



The Tlicho Community Government of Wekweeti
P.O. Box 69, Wekweeti, NT X0E 1W0
Ph.: 867-713-2010, Fax: 867-713-2030

By-Law Number 15-22

Being a bylaw of the Community Government of Wekweeti in the Northwest Territories to provide for the issuing of licensing and regulation of businesses carried on within the municipality, pursuant to the provisions of the Tlicho Community Government Act, S.N.W.T., 2004, and the Summary Conviction Procedures Act, R.S.N.W.T., 1988, C-15, section 11.

Whereas the Tlicho Community Government Act, S.N.W.T., 2004, Section 6 (1) provides authority for a community government to make bylaws Council considers appropriate;

And Whereas Council deems it necessary to regulate and control businesses within the municipality;

Now, Therefore, the Council of the Community Government of Wekweeti, in regular session, duly assembled, enacts as follows:

1. Citation of Bylaw

1.1 This Bylaw may be cited as the "Business License Bylaw".

2. Definitions

2.1 In this Bylaw.

2.11 "Bylaw Officer" means a bylaw officer for the Community Government of Wekweeti or, in the absence of an officer, the SAO;

2.12 "Business" means any person engaged in commercial activity for gain or livelihood but does not include a business that is regulated by any Act of Parliament or the Legislative Assembly of the Northwest Territories or any exempt business as prescribed by regulations;

2.1.3 "Carry On" means carry on, perform, operate, keep, hold, occupy, deal in or use for gain whether as principal or as agent;

2.1.4 "Community Government" mean the Community Government of Wekweeti;

2.1.5 "Council" means the Council of the Community Government of Wekweeti;

2.1.6 "Home Occupation" means any business carried on by a person who is an occupant of a residential building as a use secondary to the residential use of the building;

2.1.7 "Non-Resident Business" means any person carrying on a business within the corporate boundaries of the Community Government of Wekweeti without establishing a permanent office of location of operation within the corporate boundaries of the Community Government of Wekweeti;

2.1.8 "Peddler/Hawker" means a person who sells goods or services from door to door, on the street or in other public areas to individuals or businesses;

2.1.9 "Person" means any individual, corporation, firm, partnership, club or association;

2.1.10 "Premises" means the premises in or upon which such business is carried on;

2.1.11 "Public Health Officer" means a person appointed pursuant to the Public Health Act;

2.1.12 "Resident Business" means any person, as defined in this Clause, carrying on a business and establishing a permanent office of location of operation within the corporate boundaries of the Community Government of Wekweeti;

2.1.13 "SAO" means the Senior Administrative Officer of the Community Government of Wekweeti or the person designated by the SAO to complete the functions noted in the Bylaw as being the responsibility of the SAO;

3.0 License Requirements

3.1 Any person carrying on a business, including a Home Occupation, within the corporate boundaries of the Community Government, is required to purchase a Business License.

3.2 A Business License issued shall be valid from the date of issue to March 31, of the next year following the fiscal year of the Community Government of Wekweeti April 1 – March 31 of the following year.

3.3 Any person engaged in or carrying on one or more different businesses, either separately or together, shall be required to hold a Business License for each type of business.

3.4 A Business License from the Community Government shall NOT BE REQUIRED to hold a concert, recital, show, bingo, casino, or other entertainment event where the monies charged to, collected for, or collected with admission, are for the benefit of a charitable organization with the Community Government. (See Clause 4.4)

3.5 A Business License from the Community Government shall NOT BE REQUIRED for residents that are making traditional products for periodic craft sales (See Clause 4.4)

3.6 Any valid Business License from another TliCho community, where that community has entered into a Reciprocal Agreement with Wekweeti, shall be recognized and respected as a Valid License in Wekweeti

4.0 PROCEDURE FOR APPLICATION

4.1 Application for a Business License shall be made on forms supplied by the Community Government and shall contain the following information:

- 4.1.1** Name, address and occupation of the applicant;
- 4.1.2** Business for which the License is applied;
- 4.1.3** Place where it is proposed to be carried on;
- 4.1.4** Period for which the license is required; and
- 4.1.5** Such other particulars of the business as the SAO may require.

