



INCORPORATED HAMLET OF TUKTOYAKTUK

BY-LAW NO. 374

BUSINESS BY-LAW

BEING A BY-LAW OF THE INCORPORATED HAMLET OF TUKTOYAKTUK IN THE NORTHWEST TERRITORIES TO AMEND BY-LAW NO. 23, BUSINESS BY-LAW, PURSUANT TO SECTIONS 103, 110, 111, 112, 113, 174, 175, 177, 179, 180, 181, 183 AND 188 OF THE CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 1987(1), C14, AND TO THE BUSINESS LICENSE ACT, CHAPTER B-4 RESPECTIVELY OF THE REVISED STATUTES OF THE NORTHWEST TERRITORIES 1974 AS AMENDED.

WHEREAS IT IS DESIRABLE TO ESTABLISH A BUSINESS BY-LAW FOR THE HAMLET OF TUKTOYAKTUK;

NOW THEREFORE THE COUNCIL OF THE HAMLET OF TUKTOYAKTUK IN A DULY ASSEMBLED MEETING, ENACTS AS FOLLOWS:

1. **SHORT TITLE** receipts

This By-Law may be cited as the **BUSINESS BY-LAW**

2. **DEFINITIONS**

2.1 "advertising manufacturer" includes any person who produces signs, billboards, trinkets or similar products for the purpose of advertising.

2.2 "advertising vehicle" includes: (a) any vehicle using the highways of the Hamlet for visual advertising purposes, but does not include: (b) a vehicle showing thereon merely the name of the owner of such vehicle, the nature of the business of the owner and displaying thereon advertising material concerning the merchandise of such owner.

2.3 "amusement arcade" means a building, room or area having token or coin operated table games, electronic games of skill and/or chance which are provided for the patrons' entertainment.

2.4 "amusement attraction" means any person who offers midway rides, attractions and concessions at temporary locations within the Hamlet of Tuktoyaktuk.

2.5 "applicant" any person who makes an application for any license under the provisions of this By-Law.

2.6 "auctioneer" includes any person selling or offering for sale by public auction any real or personal property.

2.7 "autobody mechanic" means a person who repairs damaged motor vehicles by, straightening bent frames, hammering out dents in body panels, fenders, skirting, and sheet metal trim, welding torn metal, replacing parts that are beyond repair.

2.8 "automobile dealer" means a person who offers for sale new and used vehicles of any description.



- 2.9 "bakery"** includes any building or part of a building or any premises, workshop, room or place principally used for the preparation, making and baking of bread or any bakery product and offering the said product for wholesale or retail, but does not include the kitchens or bakerooms of hotels or restaurants, in so far as the bread or any bakery product made there is sold only for consumption on the premises.
- 2.10 "barber/beauty salon"** premises wherein shaving, hair cutting, hairdressing, shampooing or the sale of hair pieces or similar service or business is carried on.
- 2.11 "bed and breakfast"** includes any private residence that supplies rooms and breakfast for one or more persons that are charged a daily or weekly rate only.
- 2.12 "beverage room or lounge"** means the premises in which the sale of beer, wine and spirits is carried on to be consumed on the premises with or without food service.
- 2.13 "blaster"** means any person who supervises or conducts surface blasting.
- 2.14 "boarding or lodging includes any private residence in rooming house"** which more than four (4) persons, other than the immediate family of the owner, tenant or occupant reside and are charged a weekly or monthly rate only.
- 2.15 "bowling alley keeper"** includes any person who owns, keeps or operates for hire or profit, a bowling alley.
- 2.16 "business"** means a company, partnership or sole proprietorship which includes: (a) a profession, trade, manufacture or undertaking of any kind; (b) an adventure in the nature of trade; and (c) the sale or offer for sale of goods or services in any public place; but does not include a business that is regulated by an Act of Parliament or any other exempt business prescribed by regulation.
- 2.17 "butcher"** means any person cutting, processing or packaging meat and exposing, selling or offering the said meat for wholesale or retail.
- 2.18 "carpenter"** means a journeyman status person who constructs, erects, and repairs structures and/or any fixtures made of wood or wood substitutes, using specialized hand or power tools. Carpenters include persons who build, assemble, place and dismantle concrete and apply exterior and interior finish with wood and wood substitutes.
- 2.19 "caterer"** means any person who prepares sandwiches, beverages, lunches, meals or sells or offers for sale sandwiches, beverages, lunches or meals to be consumed at premises other than those of the licensee. Persons licensed to operate a restaurant and dining lounge, or restricted dining lounge on the same premises under this By-Law shall not be deemed a caterer.
- 2.20 "cavasser"** means any person whether a resident of the Hamlet or not, who solicits orders by telephone or other means for the sale of merchandise or service.
- 2.21 "chiropractor"** means a person practicing chiropractic therapy and is registered or eligible to be registered in a Province of Canada, or who is registered with the Canadian Chiropractic Association.
- 2.22 "circus and other includes circus riding menagerie, entertainment"** exhibitions, freak shows, sideshows, midways.
- 2.23 "clinic"** means an establishment set up for medical, dental or therapeutic purposes.



