

IMPORTANT NOTICE

Town of Cochrane

OFFICE CONSOLIDATION

This document is consolidated into a single publication for the convenience of users. The official Bylaw and all amendments thereto are available from the Legislative Services Manager and should be consulted in interpreting and applying this Bylaw. In case of any dispute, the original Bylaw must be consulted.

For easy reference, the amending Bylaw Numbers are listed with a brief description.

Printed by the Manager of Legislative Services by the authority of Town Council

Town of Cochrane

Business License Bylaw 22/2018

Office Consolidation

Office Consolidated Version dated October 26, 2022



TOWN OF COCHRANE

Bylaw 22/2018

Being a bylaw of the Town of Cochrane in the Province of Alberta, Canada for the purpose of establishing regulations for the licensing of Businesses.

WHEREAS: Pursuant to the provisions of the *Municipal Government Act*, RSA 2000, C. M-26 and amendments thereto, Council may pass a Bylaw for the purpose of controlling and regulating Businesses, Business activities and persons engaged in Business;

WHEREAS: Council deems it necessary to license Businesses within the Town of Cochrane;

WHEREAS: Council deems it necessary to repeal and replace the existing Business Licence Bylaw 10/2009;

NOW THEREFORE: Council of the Town of Cochrane in the Province of Alberta, duly assembled, enacts as follows:

Title

1. This Bylaw may be cited as the "Business Licence Bylaw".

Definitions

2. In this Bylaw, the following words shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the past and future; words in the plural include the singular; words in the singular include the plural. The word "shall" is always mandatory, and not discretionary.
 - (a) "Applicant" means a person who applies for a Business Licence, a renewal of a Business Licence, or a transfer of a Business Licence.
 - (b) "Application" means a written application for a Business Licence, a renewal of a Business Licence, or a transfer of a Business Licence.
 - (c) "Business" means a commercial, merchandising or industrial activity or undertaking a profession, trade, occupation, calling or employment or

- an activity providing goods or services, however organized or formed, including a co-operative or association of persons.
- (d) "Business Licence" and/or "Licence" means a licence issued pursuant to this Bylaw.
 - (e) "Business Premises" means any store, office, warehouse, yard or other place used for the purpose of Carrying On a Business as may be permitted as a use within the Town of Cochrane Land Use Bylaw as may be amended and or replaced from time to time.
 - (f) "Business Registry" and/or "Registry" means the list of all licensed Businesses Carrying On Business within the Town.
 - (g) "Buskers" and/or "Street Entertainers" means the act of performing in public places for gratuities.
 - (h) "Bylaw Ticket" means a Town-issued notice that alleges an offence and provides a person with the opportunity to pay an amount to the Town in lieu of prosecution for the offence.
 - (i) "Carry On" means operate, perform, keep, hold, occupy, deal in, use, or continue.
 - (j) "Charitable or Non-Profit Organization" is as defined under the *Income Tax Act*.
 - (k) "Council" means the duly elected Municipal Council for the Town of Cochrane in the Province of Alberta.
 - (l) "Dwelling Unit" means a development as defined in the Town of Cochrane Land Use Bylaw as may be amended and or replaced from time to time.
 - (m) "Event" means an activity occurring in the Town which is open to and intended to attract the general public, including but not restricted to a festival, public show, exhibition, trade show, or commercial performance.
 - (n) "Hawker" and/or "Peddler" means any person who, whether as principal or agent:
 - (i) goes from house to house selling or offering for sale any merchandise or service, or both, to any person and who is not a wholesale or retail dealer in that merchandise or service;
 - (ii) offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise or a service, or both, to be afterward delivered in and shipped into the Town.
 - (o) "Licensee" means the holder of a valid and subsisting Business Licence issued pursuant to the provisions of this Bylaw.
 - (p) "Minor" means any Person under the age of 18. **(26/2018)**

