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Nov 9/84

**TOWN OF MIDDLETON
BYLAW AMENDMENT
CHAPTER 15 – LICENSES, GENERAL PROVISIONS**

BE IT RESOLVED THAT the Town of Middleton Bylaw Licenses, General Provisions, Chapter 15 (passed by Council December 1, 1986 and approved by the Minister of Municipal Affairs December 22, 1986) be deleted in its entirety and the following new bylaw substituted therefor:

**TOWN OF MIDDLETON
LICENSES BYLAW
CHAPTER 15**

- 1.0 Every license mentioned in this chapter shall be granted by the CAO in compliance with this and any other applicable by-laws of the Town.
- 2.0 No person shall do business as an auctioneer, peddler, hawker, or trader of goods within the Town unless he holds from the Town a license for that purpose which is in force.
- 3.0 Nothing in this Bylaw shall affect:
 - (a) any person offering to sell the products of the farm, the forest or the sea;
 - (b) any sheriff, bailiff or other officer of the Law selling under legal process;
 - (c) any members or supporters of a charitable organization registered under the income Tax Act of Canada, Church, School, Sports Team or Service Club engaging in the raising of funds in support of the object of such organization.
- 4.0 The annual fee for a license as an auctioneer, peddler, hawker or trader of goods shall be as follows:
 - (a) where the applicant is either a resident or a ratepayer of the Town: auctioneer, peddler, hawker or trader.....\$40.00
 - (b) where the applicant is neither a resident nor a ratepayer of the Town: auctioneer, peddler, hawker, or trader.....\$80.00
- 4.1 No peddler, hawker, or trader shall peddle, hawk or trade:
 - (a) within 100 meters of the grounds of any school between one-half hour prior to the start of the school day and one-half hour after dismissal at the end of the school day.
 - (b) between the hours of ten o'clock in the evening and nine o'clock of the following morning.

(c) within 100 meters of any playground, park, sport field or other recreational area.

(d) in such a way as would restrict or interfere with the ingress or egress of the abutting property owners or tenants and/or interfere with the free flow of motor vehicle traffic or otherwise interfere or increase the flow of motor vehicle traffic.

4.2 Where the peddler, hawker or trader sells food or beverage for immediate consumption, he shall:

(a) ensure that a suitable litter receptacle is made available for his patrons' use;

(b) pick up, remove and dispose of all trash, refuse or litter remaining from sales made by him before leaving any location where he makes such sales.

5.0 (1) No person shall conduct any circus or other itinerant amusement unless he holds a license from the Town for that purpose which is in force, provided that nothing herein contained shall be construed as preventing or restricting the licensing of such activity under the provisions of the Theatres and Amusements Act, Chapter 304, R.S.N.S., 1967, and any regulations made thereunder.

(2) The CAO shall issue such license only upon compliance with all requirements therefor, and the payment of the following fees: For each such place of amusement.....\$40.00

(3) Notwithstanding anything in the preceding paragraphs, no license shall be required for any performance by local amateurs, or for any show put on for any local religious or charitable organization.

(4) Where the performance is sponsored solely by a non-profit organization for the purpose of raising funds to be used for the purposes of the organization, the license fee shall be the sum of one (1) dollar.

6.0 (1) A license issued under this Bylaw shall be valid until the last day of December next following its issue.

7.0 Every licensee under this Bylaw when engaged in the trade, calling or activity for which he is licensed shall display his license, on the demand of any peace officer, constable, councillor or official of the Town, in his capacity as such official, and to any person with whom the licensee is dealing or attempting to deal on the demand of such person.

8.0 (1) Every application for a license under this Bylaw shall be made in writing on a form provided therefor by the CAO and signed by the person applying therefor.

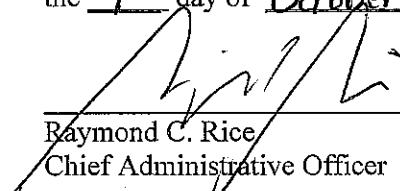
(2) The application shall contain the following information concerning the applicant:

- (a) his full name and address;
- (b) whether or not he is a ratepayer of the Town;
- (c) the name of the trade engaged in;
- (d) the type of goods or services sold;
- (e) the method by which the trade is carried on;
- (f) such other information as may be required by the CAO.

(3) It shall be an offence for any person to make any false statement in his application hereunder.

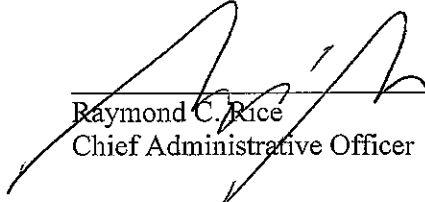
9.0 (1) Every person who contravenes or fails to comply with this Bylaw or fails to carry out an order made under this Bylaw or any condition attached to a permit or to which a permit is subject is guilty of an offence and is liable on summary conviction to a fine or not more that Two Hundred and Fifty Dollars (\$250.00) and in default of payment to imprisonment for a period of not more than thirty (30) days.

THIS IS TO CERTIFY THAT this bylaw amendment, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council by majority vote of the whole Council of the Town of Middleton on the 4th day of October, 2004.



Raymond C. Rice
Chief Administrative Officer

GIVEN under the hand of the Chief Administrative Officer and under the corporate seal of the Town of Middleton this 6th day of October, 2004.



Raymond C. Rice
Chief Administrative Officer

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| 1. Date of Notice to Council | <u>July 27, 2004</u> |
| 2. Date of First Reading | <u>Sept 07, 2004</u> |
| 3. Publication of Notice of Second Reading | <u>Sept 15, 2004</u> |
| 3. Date of 2 nd Reading & Passing | <u>Oct 04, 2004</u> |
| 4. Date of Publication of Notice of Passing* | <u>Oct 13, 2004</u> |

* Effective date of the Bylaw unless otherwise specified in the text of the Bylaw.