

TOWN OF PREECEVILLE  
BYLAW NO. 9 - 2007

A BYLAW OF THE TOWN OF PREECEVILLE TO CLASSIFY, REGULATE AND  
LICENSE ANY BUSINESS, TRADE OR CALLING NOT ASSESSABLE FOR  
THE PURPOSES OF COMMERCIAL PROPERTY IN RESPECT TO THEIR  
BUSINESS, TRADE OR CALLING

The Council of the Town of Preeceville in the Province of Saskatchewan enacts as follows:

1. Definitions:
  - a) "Contractor" means a person carrying on business in the Town of Preeceville who enters into contracts for the construction, alteration, repair or removal of buildings or structures, the installation of heating plants, plumbing or other fixtures or the performance of similar work;
  - b) "Home based Business" means a business whose premises are located on land or within a building where the land or building is primarily used for residential purposes and are classified as Residential or Mobile Home Residential.
  - c) "Petty Trade" shall mean any business with gross revenues of \$5,000 or less per year.
  - d) "Transient Trader" means a person carrying on business in an urban municipality who:
    - offers goods or merchandise for sale by retail or auction; or
    - solicits any person who is not a wholesaler or retail dealer for order for the future delivery of goods or merchandise;
2. No person shall carry on any business as transient trader, contractor or operate a home-based business within the Town of Preeceville unless he has in his possession a valid and subsisting license for the purposes issued in accordance with the provisions of this Bylaw or operates their business from land or improvements within the Town of Preeceville, that are assessed as a Commercial property or their business is exempt in accordance with section 3.
3. The following are exempt from the requirement of possessing a business license:
  - a) youth aged 18 years and under who are the sole employer/employee;
  - b) home-based businesses that do not provide any goods or services within the Town of Preeceville;
  - c) businesses operated solely as a yard maintenance service;
  - d) trade show booths;
  - e) works done for charity;
  - f) quality of life service and/or product providers
4. Any licensee who falls under the "Petty Trades" category shall file an Affidavit in the form prescribed in Appendix A attached to this Bylaw in each years license application.
5. The Administrator, or her delegate is hereby authorized to issue a license to any person carrying on a business, trade or calling in the Town of Preeceville who:
  - a) makes application for such license stating specifically the nature of their business in the Town of Preeceville, and
  - b) tenders, with his application, the proper license fee which shall be \$200.00 for a regular license and \$50.00 for a petty trades license.

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6. Where a license is issued after on or after the first day of September in any year, the fee payable under Section 5 shall be reduced by Fifty per cent (50%); however at no time will a business license fee be less than \$50.00.
7. A business license applicant will have their fee reduced to one-half but not less than \$50.00 if they are providing products or services that are not available first from businesses within the Town of Preeceville that are operating from a commercially assessed property and second by a resident of the Town of Preeceville who holds a business license.
8. Every license issued under the authority of this Bylaw, unless suspended or revoked, shall expire on the thirty-first day of December of the year of issue.
9. Every license issued shall specifically state the kinds of services, goods or merchandise which the license is authorized to offer for sale, or take orders for, as the case may be, and whether in the case of goods or merchandise, he may offer the same for sale by retail or by public auction or both. Such license shall also state the restriction as set forth in Section 10 hereof.
10. Every person licensed under this Bylaw, shall at all reasonable times, upon request of the Administrator, the bylaw enforcement officer, or license inspector, or any peace officer, or any resident of Preeceville, produce such license for inspection purposes. If the licensee is occupying premises, the license shall be posted in a conspicuous place at all times.
11. Council may by resolution suspend or revoke any license granted under the provision of this Bylaw or by written complaints received by the office in regards to the services of the license holder.
12. If the licensee fails to comply with any of the provisions of this bylaw, his license will be automatically revoked in which case no refund will be available to the licensee.
13. In case any person fails to pay the license fees imposed by this Bylaw, the licensing officer may give notice in writing to any person to whom the business provider is/was providing products or services to requiring the person to pay the license fee and that person may deduct the license fee amount off of any balance of monies payable for those services or products, or may pay the license fee on their own or be called as a witness to testify in a court of law that the contractor provided services within the Town of Preeceville.

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14. a) In the event, for any reason:
- i) there is non-compliance with the provisions contained in this Bylaw; or
  - ii) any person carries on business which is governed by this Bylaw, without first obtaining a license and paying the prescribed fee;
- then such person is in breach of this Bylaw and is guilty of an offence.
- b) Upon summary conviction, the offender is liable:
- i) for a first offence, to a fine of not less than twice the amount of the business license fee that would have been required;
  - ii) in a subsequent offence, to a fine of not less than four times the amount of the business license fee that would have been required.
- c) In addition to the fines prescribed in subsection (b) above, in case of Conviction for the non-payment of the license fee payable to the Town under this bylaw, the presiding Judge shall adjudge payment of the license fee in full.
15. This Bylaw shall take effect on the 1<sup>st</sup> day of January, 2008.
16. Bylaw No. 14 – 2004 is repealed on December 31, 2007.

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Mayor

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Administrator

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APPENDIX A

CANADA )  
 )  
PROVINCE OF SASKATCHEWAN )  
 )  
TO WIT: )

AFFIDAVIT OF GROSS BUSINESS REVENUES

I, \_\_\_\_\_ of \_\_\_\_\_  
(Business)

\_\_\_\_\_  
(Address)

Saskatchewan, MAKE OATH AND SAY:

1. 1. That I am the owner/operator of the above mentioned business and that the Gross Business Revenue of the said business will be \$5,000.00 or less for the current calendar year from business provided within the Town of Preeceville.
2. Should the actual Gross Business Revenue, exceed \$5,000.00, I will purchase a regular business license.

SWORN BEFORE ME at Preeceville )  
in the Province of Saskatchewan on the )  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. )

\_\_\_\_\_) \_\_\_\_\_  
A Commissioner of Oaths in and for  
the Province of Saskatchewan.  
My Appointment expires\_\_\_\_\_