

SUMMER VILLAGE OF MA-ME-O BEACH

BUSINESS LICENSE BYLAW NO. 385

A BYLAW OF THE SUMMER VILLAGE OF MA-ME-O BEACH, IN THE PROVINCE OF ALBERTA TO LICENSE AND CONTROL ALL BUSINESS CARRIED ON WITHIN THE MUNICIPALITY.

WHEREAS, the *Municipal Government Act*; Revised statutes of Alberta, 2000, Chapter M-26 and amendments thereto, provides authority for the enactment of legislation pertaining to the purpose of regulating and controlling business being carried on within the Summer Village;

AND WHEREAS Council deems it desirable and equitable to enact a new business licensing bylaw;

NOW THEREFORE, Council for the Summer Village of Ma-Me-O Beach, duly assembled, hereby enacts as follows:

SECTION 1: NAME OF BYLAW

1.1 This bylaw may be cited as the "*Business License Bylaw 2022*".

SECTION 2: DEFINITIONS

2.1 In this Bylaw:

- a) "Summer Village" means the Summer Village of Ma-Me-O Beach;
- b) "Council" means Council for the Summer Village of Ma-Me-O Beach;
- c) "Chief Administrative Officer" (CAO) means the CAO duly appointed by the Summer Village as per the Municipal Government Act;
- d) "Agent" means every person who, by mutual consent, acts for the benefit of another, including a sales representative, employee or independent distributor;
- e) "Applicant" means a person who applies for a license;
- f) "Business" means a commercial, merchandising or industrial activity or undertaking, a professional, trade, occupation, calling or employment, or an activity providing goods or services;
- g) "Carry on", "carried on" means to continue, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or agent;
- h) "Designate" means the Assistant Chief Administrative Officer or Development Officer;
- i) "Food Truck" means a Mobile Vending Unit used for the purpose of providing food, snacks or beverages to the public;
- j) "Mobile Vending Unit" means a mobile vehicle, structure, cart, table, stand or display used to operate a Business and located in any place where the public has an expected right of access;
- k) "Operator" means one who owns, operates, or engages in a business;
- l) "Peace Officer" means a member of the RCMP, Peace Officer, Community Peace Officer or Bylaw Enforcement Officer.

- m) "Special Event" means an occasion of temporary duration (four nights or less) typically attended by friends and family who are not residents of the Summer Village of Ma-Me-O Beach often for the celebration of anniversaries, birthdays, weddings, or reunions.

SECTION 3: LICENSE

- 3.1 Every business operating within the Summer Village shall as a prior condition of its operation obtain a business license issued by the CAO or her designate.
- 3.2 Each license shall be valid from the date of issue to the 31st day of December in the same year unless revoked or surrendered.

SECTION 4: LICENSE REQUIREMENTS

- 4.1 Every person applying for a business license shall submit, to the CAO or designate, a completed application form Schedule "A", attached to and forming a part of this Bylaw, and signed by the applicant.
- 4.2 All applicants for a license shall satisfy the CAO, or designate that adequate provision has been made on the property for Garbage and Parking facilities, and undertake to keep the premises and equipment in a clean, hygienic, and tidy condition at all times.
- 4.3 Said premises shall be subject to inspection at all reasonable times.
- 4.4 The applicant shall comply with all Summer Village and Provincial Bylaws. The issuance of business license under this bylaw does not constitute development approval under the Summer Village's Land Use Bylaws. The holder of an existing business license or an applicant for a business license is responsible for obtaining such development approval as may be necessary. Where such approval cannot be obtained, the CAO or designate shall forthwith cancel any existing license and refuse any applications for license.
- 4.5 The applicant shall meet all requirements of Alberta Health Services as applicable.

SECTION 5: LIABILITY INSURANCE

- 5.1 Under the required policy of liability insurance held in connection with the carrying on of any business, the applicant must indemnify and save harmless the Summer Village against any loss, damage, claims, actions, judgements, costs and expenses suffered or sustained by reason of or in connection with the carrying on of the business.

SECTION 6: MOBILE VENDING UNITS

- 6.1 Every person applying for a Business License for a Mobile Vending Unit shall also submit the completed for Schedule "B" attached to and forming part of this Bylaw. Schedule "B" of the application must include:
- a) A description and image of the Mobile Vending Unit.
 - b) Alberta Health Services approval where required.
 - c) Motor vehicle insurance, where applicable.
 - d) Proof of liability insurance.

- 6.2 Mobile Vending Units must adhere to the following conditions:
- a) Must be set back at least five (5) meters from the property line.
 - b) Must have water, wastewater and power facilities that meet the approval of the Development Officer.
 - c) Must adhere to the Hours of Operation as stipulated in the Business License.
 - d) Must provide garbage and recycle receptacles for the use of patrons.
 - e) Must present a neat appearance.
 - f) Must not obstruct driveways, loading zones or emergency access routes.
 - g) Must not be located on any roadway or road allowance within the Summer Village.
 - h) Must display the business license during operation.
 - i) Must adhere to any specific condition(s) identified in the Business License.
 - j) Must adhere to all AHS requirements including those related to the CoVid pandemic.
- 6.3 Mobile Vending Units must be located on private Commercial property or within the Summer Village Day Park.
- 6.4 Mobile Vending Unit applications must include a letter of permission from the property owner or the Summer Village Office for use of the Day Park.
- 6.5 Mobile Vending Units located on private Commercial property must use the electrical service provided to that property by the local electrical utility.
- 6.6 Notwithstanding 6.1 through 6.5 above, a Mobile Vending Unit in the Summer Village for a Special Event may apply for special approval from Council.
- 6.7 Mobile Vending Units approved for use at a Special Event or for use in the Day Park using gas or diesel powered generators must:
- a) use generators with low decibel operation
 - b) be located a minimum of 25 meters from residential or commercial property.

SECTION 7: FEES & FINES

- 7.1 Each application for a business license shall be accompanied by a fee of one hundred (\$100) dollars;
- 7.2 If a license is revoked by Council or surrendered by the operator, there will be no refund;
- 7.3 Any failure to comply with any of the provisions of this Bylaw is an offence under the Bylaw and as such is subject upon summary conviction and is liable to a fine of \$500.00.

SECTION 8: SEVERABILITY

- 8.1 Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw and

the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

SECTION 9: RESCINDING OF BYLAW

9.1 Bylaw #378 is hereby rescinded.


SECTION 10: EFFECTIVE DATE

10.1 This bylaw shall come into effect upon the date of third reading.

Read a first time on this 11th Day of March, 2022.

Read a second time on this 11th Day of March, 2022.

Read a third time on this 11th Day of March, 2022.



**Christine Holmes, Mayor
Summer Village of Ma-Me-O Beach**



**Sylvia Roy, Chief Administrative Officer
Summer Village of Ma-Me-O Beach**