- (q) "Mobile Vendor" means any person who from a motor vehicle, trailer, cart, cycle, or mobile vending apparatus sells or offers for sale goods, merchandise or services.
- (r) "Non-Resident Business" means a Business that is not based within the Town, but chooses to conduct Business within the Town.
- (s) "Non-Resident Mobile Vendor" means a Mobile Vendor that does not have a Business, home-based or otherwise, for the purpose of operating the Mobile Vendor Business within the Town.
- (t) "Peace Officer" means a person engaged by the Town as a Community Peace Officer, a Bylaw Enforcement Officer, or a member of the Royal Canadian Mounted Police to carry out the provisions of this Bylaw.
- (u) "Resident Business" means a Business that is based within the Town.
- (v) "Resident Mobile Vendor" means a Mobile Vendor that has a home-based or otherwise, Business for the purpose of operating the Mobile Vendor Business, located within the Town.
- (w) "Senior Manager" means the person appointed as the Senior Manager, Development Services or designate.
- (x) "Short Term Rental" is the use of a residential property for temporary accommodation of 30 days or less for compensation, in a dwelling unit or portion of a dwelling unit. **(18/2022) RES #178/10/22**
- (y) "Show Home" shall have the meaning as provided for by the Town of Cochrane Land Use Bylaw as may be amended and or replaced from time to time.
- (z) "Store Premise" means a development contained within a building for the sale and offering of goods and services to the public.
- (aa) "Town" means the Municipal Corporation of the Town of Cochrane in the Province of Alberta, and or the area contained within the municipal boundaries of the Town of Cochrane, as the context may require.
- (bb) "Vendor" means a person or company offering something for gain or profit within an Event.
- (cc) "Violation Ticket" means a ticket issued pursuant to the *Provincial Offences Procedures Act*.

Business Classification

3. For the purposes of this Bylaw, the following further definitions shall apply for classifying Business type:
 - (a) Home-Based Business

A Business as defined and provided for by the Town of Cochrane Land Use Bylaw as may be amended and or replaced from time to time, and generally Carried On as a secondary use of a dwelling unit and/or its accessory buildings, by one of the permanent residents of the dwelling unit.

(b) Retail Business

A Business where goods, wares, merchandise, substances, articles, or things are stored, offered, or kept for sale at retail prices and includes storage on or about the Store Premise of limited quantities of such goods, wares, merchandise, substances, articles or things.

(c) Commercial Business

(i) A Business which acquires goods and services to be used in the production of further products or services for sale or rental to other Businesses.

(ii) A Business primarily engaged in providing goods and services more to the Business community than to the public.

(iii) Businesses that are governed under Provincial, or Federal Statutes/Trade Acts.

(d) Industrial Business

(i) A Business primarily engaged in operations, which provides products directly from primary resources or which manufactures/assembles semi-finished goods, products or services.

(ii) A Business that requires exterior storage space for primary resources or manufactured goods.

General Licensing Provisions

4. The provisions in this Section 4 shall apply to all Businesses located in the Town, regardless of their Classification, or such other specific provisions as provided for in Section 5 and Section 6 of this Bylaw.

(a) An Applicant shall make application on a form supplied by the Town, furnishing all information as the form shall require and any additional information as may be required.

(b) No person shall carry on any Business transaction, conduct any work, or provide services within the Town without first being licensed to do so, and having paid the fees as prescribed in Schedule "A" to this Bylaw.

(c) A Business shall not be required to be licensed if:

(i) The Business is carried on or operated by the Town or at a location operated by an official or employee of the Town acting

on behalf of the Town in his/her capacity as such official or employee.

