

Bylaw last revised: December 10, 2018  
Effective: January 1, 2019  
Bylaw 6154

CONSOLIDATION OF THE BYLAW OF THE CITY OF LETHBRIDGE TO PROVIDE  
FOR THE LICENSING, CONTROL AND REGULATION OF ALL  
BUSINESSES OR INDUSTRIES WITHIN THE CITY OF LETHBRIDGE

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WHEREAS Section 7 of The Municipal Government Act authorizes the Council to pass bylaws for municipal purposes respecting business activities and persons engaged in business;

AND WHEREAS Section 8 of The Municipal Government Act permits Council to provide for a system of licenses, permits or approvals;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF LETHBRIDGE, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

Part 1  
DEFINITIONS

1.01 This bylaw may be cited as the Lethbridge License Bylaw.

In this bylaw unless the context otherwise requires:

- 1.02 (1) "Adult Person" means any natural person over the age of eighteen (18) years of age.
- (2) "Artist" means a person who strictly produces items or objects that are objects that are distinctive and unique from other items or objects and which are individually produced. (Art is an expression of beauty which is used for decorative purposes only.)
- (3) "Business" includes every business, trade, profession, industry, occupation, employment or calling, and the providing of goods and services.
- (4) "Carnival" means any entertainment or festivity where games of chance are carried on and where goods, wares, or merchandise are sold or offered for sale whether or not it is held in a building enclosure or in the open.
- (5) "Charitable Organization" means any religious, charitable, scientific, literary or educational organization which is a registered Canadian charitable organization pursuant to the Income Tax Act of Canada.
- (6) "Chief of Police" means the Chief of Police for the Lethbridge Police Service and anyone authorized by the Chief of Police to act on his behalf.

**Bylaw 6014 – October 17, 2016**

- (7) "Circus" includes circuses and other entertainment of a similar nature usually carried on by showmen.
- (8) "City" means the Corporation of the City of Lethbridge or the area contained within the corporate boundaries of the City as the context requires.
- (9) "City Manager" means the City Manager of the City of Lethbridge and anyone authorized by the City Manager to act on his behalf.
- (10) "Delivery/Courier Service" means a business whose primary or significant purpose involves the delivering of messages, documents and packages for patrons or customers of the delivery/courier service.
- (11) "Designated Officer" means a bylaw enforcement officer, peace officer, police constable or any other official appointed by the City to enforce this bylaw.
- (12) "Electronic Means" means a computer with the capability to electronically transmit through the internet the information collected and recorded pursuant to sections 6.14 and 6.18.

***Bylaw 6067 – January 1, 2019***

- (13) "Hawker or Pedlar" means any person going from house to house or from party to party selling or offering for sale any merchandise or service, or both, but does not include any person selling:
  - (i) meat, fruit or other produce that has been produced, raised or grown by themselves,
  - (ii) fish of their own catching.
- (14) "Home Occupation" means a business carried on by a person, who is an occupant of a residential building, as a use secondary to the residential use of that building.
- (15) "Huckster" shall mean any person who sells or offers for sale:
  - (i) meat, fruit or other farm produce that has been produced, raised or grown by themselves,
  - (ii) fish of their own catching.
- (16) "Improvement" means anything constructed, erected, built, placed, demolished, dug, drilled or moved on or in the land except a thing that is neither affixed to the land nor intended to be or become part of that land.

- (17) "Itinerant Show" means any form of a commercial entertainment or amusement conducted or performed by a person not a resident of the City, but does not include entertainment produced by a person in the City who has a business license for producing or staging such entertainment.
- (18) "License" means a license issued pursuant to this bylaw.
- (19) "Licensee" means a person holding a valid license issued pursuant to this bylaw.
- (20) "Market" - Farmers or Flea - means the business of providing to persons for compensation, stalls or other similarly restricted areas for the disposal and sale of goods, wares or merchandise to the public.
- (21) "Mechanical Trade" means the trade of gas fitter, plumber, sheet metal worker or steam fitter.
- (22) "Municipal Tag" means a ticket alleging an offence, issued pursuant to the authority of a bylaw of the City
- (23) "Office" means a building or any part of a building used by the owner or tenant for the purpose of conducting a business therefrom.
- (24) "Pawnbroker" means any person who carries on the business of receiving or taking by way of pawn or pledge, any personal property for the payment of money loaned thereon.
- (25) "Person" includes a corporation or firm as well as a natural person.
- (26) "Premises" includes any store, office, warehouse, factory, building enclosure, yard or other place occupied or capable of being occupied for any purpose.
- (27) "Record Book" means a record book containing the information required by sections 6.14(3) and 6.18(4), in the form prescribed by the Chief of Police.

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- (28) "Regulatory Services Manager" means the business unit manager of the Regulatory Services department or anyone authorized to act on his behalf.
- (29) "Resident" means:
  - (i) in the case of a natural person, one who has resided in the City continuously for twelve (12) months prior to the date the license is applied for,

(ii) in the case of a firm or corporation one which is assessed for and liable for business tax to the City of Lethbridge.

- (30) "Second-Hand Dealer" means any person who carries on the business of purchasing, selling or having in their possession for sale, or advertises for sale, goods that have been used, reconditioned or remade, including antiques, but does not include an Auctioneer or Used Motor Vehicle Dealer.
- (31) "Sub-Contractor" means any person who undertakes to sub-contract from a general contractor or owner and pays their own benefits.
- (32) "Taxi" means a motor vehicle employed in the conveyance of passengers for a fee with original manufacturer designed seating capacity of 8 or fewer passengers, including the driver, but does not include a drive yourself vehicle or Transportation Network Automobile.<sup>66</sup>

***Bylaw 6058 – July 17, 2017***

- (33) "Taxi Operator" a person who operates a taxi.
- (34) "Taxi Operator License" is a license issued by the City of Lethbridge granting permission for an individual to operate a taxi.
- (35) "Transportation Network Company" means a corporation, partnership, sole proprietorship, association or other entity, or individual that connects passengers with Transportation Network Drivers for pre-arranged transportation exclusively through the offering, use or operation of a Transportation Network, as defined in the Transportation Network Companies Regulation 100/2016 and amendments thereto;