4.2 No Business License shall be issued to operate a Home Occupation in rental accommodation unless a letter of consent from the agent or landlord of the premises, granting permission to operate a business out of the rented premises, is attached to the Business License application.

4.3 All charitable organizations who are selling goods/services for non-profit fund-raising will NOT require a Business License.

4.4 All Business License applications or renewals for Home Occupations must be submitted to the SAO for Council or Designates approval.

4.5 No Business License shall furnish false or misleading information regarding any procedure or condition so f the Bylaw. (See Clause 6.9)

4.6 Whenever an application for a Business License has complied with the terms of this Bylaw and of any other applicable bylaws, the applicant shall be entitled to the Business License applied for, subject to Clause 6.9, and upon payment of the fee payable.

4.7 A Business License issued to a Licensee is not valid unless approved by the SAO or the SAO designate.

5.0 Posting of Licenses

5.1 Every Business License issued pursuant to this Bylaw shall be posted in a conspicuous place in the business premises and, whenever required to do so the SAO, the licensee shall produce the Business License for inspection purposes.

5.2 Every Business License issued under this Bylaw to a non-resident contractor, service agency, hawker, peddlers, or Itinerant salesperson shall be carried by the licensee so hat it may be inspected by anyone.

5.3 The Licensee shall not post or display any photographic or other reproduction of its' Business License issued by the Community Government, except as specifically authorized by the SAO.

6.0 Licensing – General Provisions

6.1 Where a Licensee wishes to change any information contained in the application form, other than the specified information recorded on the Business License, The Licensee shall make application for such change to the SAO within thirty (30) days from the date of issuance of the Business License and pay the administrative fee as specified in Schedule B.

- 6.2** Business License renewals shall be required by the fifteenth (15) day of May in each year.
- 6.3** A penalty, as established in Schedule B, shall be assessed Against a business that submits a Business License renewal application after May 15th.
- 6.4** All Business License issued shall expire as of 12:00 midnight on March 31st in the fiscal year the license was issued.
- 6.5** Business License issued under this Bylaw are not transferable.
- 6.6** Business License fees shall be payable in full by each applicant at the time of the application, irrespective of the prospective term of the operation of the business.
- 6.7** No refunds shall be made, pro-rata or otherwise, on any unexpired Business License due to cessation, of business activities by the licensee.
- 6.8** The SAO shall refuse to issue a Business License to an applicant who furnishes false to misleading information.
- 6.9** The SAO may revoke, suspend, or refuse to issue a license where the SAO is satisfied that the person has violated any provisions of this Bylaw or any Act of the Northwest Territories in respect to any business that is licensed or requiring to be licensed under this Bylaw.
- 6.10** In every case where an applicant has been refused a Business License, that person seeking the Business License shall be entitled to appeal to the Council and Council shall make the final decision as to weather the refusal was just and reasonable.
- 6.11** Every appeal mentioned in Clause 6.11 shall be:
- a. Made in writing
 - b. In a concise manner outlining the grounds on which the appeal is based, and
 - c. Submitted to the Administration Office within thirty (30) days after a license has been refused.
- 6.12** Council, after hearing an appeal may:
- a. Direct a Business License be issued without conditions;
 - b. Direct a Business License be issued with conditions or
 - c. Uphold the decision of the SAO and refuse to grant the Business License
- 6.13** In the event a Business License is suspended or revoked, the procedures set out in the Tli Cho Community Government Act shall be strictly observed.
- 6.14** The Licensee shall advise the SAO of the Licensee's change of address.
- 6.15** The Licensee shall produce it's Business License at all reasonable times of operation on demand of the SAO.

6.16 Every Business License, to be in force, shall bear on its face the date on which it is issued and the date on which it will expire, the name of the applicant the name of the business, the Nature of the business, any special conditions under which the License has been issued, and the corporate seal of the Community Government.

7.0 Compliance with Other Legislation

7.1 With the exception of Home Occupations, every business offering for sale any foodstuffs including, but not restricted to restaurants, caterers and butchers shall provide documentation that the business premises have met all requirements of the Public Health Act, R.S.N.W.T., 1988, c. P-12 before a Business License will be issued.