- (ii) The Business is carried on by the Government of the Province of Alberta, or Canada.
 - (iii) Any statute of the Province of Alberta or Canada exempts such Business or person from the requirements of municipal licensing.
 - (iv) The Business is a Charitable or Non-Profit Organization.
 - (v) Any other Business exempted through or by order of Council.
 - (vi) Where required, the Town is in receipt of a completed Statutory Declaration stating that the Business is no longer operating in the Town of Cochrane.
 - (vii) The Business is a day home service provider that is registered with a provincially approved Day Home Agency that is licensed through the Town.
 - (viii) The Business carries on its activity at the Farmers' Market which is operated by an organization that is registered with the Farmers' Market Association.
 - (ix) The Business is one of shipping or distribution of retail, commercial or industrial materials, goods or equipment.
 - (x) The Business is a Non-Resident Business with its operations limited to the participation in an Event.
 - (xi) The business is operated by a Minor. **(26/2018)**
- (d) Notwithstanding that a Business Licence has been issued under the provisions of this Bylaw, no person shall possess shark fin products for the purpose of consumption, sale or distribution.
- (e) Notwithstanding that a Business Licence has been issued under the provisions of this Bylaw, such Licence does not authorize or permit the Licensee to carry on a Business or any activities related to such Business, contrary to the provisions of any applicable Federal, Provincial or Municipal statutes, regulations or bylaws.
- (f) All Businesses operating within the Town shall comply with the Alberta Fire Code and have a completed fire inspection prior to operating. Such fire inspection must remain in place at all times while Carrying On Business in the Town.
- (g) Any advertising of Businesses, trades or occupations shall be deemed to be prima facie proof of the carrying on or operating of such a Business, trade or occupation.

- (h) No Business Licences shall be issued or renewed unless written confirmation is provided in a form acceptable to the Town that all Federal and Provincial licensing requirements have been met. This includes, but is not limited to inspections and approvals related to the preparation or sale of foodstuffs.
- (i) The annual Business Licence certificate issued pursuant to this Bylaw shall be posted in a conspicuous place on the Business Premises of the Licensee, so as to be clearly visible to the public. For those Businesses that are not carried on at a fixed location, the Licence must be:
 - (i) Carried on the person of the Licensee.
 - (ii) Carried in or on the vehicle or apparatus from which such Business is conducted.
 - (iii) Be shown to a Peace Officer or members of the public upon demand.
- (j) A subsisting Business Licence issued under this Bylaw shall not be transferred from one person to another, or from one location to another, or to another Business except upon:
 - (i) an Application being made to the Town;
 - (ii) the Applicant furnishing evidence of a transfer or assignment of the interests of the existing Licensee or of the location of the Business;
 - (iii) the Applicant complying with the provisions of this Bylaw; and
 - (iv) the Application being approved by the Town.
- (k) Any Business opting for a three (3) or six (6) month term Licence, as per the approved fees in Schedule "A", will be entitled to a consecutive three (3) or six (6) month period of Licensing. In the event the Business continues to operate beyond the period of Licensing, a new Application is required.
- (l) An Event Licence is issued for operating an Event within the Town. An Event Licence is not required if the Business is already licensed in accordance with this Bylaw.
- (m) Should the North American Industry Classification Code of a Business change as a result of a change in the nature or scope of the Business, the existing Business Licence shall be considered null and void and a new Licence must be applied for within thirty (30) days of the notice of change of classification code.

- (n) Businesses no longer requiring a Business Licence, pursuant to this Bylaw, are required to complete and sign a Statutory Declaration provided by the Town within thirty (30) days of termination of the Business.
- (o) All Licences issued pursuant to this Bylaw remain the property of the Town.

Short Term Rental General Regulations (18/2022) RES #178/10/22

- 5. Notwithstanding any other provisions of this Bylaw, the following shall apply to Short Term Rentals Carrying on Business within the Town.
 - a) A fire inspection is required for all short-term rentals.
 - b) A host cannot rent a room that does not have one or more egress windows.
 - c) A host cannot allow more than two adults, not including minors, per room.
 - d) A host cannot allow overlapping bookings of two or more bookings for the dwelling at the same time.
 - e) A host cannot rent out separate rooms to separate guests under separate reservations but can rent out multiple rooms as part of one guest reservation.
 - f) A host must include the business licence number in any advertising for the short-term rental.
 - g) A host must post the name, phone number and email of any emergency contact who can be reached 24 hours a day.

Hawkers and Peddlers

- 6. Notwithstanding any other provisions of this Bylaw, the following shall apply to Hawkiers and Peddlers Carrying on Business within the Town.
 - (a) No person shall carry on Business as a Hawker or Peddler in public parks within the Town until an Event Permit has been obtained and is submitted with the Business Licence Application.
 - (b) No person shall Carry on, or engage in the Business of a Hawker or Peddler on public property within the Town unless and until such person has been issued a Business Licence pursuant to this Bylaw.