***Bylaw 6058 – July 17, 2017***

- (36) "Transportation Network" means an online enabled application, a digital platform, software, a website, or any other system offered, used or operated by a Transportation Network Company and that is used by persons to pre-arrange the transportation of passengers for compensation by a Transportation Network Driver, as defined in the Transportation Network Companies Regulation 100/2016 and amendments thereto;

***Bylaw 6058 – July 17, 2017***

- (37) "Transportation Network Automobile" means a motor vehicle with a 7/17/17 manufacturer's seating capacity originally designed for 8 or fewer passengers, including the driver, used to provide prearranged transportation of passengers for compensation through the use of a Transportation Network, as defined in the Transportation Network Companies Regulation 100/2016 and amendments thereto but does not include a Taxi;

***Bylaw 6058 – July 17, 2017***

- (38) "Transportation Network Driver" means a person authorized by a 7/17/17 Transportation Network Company to operate a Transportation Network Automobile to provide prearranged transportation of passengers for compensation through the use of a Transportation Network, as defined in the Transportation Network Companies Regulation 100/2016 and amendments thereto;

***Bylaw 6058 – July 17, 2017***

- (39) "Violation Ticket" has the same meaning as in the *Provincial Offences Procedure Act R.S.A. 2000, C 34* as amended.

1.03 "Adult Videotape" means:

- (a) a videotape cassette or digital video disc or their packaging bearing any form of label, sticker, image or language indicating the videotape contains explicit sex;
- (b) a videotape or digital video disc classified by any film classification board to contain depictions of explicit sex;
- (c) a videotape or digital video disc containing depictions of explicit sex.

1.04 "Videotape Store" means any premises or part thereof in which videotapes or digital video discs are provided in the pursuance of a business and includes an adult videotape store.

Part 2  
APPOINTMENT  
AUTHORITY &  
DUTIES

2.01 The Regulatory Services Manager is granted authority to carry out the provisions of this bylaw. The Regulatory Services Manager may delegate his authority to carry out the provisions of this Bylaw.

2.02 The Regulatory Services Manager is authorized to:

- (1) receive, consider and deal with all applications for a license and transfers thereof.
- (2) record such information with respect to licenses as may be considered necessary by him.
- (3) periodically visit and inspect business premises and construction sites for the purpose of ascertaining whether the proprietor or contractor is complying with the provisions of this or any other applicable bylaw.

- (4) refuse to grant a license or to revoke or suspend any license if, in his opinion, there are just and reasonable grounds for the refusal of the application or for the revocation or suspension of the license subject to the right of the applicant to appeal the refusal, revocation or suspension to Council.
- (5) issue a license, with or without conditions, upon payment of the appropriate fee.
- (6) prosecute violators of this bylaw.

Part 3  
REQUIREMENT  
OF LICENSE

- 3.01 No person shall carry on or operate a business which is either wholly within or partly within and partly outside the City unless he holds a valid and subsisting license so to do issued pursuant to this bylaw.
- 3.02 The provisions of Section 3.01 do not apply to any business specifically exempted by Provincial Legislation.

Part 4  
APPLICATION  
& ISSUANCE  
OF LICENSES

- 4.01 Every application for a license shall be made by an adult person.
- 4.02 Every applicant for a license shall conform to the provisions of this bylaw and any other bylaw, Provincial Statute or Federal Act, applicable to that business.
- 4.03 If in the opinion of the Regulatory Services Manager an applicant for a license has complied with the terms of this bylaw and all other applicable bylaws, Provincial Statutes and Federal Act, the applicant shall be issued the license applied for upon payment of the applicable fee.
- 4.04 An application for a license for any business which is not carried on by a corporation shall be made by a person who will be actively engaged in the management and control of the business. If in the course of any year additional persons are added to those sharing the control of the licensed operation, then their names shall be forthwith given to the License Inspector. Failure to disclose to the City any of the information required herein shall be grounds for immediate revocation of the license if issued and the forfeiture of any fee paid for the license.

- 4.05 Where the Regulatory Services Manager issued a license which is subject to certain conditions, he shall endorse on the license issued the particulars of such conditions.
- 4.06 Every license issued under this bylaw shall be posted in a conspicuous place in the business premises of the applicant licensee.
- 4.07 Every license issued under the provisions of this bylaw shall terminate at midnight on the 31st day of December of the year in which said license was issued or such earlier date if the license has been revoked or suspended.
- 4.08 The Regulatory Services Manager may refer any application for a license or for a transfer or renewal of a license to such persons or City Department as he deems advisable in the circumstances and the Regulatory Services Manager shall deal with the application when such comments have been received.
- 4.09 All licenses issued are subject to the applicable land use regulations in force in the City and the issuance of a license shall not be deemed as approval to carry on a business in or on any premises in contravention of such regulations. In any case where a license is granted to a person to carry on a business in or on premises where such activity is not permitted by the land use regulations of the City, the Regulatory Services Manager shall forthwith cancel the license and refund the license fee to the applicant.
- 4.10 All businesses required to hold a license pursuant to Section 3.01 shall pay an annual license fee per business site in accordance with schedules approved by City Council and available on request from the offices of the City Clerk.
- 4.11 (1) Should a license be issued after June 30th, in any year, the license fee shall be one-half of the appropriate annual license fee.
- (2) A subsisting license issued under this bylaw may be transferred to another person upon application to the Regulatory Services Manager and payment of ten (10%) percent of the annual license fee, provided the transferee has the necessary qualifications for such license.
- (3) The provisions of Sub-sections (1) and (2) shall not apply to:
- (a) vendors of Christmas trees,
- (b) transient businesses, canvassers, hawkers, pedlars, hucksters or itinerant shows,
- all of whom are required to pay the full annual license fee regardless of the date the license is issued and shall not be permitted to transfer their license.
- (4) Where a license is revoked or surrendered, the licensee is not entitled to any refund.
- 4.12 No business license shall be required for public educational and institutional uses.