- 2.24 "club lounge"** means a premise where membership is required and in which beer, wine or liquor is sold in conjunction with food service to club members.
- 2.25 "company"** means a company registered or incorporated under the Companies Act.
- 2.26 "council"** means the Municipal Council of the Hamlet of Tuktoyaktuk.
- 2.27 "contractor"** includes any person who obtains a contract or contracts to provide a service or sell merchandise but does not include a General Contractor.
- 2.28 "day care"** child day care facility means an establishment where care, instruction or supervision is provided to five or more children in the absence of the parents or guardians of those children by a person who is not a relative of a majority of the children. day care facility means a child day care facility other than a family home day care facility. family home day care means day care provided within the operator's private residence for any child of less than twelve years of age from a minimum of four (4) to a maximum of eight (8) children including the operator's own children, when not more than six (6) children, including the operator's own children, are children five (5) years of age or under.
- 2.29 "delivery/messenger means the business of operating service"** vehicles for transporting materials for gain either wholly within or partly within the boundaries of the Hamlet.
- 2.30 "dining lounge"** means premises in which beer, wine and liquor is served to the public in connection with the serving of regular meals.
- 2.31 "dry cleaning"** includes the business of dyeing or dry cleaning cloth, clothing, garments, feathers, furs or any fabric by immersion or washing by any aqueous solvent.
- 2.32 "electrician"** means a journeyman status person who lays out, assembles, installs, repairs, maintains, connects or tests electrical fixtures, apparatuses, control equipment, and wiring systems of alarm, communication, light, heat or power in building or other structures.
- 2.33 "electronic technician"** means a person who diagnoses and repairs radio and television receiver and other electronic equipment.
- 2.34 "firearm/ammunition means any person who carries on a dealers"** business dealing with firearms as defined by the Criminal Code of Canada, or ammunition therefore, and without restriction the generality of the foregoing, includes the business of manufacturing, purchasing, wholesaling, retailing, importing, exporting, repairing, altering or taking in pawn such firearms or ammunition therefore.
- 2.35 "fish dealer"** means any person cutting, processing or packaging fish and exposing, selling or offering the said fish for sale by retail.
- 2.36 "floor laying mechanic"** means a person who installs linoleum, tile, carpet, quarry tile, ceramic or plastic tiles on building floors and walls.
- 2.37 "food vendor"** means a vendor that sells food and assorted confectionary items.
- 2.38 "gas fitter"** means a person who installs and maintains pipe systems and equipment which supply natural gas or propane to provide heating and lighting in buildings.
- 2.39 "gasoline filling station"** includes garages, warehouses or any premises whose primary purpose is to offer for retail consumption any petroleum product used in vehicles, to the general public.



2.40 "general contractor includes any person who enters (trades)" into a contract or contracts for the erection or alteration of any building or structure within the Hamlet, wherein a trades designation is required.

2.41 "grocery store" means any premises wherein any of the following are exposed, offered for sale or sold by retail: fresh fruits; fresh vegetables; bakery, meat, poultry or fish products; frozen foods; along with processed and prepackaged food which has been processed and prepared by reputable and qualified firms.

2.42 "hall for entertainment" includes every hall kept for hire or profit wherein concerts, dances, entertainments or amusements are held.

2.43 "Hamlet" means the Hamlet of Tuktoyaktuk.

2.44 "Hamlet property" means property to which the Hamlet has legal title, a leasehold interest or otherwise administers.

2.45 "handyman" includes any person who complete minor repairs or renovations to a building. Does not include any structural components of building.

2.46 "hawker or pedlar" means any person who, whether as principal or agent, goes from house to house or locates on any street or roadway or elsewhere other than a building which is their permanent place of business, and offers for sale any merchandise to any person or offers to expose for sale to any person by means of samples, patterns, cuts, or blueprints, merchandise to be afterward delivered in or shipped to the Hamlet; but does not include a principal or agent selling to a wholesale or retail dealer in such merchandise.

2.47 "health parlour" means a business where one or more of the following services or facilities are available to the public for compensation: (a) instruction in physical conditioning; (b) physical conditioning equipment; (c) baths of any description; or (d) steam/sauna cabinets or rooms; but does not include a business where medical or therapeutic treatment is performed or offered by a person or person duly qualified, licensed or registered to do so under the laws of the Northwest Territories.

2.48 "heavy duty mechanic" means a person who examines, tests, and repairs spark ignition or diesel engines that power highway transport vehicles, construction and earth moving equipment, agricultural tractors, and mobile industrial equipment and transit vehicles.

2.49 "home occupation" means an occupation, trade profession or craft carried on by a person who is an occupant of a residential building as a use secondary to the residential use of the building.

2.50 "hotel" means an establishment consisting of one building or two (2) or more connected or adjacent buildings that provide sleeping accommodation for the public but does not include a motel, boarding, lodging or rooming house or bed and breakfast as herein defined.

2.51 "Inspector" means a person named as such in any by-law of the Hamlet of Tuktoyaktuk. Reference to inspector in this by-law shall mean the Senior Administrative Officer or his or her designate.

2.52 "insulator" means any person who applies external insulation to mechanical equipment, piping and ductwork including canvas, sheet metal and plastic covers.



