

CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2002-151

A BY-LAW TO LICENSE, REGULATE AND GOVERN ANY BUSINESS CARRIED ON WITHIN THE TOWN OF NEWMARKET.  
(Licensing By-law)

WHEREAS the *Municipal Act, R.S.O. 1990, c. M.45*, ("the Act" as amended) authorizes Council to pass by-laws for licensing, regulating and governing any business carried on within the municipality;

AND WHEREAS several by-laws have been enacted by the Town of Newmarket to license, regulate and govern certain businesses carried on within the Town of Newmarket;

AND WHEREAS it is deemed appropriate to establish a consolidated business licensing by-law based on the current enacted business licensing by-laws as amended;

BE IT THEREFORE ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

TYPES OF LICENSES

1. THAT the license by-laws of the Town of Newmarket as enacted in accordance with *the Act* as amended, be reenacted as attached hereto as follows:

Adult Entertainment Parlours	SCHEDULE 1
Adult Video Stores	SCHEDULE 2
Amusement, Place of	SCHEDULE 3
RESERVED SCHEDULE FOR FUTURE USE	SCHEDULE 4
Auctioneers	SCHEDULE 5
Billiards	SCHEDULE 6
Body Rub Parlours	SCHEDULE 7
Bowling	SCHEDULE 8
Carnival	SCHEDULE 9
Catering Vehicles/Refreshment Vehicles	SCHEDULE 10
Fireworks	SCHEDULE 11
Hawkers And Pedlars	SCHEDULE 12
Horse Riding Establishments	SCHEDULE 13
Loud Speakers	SCHEDULE 14
Newspaper Boxes	SCHEDULE 15
Outdoor Serving Areas	SCHEDULE 16
Second Hand Goods Shops and Dealers	SCHEDULE 17
Taxi	SCHEDULE 18
Licensing Fees	SCHEDULE 'A'

SHORT TITLE

2. THAT the short title of this by-law be the "Licensing By-law".

APPLICATION

3. Every applicant, unless otherwise provided in the Schedules hereto, shall appear in person before the Town Clerk or his/her designate and shall complete such licence application forms as may be provided from time to time in accordance with the requirements of this By-law and shall provide all information requested thereon.

4. THAT the personal information collected pursuant to this by-law is collected under the authority of the *Act, as amended* and the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56.*
5. Should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed, as being severed herefrom and the remainder of the by-law shall continue in full force and effect.
6. In the event of any conflict between any provisions of this by-law and any other by-law heretofore passed the provisions of this by-law shall prevail.

#### FEES

7. THAT the fees for the licenses defined in the Licensing By-law are attached thereto as Schedule 'A'.

#### PENALTY

8. THAT, unless otherwise defined in the attached Schedules, any person who contravenes the provisions of this By-law, including every person who fails to perform a duty imposed herein or who performs an act prohibited herein and every director or officer of a corporation who concurs in such a contravention is guilty of an offence and, upon conviction pursuant to the provisions of the *Municipal Act, R.S.O. 1990 c. M.45* and *Provincial Offences Act R.S.O. 1990, c. P. 33, as amended* is guilty of an offence and upon conviction is liable to a fine and/or penalty as provided for herein for each offence and such penalty and/or fine shall be recoverable under the *Provincial Offences Act R.S.O. 1990, c. P. 33, as amended.*


#### REPEAL

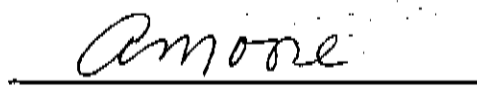
9. THAT By-laws 1992-115, 1996-71, 2000-83, 1994-64, 1991-164, 1990-90, 1990-89, 1999-3, 1990-88, 1989-132, 1989-230, 1989-98, 1994-34, 1994-28, 1995-48, 1997-57, 1978-76, 1995-143, 1999-93, 2000-57, 1993-28, 1993-50, 1995-82, 1998-43, 2001-136, 2001-154, 1994-78, 1994-111, 1995-79, 1996-121, 1998-27, 1999-89 are hereby repealed.

#### ENACTMENT

10. THAT this by-law shall come into force and effect upon the passing of the By-law.

ENACTED THIS 16<sup>th</sup> DAY OF December, 2002

  
\_\_\_\_\_  
Tom Taylor, Mayor

  
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Anita Moore, Town Clerk

**LICENSING BY-LAW  
BY-LAW NUMBER 2002-151**

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**BY-LAW 2002-151****SCHEDULE 'A'**

