

TOWN OF NORMAN WELLS

BY-LAW NO. 08-14

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF NORMAN WELLS IN THE NORTHWEST TERRITORIES TO LICENCE, REGULATE, AND CONTROL BUSINESSES PURSUANT TO THE CITIES, TOWNS AND VILLAGES ACT. S.N.W.T., 2003, C-22.

Whereas the ordinances and regulations of the Northwest Territories provide for licensing, regulation and control of businesses by Municipal By-Law,

Now, therefore, the Council of the Town of Norman Wells, in a meeting duly assembled, enacts as follows:

1. SHORT TITLE

This by-law may be cited as the “**BUSINESS LICENSE BY-LAW**” .

2. INTERPRETATION

In this by-law:

- a) “Applicant” means any person who makes an application for a license under the provisions of this by-law.
- b) “Business” means a company, partnership or sole proprietorship which includes:
 - i) a profession, trade, manufacture or undertaking of any kind
 - ii) an adventure concern in the nature of trade; and
 - iii) the sale or offer for sale of goods or services in any public place;but does not include a business that is regulated by an Act of Parliament or any other exempt business prescribed by regulation.
- c) “Council” means the elected Council of the Municipal Corporation of the Town of Norman Wells.
- d) “Town Manager” means the Senior Administrative Officer of the Town of Norman Wells.
- e) “Business” means a profession, trade, manufacture or undertaking of any kind whatsoever, an adventure concern in the nature of trade, and the sale or for sale of goods or services in any public place, but does not include a business that is regulated by an Act of Parliament or any other exempt business prescribed by regulation.
- f) “Licence” means a licence issued under this by-law.
- g) “Licensee” means a person to whom a licence is issued.

3. LICENSING REQUIREMENTS

- a) No person shall carry on any business within the Town of Norman Wells unless a licence for such business has been obtained.
- b) A licence is not transferable.
- c) Where a licensee changes his business name, address, the license must be amended to reflect the changes.
- d) Every license shall have effect from the date of issue until December 31 of the year in which the license is issued unless sooner revoked or suspended.
- e) Every licence shall be displayed in a location at the licensee's chief place of business in the Town.
- f) Every licence shall be produced for inspection at all reasonable times upon the request of the Town Manager or his/her agent.
- g) Where so authorized by the Town Manager a valid receipt for a current business licence shall be accepted in lieu of such licence.

4. APPLICATIONS

- a) Any person requiring a licence under this by-law shall apply on the prescribed form attached hereto as Schedule 'B' and tender the appropriate fee as listed in Schedule 'A'.
- b) No licence shall be issued or renewed unless the application is accompanied by duly completed certification in the form set out in Schedule 'B'.
- c) No licence shall be issued to any business, when the said business has accounts outstanding with the Town for a period over 90 days unless prior arrangements have been made with the Town Manager for payment.
- d) If the business is carried out on premises not owned by the applicant, a "Letter of Permission" is to be provided from the property owner granting permission to the applicant to operate on the premises.
- e) Schedules 'A' and 'B' are attached to and form part of this By-Law.

5. ISSUANCE

Upon being satisfied that the application meets the requirements of this By-Law and the applicant is entitled to the licence applied for, the Town office shall issue the licence signed by the Town of Norman Wells under the Seal of the Town.

6. REFUNDS

Except as otherwise ordered by the Council no money shall be refunded to a person whose business licence has been revoked or suspended.

7. RENEWAL

Subject to Section 104 hereof a renewal of a licence may be issued to a licensee.

8. REVOCATION

Council may, subject to the provisions of this By-Law, suspend or revoke any licence issued under this by-law where it is satisfied that:

- a) the licensee has violated provisions of this By-Law or of an ordinance of the Northwest Territories in respect of the business;
- b) the licence was issued or renewed in error.

9. APPEAL

- a) A person aggrieved by the revocation, suspension, refusal or failure to issue a license may appeal in writing to the Council, stating the matter complained of, the grounds of appeal and relief sought.
- b) The Council shall hear and determine an appeal made under subsection (a) at such time and place within the Town as the Council may decide and following such hearing the Council may order the Town Manager to:
 - 1) issue a licence upon such terms as the Council may specify;
 - 2) renew or reinstate a licence that has expired or been revoked;
 - 3) refuse to issue or renew a licence;
 - 4) revoke a licence; or,
 - 5) suspend the licence for a specified period.

