

BYLAW NO. 9746

The Business Licence Bylaw, 2021

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BYLAW NO. 9746

The Business Licence Bylaw, 2021

The Council of the City of Saskatoon enacts:

PART I

Short Title, Definitions, Purpose and Application

Short Title

1. This Bylaw may be cited as *The Business Licence Bylaw, 2021*.

Definitions

2. (1) In this Bylaw:
 - (a) **“business”** means any of the following activities, whether or not for profit and however organized or formed:
 - (i) a commercial, merchandising or industrial activity or undertaking;
 - (ii) the carrying on of a profession, trade, occupation, calling or employment;
 - (iii) an activity providing goods or services;
 - (b) **“business day”** means a day other than a Saturday, Sunday or holiday;
 - (c) **“Chief of Police”** means the Chief of Police of the Saskatoon Police Service or anyone authorized to act on behalf of the Chief of Police;
 - (d) **“City”** means the City of Saskatoon;
 - (e) **“contractor”** means a person who constructs, alters, maintains, repairs or removes buildings or structures, installs heating plants, plumbing or other fixtures or performs other similar work in the City and who does not have a business premises in the City, and does not include a direct sales contractor;

- (f) **“direct sales contractor”** means a direct sales contractor as defined in *The Direct Sellers Act*;
- (g) **“direct seller”** means a direct seller as defined in *The Direct Sellers Act*;
- (h) **“farmers’ market”** means a group of persons operating collectively that sells products that they bake, make, or grow;
- (i) **“home based business”** means a home based business as defined in the *Zoning Bylaw*;
- (j) **“homestay”** means a homestay as defined in the *Zoning Bylaw*;
- (k) **“junk and salvage yards”** means junk and salvage yards as defined in the *Zoning Bylaw*;
- (l) **“mobile food truck”** means a motorized, mobile, self-contained vehicle that is equipped to cook, prepare or serve food, and does not include trailers or vending carts;
- (m) **“mobile vendor”** means a person who operates:
 - (i) a vending cart; or
 - (ii) a mobile food truck;
- (n) **“parking patio”** means a sidewalk café which has been extended to include the temporary conversion of designated parking stalls located on public streets;
- (o) **“pawnbroker”** means a pawnbroker as defined in *The Pawns Property (Recording) Act*;
- (p) **“pawnshop”** means a place where more than 10 pawn transactions per month are conducted;
- (q) **“pawn transaction”** means a pawn transaction as defined in *The Pawns Property (Recording) Act*;
- (r) **“secondhand dealer”** means any person who purchases or sells secondhand goods;
- (s) **“secondhand goods”** includes personal property of every description, the same having been previously owned and used by

some person, except for those that fall under the following categories of goods:

- (i) secondhand books, magazines, journals, periodicals and other similar printed materials;
- (ii) postage stamps;
- (iii) secondhand infant's, toddler's or children's clothing, shoes, equipment, furniture or safety devices;
- (iv) adult clothing or shoes, except leather or fur jackets and coats;
- (v) secondhand cookware, glassware and eating utensils that do not contain precious metals;
- (vi) waste paper, waste cardboard and waste glass;
- (vii) secondhand furniture;
- (viii) secondhand appliances including refrigerators, freezers, stoves, washers, dryers, dishwashers and garbage compactors;
- (ix) non-motorized lawn or garden equipment and tools;
- (t) **“short-term rental property”** means a short-term rental property as defined in the *Zoning Bylaw*;
- (u) **“sidewalk café”** means a group of tables and chairs and other accessories situated and maintained upon a public sidewalk or boulevard for the consumption of food and beverages sold to the public from, or in, an adjoining indoor restaurant, lounge or tavern;
- (v) **“trade show”** means a place where the public is invited and where goods or merchandise are offered for sale by retail or auction on a short-term basis such as hobby shows, home improvement shows, sports and leisure shows and craft shows;
- (w) **“transient trader”** means a transient trader as defined in *The Cities Act*;
- (x) **“unconditional sale”** means an unconditional sale as defined in *The Pawned Property (Recording) Act*;

- (y) **“vending cart”** means stationary stands, kiosks, or mobile units such as hand carts that sell food and beverage items or wares and merchandise on public sidewalks.
- (2) Without restricting the generality of clause (1)(a), **“business”** includes the following:
- (a) contractors;
 - (b) direct sales contractors;
 - (c) direct sellers;
 - (d) farmers’ markets;
 - (e) home based businesses;
 - (f) homestays;
 - (g) junk and salvage yards;
 - (h) mobile food trucks;
 - (i) vending carts;
 - (j) pawnbrokers and pawnshops;
 - (k) secondhand dealers;
 - (l) short-term rental properties;
 - (m) trade shows;
 - (n) other transient traders.