- 2.53 "junk dealer"** includes every person who collects rags, bottles, meals discarded or useless objects of any kind which has been discarded or sold, with the intent to sell or recycle the junk for a profit.
- 2.54 "kennel"** includes a house, shelter, room or place where more than three (3) dogs over the age of three (3) months, are kept or harboured at one and the same time, but does not include premises used exclusively for the care and treatment of dogs operated by a duly qualified veterinary surgeon, nor premises used for the purpose of a dog show.
- 2.55 "kiosk"** means any stall, table or compartment space in a retail commercial building individually rented for temporary periods.
- 2.56 "laundry"** includes the business of washing, ironing, starching or pressing any washable articles or things.
- 2.57 "license"** means a license issued pursuant to this By-law. "licensee" means a person holding a valid license issued pursuant to this By-law. "limousine/bus service" means the business of offering for gain or profit, the use of non-metered vehicles and drivers.
- 2.58 "liquor store or outlet"** means a place which sells beer, wine and spirits, not to be consumed in or on the premises.
- 2.59 "locksmith"** means any person who operates the business of providing locks, keys or safes and service thereto.
- 2.60 "lodge agents"** includes any lodge that has an office or phone number in Yellowknife for customers to contact the owner, manager or booking agent.
- 2.61 "machinist"** means a person who operates various types of precision metal cutting and grinding machines for the shaping of metal into usable parts according to specifications.
- 2.62 "manicurist"** means the business of cutting, trimming, cleaning or otherwise affecting the appearance of finger or toe nails.
- 2.63 "market"** (traders/flea) means the business of providing to persons, for compensation on a temporary or casual basis, stalls or other restricted areas for the display and sale of goods, wares or merchandise to the public.
- 2.64 "massage therapist"** means a person who belongs to a provincial or territorial Massage Therapist Association affiliated with the Canadian Massage Therapist Alliance or who is a member of a Provincially or Territorially regulated College of Massage Therapists;
- 2.65 "merchandise vendor"** means a vendor that sells merchandise other than food.
- 2.66 "milk dealer"** means any person, company, or firm carrying on the business of milk, cream or butter processing and/or distribution plant and offering the said products for wholesale to stores or retail directly to the consumer thereof. Part I Definitions
- 2.67 "mobile home dealers"** means any person who carries on a business of selling mobile homes.
- 2.68 "mobile home park"** means a parcel of land under one ownership which has been planned, divided into mobile home lots and improved for the placement of mobile homes for permanent residential use.



2.69 "money lender" includes any person, firm or corporation engaged in the business of lending money and who takes security for the repayment thereof.

2.70 "motel" means any building containing sleeping or dwelling units used by the public that have direct access outside, but does not include a hotel, boarding, lodging or rooming house or bed and breakfast as herein defined.

2.71 "motor vehicle mechanic" means a person who performs preventative maintenance, diagnoses breakdowns, and makes repairs on automotive vehicles and light trucks.

2.72 "non-resident business" includes any business, trade, profession, industry, calling or provider of goods or services which is not situated within or does not maintain a place of business within the corporate boundaries of the Hamlet of Tuktoyaktuk but operates either partly or wholly within the corporate boundaries of the Hamlet of Tuktoyaktuk.

2.73 "office building operator" means a person who owns or operates a building or attached set of buildings in which offices are rented out for commercial purposes.

2.74 "officer" means a By-Law Enforcement Officer of the Hamlet of Tuktoyaktuk.

2.75 "oil burner mechanic" means a person who installs, services, repairs, converts high pressure, low pressure and vaporizing oil burners with input rates up to 400,000 BTU/hr; installations complete with necessary piping or combustion malfunctions. "pawnbroker" includes any person who lawfully exercise the trade of receiving or taking by way of pawn, pledge or exchange any goods for the repayment of money lent thereon.

2.76 "person" includes an individual, a corporation, partnership, association, or other similar cooperative organization. "plumber" means a person who plans, installs, and services the piping systems and fixtures required to supply hot and cold water and to dispose of sanitary and other wastes in residences, schools, and commercial, industrial, public and other buildings or establishments.

2.77 "premises" means the store, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied, by a person for the purpose of any business.

2.78 "pressing and repairing" includes the business of pressing and repairing cloth, clothing or garments, and in connection therewith the elimination or cleaning of stains by what is known in the trade as "spotting".

2.79 "private investigator" means an individual who, for hire or reward, seeks or obtains information about any of the following: (a) convictions of criminal or other offenses committed by a person, (b) the activities, character or repute of a person or organization, (c) the location of a missing person, (d) the causes of fires, accidents and other incidents, (e) the location of missing property.

2.80 "public auction" includes any activity whereby goods are sold to the general public by auction but does not include those sales to which the Seizure Act applies or those sales held pursuant to an order of a court of competent jurisdiction.

2.81 "public way" means a sidewalk, street, highway, square or other open space to which the public has access, as of right or by invitation, expressed or implied.



2.82 "radio electronic includes the carrying on of the servicing" business of disconnecting, repairing, adjusting and installing radio, television and other electronic equipment, including receiving and transmitting apparatus.

2.83 "refrigeration and air means a person who assembles, conditioning mechanic" installs, tests and overhauls these systems and therefore, must exercise good judgement and resourcefulness to locate and diagnose defects (troubleshooting), Public buildings, offices, hospital, homes restaurants, food and beverage retail, or wholesale outlets and food processing plants, are just a few of the places which require installation and servicing of refrigeration and air conditioning systems.

