

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW 2004-191

**BEING A BY-LAW FOR LICENSING, REGULATING
AND GOVERNING BUSINESS IN THE CITY OF NORTH BAY**

WHEREAS the *Municipal Act* R.S.O. 2001 Part IV, Section 150 (1) as amended, permits a council of a local municipality to pass by-laws for licensing, regulating and governing business carried on within a municipality;

AND WHEREAS it is considered desirable to license, regulate and govern certain business in the City of North so as to ensure the health and safety of the public;

AND WHEREAS it is considered desirable to license, regulate and govern certain business in the City of North Bay so as to mitigate any nuisance caused by the operation of any such business;

AND WHEREAS by Resolution Number 2004-803 passed by Council November 15, 2004 instructing that a public meeting be held;

AND WHEREAS notice of this by-law was published once a week for two consecutive weeks in the North Bay Nugget, published in the City of North Bay;

AND WHEREAS a public meeting under the *Municipal Act* was held on the 6th day of December, 2004;

AND WHEREAS no person has claimed that he would be prejudicially affected by the passing of this by-law nor applied to be heard in person or by his counsel, solicitor, or agent, the Council of the City nor a Committee of said Council;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. DEFINITIONS

For the purpose of this by-law:

1.1 "Appropriate person having jurisdiction" shall mean:

- 1.1 with regard to health matters, the Medical Officer of Health, for the North Bay & District Health Unit
- 1.2 with regard to building matters, the Chief Building Official for the City, or their designate
- 1.3 with regard to fire safety matters, the Chief Fire Official for the City, or his designate
- 1.4 with regard to police matters, The Chief of Police or his designate

1.2 "Business" shall mean a trade, business or occupation and includes the sale or hire of goods or services on an intermittent or one-time basis, the showing for the purpose of sale or hire of samples, patterns or specimens of any goods and any activity or thing a local municipality may license by authority of the *Municipal Act*, R.S.O. 2001 Section 150 (1) but does not include,

- 1.2.1 a manufacturing activity or an industry, except to the extent that it sells its products or raw materials by retail,
- 1.2.2 the selling of goods by wholesale,

- 1.2.3 the generation, exploitation, extraction, harvesting, processing, renewal or transportation of natural resources.
- 1.3 **“Cash security deposit”** shall mean cash or certified cheque.
- 1.4 **“Chief Building Official”** shall mean the person who may, from time to time, be appointed by Council to the position of Chief Building Official in conformity with the provisions of the *Ontario Building Code Act*, R.S.O. 1992, c. 23, and amendments thereto.
- 1.5 **“Chief of Police”** shall mean the person who may from time to time, be appointed as police chief by North Bay Police Services Board.
- 1.6 **“City”** shall mean the City of North Bay.
- 1.7 **“Corporation”** shall mean The Corporation of the City of North Bay.
- 1.8 **“Fire Chief”** shall mean the person appointed by Council to act as fire chief for the corporation and is ultimately responsible to council as defined in the *Fire Protection and Prevention Act*.
- 1.9 **“Fire Prevention Officer”** shall mean the person who is appointed as a Fire Prevention Officer under the provisions of the *Fire Prevention and Protection Act*.
- 1.10 **“Issuer of licenses”** shall mean a person appointed by the Corporation to issue the licenses as set out in this by-law.
- 1.11 **“Letter of Credit”** shall mean an irrevocable Letter of Credit that shall be drawn on a chartered Canadian Bank and deemed to be automatically extended without amendment for one year from the present or any future expiration date thereof, unless (30) thirty days prior to any such date the bank shall notify the City in writing by registered mail that the bank elects not to consider this Letter of Credit renewed for any such additional period.
- 1.12 **“License”** shall mean a City of North Bay Business License issued pursuant to this by-law.
- 1.13 **“Licensee”** shall mean a person who has been issued a license pursuant to this by-law either in the current calendar year or in a previous calendar year and shall include an Applicant.
- 1.14 **“Medical Officer of Health”** shall mean the Medical Officer of Health for the North Bay & District Health Unit
- 1.15 **“Month”** shall mean a calendar month.
- 1.16 **“Municipal Enforcement Officer”** shall mean a person appointed by the Council for the City of North Bay for the purpose of enforcing the regulations as set out in this by-law.
- 1.17 **“Person”** shall include any association, company, partnership, corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- 1.18 **“Premises”** shall mean land, including any and all buildings or other structures thereon and includes any vehicle or conveyance used in the operation of a business and location has corresponding meaning.
- 1.19 **“Unrelated”** shall mean not related by blood or marriage.
- 1.20 **“Vehicle”** shall include a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power and shall include a

motorized snow vehicle or all terrain vehicle.

2. GENERAL PROVISIONS - BUSINESS LICENSING

- 2.1 Every person carrying on, conducting, operating, maintaining, keeping or engaging in any business specifically identified in Schedule 1 shall be required to obtain a City of North Bay Business License to do so from the Issuer of Licenses.
- 2.2 Notwithstanding the provisions of section 2.1, no City of North Bay Business License shall be required by a business where the operation of such business is to deliver products within the City of North Bay and the location of operation of the business is outside the corporate limits of the City of North Bay.

3. APPLICATION FOR NEW LICENSE

- 3.1 Every person required to obtain a license pursuant to this by-law shall apply in writing on the appropriate application form as provided by the Issuer of Licenses and shall deposit, at the time of application, with the Issuer of Licenses, all required Business License Fees as set out in Schedule 1 to this by-law for each business category as well as any required approvals, inspections or documentation required by the provisions of this by-law or as deemed necessary by the Issuer of Licenses.
- 3.2 The Issuer of Licenses shall not issue a license until:
 - 3.2.1 all required approvals and inspections have been obtained by the applicant,
 - 3.2.2 required documentation has been provided, 3.2.3 business license fees have been paid in full,
 - 3.2.3 business license fees have been paid in full, and
 - 3.2.4 all realty taxes are paid up to the City of North Bay when required as a condition of obtaining a license.
- 3.3 There shall be a separate license for each of the premises to be used by the applicant.
- 3.4 There shall be a separate application for each category of business operated and license to be issued.
- 3.5 The applicant shall comply with all requirements as set out in this by-law as well as any other provisions that may govern the business or premises used in the carrying on of the business.
- 3.6 The Issuer of Licenses, upon receipt of the application for a license may make, cause to be made, or request, any additional documents, investigations, approvals or inspections to be made in respect of such application for a license as the Issuer of Licenses deems appropriate or in the interest of the general public, and any costs incurred for such inspection or documents shall be at the applicant's expense.
- 3.7 The applicant shall be responsible for obtaining all necessary inspections, documents and approvals as set out on the application form and as deemed necessary by the Issuer of Licenses.
- 3.8 Upon receipt of a completed application for a license and the appropriate fees for a license have been paid, the Issuer of Licenses may prior to the issuance of any such license:
 - 3.8.1 make any inquiries to any municipal official or employee, who has carried

out inspections relative to the business under application,

3.8.2 receive reports from such municipal officials and employees as may be deemed necessary,

3.8.3 inquire into all relevant matters in order to ascertain if the applicant is entitled to a license under the provisions of this by-law,

3.8.4 upon being satisfied that the applicant is entitled to obtain a license under the provisions of this by-law, the Issuer of Licenses shall prepare and issue a license to the said applicant.