Purpose

3. The purpose of this Bylaw is to licence businesses in the City to:
- (a) regulate businesses;
 - (b) ensure compliance with land use and building regulations;
 - (c) gather land use and business information; and

- (d) facilitate planning decisions.

Application

- 4. (1) In this section:
 - (a) **“adult service”** means an adult service as defined in *The Adult Services Licensing Bylaw, 2012*;
 - (b) **“cannabis production facility”** means a cannabis production facility as defined in *The Cannabis Business Licence Bylaw, 2018*;
 - (c) **“cannabis retail store”** means a cannabis retail store as defined in *The Cannabis Business Licence Bylaw, 2018*;
 - (d) **“child care centre”** means a child care centre as defined in the *Zoning Bylaw*;
 - (e) **“Exhibition Week”** means Exhibition Week as defined in *The Traffic Bylaw*;
 - (f) **“family child care home”** means a family child care home as defined in the *Zoning Bylaw*;
 - (g) **“residential care home”** means a residential care home as defined in the *Zoning Bylaw*.
- (2) This Bylaw applies to all businesses operating in the City, except any business operating:
 - (a) within the limits of the Exhibition grounds of the City during Exhibition Week;
 - (b) at a special event, other than mobile food trucks;
 - (c) as a child care centre, family child care home, or residential care home;
 - (d) as a charitable, not-for-profit or governmental organization; or
 - (e) as an adult service, cannabis production facility or cannabis retail store.

PART II
General Licensing

Licence Required

5. Subject to sections 22 and 24, no person shall carry on any business in the City without a licence.

Application Form

6. (1) A person must apply to the City for a licence by completing and submitting the required application form.
- (2) A completed application form must include all requested information, including:
- (a) name and address of the business owner;
 - (b) nature of the business for which the licence is required;
 - (c) address of the premises and, if applicable, a description of the portion of the premises where the business is to be carried on;
 - (d) name under which the business will be operated; and
 - (e) name and contact information of a contact person.
- (3) No person shall give false or misleading information in an application for a licence.

Licence Fee

7. (1) A person must pay the fee set out in Schedule "A" when applying for a licence.
- (2) A person will not be issued a licence until the fee mentioned in subsection (1) has been paid.

Premises Licensed Separately

8. (1) If a business is carried on at more than one premises, a person must obtain a licence for each premises.

- (2) A licence issued pursuant to this Bylaw is only valid at the premises for which it is issued.

Other Government Requirements

9. (1) A person required by law to obtain a provincial or federal licence or hold a journey person's certificate must produce a valid provincial or federal licence or journey person's certificate to the City before a licence may be issued.
- (2) Any licence issued pursuant to this Bylaw without the person first obtaining the required provincial or federal licence or journey person's certificate is invalid.

Licence Valid for One Year Unless Otherwise Stated

10. Every licence shall be valid for one year from the date of issue of the licence unless otherwise stated on the licence.

Renewal

11. (1) A licensee must renew their licence annually in the manner required by the City unless otherwise stated on the licence.
- (2) A licensee must pay the fee set out in Schedule "A" when renewing their licence.

Discontinuance or Change

12. (1) A licensee must notify the City if their business is discontinued.
- (2) A licensee must notify the City on the date of either of the following changes:
 - (a) size of their business;
 - (b) name of their business.
- (3) A licensee must apply for and obtain a new licence before:
 - (a) their business changes premises; or
 - (b) the nature of their business changes.

- (4) A person purchasing or taking over a business with a valid licence must apply for a new licence but shall not be required to pay a new licence fee for the remaining term of the existing licence.

Licence to be Displayed

13. Any licence issued pursuant to this Bylaw must be displayed in a prominent place at the premises for which the licence was issued.