Part 5  
REVOCATIONS  
SUSPENSIONS &  
APPEALS

- 5.01 Where an application for a license or taxi operator license is refused or where a license or taxi operator license is revoked or suspended, the Regulatory Services Manager shall notify the applicant in writing of such refusal, revocation or suspension and the reasons for the same.
- 5.02 In every case where:
- (1) an application for a license or taxi operator license has been refused,
  - (2) a license or taxi operator license has been issued, subject to conditions,
  - (3) a license or taxi operator license has been revoked, or
  - (4) a license or taxi operator license has been suspended,
- the applicant may appeal to City Council.
- 5.03 An appeal pursuant to Section 5.02 shall be made in writing addressed to the City Clerk and shall be made within thirty (30) days after date of the refusal, revocation, suspension or date upon which the license was issued subject to conditions.
- 5.04 City Council after hearing an appeal pursuant to Section 5.02 may:
- (1) direct a license be issued without conditions,
  - (2) direct a license be issued with conditions,
  - (3) uphold the decision of the Regulatory Services Manager on grounds which appear just and reasonable to City Council.

Part 6  
SPECIFIC REGULATIONS  
RESPECTING CERTAIN  
SPECIFIC BUSINESSES

- 6.01 In addition to the general provisions of this bylaw, including the requirement of a business license, the businesses dealt with in this part are also subject to the following regulations.



6.02 Videotape Stores

- (1) No person shall operate a videotape store without first obtaining a license.
- (2) No person shall rent or sell adult videotapes without first obtaining an adult videotape license.
- (3) The annual license fee for a videotape store and adult videotape store shall be in accordance with schedules approved by City Council.
- (4) No owner or operator of a videotape store in which adult videotapes are provided, shall permit any person under the age of eighteen years to enter or remain in any part of such store where adult videotapes are provided, or within three meters of any adult videotape unless such adult videotape is located in an adult videotape area.
- (5) Every owner and operator of a videotape store in which any adult videotape is provided, shall affix, in a prominent location inside such store and at every entrance to any adult videotape area, a sign or signs sufficient to indicate clearly to persons in the store, that no person under the age of eighteen years is permitted to enter or remain in any adult videotape area in accordance with this bylaw.
- (6) Every operator of a videotape store, including an adult videotape store, and every person working in such store, shall ensure that no person under the age of eighteen years is permitted to enter an adult videotape store, or any adult videotape area, in accordance with this bylaw.
- (7) Every operator of a videotape store and every person working in such store shall ensure that no adult videotape, or container for an adult videotape shall be displayed in such a manner so as to be visible from outside the store.
- (8) Every operator of a videotape store and every person working in such store shall ensure that no adult videotape, or container for an adult videotape, shall be displayed in a videotape store that is not an adult videotape store, in a location where it can be seen by persons in the store, unless such adult videotape or container is in a separate location in such store to which persons under the age of eighteen (18) are not permitted.

6.03 Adult Videotape Stores

- (1) No adult videotape store established subsequent to September 8th, 1998 may obtain a license without first securing land use approval pursuant to the provisions of the Land Use Bylaw No. 4100 as amended.

- (2) Every licensee of an adult videotape store shall:
  - (a) prominently display the license at the premises licensed at all times and shall produce the license upon request by the City Manager or Designated Officer;
  - (b) keep the premises in a clean and sanitary condition;
  - (c) carry on business only in the name in which the license is issued, or such other business or trade name provided to the license inspector and shown on such license;
  - (d) advertise, promote and carry on such business only under the name in which the license is issued, or such other business or trade name provided to the licensing section and shown on such license.
- (3) No owner, operator or any person working in an adult videotape store shall permit any person under the age of eighteen years to enter or remain in such store.
- (4) No owner, operator or any other person shall work in an adult videotape store in which adult videotapes are provided, unless such person is of the age of eighteen years or older.
- (5) Every operator shall post and keep posted at every entrance to any adult videotape store operated by such operator, and in a prominent location inside such store, signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen years is permitted to enter or remain in such store or any part thereof.

#### 6.04 Penalty

Notwithstanding Section 7.01 every person who violates any provision of Section 6.02 and 6.03 is guilty of an offence and on conviction is liable to a fine not exceeding TEN THOUSAND (\$10,000.00) DOLLARS.

#### 6.05 Carnivals:

- (1) The annual license fee for a carnival shall be in accordance with schedules approved by City Council.
- (2) The license fee for a carnival sponsored and operated by a charitable organization may be waived at the discretion of the Regulatory Services Manager. Any decision of the Regulatory Services Manager may be appealed to City Council.

6.06 Circus:

- (1) The Regulatory Services Manager shall not issue a license for a circus other than one held in the Exhibition Park Grounds or the ENMAX Centre, unless a resolution of the Council authorizes him so to do. The Regulatory Services Manager shall obtain comments from all City Departments concerned and report same to the City Manager.
- (2) The Licensee, Manager, Agent or person in charge of every circus or other show above mentioned, before opening for public admission, shall permit the Regulatory Services Manager and Chief of Police or any Designated Officer to examine all exhibits and shall give to the examining official or officials, full information with regard to all exhibits and performances and if the said examining officials are of the opinion that any exhibit, performance or entertainment amounts to an imposition upon the patrons or the prospective patrons thereof, or is in the nature of a "sell" or "fake" such exhibit, performance or entertainment shall not be permitted to take place.
- (3) Where any circus proposes to provide electrical or mechanical devices for the use of the public, such electrical or mechanical devices shall be subject to inspection and appropriate approval of the City Electrician and the Safety Officer of the City, prior to any license being issued.

6.07 Delivery/Courier Parking Permit

The proprietor of a Delivery/Courier Service may purchase one or more parking permits for their delivery vehicles by paying the fee prescribed in Schedule "L".

