

THE CORPORATION OF THE TOWN OF ST. MARYS

BY-LAW NO. 32-85

Being a By-Law to license, regulate and govern hawkers and pedlars.

WHEREAS The Municipal Act provides no license shall be required for hawking, peddling or selling goods, wares, or merchandise;

- (a) to wholesale or retail dealers in similar goods, wares or merchandise, or
- (b) if the goods, wares or merchandise are grown, produced or manufactured in Ontario and are hawked, peddled or sold by the grower, producer or manufacturer or his agent or employee having written authority so to do, in the municipality in which the grower, producer or manufacturer resides, or
- (c) if the goods, wares or merchandise are grown or produced by a farmer resident in Ontario who offers for sale or sells only the produce of his own farm or,
- (d) if the goods, wares or merchandise are hawked, peddled or sold by a person who pays business tax in the municipality, or by his employee, or by his agent, or
- (e) if the goods, wares or merchandise are hawked, peddled or sold by an agent of the grower, producer or manufacturer, acting on behalf of a dealer who pays business tax in the municipality in respect of premises used for the sale of such goods, wares or merchandise, or
- (f) by persons who sell milk or cream or fluid milk products to the consumer or to any person for resale.

NEW THEREFORE The Council of the Town of St. Marys ENACTS

AS FOLLOWS:

1. That every person who goes from place to place or to a particular place with goods, wares or merchandise for sale within the Town of St. Marys or who carries and exposes samples, patterns or specimens of goods, wares or merchandise which is to be delivered in the municipality afterwards, shall obtain a license for so doing from the License Inspector.
2. That the license fee for a license issued under this by-law is hereby established at \$250.00 for persons who have not resided continuously within the municipality for which the license is sought for at least one year prior to the application therefore and no license shall be issued unless and until the proper fee has been paid.

3. That the license fee for a license issued under this by-law is hereby established at \$100.00 for persons who have resided continuously within the municipality for which the license is sought for at least one year to the application therefore and no license shall be issued unless and until the proper fee has been paid.

4. A license issued under this by-law shall be valid only from the date of its issue until December 31st of the year of its issue;

5. The licensee shall at all times while carrying on his business have his license with him and shall upon demand exhibit it to any municipal or peace officer, and if he fails to do so shall, unless the same is accounted for satisfactory, incur a penalty of not less than \$100.00 or more than \$300.00.

6. If a Police Officer demands the production of a license by any person to whom this by-law applies and if the demand is not complied with, it shall be the duty of the peace officer and he shall have the power to arrest such person without a warrant and to take him before the nearest justice of the peace, there to be dealt with according to law;

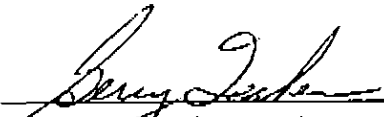
7. In any prosecution for a breach of this by-law the onus of providing that he for any of the reasons mentioned in paragraph 1 above, require to be licensed, shall be upon the person charged;


8. Any person who contravenes any provision of this by-law shall upon conviction be liable to a penalty not exceeding \$300.00 recoverable under The Provincial Offences Act.

9. By-law Number 604 is hereby repealed.

READ a first and second time

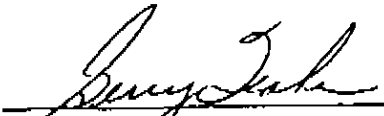
this 28th day of May 19 85.


Head of Council


Clerk

READ a third time and finally passed

this 28th day of May 19 85.


Head of Council