Zoning and Building Standards

14. (1) A licence will not be issued pursuant to this Bylaw for any business or any premises occupied by a business that does not comply with all zoning, building, plumbing and other City, provincial and federal requirements.
- (2) The issuing of a licence to a person does not relieve that person of the responsibility of complying with all zoning, building, plumbing and other City, provincial and federal requirements.

Licence Issuance

15. (1) The City may issue licences if the following criteria are met:
 - (a) the required application form has been completed;
 - (b) the required licence fee has been paid;
 - (c) all federal and provincial legislative requirements for the business have been met;
 - (d) if required, the necessary provincial or federal licence or journey person's certificate has been produced;
 - (e) if required, the necessary written approval of the Saskatchewan Health Authority has been produced;
 - (f) if required, the necessary written approval of any City Division has been produced;
 - (g) if required, the written approval of a Business Improvement District has been produced;

- (h) the business or the premises occupied by the business complies with all applicable zoning, building, plumbing and other City, provincial and federal requirements.
- (2) The City may impose any terms and conditions on a licence issued pursuant to this Bylaw that are consistent with the intent of this Bylaw if the City is satisfied that:
 - (a) it is necessary to ensure compliance with any duties imposed on the licensee pursuant to this Bylaw;
 - (b) it is necessary to ensure the integrity of the licensing scheme in this Bylaw; and
 - (c) it is appropriate and in the public interest to do so.
- (3) Every licensee shall comply with the terms and conditions of their licence.

Suspension and Cancellation of Licence

- 16. (1) A licence issued under this Bylaw may be suspended or cancelled for any of the following reasons:
 - (a) a licensee or an employee of a licensee has violated or failed to comply with this Bylaw;
 - (b) a licensee or an employee of a licensee has violated or failed to comply with a term or condition of the licence;
 - (c) a licensee or an employee of a licensee required by law to have a provincial or federal licence or a journeyperson's certificate does not have a valid provincial or federal licence or journeyperson's certificate or does not produce a valid provincial or federal licence or journeyperson's certificate upon request;
 - (d) a licensee or an employee of a licensee has refused to allow an inspection of the premises as authorized by this Bylaw;
 - (e) a licensee has given false or misleading information in an application for a licence.
- (2) The City shall provide written notice of the suspension or cancellation in a brief statement setting forth the complaint, the grounds for suspension or cancellation and notifying the licensee of the right of appeal. Such notice shall be given or served in accordance with section 347 of *The Cities Act*.

- (3) If the City suspends or cancels a licence, the fee paid by the licensee for the time the licence is suspended or cancelled shall be forfeited.
- (4) A person whose licence has been cancelled under this section shall not apply for a new licence, directly or indirectly, for a period of one year from the date of the cancellation.
- (5) The power to suspend or cancel a licence pursuant to this section is in addition to the penalties contained in sections 40 and 41.
- (6) The City may suspend or cancel a licence whether or not the licensee has been charged or convicted of an offence under this Bylaw.
- (7) The City may reinstate a suspended licence if it is satisfied that the licensee is complying with this Bylaw and the terms and conditions of the licence.

Right to Appeal Terms or Conditions, Denial, Non-Renewal, Suspension or Cancellation of Licence

17. (1) An aggrieved party may appeal to the Saskatoon Licence Appeal Board the City's decision to:
 - (a) deny, suspend or cancel a licence issued under this Bylaw;
 - (b) not renew a licence issued under this Bylaw; or
 - (c) impose terms or conditions on a licence issued under this Bylaw.
- (2) The rules, procedure and time limits for an appeal pursuant to subsection (1) shall be governed by the provisions of *The Saskatoon Licence Appeal Board Bylaw, 2012*.
- (3) In determining an appeal, the Saskatoon Licence Appeal Board:
 - (a) is bound by the provisions of this Bylaw; and
 - (b) may modify or repeal the City's decision or substitute its own decision only if it is satisfied on a balance of probabilities that the City has misapplied the provisions of this Bylaw in the denial, suspension, cancellation or non-renewal of a licence or the imposition of terms or conditions on a licence.

Distress

18. The City may recover any licence fee by distress in accordance with *The Cities Act*.

Enforcement of Bylaw

19. (1) The administration and enforcement of this Bylaw is delegated to the General Manager of Community Services and the Chief Financial Officer for the City.
- (2) The General Manager of Community Services and the Chief Financial Officer are authorized to further delegate the administration and enforcement of this Bylaw to designated officers.
- (3) The General Manager of Community Services and the Chief Financial Officer may appoint any employee or agent of the City as a designated officer for the purposes of enforcing this Bylaw.