4. APPLICATION FOR RENEWAL LICENSE

4.1 Every person required to renew a seasonal license previously granted under this bylaw, shall submit to the Issuer of Licenses, an application form for renewal of the license as provided by the Issuer of Licenses.

4.2 Every applicant shall ensure that the information on the application is up to date and report any changes of circumstances to the Issuer of Licenses.

4.3 Where there has been a change of circumstance the Issuer of Licenses shall not issue a license until all required approvals and inspections have been obtained by the applicant, required documentation has been provided, business license fees have been paid in full, and all taxes are paid up to the City of North Bay. When required as a condition of licensing, all realty taxes shall be paid in full to the City of North Bay before any license be issued by the Issuer of Licenses.

4.4 Where the Issuer of Licenses receives an application for renewal of a license previously granted under this by-law and the appropriate fees have been paid, he shall, prior to the issuance of any such license:

4.4.1 make inquiries into all relevant matters in order to ascertain if the applicant is entitled to obtain a renewed license under the provisions of this by-law,

4.4.2 inquire into any and all relevant changes in circumstances since the previous license was issued to the applicant,

4.4.3 make any inquiries to any municipal official or employee, who has carried out inspections or investigations relative to the business under application,

4.4.4 receive reports from such municipal officials and employees as may be deemed necessary.

4.5 When the issuer of Licenses is satisfied that the applicant is entitled to obtain a license under the provisions of this by-law, the Issuer of Licenses shall prepare and issue a license to the said applicant.

5. FORM OF LICENSE

5.1 Every license shall show therein:

5.1.1 the operating name of the business or person to whom the license is issued,

5.1.2 the operating address of the premises or location for which the license is issued,

5.1.3 the category of license granted,

5.1.4 the date of issue,

5.1.5 the date of expiration and

5.1.6 shall be signed by the issuer of licenses.

5.2 Licenses shall not be transferable.

6. CHANGE OF NAME

6.1 Where ownership of a business is not changed or affected but the operating name has changed, the licensee shall immediately notify the Issuer of Licenses and upon being satisfied that there has been no other change in the circumstances of the licensed business, the Issuer of Licenses may issue a replacement of the original license. The licensee shall return and surrender their license in order to affect such a change.

7. CHANGE OF OWNERSHIP

7.1 Every licensee shall, upon change of ownership of the licensed business return and surrender their current license to the Issuer of Licenses. The new owner shall make application for a new license as set out in this by-law.

8. CHANGE OF PREMISES OR LOCATION

8.1 Where a currently licensed business changes premises, such new premises shall not be licensed. The owner shall immediately make the Issuer of Licenses aware of the change of location and surrender to the Issuer of Licenses the license issued with respect to their previous premises. The Issuer of Licenses shall upon payment of a fee in the amount of Twenty-Five Dollars (\$25.00) and being satisfied that the new location meets all the requirements as set out in this by-law issue a replacement to the original license. The expiry date of the license shall be the same as the one being replaced.

9. LICENSES PERSONAL

9.1 No person shall enjoy a vested or property right in any license or the continuance of any license or such a license and such rights shall remain the property of the City.

10. NUISANCE ABATEMENT

10.1 Every person required to be licensed under this by-law, in addition to any other provisions or requirements expressed elsewhere in the by-law, shall comply with the following requirements:

10.1.1 at all times maintain and keep safe and clean and in good condition and repair any object, amusement, vehicle or premises for which the license is issued,

10.1.2 shall not breach or violate or cause, suffer, or permit any breach or violation of any by-law of the Corporation or of any statute, Order-In-Council, or Regulation of the Legislature of the Province of Ontario or the Parliament of Canada or of any Agency, Board or Commission thereof, in, upon, or in connection with the business or premises for, or in relation to which such license was issued,

10.1.3 shall not cause, suffer or commit any nuisance to arise in, on, or in connection with the object, amusement, vehicle or premises, for which the license was issued,

- 10.1.4 shall not cause, suffer or permit any shouting, noise or other disturbance on, in or in connection with the object, amusement, vehicle or premises for which the license was issued, that is unnecessary, unreasonable or contrary to any municipal by-law prohibiting the same, and if any such shouting, noise or other disturbance occurs, the licensee shall immediately take steps to cause the same to be abated,
 - 10.1.5 shall not cause, suffer, or permit any obstruction on any highway, lane or public place in front of or adjoining the place or premises for which the license was issued,
 - 10.1.6 shall not cause, suffer or permit any profane, offensive or abusive language or disorderly conduct in, on, or in connection with any vehicle or premises for which the license was issued.
- 10.2 Every person who acquires a license that is issued under this by-law is responsible for the due performance and observance of all the provisions of this by-law by their employees and all other persons in or upon the premises that is licensed under the provisions of this by-law.

11. INSPECTION

- 11.1 A Municipal Enforcement Officer, Issuer of licenses, Police Officer or other duly appointed individual may at all reasonable times, inspect or cause to be inspected the premises, facilities, equipment, vehicles, and other property used or kept for hire in connection with the carrying on of a business that is licensed or that is required to be licensed pursuant to this by-law.
- 11.2 The issuer of licenses may waive the requirement for any inspection, approval or documentation as may be required pursuant to this by-law where such inspection, approval or documentation is not applicable to the carrying on of the business that is licensed or an application for a license has been made under the authority of this by-law.

12. POSTING OF LICENSE

- 12.1 Every person licensed pursuant to this by-law shall post in a prominently and conspicuous place the current license on the premises or that part thereof to which the license pertains. The owner shall ensure that the license is positioned in such location that it may be readily seen and read by persons entering the premises.
- 12.2 Where a license is issued to a person who goes place to place or a particular place with goods, wares, or merchandise for sale, the licensee shall keep the license with them at all times while carrying out their business and shall exhibit it to any municipal enforcement officer, Issuer of Licenses, peace officer, police officer or other duly appointed person who so requests.

13. REFUSAL TO GRANT A LICENSE

- 13.1 The Issuer of Licenses may refuse to grant or issue a license to any applicant who:
 - 13.1.1 has failed to comply with the requirements of this by-law or other applicable by-laws of the City of North Bay or of any Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board of Commission thereof, in, upon or in connection with the applied for licensed activity of the business or premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the license activity, or
 - 13.1.2 has any outstanding realty taxes owing to the City of North Bay, or

13.1.3 has any outstanding fines imposed under the *Provincial Offences Act* for the contravention of any provision of this by-law.