2.84 "rental accommodation means any person who offers, keeper" rents or leases any building or portion thereof (not being a boarding, lodging or rooming house or a motel/hotel as herein defined) used or occupied as the home or residence of three (3) or more families living independently of each other and includes flats, suites and apartments, row houses or similar groupings of one family dwelling units.

2.85 "rental agency" includes any person who, by contract or agreement, and for a fee payable by the renter or the lessee, provides information respecting commercial and residential accommodation which is available for rent or lease. "resident" means a person having a permanent place of business within the Hamlet of Tuktoyaktuk.

2.86 "resident" means a person who has resided in Tuktoyaktuk for twelve months prior to applying for a business license.

2.87 "restaurant" includes but is not confined to: (a) every public place where food and alcoholic and nonalcoholic drink is sold or consumed on or about the premises; and, (b) canteens, cafeterias, dining rooms, etc., provided for the public, staff, students, or employees, whether meals are paid for on an individual basis, or are included in a daily, weekly, monthly or similar charge; but does not include: (c) premises wherein only soft drinks or ice cream in its various forms are sold to the public to be consumed on or off the premises; (d) premises such as tents or stalls set up temporarily as restaurants to be used for a period not exceeding ten (10) days in connection with fairs, bazaars and the like.

2.88 "retail business" means any person who operates a business, calling, trade, profession, industry, occupation, employment or the provisions of goods to the final consumer totally within or partly within the Hamlet not otherwise specified herein and not excluded by Territorial Statutes.

2.89 "salvage dealer" means any person who purchases and sells ferrous or non-ferrous metal or purchases items such as old cars for the purpose of dismantling and selling the used parts or for the purpose of selling items as scrap materials.

2.90 "second hand dealer" includes any person who purchases, sells, exchanges or in any way deals in goods, wares, merchandise, effects, articles or things of any kind or nature, which have been worn, used, or purchased by some person to be worn or used, all commonly known as secondhand goods or antiques and hereinafter referred to as secondhand goods, but does not include: (a) any merchant or dealer who takes by way of exchange secondhand goods or junk as a mere incident of his usual business; or, (b) persons who deal in secondhand books; or, (c) auctioneers, when disposing of merchandise by public auction.



2.91 "security alarm agent" includes any person who:

- (a) sells, supplies, provides, installs or offers to install a security alarm system in conjunction with:
 - i) an inspection of the property where the system is to be used by the security alarm agency that employs the security alarm agent, or
 - ii) an agreement or arrangement with security alarm agency that employs the security alarm agent to monitor or patrol the system or to respond to an alarm activated in the system, or
- (b) repairs or maintains security alarm systems that are installed on the property of another.

2.92 "security business" means a business that provides the services of:

- (a) locksmiths, (b) private investigators, (c) security alarm agents, (d) security consultants, (e) security guards.

2.93 "senior administrative means the Senior Administrative Officer" officer of a municipal corporation appointed by Council under Section 44 of the Cities, Towns and Villages Act.

2.94 "sheet metal mechanic" means a person who, for construction jobs, lays out, fabricates, and installs ducts for ventilating, air conditioning, heating, and exhaust systems.

2.95 "shooting gallery" includes any premises which are used wholly or in part as a rifle or shooting gallery or miniature rifle range.

2.96 "sidewalk" means all that area legally open to public use as a pedestrian public way between the curb line and the legal building line of the abutting property

2.96 "snack bar" means any premises which offers for sale light refreshments for immediate consumption with no seating provided.

2.97 "special auctioneer" includes any person who, by himself or by the employment of another person, sells by auction merchandise that is new or is represented as being new

2.98 "special event" includes a public or private event that involves the closure of the street or any other event as recognized by the Senior Administrative Officer or his or her designate.

2.99 "spray painting business" includes any business which uses spray painting equipment or provides for public or private use spray painting equipment or facilities which are permanently located within a building or structure. Such businesses include, but are not limited to, auto body services and repair shops, heavy and light equipment service and repair shops and paint spraying facilities which are provided on a rental basis.

2.100 "street" means all that area legally open to public use as public streets, sidewalks, roadways, highways, parkways, boulevards, alleys and any other public way. "student business" includes any business operated by a person under the age of 21 years presently attending an educational institution or enrolled in an ongoing educational program.

2.101 "summer tourist business" includes any business that operates for tourists during the summer months only.



2.102 "tattoo parlour" includes any premises where tattooing is performed for gain. "theatre" includes any place which offers permanent seating used for the showing of theatrical, operatic, or vaudeville performances or moving pictures or television shows or for similar purposes.

2.103 "tobacco dealer" includes every person who, as a retailer, keeps for sale, sells, exposes, or offers for sale, cigars, cigarettes, cigarette tobacco, smoking or chewing tobacco, snuff or any tobacco products other than through a slot machine.

2.104 "towing/boosting service" means the business of operating trucks propelled by mechanical power for the purpose of towing or boosting for gain, vehicles, trailers or other wheeled equipment on the highways of the Hamlet.

2.105 "transient contractor" includes any person that does not maintain a permanent place of business within the Hamlet and who acts as a contractor.

2.106 "transient trader" means any person who is not a resident of the Hamlet, and who, either as a principal or an agent, whom buys or sells any merchandise from a building or other permanent enclosure or a vehicle.