6.08 Mechanical Trade:

- (1) In the case of a Mechanical Trade, no license shall be issued to an individual or company until the Regulatory Services Manager is satisfied that:
  - (a) the individual or company, or
  - (b) an officer of the company actively engaged by the company, or
  - (c) an employee of the individual or company actively engaged by the individual or company,

has a valid and subsisting provincial certificate for the mechanical trade or trades in which the individual or company wishes to engage.
- (2) Any license granted to an individual or company is granted subject to the following conditions:
  - (a) if the license was granted to an individual or company based upon their or its qualifications under Sub-section (1) and they or it ceases to be actively engaged in the business or ceases to be so qualified the license shall be revoked.

- (b) if the license was granted based upon the qualifications of an officer or employee actively engaged by the individual or company and that person ceases to be actively engaged by that individual or company or ceases to be qualified, the license shall be revoked.
- (3) No person having the qualifications required under Sub-section (1) of this section shall allow such qualification to be used as a basis for obtaining a business license if such qualifications have previously been used to obtain another business license which is still subsisting.
- (4) In the case of an Electrical Contractor, no license shall be issued until the Regulatory Services Manager is notified that the contractor's qualifications are to the satisfaction of the City Electrician.

6.09 Hawker or Pedlar:

- (1) The Regulatory Services Manager may require any Hawker or Pedlar to establish their identity with the Chief of Police by giving to the Chief of Police a photograph of themselves and their fingerprints or other such proof of their identity as is acceptable to the Chief of Police.
- (2) A separate license is required for each Hawker or Pedlar regardless of whether that Hawker or Pedlar is an employee of some other person.
- (3) This section does not apply to charitable organizations, or to the representative of a wholesale vendor distributing articles of merchandise on a wholesale basis to retail merchants for resale.
- (4) The applicant shall satisfy the requirements of Alberta Consumer Services.

6.10 Home Occupations:

- (1) No license for a home occupation shall be granted until the applicant has first obtained the necessary development approval under the applicable land use regulations of the City.
- (2) The annual license fee for home occupations shall be in accordance with schedules approved by City Council.
- (3) Any person carrying on a home occupation who:
  - (a) is physically handicapped, or
  - (b) can prove that they must operate a business from their home and should be considered for compassionate reasons, may apply to be relieved of paying the whole or any part of the license fee established for their home occupation.

- (4) All applications for relief from the full payment of a license fee shall:
  - (a) be made in writing to the Regulatory Services Manager setting out the particulars and the relief requested,
  - (b) be made only once in each calendar year, and
  - (c) apply only for the year in which the application is made.
- (5) The City Manager, on the advice of the Regulatory Services Manager, may waive the full or any portion of the annual Business License Fee.
- (6) The Regulatory Services Manager, at his discretion may waive the Business License Fee for an artist, provided sufficient proof is submitted.

6.11 Hucksters:

- (1) No license shall be issued to a huckster until the applicant has received approval from a Public Health Officer.
- (2) The Regulatory Services Manager may require any huckster to establish their identity with the Chief of Police by giving to the Chief of Police a photograph of themselves and their fingerprints or other such proof of their identity as is acceptable to the Chief of Police.
- (3) Each huckster is required to take out a separate license regardless of whether or not that huckster is the employee of some other person.

6.12 Itinerant Shows:

The license fee for an itinerant show shall be in accordance with schedules approved by City Council.

6.13 Farmers or Flea Markets:

- (1) A person organizing a farmers or flea market shall be required to obtain a license for each location.
- (2) Notwithstanding Sub-section (1), charitable organizations registered pursuant to the Income Tax Act of Canada are not required to obtain a license for organizing a farmers or flea market.
- (3) A person operating a stall on the premises of a market does not require a license provided that the operator is a resident of the City of Lethbridge.
- (4) With the exception of a vendor of agricultural produce any non-resident operator of a stall of a market shall be required to obtain a license.
- (5) A person organizing a market shall furnish to the Regulatory Services Manager upon request all information available to them concerning the operator of any stall that is operated on the premises of a market.

- (6) A person who is the operator of a stall that is operated on the premises of a market shall furnish to the Regulatory Services Manger upon request all information available to them concerning the operator or operations of any such stall or restricted area.
- (7) Where food goods are exhibited for sale at a market, the tables containing such foods shall be grouped together and not interspersed with tables of non-food items.

6.14 Second-Hand Dealers:

- (1) No second-hand dealer shall acquire any second-hand merchandise from any person unless that person:
  - (a) is eighteen (18) years of age or over,
  - (b) does not appear to be under the influence of liquor,
  - (c) properly identifies themselves as required in Subsection 3(d)(v) below.
- (2) No second-hand dealer shall alter, repair, dispose of or in any way part with possession of a second-hand off the street merchandise acquired in the course of their business from persons bringing the particular items to their premises until fifteen (15) days exclusive of Sundays and holidays from the date of acquisition have elapsed. During the fifteen (15) days the second-hand dealer shall keep the acquired merchandise on the premises separate and apart from the other merchandise so they may be examined at any time during business hours by a peace officer who may be accompanied by a private citizen who is there in order to assist in locating and/or identifying goods reported stolen or suspected of being stolen.
  - (a) This Sub-section shall not apply to the following merchandise, namely:
    - (i) household sales of furniture and chattels purchased by lot,
    - (ii) estate sales of furniture and chattels by the legal representative,
    - (iii) goods and chattels purchased at an auction sale, or
    - (iv) bulk purchases of trade-ins purchased from persons carrying on a retail business in Lethbridge.
    - (v) Goods received for charitable purposes.

(3) Deleted **Bylaw 6067 – January 1, 2019**

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- (3) Whenever goods are acquired by a Second-Hand Dealer for re-sale, he shall immediately collect and record the following information by Electronic Means satisfactory to the Designated Officer and Chief of Police:

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- (a) the date and time the goods were acquired;
- (b) the full name, date of birth, residential address and telephone number of the person from whom the goods were acquired;
- (c) details from at least two pieces of identification provided by the person from whom the goods were acquired, at least one of which must have a photograph of the person;
- (d) a complete description of each good, including where available, the make, color, model and serial number of the good, the manufacturer's name, and any distinguishing marks;
- (e) the amount of money paid by the Second-Hand Dealer in respect of each good; and,
- (f) the full name of the person working for the Second-Hand Dealer that conducted the transaction;

- (4) Deleted

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- (4) (a) Prior to collecting and recording the information required by Section 6.14(3), a Second-Hand Dealer shall obtain, from the person from whom the goods were acquired, written consent in a form satisfactory to the Chief of Police, allowing the use of the information in a manner consistent with the purposes of this Bylaw;

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- (b) If written consent is not obtained, the Second-Hand Dealer must not proceed with the acquisition of the goods.