Inspections

20. (1) The inspection of property by the City to determine if this Bylaw is being complied with is authorized.
- (2) Inspections pursuant to this Bylaw shall be carried out in accordance with section 324 of *The Cities Act*.
- (3) No person shall obstruct a designated officer who is authorized to conduct an inspection or a person who is assisting in the inspection.
- (4) If a person refuses to allow or interferes with an inspection authorized by this section, or if a person fails to respond to a reasonable request for access to a property, the City may apply for a warrant authorizing entry in accordance with section 325 of *The Cities Act*.

PART III Specific Licensing

DIVISION I
Transient Traders

Transient Traders

21. For the purposes of this Bylaw, transient traders are classified into the following categories:
- (a) farmers' markets;
 - (b) mobile vendors;
 - (c) trade shows;
 - (d) other transient traders.

Farmers' Markets

22. The licence for a farmers' market shall cover all persons offering goods or merchandise for sale at the farmers' market.

Mobile Vendors

23. (1) In this section, "**approved vending cart site**" means an approved vending cart site as defined by City policy.
- (2) A separate licence must be obtained for each mobile food truck or vending cart operated by a mobile vendor.
- (3) A person must produce the written approval of the Saskatchewan Health Authority before a licence will be issued for a mobile vendor.
- (4) A licence issued for a mobile vendor to operate a vending cart is only valid for the locations specified in the licence.
- (5) A person must produce the written allocation of an approved vending cart site before a licence will be issued for a mobile vendor to operate a vending cart for a location on a public right of way or sidewalk.

Trade Shows

24. (1) The licence for a trade show shall cover all persons offering goods or merchandise for sale or auction at the trade show.
- (2) A person must obtain a licence to operate a trade show whether or not they already have a licence for another premises unless the trade show is to be held at that other premises.

DIVISION II Sidewalk Cafés and Parking Patios

Sidewalk Cafés and Parking Patios

25. (1) In this section, “**commercial business licence**” means a licence issued for a business operating from a commercial or industrial zoned property in the City.
- (2) Subject to subsection (3), the City may issue licences for sidewalk cafés and parking patios if the following criteria have been met:
 - (a) the person applying for the licence has a valid commercial business licence;
 - (b) a satisfactory site plan, drawn accurately and to scale with all required information, has been produced;
 - (c) proof of liability insurance in the minimum amount of \$2,000,000.00 that names the City as an additional insured has been produced;
 - (c) if required, the written approval of the Saskatoon Police Service has been produced;
 - (d) for parking patios, the required parking fees have been paid.
- (3) Notwithstanding section 7 and clause 15(1)(b), no fee in addition to the fee for a commercial business licence must be paid before a licence for a sidewalk café or a parking patio is issued.

DIVISION III
Pawnbrokers

Separation Distances for Pawnshops

26. (1) A pawnshop shall not be located within 160 metres of another pawnshop, as measured from property line to property line.
- (2) When a person applies for a licence for a pawnshop and there exists another pawnshop within 160 metres of it, the application shall be denied by the City.
- (3) The 160 metre separation distance specified in this section shall not apply to pawnshops that, on October 4, 2004:
- (a) were in existence; and
 - (b) possessed a valid licence.
- (4) Notwithstanding subsection (3), the 160 metre separation distance shall apply:
- (a) if a pawnshop existing on October 4, 2004 ceases operation for a period of six months or more or remains unlicensed for a period of six months or more; or
 - (b) if the area of a pawnshop which existed on October 4, 2004 is increased.
- (5) If a duly licensed pawnshop that existed on October 4, 2004 is subsequently destroyed, the 160 metre separation distance specified in this section shall continue not to apply provided that the owner:
- (a) rebuilds on or at the same location;
 - (b) rebuilds within six months of the date of destruction; and
 - (c) does not increase the area of the pawnshop.

