



Town of Bowden
Box 338, 2101 20th Ave
Bowden, Alberta, T0M 0K0

Town of Bowden – Province of Alberta BUSINESS LICENCE BYLAW 09 / 2024

Whereas the Municipal Government Act, RSA2000, Chapter M-26 provides that Council may pass bylaws for municipal purposes:

And whereas pursuant to section 7(e) of the Municipal Government Act, a Council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business;

And whereas pursuant to section 8 of the Municipal Government Act, a Council may in a bylaw

- (a) regulate or prohibit;
- (b) deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways; and
- (c) provide for a system of licences, permits or approvals, including any or all of the following:
 - (i) establishing fees for licences, permits and approvals, including fees for licences, permits and approvals that may be in the nature of a reasonable tax for the activity authorized or for the purpose of raising revenue,
 - (ii) establishing fees for licences, permits and approvals that are higher for persons or businesses who do not reside or maintain a place of business in the municipality,
 - (iii) prohibiting any development, activity, industry, business or thing until a licence, permit or approval has been granted,
 - (iv) providing that terms and conditions may be imposed on any licence, permit or approval, the nature of the terms and conditions and who may impose them,
 - (v) setting out the conditions that must be met before a licence, permit or approval is granted or renewed, the nature of the conditions and who may impose them,
 - (vi) providing for the duration of licences, permits and approvals and their suspension or cancellation for failure to comply with a term or condition or the bylaw or for any other reason specified in the bylaw.

Now therefore, the Municipal Council of the Town of Bowden hereby enacts as follows:

1 SHORT TITLE

This bylaw may be known as, and cited as, the "Business Licence Bylaw".

2 PURPOSE

To ensure that businesses within the Town:

- i. operate in a manner that complies with zoning requirements,
- ii. provide customer assurance of the validity of a business within the community,
- iii. to ensure that home business activities do not disrupt residential neighbours,
- iv. to provide a means by which the Town's online business directory can be maintained.

3 DEFINITIONS

In this bylaw the following definitions apply:

Applicant

Means any person who makes an application for a business license under the provisions of this bylaw.

Business

Means:

- a) a commercial, merchandising or industrial activity or undertaking,
- b) a profession, trade, occupation, employment, or,
- c) an activity providing goods or services, however organized or formed, including a cooperative or association of persons.

Business Licence

Means a license to be issued, pursuant to this bylaw, for the purpose of licensing any business operating within the TOMOKO postcode.

Business Premises

Means the store, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied by any person for the purpose of any business.

Bylaw

Means this bylaw, and all other Town bylaws made pursuant to the authority of the MGA, and includes any regulation, enactment or policy made pursuant to the authority of this or any other Town bylaw.

CAO (Chief Administrative Officer)

Is the person appointed by Council into the position of Chief Administrative Officer for the Town of Bowden in accordance with the MGA and is the administrative head of the Municipality (and includes any person given designated responsibilities by the CAO).

Charitable or Non-profit Organization

Means any person, association, or corporation engaged entirely in charitable activities, or engaged in the promotion of general social welfare within the Town, all the resources of which are devoted entirely to charitable activities and not for a profit or gain and which does not confer a monetary or other benefit on its members or directors.

Designated Officer

Means a person to whom the CAO has delegated powers, duties or functions as permitted under the authority of the MGA or any other person with powers enabled under any other order or enactment, including but not limited to:

- a) any person appointed by the Town as a Bylaw Enforcement Officer,
- b) a Red Deer County Inspector or Officer empowered under an intermunicipal collaboration agreement,
- c) any Inspector appointed by a Minister with responsibilities defined or authorized under enactment,
- d) any person by virtue of appointment to another office, including but not limited to, RCMP Officers, Customs & Excise Officers, a Peace Officer (contracted or otherwise), a Sheriff or Fish & Wildlife Officer.

Development Authority

Means the person, commission or organization authorized to exercise development powers and perform duties on behalf of the Town as referred to in Division 3 of the Municipal Government Act.