<b>DESCRIPTION</b>	<b>FEE</b>	<b>GST 7%</b>	<b>TOTAL FEE</b>
<b>ADULT ENTERTAINMENT PARLOURS</b>			
Owner	\$1,500.00		\$1,500 for 6 months
Owner/Operator	\$1,500.00		\$1,500 for 6 months
Operator	\$750.00		\$750. for 6 months
Entertainer	\$200.00		\$200.00 yearly
<b>ADULT VIDEOS</b>			
Store	\$500.00		\$500.00
Video Tape Store – where provision of Adult Videotapes is only incidental to the carrying on of the business of the provision of videotapes	\$200.00		\$200.00
<b>AMUSEMENT- PLACE OF</b>			
Class A. (more than 4)	\$100.00		\$100.00
Class B (1 to 4)	\$50.00		\$50.00
Class C (Mall up to 10)	\$200.00		\$200.00
Family Entertainment Centre	\$200.00		\$200.00
<b>AUCTIONEERS</b>			
	\$25.00		\$25.00
<b>BILLIARDS</b>			
	\$10.00		\$10.00 per table minimum of \$25.
<b>BODY RUB PARLOUR</b>			
Body-Rub Parlour Owner	\$1,500.00		\$1,500.00 for 6 months
Body-Rub Parlour Owner/Operator	\$1,500.00		\$1,500.00 for 6 months
Body-Rub Parlour Operator	\$750.00		\$750.00 for 6 months
Body-Rub Attendant's	\$100.00		\$100.00 for 6 months
<b>BOWLING ALLEYS</b>			
	\$10.00		\$10.00 per lane minimum of \$100.
<b>CARNIVAL</b>			
	\$25.00		\$25.00
<b>CATERING/REFRESHMENT VEHICLES</b>			
Bicycle (Resident)	\$25.00		\$25.00 per bicycle
Bicycle (Non-Resident)	\$50.00		\$50.00 per bicycle
Carts/Vehicle (Resident)	\$100.00		\$100.00 per cart
Carts/Vehicle (Non-Resident)	\$400.00		\$400.00
Additional Carts/Vehicle (Non-Resident)	\$300.00		\$300.00 per cart

**BY-LAW 2002-151**

**SCHEDULE 'A'**

<b>DESCRIPTION</b>	<b>FEE</b>	<b>GST 7%</b>	<b>TOTAL FEE</b>
Cart/Bicycle Operator	\$5.00		\$5.00 per operator
<b>HAWKERS &amp; PEDLAR</b>			
Class A	\$35.00		\$35.00
Employer License	\$50.00		\$50.00
Class B "Special Sale"	\$50.00		\$50.00 per day to max of \$200. not more than 7 days
Class C "Shopping Mall"	\$100.00		\$100.00
Class D "Shopping Mall"	\$200.00		\$200.00
Class E "Show Sale"	\$500.00		\$500.00
<b>HORSE-RIDING ESTABLISHMENTS</b>			
Original license	\$250.00		\$250.00
Annual renewal	\$100.00		\$100.00
Late Renewal fee	\$25.00		\$25.00
<b>LOUD SPEAKERS</b>			
	\$2.00		\$2.00
<b>NEWSPAPER BOXES</b>			
	\$25.00		\$25.00 per box up to a maximum of \$1,000. per year
Impound Fee	\$50.00		\$50.00 per box
<b>OUTDOOR SERVING AREAS</b>			
New Application	\$100.00		\$100.00
Renewal	\$50.00		\$50.00
<b>SECOND HAND GOODS SHOPS &amp; DEALERS</b>			
	\$100.00		\$100.00
<b>TAXI</b>			
Taxi Owner License	\$2,500.00		\$2,500.00
Taxi Owner License Renewal	\$300.00		\$300.00
Taxi Broker	\$500.00		\$500.00
Taxi Broker Renewal	\$300.00		\$300.00
Taxi Broker office not with municipality additional fee	\$100.00		\$100.00
Taxi Plate Owner Transfer (Sale)	\$300.00		\$300.00
Taxi Driver New or after renewal date	\$50.00		\$50.00
Taxi Driver Renewal before May 1 <sup>st</sup>	\$35.00		\$35.00
Taxi Driver Priority List	\$50.00		\$50.00
Non-mandatory inspection	\$75.00		\$75.00

**BY-LAW 2002-151****SCHEDULE 'A'**

<b>DESCRIPTION</b>	<b>FEE</b>	<b>GST 7%</b>	<b>TOTAL FEE</b>
Lost Taxi Plate	\$25.00		\$25.00
Lost Taxi Driver ID	\$10.00		\$10.00
Lost Tariff Sheet	\$ 5.00		\$ 5.00
Taxi Tariff Rates – 1 <sup>st</sup> 300 meters or part thereof	\$ 2.20		\$..2.20 incls. GST
Each additional 160 meters or part thereof	\$ .20		\$ .20 incls. GST
For waiting time while under engagement after one minute	\$20.00/hr		\$20.00/hr incls. GST
Wheelchairs carried at no charge	N/C		N/C
An charges for items not covered by these rates or fares shall be agreed upon before the commencement of the trip			
Any charges listed apply to any trip carrying four or less passengers. The owner of a taxicab may accept a trip to carry more than four passengers and any additional charges for the additional passengers shall be agreed upon before the commencement of the trip. The vehicle must be equipped with sufficient seatbelts.			