

THE CORPORATION OF THE TOWN OF MIDLAND

By-law 2010-28

A by-law to license and regulate Auctioneers, Hawkers and Peddlers, Farmers' Markets and Refreshment Vehicles within the Town of Midland and to repeal By-law 2005-95.

WHEREAS the Municipal Act, 2001, S.O. 2001, c 25, Section 151 (1), provides that a local municipality may provide for a system of licensing businesses.

AND WHEREAS it is the intent of the Council of the Corporation of the Town of Midland to regulate Auctioneers, Hawkers and Peddlers, Farmers' Markets and Refreshment Vehicles within the municipality in order to protect and promote the health and safety of its residents by regulating the goods and merchandise sold, the manner in which those items are sold and the locations from which they are sold.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MIDLAND HEREBY ENACTS AS FOLLOWS:

1. DEFINITIONS

For the purpose of this by-law, the following definitions shall apply:

- (a) **"Applicant"** means a person who is required to be licensed pursuant to this by-law or who has made an application for a License to the Municipal Law Enforcement Officer or designate and shall include a Licensee.
- (b) **"Auctioneer"** means any person selling or putting up for sale goods, wares, merchandise or effects by public auction.
- (c) **"Business"** means 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 the sale or hire of samples, patterns or specimens of any goods and any activity or thing.
- (d) **"Farmers Market"** means a seasonal, multi-vendor, community-driven (not private) organization selling agricultural, food, art and craft products including homegrown produce, home-made crafts and value added products where the majority of vendors are primary producers (including preserves, baked goods, meat, dairy products etc.).
- (e) **"Fire Chief"** means the Fire Chief of the Town of Midland, or his designate.
- (f) **"Hawker and Peddler"** means a person who, within the boundaries of the Town of Midland, goes from place to place or to a particular place with

goods, wares merchandise, or produce for sale, or who carries and exposes samples, patterns or specimens of any goods, wares, merchandise or produce that are to be delivered in the municipality afterwards.

- (g) **“Licensee”** means a person who has been issued a License pursuant to this by-law and shall include an Applicant.
- (h) **“Locally”** means within the Town of Midland, Town of Penetanguishene, Township of Tay or the Township of Tiny.
- (i) **“Municipal Law Enforcement Officer”** means a person appointed under the authority of the *Police Services Act* for the purpose of enforcing Town by-laws.
- (j) **“Non-profit charitable organization”** means organizations, whether incorporated or not, which have objects and purposes that are exclusively and wholly charitable. The organization is recognized by Revenue Canada as being “charitable” and it is complying with the reporting requirements under the *Charities Accounting Act* or is completing a Public Information Return under the *Income Tax Act*.
- (k) **“Non-profit non-charitable organization”** means organizations, whether incorporated or not, which have objects and purposes that are both charitable and non-charitable and that raise money for the relief of poverty, the advancement of education, the advancement of religion, culture and the arts and/or health and welfare.
- (l) **“Owner”** means a person who has in respect of premises, an estate for life or a greater estate, legal or equitable or leasehold estate.
- (m) **“Person”** includes a corporation or a partnership.
- (n) **“Refreshment vehicle”** means any vehicle of any type, with or without wheels, or a portable unit designed for the purpose of preparing, selling or dispensing food or drinks intended for consumption by the general public, and shall include a chip wagon, mobile canteen, refreshment vending cart, portable outdoor food service unit equipped with fuel-fired liquefied petroleum gas or liquefied natural gas apparatus.
- (o) **“Town”** shall mean the Corporation of the Town of Midland.

2. **LICENSING FOR AUCTIONEERS**

- (a) Every person who wishes to carry on business as an Auctioneer within the Town shall complete and submit the necessary application form, along with the prescribed application fee for an annual license as set out in Schedule “A” attached hereto and forming part of this by-law.