- (c) A Hawker or Peddler may carry on Business on a sidewalk at any location, except for the following:
 - (i) Within three (3) meters of a building or car park entrance or exit.
 - (ii) Within ten (10) meters of an intersection as defined in the *Traffic Safety Act*.
 - (iii) Within three (3) meters of a back alley, or lane.
 - (iv) Where the location of a Hawker or Peddler does not leave a minimum pedestrian passageway of two and one-half (2.5) meters between the closest of the Hawker or Peddler and the curb or building.
 - (v) Where the sidewalk is less than three and one-half (3.5) meters wide.
 - (vi) Where the Hawker or Peddler obstructs a transit zone, fire hydrant, driveway, loading zone, emergency access or stand pipes.
 - (vii) Within twenty-five (25) meters of the property line of any residential development.
- (d) No Hawkers or Peddler shall Carry on Business on any public road.
- (e) Hawkers or Peddlers shall be permitted to operate on any privately owned property within the Town, provided that a letter of permission for the property owner has been obtained and submitted to the Town.

Mobile Vendors

- 7. Notwithstanding any other provisions of this Bylaw, the following shall apply to Mobile Vendors Carrying on Business within the Town.
 - (a) The Mobile Vendor Business must be clean, well-lit and aesthetically pleasing as determined at the discretion of the Town.
 - (b) The Mobile Vendor shall supply its own power and water source. Generators are permitted providing they do not cause a disturbance, as determined in accordance with the Town of Cochrane Noise Control Bylaw as may be amended and or replaced from time to time.
 - (c) Overhead canopies, doors or appurtenances shall not obstruct or hinder pedestrian or vehicular traffic.
 - (d) Mobile Vendors shall at all times operate with the service side facing toward a sidewalk or equally suitable safe location for patrons.

- (e) Placement of any furniture associated with the Mobile Vendor is prohibited. This does not include waste and recycling receptacles.
- (f) On-street storage of any apparatus associated with a Mobile Vendor Business is prohibited.
- (g) Storage of apparatus associated with a Mobile Vendor Business is permitted on a residential driveway between May 1 and October 20, provided that the operator of the Business has a home-based Business permit for the residence in accordance with the Town of Cochrane Land Use Bylaw as may be amended and or replaced from time to time.
- (h) Operations of a Mobile Vendor shall be conducted in a manner that does not restrict or interfere with the ingress or egress of any adjacent property or constitute an obstruction to the access or movement of emergency or Town operations vehicles.
- (i) Mobile Vendors shall not create any disturbance or nuisance, including but not limited to noise, vibration, smoke, dust, odour, air pollution, heat, glare, bright lights, hazardous or unacceptable waste that encroaches onto private property, public streets, public spaces, or which may be a distraction for motorists or pedestrians.
- (j) Mobile Vendors may operate on-street with a minimum setback of:
 - (i) Twenty-five (25) meters (measured from the nearest edge of the Mobile Vendor apparatus, to the edge of the building footprint) from an existing, permanent Retail, Commercial or Industrial Business that manufactures, sells or repairs similar products, or provides similar services.
 - (ii) One Hundred (100) meters from any primary or secondary school site without the express written permission from the school administration obtained and submitted to the Town prior to Carrying on Business at the school site.
 - (iii) One Hundred Fifty (150) meters from an Event without the express written permission from the Event organizer obtained and submitted to the Town prior to Carrying on Business at the location.
 - (iv) Ten (10) meters from any intersection, crosswalk, stop line or public transit stop.
- (k) Mobile Vendors operating on-street shall be subject to the following additional restrictions:
 - (i) Mobile Vendors shall not operate within 1.5 meters of alleys or driveways.