2.107 "travel/tour agents" includes any travel/tour or guiding in which the persons taking the tour originate from Yellowknife or use Yellowknife as a stage point.

2.108 "unsafe condition" means any condition that could cause undue hazard to life, limb or health of any person authorized or expected to be on or about the premises of an establishment, or in the general area of a mobile vendor.

2.109 "used car dealer" includes any person who, in any one year, offers for sale, trade or exchange a greater number than three (3) secondhand or used motor vehicles of any description.

2.110 "vending stand" means any movable or immovable vending station, vehicle, pushcart or other conveyance from which food or merchandise is sold.

2.111 "vendor" means any person traveling by foot, wagon, vehicle or any other type of conveyance from street to street carrying, conveying, or transporting goods, wares or merchandise and offering them for sale, or making sales and delivering articles to purchasers; or who, without traveling from place to place, exhibits, displays, sells or offers for sale such products from a wagon, pushcart, handcart, motor vehicle, conveyance or from his person within the Hamlet of Tuktoyaktuk. This definition does not include a door-to-door peddler or solicitor. Also see: food vendor, merchandise vendor.

2.112 "veterinarian" means a person holding a license issued by the Territorial Government under the Territorial Veterinarians Act

2.113 "veterinarian clinic" includes any premises that is advertised or used for veterinarian services for the care and treatment of animals.

2.114 "video store" includes any premises that leases, rents or sells moving or programmed video tapes to the public.

2.115 "welder" means a person who joins metals such as beams, girders, reinforcing rods in bridges and buildings, and segments of vessels or piping systems through the process of welding.



2.116 “In town resident business” means a business has an office based in Tuktoyaktuk for twelve months prior to applying for a business license.

3. APPLICATION

3.1 Except as provided in Subsection (3.2), this by-law applies to all businesses within the boundaries of the Hamlet.

3.2 This by-law does not apply to:

- i) the occupation of trappers, carvers, home handicraft, domestic servant or unskilled labourer.
- ii) the business of operating motor liveries or taxi cabs in the Hamlet. Refer to By-Law 305.

4. LICENSING

4.1 No person or corporation or limited company except as in Section 3 Subsection 3.2 shall carry on within the Hamlet a business unless he has a license for that business.

4.2 No person or corporation or limited company shall sub-contract within the Hamlet to any business license holder without a temporary or regular business license.

4.3 A license under this by-law is transferable where the description of the business remains the same.

4.4 Where the license holder changes his business name or address, the license may be amended to reflect the change upon such terms as the Senior Administrative Officer may require.

4.5 Every license shall be displayed in a conspicuous place at the chief place, in the Hamlet, of the business for which it was issued.

4.6 Every license shall, at all reasonable times, be produced upon request of the municipal constable or any law enforcement officer acting under this by-law.

4.7 Every license shall have effect from the date of issue or renewal, until the 31st day of December next following or until revoked, whichever is sooner.

4.8 Every license holder under this by-law will comply with all other applicable by-laws of the Hamlet and any applicable Ordinances of the Northwest Territories.

5. INITIAL APPLICATION AND RENEWAL

5.1 Every applicant for a license, must provide the following information in the form prescribed by the Council in Schedule “A” of this Bylaw:

- i) The address of the proposed business;
- ii) The trade name under which the proposed business will operate;
- iii) Where the applicant is a sole proprietorship or partnership, the full name, mailing address, and telephone number of the applicant or applicants;
- iv) Where the applicant is a corporation, the full name, and mailing address of the principal managing employee or employees, and the telephone number of the business;



- v) Any certificate, authority, license, or other document of qualification under this or any other Bylaw, or under any Statute of Canada or the Northwest Territories, that may be required in connection with the carrying on of the business, including, but not limited to:
- a) A Certificate of Compliance from the Worker's Safety and Compensation Commission NWT;
 - b) A Certificate of Compliance from the Fire Marshall's Office;
 - c) An Environmental Health and Tourism Accommodation certificate;
 - d) A Certificate from a Public Health inspector attesting to compliance with the Eating and Drinking Places Regulations of the Public Health Act, R.S.N.W.T. 1988, c.P-12, as amended;
 - e) A development permit from the Hamlet of Tuktoyaktuk;
 - f) Proof of trade qualifications;
 - g) Hawkers & peddlers license from the Government of the Northwest Territories.
- vi) Proof in writing from the Hamlet that all municipal accounts in the applicant's name, including municipal taxes, land lease payments, water and sewer delivery fees, are in good standing;
- vii) In the case of a home-based business, no license shall be issued to operate a home based business in rental accommodation unless a letter of consent from the landlord of the premises, or their designated agent, expressly granting permission to operate a business out of the rented premises, is attached to the business license application;
- viii) The prescribed fee as described in Schedule "One" to this Bylaw.
- 5.2** No license shall be issued until all documents, information, and fees required under section 5 are provided by the applicant in a form satisfactory to the Senior Administrative Officer.
- 5.3** All charitable and religious organizations must have a business license. Fees will be waived for registered charitable organizations, religious organizations and not for profit registered societies that provide cultural, sports, recreational or social benefits to the community. The onus of establishing qualification for waiver of fees under this section rests with the applicant seeking the waiver.
- 5.4** No applicant shall knowingly furnish false or misleading information regarding any procedure or condition of this by-law. The furnishing of false or misleading information shall constitute an offence under this By-law.
- 5.5** When an applicant has complied with the terms of this By-law, and all other applicable by-laws, the applicant shall be entitled to the license applied for.
- 5.6** All business licenses issued to licensees are valid when approved by the Senior Administrative Officer or his or her designate and are effective as of the date of such approval.
- 5.7** Where a licensee wishes to change any information contained in the application form, other than the specific information recorded on the license, the licensee shall make application for such



change to the Senior Administrative Officer within thirty (30) days of the issuance of the license, and shall pay the administrative fee as specified in Schedule "One" of this By-law.