Minors

27. A pawnbroker shall not engage in a pawn transaction or unconditional sale with a person under the age of 18 years.

Pawning of Personal Identification

28. A pawnbroker shall not accept or sell personal identification in a pawn transaction.

Timing of Pawn Transactions

29. (1) A pawnbroker shall hold any property received in a pawn transaction or unconditional sale for at least two consecutive clear business days.
- (2) A pawnbroker shall not display for sale any property received in a pawn transaction or unconditional sale for 30 days.
- (3) A pawnbroker shall not sell any property received in a pawn transaction or unconditional sale until it has been displayed for sale for at least 15 days after the 30 day period mentioned in subsection (2).

Electronic Recording and Reporting of Pawn Transactions

30. All pawnbrokers shall record and report all pawn transactions electronically in accordance with *The Pawned Property (Recording) Act*.

DIVISION IV Secondhand Dealers and Junk and Salvage Yards

Interpretation

31. In this Division, “**operator**” means a secondhand dealer or a person who operates a junk and salvage yard.

Minors and Identification

32. No operator shall purchase goods or chattels from any person:
- (a) under the age of 18 years; or
 - (b) who fails to identify themselves pursuant to section 33.

Recording of Information

33. (1) An operator shall obtain and record the following information before purchasing goods or chattels from any person:
- (a) the name, address, telephone number and date of birth of the person selling the goods or chattels;
 - (b) a description of the person selling the goods or chattels including the height, weight, gender, hair colour and eye colour of the person;
 - (c) the identification record numbers from two pieces of identification of the person selling the goods or chattels, one of which must be:
 - (i) one of the following types of identification but only if it contains a photograph of the person selling the goods or chattels:
 - (A) a valid driver's licence issued by a Canadian province or territory or by a state in the United States of America;
 - (B) a passport issued by the government of origin;
 - (C) a Certificate of Indian Status Card issued by the Government of Canada;
 - (D) a Certificate of Citizenship Card issued by the Government of Canada;
 - (E) a Conditional Release Card issued by Correctional Services of Canada; or
 - (ii) an original birth certificate but only if the accompanying second piece of identification contains a photograph of the person selling the goods or chattels;
 - (d) a detailed description of the goods or chattels that is reasonably sufficient to identify them and to distinguish them from other goods or chattels of the same type including, if applicable, each of the following:
 - (i) the manufacturer of the goods or chattels;
 - (ii) the year the goods or chattels were manufactured;
 - (iii) the make and model of the goods or chattels;

- (iv) any serial number on the goods or chattels;
 - (v) any identifying marks on the goods or chattels;
 - (vi) any title appearing on the goods or chattels;
 - (vii) the weight of the goods or chattels;
 - (viii) what type of media the goods or chattels are, including a compact disc, tape, vinyl record, DVD or VHS tape;
 - (ix) with respect to jewellery, the following additional information:
 - (A) the type of jewellery;
 - (B) the weight;
 - (C) the karat;
 - (D) any engraving or micro-reference;
 - (E) the number of gemstones and the type, colour, clarity and shape of each gemstone;
 - (F) whether the item is typically worn by a man or a woman;
 - (x) a photograph of the item;
- (e) in the case of a junk and salvage yard, a description of the vehicle in which the goods or chattels were delivered including the licence plate number, make, model, and colour.
- (2) If a person seeking to sell goods or chattels to an operator refuses or is unable to provide the information required pursuant to subsection (1), the operator shall not complete the purchase.
- (3) Every operator who purchases goods or chattels from any person shall record, in addition to the information mentioned in subsection (1), the following information:
- (a) the day, month, year and time of the purchase;
 - (b) the price paid;

- (c) the name of the operator, employee, apprentice or agent of the operator who made the purchase.
- (4) Every operator who purchases goods or chattels from any person shall:
 - (a) issue a receipt to the person from whom the goods or chattels were purchased; and
 - (b) retain a hard copy of the receipt that includes:
 - (i) the original signature of the person from whom the goods or chattels were purchased; and
 - (ii) the original signature of the operator, employee, apprentice or agent of the operator who made the purchase.