- (ii) Mobile Vendors shall not operate within 5 meters of a fire hydrant.
- (iii) Mobile Vendors shall not obstruct or block loading zones.
- (iv) Mobile Vendors shall not operate in angle parking stalls, nose-in parking stalls, or loading zones at any time.
- (v) Mobile Vendors shall not operate within residential land use districts as identified within the Town of Cochrane Land Use Bylaw as may be amended and or replaced from time to time, except for instances where the following apply:
 - (1) during an Event where the express written permission of the Event organizer has been obtained and submitted to the Town prior to Carrying on Business at the Event
 - (2) the Mobile Vendor is a Business that operates solely for the sale of ice cream in a form intended for individual consumption and the Vendor is not stopped for longer than three (3) minutes at a time.
- (l) Mobile Vendors may operate on Town Land locations as prescribed in Schedule "B" to this Bylaw.

Non-Resident Mobile Vendors

8. Notwithstanding any other provisions contained in this Bylaw, Non-Resident Mobile Vendor shall not operate in the Town without the following requirements having first been met:
- (a) The Non-Resident Mobile Vendor must obtain a Non-Resident Business Licence to conduct Business within the Town of Cochrane.
 - (b) A Non-Resident Mobile Vendor operating for an Event, must obtain written permission from the organizer and does not require a Business Licence to attend and operate for the duration of the Event.
 - (c) A Non-Resident Mobile Vendor operating for an Event must, in addition provide the following:
 - (i) Alberta Health Services Approval (Food Handling Permit) if applicable to the service provided.
 - (ii) Fire Inspection Approval, if applicable.

Buskers and Street Entertainers

9. Notwithstanding any other provisions of this Bylaw, the following shall apply to Buskers and Street Entertainers Carrying on Business within the Town

- (a) No person shall commence to, or carry on or engage in, the Business of Busker or Street Entertainer on public property within the Town unless and until such person is the holder of a Business Licence pursuant to this Bylaw.
- (b) Buskers and Street Entertainers are permitted in Town public areas only.
- (c) Maximum performance time is one (1) hour per location.
- (d) No sound amplification is permitted to be used.
- (e) No high risk or acts deemed to be dangerous are permitted.
- (f) All performances must be suitable for a general family audience rating.
- (g) Busking and Street Entertaining at Events is subject to obtaining written permission from the Event organizer.
- (h) No Busking or Street Entertaining is permitted where either the performer(s) and/or the audience gathered to view the performer(s) is blocking pedestrian and or vehicle traffic.

Business Licence Fees

- 10. (a) Where a Business, subject to being licensed, is carried on or intended to be carried on in more than one premise, separate licences shall be required in respect to each premise and a separate fee shall be paid.
- (b) Two (2) or more Businesses, owned by the same natural person and located in the same premises, shall be considered as one (1) Business for the purposes of this Bylaw; however, if the Business activities are different, the Business classification with the higher licence fee shall apply, and the Businesses shall be listed separately in the Business Registry.
- (c) Any Business which commences Business or operations after January 1 in a calendar year and has not previously been in operation in that calendar year, shall pay the appropriate Business Licence fee, as per the fees set out in Schedule "A" of this Bylaw. New licences issued after January 31 shall pay a pro-rated fee calculated for the remaining months in the current year.
- (d) The Town may issue a licence after October 1 of any calendar year for one fourth the annual fee as per the fees set out in Schedule "A" of this Bylaw, provided the Business applying for the licence has not been operating within the limits of the Town prior to October 1.
- (e) Renewal of a licence is required for each subsequent calendar year, with fees due no later than January 31.

- (f) Invoices for Business Licence fees not paid prior to February 1 will be levied a flat rate penalty of thirty (\$30.00) dollars on February 1 which will form part of the total fees owing.
- (g) Once a Business Licence has been issued, Business Licence Fees are not refundable.

Inspections

- 11. (a) Subject to the entry notice provisions contained within the *Municipal Government Act*, R.S.A 2000 c. M-26, a Designated Officer and or a Peace Officer of the Town, may enter a premise to conduct an inspection in order to determine whether or not this Bylaw is being complied with.
- (b) The Senior Manager is authorized to take the necessary steps to initiate legal proceedings to enforce this Bylaw, by way of injunction or otherwise, against any Business, when such action is deemed required.

