

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

SCHEDULE 5

AUCTIONEERS

BY-LAW NUMBER 2002-151

SCHEDULE 5

TO LICENSE, REGULATE AND GOVERN AUCTIONEERS AND OTHER PERSONS SELLING OR PUTTING UP FOR SALE BY PUBLIC AUCTION, GOODS, WARES, MERCHADISE OR EFFECTS.

DEFINITIONS

5.1 In this By-law – Schedule 5

- a) **“Auctioneer”** means a sale of goods, wares, service or merchandise; real and or personal, by a bidding process, who holds and maintains or is required to hold and maintain a valid Town of Newmarket Auctioneer’s license;
- b) **“Auction, Public”** means a method of public sale whereby the object for sale is secured by the highest bidder.
- c) **“Town Clerk”** means the Clerk of the Town of Newmarket or his/her designate.
- d) **“Town”** means the Corporation of the Town of Newmarket in the Regional Municipality of York.

GENERAL PROVISIONS

5.2 That no person shall sell or put up for sale, goods, wares, merchandise or effects by public auction without first obtaining from the Town Clerk a license so to do.

5.3 The aforesaid license shall be issued by the Town Clerk upon application therefore and upon the said Town Clerk being satisfied to the:

- a) a police clearance letter dated not more than 30 days prior to the date of application.
- b) that the premises from where the auction is to be carried on is suitable.

5.4 That the fee as set Schedule ‘A’ shall be paid and the license shall be for a calendar year or part thereof, expiring on December 31st in each year.

5.5 No person shall sell or put up for sale, goods, wares, merchandise or effects by auction on any public street or highway in the Town.

5.6 The Council of the Town by resolution may at any time revoke any license issued pursuant to this By-law.

- 5.7 Every person who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine not exceeding three hundred dollars (\$305.00 includes costs) for each offence.