

BY-LAW NO. 9

A BY-LAW TO REGULATE AND LICENSE PEDDLERS

The Council of the Village of Minto enacts as follows:

1. (1) In this by-law, "peddler" means a person who peddles or hawks goods or wares from door to door with the intention of selling them.
  - (2) "to be licensed" means that the license be valid and not to be suspended, cancelled revoked or otherwise ineffective at the time.
2. This by-law does not apply to:
  - (a) a person peddling or hawking fruits, vegetables, meats or other products harvested by him from his farm or garden;
  - (b) a fisherman peddling or hawking fish, oysters or any product harvested from the sea;
  - (c) a person employed by any temperance, benevolent or religious society in the Province for the peddling or selling of temperance tracts or other moral or religious publications under the direction of such society, to the exclusion of other goods and merchandise.
3. No person residing outside the boundaries of the Village of Minto shall peddle goods or wares unless he is licensed to do so as hereinafter provided.
4. An application for a license shall be in writing to the clerk and shall:
  - (a) be accompanied by a cheque payable to the municipality, or money, in the amount set out in section 5;
  - (b) be in such form and contain such information as may be required by the clerk.
5. The license fee is \$50.00
6. (1) Subject to section 4, the clerk is authorized to issue or renew a license when he is satisfied that:
  - (a) the applicant is not in violation of any other by-law of the municipality or of any statute of the

Province or of Canada;

(b) the applicant has made provision for strict compliance with this by-law and the Municipalities Act.

(2) The Clerk shall suspend or revoke a license when:

(a) the licensee has been convicted of an offence under this by-law; or

(b) on a resolution of council, he is directed to do so;

(3) A license under this by-law is issued under the following terms and conditions;

(a) that the information contained in the application for license, or renewal of license, is true and accurate;

(b) that the applicant will comply in all respects with the provisions of this or any other by-law of the municipality;

(c) that the applicant has and will comply with the provisions of all statutes of the Province or of Canada which may affect him as a peddler.

7. The clerk shall administer this by-law and shall have the authority:

(a) to engage the services of any peace officer to investigate the business affairs of any applicant for a license;

(b) to prescribe the form of the application for license, the license, the notice of cancellation, revocation or suspension of the license.

8. No person shall upon request:

(a) on Sundays or holidays;

(b) except between the hours of eight o'clock in the forenoon and eight o'clock in the afternoon on Monday through Saturday.

9. A peddler shall upon request:

- (a) give to the clerk, or to any person directed by the clerk to receive it, any information which such person may require;
  - (b) present for inspection by such person mentioned in clause (a) all or any of the goods or wares being or intended to be peddled.
10. A person commits an offence under this by-law who:
- (a) peddles without a license;
  - (b) misrepresents the facts in an application for license;
  - (c) interferes with or obstructs any person authorized under this by-law to act from carrying out his duties;
  - (d) refuses, fails or neglects to comply with the lawful request or order of any person authorized under this by-law to act.
11. (1) Any person convicted of an offence under this by-law is liable on summary conviction to a fine of not more than one hundred dollars.
- (2) When a person is convicted of operating without a license under this by-law, the court may, unless such person had paid the fee for such license, order payment thereof in addition to the fine imposed under subsection (1).

Ordained and passed this first day of November,  
1967.

---

Mayor

---

Clerk

BY-LAW NUMBER 9A

A BY-LAW TO AMEND THE BYLAW TO REGULATE AND LICENSE PEDLARS

1. Section 4(a) of Bylaw Number 9 is hereby amended by changing the word "accompanies" to "accompanied"
2. Section 11. (1) of Bylaw Number 9 is replaced with the following new Section 11. (1).

11. (1) Any person convicted of an offence under this by-law is liable on summary conviction to a fine of not less than \$25.00 (twenty-five dollars) and not more than \$200.00 (two hundred dollars).

READ FIRST TIME:

READ SECOND TIME:

READ THIRD TIME AND ENACTED:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

BY-LAW NUMBER 9B

A BY-LAW TO AMEND THE BYLAW TO REGULATE AND LICENSE PEDLARS

Section 11 of Bylaw Number 9 is replaced with the following new Section 11 entitled:

PENALTY

11. (1) Every person who violates any provision of this by-law is guilty of an offence.
- (2) Every person charged with an offence under any section of this by-law may, on or before the date a charge pertaining to the offence has been laid in Provincial Court, make a voluntary payment of fifty dollars (\$50.00).
- (3) If the voluntary payment set out in section 11(2) has not been received on or before the date a charge pertaining to the offence has been laid in Provincial Court, the person charged with the offence may make a voluntary payment of seventy five dollars (\$75.00).
- (4) The voluntary payment set out in either section 11(2) or 11(3) shall be made payable to the Village of Minto as follows:
- in person at 420 Pleasant Drive, Minto, in cash or by certified cheque or money order made payable to The Village of Minto;
- Or
- by mail to: The Village of Minto, 420 Pleasant Drive, Minto, N.B., E4B 2T3, "Attention Clerk Administrator", by certified cheque or money order only, payable to The Village of Minto;
- at which time the ticket or ticket number shall be surrendered to the Village of Minto and such payment shall be deemed payment in full.
- (5) If the voluntary payment set out in either section 11(2) or 11(3) has not been received on or before the hearing scheduled for entering of a plea before the Provincial Court, the person charged with the offence is liable on summary conviction to a fine of not less than one hundred & fifty dollars (\$150.00) and not more than the maximum fine which may be imposed for commission of an offence punishable under Part II of the *Provincial Offences Procedure Act* as a Category C offence.

READ FIRST TIME :

READ SECOND TIME :

READ THIRD TIME AND ENACTED :

---

MAYOR

CLERK