Information to be Recorded and Provided Electronically

34. (1) Immediately after purchasing goods or chattels from any person, an operator shall record the information set out in subsections 33(1) and 33(3) electronically in a form acceptable to the Chief of Police.
- (2) An operator shall provide the information recorded pursuant to subsections 33(1) and 33(3) to the Chief of Police:
- (a) in an electronic format acceptable to the Chief of Police;
 - (b) in a form acceptable to the Chief of Police; and
 - (c) as soon as is practicable after the information is recorded.
- (3) Without restricting the requirement of clause (2)(c), an operator shall provide the Chief of Police a report at least once each day that the operator is open for business containing:
- (a) all the information recorded pursuant to subsections 33(1) and 33(3) for that day; or
 - (b) if the operator has not purchased any goods or chattels on that day, a statement that no goods or chattels were purchased.
- (4) For the purposes of this section, the Chief of Police may:

- (a) establish standards respecting the recording and providing of information by operators, and may establish different standards for different classes of operators; and
 - (b) require an operator:
 - (i) notwithstanding clause (2)(c) and subsection (3), to provide the information recorded pursuant to subsections 33(1) and 33(3) immediately to the Chief of Police;
 - (ii) to maintain and retain the information recorded pursuant to subsections 33(1) and 33(3) in a particular electronic format that is acceptable to the Chief of Police; and
 - (iii) to maintain any computer equipment, operating system or software necessary for the purposes of subclauses (i) and (ii).
- (5) An operator shall pay any fees and costs required for:
- (a) obtaining or operating any computer equipment, operating system or software required for the purpose of this Bylaw; and
 - (b) the use of, or access to, an automated reporting system for the purpose of electronically recording and transmitting the information required pursuant to this Bylaw.

Procedures to be Implemented when Computer Malfunctions

35. (1) The Chief of Police shall establish procedures to be followed by an operator in the event of a malfunction of any computer equipment, operating system or software required to be used and maintained by the operator pursuant to section 34.
- (2) The procedures established pursuant to subsection (1):
- (a) are to continue in effect and be followed by the operator for the period that the Chief of Police determines is appropriate in the circumstances; and
 - (b) may include any or all of the following:
 - (i) a procedure requiring an operator whose computer equipment, operating system or software has malfunctioned to notify the Chief of Police of the malfunction immediately;

- (ii) a procedure prohibiting an operator from purchasing goods or chattels from any person for the period that the procedures are in effect;
 - (iii) a procedure requiring the creation and maintenance of records in a manner and form that is determined by the Chief of Police.
- (3) If a malfunction mentioned in subsection (1) occurs, no operator shall fail to comply with the procedures established in this section.

Timing of Sale

36. (1) An operator shall not sell any goods or chattels purchased pursuant to this Division for a period of five days from the date the goods or chattels are purchased.
- (2) An operator shall obtain and record the following information before selling goods or chattels purchased pursuant to this Division to any person:
- (a) the name and address of the person purchasing the goods or chattels;
 - (b) the price paid for the goods or chattels;
 - (c) the date the goods or chattels are purchased;
 - (d) a detailed description of the goods or chattels that is reasonably sufficient to identify them and to distinguish them from other goods or chattels of the same type.
- (3) The information recorded pursuant to subsection (2) shall be recorded and reported in the manner described in section 34 or, if applicable, section 35.

DIVISION V **Homestays and Short-term Rental Properties**

Interpretation

37. In this Division:
- (a) **“host”** means the person to whom a homestay or short-term rental property licence would be issued;

- (b) any term defined in the *Zoning Bylaw* has the same definition, unless otherwise specifically defined in this Bylaw.

Permissions Required

- 38. In addition to the application form described in section 6, the following are required when applying for a licence for a homestay or short-term rental property:
 - (a) if a homestay or short-term rental property is within a dwelling not owned by the host, the written permission of the property owner;
 - (b) if a short-term rental property is within a condominium, the written permission of the condominium corporation;
 - (c) a signed declaration of the host that the property is in compliance with life and safety requirements.

Licences Limited

- 39. (1) No more than 35% of the dwelling units within a multiple-unit dwelling or townhouse shall be issued a licence for a short-term rental property.
- (2) If the average vacancy rate in the Saskatoon Census Metropolitan Area as defined and shown in the most current Canada Mortgage and Housing Corporation Rental Market Survey is below three percent, no new licences for short-term rental properties shall be issued.

