

Proposed Changes to Business Licence Bylaw 43/2000

Component	Amendments	Rationale
General	Table of Contents, with hyperlinks to each section	<ul style="list-style-type: none"> Facilitates navigation.
Definitions	<p>(2c) “<i>Business Owner</i>” means the Person who carries on or operates a Business in St. Albert.</p> <p>(2d) “<i>Bylaw Enforcement Officer</i>” means an individual appointed as such in accordance with Bylaw 21/2003, the Bylaw Enforcement Officer Bylaw.</p> <p>(2l) “<i>Operating Address</i>” means the physical location where business is conducted, and cannot be a vehicle, whether parked or moving.</p> <p>(2m) “<i>Peace Officer</i>” means is as defined in the Provincial Offences Procedures Act, RSA 2000, c. P-34.</p> <p>(2n) “<i>Peddler or Hawker</i>” means a Person who carries on or operates a business by soliciting the sale of goods or services through door-to-door sales, except as part of a non-profit organization.</p> <p>(2p) “<i>Property Owner</i>” means the Person who is registered under the Land Titles Act as the owner of the fee simple estate in the land.</p> <p>(2t) “<i>Regulated Profession</i>” means a profession that is regulated by a provincial act and has regulated members who are registered to practice a profession.</p> <p>(2x) “<i>Subcontractor</i>” means a Person or Business that is being subcontracted under another company to perform work.</p>	<ul style="list-style-type: none"> Added definitions to address clarity and existing gaps. <i>Business Owner</i> and <i>Property Owner</i> were added to distinguish the difference between the person operating the business and the person who owns the land the business operates on. <i>Bylaw Enforcement Officer</i> was added to clarify enforcement mechanisms. <i>Operating Address</i> was added to address that the operating address must be a permanent physical location. <i>Peace Officer</i> was added to clarify enforcement mechanisms. <i>Peddler or Hawker</i> was added to define businesses or people who sell door-to-door. See <i>Business Owner</i> rationale. <i>Regulated Profession</i> was added to define business owners who are exempted from municipal licensing fees through provincial legislation. <i>Subcontractor</i> was added to define businesses or people working under another business.

Section 6: Requirement for a Business Licence	<p>(6.2) <i>Subsection (1) applies whether a Person carries on or operates a Business as a principal, agent, or as a subcontractor.</i></p> <p>(6.3) <i>A Person or Business awarded a tender by the City is required to obtain a business licence from the City, if they do not already hold one.</i></p>	<ul style="list-style-type: none"> • Addition of <i>Subtractor</i> to requirement for licence. • Addition of requirement for licence if a person or business is awarded a tender.
Section 7: Exclusions from the Requirement for a Business Licence	(7.1)(g) A Person whose Business is carried on as part of the Canada Elections Act (S.C. 2000, c. 9), or Local Authorities Election Act (RSA 2000, L-21) (whether as an elector or candidate.)	<ul style="list-style-type: none"> • Adds clarity that a business licence is not required during an election campaign related to the Canada Elections Act or the Local Authorities Election Act.
Section 8: Application for a Business Licence	(8.5) <i>A business can operate only once a licence has been issued. Submission of an application and payment of the licensing fee is not confirmation that a business licence has been issued.</i>	<ul style="list-style-type: none"> • Adds clarity to process that a licence must be issued prior to commencing operation
Section 9: Exemption from Fees	<p>Section 9(1) and (2) where “Not-for-Profit” was changed to “Non-Profit”</p> <p>9(8.1) <i>A regulated member who is registered with a professional organization, recognized by provincial law, may apply to the Licence Inspector for an exemption from the Business Licence fee required under Schedule A;</i></p> <p>9(8.2) <i>A regulated member applying for an exemption from the Business Licence fee required under Schedule A must provide proof of exemption, which is upheld by provincial law;</i></p> <p>9(8.3) An application under Subsection (8.1) must be in the form required by the Licence Inspector and meet all application components as per Subsection (8.2);</p> <p>9(8.4) A waiver under Subsection (3) does not relieve the regulated member from otherwise complying with the terms of this Bylaw.</p>	<ul style="list-style-type: none"> • Adds clarity to definition as “Non-Profit” is for community good whereas “Not-For-Profit” can be for the members of an organization, and not explicitly for public good. • Adds clarity for members of regulated professions

	9(9) A Person whose Business is expressly exempted from the requirement of a Business Licence by a statute of the Legislature of Alberta or Parliament of Canada.	<ul style="list-style-type: none"> Moved from incorrect section to exemption section.
Section 10: Considering the Application	10(6) <i>A Business that is operating from a location where the Person or Agent is not also the Property Owner, requires an Owner's Authorization to be completed by the Property Owner.</i>	<ul style="list-style-type: none"> Adds requirement to have an authorization document be from the property owner where a business is operating.
Section 11: Business Licence Fee	11(3) A Business Owner may request a refund in writing for the licensing fee within 24 hours of the Business Licence application being submitted.	<ul style="list-style-type: none"> Adds mechanism for a Person to request a refund within 24 hours, if they applied in error, or wish to not pursue business.
Section 12: Effect of and Limitations on a Business Licence	12(8) <i>A Business Licence from a different municipality does not allow a Business to operate in St. Albert.</i>	<ul style="list-style-type: none"> Adds clarity that a business must hold a St. Albert business licence to operate and that a business licence from another municipality is not valid.
Section 13: Term of Business Licence	13(1)(a) <i>A Business Licence must be renewed each year if a Business continues to operate.</i>	<ul style="list-style-type: none"> Affirms that a business licence must be renewed annually
Section 21: Continuing Offence	No wording changes.	<ul style="list-style-type: none"> Move from Section 20 (4) to its own section for better clarity and visibility.
Section 22: Enforcing This Bylaw	<p>22(1) <i>The Licence Inspector, a Bylaw Enforcement Officer, or a Peace Officer may enforce the provisions of this Bylaw, or the conditions of a Business Licence, pursuant to the Municipal Government Act and the Provincial Offences Procedure Act.</i></p> <p>22(2) Enforcement may be initiated by violation ticket pursuant to the Provincial Offences Procedure Act, or any other action authorized by statute.</p> <p>22(3) <i>The enforcement powers granted to the Licensing Inspector, Bylaw Enforcement Officer, or a Peace Officer under this Bylaw are in addition to any enforcement powers that the City may have under the Provincial Offenses Procedure Act.</i></p>	<ul style="list-style-type: none"> Copied and added from the Land-Use Bylaw 18/2024. Adds clarification about how the Business Licence Bylaw may be enforced, who can enforce it, and where the power of action derives from.

Schedule “A” Licence Fees	<p><i>(4) Business Licence Renewals</i></p> <p>(a) <i>If a Business continues operation, the business licence must be renewed by Jan 31.</i></p> <p>(b) <i>Payment is due and payable on the Billing Date. Payment not received by our office by the Due Date will be subject to a late payment penalty. Failure to receive or the loss of a renewal notice, are not accepted as reasons for either non-payment or exemption from the late payment penalty.</i></p>	<ul style="list-style-type: none">• Adds clarity to renewals requirements• Explicitly requires a business that is continuing to operate to renew their business licence by Jan 31• Adds clarity to the requirement to renew a business licence, and that failing to do so by the due date is not a reason to reverse the late penalty.
Schedule “D” Annexation	<p><i>2022 North Annexation Area</i></p>	<ul style="list-style-type: none">• Adds a title to Schedule D for clarity