Development Permit

Means a document authorizing a development issued pursuant to the Town's Land Use Bylaw.

Farmers' Market

Means an open air or fully or partly covered market, for the sale of goods directly by the producers, or their representatives who are involved in the production, of local fresh, dried or frozen fruit and vegetables, local dried or frozen meat and seafood, local eggs, local dairy products, local plants, locally prepared and ready to eat foods and local artisan crafts.

Flea Market

Means the carrying on of a business to organize a group of more than three (3) merchants, vendors or participants, to gather in one location or building to offer handcrafts, produce and vegetables, food, new and used goods, wares, merchandise or services for sale for time periods of (7) seven days or less in duration.

Garage Sale

Means the displaying and offering for sale of five (5) or more items of goods, wares or merchandise (other than boats, motor vehicles or recreational vehicles of any kind) on private residential property.

Hawker or Peddler

- a) Means any person who, whether as principal or agent; goes from house to house selling or offering for sale any merchandise or service, or both, to any person and who is not a wholesale or retail dealer in that merchandise or service,
- b) offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise or a service, or both, to be delivered afterwards in and shipped into the municipality to the customer,
- c) sells merchandise or a service, or both, on the streets or roads or elsewhere other than at a building that is a permanent place of business,
- d) does not have a permanent place of business in the municipality.

Home Occupation and Home-Based Business

Means a business carried on as a secondary use of a dwelling unit and / or its accessory buildings, by at least one of the permanent residents of such a dwelling.

Licensee

Means a person holding a valid license issued pursuant to this Bylaw.

Merchandise

Means commodities or goods that are bought and sold in business.

Mobile Vendor

Means any person selling goods, food, amusements or services from a mobile motor vehicle, trailer, or similar structure that is designed for offering the sale of goods, food, or services.

MGA

Means the Municipal Government Act, RSA2000, Chapter M-26, (as amended over time).

Municipality

Means the Town of Bowden.

Non-resident Business

Means any business which does not ordinarily locate or maintain a permanent place of business or residence within the Town (non TOMOKO postcode) nor is listed on any current Town tax assessment role.

Person

Means a natural person or a body corporate, and includes

- a) an individual (resident / non-resident or visitor),
- b) a legal entity or business entity, including a firm, developer, contractor, association, partnership, society, or corporation,

Principal Contractor

Means the business of accepting contracts for a service, construction, alteration and repair of buildings or structures of any kind and the person or firm engaged in such business and is responsible for the day-to-day oversight of a construction site, management of vendors and trades, and communication of information to involved parties throughout the course of a building project.

Premise

Means any building or structure or any part or portion of a building or structure, including any land used in connection with that building or structure for the purposes of:

- a) providing parking for vehicles,
- b) displaying or storing vehicles, equipment or other articles or things,
- c) enhancing the appearance or use of the building or structure,
- d) carrying out activities that are ancillary to the activities carried in or on that building or structure.

Property

Means:

- a) any public or private land,
- b) any building or structure (either residential or non-residential / occupied or unoccupied),
- c) both or part of a) & b),

situated within the Municipality.

Provincial Offences Procedure Act

Means the Provincial Offences Procedure Act, RSA2000, Chapter P-34.

Pursuant to

Means to execute, carry out or investigate an activity in accordance with the requirements of a statute, ruling, policy, order, or request.

Red Deer County

Means the municipal corporation of Red Deer County in the Province of Alberta.

Remedial Order (or order)

An order to remedy contraventions issued in accordance with sections 545 & 546 of the MGA.

Resident

Means a person who:

- a) is located or permanently resides within the boundaries of the Town; and
- b) utilizes the space and services, including office area, telephone, mailing address or postal box from premises that are listed on the Town's tax roll.

Resident Business

Means any business which ordinarily locates or maintains a permanent place of business within the Town or T0M0K0 postcode through property ownership or property rental or lease agreements.

Residential District

Means an area (as defined by the Town of Bowden Land Use Bylaw) zoned as R1, R1A, R2, R3, R4 and PFR (as amended over time).