13.2 The Issuer of Licenses may also refuse to grant or issue a license to any applicant where the Issuer of Licenses believes it is not in the public interest to do so.

14. SUSPENSION / REVOCATION

14.1 The Issuer of Licenses may suspend or revoke a license issued to any licensee who:

14.1.1 has failed to comply with the requirements of this by-law or other applicable bylaws of the City of North Bay or of any Local Board thereof, or of any Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board of Commission thereof, in, upon or in connection with the applied for licensed activity of the business or premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the license activity, or

14.1.2 has outstanding realty taxes owing to the City of North Bay, or

14.1.3 has any outstanding fines imposed under the *Provincial Offences Act* for the contravention of any provision of this by-law.

14.2 The Issuer of Licenses may also suspend or revoke any license issued to any applicant where the Issuer of Licenses believes it is in the public interest to do so.

14.3 Any suspension of a license may be subject to such terms and conditions as the Issuer of Licenses may prescribe.

14.4 No person shall operate any business or premises contrary to any license suspension or terms and conditions thereto or where such license has been revoked.

15. NOTICE AND APPEAL

15.1 Where the Issuer of Licenses refuses to issue, suspends, or revokes a license the said Issuer of Licenses shall notify the applicant in writing of such decision and the said notice shall set out the grounds upon which the issue of the said license is refused and shall state that the Applicant or Licensee may appeal such decision by filing an appeal with the Clerk of the municipality within fifteen (15) days of receiving the notice.

15.2 Where the Issuer of Licenses refuses to grant a license, suspends or revokes a license under this by-law the Applicant or Licensee may appeal this decision to the Council of the Corporation by filing with the Clerk an appeal, in writing, of the said decision within fifteen (15) days of being notified in writing of the decision of the Issuer of Licenses.

15.3 Upon receipt of an appeal from the applicant the Clerk and Council shall follow the procedure set out in this by-law.

15.4 The Council of the Corporation may, after the appropriate hearing is conducted grant a license, refuse to grant a license, revoke a license or suspend a license and may make any suspension of license subject to such terms and conditions as Council may prescribe and a decision made pursuant to the exercise of these powers is final and binding upon the applicant or licensee.

15.5 Council, in considering whether or not to grant a license, refuse to grant a

license, or to revoke or suspend a license shall have regard to the following:

- 15.5.1 whether or not the Applicant or Licensee and the premises, facilities, equipment, vehicles and other personal property used or kept for hire in connection with the carrying on of a business that is licensed or that is required to be licensed, pursuant to this by-law, complies with all requirements of this bylaw,
 - 15.5.2 whether or not the Applicant or Licensee has failed to promptly remedy any reasonable concern with regard to those matters set out in this by-law or has committed past breaches of this by-law,
 - 15.5.3 whether or not the Applicant or Licensee has failed to comply with any requirements of any other applicable by-law of the City or any Statute, Order-In-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board or Commission thereof, in, upon or in connection with the licensed activity or the premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the licensed activity,
 - 15.5.4 whether or not the Applicant or Licensee has any outstanding fines imposed under the *Provincial Offences Act* for the contravention of any provision of this by-law,
 - 15.5.5 whether or not the Applicant or Licensee has any outstanding realty taxes owing to the City of North Bay in respect of the business or premises in question.
- 15.6 Council shall comply with the following procedure in granting a license, refusing to grant a license, revoking or suspending any license issued under this by-law:
- 15.6.1 where Council wishes to consider whether or not to issue a license or to refuse to grant a license or to suspend or revoke a license issued under this by-law, the Clerk shall fix a date and time for such matter to be considered by Council and shall mail a Notice of Hearing to the Licensee (at their last known address as shown in the records of the Issuer of Licenses or the current year's Assessment Roll) and to any other person who has applied to be heard with regard to the matter,
 - 15.6.2 such Notice shall be mailed at least fifteen (15) days prior to the date and time fixed for such hearing,
 - 15.6.3 at such hearing Council shall receive a report, either verbally, or in writing, from the Issuer of Licenses and from such other officers or employees of the Corporation who may be involved in the matter being considered by Council,
 - 15.6.4 at the hearing before Council, the Licensee, either personally or through their agent, shall be afforded an opportunity to present such material and evidence relevant to the issue before Council as they may deem expedient and they may ask questions of any person presenting evidence or a report to Council relevant to the said issue,
 - 15.6.5 Council may, in its sole discretion, afford any other person who applied to be heard and who appears to have an interest in the matters under discussion, an opportunity to present material and evidence relevant to the issue before Council and to ask questions of any person presenting evidence or a report to Council relevant to the said issues,
 - 15.6.6 for the purpose of this Section a quorum of Council shall be a majority of the members of Council and a decision by the majority of

members present shall be the decision of Council,

- 15.6.7 Council may, after having heard all of the evidence and submissions made to it by the Applicant or Licensee, and the Issuer of Licenses resolve into the Committee of the Whole, to debate the matter and to reach its decision,
 - 15.6.8 the decision made by Council sitting as the Committee of the Whole shall be confirmed in open Council by Resolution immediately following the meeting of the Committee of the Whole and a certified copy of such Resolution shall be mailed to the Licensee, to any person who has appeared before Council and requested that a copy of the Resolution be provided to them, and to the Issuer of Licenses.
- 15.7 No person shall engage in, or continue to conduct, or permit any person to engage in or continue to conduct, a business for which a license is required under this by-law while such license is suspended or revoked by the Issuer of Licenses under the provisions of this by-law.
- 15.8 Every person engaging in any business, for which they are required to be licensed by the provisions of this by-law, shall be responsible that all the provisions of this by-law with respect to the same are complied with.

16. CHARITABLE ORGANIZATIONS

- 16.1 Notwithstanding Sections 2.1 and 2.2, no charitable or not for profit organization selling items for the purpose of raising funds for such charitable organization shall be required to pay the fee a to obtain a license under the provisions of this by-law.

17. INSURANCE

- 17.1 All insurances required herein shall be provided at the time of application in a form acceptable to the Issuer of Licenses and in the amount as specified pursuant to the applicable Sections of this by-law unless otherwise approved by Council.

18. LICENSE FEES AND INSPECTIONS

- 18.1 Schedule 1 hereunder sets out the license fee to be paid by the applicant at the time of application.
- 18.2 In complete applications shall be considered not to have been received and may be returned to the applicant or held pending further information. In any case where the application remains incomplete after the date established for obtaining or renewing such license, the applicant may be required to submit a new application along with all of the required approvals.
- 18.3 Despite the actual date any application for renewal of a license, the fee for such renewal shall be as set out in Schedule "1" to this by-law.

19. EXPIRY OF LICENCE

- 19.1 For the purpose of every new business license issued, the date of expiry shall be the 1st day of the following month one year from the date of issue and each renewal of a license shall, therefore expire on the 1st day of such month in each subsequent year.
- 19.2 Notwithstanding Section 20.1:

19.2.1 every business license for a circus/midway shall expire ninety (90) days from the date of issue.