- 5.8 Each license issued shall be valid from the date it is issued until the following December 31st.
- 5.9 Business license renewals shall be completed by December 31st in each year.
- 5.10 Applicants seeking to renew their business license may be required to provide any of the documents or information necessary upon initial application, at the discretion of the Senior Administrative Officer or his or her designate.
- 5.11 An administration fee as set out in Schedule "One" shall be assessed against a business that submits a business license renewal application received after February 15th.
- 5.12 A business license issued under this By-law is transferable subject to application, for that purpose, payment of the appropriate fee as set out in Schedule "B" and fulfillment of requirements of this by-law.
- 5.13 No transfer of a business license shall be approved unless the Applicant seeking the transfer fulfils all of the criteria set out in section 5.1 of this Bylaw.
- 5.14 The license fee shall be payable in full by each applicant at the time of the application, and will not be pro-rated to the prospective term of the operation of the business.
- 5.15 No refunds shall be made, pro-rata or otherwise, on any license due to the cessation of business activities by the licensee for whatever reason.
- 5.16 A non-residence business licences shall be granted a discounted fee of -\$750.00 pending documentation that they have been sponsored by a resident tour guide business.
- 5.17 Schedule "F"- Environmentally Sensitive Areas must be respected and avoided during any guided tour from a non-resident tour guide business.

6. REGISTRATION

- 6.1 Any person requiring a license under this by-law shall apply to the Hamlet Council in Schedule "A" and tender the fee prescribed in Schedule "One".
- 6.2 No license shall be issued unless the applicant produces required information as specified in Section 5 Subsection 5.1 v) if applicable.

7. REFUNDS

- 7.1 Except as otherwise ordered by the council, no money shall be refunded to a person whose license has been revoked or surrendered while still current.

8. RENEWAL

- 8.1 Subject to Subsection 4.1 a renewal of a license may be issued without application upon payment of the prescribed fee to the Hamlet.



8.2 Notwithstanding Subsection 8.1, the Senior Administrative Officer may require an application for the renewal of a license to be in accordance with Section 5, where, in the opinion of the Senior Administrative Officer, circumstances have changed.

9. REVOCATION

The Senior Administrative Officer may subject to the provisions of this by-law, revoke a license issued under this by-law where he is satisfied that:

- a) the license was issued or renewed in error.
- b) the license has violated the provisions of this by-law or of an Ordinance of the Northwest Territories.

10. APPEAL

10.1 A person or corporation or limited company aggrieved by revocation or refusal or failure to issue a license may appeal in writing to the Council with a copy to be served in person upon the Senior Administrative Officer stating the matter complained of, the grounds of appeal and the relief sought.

10.2 The Council shall hear and determine an appeal made under Subsection 10.1 at such time and place within the Hamlet as the Council may decide, and following such a hearing the Council may order the Senior Administrative Officer to:

- i) issue a license upon such terms as the Council may specify.
- ii) renew or re-instate a license that has expired or been revoked.
- iii) refuse to issue or renew a license.
- iv) revoke a license.

10.3 Pending the result of an appeal, the Council may issue an order to allow the aggrieved person or corporation to continue the operation of the business.

11. DECISION ON APPEAL

An order of the Council made under Subsection 10.2 shall be binding upon the Senior Administrative Officer and the person appealing.

12. OFFENCES

12.1 Every person, corporation, or limited company who are required by this by-law to be registered and licensed in respect of a business and who carries on or engages in such business without being so registered or licensed is guilty of an offence and is liable and subject to a fine not exceeding seventy-five dollars for each day during which they carries on or engage in such business while unregistered or unlicensed as the case may be.

12.2 Every corporation or limited company that is required by this bylaw to be registered or licensed in respect of a business and that carries on or engages in such business without being so registered is guilty of an offence and is liable upon summary conviction to a fine not exceeding one hundred dollars for each day during which such corporation carries on or engages in such business while unregistered or unlicensed as the case may be.



13. REPPEAL

BY-LAW NO. 23 AND ALL AMENDMENTS THERETO ARE NOW REPEALED.

READ A FIRST TIME THIS 20th DAY OF March 2019 A.D.

MAYOR MERVEN GRUBEN

SENIOR ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS 20th DAY OF March 2019 A.D.

MAYOR MERVEN GRUBEN

SENIOR ADMINISTRATIVE OFFICER

READ A THIRD TIME THIS 17 DAY OF April 2019, _____ A.D.

