

CORPORATION OF THE VILLAGE OF OIL SPRINGS

BY-LAW NUMBER 684 OF 2015

BEING A BY-LAW TO PROHIBIT THE SALE OR HIRE OF GOODS OR SERVICES BY
TRANSIENT TRADERS IN THE VILLAGE OF OIL SPRINGS

THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF OIL SPRINGS HEREBY
ENACTS AS FOLLOWS:

WHEREAS Sections 150 (1) and (6) of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, provide that a local municipality may license, regulate and govern any business wholly or partly carried on within the municipality, including the sale or hire of goods or services on an intermittent or one-time basis and the activities of a transient trader; and

WHEREAS Section 150 (8) provides that the power to license, regulate and govern a business includes the power to prohibit the carrying on or engaging in the business without a license; to refuse to grant or revoke or suspend a license; to fix an expiry date for the license; and to impose conditions as a requirement of obtaining, continuing to hold or renewing a license.

NOW THEREFORE the Council of The Corporation of the Village of Oil Springs enacts as follows:

1. No person shall operate a business, conduct any commerce or trade, or offer for sale any goods or services on a temporary, intermittent or one time basis on any road allowance, municipally owned property, private property on a door to door basis, or other public space unless that trade or commerce is eligible for a Business License or permit and such approval has been obtained.
2. For the purpose of this By-law "Transient Trader" includes any person(s) commencing business within the Village of Oil Springs on any municipal road allowance, or other public property, or on private property on a door to door basis.
3. The provisions of this By-law do not apply to the sale of personal contents of a home or residence, such as a garage sale, yard sale or similar temporary activity.
4. Every Transient Trader vendor who is not eligible for a Business License issued by the Village of Oil Springs is guilty of an offence and upon conviction is liable to a fine of \$200.00, plus costs incurred in enforcement, as shown by Schedule 'A' to this by-law.
5. This by-law shall be enforced by Village's By-Law Enforcement Officers and/or the Ontario Provincial Police.

SPECIAL PROVISIONS

1. The Council of the Village of Oil Springs may, on an individual basis make exemption and approve a Transient Trader business permit as shown by Schedule 'B' to this by-law. If approved, the Transient Trader would be

subject to a fee as determined by Council based on the goods for sale and the length of the business license to be granted, being no less than \$100. If approved the Transient Traders business license would be temporary and would expire on a said date.

2. Charitable Organizations who canvass for contributions and support of their organization are not considered a Transient Trader by the Village of Oil Springs and therefore are not subject to this by-law.

PENALTY PROVISIONS

1. Any person who contravenes any portion of this By-Law is guilty of an offence and upon conviction for such contravention, shall forfeit and be liable to pay a a fine of \$200.00, plus costs incurred in enforcement, and costs associated therewith may be recovered under the provisions of the Provincial Offences Act R.S.O. 1990, Chapter p-33, as amended.

GENERAL PROVISIONS

2. **THAT** the short form title of this By-law shall be the **Transient Traders By-law**
3. **THAT** any By-Laws or provisions of By-Laws found to be inconsistent with the provisions found in this By-Law shall be and are hereby repealed (By-law #2 of 1927, By-law #3 of 1964, and By-law #245 of 1992).
4. **THAT** this By-Law go into force and effect upon the final passing thereof.

By-Law Read a First, Second and Third Time and Finally Passed this 7st day of July 2015.

Mayor

Clerk

THE CORPORATION OF THE VILLAGE OF OIL SPRINGS

BY-LAW NUMBER 684 OF 2015

Schedule A – **SET FINE SCHEDULE**
Part I Provincial Offences Act

Title: A BY-LAW TO PROHIBIT THE SALE OR HIRE OF GOODS OR SERVICES BY TRANSIENT
TRADERS IN THE VILLAGE OF OIL SPRINGS

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision or Defining Offence	COLUMN 3 Set Fine
1.	Operate as a Transient Trader without a licence	Sect 1	\$ 200.00

NOTE: the general penalty provision for the offences listed above is section 61 of
the Provincial Offences Act, R.S.O. 1990, c P.33, as amended

THE CORPORATION OF THE VILLAGE OF OIL SPRINGS

Schedule 'B'
To By-law 684 of 2015
Transient Traders By-law



4591 Oil Springs Line
Oil Springs, ON N0N 1P0
519-834-2939
Email: oilsprings@ciaccess.com

Date: _____

TRANSIENT TRADERS PERMIT
(AS PER SECTION 1 BY-LAW 684 OF 2015)

Company Name: _____

Address: _____

Phone #: _____ **Duration:** _____

Purpose: _____

How many representatives?: _____

The fee for this permit is \$ _____ as per direction of Council and the fee shall be received in full prior to its issuance.

This permit shall be valid until _____.

Issued this, the _____ day of _____ 20____.

Jennifer Turk
Clerk-Treasurer
Village of Oil Springs

Karen Cook
Deputy Clerk-Treasurer
Village of Oil Springs