- (b) Upon receiving the completed application form and the application fee for an Auctioneers Annual License, and providing the application was approved, the Municipal Law Enforcement Officer will issue to the applicant an Auctioneers Annual License. Every license shall bear a license number. The original license must be prominently displayed at each auction within the Town.
- (c) An Auctioneers Annual License issued under Section 2 (b) shall be valid for the remainder of the calendar year in which said license is issued and shall expire on December 31st of that year. The applicable fee shall not be pro-rated.
- (d) Every person who wishes to carry on business as an Auctioneer within the Town on a one-time basis is required to submit the necessary application form together with the prescribed application fee for an Auctioneers Event License as set out in Schedule "A" attached hereto and forming part of this by-law.
- (e) Upon receiving the necessary application and fee for an Auctioneers Event License and providing the application was approved, the Municipal Law Enforcement Officer will issue to the applicant an Auctioneers Event License. Every license shall bear a license number. The original license must be prominently displayed during the event.
- (f) An Auctioneers Event License issued under Section 2 (d) shall be valid for the date and location listed on the application and is not transferable to any other auction. No refund shall apply if an auction is cancelled.
- (g) Every applicant conducting an auction on behalf of a non-profit charitable organization or a non-profit non-charitable organization must obtain an event license, however, no fee will be charged.

3. REGULATIONS FOR AUCTIONEERS LICENSE

- (a) Every Auctioneer licensed under this by-law shall include in all public advertisements for auctions within the Town, the Auctioneer's name and license number.
- (b) No auctioneer licensed under this by-law shall:
 - (i) permit any disorder in the auction room or offices;
 - (ii) conduct or permit to be conducted any mock auction;
 - (iii) knowingly make, or permit to be made, any misrepresentation as to the nature, content, quantity or value of any goods, wares, merchandise or effects offered for sale;
 - (iv) bidding give away articles or sell articles for a nominal amount for the purpose of stimulating;

- (v) do any act that is calculated to, or which may reasonably have the effect of, confusing a purchaser as the amount to be paid for any article(s);
 - (vi) avail the services of, or act in concert with persons known in the trade as “beaters”, “boosters”, or “shrills” for the purpose of raising or stimulating bids;
 - (vii) 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.
- (c) Every Auctioneer licensed under this by-law shall:
- (i) keep proper books of account of the business transacted at every auction;
 - (ii) list the name, address and phone number of the owners of the goods, wares, merchandise or effects to be sold, and the description of same and the sale price at the auction;
 - (iii) list the name and address of persons purchasing goods, wares, merchandise or effects, or any portion thereof, sold by auction and the purchase price;
 - (iv) forthwith after the auction account for the proceeds and pay such amounts to the persons entitled to such proceeds, less the Auctioneer’s legal and proper commissions and charges;
 - (v) in the case where no sale is made of such goods, wares, merchandise or effects, return such goods to the person(s) entitled to receive such goods upon the proper demand and payment of the Auctioneer’s legal and proper costs and charges.
- (d) Every Auctioneer licensed under this by-law shall be responsible for the performance and observance of all regulations under this by-law by all persons connected directly or indirectly to the operation of an auction.
- (e) Every person carrying on business or engaged in business as an Auctioneer shall allow the Municipal Law Enforcement Officer, at any reasonable time, to inspect places and premises used in the carrying on of the auction or its related business and said inspection may include such records as may be required under this by-law.
- (f) The Town reserves the right to restrict or limit the number of licensed Auctioneers.

4. LICENSING FOR HAWKERS AND PEDDLERS

- (a) Every person who wishes to carry on business as a Hawker and Peddler within the Town of Midland is requested to submit the necessary application form together with the application fee for a license as set out in Schedule “A” attached hereto and forming part of this by-law.