10. TEMPORARY LICENSE

Pending the result of an appeal made under Section 10 of this By-Law the Council may order the Town Manager to issue a temporary licence, on such terms as it may specify.

11. REPEAL

By-Law No. 06-44 is hereby repealed.

12. This By-Law shall come into effect upon the date of final passing thereof.

Read a first time this 11th day of March, 2008, A.D.

Mayor

Town Manager

Read a second time this 11th day of March, 2008, A.D.

Mayor

Town Manager

Read a third time and finally passed this 25th day of March, 2008, A.D.

Mayor

Town Manager

It is hereby certified that this By-Law No. 08-14 has been made in accordance with the requirement of the Cities, Towns and Villages Act and the By-Laws of the Town of Norman Wells.

Town Manager / S.A.O.

Town of Norman Wells

Schedule 'A'

By-Law No. 08-14

Fees Chargeable for Business Licences

Businesses resident in Norman Wells	\$75.00 per year or portion thereof; or
Businesses resident in the N.W.T, but non resident of Norman Wells	\$200.00 per year or portion thereof; or
Businesses non-resident in the N.W.T	\$300.00 per year or portion thereof.

For businesses operating within a residence there will be a \$25.00 charge. This is a one-time application charge; no fee thereafter if same residence). This is pursuant to Norman Wells Zoning By-law No. 04-19 and the Planning Act relating to the planning and regulation of the use and development of land.

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Business License Application

Schedule 'B'

APPLICATION FOR A BUSINESS LICENCE

TOWN OF NORMAN WELLS

A **non-refundable** license fee* is required before an application can be processed.

- Apply in Person: 3 Mackenzie Drive, Norman Wells, NT
- Apply by Fax: (867) 587-3701 Note: you will be contacted for payment
- Apply by Mail: Please ensure payment is enclosed as either a cheque or money order

<input type="checkbox"/> New license application <input type="checkbox"/> Renewal/Update of information on my license <input type="checkbox"/> Close my license
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Business Address (location & mailing):		Application Date	
Postal Code			
Is this a commercial Location <input type="checkbox"/> or is this a home-based business <input type="checkbox"/>			
Business Trade Name:		Business Opening Date	
<input type="checkbox"/> Corporation or Corporate Partnership (complete legal name): <hr/> <input type="checkbox"/> Partnership or Sole Proprietor <i>Last Name</i> <i>First Name</i> <i>Initial</i>		Business Phone	
		Alternate Phone	
		Fax Number	
Mailing Address: <input type="checkbox"/> Same as above		City	Province Postal Code
E-Mail Address:			
Applicant's Name (individual completing form):		Applicants Phone	
<i>Last Name</i> <i>First Name</i> <i>Initial</i>			

- * Business Resident in Norman Wells \$75.00 per year or portion thereof
- * Business Resident in the Northwest Territories but non-resident of Norman Wells \$200.00 per year or portion thereof
- * Business Non-resident in the Northwest Territories \$300.00 per year or portion thereof
- * Application for Home Occupation (first-time application) \$25.00

Describe nature of business and your business activities:

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Business Licence Application

Schedule 'B'

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APPLICATION FOR A BUSINESS LICENCE

TOWN OF NORMAN WELLS

Certificate By Applicant for Business Licence

This to certify that

(Name of Business)

1. Complies where required with the regulations and requirements of the
 - a) Department of Health;
 - b) Department of Justice;
 - c) National Building Code;
 - d) Fire Marshall.

2. **(If applicable)** Is carried out on the premises owned by _____ not being the applicant, and a "Letter of Permission" is attached (*Letter of permission is not required if it has been provided for in a previous year*).

The address of the premises is:
Lot_____, Plan _____ or _____.

3. **(If applicable)** has a certificate for the handling, storage, and sale of food and drink from the authority having jurisdiction. Yes ____ No ____ If yes, please provide a copy.

I understand that any false statements made or implied in this Certificate are grounds for refusal or revocation of the business.

Applied for:

Date

Signature of Applicant

Witness

Approved/not approved this _____ day of _____, 200__.

Town Manager, Town of Norman Wells