Specific Penalty

Means an amount payable in respect of offences in accordance with this bylaw.

Sub-contractor

Means the business or person engaged in providing services for a portion of a contract from a Principal Contractor or another sub-contractor.

Temporary Business

Means commercial or industrial business activity; a profession, trade, occupation; or an activity providing goods or services, where the duration of the business activity is equal to or less than four (4) consecutive weeks.

Town

Means the municipal corporation of the Town of Bowden in the Province of Alberta.

Trade Show

Means a group of five or more persons at a single location, for a period of not more than seven (7) days, displaying to the public the types of goods, wares, merchandise, food or services that they have available for sale (including Community Trade Shows).

Vehicle

Means any device in, on or by which a person or thing may be transported or drawn on a highway.

Words (interpretation)

- a) "may" is to be interpreted as permissive (allowed but not obligatory, optional).
- b) "must" is to be interpreted as imperative (obligatory, mandatory, required, unavoidable).
- c) "shall" is to be interpreted as "must".
- d) "should" is to be interpreted as a recommended (desirable, not required to conform).
- e) "Including but not limited to" means when listing a number of items, does not limit the bylaw term to only those words or those items listed.

4 GENERAL PROVISIONS

4.1 General Licensing Requirements

4.1.1

No person shall engage in or operate within the Town any business described / defined within this bylaw, or any non-resident business unless that person holds a business license authorizing the engagement in, or operation of, that business and having paid to the Town the fee required under the Town's Rates and Fees Bylaw or as set by the CAO.

4.1.2

It is the responsibility of the applicant / licensee to obtain and hold valid Federal, Provincial and Municipal licenses, permits, approvals, clearances and / or insurances.

4.1.3

Where more than one business operates at one business premises, each business requires a separate Business License.

4.1.4

For businesses where more than one salesperson conducts business within the Town (door-to-door sales campaigns) the regional manager / sales manager (only) is required to obtain a Business License.

4.1.5

No person shall carry on business as a hawker, peddler or mobile vendor within the Town boundary unless a Business Licence has been issued.

4.2 Farmers Markets, Flea Markets, Trade Shows

4.2.1

The organizer of a Farmers Market, Flea Market or Trade Show is required to obtain a Business Licence.

4.2.2

Businesses operating as a vendor within a Farmers Market, Flea Market or Trade Show are required to have a Business Licence if a resident business.

4.2.3

At a Farmers Market, Flea Market or Trade Show a Business Licence is not required for:

- i. mobile vendors that are operating legitimately as part of the event,
- ii. a Not-for-Profit Organization,
- iii. a non-resident business.

4.2.4

Where a Farmers Market, Flea Market or Trade Show is located on property owned by the Town the organizer must provide in advance proof of insurance of Commercial General Liability coverage of not less than \$2 million dollars inclusive per occurrence for bodily injury, death and damage to property.

4.3 Home Occupation and Home-Based Business

4.3.1

A home-based business shall not be staffed by more than two adult residents of the home.

4.3.2

Only one commercial vehicle used in conjunction with the home occupation business may be parked on the site or any adjacent street.

4.3.3

Consideration and written approval may be required from the CAO where customers to the home-based business, employees coming to the residence, or the use of more than one vehicle for the business may result in an intensification of use of the residence and thereby increase the potential to create a noise or nuisance.

4.3.4

A home-based business may not result in a disturbance to the peace and quiet or other amenities of the neighbourhood, nor may it cause the emission of dust, noise, odour, smoke, electronic interference, bright lights, or other nuisances.

4.3.5

The outside storage of equipment, material or goods in connection with a home-based business is prohibited, nor shall there be any storage or use of hazardous, noxious or dangerous goods.

4.3.6

An accessory building may not be constructed or used for the sole purpose of a home-based business.

A home-based business may be accommodated in a private garage, provided that the intended purpose of parking motor vehicles continues to be met

4.4 Application Process

4.4.1

Every application shall be made using the appropriate application form (Renewal or New Application)

The application fee must be paid at the time of issue of the Business Licence.