- (5) (a) Every Second-Hand Dealer shall deliver or cause to be delivered to the Chief of Police, by Electronic Means acceptable to the Designated Officer, the information collected and recorded pursuant to Section 6.14(3);

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- (b) The delivery of the information referred to in subsection (a) shall take place within twenty four (24) hours after the information is received;

- (c) The Chief of Police may require a Second-Hand Dealer to use the services of a third party service provider for purposes of the Second-Hand Dealer's obligations in Section 6.14 (3).

- (d) A Second-Hand Dealer shall pay all fees required by a third party service provider for services provided in connection with that Second-Hand Dealer's obligations under 6.14 (3).
- (6) (a) The Chief of Police may grant to Second-Hand Dealers written exemptions from any of the requirements in 6.14(3) for specific types of goods, if in the opinion of the Chief of Police, complying with the requirements would not serve to protect the public from acquiring stolen property through purchases from Second-Hand Dealers.
- (b) If an exemption is granted pursuant to Section 6.14(6)(a), the Second-Hand Dealer must still collect and record the information required by Section 6.14(3), in a Record Book or electronic record, and maintain that information for at least one year after the goods were acquired.
- (c) The Second-Hand Dealer shall provide the information collected and recorded pursuant to section 6.14(3) to a Designated Officer whenever required to do so by a Designated Officer."

6.15 Taxi

- (1) Every person operating a taxi or taxis who carries persons for hire from within the City to places outside the City or within the City to another place within the City shall obtain a business license.
- (2) (a) No person shall operate a taxi in the City unless that person is in possession of a valid taxi operator license.
- (b) All taxi operator licenses shall expire at midnight on December 31<sup>st</sup> of each year.
- (c) No person shall operate a taxi unless their operator license is openly and prominently displayed at all times in the vehicle in such a manner as to be visible to a passenger.
- (d) In determining whether to issue an initial taxi operator license, the Regulatory Services Manager shall request a Criminal Records Check, production of a valid (minimum) Class 4 Alberta Drivers License, and a Drivers Abstract.
- (e) No Taxi Operator license or renewal shall be issued to any person who has been convicted under the Criminal Code of Canada, within a five (5) year period immediately preceding the date of application, of:
  - (i) A sexual offence or offence relating to the corruption of public morals;
  - (ii) An offence relating to homicide, assault, kidnapping, arson or abduction;
  - (iii) An offence relating to robbery or extortion; and



- (iv) An offence of criminal negligence, dangerous driving, impaired driving, or driving whilst their license is suspended.
- (3) The Chief of Police or the Regulatory Services Manager has the right to direct that a taxi operator license be refused or suspended if the Chief of Police or Regulatory Services Manager decides that the person is not fit to operate a public conveyance or if the person does not comply with the provisions of this bylaw or any other applicable provincial or federal legislation.
  - (4) When an individual with an existing taxi operators license has been charged with an offence under the Criminal Code of Canada or the Controlled Drugs and Substances Act:
    - (a) The individual shall forthwith notify the Regulatory Service Manager;
    - (b) The Chief of Police or the Regulatory Services Manager may suspend the taxi operator's license pursuant to the charge and the adjudication of the same.
  - (5) Any person who operates any taxi or permits any taxi to be operated in the City of Lethbridge shall:
    - (a) have such taxi permanently equipped with a taxi meter adjusted as hereinafter provided to compute the fares payable at the rates both as to distance travelled and time elapsed, in accordance with the Tariff of Fares as outlined in Section 6.15 Sub-section (6);
    - (b) start the taxi meter in operation when the point of call is reached and not before and keep the taxi meter in such taxi continuously operating while such taxi is under hire;
    - (c) submit the taxi meter in such taxi to the Regulatory Services Manager at such times as may be required for testing, inspection and sealing and no taxi meter shall be used on any such taxi until so inspected, tested and sealed by the a Designated Officer;
    - (d) install the taxi meter in such taxi in a location and in a manner approved by the Regulatory Services Manager and keep such taxi meter so illuminated that the fare can be read at all times by a passenger seated anywhere within such taxi;
    - (e) keep such taxi meter adjusted to calculate fares so that such fares shall be in accordance with the Tariff of Fares herein set forth;
    - (f) use such taxi meter only when the seal thereof is intact;
    - (g) have such taxi meter tested from time to time by running the taxi in which the taxi meter is installed over a measured tract or distance and by timing such taxi meter with an accurate timepiece or by submitting the taxi meter to a Designated Officer for testing if so required, PROVIDED that no taxi meter shall remain in any taxi for a period longer than Twelve (12) months without such taxi meter having been tested and resealed by a Designated Officer;

- (h) maintain the taxi meter in such taxi in good working condition so that the fare will be accurately registered at all times and to remove the taxi from operation when the taxi meter is improperly functioning;
- (i) the owner operator shall provide subsisting insurance, and Class 1 Alberta Vehicle Registration;
- (j) maintain the vehicle in a manner and condition to ensure the safety of the customer being transported.
- (k) ensure that each Taxi is equipped with a top light, approved by the City of Lethbridge.