- (b) The applicant will be required to submit an application and obtain a license for each location where goods, wares, merchandise or produce are sold from and the applicant shall operate only in the location as set out in the license. A license issued to an applicant conducting door to door sales within the municipality would not include a specific location.
- (c) A Hawker and Peddler's annual license issued under Section 4 (a) shall be valid for the remainder of the calendar year in which said license is issued and shall expire on December 31st of that year. The applicable fee shall not be pro-rated.
- (d) Every person who wishes to carry on business as a Hawker and Peddler within the Town of Midland on a one-time basis is required to submit the necessary application form together with the prescribed application fee for a Hawker and Peddler Event License as set out in Schedule "A" attached hereto and forming part of this by-law.
- (e) Every event organizer who wishes to carry on a Joint Hawker and Peddler Event (with more than four hawker and peddlers) within the Town of Midland on a one-time basis is required to submit the necessary application form together with the prescribed application fee for a Joint Hawker and Peddler Event License as set out in Schedule "A" attached hereto and forming part of this by-law.
- (f) A Hawker and Peddler Event License issued under Section 4 (d) and a Joint Hawker and Peddler Event License issued under 4 (e), shall be valid for the date and location listed on the application and is not transferable to any other event. No refund shall apply if an auction is cancelled.
- (g) The applicant for a Hawker and Peddler license shall submit the following:
 - (i) completed application form with required application fee;
 - (ii) if the applicant is not the owner of the property where the business is to be located, proof of permission to operate on private property is required;
 - (iii) obtain zoning clearance;
 - (iv) a site diagram/sketch, drawn to scale and depicting the location of the proposed hawker and peddler on the property including setbacks from the adjacent property lines, the proposed location of any parking, signage and garbage/recycling containers as well as entrances and exits where applicable.
- (h) Every Hawker and Peddler licensed in accordance with this by-law shall, while carrying on business within the Town of Midland, carry the License with him/her and shall upon demand exhibit to anyone requesting same.
- (i) Every Hawker and Peddler shall operate in a commercial zone only unless prior approval has been received by the Council of the Town.

- (j) The Town reserves the right to restrict or limit the number of licensed Hawkers and Peddlers.

5. RESTRICTED AREAS FOR HAWKERS AND PEDDLERS

- (a) No person shall hawk or peddle in the following areas unless special permission is granted by resolution of Council:
 - (i) Public Parks;
 - (ii) Municipal Property;
 - (iii) Downtown Core as shown on Schedule "B", being
 - King Street from Yonge Street to the Midland Bay
 - First Street from Yonge Street to the north side of Bay Street
 - Midland Avenue from Yonge Street to Bayshore Drive
 - Bayshore Drive from First Street to Midland Avenue
 - Bay Street from First Street to Midland Avenue
 - Dominion Avenue from First Street to Midland Avenue
 - Hugel Avenue from First Street to Midland Avenue
 - Elizabeth Street from First Street to Midland Avenue.
- (b) If an event is located within the downtown and sanctioned by the Downtown Midland BIA approval of Council as indicated in Section 5 (a) (iii) would not be required. The applicant shall provide proof of two million dollars (\$2,000,000) comprehensive general liability insurance naming the Town as an additional insured.
- (c) Section 5 (a) does not apply to a special event or charitable event whereby a Hawker and Peddler is in operation to raise funds for charitable purposes, and the operator obtains a Hawker and Peddler Event License, no license fee will apply provided approval is received from the Municipal Law Enforcement Officer, and that all requirements of the Town are met and that the special event is of limited duration. If the Joint Hawker and Peddler Event is being organized by a non-profit charitable organization or a non-profit non-charitable organization, but the vendors in attendance are for profit, then the appropriate license fee shall apply.
- (d) If special permission is granted by resolution of Council pursuant to Section 5 (a) the applicant shall provide proof of two million dollars (\$2,000,000) comprehensive general liability insurance naming the Town as an additional insured prior to obtaining their license.

6. EXEMPTION FROM PAYMENT OF A HAWKER AND PEDDLERS LICENSE

No person/organization qualified below shall be required to pay the Hawker and Peddler license fee; however, they must obtain a license in accordance with Section 4 of this by-law:

- (a) If the goods, wares, merchandise or produce are being sold on behalf of a non-profit charitable organization a non-profit non-charitable organization;
- (b) If the goods, wares, merchandise or produce are grown, produced or manufactured locally and are hawked, peddled or sold by the grower, producer or manufacturer or his/her agent or employee;
- (c) If the goods, wares, merchandise or produce are hawked, peddled or sold by a person who pays commercial taxes in the Town, or by his employee, or by his/her agent.