4.4.2

All applicants must provide supporting information as required by the Town, including but not limited to:

- i. a permit, license, certificate,
- ii. proof of insurance,
- iii. a development permit,
- iv. a building / fire code compliance certificate,
- v. a public health certificate or
- vi. an Alberta Company registration document.

4.4.3

The Town may conduct checks to verify the validity of a business prior to issuing a licence.

4.4.4

An applicant shall not submit any information with respect to an application which is false or misleading or inaccurate.

4.4.5

A reapplication for a Business Licence must be made if there is a change in the:

- i. business location,
- ii. owner of the business,
- iii. business name,
- iv. type of business.

4.4.6

A Business License will not be issued:

- i. if the applicant fails to provide all the information required or requested under this bylaw,
- ii. furnishes false information or misrepresents any fact or circumstance,
- iii. to any applicant who is not in compliance with any statute, regulation, or bylaw or order,
- iv. the applicant or Licensee does not or no longer meets the requirements of this bylaw with respect to the license applied for or held,
- v. if in the opinion of the CAO based on reasonable grounds, the applicant or licensee has contravened this bylaw whether or not the contravention has been prosecuted,
- vi. fails to pay any fee outstanding required by this bylaw, or
- vii. in the opinion of the CAO based on reasonable grounds, it is in the public interest not to issue a license.

4.4.7

Notwithstanding that a Business License has been issued under the provisions of this bylaw, any such license does not authorize or permit the licensee to carry on a business or any pursuit contrary to the provisions of any other Town bylaw.

4.5 Responsibilities of Licensee and Employees

4.5.1

A licensee or business operator shall be responsible for the act or acts of its agents in the carrying on of the business in the same manner and to the same extent as though the act or acts were done by the licensee or business operator.

4.5.2

When the information required to be provided to the Town becomes inaccurate, updated and accurate information must be promptly provided by the licensee to the Town.

4.5.3

A licensee shall maintain, on a continuous basis, the standards and requirements necessary to obtain a licence.

4.5.4

A licensee shall maintain any standards or requirements imposed by a Town bylaw, or a Federal or Provincial Act or regulation, after the licence is issued.

4.5.5

A licensee shall maintain any additional standards and requirements that are necessary because of any change in the operations of the licensee after the license is issued.

4.5.6

An employee of any business licenced hereunder must comply with all sections of this bylaw which relate to that business.

4.6 Land Use Bylaw

All businesses in the Town require land use approval. Each space in a building has its own specified, approved use. This cannot be changed without approval, permit or both.

It is the responsibility of the applicant / licensee to obtain and hold a valid development approval issued by the Town's Development Authority under the Town's Land Use Bylaw where required.

Where an applicant intends to carry on business at a specific premise or location within the Town, the applicant shall, prior to the CAO issuing a license:

- i. ensure that all necessary approvals required under the Town's Land Use bylaw have been obtained,
- ii. shall provide satisfactory proof to the CAO,
- iii. shall provide any other information that the CAO may reasonably require for the purpose of the administration of this bylaw.

A business license issued under this bylaw is not a representation to the licensee that the business complies with the requirements of the Town's Land Use Bylaw any other bylaw or enactment.

The issue of a Business Licence under this bylaw does not constitute development approval under the Town's Land Use Bylaw.

4.7 Termination of Business Licence

4.7.1

Every Business License issued under this bylaw, unless revoked or surrendered, shall terminate at midnight on the 31st day of December of the year in which the Business License was issued.

4.7.2

In a prosecution for contravention of this bylaw against engaging in or operating a business without a license, proof of one transaction in the business or that the business has been advertised is sufficient to establish that a person is engaged in or operates the business.

4.7.3

With respect to complaints relating to a business or a business operation, if, in the opinion of the CAO municipal resources are being disproportionately allocated to monitor and control the licensing of the business, then the Business License may be immediately revoked.

4.8 Display of Business Licence

4.8.1

Every Business (where established in a commercial or industrial zone) shall display the licence in a conspicuous place on the business premises and shall produce the licence for inspection purposes if required.