Enforcement

- 12. (a) Where a person or Business is found to be in contravention of any of the provisions of this Bylaw, a Peace Officer may issue a compliance warning and make recommendations to the Senior Manager to temporarily suspend the Business Licence until such time as the contravention(s) have been rectified.
- (b) Where a Business has been licensed pursuant to this Bylaw, the Senior Manager may revoke or suspend the Business Licence and initiate legal proceedings to enforce this Bylaw by way of injunction or otherwise against the Business if, in his/her opinion, the requirements of this Bylaw have not been complied with.
- (c) Notice of revocation of the Business Licence and the recommended enforcement procedure shall be given to the Licensee by means of personal service or by ordinary mail at the address shown on the Application for Licensing.
- (d) Where a Business Licence has been suspended, or revoked by the Senior Manager, a person may not operate until a new Business Licence is issued or obtained.

Appeals

13. (a) An applicant may appeal the category of Business and the applicable fee assigned to a Business.
- (b) Where an Application has been refused, or a licence has been revoked or suspended, the Applicant or Licensee may appeal the decision to the Town Council within ten (10) Business days of receipt of notice of such refusal, revocation or suspension. All appeals shall be made in writing, accompanied by the applicable Appeal Fee as set out in Schedule "A" and addressed to the Senior Manager.
- (c) Upon receipt of an appeal, the Senior Manager shall forthwith place the appeal upon the agenda of the Council at which time the appeal shall be heard. Accompanying such appeal shall be a written report of the Senior Manager advising as to the reasons for refusal of any application for a licence or the revocation of any licence.
- (d) At the hearing of the appeal, Council may review the written submissions of the appellant, the Senior Manager and of any other persons the Council deems has the right to speak, or may hear such submissions verbally.
- (e) Within ten (10) days of the completion of the hearing, the Council may do one or more of the following:
 - (i) Direct that the Business be added to the Business Registry.
 - (ii) Confirm the refusal, revocation or suspension of a Business Licence.
 - (iii) Reinstate the revoked licence.
 - (iv) Remove or vary the suspension.
 - (v) Establish the category of Business and/or its applicable licensing fee.
- (f) Fifty percent (50%) of the appeal fee shall be refunded to the appellant should the appeal be successful.

General Penalty Provisions

14. (a) Any person who contravenes any provision of this Bylaw:
 - (i) by doing any act or thing that is prohibited under the terms of this Bylaw;
 - (ii) by failing to do any act or thing that is required to be done under the terms of this Bylaw;

is guilty of an offence and the Town can utilize whatever means deemed appropriate to effect collection of the applicable penalties.

- (b) Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars (\$10,000) and in default of payment of any fine imposed, to imprisonment for not more than one (1) year.

Violation Tickets and Penalties

- 15. (a) Where a Peace Officer believes that a person has contravened any provision of this Bylaw, they may commence proceedings by issuing a Violation Ticket in accordance with the provisions of the *Provincial Offences Procedure Act*, R.S.A. 2000, c P-34.
- (b) Notwithstanding Subsection 13 (b), a Peace Officer may issue, by personal service or regular mail, a Bylaw Ticket, in a form as approved by the Town, to any person alleged to have contravened any provision of this Bylaw.
- (c) The penalty in lieu of prosecution payable in respect of a contravention of this Bylaw, to be indicated on any such Bylaw Ticket issued, is the amount provided for in Schedule "C" of this Bylaw.
- (d) A person who has been issued a Bylaw Ticket in respect of a contravention of a provision of this Bylaw, and who has fully paid to the Town the penalty as indicated within the time allowed for payment, shall not be liable to prosecution for the subject contravention.
- (e) The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "C" of this Bylaw in respect of that provision.
- (f) The minimum penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "C" of this Bylaw in respect of that provision.
- (g) Notwithstanding Subsection 14(e):
 - (i) where any person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the specified penalty payable in respect of the second offence is double the amount shown in Schedule "C" of this Bylaw in respect of that provision; and
 - (ii) where any person has been in contravention of the same provision of this Bylaw three (3) or more times within one (1) twelve (12) month period, the specified penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule "C" of this Bylaw in respect of that provision.