***Bylaw 6039 – February 13, 2017***

- (l) ensure the company name is displayed on the passenger and driver side of the vehicles at a minimum size of 24 inches in width by 6 inches in height. Companies with more than one vehicle shall also affix a unit number on the vehicle.
- (6) (a) To cover any number of passengers up to five (5), the maximum fares including 5% Goods and Services Tax, that may be charged to cover any number of passengers up to and including seven (7) persons (including the Taxi Operator) are:
- i. For the first 1/8 of a kilometer or any part thereof \$3.80
  - ii. For each additional 1/8 of a kilometer or fraction thereof over and above the first 1/8 of a kilometer \$0.31
  - iii. For each minute of waiting time elapsed including at stop lights \$0.75
  - iv. For any call when the order is cancelled on arrival of the Taxi at the point ordered if within the City of Lethbridge and not covered by a higher minimum charge \$5.00

***Bylaw 6039 – February 13, 2017***

- (b) Travelling bags, valises and other hand luggage shall be carried free of charge as well as children not over twelve (12) years of age in the company of an adult passenger, PROVIDED that the seating capacity is not thereby overcrowded. Persons using a taxi to move an inordinate amount of personal belongings shall be subjected to a minimum charge of \$5.00. In such case the sum total of leading time, distance travelled and unloading time, shall be metered continuously, but at no time shall the fare collected be less than the \$5.00 minimum charge and the fare shall be greater when the meter registers an amount greater than such minimum.
- (c) Where passengers have called for separate service but agree to be accommodated by one vehicle and are carried to different destinations from the same point of call, they shall pay separate fares based upon the shortest distance to their destination. If, however, they have agreed to share a taxi prior to being picked up at the point of call, then the entire fare from point

of call to first destination and on the last destination shall be one continuous fare.

- (d) All fares for Senior Citizens presenting a valid City of Lethbridge Transit pass or legal proof of age shall be reduced by ten (10%) percent.
  - (e) Except for taxi service which is being provided to Senior Citizens the driver shall demand and collect the fare registered on such taxi meter, neither more nor less, except where a maximum charge is applicable. In such a case the greater amount of the two shall be deemed and collected.
  - (f) All trips of less than sixteen (16) kilometers in length shall be metered continuously, the taxi meter being started in operation when the point of call is reached and not before and kept in operation continuously while such taxi is under hire.
  - (g) All trips of greater length than sixteen (16) kilometers from departure point to destination shall not require the Taxi meter to be in operation, and the maximum fares payable shall be \$1.92 per kilometer and \$.75 per minute waiting or stopped time.
  - (h) The driver may, at their discretion, request a deposit to be left in the taxi in cases where a passenger leaves the taxi at one or more stops during the course of the total trip or period of hire.
  - (i) All out-of-town fares of any distance shall be payable in advance, as well as fares involving persons known to have previously hired taxi service in a fraudulent manner.
  - (j) Persons who are known to habitually order taxi service and subsequently are unable to pay and who refuse to make payment in advance, may be refused service.
  - (k) All rates shall be prominently displayed in the vehicle in a location visible to the passengers.
- (7) No Taxi Operator shall, at any time, carry more persons as passengers than the number of seat belts provided and if there is any breach or infraction of any of the provisions of this section with respect to any licensed Taxi, the Taxi Operator License issued by the City may be revoked and cancelled by the City Council after ten (10) days' notice in writing of the intention of City Council to do so has been served upon the Taxi Operator personally or mailed to them by registered mail at their last known post office address.

- (8) The City Council may if it deems expedient at any time when it anticipates an unusual demand for the service of taxis or other motor vehicles used for hire in the City of Lethbridge owing to fairs, celebrations or other gatherings in the City or in the vicinity thereof, by resolution authorize the granting of special licenses to taxis or other motor vehicles used for hire in the City for such period not exceeding one week as the Council may think it fit and, in such case, a special license fee payable for each such taxi or motor vehicle shall be \$5.00.

6.16 Transient Business:

- (1) "Transient Business" means the business carried on by any person who does not ordinarily maintain within the City a permanent place of business and who as a principal or agent, buys or offers to buy direct from the producer thereof any merchandise or service or both; or sells or offers to sell any merchandise or service or both.
- (2) This section does not apply to hucksters as defined in Section 6.11 nor to a hawker or pedlar who satisfies the requirements of Alberta Consumer & Corporate Affairs.
- (3) Notwithstanding anything herein to the contrary, the Regulatory Services Manager may approve locations for non-permanent kiosks not exceeding 30.50m<sup>2</sup> in malls, the Exhibition Park Grounds and the ENMAX Centre and may license the manager and/or owner in accordance with schedules approved by City Council.
- (4) Notwithstanding anything to the contrary the Regulatory Services Manager may approve applications for locations not exceeding 92.9m<sup>2</sup> from residents of the City of Lethbridge for a fee of \$250.00 per annum plus a per diem fee of \$50.00

6.17 Vendors of Christmas Trees:

No person shall carry on the business of selling natural Christmas trees in the City without first obtaining a license.

6.18 Pawnbrokers:

- (1) Every pawnbroker shall have a sign with their name and the word "Pawnbroker" in large legible characters thereon placed over the door outside the shop or other place used by them for carrying on their business.
- (2) Every pawnbroker shall, at all times, keep posted in a conspicuous position on their premises so as to be easily seen and read by persons pledging goods, a card or sign having printed or painted thereon the rate of profit.

- (3) No pawnbroker shall acquire any merchandise from any person unless that person:
- (a) is eighteen (18) years of age or over,
  - (b) does not appear to be under the influence of liquor,
  - (c) properly identifies themselves as required in subsection (4).

***Bylaw 6067 – January 1, 2019***

- (4) Deleted

***Bylaw 6014 – October 17, 2016***

- (4) Whenever goods are acquired by a Pawnbroker, he shall immediately collect and record, or cause to be recorded, the following information by Electronic Means satisfactory to the Designated Officer and Chief of Police:
- (a) the date and time the goods were acquired;
  - (b) the full name, date of birth, residential address and telephone number of the person from whom the goods were acquired;
  - (c) details from at least two pieces of identification provided by the person from whom the goods were acquired, at least one of which must have a photograph of the person;
  - (d) a complete description of each good including where available, the make, color, model and serial number of the good, the manufacturer's name and any distinguishing marks;
  - (e) the amount of money paid by the Secondhand Dealer in respect of each good;
  - (f) the full name of the person working for the Pawnbroker that conducted the transaction;

***Bylaw 6067 – January 1, 2019***

- (5) Deleted

***Bylaw 6014 – October 17, 2016***

- (5) (a) Prior to receiving the information required by Section 6.18(4), a Pawnbroker shall obtain from the person from whom the goods were acquired, written consent in a form satisfactory to the Chief of Police, allowing the use of the information in a manner consistent with the purposes of this Bylaw.