7.2 Every person in the business of providing tourist accommodation shall provide documentation that the premise(s) has met all the requirements of the Tourist Accommodation Health Regulations, R.R.N.W.T., before a Business License will be issued.

7.3 Every person in the business if offering for sale firearms shall provide documentation that all requirements of the Criminal Coe respecting firearms are met, before a Business License will be issued.

7.4 All businesses, except non-resident businesses, must meet all the requirements of a zoning bylaw, if applicable, before a Business License shall be issued.

8.0 Peddlers and Hawkers

8.1 All peddlers and hawkers that are required to be bonded and licensed by the Government of the Northwest Territories will not be permitted to obtain a Business License without first obtaining a valid Direct Sellers' License.

8.2 No Business License shall be issued to a peddler or hawker until that peddler or hawker has established their identity with the SAO.

8.3 Peddlers and Hawkers shall conduct their businesses only between the hours of 9:00 Am and 9:00 PM from Monday to Sunday inclusive.

9.0 Administration

9.1 The SAO is hereby appointed as administrator of this Bylaw and the SAO may appoint officers of the Community Government to assist in these duties.

9.2 The SAO shall:

9.2.1 Receive and process all applications for Business Licenses;

9.2.2 Keep a record of all Business License applications in a form required by the Council;

9.2.3 Keep on file, duplicate of all Business Licenses issued and particulars thereof;

9.2.4 Ascertain, as far as practicable that all information furnished by an applicant is true in substance and in fact;

9.2.5 Prepare and issue all Business Licenses pursuant to the provisions of this Bylaw;

9.2.6 Report to the Council as to the number of Business licenses issued, the number of Business Licenses renewed, and the amount of fees collected for the issuance of Business Licenses, from time to time as may be required by the Council.

9.3 The SAO shall:

9.3.1 ensure that the Bylaw is enforced;

9.3.2 enforce payment of Business License fees where any business is carried on without a valid Business License;

9.3.3 process and approve or disapprove all applications for Business Licenses and transfers of Business Licenses;

9.3.4 ensure that all licensed businesses within the corporate boundaries of the Community Government are notified thirty (30) days prior to the renewal of the Business License and;

9.3.5 inspect at reasonable times any location at which a Business License holder or applicant is operating or is believed to be operating. Refusal to allow such inspections shall constitute a contravention of this Bylaw.

10.0 Penalties

10.1 Unless otherwise determined in Schedule "C" of this Bylaw, any person violating any provisions of this Bylaw is guilty of an offence and is liable, upon summary conviction.

10.1.1 for a first offence during any licensing period,

10.1.2a in the case of an individual to a fine not exceeding five hundred (\$500.00) and,

10.1.2b in the case of a corporation to a fine not exceeding one thousand dollars (\$1,000.00); or

10.1.3 for each subsequent offence during a licensing period

10.1.3a in the case of individual to a fine not exceeding one thousand dollars (\$1,000.00) and

10.1.3b in the case of a corporation to a fine not exceeding Five Thousand dollars (\$5,000.00); or

10.1.4 to imprisonment for a term not exceeding six (6) months in default of payment of the fine.

10.2 Pursuant to the provisions of the Summary Conviction Procedures Act, a bylaw officer may issue a summary offence ticket information to any person who violate any provisions of this Bylaw and such person may in lieu of prosecution pay the Community Government the voluntary penalty for the offence listed in Schedule "C" prior to the date specified in the Ticket.

11. General

11.1 Nothing in this Bylaw shall;

11.1.1 Prevent any person concerned from exercising their right to defend any charge of committing a breach of this Bylaw;

11.1.2 Prevent any person, entitled to do so, from laying an information and complaint against any person for committing a breach of this Bylaw; or

11.1.3 Prevent any person from exercising any legal rights that such person may have to lay an information and complaint against any other person for a breach of any provision of the Bylaw.

11.2 This Bylaw shall come into affect upon Third and Final reading.

12.0 Schedules

12.1 The Community Government may amend, from time to time, by Bylaw one or more of the schedules attached to and forming part of this Bylaw.