20. PENALTY

20.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable for a fine under the *Provincial Offences Act*.

21. REGISTER

21.1 The Issuer of Licenses shall keep a license register in which shall be recorded the full operating name and address of each licensee, the address of the place or premises in which the licensee carries on, conducts, operates, maintains, keeps or engages in the business, trade, occupation or calling, object or amusement for which the license was issued, the number of the license any plates used and the date of issue.

22. REPEAL

22.1 That by-law 139-95 and any amendments thereto be hereby repelled.

READ A FIRST TIME IN OPEN COUNCIL THE 13TH DAY OF DECEMBER 2004.

READ A SECOND TIME IN OPEN COUNCIL THE 13TH DAY OF DECEMBER 2004.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 13TH DAY OF DECEMBER 2004.



MAYOR



CITY CLERK

THIS IS SCHEDULE "1" TO BY-LAW 2004-191 OF THE CORPORATION OF THE CITY OF NORTH BAY

RELATING TO THE ANNUAL FEES FOR BUSINESS LICENSES

Business Class	Fee	Schedule
Auctioneer	\$ 100.00 per year	2
Places of Amusement Pool Tables, Bowling Alleys, Arcades	\$ 100.00 per year	3
Circus/Midway	\$ 100.00 per visit	4
Restaurant	\$ 50.00 per year	5
Outdoor Tables	\$ 10.00 per location	6
Cigar, Cigarette and Tobacco	\$ 50.00 per year	7
Ice-Cream/Confectionary Cart	\$ 50.00 per year \$ 25.00 per additional cart	8
Non-Powered Food Cart	\$ 200.00 per year \$ 50.00 each additional cart	9
Refreshment Vehicle (Motorized)	\$ 200.00 per year \$ 50.00 each additional vehicle	10
Hawkers and Peddlers (Resident)	\$ 100.00 per year	11
Hawkers and Peddlers (Non-resident)	\$ 200.00 5 consecutive days \$ 50.00 each additional day	12
Craft Sales	\$ 10.00 per day	13
Trade Shows	\$ 25.00 per day	14
Pawn Broker	\$ 100.00 per year	15
Adult Entertainment Parlour	\$500.00 per year (owner) \$500.00 per year (operator)	16
Pet Shop	\$50.00	17

AUCTIONEER

1. No person without a license shall sell or put up for sale, goods, articles, merchandise, or effects by public auction in the City of North Bay.

In this Section:

- 1.1 **"Auction"** shall mean a public sale to persons in which bids on goods, articles, merchandise, effects, etc. are received by an auctioneer and where each bid offers more than the last previous bid, the article being put up being sold to the highest bidder. Shall not include a mock auction, silent auction or Chinese auction.
 - 1.1.1 **"Mock Auction"** shall mean an imitated sale by auction of goods, articles, merchandise, effects, to persons.
 - 1.1.2 **"Silent Auction"** shall mean an auction conducted by means of written bids given on displayed goods wares or merchandise with the final declaration of sale being made to the last individual having submitted a bid on the specified bid sheet for that item.
 - 1.1.3 **"Chinese Auction"** shall mean an auction conducted by means of predetermining a set price on an item, thence receiving verbal bids on such an item. The final declaration of sale shall be made to the highest bidder who shall then pay the price, based on the difference between the predetermined price and the highest bid.
2. **"Auctioneer"** shall mean a person who conducts a sale by auction.
 - 2.1 Upon receipt of the application the Issuer of Licenses may make inquiries to the Chief of Police, regarding the application.
 - 2.2 Where all other conditions are met and approvals obtained, the applicant shall be deemed eligible to obtain a license.
 - 2.3 The auctioneer shall, at each auction, prominently display their license issued subsequent to this Section, and shall in all public advertisements of any nature used by them in the course of their business, include their municipal license number.
 - 2.4 No auctioneer shall:
 - 2.4.1 permit any disorder in their auction room or offices,
 - 2.4.2 conduct or permit to be conducted any mock auction,
 - 2.4.3 knowingly make or permit to be made any misrepresentation as to the nature, content, quantity or value of any goods, wares, merchandise or effects which may be offered for sale by them,
 - 2.4.4 give away articles or sell them for nominal amounts for the purpose of stimulating bidding,
 - 2.4.5 do any act that is calculated to or which may reasonably have the effect of confusing a purchaser as to the amount they pay for any article(s),
 - 2.4.6 by deceit, falsehood, or other fraudulent means stimulate or raise bids or cause to stimulate or raise bids affecting the selling

price of any item offered for sale to the public by public auction,

2.4.7 sell or put up for sale by auction any goods, wares, merchandise or effects held on a reserve bid basis without first announcing to those in attendance at the auction the fact that such item is held on a reserve bid.

3. Every auctioneer shall advise the Issuer of Licenses a minimum of seven (7) days in advance, the time, date and location of every auction scheduled by such auctioneer.
4. Nothing herein contained shall apply to a Sheriff or Bailiff Sale.
5. Every auctioneer shall keep a proper ledger of account of the business transacted by them as an auctioneer. The entries in the ledger shall give the names and addresses of the owners of the goods, wares, merchandise or effects to be sold, the description of the same, the price for which the same may be sold, the names and addresses of the persons purchasing such goods, wares, merchandise or effects or any portion thereof, the price for which the item was sold and the auctioneer shall forthwith, after the sale of same, or any portion thereof, account for the proceeds and pay to the person entitled to such proceeds, less the auctioneer's legal and proper commissions and charges and they shall, in case no sale is made of such goods, on payment of their proper costs and charges, return such goods to the person entitled to receive such goods on demand being made for such goods.

PLACE OF AMUSEMENT - (Pool Tables, Bowling Alleys, Arcades)

1. No person without a license shall keep on his premises or in his possession, three or more pool tables, arcade games or bowling alleys in the City of North Bay.

In this section:

- 1.1 **"Place of Amusement"** shall mean a business or premises in which are offered facilities for the playing of:
 - 1.1.1 three or more games of chance, or
 - 1.1.2 three or more games of mixed chance and skill, or
 - 1.1.3 a combination of three or more mixed games of chance and games of chance and skill,
 - 1.1.4 games that are not contrary to the *Criminal Code of Canada*. Shall include but shall not be limited to video games, pinball games, table top hockey games, table top soccer games, electronic games, and billiard tables, pool tables or bagatelle tables or bowling alleys.
2. The owner of every Place of Amusement shall display in a prominent place at the entrance and within the licensed premises placards displaying the maximum occupant load, as determined by the Chief Building Official or his designate as established under provisions as set out in the *Ontario Building Code R.R.O. 1990 Reg. 3.1.16.1*. No person shall permit a greater number of persons to enter or be in the hall at any one time than the stated maximum capacity on the occupant load notice.
3. No person shall be granted a license for a place of amusement or other place of amusement until he/she has produced and filed with the application for such license a certificate from the Medical Officer of Health showing that the premises in respect to which an application for a license are in good sanitary condition and provided with lawful sanitary conveniences.
4. Premises licensed under this schedule must have a minimum clearance of eight (8) feet, two separate means of exit and entrance and proper ventilation.
5. Premises licensed under this Schedule shall provide washrooms and toilet rooms, one (1) more for males and one (1) or more for females, for the use by the public.
6. The washrooms shall be equipped with;
 - 6.1 a basin;
 - 6.2 an adequate supply of potable water;
 - 6.3 a constant supply of soap in a suitable container or dispenser;
 - 6.4 clean towels for the use of each person using the washing facilities;
 - 6.5 a fire resistant receptacle for used towels and waste material, and
 - 6.6 an approved drinking fountain.
7. The toilet rooms shall be equipped with a water closet in good working order and a supply of toilet paper. Male washrooms shall be equipped with approved urinals.

