



THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH
BY-LAW 873

A BY-LAW OF THE CORPORATION OF THE TOWN OF
FORT SMITH, TO PROVIDE FOR AN AMENDMENT
TO THE BYLAW 504 LICENSING AND REGULATING
BUSINESS WITHIN THE MUNICIPALITY,

WHEREAS, pursuant to Section number 1, of the revised regulations of the Northwest Territories 1990, C. B-6, a Business that is carried on within any Municipality having By-laws governing the issuance of Business Licenses is exempt from the Business License Act;

AND WHEREAS, the Council of the Corporation of the Town of Fort Smith deems it desirable to amend the Business Licensing By-Law;

NOW THEREFORE, the Council of the Town of Fort Smith, in the Northwest Territories, at a duly assembled meeting enacts as follows:

1. The sections detailed in the By-Law description should be amended to read 70, 71 and 72 replacing sections 102, 109, 110, 111, 112, 113, 173, 174, 176, 178, 179, 180, 182 and 188.
2. Section 2, DEFINITIONS, Item b) CHARITABLE OR NON PROFIT ORGANIZATION, have the following wording added following "application)": "a Registered Society with the appropriate registration through the Justice Department of the GNWT or a school."
3. Section 2, DEFINITIONS, Item e) HAWKER OR PEDDLER, have the word "non-resident" inserted between the words "any" and "person" in the opening sentence.
4. Section 3, LICENSE REQUIREMENTS, Section b) be replaced with the following wording:

Any person engaged in or carrying on one or more different businesses, either separately or together, shall be required to hold a license for each Trade Name that a business is being operated under.
5. Section 10, TRADES, Section (1) will be worded as follows:

The Senior Administrative Officer will request that any business that will represent the owner, manager or an employee actively as a Journeyman Trades Person produce proof of qualification and/or certification.
6. Section 11, HAWKER/PEDDLARS, Section (4) be added and read as follows:

Prior to the commencement of his or her business operation, a hawker or Peddler shall provide the following information to the Town:

 - a) The names and addresses of the persons comprising the sales crew, including their permanent place of residence and temporary place of residence in the Town;
 - b) The license number of each sales person assigned by the Government of the Northwest Territories;
 - c) Not more than four (4) employees shall be allowed under each hawker or peddler license;
 - d) A current criminal reference check.
7. Section 15, HOME OCCUPATION PERMIT, shall be worded as follows:

Home Occupation Permits are subject to the following requirements:

 - a) A home occupation permit shall only be valid for the address identified in the permit;
 - b) Applications for a Home Occupation Permit shall be made on a form prescribed by the Senior Administration Officer;
 - c) The Home Occupation Permit shall only be staffed by one person other than two residents of the home;
 - d) The home based business must not occupy more than 30 square metres of the floor space of the principal building except day homes and bed and breakfasts;



**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH
BY-LAW 873**

- e) No more than two home based businesses may be allowed at any given residence;
- f) Sales by home based businesses shall be limited to goods and services directly related to the business. If goods and articles are to be stored on-site, the storage shall be within approved structures on the lot, not be of a hazardous nature, and not contravene any conditions herein;
- g) No variation from the external appearance and residential character of land or buildings shall be permitted;
- h) The home occupation shall not generate traffic or parking problems within the district;
- i) Except with the approval of the SAO only one commercial vehicle may be used in conjunction with the home based business and the said vehicle shall not exceed 4400 kilograms gross vehicle weight;
- j) The home based business may be carried on only for the period of time the property is occupied by the applicant for such permitted uses;
- k) The privacy and quiet enjoyment of adjacent dwellings shall be preserved;
- l) Where a person performs a service, offers consulting services, or instruction of arts and/or crafts, the SAO may set a limit to the number of students or customers that may be in attendance at any one time, and if in the opinion of the SAO, the residential character of the neighborhood is compromised by the activities of these students or customers, the SAO may reduce the number of students or customers that may be in attendance at any one time;
- m) All permits issued for home based businesses shall be subject to the condition that the permit may be revoked by the SAO at any time if the conditions are contravened, or where the use is or has become detrimental to the amenities of the neighborhood;
- n) Display and storage of goods shall not cause a variation from the external appearance and residential character of the land or buildings and no exterior storage of materials associated with the standard home occupation will be permitted;
- o) No home occupation shall be operated in a manner or at a time of day or night that is likely to disturb residents of other properties in the area.
- p) No advertising shall be permitted other than a small nameplate not exceeding 61 cm. x 61 cm. and in accordance with the requirements of the zoning by-law; and
- q) A home occupation permit shall be compatible with the residential use of the property and other properties in the area, and without limiting the generality of the foregoing, shall not be approved if the Town is of the opinion that it is likely to result in problems relating to parking, traffic, noise, vibration, smoke, odor, heat, dust or glare.


8. The Application for a Business License shall be replaced with the current application.

9. This By-law shall come into full force and take effect upon receiving third reading.

READ A FIRST TIME THIS 24th DAY OF January, 2012, A.D.

READ A SECOND TIME THIS 28th DAY OF February, 2012, A.D.

READ A THIRD TIME THIS 28th DAY OF February, 2012, A.D.


MAYOR


SENIOR ADMINISTRATIVE OFFICER



THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH
BY-LAW 873

I hereby certify that this bylaw has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the bylaws of the Municipal Corporation of the Town of Fort Smith.

Brenda Black

Senior Administrative Officer