

**THE CORPORATION OF THE TOWNSHIP OF MACHAR**

**BY-LAW NO. 11-98**

Being a by-law to regulate and govern Hawkers and Peddlers  
in the Township of Machar.

**WHEREAS** Section 234 of the Municipal Act, R.S.O. 1990, as amended, authorizes the passing of by-laws for licensing, regulating and governing persons who go from place to place or to a particular place with goods, wares or merchandise for sale, or who carry and expose samples, pattern or specimens of any goods, wares or merchandise that are to be delivered in the municipality afterwards.

**NOW THEREFORE** the Council of the Corporation of the Township of Machar enacts as follows:

1. That every person who goes from place to place or to a particular place with goods, wares or merchandise for sale or who carry and expose samples, patterns or specimens of any goods, wares or merchandise that are to be delivered in the municipality afterwards shall obtain a license for doing so from the Township of Machar.
2. No license shall be required for hawking, peddling or selling goods, wares or merchandise:
  - (a) to wholesale or retail dealer in similar goods, wares or merchandise or
  - (b) if the goods, wares or merchandise are grown, produced or manufactured in Ontario and are hawked, peddled or sold by the grower, producer or manufacturer or his agent or employee having written authority to do so in the municipality in which the grower, producer or manufacturer resides, or
  - (c) if the goods, wares or merchandise are grown or produced by a farmer resident in Ontario who offers for sale or sells only produce of his own farm or
  - (d) if the goods, wares or merchandise are hawked, peddled or sold by a person who pays business taxes in the municipality or by his employee or agent.
3. Any license granted under this by-law shall be granted on the condition that no person shall hawk, peddle or sell any goods, wares or merchandise in any manner as to impede or confine vehicular or pedestrian traffic.
4. That a separate license shall be required for each cart, stand or vehicle where hawking or peddling or selling takes place, and this license shall be displayed in a conspicuous place on the stand, cart, or vehicle or location available for presentation on demand by a Police Officer, By-Law Enforcement Officer or Licensing Officer.
5. That the processing of a license pursuant to the provisions of this by-law shall be in accordance with the usual licensing procedures of the Corporation of the Township of Machar.
6. No person shall act or carry on the business of hawkers or peddlers on municipality owned or leased lands or facilities. This does not apply to a local non-profit organization if the proceeds thereof are to be used exclusively for religious, charitable, philanthropic, patriotic purposes or to benefit the community.
7. A license shall not be transferred.
8. All applications for licenses under this by-law shall set out the name, address and occupation of the applicant; the nature of the merchandise which the applicant proposes to sell and the nature of the license applied for.
9. The fee payable upon the issue of each license and on any renewal or re-issue shall be the sum as set out in Schedule "A" of this by-law, a license must be renewed annually.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 8<sup>TH</sup> DAY OF JUNE 1998.

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REEVE HARVEY PINKERTON

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ACCOUNTING CLERK TRACY PETERS

**THE CORPORATION OF THE TOWNSHIP OF MACHAR**

**SCHEDULE "A" TO BY-LAW NO. 11-98**

**SCHEDULE OF FEES**

<u>HAWKERS &amp; PEDDLERS</u>	Annual Rate	\$2,000.00
	Daily Rate	\$50.00
<u>MOBILE FOOD VENDORS</u>		
Refreshment Vehicles	Annual/Season Rate	\$250.00
Small Mobile Cart	Annual/Season Rate	\$500.00
Food Truck	Annual/Season Rate	\$1,000.00

**\*Food Vendors require a license/approval from the North Bay Parry Sound District Health Unit and a copy must be provided to the municipality.**

PENALTY

Any person who violates any provisions of this By-Law is, upon conviction, guilty of an offence and shall be liable to a fine, subject to provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P.33 as amended, and be subjected to any other penalties permitted by law for each offence. Each day such violation continues, shall constitute a separate offence and shall be punishable as such.



8: **I, the undersigned applicant, hereby certify:**

- a) that, to the best of my knowledge and belief, the information hereinbefore set forth and attached hereto is true and correct.
- b) that I am familiar with the terms and provisions of the by-laws of the Corporation of the Township of Machar relating to the carrying on of the type of business in respect of which this application is being made.
- c) that I will comply with the terms and provisions of such by-laws.
- d) I understand that I am not allowed to carry on the trade or business in the Township of Machar in respect of which this application for license is being made unless and until this application has been approved by the Corporation of the Township of Machar and the necessary license issued.
- e) I will furnish the By-Law Enforcement Officer for the Township of Machar or the Council, upon demand, such further and other information as may be required.
- f) that the license fee must accompany this application.

9: **To be filled out for Hawker & Peddler License only:**

Dates in which license is applied for: \_\_\_\_\_

Location in which merchandise will be sold: \_\_\_\_\_

Dated at \_\_\_\_\_, Ontario, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Full signature of applicant

Fee Paid: \$ \_\_\_\_\_

Receipt: \_\_\_\_\_

Date: \_\_\_\_\_

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	Daily Rate	\$50.00

MOBILE FOOD VENDORS

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