MAYOR MERVEN GRUBEN

SENIOR ADMINISTRATIVE OFFICER



**HAMLET OF TUKTOYAKTUK
BY-LAW NO. 374
Schedule "A"**

APPLICATION FOR BUSINESS LICENCE

Date: _____

COMPANY INFORMATION (Please Print)

COMPANY NAME: _____

COMPANY STREET ADDRESS: _____

COMPANY MAILING ADDRESS: _____

POSTAL CODE: _____ PHONE # (BUSINESS): _____

FACSIMILE NO: _____

TYPE OF BUSINESS: _____

TRADE QUALIFICATIONS: _____

PROJECT CONTRACTED FOR: _____

WORKERS' COMPENSATION BOARD FORM NUMBER: _____

(if applicable)

PERSONAL INFORMATION

OWNER(S) NAME(S): _____

RESIDENTIAL ADDRESS: _____

MANAGER: _____

POSTAL CODE: _____ PHONE # (RESIDENTIAL): _____

WSCC COPY OF COMPLIANCE FORM MUST BE ATTACHED

Signature of Applicant

FOR OFFICE USE ONLY:

Business Licence No. _____

Renewal Date: _____

Annual Fee: _____



**HAMLET OF TUKTOYAKTUK
BY-LAW NO. 374
Schedule "B"**

BUSINESS LICENCE RENEWAL FORM

COMPANY NAME: _____

COMPANY AGENT: _____

STREET ADDRESS: _____

MAILING ADDRESS: _____ POSTAL CODE: _____

PHONE NUMBERS: BUSINESS: _____ HOME: _____

TYPE OF BUSINESS: _____

WORKERS' COMPENSATION FORM #: _____ (Please Attach)

TRADE QUALIFICATIONS: _____

ANNUAL FEE: _____ HOME OCCUPATION

_____ OUT OF HAMLET (AS LISTED IN SCHEDULE C)

_____ OTHER AS PER SCHEDULE C

EXPIRY DATE OF LICENCE: _____

Signature of Applicant

Date

PLEASE SIGN IF YOU ARE RENEWING YOUR BUSINESS AS A HOME OCCUPATION.
(For businesses carried on from a place of residence).

I HEREBY APPLY TO RENEW THE DEVELOPMENT PERMIT FOR MY HOME OCCUPATION AND AGREE
TO ABIDE BY THE REGULATION SET OUT FOR THE SAME.

Signature of Applicant

Date

OFFICE USE:

Health Inspector: _____ Date: _____

Building Inspector: _____ Date: _____

Fire Inspector: _____ Date: _____

New Business Licence #: _____ Renewal Date: _____



**HAMELT OF TUKTOYAKTUK
BY-LAW NO. 374
Schedule "C"**

BUSINESS LICENCE

BUSINESS NAME: _____

LOCATION: _____

LICENSEE: _____

TYPE OF BUSINESS: _____

EXPIRY DATE: _____

This license is granted subject to the observance by the licensee of all the applicable by-laws of the Hamlet of Tuktoyaktuk, Territorial Acts and other Statutes, and unless otherwise forfeited, will expire one year from date of issue.

License Fee: _____

License No.: _____

(Approved)



**HAMLET OF TUKTOYAKTUK
BY-LAW NO. 374
Schedule "D"**

Tradesmen requiring qualification for the issuance of a business license in the Hamlet of Tuktoyaktuk.

- Appliance Serviceman
- Autobody Mechanic
- Blaster
- Carpenter
- Electrician
- Electronic Technician
- Floor Laying Mechanic
- Gas Fitter *
- Heavy Duty Mechanic
- Insulator (Mechanical Systems) *
- Machinist
- Motor Vehicle Mechanic
- Oil Burner Mechanic *
- Plumber *
- Refrigeration & Air Conditioning Mechanic *
- Sheet Metal Mechanic *
- Steam Fitter/Pipe Fitter *
- Welder *

* Denotes Mechanical Trades Grouping



**HAMLET OF TUKTOYAKTUK
BY-LAW NO. 374
Schedule "E"**

APPLICATION TO TRANSFER A BUSINESS LICENCE

SELLER

NAME OF SELLER: _____ PHONE #: _____

NAME OF BUSINESS: _____ PHONE #: _____

ADDRESS OF BUSINESS: _____

BUYER

NAME OF OWNER: _____ PHONE #: _____

ADDRESS OF OWNER: _____ POSTAL CODE: _____

NAME OF BUSINESS: _____ PHONE #: _____

ADDRESS OF BUSINESS: _____ POSTAL CODE: _____

TYPE OF BUSINESS: _____

MANAGER: _____

QUALIFICATION OF BUYER (if applicable)

(Buyer Signature)

(Seller Signature)

(Approved)

(Date)



**HAMLET OF TUKTOYAKTUK
BY-LAW NO. 374
Schedule "F"
ENVIRONMENTALLY SENSITIVE AREAS**

1. TUKTOYAKTUK PINGOS
2. DRIFTWOOD BEACH AREA (HIGHWAY ENTRANCE)
3. JAMES GRUBEN AIRPORT AREA
4. DRIFTWOOD BEACH AREA (NEAR OLD AIRPORT)
5. WEST POINT BEACH AREA
6. FIREHALL DRIFTWOOD AREA
7. COMMUNITY CEMETERY
8. SOD HOUSES
9. TUKTOYAKTUK ICE HOUSE