CIRCUS / MIDWAY

1. No person without a license shall operate a circus/midway in the City of North Bay. In this Section:
 - 1.1 **“Circus / Midway”** shall mean a business operating amusement ride(s) or other device(s) and authorized games of chance, a performance exhibiting equestrian, animal, and acrobatic and other performances and their equipage intended to entertain or amuse or provide entertainment to the public.
2. No person having control or charge of such an operation shall commence to assemble or erect any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus, or mechanical device or ride or any other structure or erection until a license has been obtained.
3. Every person making application shall provide proof of liability insurance in the amount of Two Million Dollars (\$2,000,000.00) and in a form acceptable to the City of North Bay. Such insurance shall provide a minimum thirty (30) days written notification to the City of any change, expiration or cancellation of such policy. Where the operation of such circus/midway will take place on any City owned property, liability insurance shall also include and name “The Corporation of the City of North Bay” as an additional insured.
4. The electrical system, equipment, fuses and switches shall be inaccessible to the public and cables in the ground in areas used by the public shall be protected as required by the Ontario Electrical Safety Authority.
5. All electrical systems shall be operated and maintained in a safe manner.
6. Every person to whom this schedule relates shall keep good order in or at any building or premises in respect to which a license has been issued, and at his own expense shall keep a sufficient staff of employees or servants for that purpose.
7. Every person to whom this schedule relates shall produce a list of the names, address and date of birth of all employees, agents or contractors, upon demand of a police officer.
8. No circus/midway or other like traveling exhibition or side show, or other entertainment connected therewith, shall be exhibited in the City of North Bay for longer than a period of ten (10) consecutive days.

RESTAURANTS

1. No person without a license shall own or keep a victualling house, restaurant, snack bar, lunch counter, refreshment stand, or any other building which offers food to the public either on a pickup basis, a delivery basis, or to be eaten at the location, whether inside or outside the building in the City of North Bay.
2. For the purposes of this Schedule the provisions and regulations in the *Health Protection and Promotion Act*, R.S.O. 1990, Chapter H-7 and amendments thereto shall apply.

OUTDOOR TABLES

1. No person without a license shall place tables on any sidewalk within the City of North Bay.
2. Every owner requesting an outdoor table license shall produce a policy of insurance endorsed to the effect that the City of North Bay shall be named insured and will be given at least ten (10) days' notice in writing of any cancellation, insuring the City for at least the amount of One Million Dollars (\$1,000,000.00) for comprehensive general liability against loss or damage resulting from bodily injury or death of one or more persons, or from loss or damage to property resulting from any accident. A copy of this certificate of such policy shall be deposited with the Issuer of Licenses prior to the license being issued.
3. Every applicant for an outdoor table license shall submit a sketch for the approval of the Issuer of Licenses, to show that;
 - 3.1 adequate space of a minimum of five (5) feet in width for pedestrian passage is being maintained,
 - 3.2 current standards of engineering requirements for public services is being maintained, including fire hydrants, drainage, etc.
4. The licensee shall not encumber the sidewalk any further than as shown on the sketch approved by the Issuer of Licenses.
5. The licensee shall not damage the sidewalk area or make any permanent attachments to the sidewalk area.
6. The licensee shall maintain the sidewalk area in the manner shown on the sketch approved by the Issuer of Licenses.
7. The licensee shall clean and keep clean the area of the sidewalk patio and keep it free from papers and rubbish of any kind.
8. No tables or chairs shall be placed so as to interfere with access by wheelchairs.
9. The surface area of the sidewalk patio may not exceed the interior licensed floor area of a restaurant licensed by the L.L.B.O.
10. The licensee shall erect and maintain a fence or other vertical barrier to delineate the perimeter of the licensed sidewalk area, with the exception of access openings, to the standard required by the L.L.B.O.
11. The top rail of a fence shall be painted white and the remainder of the fence shall be painted in a contrasting colour for the benefit of visually impaired people.
12. The sidewalk area shall not be used or furniture positioned in such a manner as to obstruct exit from the restaurant.
13. The licensee shall clearly illuminate patio entrances and patio to restaurant entrances.
14. The licensee shall comply with all other applicable law.
15. No advertising is permitted on the sidewalk by virtue of the outdoor table license.
16. No frame sandwich board signs are permitted on the sidewalk near the sidewalk patio.

CIGAR, CIGARETTE AND TOBACCO

1. No person shall permit or allow the sale of tobacco, cigars or cigarettes upon the premises without first having obtained a license authorizing the sale of tobacco, cigars or cigarettes by retail.
2. For the purposes of this Schedule the provisions of the *Tobacco Control Act* and amendments thereto shall apply.

ICE-CREAM / CONFECTIONARY CART

In this Schedule:

1. No person without a license shall operate or maintain an ice-cream / confectionary cart within the City of North Bay.
2. **"Ice-cream / Confectionary Cart** shall mean a vehicle from which food stuffs and/or refreshments are sold or offered for sale for consumption by the public. Shall include but is not limited to push carts, wheeled vehicles.
3. Every licensee shall:
 - 3.1 ensure that every refreshment vehicle is equipped with a metal refuse container with a self closing lid, and such container shall be kept in a clean and sanitary condition and emptied at least once daily,
 - 3.2 a disposable litter container which shall be replaced at least once daily,
 - 3.3 such containers shall be used for the disposal of all refuse,
 - 3.4 ensure that every refuse container is located in such a position so as to be easily accessible by persons making purchases while the vehicle is stopped,
 - 3.5 ensure that the vehicle and all parts and equipment for use in the dispensing of refreshments is maintained in a clean and sanitary condition and at all times in good repair,
 - 3.6 ensure that hard ice cream and related products are maintained in a hard condition in the vehicle at all times,
 - 3.7 ensure that soft ice cream and related products are stored in a refrigerated cabinet suitable for the storage of soft ice cream and related products, as approved by the North Bay & District Health Unit,
 - 3.8 ensure that all dispensing equipment is of a sanitary design and cleaned on a daily basis,
 - 3.9 ensure that adequate refrigeration, as approved by the North Bay & District Health Unit, is provided for perishable foodstuffs that shall be kept so refrigerated,
 - 3.10 that the date of expiration is clearly and legibly marked on or affixed to the wrapper of all pre-packaged food stuffs sold from the vehicle,
 - 3.11 ensure that beverages, which shall include but shall not be limited to, milk, juices, and soft drinks, are only sold in individual disposable containers,
 - 3.12 ensure that the vehicle is free from holes, crevices or cracks and the surface is readily washable and is kept clean and in good condition,
 - 3.13 ensure that only single service disposable cups, plates, forks, spoons, knives and containers are used and serviettes shall be provided from a dispenser.
4. Every person selling or handling refreshments and foodstuffs shall be clean and neat in appearance and shall maintain clean hands at all times.
5. No person employed with any licensee under this section shall be suffering from any form of contagious disease while actively engaged in his or her work.