7. LICENSING FOR REFRESHMENT VEHICLES

- (a) Every person who wishes to carry on business as a Refreshment Vehicle within the Town is required to submit the necessary application form together with the prescribed application fee as set out in Schedule "A" attached hereto and forming part of this by-law.
- (b) A Refreshment Vehicle Annual License issued under Section 7 (a) shall be valid for the remainder of the calendar year in which said license is issued and shall expire on December 31st of that year. The applicable fee shall apply for a refreshment vehicle license issued throughout the year and shall not be pro-rated.
- (c) Every person who wishes to carry on business as a Refreshment Vehicle within the Town of Midland on a one-time basis is required to submit the necessary application form together with the prescribed application fee for a Refreshment Vehicle Event License as set out in Schedule "A" attached hereto and forming part of this by-law.
- (d) Every applicant using a refreshment vehicle for a one-day event on behalf of a non-profit charitable organization or non-profit non-charitable organization must obtain an event license, however, no fee will be charged. The licensee shall clearly post a sign advising what non-profit charitable organization or non-profit non-charitable organization is benefitting from the sales.
- (e) The applicant for a refreshment vehicle license shall submit the following:
 - (i) completed application form with required application fee;
 - (ii) proof of two million dollars (\$2,000,000) comprehensive general liability insurance;
 - (iii) Simcoe Muskoka district Health Unit approval (within last 6 months);

- (iv) proof of propane/gas inspection by licensed installer (within last 6 months), if applicable;
 - (v) if the applicant is not the owner of the property on which the business is to be located, proof of permission to operate on private property is required;
 - (vi) pass fire inspection, including NFPA 96 Compliance for deep fryers, if applicable;
 - (vii) obtain zoning clearing;
 - (viii) a site diagram/sketch, drawn to scale showing the location of the proposed refreshment vehicle on the property including setbacks from the adjacent property lines, the proposed location of any parking, signage, garbage/recycling containers as well as entrances/exits where applicable.
- (f) No person shall fail to have their refreshment vehicle in a clean and sanitary condition. In addition, such a vehicle shall be in good repair and the exterior shall be clean and maintained.
- (g) The operators of a refreshment vehicle shall be clean while serving the public from the vehicle.
- (h) No person shall operate a refreshment vehicle drawn by animals.
- (i) No person shall operate a refreshment vehicle which contains cooking, heating or cooling equipment without a minimum of a 5 pound A.B.C. dry chemical fire extinguisher, which is maintained in good operating condition or such other extinguisher as required by the Fire Chief. The extinguisher shall be mounted on the vehicle and the operator of the vehicle shall be knowledgeable in the proper use of such fire extinguisher.
- (j) No person operating a refreshment vehicle shall activate bells, horns, or music at a volume that disturbs the residents of the Town.
- (k) The licensee shall ensure that every refreshment vehicle is equipped with:
- (i) 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; and
 - (ii) a disposable litter container which shall be replaced at least once daily, and such containers shall be used for the disposal of all refuse.
- (l) The licensee shall ensure that every refuse container is located in such a position on the refreshment vehicle so as to be easily accessible by the person making purchases.

- (m) The licensee shall take out a separate license for each refreshment vehicle owned and operated by him/her. The original license must be prominently displayed on the vehicle.
- (n) The Town reserves the right to restrict or limit the number of licensed Refreshment Vehicles.

8. RESTRICTED AREAS FOR REFRESHMENT VEHICLES

- (a) No person shall operate or maintain a refreshment vehicle in the following areas unless special permission is granted by resolution of Council:
 - (i) Public Parks;
 - (ii) Municipal Property;
 - (iii) Downtown Core as shown on Schedule "B", being
 - King Street from Yonge Street to the Midland Bay
 - First Street from Yonge Street to the north side of Bay Street
 - Midland Avenue from Yonge Street to Bayshore Drive
 - Bayshore Drive from First Street to Midland Avenue
 - Bay Street from First Street to Midland Avenue
 - Dominion Avenue from First Street to Midland Avenue
 - Hugel Avenue from First Street to Midland Avenue
 - Elizabeth Street from First Street to Midland Avenue.
- (b) If an event is located within the downtown and sanctioned by the Downtown Midland BIA approval of Council as indicated in Section 8 (a) (iii) would not be required. The applicant shall provide proof of two million dollars (\$2,000,000) comprehensive general liability insurance naming the Town as an additional insured.
- (c) Section 8 (a) (iii) does not apply to any person to whom a license is issued under this by-law who operates a portable outdoor food service unit equipped with fuel-fired liquefied petroleum gas or liquefied natural gas apparatus, in the downtown core, provided the license is the proprietor of an operating restaurant and the equipment is operating directly in front of the restaurant as an ancillary use.
- (d) Section 8 (a) does not apply to a special event or charitable event whereby a refreshment vehicle is in operation to raise funds for charitable purposes, and the operator obtains a Refreshment Vehicle Event License, no license fee will apply provided approval is received from the Municipal Law Enforcement Officer, that all requirements of the Fire Department are met, that the special event is of limited duration and that the operator be deemed by the Fire Chief, as being capable to operate such equipment.
- (e) If special permission is granted by resolution of Council pursuant to Section 8 (a) the applicant shall provide proof of two million dollars

(\$2,000,000) comprehensive general liability insurance naming the Town as an additional insured prior to obtaining their license.