- (h) Notwithstanding Subsection 14(f):
- (i) where any person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the minimum penalty payable in respect of the second offence is double the amount shown in Schedule "C" of this Bylaw in respect of that provision; and
 - (ii) where any person has been in contravention of the same provision of this Bylaw three (3) or more times within one (1) twelve (12) month period, the minimum penalty payable in respect of the third (3) or subsequent offence is triple the amount shown in Schedule "C" of this Bylaw in respect of that provision.
- (i) Where a person is convicted of carrying on a Business without first being Licensed with the Town, or without payment of the necessary fee having been made, the Court may direct payment of the applicable licence fee to the Town in addition to the fine imposed pursuant to this Bylaw.

Continuing Offences

16. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues.

Mandatory Court or Information

17. No provision of this Bylaw shall prevent any Peace Officer from issuing a Violation Ticket requiring the court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34, or from laying an information instead of issuing a Violation Ticket.

General

- 18. Each 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.
- 19. The attached Schedule "A", Schedule "B" and Schedule "C" shall form part of this Bylaw.
- 20. This Bylaw repeals Bylaw 10/2009.

This Bylaw shall come into full force and effect upon the date of third and final reading.

Read a first time May 14, 2018
Read a second time May 14, 2018
Read a third time May 28, 2018

Mayor

Manager, Legislative Services

Schedule "A"
Town of Cochrane Bylaw 22/2018

Business Licence Fees

Annual Licence Fees January to December	<u>Cost</u>
<u>Resident</u>	
Home Based	
Minor	<u>\$80.00</u>
Major	<u>\$160.00</u>
<u>Retail</u>	<u>\$160.00</u>
Business Service Food and Beverage Service Retail Trade Other Services	
<u>Commercial and Industrial</u>	<u>\$160.00</u>
Accommodation Agricultural and Related Services Communication and Other Utility Construction Educational Service Finance and Insurance Fishing and Trapping Health and Social Services Logging and Forestry Industries Manufacturing Mining, Quarrying and Oil Well Industries Real Estate and Insurance Agent Show Homes Transportation and Storage Wholesale Trade	
<u>Non-Resident</u>	<u>\$320.00</u>
Commercial Retail Industrial Home Based Business	
<u>Term Licence Fees</u>	<u>Cost</u>
<u>Resident</u>	
3-month term	<u>\$48.00</u>
6-month term	<u>\$96.00</u>
<u>Non-Resident</u>	
3-month term	<u>\$96.00</u>
6-month term	<u>\$192.00</u>

Schedule A - Continued

<u>Event Licences</u>	<u>Cost</u>
1-Day Event	\$65.00
2-Day Event	\$120.00
3-5 Day Event	\$160.00
<u>Buskers and Street Entertainers Licence</u>	<u>Cost</u>
1-Day	\$0.00
2-Day	\$0.00
3-5 Day	\$0.00
Annual	\$0.00
Flat Rate Penalty Fee	\$30.00
Appeal Fee	\$100.00

Business Licence Fees are GST Exempt

Schedule "B"

Town of Cochrane Bylaw 22/2018

Town Land

1. Cochrane Ranche Parking Lot
 - (a) The applicant shall not operate during the hours of operation of the Farmer's Market.
2. Off Leash Dog Park Parking Lot Adjacent to River Avenue Pedestrian Bridge
3. Riverfront Park Parking Lot
4. Off Leash Dog Parking Lot by Spray Lakes Sawmills Family Sports Centre
5. Mitford Parking Lot
6. Skateboard Park Parking Lot
7. Town owned property: Block 1 Plan 9410419 (201 Fifth Avenue West)
*(the former Big Hill Leisure Pool & existing Curling Club)
8. Cochrane RancheHouse Parking Lot
 - (a) The applicant must receive permission from the Facilities Department of the date and times they plan to operate at the RancheHouse parking lot to ensure there are no conflicts with private events being held at the RancheHouse.

Schedule "C"
Town of Cochrane Bylaw 22/2018

Business Licence Penalties

	PENALTIES	MINIMUM PENALTY	SPECIFIED PENALTY
	1 st offence	\$500.00	\$750.00
	2 nd offence (within (12) months)	\$1000.00	\$1,500.00
	3 rd offence (within (12) months)	\$1,500.00	\$2,500.00