4.8.2

Any person or company who does not ordinarily maintain a permanent place of business within the Town and who goes about Town conducting business must produce a valid Business License or a copy of the Business License upon request.

4.8.3

Every resident business shall display the licence in a conspicuous place when attending a Farmers Market, Flea Market or Trade Show within the Town.

4.9 Exceptions

Business licensing requirements do not apply to:

- i. Town approved contractors and sub-contractors,
- ii. Federal or Provincial agencies and their contractors,
- iii. Intermunicipal Partners, and their contractors,
- iv. Charitable or Non-Profit Organizations,
- v. Mobile vendors that are operating as part of a special event approved by the Town,
- vi. Residential garage sales,
- vii. Any business or person directly associated with the Bowden Daze Parade under the control or supervision of the Town,
- viii. Any business or person directly associated with the Bowden Daze Rodeo under the control or supervision of the Bowden & District Agricultural Society,
- ix. Material delivery operations that supply bulk goods & services to a licensed resident business for the purpose of manufacturing or resale,
- x. A newspaper or flyer delivery person,
- xi. Any other person exempted by written approval of the CAO.

5 DESIGNATION OF AUTHORITY

5.1

Council authorizes the CAO to conduct all actions necessary in order to fulfill the responsibilities and duties legislated under any statutory enactment, regulation, order, this bylaw, or any other Town bylaw.

5.2

Without limitation, The CAO is empowered to provide for:

- i. administering the enforcement of the provisions of this bylaw,
- ii. granting licenses, approvals and permissions as set out in this bylaw,
- iii. approving exemptions to this bylaw
- iv. imposing penalties or waiving penalties where appropriate or necessary
- v. undertaking additional actions as deemed necessary in the public interest.
- vi. any action or decision deemed as being reasonably practicable.

The provisions within any section of this bylaw where relevant do not apply in cases where there is a temporary relaxation of any provision made by the Town CAO or a Designated Officer due to special circumstances or other special arrangements.

5.3

The Town may establish rates, charges, penalties, or fees for any costs incurred or material used for remedial purposes including non-specific infractions of any part of this bylaw

5.4

The CAO may delegate powers to Designated Officers as deemed appropriate or necessary.

5.5

No person may obstruct, interfere with, or hinder any official, the CAO, or a Designated Officer of the Town, in carrying out of their duties and responsibilities under this bylaw, or any other enactment, order, or Town bylaw.

6 INSURANCE, LIABILITY & APPEAL

6.1

The CAO may require a policy of liability insurance to be held in connection with the carrying on of any business.

The applicant shall furnish the CAO with documentary evidence of such insurance in a form satisfactory to the CAO and be in an amount sufficient, in the opinion of the CAO, to cover public liability for all personal injury and property damage which may occur by reason of the operation of the business, and the insurance shall be endorsed.

6.2

Notwithstanding the existence of any liability insurance or the failure of the Town to require the acquisition of such insurance, neither the Town nor any official, servant, employee or agent of the Town is liable for any damage or loss sustained or suffered by any person by reason of:

- i. the issuance of any Business Licence,
- ii. any acts or omissions of a licensee or person acting on his behalf, or,
- iii. anything done or not done in any way connected with a Business Licence or this bylaw.

6.3

No action for damages shall be taken against the Town or any Designated Officer acting under the authority of this bylaw or the enforcement of the provisions of this bylaw or any other statutory enactment or order.

6.4 Right of Appeal

Any person who considers themselves to be aggrieved by a decision of the CAO (or a Designated Officer of the Town) made under this bylaw may appeal the decision in accordance with the appeal procedures stated within the Town of Bowden Bylaw Enforcement Policy 05 / 2023.

7 APPLICABILITY

7.1

This bylaw applies to all persons who operate or conducting a business within the Town (or TOMOKO postcode) including but not limited to:

- i. Home Occupation and Home-Based Businesses,
- ii. Farmers Markets, Flea Markets, Trade Shows,
- iii. Hawkers & Peddlers,
- iv. Principal Contractors & their subcontractors,
- v. Temporary Businesses,

7.4 Proof of Exception

In cases where a person alleges that an exception to the provisions of this bylaw applies, the burden of proof remains with that person, on a balance of probability.