PART IV Offences and Penalties

Offences and Penalties

- 40. (1) No person shall:
 - (a) contravene or fail to comply with any provision of this Bylaw;
 - (b) contravene or fail to comply with a term or condition of a licence;
 - (c) obstruct or interfere with a designated officer or any other person acting pursuant to the authority of this Bylaw;

- (d) fail to provide their name, address and date of birth upon request by a designated officer or any other person acting pursuant to the authority of this Bylaw; or
 - (e) destroy, alter or deface a licence issued pursuant to this Bylaw.
- (2) Subject to section 41, every person who contravenes subsection (1) is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine not exceeding \$10,000.00 and, in the case of a continuing offence, to a further fine not exceeding \$10,000.00 for each day during which the offence continues; and
 - (b) in the case of a corporation, to a fine not exceeding \$25,000.00 and, in the case of a continuing offence, to a further fine not exceeding \$25,000.00 for each day during which the offence continues.
- (3) If a person is found guilty of an offence pursuant to this Bylaw, the court may, in addition to any other penalty imposed:
- (a) in the case of a person who holds a licence at the time of conviction:
 - (i) suspend the licence for a term of not more than one year; and
 - (ii) order that the person is ineligible to apply for a licence for a term of not more than one year;
 - (b) in the case of a person who does not hold a licence at the time of the conviction, order that the person is ineligible to apply for a licence for a term of not more than one year; or
 - (c) order the person to comply with this Bylaw or a term or condition of their licence.

Certain Part III Offences

41. (1) Every person who contravenes or fails to comply with Division III or Division IV of Part III of this Bylaw is guilty of an offence and liable on summary conviction to a fine:
- (a) for a first offence, of \$250.00;
 - (b) for a second offence, of \$500.00;

- (c) for a third or subsequent offence, of not less than \$500.00 and not more than:
 - (i) \$10,000.00 in the case of an individual; or
 - (ii) \$25,000.00 in the case of a corporation.
- (2) Notices of violation may be issued for offences mentioned in subsection (1) that are first or second offences.
- (3) The following procedure shall apply to notices of violation:
 - (a) a police officer or a designated officer may issue a notice of violation to any person committing an offence mentioned in subsection (2). The notice shall require the person to pay to the City the fine specified in clause (1)(a) or (b);
 - (b) the fine may be paid:
 - (i) in person, during regular office hours, to the cashier located at City Hall, Saskatoon, Saskatchewan;
 - (ii) by deposit, at the depository located at the main entrance to City Hall, Saskatoon, Saskatchewan; or
 - (iii) by mail, addressed to Corporate Revenue, City Hall, 222 – 3rd Avenue North, Saskatoon, Saskatchewan, S7K 0J5;
 - (c) if the fine is paid before the date when the person contravening this Bylaw is required to appear in court to answer the charge, the person shall not be prosecuted for the offence.
- (4) For the purposes of this section, an offence shall be deemed to be a first offence if the offender has not been issued a notice of violation for the same offence within the year immediately preceding the commission of the alleged offence.
- (5) Notices of violation that have been cancelled or dismissed by the Court shall not be counted toward calculating whether an offence is a first, second, third or subsequent offence.

PART V
Repeal and Coming into Force

Bylaw No. 6066 Repealed

42. *The License Bylaw* is repealed.

Bylaw No. 8075 Repealed

43. *The Business License Bylaw, 2002* is repealed.

Coming into Force

44. This Bylaw comes into force on the day of its final passing.

Read a first time this 22nd day of February, 2021.

Read a second time this 22nd day of February, 2021.

Read a third time and passed this 22nd day of February, 2021.

"Charlie Clark"

Mayor

"Mike Jordan"

Interim City Clerk

"SEAL"

Schedule "A"

Licensing Fees

Table 1

For business categories not specifically named in Table 2:

Licence fee for businesses that are new or have changed premises	\$125.00
Licence fee for new businesses that have changed premises within three months of initial licence approval	No fee
Licence fee for existing businesses that have changed premises within three months of licence renewal	\$40.00
Licence fee for businesses that are renewing their licences and have not changed either their premises or nature of the business	\$85.00

Table 2

Licence fee for farmers' markets per location	\$125.00
Licence fee for each vending cart	\$100.00
Licence fee for each mobile food truck	\$500.00
Licence fee for a trade show	\$500.00
Licence fee for other transient traders	\$500.00
Licence fee for direct sellers	\$ 50.00
Licence fee for direct sales contractors	\$400.00
Licence fee for contractors	\$400.00
Licence fee for a new pawnshop or a pawnshop that has changed its premises	\$500.00
Licence fee for renewal of pawnshop that has not changed its premises	\$250.00