6. Every owner shall take out a separate license for each ice-cream/confectionary cart owned or operated by them and the license affixed so as to be clearly visible.
7. Every licensee shall at his or her own expense, whenever required to do so by the Issuer of Licenses, bring such vehicle to any person designated by the Issuer of Licenses for inspection.
8. Every licensee shall ensure that each operator or employee is made familiar with the contents of this Section and shall not permit any operator under their control, management, supervision or direction to breach any of the provisions of this Section.

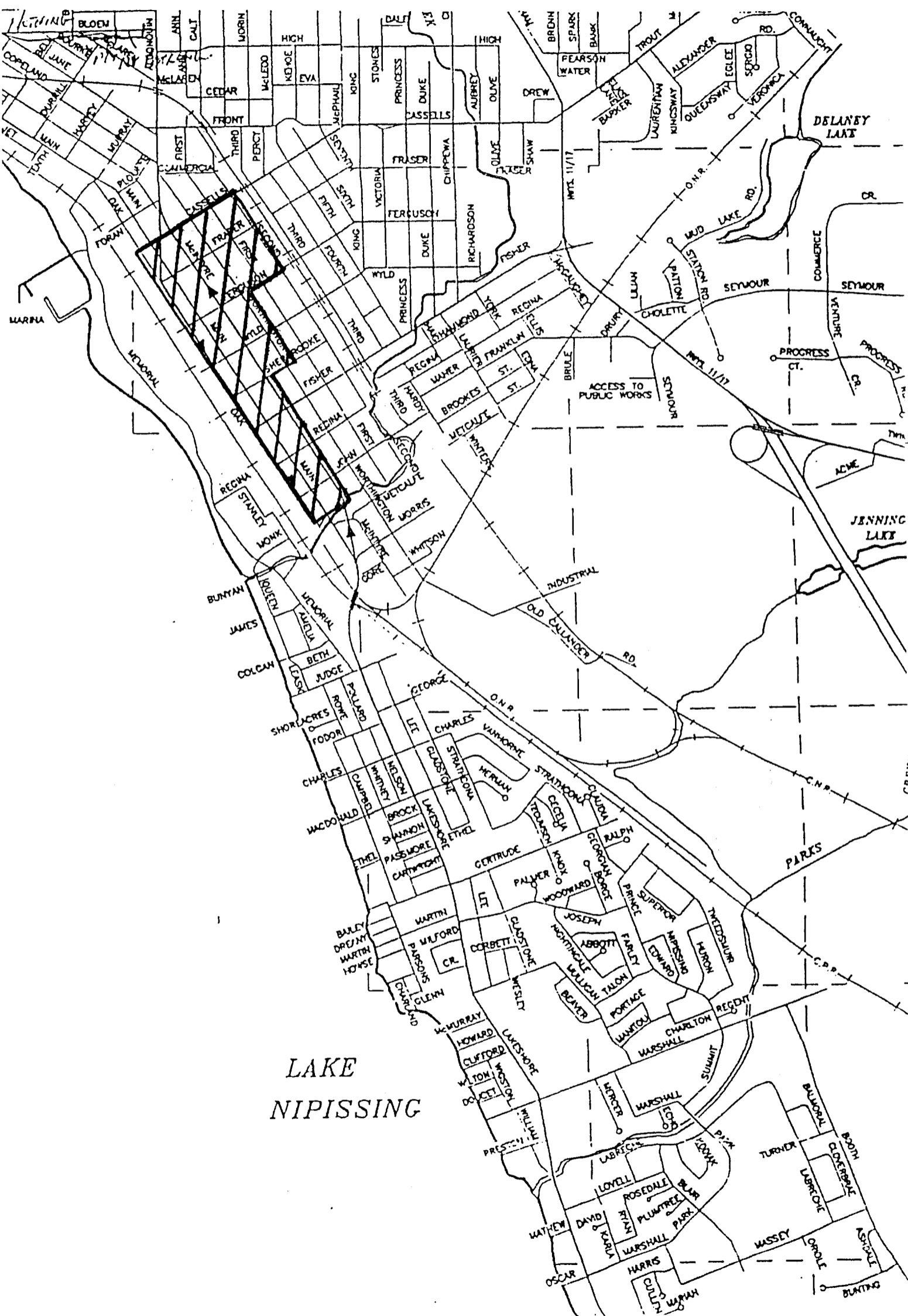
NON-POWERED FOOD CART

In this Schedule:

1. **“Non-Powered Food Cart** shall mean a vehicle from which food stuffs and/or refreshments are sold or offered for sale for consumption by the public. Shall include but not limited to push carts, wheeled vehicles.
2. No person without a license shall operate a food cart in the City of North Bay.
3. Every person shall:
 - 3.1 ensure that every food cart is equipped with a metal refuse container with a self closing lid, and such container shall be kept in a clean and sanitary condition and emptied at least once daily, or
 - 3.2 a disposable litter container which shall be replaced at least once daily, and
 - 3.3 such containers shall be used for the disposal of all refuse.
 - 3.4 ensure that every refuse container is located in such a position so as to be easily accessible by persons making purchases while the vehicle is stopped,
 - 3.5 ensure that the cart and all parts and equipment for use in the dispensing of refreshments is maintained in a clean and sanitary condition and at all times in good repair,
 - 3.6 ensure that hard ice cream and related products are maintained in a hard condition in the vehicle at all times,
 - 3.7 ensure that soft ice cream and related products are stored in a refrigerated cabinet suitable for the storage of soft ice cream and related products, as approved by the North Bay & District Health Unit,
 - 3.8 ensure that all dispensing equipment is of a sanitary design and cleaned on a daily basis,
 - 3.9 ensure that adequate refrigeration, as approved by the North Bay & District Health Unit, is provided for perishable foodstuffs that shall be kept so refrigerated,
 - 3.10 that the date of expiration is clearly and legibly marked on or affixed to the wrapper of all sandwiches or pre-packaged food stuffs sold from the vehicle,
 - 3.11 ensure that beverages, which shall include but shall not be limited to, milk, juices, and soft drinks, are only sold in individual disposable containers,
 - 3.12 ensure that vehicles from which hot, prepared foods are sold are so equipped as to maintain such foods so heated at a temperature as approved by the North Bay & District Health Unit,
 - 3.13 ensure that no LPG (liquefied petroleum gas) LNG (liquefied natural gas) or any combustible fuelled appliance is operated within ten (10) feet of any structure, door, window, or opening that shall include an alcove or alleyway,
 - 3.14 ensure that the vehicle is free from holes, crevices or cracks and the surface is readily washable and is kept clean and in good condition,
 - 3.15 ensure that only single service disposable cups, plates, forks, spoons, knives and containers are used and serviettes shall be provided from a dispenser.
4. Every person selling or handling refreshments and foodstuffs shall be clean and neat in appearance and shall maintain clean hands at all times.