***Bylaw 6067 – January 1, 2019***

- (b) If written consent is not obtained, the Pawnbroker must not proceed with the acquisition of the goods.

(6) Deleted

***Bylaw 6067 – January 1, 2019***

- (6) (a) Every Pawnbroker shall deliver or cause to be delivered to the Chief of Police, by Electronic Means acceptable to the Designated Officer, the information collected and recorded pursuant to Section 6.18(4).
- (b) The delivery of the information referred to in Section 6.18(4) shall take place within twenty four (24) hours after the information is received.
- (c) The Chief of Police may require a Pawnbroker to use the services of a third party service provider for purposes of the Pawnbroker's obligations in Section 6.18(4).
- (d) A Pawnbroker shall pay all fees required by a third party service provider for services provided in connection with that Pawnbroker's obligations under 6.18(4).

(7) Deleted

***Bylaw 6067 – January 1, 2019***

- (7) At the time of taking any pawn or pledge, every Pawnbroker shall deliver to the person pledging articles or goods, a written or printed note containing:
- (a) the number of the entry made in the Pawnbroker's register in respect thereof;
- (b) the day and month of the year in which the pledge was taken;
- (c) the name and address of the person pledging;
- (d) description of the goods or articles pledged;
- (e) the amount of money advanced thereon, and
- (f) name and address of the Pawnbroker

and the Pawnbroker shall not receive or retain any goods or articles as pledges or pawns unless the person pledging the same accepts the note.

(8) Deleted

***Bylaw 6067 – January 1, 2019***

- (8) The schedule of charges shall be printed in large, legible type on the back of each note given to a customer by a Pawnbroker. Every Pawnbroker shall securely attach to the goods or articles pledged a duplicate of the note given to the person pledging the same, and in the event of such goods being redeemed, shall write or endorse on such duplicate note a true statement of the profit taken by them and shall keep such duplicate note in their custody for one (1) year following the date such goods were redeemed.

***Bylaw 6067 – January 1, 2019***

- (9) Deleted  
*Bylaw 6067 – January 1, 2019*
- (9) No Pawnbroker shall solely, because of the non-production of said note, refuse to redeliver pledged goods or articles to the person entitled thereto upon payment of the amount lawfully owing thereof if the Chief of Police has certified that the loss of said note has been proven to his satisfaction.  
*Bylaw 6067 – January 1, 2019*
- (10) Deleted  
*Bylaw 6067 – January 1, 2019*
- (10) No pledged goods shall be forfeited or sold until the expiration of three (3) months from the date such goods were pledged exclusive of the day of pledging, PROVIDED however that this section shall not be deemed to authorize a sale or forfeiture if:
- (a) The parties have agreed upon a longer period of holding said goods, or
  - (b) If such sale or forfeiture would be in any other way contrary to the general law.”
- Bylaw 6067 – January 1, 2019*
- (11) Deleted  
*Bylaw 6067 – January 1, 2019*
- (12) No pawnbroker shall purchase or take in pawn, pledge or exchange, the note aforesaid of any other pawnbroker.
- (13) All books, accounts, entries and notices of all goods pawned shall at all times be open to the inspection of a Designated Officer or Chief of Police.  
*Bylaw 6067 – January 1, 2019*
- (14) No license to carry on business as a second-hand dealer, auctioneer or as a junk collector shall be issued to a pawnbroker.

## 6.19 Amusement Establishments, Indoors:

- (1) "Amusement Establishments, Indoors" means development providing facilities within an enclosed building for two (2) or more table games or electronic games played by patrons for entertainment.
- (2) "Table game" or "electronic game" means any machine, equipment or device operated for the amusement or entertainment of the operator for a fee by the insertion of a coin or token in a slot used in conjunction with such machine, equipment or device and includes coin operated or token operated machines for the showing of pictures, photos or slides; and "amusement, sport or arcade machines" shall have a comparable meaning.
- (3) No person shall carry on the business of an Amusement Establishment, Indoors without first obtaining a license. The license fee for an Amusement Establishment Indoors shall be in accordance with schedules approved by City Council.
- (4) No proprietor, manager or employee of an Amusement Establishment, Indoors shall permit any person under the age of sixteen (16) years:
  - (a) to operate any table or electronic game, or
  - (b) remain in an Amusement Establishment, Indoors between the hours of 8:00 o'clock a.m. to 11:30 o'clock a.m. and 1:00 o'clock p.m. to 3:00 o'clock p.m. when a school attended by such person is in operation.
- (5) No person under the age of sixteen (16) years shall:
  - (a) operate any table or electronic game, or
  - (b) remain in an Amusement Establishment, Indoors between the hours of 8:00 o'clock a.m. to 11:30 o'clock a.m. and 1:00 o'clock p.m. to 3:30 o'clock p.m. when a school attended by such person is in operation.
- (6) In this section "school" means a school in the City operated by a board of trustees pursuant to the School Act.
- (7) No Amusement Establishment, Indoors business shall employ a person as a Manager of that business under the age of eighteen (18) years.
- (8) No Amusement Establishment Indoors shall remain open for business unless the Manager is present on the premises.
- (9) No Amusement Establishment Indoors shall employ assistants to the Manager under the age of sixteen (16) years.



6.20 Non-Resident Vendor

- (1) Means a business that does not ordinarily maintain within the City a permanent place of business and applies to those businesses providing goods or products and selling from a commercially zoned business within the City.

6.21 Non-Resident Contractor

- (1) Means a business that does not ordinarily maintain within the City a permanent place of business and applies to those businesses providing services within the City.

***Bylaw 6058 – July 17, 2017***

- 6.22 (1) Every Transportation Network Company operating or providing services through a Transportation Network in the City of Lethbridge, shall obtain a Business Licence.
- (2) Every Transportation Network Company shall provide a copy of their valid Provincial Transportation Network Company approval, prior to obtaining a City Business Licence.

Part 7  
FINE AND PENALTY

- 7.01 (1) Every person who violates any of the provisions of this bylaw, who suffers or permits any act or thing to be done in contravention or in violation of anything required to be done by any of the provisions of this bylaw or who does any act which violates any provisions of this bylaw, shall be deemed to be guilty of an offence against this bylaw and liable to the penalties herein imposed.
- (2) (a) Where a Designated Officer believes on reasonable and probable grounds that an offence has been committed under Section 3.01 of this bylaw, he may serve upon such persons a Municipal Tag, or he may commence proceedings by issuing a summons by means of a Violation Ticket in accordance with the Provincial Offences Procedure Act R.S.A. 2000, Chapter 34 as amended;
- (b) The specified penalty shall be in accordance with Schedule "P".
- (3) Every person who commits an offence against this bylaw is liable to a fine and penalty upon summary conviction of not more than TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS and not less than the specified penalty as listed in Schedule "P" and shall in default of payment thereof to imprisonment for a period not exceeding SIX (6) MONTHS.

- (4) Every person who commits an offence of a continuing nature is liable to a fine not exceeding TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS for each day such offence is continued.

Part 8  
MISCELLANEOUS

- 8.01 It is the intention of City Council that each separate provision of this bylaw shall be deemed independent of all other provisions herein and it is further the intention of City Council that if any provision of this bylaw be declared invalid, all other provisions shall remain valid and enforceable.
- 8.02 Bylaw 3998 and all amendments, thereto, are hereby repealed.

Bylaw last revised: December 10, 2018  
Effective: January 1, 2019  
Bylaw 6154

"SCHEDULE "A" - GENERAL

APPLICABLE: All persons to whom this bylaw applies unless otherwise provided.

RATE: Resident Persons \$193.00 per annum  
Non-Resident Persons \$774.00 per annum

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SCHEDULE "B" – CARNIVALS

APPLICABLE: Those persons subject to Section 6.05

RATE: Carnival sponsored and operated by service club or religious group \$ 111.00 per day  
Itinerant Carnivals \$196.00 per day

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SCHEDULE "C" - CIRCUS

APPLICABLE: Those persons subject to Section 6.06

RATE: \$196.00 per day

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SCHEDULE "D" - HAWKERS, PEDLARS & HUCKSTERS

APPLICABLE: Those persons subject to Section 6.09 & Section 6.11

RATE: Resident Hawkers, Pedlars and Hucksters \$ 72.00 per annum  
Non-Resident Hawkers, Pedlars and Hucksters \$222.00 per annum

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Bylaw last revised: December 10, 2018  
Effective: January 1, 2019  
Bylaw 6154

SCHEDULE "E" - HOME OCCUPATIONS

APPLICABLE: Those persons subject to Section 6.10

RATE:	If a residence is used for desk, phone and authorized vehicle only	\$193.00 per annum
	If a residence is used for music teachers Workshop	\$193.00 per annum
	Other home occupations	\$288.00 per annum
		\$288.00 per annum

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SCHEDULE "F" - ITINERANT SHOWS

APPLICABLE: Those persons subject to Section 6.12

RATE: \$308.00 per location per annum or \$72.00 per show

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SCHEDULE "G" - MARKETS

APPLICABLE: Those persons subject to Section 6.13

RATE:	Resident Organizer	\$ 111.00
	Non-Resident Organizer	\$576.00 per annum per location
	Non-Resident Operator	\$634.00 per annum plus
		\$177.00 per day for each day that the merchandise is for sale within City

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SCHEDULE "H" - TRANSIENT BUSINESS

APPLICABLE: Those persons subject to Section 6.16

RATE: \$1,753.00 per annum plus \$445.00 per day for each day that merchandise is offered for sale

APPLICABLE: Those persons subject to Section 6.16(3)

RATE: \$1,460.00 per approved location

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Bylaw last revised: December 10, 2018  
Effective: January 1, 2019  
Bylaw 6154

SCHEDULE "I" - CHRISTMAS TREE VENDOR

APPLICABLE: Those persons subject to Section 6.17

RATE: A vendor not representing a religious or community organization per site  
\$72.00 per annum per site  
A vendor representing a religious community organization per site  
\$46.00 per annum per site

***Bylaw 6154 – October 11, 2018***

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SCHEDULE "J" - VIDEOTAPE STORE

Deleted

***Bylaw 6032 – November 28, 2016***

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SCHEDULE "K" - ADULT VIDEOTAPE STORE

APPLICABLE: Those persons subject to Section 6.03 and those who rent or sell adult videotapes who are also subject to Section 6.02

RATE: \$1,753.00 per annum

***Bylaw 6154 – October 11, 2018***

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SCHEDULE "L" – DELIVERY/COURIER PARKING PERMIT

APPLICABLE: Those businesses properly described as a delivery/courier service and who have properly registered their delivery/courier vehicle with the City of Lethbridge subject to Section 6.07.

RATE: \$ 286.00 per annum for the first registered vehicle  
\$ 286.00 per annum for each additional registered vehicle

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SCHEDULE "M" – TAXI OPERATOR LICENSE

APPLICABLE: Those persons subject to Section 6.15

RATE: \$65.00 per annum

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Bylaw last revised: November. 28, 2016  
Effective: January 1, 2017  
Bylaw 6032

SCHEDULE "N" NON-RESIDENT VENDOR

APPLICABLE: Those businesses subject to 6.20  
RATE: \$774.00 per annum  
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SCHEDULE "O" NON-RESIDENT CONTRACTOR

APPLICABLE: Those businesses subject to 6.21  
RATE: \$774.00 per annum  
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SCHEDULE "P"

VOLUNTARY PAYMENT TAG

<u>Section</u>	<u>Offence</u>	<u>Penalty Amount</u>
3.01	Operate without a Valid Resident Business License	\$ 500.00
3.01	Operate without a Valid Non Resident Business License	\$1000.00

*Bylaw 5900 – December 8, 2014*