7.5

Nothing in this bylaw (either by inclusion or omission) exempts any person from any statutory enactment, regulation, code, or Ministerial Order, including but not limited to the:

- i. Municipal Government Act, RSA2000, Chapter M-26,
- ii. any other applicable or relevant Town bylaw, policy, directive, or order.

7.6

All references in this bylaw to an act, statute, regulation, or other bylaw refer to the current version of that enactment, as amended or replaced from time to time including all successor legislation.

7.7

All schedules attached to this bylaw form part of this bylaw.

7.8

All schedules attached to this bylaw may be amended as follows:

- i. Schedule A Penalties – by Council resolution.
- ii. Schedule B Application Forms – anytime by the CAO as required or deemed necessary.

8 SEVERABILITY

Every provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this bylaw shall remain valid and enforceable.

9 BYLAW PRECEDENCE

This bylaw supersedes and takes precedence over all previously passed bylaws that refer to matters of business licensing in the Town of Bowden.

Business Licence Bylaw 03 – 2017 and Business Licence Bylaw 06 – 2017 and all amendments thereto are hereby repealed

This bylaw will come into effect on the final day of passing and signature thereof.

Read a first time in open council this 12th day of November 2024,

Read a second time in open council this 25th day of November 2024,

and finally passed by majority consent of the Councillor's present.

Read a third time in open council this 25th day of November 2024.



Robb Stuart, Mayor



Arno Glover, Chief Administrative Officer

Business Licence Bylaw SCHEDULE A Penalties

A1

Any contravention of any provision of this bylaw may be enforced by the provisions contained within the MGA (Division 4, Enforcement of Municipal Law), the Provincial Offences Procedures Act, R.S.A. 2000 Chapter P-24 or any other enactment or order where valid and enforceable.

A2

Any person who contravenes any provision of this bylaw, by negligence, or by doing any act or thing which is prohibited, or by failing to do any act or thing that is required, is guilty of an offence in accordance with this bylaw or any other enactment.

A3

Under Provincial legislation (Provincial Offences Procedures Act), the provision of the Criminal Code extends liability beyond the person who committed the offence as follows:

Persons are deemed party to an offence who:

- i. actually commit the offence,
- ii. do anything for the purpose of aiding a person to commit an offence, or,
- iii. abet any person in committing an offence.

A4

Any contravention of any provision of this bylaw may lead to the issue of a written warning that:

- directs a person to take action to remedy any contravention of this bylaw,
- states the action the Town will take to remedy the contravention.

This may further lead to the issue of:

- i. a specific penalty for contravention of a provision or for an offence as identified within this or any other Town bylaw,
- ii. an unspecified penalty of a variable amount of not less than \$250.00 up to a maximum of \$10,000.00 for any general contravention of this bylaw as either a penalty fee, surcharge, late payment charge and / or for the compensation for damages or the recovery of costs,
- iii. the issue of a remedial order to remedy the infraction (in accordance with Part 13, Division 4, Enforcement of Municipal Law of the MGA),
- iv. civil proceedings through the courts,
- v. any or all of i) to iv) above.

A5

This bylaw is enforceable either by the CAO or a Designated Officer.

A6 Specific Penalties

Bylaw Reference	1 st offence	repeat offence(s)
Part 4.1 General Provisions	\$250.00	\$1,000.00

A7

All persons must rectify the circumstances which give rise to an offence within the stipulated time period. Any continuance thereafter shall be deemed to be a new (subsequent) offence incurring further additional penalties.

A8 Administrative Penalties

Administrative penalties are monetary penalties that are applied at the discretion of the CAO if it is determined that legislative or regulatory requirements have been contravened.

Any person who contravenes any provision of this bylaw (other than those specific penalties listed in A6) will be subject to an unspecified penalty (as stated in A4 ii), the actual amount of which will be determined and applied at the discretion of the CAO.