5. No person employed with any licensee under this section shall be suffering from any form of contagious disease while actively engaged in his or her work.
6. Every owner shall take out a separate license for each food cart owned or operated by them and the license affixed so as to be clearly visible.
7. Every licensee shall at his or her own expense, whenever required to do so by the Issuer of Licenses, bring such food cart to any person designated by the Issuer of Licenses for inspection.
8. All food cart owners shall carry a minimum of One Million Dollars (\$1,000,000.00) liability insurance and shall furnish proof of this coverage satisfactory to the City of North Bay prior to being licensed. Such insurance shall contain an endorsement specifying that the municipality shall be given a minimum thirty (30) days written notice of any change, expiration, or cancellation of such policy. Where the refreshment vehicle has been granted permission to operate on City property, the policy shall also contain an endorsement identifying "The Corporation of the City of North Bay" as an additional insured.
9. Every licensee shall ensure that each operator or employee is made familiar with the contents of this Section and shall not permit any operator under their control, management, supervision or direction to breach any of the provisions of this Section.
10. No owner or operator of a food cart shall dispense food or merchandise to any person while such person is standing on a roadway.
11. No owner or operator of a food cart shall operate within thirty (30) metres of an existing restaurant.
12. No owner or operator of a food cart shall operate from any other location in the central business district as defined on Schedule "9A" attached hereto and forming part of this by-law other than in the areas designated as follows:
 - 12.1 100 Block, Main Street West, south side located in the vicinity of the C.I.B.C.
 - 12.2 100 Block, Main Street West, south side located in the vicinity of the Royal Bank
 - 12.3 200 Block, Main Street East, north side located in the vicinity of Gateway Cinema
 - 12.4 Ferguson Street at the Post Office
 - 12.5 Second Avenue at Cassells Street.
13. No owner or operator of food cart shall operate from any of the locations referred to in clause 12 unless that operator is the successful bidder for one of the locations as a result of a lottery type scheme, such scheme to be advertised in the local newspaper and held prior to May 15th each year. The lottery shall be conducted by the Manager of Purchasing and shall be open to all owners or operators of food carts.
14. In the event that only one owner or operator has filed for the draw by the closing date, the requirements in section 13 may be waived by the Manager of Corporate Support Services, and the food cart owner or operator may select one or more of the locations.
15. In the event the successful bidder for one of the downtown locations chooses not to continue to use the location prior to the end of the season, another lottery scheme may be held to determine which operator may use the spot for the remainder of the current season.

THIS IS SCHEDULE "9A" TO BY-LAW 2004-191 OF THE CORPORATION OF THE CITY OF NORTH BAY



REFRESHMENT VEHICLE (MOTORIZED)

In this Section:

1. No person without a license shall operate or maintain a motorized refreshment vehicle within the City of North Bay.
2. **"Motorized Refreshment Vehicle"** shall mean a vehicle from which food stuffs and/or refreshments are sold or offered for sale for consumption by the public. Shall include but is not limited to catering trucks, trailers, trailers and converted motor vehicles.
3. Every licensee shall:
 - 3.1 ensure that every refreshment vehicle is equipped with a metal refuse container with a self closing lid, and such container shall be kept in a clean and sanitary condition and emptied at least once daily, or
 - 3.2 a disposable litter container which shall be replaced at least once daily, and
 - 3.3 such containers shall be used for the disposal of all refuse.
 - 3.4 ensure that every refuse container is located in such a position so as to be easily accessible by persons making purchases while the vehicle is stopped,
 - 3.5 ensure that the vehicle and all parts and equipment for use in the dispensing of refreshments is maintained in a clean and sanitary condition and at all times in good repair,
 - 3.6 ensure that hard ice cream and related products are maintained in a hard condition in the vehicle at all times,
 - 3.7 ensure that soft ice cream and related products are stored in a refrigerated cabinet suitable for the storage of soft ice cream and related products, as approved by the North Bay & District Health Unit,
 - 3.8 ensure that all dispensing equipment is of a sanitary design and cleaned on a daily basis,
 - 3.9 ensure that adequate refrigeration, as approved by the North Bay & District Health Unit, is provided for perishable foodstuffs that shall be kept so refrigerated,
 - 3.10 that the date of expiration is clearly and legibly marked on or affixed to the wrapper of all sandwiches or pre-packaged food stuffs sold from the vehicle,
 - 3.11 ensure that beverages, which shall include but shall not be limited to, milk, juices, and soft drinks, are only sold in individual disposable containers,
 - 3.12 ensure that vehicles from which hot, prepared foods are sold are so equipped as to maintain such foods so heated at a temperature as approved by the North Bay & District Health Unit,
 - 3.13 ensure that no LPG (liquefied petroleum gas) LNG (liquefied natural gas) or any combustible fuelled appliance is operated within ten (10) feet of any structure, door, window, or opening that shall include an alcove or alleyway,
 - 3.14 ensure that the vehicle is free from holes, crevices or cracks and the surface is readily washable and is kept clean and in good condition,

- 3.15 ensure that only single service disposable cups, plates, forks, spoons, knives and containers are used and serviettes shall be provided from a dispenser.
4. Every person selling or handling refreshments and foodstuffs shall be clean and neat in appearance and shall maintain clean hands at all times.
5. No person employed with any licensee under this section shall be suffering from any form of contagious disease while actively engaged in his or her work.
6. Every owner shall take out a separate license for each refreshment vehicle owned or operated by them and the license affixed so as to be clearly visible.
7. Every licensee shall at his or her own expense, whenever required to do so by the Issuer of Licenses, bring such vehicle to any person designated by the Issuer of Licenses for inspection.
8. All refreshment vehicle owners shall carry a minimum of Two Million Dollars (\$2,000,000.00) liability insurance and shall furnish proof of this coverage satisfactory to the City of North Bay prior to being licensed. Such insurance shall contain an endorsement specifying that the municipality shall be given a minimum (30) thirty days written notice of any change, expiration, or cancellation of such policy. Where the refreshment vehicle has been granted permission to operate on City property, the policy shall also contain an endorsement identifying "The Corporation of the City of North Bay "as an additional insured.
9. Every licensee shall ensure that each operator or employee is made familiar with the contents of this Section and shall not permit any operator under their control, management, supervision or direction to breach any of the provisions of this Section.