9. FARMERS' MARKET

- (a) Every person who wishes to carry on business as a Farmers' Market within the Town of Midland is requested to submit the necessary application form together with the application fee for an Annual License as set out in Schedule "A" attached hereto and forming part of this by-law.
- (b) The applicant for a Farmers' Market License shall submit the following:
 - (i) completed application form with required application fee;
 - (ii) if the applicant is not the owner of the property where the market is to be located, proof of permission to operate on private property is required;
 - (iii) obtain zoning clearance;
 - (iv) a site diagram/sketch, drawn to scale and depicting the location of the proposed Farmers' Market on the property including setbacks from the adjacent property lines, the proposed location of any parking, vendors, signage and garbage/recycling containers as well as entrances and exits where applicable.
- (c) An applicant applying for a Farmers' Market, if located on Town property, must enter into a Farmers' Market Agreement with the Town and provide all necessary documentation.
- (d) The number of licensed Farmers' Markets located on municipal property is limited to one per season (ie: indoor/outdoor).
- (e) The applicant shall ensure that all Farmers' Market vendors are restricted to Simcoe County with the majority of producers of farm products primarily selling or offering for sale their own products. No vendors shall resell food products produced by others.
- (f) The applicant shall ensure that all certificates of approval that may be required from various agencies including the Simcoe Muskoka District Health Unit have been obtained from its vendors.
- (g) The applicant shall ensure that the Farmers' Market is operated under the terms of the Farmers Markets of Ontario Rules and Regulations.

10. REPLACEMENT AND REGISTRATION OF A LICENSE

- (a) An applicant licensed under this by-law may apply for a replacement license in the event that a valid license is lost or destroyed. Prior to the issuance of the Replacement License, the applicant shall provide a written request to the Municipal Law Enforcement Officer and shall pay the prescribed fee set out in Schedule "A".

- (b) A license issued under this by-law is personal to the applicant and is not transferable to any other person, or to any other location.
- (c) The Municipal Law Enforcement Officer shall keep a license register containing the business name, address, telephone number, contact name and license number for each applicant licensed under this by-law. In the event that a replacement license is issued, the Municipal Law Enforcement Officer shall note the cancellation of the previous license number and the new number assigned.
- (d) The applicant shall forthwith provide any changes in the information provided on the application form to the Municipal Law Enforcement Officer and the Officer shall amend the license register, as required.

11. REFUSAL, SUSPENSION, OR REVOCATION OF A LICENSE

- (a) Notwithstanding Sections 2, 4 and 7, the Town reserves the right to refuse, suspend or revoke a license where:
 - (i) The Town has suspended or revoked a license held by the applicant within the preceding 12 month period;
 - (ii) The applicant has failed to comply with the provisions of this by-law, or any other applicable by-laws of the Town, or of 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 applied for licensed activity of the premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the licensed activity;
 - (iii) The Town has reasonable grounds to allege that the applicant would fail to comply with provisions of this by-law, or any other applicable by-laws of the Town, or of any applicable Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada.
- (b) A notice of revocation of any license may be given by registered letter mailed to the address on the license and upon such mailing the license shall terminate.
- (c) Where the Municipal Law Enforcement Officer refused to issue a license, suspends or revokes a license under this by-law, the applicant or licensee may appeal this decision by submitting a request for same in writing to Council within fifteen days of being notified of the decision.
- (d) That Council may, after receiving the relevant information, issue a license, refuse to issue a license, revoke a license or suspend a license and may make any suspension of license subject to such terms or conditions as

Council may prescribe. A decision made pursuant to the exercise of these powers is final and binding upon the applicant or any licensee.