These penalties can vary and reflect the seriousness of the contravention.

Administrative penalties are determined by the CAO on a case-by-case basis.

Factors that are considered in deciding the amount of an administrative penalty are:

- i. the severity of the contravention and the scale of adverse effects caused by it,
- ii. the degree of willfulness or negligence in the contravention,
- iii. what steps have been taken to prevent the contravention or its reoccurrence.

Administrative penalties are intended for more serious bylaw contraventions with the maximum fine determined by the CAO subject to any maximum amount imposed by the MGA (currently \$10,000.00).

A9

All persons are responsible for all costs associated with the implementation of any measures taken, or required to be taken, by the Town (or any other regulatory body) to meet the provisions of this bylaw or for any,

- i. remedial action,
- ii. recovery of costs.

A10

Any penalty or order issued under this bylaw shall not affect or remove in full or part any liability for claims or damages that may arise under a civil action brought to a Court in relation to an offence committed under this bylaw or any other enactment.

A11 Enforcement.

A11.a

A written or verbal warning informs the recipient that they are contravening a specific legislative or regulatory requirement and will recommend a course of action to achieve compliance.

A Remedial Order may be issued to remedy the infraction in accordance with section 545 of the Municipal Government Act.

Written and verbal warnings create a formal record of non-compliance and in cases where a warning is ignored or repeated this may lead to an escalated enforcement response.

A11.b

A bylaw violation ticket for a specific penalty for the contravention of a provision of this bylaw is a form of prosecution under the Provincial Offences Procedures Act, that allows the Town to deal effectively with easily observable cases of non-compliance.

A11.c

The Town's enforcement model follows a general approach (knowing, however, that each situation may have unique circumstances which may require a different approach to be taken) which is typically as follows:

- i. communication,
- ii. education,
- iii. collaboration,
- iv. compliance.

It is the policy of the Town to work considerately in collaboration with all parties on any matter that adversely affects community living in order to arrive at an effective and agreeable solution.

Our overall philosophy historically has been (and continues to be) to resolve issues or complaints received through a process of community engagement and education with the overall aim of ensuring that all bylaws are followed by everyone for the benefit of all residents within our community.

A11.d

Reference should be made to the Town of Bowden Bylaw Enforcement Policy 05 / 2023

**Business Licence Bylaw
SCHEDULE B Application Forms**

Examples – section 7.8(ii) of this bylaw applies



(EXAMPLE)

TOWN OF BOWDEN Business Licence New Application (CONFIDENTIAL)

1. This is an application for a Town of Bowden Business Licence made under the provisions of Business Licence Bylaw 09-2024 (as amended over time) to operate a business within the municipality of the Town of Bowden. The licence requirements are stated and defined within the Business Licence Bylaw a copy of which can be obtained by request or by reference to the Town's website.
2. It is the responsibility of the Applicant to obtain all other relevant or necessary Provincial or Federal licences, permits, approvals or insurances.
3. *A Development Permit is required if a business entails new construction or a change in use or intensity of use of present buildings in accordance with the Safety Codes Act Permit Regulation and / or the Town's Land Use Bylaw. It is the responsibility of the Applicant to obtain any necessary Development Permits that provide "permitted use" for that business.*
4. A Business Licence is required for all business types operated at a business / residential premise.
5. A business operating out of a rental property must have the consent / approval of the property owner.
6. Approval and issue of a Town of Bowden Business Licence does not set aside any requirements of the Town's Land Use & Business Licence Bylaws, or any Alberta Provincial enactment, including but not limited to, Environmental Health / Building Code / Occupational Health & Safety regulation.
7. Where required, a Business Licence will be issued only after satisfactory submission and review of all required and relevant documentation

This section to be completed by Applicant:

Contact Name:		Phone (cell):	
Mailing Address:		Email:	
		Resident Y/N:	
Declaration:	I certify that the information provided is correct and agree to abide by the terms of the Town of Bowden Business Licence Bylaw and any other relevant code, licence, or enactment.	Signature:	

Business Information:

Business Trading Name:			
Business Description:		Legal Registered Name:	
		Business Phone #:	
Business Address:		Business Email:	
		Business Web address:	
Type of Application:	New Application <input type="checkbox"/>	Renewal with changes <input type="checkbox"/>	
Type of Business:	Home Based* <input type="checkbox"/>	Commercial* <input type="checkbox"/>	Out of Town <input type="checkbox"/>
Development Permit* #:		Provincial Permit #:	

This information is collected under Section 33 the Freedom of Information and Protection of Privacy (FOIP) Act for the purpose of processing this application to determine eligibility to participate in the Business Licence program and is governed, authorized, and protected by that Act. The Town of Bowden may distribute the information contained within this form to public organizations or persons in order to promote economic development within the Town. The Town of Bowden may publish the information contained within this form within the Business Directory on the Town of Bowden website. You must indicate whether consent is given or not given.

I **permit** / **do not permit** my business information to be made public Signature: _____

This section to be completed by Town of Bowden

Date Application Received: _____

Application: **Approved:** **Additional Information Required:** **Refused:**

Fee paid: _____ **Licence #:** _____

Development Permit (obtained* / checked): _____

Reference to Land Use Bylaw (* / checked): _____

CAO signature: _____

Notes:



(EXAMPLE)

**TOWN OF BOWDEN
Business Licence
RENEWAL (CONFIDENTIAL)**

1. This is an application for the renewal of a Town of Bowden Business Licence made under the provisions of Business Licence Bylaw 09-2024 (as amended over time) to operate a business within the municipality of the Town of Bowden. The licence requirements are stated and defined within the Business Licence Bylaw a copy of which can be obtained by request or by reference to the Town’s website.
2. It is the responsibility of the Applicant to obtain all other relevant or necessary Provincial or Federal licences, permits, approvals or insurances.
3. A Development Permit is required if a business entails new construction or a change in use or intensity of use of present buildings in accordance with the Safety Codes Act Permit Regulation and / or the Town’s Land Use Bylaw. It is the responsibility of the Applicant to obtain any necessary Development Permits that provide “permitted use” for that business.
4. A Business Licence is required for all business types operated at a business / residential premise.
5. A business operating out of a rental property must have the consent / approval of the property owner.
6. Approval and issue of a Town of Bowden Business Licence does not set aside any requirements of the Town’s Land Use & Business Licence Bylaws, or any Alberta Provincial enactment, including but not limited to, Environmental Health / Building Code / Occupational Health & Safety regulation.
7. Where required, a Business Licence will be renewed only after satisfactory submission and review of all required and relevant documentation

This section to be completed by Applicant:

Contact Name:		Phone (cell):	
Mailing Address:		Email:	
		Resident Y/N:	
Declaration:	I certify that the information provided is correct and agree to abide by the terms of the Town of Bowden Business Licence Bylaw and any other relevant code, licence, or enactment.	Signature:	

Business Information:

Business Trading Name:			
Business Description:		Legal Registered Name:	
		Business Phone #:	
Business Address:		Business Email:	
		Business Web address:	
Type of Application:	Renewal <input type="checkbox"/>	2024 Business Licence #	
Type of Business:	Home Based <input type="checkbox"/>	Commercial <input type="checkbox"/>	Out of Town <input type="checkbox"/>

This information is collected under Section 33 the Freedom of Information and Protection of Privacy (FOIP) Act for the purpose of processing this application to determine eligibility to participate in the Business Licence program and is governed, authorized, and protected by that Act. The Town of Bowden may distribute the information contained within this form to public organizations or persons in order to promote economic development within the Town. The Town of Bowden may publish the information contained within this form within the Business Directory on the Town of Bowden website. You must indicate whether consent is given or not given.

I **permit / do not permit** my business information to be made public Signature: _____

This section to be completed by Town of Bowden

Date Application Received: _____

Application: **Approved:** **Additional Information Required:** **Refused:**

Fee paid: _____ **Business Licence # (2025):** _____

CAO / CFO signature: _____

Notes: