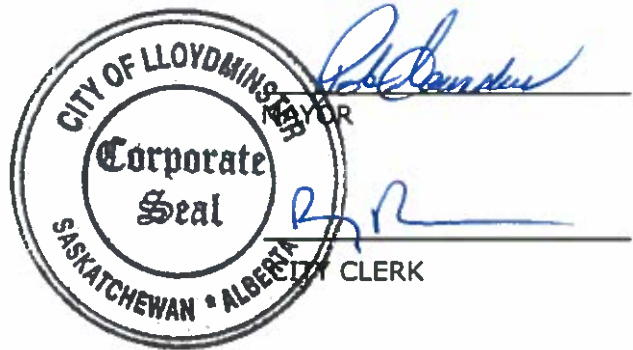
The following bylaws and all subsequent amendments thereto are hereby repealed:

- Bylaw 29-2014 – Business License
- Bylaw 40-2014 – Amend Business License

INTRODUCED AND READ a first time this 9th day of May, 2016, A.D.

READ a second time this 27th day of June, 2016, A.D.

READ a third time this 27th day of June, 2016, A.D.



SCHEDULE "A"
Attached to Bylaw 16-2016

Definitions

Adult Entertainment Facility	Any premises or part thereof where live performances, the main feature of which is the nudity or partial nudity of any person, are performed as a Principal Use or an Accessory Use to some other business activity which is conducted on the premises. Typical uses include strip clubs or shows and erotic dancing. For the purposes of this Bylaw, partial nudity includes less than completely covered or opaquely covered areas of human breasts, the genitals and/or buttocks.
Applicant	Any Person who makes an Application for a Business License under the provisions of this Bylaw.
Application	A written application for a Business License as required by this Bylaw and includes an application for a new license, or any application to renew or amend a Business License.
Body Rub Parlor	Any premises or part therefor where members of the general public attend, are invited to attend, or through which they may arrange an appointment to receive the physical external manipulation of the soft tissues of the human body for a fee, including any manipulation of an adult or erotic nature or advertised by any means as "sensual", "sexy" or any other word of depiction having like meaning or implication.
Body Rubber	A person who provides services that includes the physical external manipulation of the soft tissues of the human body that are performed, offered or solicited for a fee, including any manipulation or an adult or erotic nature or in a manner that appeals to or is designed to appeal to erotic or sexual appetites or inclinations.
Business	Any of the following activities, whether for profit or not and however organized or formed: i) a commercial, merchandising or industrial activity or undertaking; ii) the carrying on of a profession, trade, occupation, calling or employment; iii) an activity providing goods or services.
Business License or License	A Business License issued pursuant to the provisions of this Bylaw



Business Location	A store, outlet, office, warehouse, residence, house, dwelling, factory, building, lot, enclosure, yard or other place used or occupied by any person in the conduct of their Business.
Child Care Facility	Any business operated to provide care, educational activities and supervision for children under thirteen (13) years of age. This would include a commercial daycare center, out-of-school care center, nursery school, play school, family day home or private babysitting facility.
City	The City of Lloydminster and the area contained within the corporate boundaries of the City.
City Manager	The Commissioner of the City of Lloydminster as appointed by Council.
Commercial Premises	Any non-residential premise, including but not limited to educational institutions, places of worship, federal, provincial or municipal properties.
Contractor or Sub-Contractor	A person or company, other than an employee, that undertakes an agreement to provide materials or labor to perform a service or do a job.
Council	The Municipal Council of the City of Lloydminster.
Designated Officer	Any Person who has been appointed a Bylaw Enforcement Officer, a Peace Officer, or any member of the RCMP.
Erotic Entertainer	A person who performs or agrees to perform erotic entertainment for a fee.
Erotic Entertainment	A nude or semi-nude live performance which is sexually explicit in nature and which has as its principle features the nudity or partial nudity of a person.
Escort	A person who, for a fee, provides for acting as a date or providing personal companionship for an identified period of time.
Escort Service or Agency	Any business which offers to provide an escort, or otherwise arranging an introduction between an Escort and another person, for a fee.
Farmer's Market	A public open market at which various vendors rent a stall or space for the purpose of selling goods to consumers directly.
Home Based Business	Any Business operated from or using a residential property as the headquarters and primary location for the business activity.
Land Use Bylaw	The Zoning Bylaw of the City and any replacement bylaw, including a Land Use Bylaw, and all amendments thereto.
Licensee	The Person holding a valid and existing Business License issued pursuant to the provisions of this



	Bylaw
License Fee	A fee payable for a License as established in Schedule "B"
Massage Service	Means kneading, manipulating, rubbing, touching, tapping or stimulating by any means, a person's body or part of it, and may be administered by a person who is NOT duly licensed or registered under Alberta and/or Saskatchewan law as a licensed or registered massage therapist.
Massage Therapist (Registered)	Any person providing the services of massage therapy and who is Provincially Licensed as a licensed or registered massage therapist.
Massage Therapy	Means kneading, manipulating, rubbing, touching, tapping or stimulating a person's body or part of it, as administered by a person duly licensed or registered as a massage therapist under Alberta and/or Saskatchewan law.
Mobile Vendor	Any business where sales and services are operating strictly from a motor vehicle, trailer or cart, including but not limited to mobile canteen/concession, sale of blankets or windshield repair vendor.
Non-Profit Organization	Means: <ul style="list-style-type: none"> i. a society, credit union or co-operative established under a law of Canada, Alberta or Saskatchewan; ii. a corporation that is prohibited from paying dividends to its members and distributing the assets to its members on a winding-up; iii. any other entity established under a law of Canada, Alberta or Saskatchewan for a purpose other than to make a profit.
Out of Town Business	Any business that does not have a physical Business Location within the boundaries of the City of Lloydminster.
Order	Any written notice or letter that requires a Person to remedy a contravention of this Bylaw or the Lloydminster Charter
Person	Any individual, a group of individuals, a corporation, firm, partnership, proprietorship, association, society or co-operative organization
Pop-Up Store	Temporary retail spaces that sell merchandise for a maximum of 3 months.
Public Health Officer	A person appointed by the province of Alberta or Saskatchewan to conduct public health inspections.
Specified Premises	The premises named in the License.



Tobacco Retailer	Any business that keeps for sale, sells, exposes, or offers for sale, any smoking products or devices including, but not limited to: <ul style="list-style-type: none"> i. cigars; ii. cigarettes; iii. tobacco; iv. snuff; v. pipe; vi. hookah; or vii. electronic cigarettes.
Flavored Tobacco Product	Pertains to any tobacco product that: <ul style="list-style-type: none"> i. has a characterizing flavor (has a clearly noticeable smell or taste other than tobacco); or ii. is packaged or labelled as being flavored; or iii. is listed under the regulations as a flavored tobacco product.



SCHEDULE "B"
Attached to Bylaw 16-2016

Schedule of Fees and Charges

All fees listed are annual fees, unless otherwise indicated.		
Commercial Premises/Business		
<i>License fees applicable to any business operating from non-residential premises.</i>		
Type of Business	License Fee	Additional/Other Information
< 500 square feet	\$150.00	
500 to 2,499 square feet	\$200.00	
2,500 to 4,999 square feet	\$275.00	
5,000 + square feet	\$435.00	
Adult or Erotic Entertainment Facility, Body Rub Parlor, Escort Service Agency or any business deemed similar by the City Manager in his/her sole discretion	\$500.00 P	This fee is in addition to the square footage business license fee above.
Child Care Facility	\$25.00	Must provide approval of provincial authority having jurisdiction
Farmer's Market	\$250 .00	
Non-profit organization offering local programming	\$25.00	Must provide proof of non-profit status and local programming
Tobacco Retailer (Regular)	\$750.00	This fee is in addition to the square footage business license fee above. Funds collected from this fee will be used to support local agencies with tobacco reduction strategies.
Flavored Tobacco Product Retailer	\$350.00	This fee is in addition to the square footage business license fee and Tobacco Retailer (Regular) fee, above. Funds collected will be used to support local agencies with tobacco reduction strategies.
Pop-Up Shop		
<i>License fees applicable to a business operating temporarily from non-residential premises.</i>		
Type of Business	License Fee	Additional/Other Information
<500 square feet	\$50.00	3 month fee
500 to 2,499 square feet	\$65.00	3 month fee
2500 to 4,999 square feet	\$80.00	3 month fee
5,000 + square feet	\$120.00	3 month fee



Home Based Business		
License fees applicable to businesses operating from or using a residential property as the headquarter and primary location for the business activity		
Type of Business	License Fee	Additional / Other Information
Home Based Business (unless specified below)	\$150.00	
Contractor/Subcontractor	\$275.00	
Mobile Vendor	\$150.00	Must secure all Provincial and Health Department approvals and licenses Must provide written land owner approval
Child Care Facility	\$25.00	Must provide approval of provincial authority having jurisdiction
Mobile Vendor- operating on City Of Lloydminster owned property	Permit fees apply as per the City Of Lloydminster Vending Guidelines	i) Must secure all required provincial approvals and licenses, including health department approvals and licenses. ii) Must acquire permission from The City of Lloydminster to operate on the premises requested. iii) The Mobile vending permit fees is in addition to the Mobile Vendor business license fee above. iv) All mobile vending units shall follow all terms and conditions set out in the City Of Lloydminster's Vending Guidelines.
Adult or Erotic Entertainment Facility, Body Rub Parlor, Escort Service Agency or any business deemed similar by the City Manager in his/her sole discretion	\$275.00	
Out of Town Business		
License fees that are payable for any person or business who does not have a physical Business Location within the boundaries of the City of Lloydminster.		
Type of Business	License Fee	Additional / Other Information
Out of town business (unless specified below)	\$225.00	Parent company must provide copy of business license to all door-to-door vendors and employees. Must provide a list of all vendors and employees with application.
Out of town Contractor or Sub-contractor	\$360.00	
Any type of show, entertainment, speaker, seminar, carnival, concert, or exhibition	\$225.00 per day	



Miscellaneous Fees and Charges		
Administration Fee	\$25.00	
Late Payment Fee	\$75.00	

Any License issued after the 30th day of September in the current year, will be required to pay one-half of the annual fee as set forth in Schedule B, with the exception of:

- a. Any fee based on a daily rate; or
- b. Any fee based on a per vehicle rate

in which the fee as otherwise calculated will apply.



SCHEDULE "C"
Attached to Bylaw 16-2016

Schedule of Penalties

Offense	Section	Penalty
Operate without a license	6	Double the applicable license amount
Every subsequent offense of operating without a license within the same calendar year	6	Double the applicable license amount + \$1,000.00
Any other provision of this Bylaw excepting Section 6		\$500.00
Each and every subsequent offense of any provision of this Bylaw within the same calendar year		\$1,000.00

