

## **BY-LAW NUMBER 2009/64**

BY-LAW NO. 2009/64 is a Business Hours Restriction By-law of the County of Wetaskiwin No. 10 in the Province of Alberta to regulate the hours of operation for certain business activities.

WHEREAS pursuant to Section 7(a) of the Municipal Government Act, a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and protection of people and property; 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 7(i) of the Municipal Government Act, a Council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the Municipal Government or any other enactment including any or all of the matters listed therein; and,

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;
- (c) provide for a system of licenses, permits or approval including any or all of the matters listed therein.

NOW, THEREFORE, THE COUNCIL OF THE COUNTY OF WETASKIWIN ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Business Hours Restriction Bylaw"

### INTERPRETATION

2. In this bylaw unless the context otherwise requires:
  - 2.1 "County" means the municipal corporation of the County of Wetaskiwin or the area contained within the boundary thereof as the context requires.
  - 2.2 Class "A" and Class "D" License as defined under the Alberta Gaming and Liquor Regulation – Part 3.
  - 2.3 "Retail Liquor Store" means a business who engages in selling alcoholic beverages for off-site consumption and has a valid Class "D" License issued by the Alberta Gaming and Liquor Control Board and who does not have a valid Class "A" License.
  - 2.4 "Pawnbroker" means a person who engages in the business of granting credit to individuals for personal, family or household purposes and who takes and perfects security interests in consumer goods by taking possession of them, or who purchases consumer goods under agreements or undertakings, express or implied, that the goods may be

repurchased by the sellers.

2.5 "Peace Officer" means peace officer as defined in the Provincial Offences Procedure Act.

2.6 "Subsequent Offence" means any offence under this bylaw committed by a person after that person has already been convicted of an offence under this bylaw or has voluntarily paid a fine for such an offence;

2.7 "Violation Ticket" means a violation ticket as defined in the Provincial Offences Procedure Act.

### 3. PAWNBROKERS

3.1 This business class shall only operate in the County of Wetaskiwin between the hours of 9:00 a.m. and 7:00 p.m. weekdays, weekend days and statutory holidays.

### 4. RETAIL LIQUOR STORE

4.1 This business class shall only operate in the County of Wetaskiwin between the hours of 10:00 a.m. and 10:00 p.m. weekdays, weekend days and statutory holidays.

### 5 PENALTIES

5.1 Any person who breaches any section of this Bylaw is guilty of an offence and liable to:

5.1.1 payment of the penalty specified in Schedule "A" hereto; or

5.1.2 for any offence for which there is no penalty specified, to a penalty of not less than \$1,000.00 and not more than \$10,000.00;

and in default of the penalty, to imprisonment for up to 6 months.

5.2 A Peace Officer is hereby authorized and empowered to issue a violation ticket pursuant to the Provincial Offences and Procedures Act to any person who the Peace Officer has reasonable grounds to believe has contravened any provisions of this bylaw.

5.3 If a violation ticket is issued in respect of an offence, the violation ticket may:

5.3.1 specify the fine amount established by this Bylaw for the offence; or

5.3.2 require a person to appear in Court without the alternative of making a voluntary payment.

5.4 A person who commits an offence may:

5.4.1 if a violation ticket is issued in respect of the offence; and

5.4.2 if the violation ticket specifies the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine by delivering the violation ticket and the specified fine to the Provincial Court Office specified on the violation ticket.

1. This by-law comes into effect on the date of third reading and signing of the by-law.

READ: A First time this 15<sup>th</sup> day of December, A.D., 2009.

READ: A Second time this 9<sup>th</sup> day of February, A.D., 2009.

READ: A Third time and finally passed this 9<sup>th</sup> day of February A.D., 2009.

Original Signed

REEVE

Original Signed

CHIEF ADMINISTRATIVE OFFICER

By-law 2009/64  
**Schedule "A"**

<b><u>Offence</u></b>	<b><u>Section</u></b>	<b><u>Fine</u></b>
Pawnshop Hours	3	1,000.00
a) Second offence within 12 months		2,500.00
b) Third and subsequent offences within 12 months		5,000.00
Retail Liquor Hours	4	1,000.00
a) Second offence within 12 months		2,500.00
b) Third and subsequent offences within 12 months		5,000.00