12. APPEAL PROCESS

- (a) That Council, in considering whether or not to issue a license, refuse to issue a license, or to revoke or suspend a license, shall have regard to the following:
 - (i) 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 of a business which is licensed or which is required to be licensed, pursuant to this by-law, complies with all requirements of this by-law and zoning by-law;
 - (ii) whether or not the applicant or licensee has failed to promptly remedy any reasonable concern with regard to these matters set out in this by-law or has committed past breaches of this by-law;
 - (iii) whether or not the applicant or licensee has failed to comply with any requirements of any other applicable by-law of the Town 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 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.
- (b) Council shall receive a report from the Municipal Law Enforcement Officer.
- (c) Council shall afford the Applicant, either personally or through an agent or solicitor, an opportunity to present such material and evidence relevant to the issue before Council as deemed expedient.
- (d) The decision made by Council shall be a resolution with a certified copy of same being mailed to the licensee.
- (e) The decision of Council to issue a license, revoke a license or suspend a license may be subject to such terms as Council deems necessary and shall be final.

13. GENERAL

- (a) That where there is any conflict between the provisions of this by-law and those of any other by-law, the provisions of this by-law shall prevail.
- (b) That every provision of this by-law is declared to be severable from the remainder of the by-law and if any provision of this by-law shall be declared invalid by a court of competent jurisdiction such declaration shall not affect the validity of the remainder thereof.

- (c) That By-law 2005-95 is hereby repealed.
- (d) That any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Municipal Act*.
- (e) That this by-law shall come into force and effect upon approval of the set fines appended hereto, from the Ontario Court of Justice (Provincial Division).

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 26TH DAY OF APRIL 2010.

THE CORPORATION OF THE TOWN OF MIDLAND

MAYOR

CLERK

SCHEDULE "A"

The following License fees shall apply:

| | | |
|---|--|--------------------|
| a) Auctioneer | | |
| Application Fee | | \$ 20.00 |
| Annual License | | \$ 65.00 |
| Event License | | \$ 5.00 |
| Event License (non-profit charitable organization/non-profit non-charitable organization) | | no charge |
| Replacement License | | \$ 10.00 |
| b) Hawker and Peddler | | |
| Application Fee | | \$ 20.00 |
| Annual License | | \$230.00 |
| Event License | | \$ 5.00 |
| Event License (non-profit charitable organization/non-profit non-charitable organization) | | no charge |
| Joint Hawker and Peddler Event License | | \$ 5.00/vendor/day |
| Replacement License | | \$ 10.00 |
| c) Refreshment Vehicle | | |
| Application Fee | | \$ 20.00 |
| Annual License | | \$230.00 |
| Event License | | \$ 5.00 |
| Event License (non-profit charitable organization/non-profit non-charitable organization) | | no charge |
| Replacement License | | \$ 10.00 |
| d) Farmers' Market | | |
| Application Fee | | \$ 20.00 |
| Annual License | | \$500.00 |
| Replacement License | | \$ 10.00 |

THE CORPORATION OF THE TOWN OF MIDLAND

Part 1 Provincial Offences Act

By-law 2010-28 as amended, being a by-law to license and regulate Auctioneers, Hawkers and Peddlers, Farmers' Markets and Refreshment Vehicles within the Town of Midland.

| Item | Column 1 Short Form Wording | Column 2 Provision Creating or Defining Offence | Column 3 Set Fine |
|-------------|--|--|------------------------------|
| 1 | Fail to apply for a valid Annual Auctioneers License. | Section 2 a) | \$160.00 |
| 2 | Fail to apply for a valid Auctioneers Event License. | Section 2 d) | \$100.00 |
| 3 | Fail to apply for a valid Annual Hawkers and Peddlers License. | Section 4 a) | \$325.00 |
| 4 | Fail to apply for a valid Hawkers and Peddlers Event License. | Section 4 d) | \$100.00 |
| 5 | Fail to apply for a Joint Hawkers and Peddlers Event License. | Section 4 d) | \$120.00 |
| 6 | Fail to apply for a valid Annual Refreshment Vehicle License. | Section 7 a) | \$325.00 |
| 7 | Fail to apply for a valid Refreshment Vehicle Event License. | Section 7 c) | \$100 |
| 8. | Fail to apply for a valid annual Farmers Market License | Section 9 a) | \$595.00 |

Note: the penalty provision(s) for the offences indicated above is Section 13 d) of By-law 2010-28, as amended, a certified copy of which has been filed and Section 61 of the *Provincial Offences Act*, R.S.O. 1990, c.P.33.