RESIDENT HAWKER - PEDDLER

1. No person without a license shall operate or conduct business as a hawker or peddler within the City of North Bay

In this Section:

- 1.1 **“Hawker or Peddler** shall mean any person who goes from place to place, or to a particular place, with goods, wares or merchandise for sale, or who carries and displays samples, patterns or specimens of any goods, wares or merchandise for which orders are taken and that are to be delivered in the City of North Bay afterwards.
2. The application for a license under this by-law shall be in writing on forms to be provided by the City and shall be fully completed and contain the following information:
 - 2.1 The full name, residence address, business address and telephone numbers of the applicant and each partner, if any,
 - 2.2 If the application is a company, corporation, club or organization, the head office address, business address and telephone numbers as well as the full names, addresses and telephone numbers of the principal officers thereof,
 - 2.3 A complete list of the goods, wares or merchandise intended to be sold,
 - 2.4 The names, addresses and telephone numbers of three character references and three business references,
3. The applicant, at the time of making application for license, shall furnish the Issuer of Licenses with true copies of all forms of contract, promissory notes or other documents intended to be used by the applicant in connection with the sale of goods, wares or merchandise as aforesaid.
4. The Issuer of Licenses shall conduct investigations and make inquiries relating to an application as circumstances warrant.
5. A license issued pursuant to the provisions of this by-law shall not be transferable.
6. The provisions of this by-law shall be enforced by Manager of Corporate Support Services, Issuer of Licenses, Municipal By-law Enforcement Officer, Police Constable or Special Constable.
7. No license under this by-law shall be required fro hawking, peddling or selling goods, wares or merchandise:
 - 7.1 to wholesale or retail dealers in similar goods, wares or merchandise, or
 - 7.2 if the goods, wares or merchandise are grown, produced or manufactured in Ontario and are hawked, peddled or sold by the grower, producer or manufacture or his agent or employee having written authority to do so in the municipality in which the grower, producer or manufacture resides, or
 - 7.3 if the goods, wares or merchandise are grown or produced by a farmer resident in Ontario who offers for sale or sells only the produce of his own farm, or
 - 7.4 if the goods, wares or merchandise are hawked, peddled or sold by a person who pays business tax in the City or by his employee, or by his

agent, or

- 7.5 if the goods, wares or merchandise are hawked, peddled or sold by an agent of the grower, producer or manufacture, acting on behalf of a dealer who pays business tax in the City in respect of premises used for the sale of such goods, wares or merchandise, or
 - 7.6 by persons who sell milk or cream or fluid milk products to the consumer or to any persons for resale.
8. The provisions of this by-law shall not apply to any institution, organization or club in the City where the proceeds from the sale of goods, wares or merchandise will be used for charitable, philanthropic, religious, welfare, community, athletic, educational or fraternal purposes within the City and, without in any way limiting the generality of the foregoing, shall not apply to the following institutions, organizations or clubs within the City.
- 8.1 Services clubs;
 - 8.2 Boy Scouts and Girl Guides;
 - 8.3 Y.M.C.A.
 - 8.4 Such other institutions, organizations or clubs as the Council by resolution may approve.

NON-RESIDENT HAWKER- PEDDLER

1. No person without a license shall operate or conduct business as a hawker or peddler within the City of North Bay

In this Section:

- 1.1 **“Hawker or Peddler** shall mean any person who goes from place to place, or to a particular place, with goods, wares or merchandise for sale, or who carries and displays samples, patterns or specimens of any goods, wares or merchandise for which orders are taken and that are to be delivered in the City of North Bay afterwards.
2. The application for a license under this by-law shall be in writing on forms to be provided by the City and shall be fully completed and contain the following information:
 - 2.1 The full name, residence address, business address and telephone numbers of the applicant and each partner, if any,
 - 2.2 If the application is a company, corporation, club or organization, the head office address, business address and telephone numbers as well as the full names, addresses and telephone numbers of the principal officers thereof,
 - 2.3 A complete list of the goods, wares or merchandise intended to be sold,
 - 2.4 The names, addresses and telephone numbers of three character references and three business references,
3. The applicant, at the time of making application for license, shall furnish the Issuer of Licenses with true copies of all forms of contract, promissory notes or other documents intended to be used by the applicant in connection with the sale of goods, wares or merchandise as aforesaid.
4. The Issuer of Licenses shall conduct investigations and make inquiries relating to an application as circumstances warrant.
5. A license issued pursuant to the provisions of this by-law shall not be transferable.
6. The provisions of this by-law shall be enforced by Manager of Corporate Support Services, Issuer of Licenses, Municipal By-law Enforcement Officer, Police Constable or Special Constable.
7. No license under this by-law shall be required fro hawking, peddling or selling goods, wares or merchandise:
 - 7.1 to wholesale or retail dealers in similar goods, wares or merchandise, or
 - 7.2 if the goods, wares or merchandise are grown, produced or manufactured in Ontario and are hawked, peddled or sold by the grower, producer or manufacture or his agent or employee having written authority to do so in the municipality in which the grower, producer or manufacture resides, or
 - 7.3 if the goods, wares or merchandise are grown or produced by a farmer resident in Ontario who offers for sale or sells only the produce of his own farm, or
 - 7.4 if the goods, wares or merchandise are hawked, peddled or sold by a person who pays business tax in the City or by his employee, or by his

agent, or

- 7.5 if the goods, wares or merchandise are hawked, peddled or sold by an agent of the grower, producer or manufacture, acting on behalf of a dealer who pays business tax in the City in respect of premises used for the sale of such goods, wares or merchandise, or
- 7.6 by persons who sell milk or cream or fluid milk products to the consumer or to any persons for resale.

CRAFT SALES

1. No person without a license shall coordinate or promote a craft show or cause the coordination or promotion of the sale of goods, wares, or merchandise at a craft show in the City of North Bay.
2. Each non-resident craft person displaying goods, wares or merchandise for sale to the public shall pay the organizer of the craft sale the fee set out in Schedule "1" to this by-law.

TRADE SHOWS

1. No person without a license shall coordinate or promote a trade show or cause the coordination or promotion of the sale of goods, wares, or merchandise at a trade show in the City of North Bay.
2. No person without a license shall display goods, wares or merchandise for sale to the public without first paying the fee stipulated in Schedule "1" to the organizer of the trade show.

ADULT ENTERTAINMENT PARLOUR

1. No person without a license shall operate or cause to be operated an Adult Entertainment Parlor in the City of North Bay.

PET SHOP

1. No person without a license shall operate or cause to be operated a Pet Shop in the City of North Bay.