**HAMLET OF TUKTOYAKTUK
BY-LAW NO. 374
Schedule "ONE"**

BUSINESS LICENSING FEES

Type Of Business	Resident	Non-Resident
Advertising Manufacturer	\$75	\$750
Advertising Vehicle	\$75	\$750
Agent	\$75	\$750
Amusement Attraction	\$75	\$750
Apartment Rentals	\$75	\$750
Appliance Servicing	\$75	\$750
Arcade	\$75	\$750
Architect	\$75	\$750
Auto-body Shop	\$75	\$1000
Automobile Dealership	\$75	\$750
Bakery	\$75	\$750
Bank (per Branch)	\$75	\$750
Barber and Beauty Shop	\$75	\$750
Bed and Breakfast	\$75	\$750
Beverage Room	\$75	\$1000
Blacksmith Shop	\$75	\$750
Boarding, Lodging or Rooming House	\$75	\$750
Bowling Alley	\$75	\$750
Butcher Shop/Meat Market	\$75	\$750
Candy/Ice Cream Dealer	\$75	\$750
Carpenter	\$75	\$750
Caterer	\$75	\$750
Canvasser	\$75	\$750
Christmas Tree Vendors	\$75	\$750
Contractor	\$75	\$750
Dairy	\$75	\$750
Day Care	\$75	\$750
Delivery/Messenger Service	\$75	\$750
Diamond Drillers	\$75	\$750
Dining Lounge	\$75	\$750
Drug Store	\$75	\$750
Dry Cleaners/Laundry	\$75	\$1000
Dry Waller	\$75	\$750
Electric and Appliance Repair Shop	\$75	\$750
Electric Light Plant	\$75	\$1000
Explosive Storage, Dealer or Handler	\$75	\$1000
Firearm/Ammunition Dealer	\$75	\$1000
Fish Dealer, Processor, Exporter	\$75	\$750



Freighting by Motor Vehicle	\$75	\$750
Garage Keeper/Motor Vehicle Service Station	\$75	\$1000
General Contractor	\$75	\$750
General Store	\$75	\$750
Grocery Store	\$75	\$750
Hawker/Peddler	\$75	\$750
Health Parlor	\$75	\$750
Home Occupation	\$75	\$750
Implement/Industrial Dealer	\$75	\$750
Insurance Agent, Investment Dealers/Agents	\$75	\$750
Janitorial	\$75	\$750
Jewelers/Watch repairs	\$75	\$750
Kennel	\$75	\$750
Kiosk	\$75	\$750
Landscaping	\$75	\$750
Limousine Service	\$75	\$750
Liquor Service	\$75	\$750
Livery and Boarding Stable	\$75	\$750
Locksmith	\$75	\$750
Lounge	\$75	\$750
Lumber Yard/Sales	\$75	\$750
Machine Shop	\$75	\$750
Manicurist	\$75	\$750
Market (Trader/Flea)	\$75	\$750
Mechanical Trades	\$75	\$750
Mobile Home Dealer	\$75	\$750
Mobile Home Park	\$75	\$750
Money Lenders	\$75	\$750
Motel/Hotel/Camp*	\$75 + \$10 Per Room	\$750 + \$10 Per Room
Motor Vehicle Dealer	\$75	\$750
Mutual Fund Dealers/Agents	\$75	\$750
Office Rentals	\$75	\$750
Painter	\$75	\$750
Pawnbroker	\$75	\$750
Pet Grooming	\$75	\$750
Photo/Photographer Shop	\$75	\$750
Plumbing Contractor	\$75	\$750
Pool/Billiard Parlors	\$75	\$750
Printer/Publisher	\$75	\$750
Private Investigator	\$75	\$750
Professional Office	\$75	\$750
Public Halls	\$75	\$750
Public Warehouse	\$75	\$750
Radio Servicing/Sales	\$75	\$750
Real Estate Agent	\$75	\$750
Refrigeration/Air Conditioning Contractor	\$75	\$750



Restaurant	\$75	\$750
Retail Business	\$75	\$750
Salvage Dealer	\$75	\$1000
Second Hand Dealer	\$75	\$750
Security Alarm Agent	\$75	\$750
Security Business	\$75	\$750
Sheet Metal Shop	\$75	\$1000
Shoe Repair Shop	\$75	\$750
Shoe Store	\$75	\$750
Shooting Gallery	\$75	\$750
Snack Bar	\$75	\$750
Special Auctioneer	\$75	\$1000
Spray Painting Shop		
Stock Broker or Broker's Agent	\$75	\$750
Student Business	\$75	\$750
Supper Club/Cocktail Lounge	\$75	\$750
Tattoo Parlor	\$75	\$750
Theater	\$75	\$750
Tire Sales and Repairs	\$75	\$1000
Tobacco Dealer	\$75	\$750
Towing/Boosting Service	\$75	\$750
Travel Agent	\$75	\$750
Tour Guides	\$75	\$1500.00 or \$750.00 with sponsorship of local resident business
Undertaker	\$75	\$750
Used Car Dealer	\$75	\$750
Video Sales and Rental	\$75	\$750
Welding Shop	\$75	\$1000
Woodworking Shop	\$75	\$750
All Registered Non-Profit Organizations and Charitable Societies	\$0	\$0
All Businesses not listed	\$75	\$750
Administrative Fees		
-License Information changes	\$25	\$25
- Transfer of Business License	\$25	\$25
- Operating a business after February 15 th	3 times the License Renewal Fee	3 times the License Renewal Fee