12.1.1 Schedule "A" – Annual Fees

12.1.2 Schedule "B" – Form A - Business License – Application Form
- Form B – Business License – License Format

12.1.3 Schedule "C" – Fines and Penalties

Read for the First Time this 7 day of Sept, 2022

Read for a Second Time this 7 day of Sept, 2022

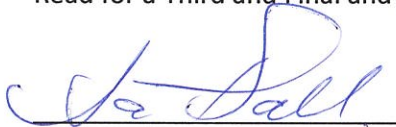


Chief Adeline Football



SAO Fred Behrens

Read for a Third and Final and passed this 15 day of Nov, 2022




Chief Adeline Football



SAO Fred Behrens

As per Section 71(1)(d) of the *Tlicho Community Government Act*, I hereby certify that this bylaw has been made in accordance with the requirements of *Tlicho Community Government Act*, and the bylaws of the municipal corporation of the Community Government of Wekweeti.



Fred Behrens, SAO



The Tlich Community Government of Wekweeti
P.O. Box 69, Wekweeti, NT X0E 1W0
Ph.: 867-713-2010, Fax: 867-713-2030

Bylaw 015-22 – Business License Bylaw
Schedule "A"
Schedule of Fees

Resident Business	\$50.00
Peddler License	\$125.00
Non-Resident Business	\$150.00
Registered Charitable Organization	\$0.00



The Tlich Community Government of Wekweeti
P.O. Box 69, Wekweeti, NT XOE 1W0
Ph.: 867-713-2010, Fax: 867-713-2030

Schedule "B"

Form – A – Attached

Form – B - Attached



Tlicho Community Government of Wekweeti

P.O. Box 69,

Wekweeti, NT

X0E-1W0, Canada

(867) 713-2012

(867) 713-2030

wekwetisao@northwestel.net

Business License Application

Name of Person making Application:

Address:

Occupation:

Business Name:

Business Type:

Proposed Business Location:

Is this a Home Occupation? Yes:___ No:___

If YES, the application requires approval from a landlord, and approval from Council.

-Is the letter of Approval attached to this application? Yes: ___ No:___

-Are you a Tlicho Business:

Is this a charitable organization for non-profit fund-raising? Yes:___ No:___

If Yes, there us NO FEE required.

Is this a Business License renewal?

Note: Home Occupation Renewals must be approved by Council

License Period: From:_____ To:_____

Does this Business require a special approval by WSCC, Public Health, Fire Department or Building inspector?

If Yes, please attach proof of approval by these agencies.

Important Notice:

It is unlawful and a violation of Bylaw 15-22, the Business License Bylaw, to provide false or misleading information in the application. Should an applicant be found in fault, the community Government of Wekweeti may refuse to grant a Business License. Summary Conviction fines between \$50.00 and \$500.00 or \$100/day, may also apply.

Personal Declaration:

I, _____, have provided the following information in this form for this Business License application, and believe it to be a true and accurate representation of the facts concerning this Business License application. I understand that knowingly providing false or misleading information is grounds for this application being declined and could lead to possible summary conviction fines. I so swear.

Signature of Applicant

Date

Received by the Community Government of Wekweeti:

Signature of SAO/Designate

Date

Business License Decision - Approval/Declined: (Circle One)

If Approved, Business License Number: _____

Signature of SAO/Designate

Date

Ticho Community Government of Wekweeti

2023 Business License

Community Government of Wekweeti

P.O. Box 69

Wekweeti, NT

Canada

XOE-1W0

(867) 713-2010

(867) 713-2030

Issued to:

Business License #:

To carry on the business of:

At the location of:

This Business License is valid between

and

Signed by: _____

Post in Conspicuous Place



The Tlichho Community Government of Wekweeti
P.O. Box 69, Wekweeti, NT X0E 1W0
Ph.: 867-713-2010, Fax: 867-713-2030

Bylaw 15-22 – Business License Bylaw

Schedule “C”

Fines and Penalties

Section	Description	Fine or Penalty
3.1, 3.3	Operating without a Business License	\$100.00/Day
5.1, 5.2	Failure to post or carry Business License	\$50.00
5.3	Display reproduction of a Business License	\$50.00
6.15	Failure to notify change of address	\$50.00
6.16	Failure to Produce Business License request	\$100.00
9.3.5	Refusal to allow officer on the premises	\$500.00