

City of Lacombe Bylaw 381

Consolidated to November 10, 2025

A BYLAW OF THE CITY OF LACOMBE, IN THE PROVINCE OF ALBERTA, TO LICENCE AND REGULATE BUSINESSES

WHEREAS the Municipal Government Act, RSA, 2000, c. M-26, authorizes a Council to pass bylaws for municipal purposes; and

WHEREAS pursuant to section 7(a) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS pursuant to section 7(e) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business; and

WHEREAS pursuant to section 7(e) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all of the matters listed therein; and

WHEREAS pursuant to section 8 of the *Municipal Government Act*, a council may in a bylaw:

- (a) Regulate or prohibit;
- (b) Deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways; and
- (c) Provide for a system of licences, permits or approvals, including any or all of the matters listed therein;

NOW THEREFORE the Council of the City of Lacombe, in the Province of Alberta, duly assembled, enacts as follows:

PART I – GENERAL LICENSING PROVISIONS

Short Title

- 1 This Bylaw may be cited as the “Business Licence Bylaw”.

Interpretation and Definitions

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- (1) In this Bylaw, unless the context otherwise requires:
 - (a) “*applicant*” means a *person* who applies for a *licence* or renewal of a *licence*;
 - (b) “*business*” means:
 - (i) a commercial, merchandising or industrial activity or undertaking,

- (ii) a profession, trade, occupation, calling or employment; or
- (iii) an activity providing goods or services;

Whether or not for profit and however organized or formed, including a co-operative or association of *persons*.

- (c) *“carry on”, “carrying on”, “carried on” and “carries on”* means to conduct, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or agent;
- (d) *“charitable organization”* means any incorporated or unincorporated organization that is formed for a *charitable purpose*;
- (e) *“charitable purpose”* includes a philanthropic, benevolent, educational, health, humane, religious, cultural, artistic or recreational purpose;
- (f) *“City”* means The City of Lacombe, a municipal corporation in the Province of Alberta, and includes the area contained within the geographic boundaries of the City of Lacombe where the context requires;
- (g) *“Chief Administrative Officer”* means the chief administrative officer (CAO) of the City of Lacombe appointed under Bylaw 425 of the City or designate; (b. 381.2, 11/10/2025)
- (h) *“Contractor”* means the business of offering to any *person* to perform or arrange to perform work involving an *improvement*;
- (i) *“Council”* as defined in the *Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended*;
- (j) *“Dwelling unit”* means a dwelling unit as defined in the *Land Use Bylaw*;
- (k) *“Improvement”* means anything built, placed, altered or repaired which is in, upon, over or under land or water, including a building and any clearing, dismantling, digging, drilling, excavating, grading, filling or tunneling;
- (l) *“Land Use Bylaw”* means The City of Lacombe Land Use Bylaw No. 400 as amended from time to time; (b. 381.2, 11/10/2025)
- (m) *“Licence”* means a licence issued under this Bylaw;
- (n) *“Licence fee”* means those annual fees payable for a *licence* as prescribed in the Schedule A;
- (o) *“Licence Inspector”* shall mean and include the Chief Administrative Officer, Peace Officer, or any other duly authorized and appointed person acting on their behalf;
- (p) *“Licensee”* means a *person* holding a valid and subsisting *licence*;

- (q) "Mobile business unit" means a motor vehicle, temporary structure or display, or stand from which a business is carried on and includes a Mobile Vending Unit or Canteen and Push Cart Vending Unit; (b.381.1,06/29/15)
- (r) "Mobile Vending Unit or Canteen" means a motor vehicle, trailer, or similar mobile structure exceeding 3.3 m², designed for the purpose of preparing and offering sale of products, including food, which does not contain customer seating and is capable of being moved; (b.381.1,06/29/15)
- (s) "*Municipal Ticket*" means a ticket prescribed by the City for a bylaw offence providing a person with the opportunity to pay an amount to the City in lieu of prosecution;
- (t) "*Peace Officer*" means a peace officer as defined in the *Provincial Offences Procedure Act*;
- (u) "*Person*" means an individual or a corporation and includes a partnership, an association or a group of *persons* acting in concert unless the context explicitly or by necessary implication otherwise requires;
- (v) "*Premises*" means a store, office, *dwelling unit*, warehouse, factory, building, enclosure or the place occupied or capable of being occupied, by any *person* for the purpose of *carrying on any business*;
- (w) "*Public Lands*" means land owned or controlled by the City as defined in City of Lacombe Parks and Facilities Bylaw; (b.381.1,06/29/15)
- (x) "*Push Cart Vending Unit*" means a push cart or similar mobile structure not exceeding 3.3 sq. m, intended to be moved from location to location for the purpose of offering for sale food products, beverages or merchandise; (b.381.1,06/29/15)(b. 381.2, 11/10/2025)
- (y) "*Seasonal Business Licence*" means a business licence issued for a limited and defined period within a calendar year, authorizing a business that operates only during that defined season or interval, subject to all requirements of this Bylaw; (b. 381.2, 11/10/2025)
- (z) "*Subsequent offence*" means any offence under this Bylaw committed by a *person* after that *person* has already been convicted of an offence under this Bylaw or has voluntarily paid a fine for such an offence;
- (aa) "Multi-vendor Business Licence" means a single licence issued to an event organizer, market operator, property owner or other responsible person that authorizes a group of related business activities, vendors, or temporary operations under one licence for a specified location and time period, subject to the conditions of this Bylaw. (b. 381.2, 11/10/2025)

- (bb) "Violation Ticket" means a violation ticket as defined in the Provincial Offences Procedure Act;
- (2) Nothing in this Bylaw relieves a Person from complying with any Federal or Provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.
- (3) Every 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.
- (4) All schedules attached to this Bylaw shall form part of this Bylaw.
- (5) Any headings or subheadings in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- (6) Specific references to laws in this Bylaw are meant to refer to the current laws applicable within the Province of Alberta as at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.
- (7) All references in this Bylaw shall be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

Licence Requirements

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- (1) No *person* shall *carry on a business* in the *City* unless the *person* holds a *licence* authorizing the *person* to *carry on* that *business*.
- (2) Every person that applies for a *business licence* from the *City* is required to be in possession of a valid provincial *licence* where such is required by the Province of Alberta before the *City* will issue a *business licence* to that person.
- (3) *Mobile Business Unit* will comply with the following requirements:
 - (a) Sell food product shall comply with the standards prescribed by Alberta Health Services. All Health Certificates must be current and displayed at all times.
 - (b) No sale is to be made within one (1) block any direction of any Public or Separate or Private School during normal school days. (b. 381.2, 11/10/2025)
 - (c) No sale is to take place between 2:00 a.m. and 7:00 a.m. of any day. (b.381.1,06/29/15)
 - (d) No sale is to be made on public lands or public parking lots of the City through the use of a mobile business unit unless permission, authorized by the Chief

Administrative Officer or their designate, has been given in writing.
(b.381.1,06/29/15)(b. 381.2, 11/10/2025)

- (e) No sale is to be made on sidewalks through the use of a push cart vending unit unless permission, authorized by the Chief Administrative Officer or their designate, has been given in writing. (b.381.1,06/29/15)(b. 381.2, 11/10/2025)
 - (f) No sale is to be made on a highway through the use of a mobile vending unit or canteen unless permission, authorized by the Chief Administrative Officer or their designate, has been given in writing. (b.381.1,06/29/15)(b. 381.2, 11/10/2025)
 - (g) The permission provided by the Chief Administrative Officer or their designate may include conditions for the safe operation of the Mobile Business Unit specific to that location. (b.381.1,06/29/15)(b. 381.2, 11/10/2025)
- (4)
- (a) Notwithstanding subsection (1), a *licence* is not required for:
 - (i) a business *carried on* by the City;
 - (ii) a *business carried on* by the Government of the Province of Alberta or the Government of Canada or a Crown Corporation created by either Government;
 - (iii) a *business* expressly exempted from the requirement of a *licence* by a statute of the Legislature of Alberta or Parliament of Canada or;
 - (iv) Deleted. (b. 371.2, 11/10/2025)
 - (b) A *person* who contracts with any of the Governments or corporations designated in subsection (4)(a) will be subject to all the requirements of this Bylaw.
- (5) Multi-vendor Business Licences (b. 381.2, 11/10/2025)
- (a) The Licence Inspector may issue a Multi-vendor Business Licence if the applicant demonstrates:
 - a) that the applicant has the authority to act on behalf of all persons, vendors or operators to be covered under the Multi-vendor licence;
 - b) that all underlying business activities comply (or will comply) with provincial and municipal requirements applicable to those activities;
 - c) any additional conditions the Licence Inspector deems necessary to protect public health, safety, or municipal interests.
 - (b) A Multi-vendor Business Licence may cover one or more of the following (but not limited to): markets, special events, seasonal activities, mobile vendors located at the same event, or multiple business operations on a single property for a temporary period of time.
 - (c) The Multi-vendor licence must specify:
 - a) the name or maximum number of vendors/operators covered;
 - b) the permitted activities;
 - c) the location(s) and site layout;
 - d) the term (dates and times).

- (d) This Bylaw does not exempt individual vendors or operators from obtaining necessary provincial or municipal permits or licences for their specific business activities.
- (e) This Bylaw does not exempt individual vendors or operators from obtaining their own business licence to operate in the City of Lacombe outside of the timeframe and locations of the Multi-vendor business licence.
- (f) The applicant of the Multi-vendor business licence who is located at a specific site (i.e. markets, seasonal activities) must file with the City an application, including a site plan, number of vendors, scheduled times, and insurance certificate.
- (g) The applicant of the Multi-vendor business licence who is located at multiple sites (i.e. city city-wide special events) must file an application for a Multi-vendor licence and work with the City's Special Event Coordinator to determine resources required, locations and times of activities, a list of vendors and participants, and insurance certificates.
- (h) The applicant must maintain, during the licence term, an up-to-date list of all vendors/operators covered in the event the Licence Inspector requests to review individual vendor contact and permit details.
- (i) The Multi-vendor licence holder shall provide a certificate of liability insurance naming the City as additional insured, with coverage limits determined by the Licence Inspector.
- (j) The Licence Inspector may impose conditions concerning sanitation, traffic, noise, site layout, waste disposal, food safety, crowd control, and other relevant matters. Non-compliance may lead to suspension or revocation.
- (k) Vendors/contractors covered must hold all required provincial and municipal licences or permits. Failure by a vendor to comply with those obligations may result in removal from the Multi-vendor licence coverage.
- (l) Term, renewal and fee structure
 - a) The Multi-vendor licence may be issued for a single event, a seasonal period, or an annual term, at the discretion of the Licence Inspector.
 - b) Fees shall be set in Schedule A – Fee Schedule.
 - c) Renewal of a Multi-vendor licence must comply with all application requirements and submission deadlines as set by the City.
- (m) The Multi-vendor licence holder is responsible for ensuring compliance by all covered vendors/operators. The City may take enforcement actions (fines, suspension, revocation) against the Multi-vendor licence holder and/or individual vendors as allowed under this Bylaw and applicable law.

(6) Seasonal Business Licences

- (a) The Licence Inspector may issue a Seasonal Business Licence where the applicant demonstrates that the business will operate only during a limited time period of the year and that all requirements of this Bylaw are met.
- (b) Seasonal Business Licences shall specify the dates or period of validity and the business activity permitted.
- (c) Seasonal licences are intended for operations such as, but not limited to:
 - a) Outdoor food vendors (e.g., ice cream stands, food trucks operating only in summer)
 - b) Recreational services (e.g., skating rinks, snow-sport rentals)
 - c) Garden centres, greenhouses, or agricultural produce stands
 - d) Temporary holiday businesses (e.g., Christmas tree lots, seasonal craft markets)
- (d) Seasonal licence holders are subject to all applicable municipal bylaws and provincial/federal requirements.
- (e) A Seasonal Business Licence may be issued for a period of up to six consecutive months within a calendar year. Beyond six months will require an annual licence.
- (f) Fees for Seasonal Business Licences shall be set out in Schedule A – Fee Schedule.
- (g) Seasonal business operators must comply with zoning, land use, health and safety, fire code, and inspection requirements.
- (h) b) The Licence Inspector may impose additional conditions specific to the seasonal activity, such as hours of operation, site layout, signage, or waste management.

A Seasonal Business Licence may be suspended or revoked for non-compliance with this Bylaw or other applicable legislation.

(7) No *person* shall fail to comply with a *licence* condition.

(8) A *licence* is required for each *premises* or *mobile business unit* where the *business* is *carried on*.

Licence Application

4

- (1) Before the issue or renewal of a *licence* a *person* must submit to the *Licence Inspector*:
 - (a) an application in a form established by the *Licence Inspector*;
 - (b) the applicable *licence fee*; and
 - (c) any additional information required by this Bylaw or by the *Licence Inspector*
- (2) No *person* shall provide false information in an application.

Licence Fees

5

- (1) Unless otherwise specified in this Bylaw, *licence fees* are not refundable.
- (2) The *Licence Inspector* may refund a *licence fee* if the *licence* is not issued or renewed.
- (3) Where a *licence* has been issued in error without payment of the applicable *licence fee*, the *licence* may be revoked by the *Licence Inspector*.
- (4) A *person* who does not reside or maintain a permanent *business premises* in the *City* shall pay the *non-resident licence fee* set out in Schedule A.
- (5) A *person* who operates a business from *dwelling unit zoned* for residential use pursuant to the *City of Lacombe Land Use Bylaw* shall pay the home occupation *licence fee* set out in Schedule A.
- (6) A *person* who operates a business from land zoned commercial pursuant to the *City of Lacombe Land Use Bylaw* shall pay the commercial *licence fee* set out in Schedule A.
- (7) A *person* who operates a business from land zoned industrial pursuant to the *City of Lacombe Land Use Bylaw* shall pay the Industrial *licence fee* set out in Schedule A.
- (8) A *Licensee* may apply to amend a *licence* by paying the amendment fee set out in Schedule A.
- (9) A *Licensee* may obtain a replacement licence for a licence that has been lost or destroyed by paying to the *City* the fee for a replacement licence set out in Schedule A.
- (10) New businesses commencing operations during the period between July 1 to December 31 in a calendar year will be required to pay only 50% of the total annual business Licence fee. (b. 381.2, 11/10/2025)
- (11) A *person* may operate up to two business, callings, trades or occupations from any one premise or structure while holding a single business license while each additional business, calling, trade or occupation thereafter shall require a separate business license.

Fee Exemptions for Charitable Organizations

6

- (1) Where any *charitable organization* wishes to be exempted from the requirements of this Bylaw to pay a *licence fee*, it shall apply to the *Licence Inspector* for an exemption providing the name of the organization and such other information as the *Licence Inspector* requires to determine that the organization is a *charitable organization*.

- (2) Where an exemption to pay the *licence fee* has previously been granted to the *charitable organization* applying under the same or similar circumstances or a similar relief or benefit was granted to the same or a similar *charitable organization* pursuant to the provisions of this Bylaw, the *Licence Inspector* may issue a *licence* without requiring the payment of the *licence fee* from the *charitable organization*.
- (3) A *charitable organization* which receives an exemption under this section must otherwise comply with all provisions of this Bylaw.

Consultations and Approvals

7

- (1) The *Licence Inspector* may consult, prior to issuing or renewing a *licence*, with authorities and agencies including but not limited to the Province of Alberta, the Lacombe Police Service and *City* departments, to determine whether they are in possession of information which, in the opinion of the *Licence Inspector*, renders it inappropriate for a *licence* to be issued to a *person*.
- (2) Where a *person* intends to *carry on business* at a specific *premises* or location within the *City*, the *person* shall, prior to the *Licence Inspector* issuing a *licence*, ensure that all necessary approvals required under the *Land Use Bylaw* have been obtained and shall provide satisfactory proof thereof to the *Licence Inspector*.
- (3) Where a *licence* has been issued in error without all the necessary approvals required pursuant to this Bylaw, the *licence* may be revoked by the *Licence Inspector*.
- (4) The *Licence Inspector* may determine that it is inappropriate to issue a *licence* to a *person* where the safety, health or welfare of the public may be at risk due to the issuance of a *licence*.

Inspections

8

- (1) Where a *business* requires a consultation or approval for *licencing* or is *licenced*, then the *premises* and surrounding lot may be inspected by the *Licence Inspector* or a *Peace Officer*.
- (2) A *person* who the *Licence Inspector* or a *Peace Officer* reasonably believes is *carrying on a business* requiring a *licence*, an *applicant*, or a *Licensee* shall:
 - (a) permit and assist in all inspections requested by the *Licence Inspector* or a *Peace Officer*;
 - (b) furnish to the *Licence Inspector* or a *Peace Officer* all identification, information, or documentation related to the inspection or *licensing* requirement; and
 - (c) not give false or misleading information, or information intended to mislead, with regard to any matter or thing arising in connection with the *licensing* of the *business* to the *Licence Inspector* or a *Peace Officer*.

- (3) No *person* shall attempt to prevent, obstruct or hinder the *Licence Inspector* or a *Peace Officer* from making an inspection authorized by this Bylaw.
- (4) During an inspection authorized under this section, the *Licence Inspector* or a *Peace Officer* may examine any *business* record or document for the purpose of enforcing this Bylaw, remove any relevant record or document from the *premises* for the purpose of copying it, and will provide a receipt for any document or record so removed.
- (5) No *person* shall knowingly allow any false or misleading information to remain on any record required to be kept or prepared pursuant to this Bylaw.

Licence Approval, Refusal, Suspension or Revocation

9

- (1) The *Licence Inspector* may refuse to issue or renew a *licence*, may suspend or revoke a *licence* and may impose any conditions on a *licence* for the following reasons:
 - (a) The *applicant* or *Licensee* does not or no longer meets the requirements of this Bylaw with respect to the *licence* applied for or held;
 - (b) The *applicant* or *Licensee* or any of its' officers or employees:
 - (i) furnishes false information or misrepresents any fact or circumstance to a *Peace Officer* or the *Licence Inspector*;
 - (ii) has, in the opinion of the *Licence Inspector* based on reasonable grounds, contravened this Bylaw whether or not the contravention has been prosecuted;
 - (iii) fails to pay any fee outstanding required by this Bylaw; or
 - (c) In the opinion of the *Licence Inspector*, based on reasonable grounds, it is in the public interest to do so.
- (2) Where any certificate, authority, licence or other document of qualification under this or any other Bylaw, or under any statute of Canada or the Province of Alberta is suspended, cancelled, terminated or surrendered, the *Licence Inspector* shall suspend any *licence* issued under this Bylaw based in whole or in part on the certificate, authority, *licence* or other document of qualification.

Renewal and collection of Licence

10

- (1) On or about January 1 of each calendar year, the *Licence Inspector* shall issue an invoice to the holder of a *licence* issued in the previous year for the amount required to renew the licence for another term. The licence is due and payable within 60 days from the date of issue of the invoice.
- (2) Upon expiry of the 60 days from the date of the issue of the invoice a notice shall be issued to the previous licence holder directing that:

- a) the business licence fee is to be paid by the owner. Any outstanding licences will be subject to a penalty of per month for each month the business licence is in arrears, and a 30-day final notice will be issued. (b. 381.2, 11/10/2025)
- 11 Any balance outstanding beyond 60 days from the date of issue of the invoice shall be assessed an interest charge as per Schedule A – Fee Schedule. (b. 381.2, 11/10/2025)

Notice to Applicant or Licensee

- 12 Before refusing to issue or renew a *licence*, and before a *licence* is suspended or revoked or conditions are imposed, other than conditions imposed by this Bylaw, the *applicant* or *Licensee* must be given:
- (a) notice of the proposed refusal, suspension, revocation or the proposed conditions with reasons; and
 - (b) an opportunity to make written representations to the *Licence Inspector*.

Decision of Licence Inspector

- 13 If a decision is made to refuse the issue or renewal of a *licence*, to suspend or revoke a *licence* or to impose conditions on a *licence*, other than conditions imposed by this Bylaw, notice of the decision may be served on the *applicant* or *Licensee* :
- (a) in person on the *applicant* or *Licensee* or any of its officers or employees; or
 - (b) by registered mail to the address in the application or in the records of the *City* for the applicant or *Licensee* .

Appeal to City Council

- 14
- (1)) A person:
 - (a) who has been refused the issue or renewal of a licence;
 - (b) whose licence has been suspended or revoked; or
 - (c) whose licence is made subject to conditions, other than conditions imposed by this Bylaw;
 may appeal the decision within fourteen (14) days by providing written notice to the Legislative Coordinator, and paying the notice of appeal fee set out in Schedule A. (b. 381.2, 11/10/2025)
 - (2) Where a *Licensee* has given notice of an intention to appeal the revocation, suspension or conditions of a *licence*, the *Licence Inspector* may, in the *Licence Inspector's* sole discretion, stay the revocation, suspension or conditions pending the hearing of the appeal if the continued operation of the *business* does not create a danger to the safety, health or welfare of the public.

Licence Identification

- (1) A *licence* must be issued on a form bearing the identification of the *City* and all *licences* issued pursuant to this Bylaw are and shall remain the property of the *City*.
- (2) A *licence* must bear on its face the date on which it is issued and the date on which the *licence* will expire.
- (3) A Licensee shall:
 - (a) post the *licence* in a prominent visible location in the *premises*; or
 - (b) if it is not practical to post the *licence*, produce the *licence* forthwith upon demand by a *Peace Officer*.
- (4) No person shall reproduce, alter, or deface a *licence*.

Notification of Changes

- 16 A *Licensee* shall forthwith notify the *Licence Inspector* in writing of:
- (1) a change in the address of the *Licensee's business premises*;
 - (2) a change in the partners of the *business* if the *licence* is issued to a partnership; or
 - (3) a change in the officers or directors of the corporation if the *licence* is issued to a corporation.

Transfer of Licence

- 17 A licence does not confer any property right, and no Licensee may sell, transfer, assign, lease or otherwise deal in a licence. (381.2, 11/10/2025)

Term of Licence

- 18
- (1) A *licence* issued pursuant to this Bylaw, unless previously suspended or revoked, or as otherwise specified in this Bylaw, is valid from the date issued stated thereon and shall expire at twelve o'clock midnight on December 31 in the year in which it was issued.
 - (2) The *Licence Inspector* may issue a *licence* for a limited term or for a specified date in any case where the *Licence Inspector* considers it appropriate to do so.

PART II – REGULATIONS PERTAINING TO PARTICULAR BUSINESSES

Contractor

- 19
- (1) A *Contractor* that applies to the *City* for a permit, including but not limited to a Building Permit, a Development Permit, a Plumbing and Gas Permit, an Electrical Permit or a Mechanical Permit, must have a *licence*.

- (2) The *Licence Inspector* or a *Peace Officer* may inspect the *premises* or the site at which a *Contractor* is working.
- (3) Notwithstanding Section 32, proof of one offer to perform or offer to arrange to perform work on an *improvement* is sufficient to establish that the *business* of a *Contractor* is being *carried on*.

PART III – ENFORCEMENT

Offence

- 20 A *person* who contravenes this Bylaw is guilty of an offence.

Continuing Offence

- 21 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 it continues and a *person* guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

Vicarious Liability

- 22 For the purposes of this Bylaw, an act or omission by an employee or agent of a *person* is deemed also to be an act or omission of the *person* if the act or omission occurred in the course of the employee's employment with the *person*, or in the course of the agent's exercising the powers or performing the duties on behalf of the *person* under their agency relationship.

Corporations and Partnerships

23

- (1) When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- (2) If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or agreed to or complied passively or without protest or participated in the act or omission that constitutes the offence is guilty of the offence.

Fines and Penalties

24

- (1) A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and liable upon summary conviction to the specified penalty set out in Schedule B, or in the case for which there is no specified penalty set out in Schedule B, to a fine of \$200.00 for a first offence, \$300.00 for a second offence and \$500.00 for a

third or subsequent offence, and to imprisonment for not more than 6 months for non-payment of a fine.

Municipal Ticket

25

- (1) A *Peace Officer* is hereby authorized and empowered to issue a *Municipal Ticket* to any *person* who the *Peace Officer* has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- (2) A *Municipal Ticket* may be issued to such *person*:
 - (a) either personally; or
 - (b) by mailing a copy to such *person* at his last known post office address.
- (3) The *Municipal Ticket* shall be in a form approved by the *Council* and shall state:
 - (a) the name of the *person*;
 - (b) the offence;
 - (c) the specified penalty established by this Bylaw for the offence;
 - (d) that the penalty shall be paid within 30 days of the issuance of the *Municipal Ticket*; and
 - (e) any other information as may be required by the *Chief Administrative Officer*.

Payment in Lieu of Prosecution

26 Where a *Municipal Ticket* is issued pursuant to this Bylaw, the *person* to whom the *Municipal Ticket* is issued may, in lieu of being prosecuted for the offence, pay to the *City* the penalty specified within the time period indicated on the *Municipal Ticket*.

Violation Ticket

27

- (1) If a *Municipal Ticket* has been issued and if the specified penalty has not been paid within the prescribed time, then a *Peace Officer* is hereby authorized and empowered to issue a *Violation Ticket* pursuant to the *Provincial Offences Procedure Act*;
- (2) Notwithstanding subsection (1), a *Peace Officer* is hereby authorized and empowered to immediately issue a *Violation Ticket* pursuant to the *Provincial Offences Procedure Act* to any *person* who the *Peace Officer* has reasonable and probable grounds to believe has contravened any provision of this Bylaw;
- (3) If a *Violation Ticket* is issued in respect of an offence, the *Violation Ticket* may;
 - (a) specify the fine amount established by this Bylaw for the offence; or

- (b) require a *person* to appear in court without the alternative of making a voluntary payment.

Voluntary Payment

28 A *person* who commits an offence may:

- (1) if a *Violation Ticket* is issued in respect of the offence; and

- (2) if the *Violation Ticket* specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the *Violation Ticket*, the specified penalty set out on the *Violation Ticket*.

Obstruction

29 No *person* shall not obstruct or hinder any *person* in the exercise or performance of the *person's* powers pursuant to this Bylaw.

PART IV - GENERAL

Proof of Licence

30 The onus of proving that a *person* has a valid and subsisting *licence* for a *business* is on the *person* alleging the *licence*.

Proof of Exemption

31 The onus of proving that a *person* is exempt from the provisions of this Bylaw requiring a *licence* is on the *person* alleging the exemption.

Proof of Business

32 In a prosecution for a contravention of Section 3(1) this Bylaw for *carrying on a business* without a *licence*, proof of one transaction in the *business* or that the *business* had been advertised is sufficient to establish that a *person* is *carrying on the business*.

Chief Administrative Officer

33 Without restricting any other power, duty or function granted by this Bylaw, the *Chief Administrative Officer* may:

- (a) carry on whatever inspections are reasonably required to determine compliance with this Bylaw;
- (b) delegate any powers, duties or functions under this Bylaw to an employee of the *City*; and
- (c) establish forms for the purposes of this Bylaw.

Certified Copy of Record

34 A copy of a record of the *City*, certified by the *Chief Administrative Officer* as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the *person* signing it.

Existing Licence

35 An existing *licence* issued under Bylaw No. 189, the City of Lacombe, Business Licence Bylaw, remains valid until December 31, 2013 or on the expiry of the term of the *licence*, whichever is sooner.

Repeal

36 Bylaw No. 189 is repealed.

Enactment

37 This Bylaw shall come into force and effect when it received third reading and is duly signed.

INTRODUCED AND GIVEN FIRST READING this 28th day of January, 2013, A.D.

GIVEN SECOND READING this 11th day of February, 2013, A.D.

GIVEN THIRD AND FINAL READING this 11th day of February, 2013, A.D.

_____ Stephen Christie _____
Mayor

_____ Norma MacQuarrie _____
Chief Administrative Officer

Schedule "A"

Fee Schedule

Annual General Business Licence	\$175
Annual Commercial Business Licence	\$150
Annual Industrial Business Licence	\$150
Annual Home Occupation	\$150
Annual Non-Resident Business Licence	\$420
Multi-vendor Business Licence (Resident)	\$100
Seasonal Business Licence (Resident)	\$80
Seasonal Business Licence (Non-Resident)	\$220
Temporary Licence – daily	\$20
Temporary Non-Resident Licence – daily	\$75
Amending Licence	\$20
Replacement of Licence	\$20
Appeal Fee	\$50
Arrears Penalty (after 60 days)	5% per month

Schedule "B"

Specified Fines

Offence	Section	First Offence	Second Offence	Third and Subsequent Offences
Fail to obtain a Business <i>Licence</i>	3 (1)	\$300	\$500	\$1,000
Contravene a condition of a <i>Licence</i>	3 (3)	\$200	\$400	\$800
False information on an Application	4 (2)	\$300	\$500	\$1,000
Prevent, obstruct or hinder an inspection by Licence Inspector or Peace Officer	8 (3)	\$300	\$500	\$1,000
False or misleading information to remain on any record	8 (5)	\$300	\$500	\$1,000
Not having a <i>licence</i> posted	15 (3)	\$100	\$250	\$500
Reproduce, alter, or deface a <i>licence</i>	15 (4)	\$300	\$500	\$1,000
Sell, transfer, assign, lease, or deal in a <i>licence</i>	17	\$300	\$500	\$1,000
Obstruct or hinder any <i>person</i> in the exercise or performance of their duties	29	\$300	\$500	\$1,000

Schedule "C" Municipal Ticket



MUNICIPAL TICKET

Municipal Ticket Issued for Breach of:

Traffic Bylaw <input type="checkbox"/>	Other Bylaw <input type="checkbox"/>	Bylaw Section
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Offence Description: _____

Vehicle Licence #	Province
Make	Colour

Date of Offence: _____
Month Day Year

Time of Offence: _____ : _____ AM PM

Location of Offence: _____

Penalty	\$	Warning Only
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Name of Offender: _____

Address of Offender: _____

City/Town/Village Province Postal Code

Issued by
Peace Officer: _____

You may avoid prosecution for the offence by paying the penalty within 22 calendar days from the offence date to the address indicated below:

Payable to:
 City of Lacombe
 5432 - 56 Avenue
 Lacombe, AB T4L 1E9

If paid within the 22 days, the penalty amount may be paid:

1. In person at City Hall by cash, cheque or money order; or
2. By mail or deposit in the drop box (located at the front entrance to City Hall) by cheque or money order payable to the **City of Lacombe**

If payment is not received at City Hall within 22 days of the offence, a Provincial Violation ticket will be issued to you and prosecution will proceed in Provincial Court.

Further information regarding this offence may be obtained by contacting **City of Lacombe Enforcement Services** at (403) 782-1269

If you receive a "Warning Only" ticket, this does not authorize the violation or its continuation. Failure to comply may result in enforcement action by the City of Lacombe.

Once a Provincial Violation ticket is issued, bylaw penalties may be subject to additional sanctions imposed by the Province. The City has no control over these sanctions and they accrue to the benefit of the Provincial Government only. For example, administrative fees may be added to the penalty if a person is convicted in their absence by the Court. Unpaid penalties will have to be paid in order to renew a vehicle registration or operator's license.

NOTES:



5432 - 56 Avenue
 Lacombe, AB T4L 1E9
 Phone: 403.782.6666
 Fax: 403.782.5655