

Schedule No. 8 to By-law No. 2005-0067

Class of Licence:	<b>RETAIL TRADE ESTABLISHMENT</b>
Type of Licence:	Owner
Purpose:	Public Safety, Nuisance Control, and Consumer Protection due to such Premises being open to the general public to encourage safe maintenance practices, accessibility, the accountability of all retail participants for public safety and health and to ensure the consistency of fair business practices.

***WHOLESALE/ FARM PRODUCE EXEMPTION***

22.0 The sale of goods by wholesale or the sale of produce by a resident farmer who offers for sale the produce of his own farm is exempt from requiring a Retail Trade Establishment licence.

***INSPECTIONS***

22.1 The issuing of a Retail Trade Establishment licence shall be subject to:

22.1.1 a fire safety inspection of the Premises by the Town; and

22.1.2 an inspection of the Premises by the Building Department.

***ADDITIONAL INSPECTIONS- RETAIL SALE OF FOOD or TOBACCO***

22.2 The issuing of a Retail Trade Establishment licence where the preparing, storing, or offering of food for sale or tobacco for sale shall be subject to an inspection of the Premises by the Regional Municipality of Halton Health Department.

***ADDITIONAL REQUIREMENTS***

22.3 Every applicant or Licensee of a Retail Trade Establishment shall submit a copy of an Ontario Retail Sales Tax Vendor Permit, if applicable.

22.4 No Licensee of a Retail Trade Establishment shall:

22.4.1 conduct a Special Sale so as to mislead the public by continuously adding to or replenishing the stock of remaining goods and conducting such sales longer than sixty (60) days unless such sale is being conducted by a receiver, liquidator, trustee, court, bailiff, executor, or sheriff under any general or special Act;

22.4.2 operate an Adult Mini-Theatre;

22.4.3 operate or maintain a Retail Trade Establishment that includes the sale of convenience snack food without sufficient litter receptacles to contain any waste generated and disposed of by the customers of the Retail Trade Establishment; and

22.4.4 sell or display fireworks without obtaining a permit issued by the Fire Department.

### **RETAIL SALE OF AUTOMOBILES**

- 22.5 Every applicant or Licensee of a Retail Trade Establishment who engages in the selling of automobiles shall submit a valid Motor Vehicle Dealers Registration Certificate issued by the Province.
- 22.6 No Licensee who engages in the retail sale of automobiles shall permit:
- 22.6.1 the Premises to be used as a Salvage Yard, unless licensed to do so under this by-law;
  - 22.6.2 a trailer that is being used for human habitation to be located on the Premises;
  - 22.6.3 the parking or storing of any Motor Vehicle on any sidewalk or on any portion of road allowance including the boulevard;
  - 22.6.4 any Person to drive, operate or move any Motor Vehicle on the Premises unless such Person is the holder of a valid Ontario driver's licence.

### **RETAIL SALE OF GASOLINE**

- 22.7 No Licensee who engages in the retail sale of gasoline shall permit:
- 22.7.1 the Premises to be used as a Salvage Yard or for the sale of automobiles, unless licensed to do so under this by-law;
  - 22.7.2 a trailer that is being used for human habitation to be located on the Premises; or
  - 22.7.3 the washroom facilities to be kept in an unclean or unsanitary condition.

### **RETAIL SALE OF PETS**

- 22.8 The issuing of a Retail Trade Establishment licence where pets are offered for sale shall be subject to an inspection by the Regional Municipality of Halton Health Department.
- 22.9 Every Licensee of a pet shop shall ensure that:
- 22.9.1 the Premises to be used are maintained in a clean, sanitary condition, well-ventilated, and free of any offensive odours;
  - 22.9.2 cages, containers, enclosures, or tanks used to house and display animals, birds, fish or reptiles are sufficient in size and dimensions to permit the animal to stand to its normal full height, turn around, and lie down in a fully extended position, and structurally sound;
  - 22.9.3 cages or containers are cleaned daily and all holding areas for dogs and cats are disinfected daily;
  - 22.9.4 every animal is provided with adequate food and potable water at all times; and
  - 22.9.5 temperatures in the living quarters of every animal, bird, fish, or reptile are maintained appropriate for the health of the species.

22.10 No Licensee of a pet shop shall knowingly sell, offer or keep for sale:

22.10.1 any sick, diseased, or unhealthy animal, bird, fish or reptile which exhibits signs of an infectious disease, including distemper, hepatitis, leptospirosis, rabies, or any other deficiency including rickets, malnutrition, parasites, or any abnormality that might affect the health of the animal; and

22.10.2 any exotic animal as defined in the Town's Responsible Pet Owner's By-law.

22.11 Every Licensee of a pet shop shall seek treatment by a qualified Person for any injured, sick, diseased, or dying animal, bird, fish or reptile kept for sale.

22.12 No Licensee of a pet shop shall sell a dog or cat without providing a dated receipt describing the animal and a current certificate of health issued by a veterinarian to the consumer.

22.13 Every Licensee of a pet shop shall maintain a register or a computer database to store the details of the purchase of each dog or cat indicating the name and address of the licensee's supplier, a full description of the dog or cat including gender, colour, breed, or cross-breed, locations of any markings, etc., and the date of each transaction for the term of the licence and available for inspection by an Officer upon request.

#### ***CANINE BOARDING AND BREEDING ESTABLISHMENT- KENNELS***

22.14 Every applicant or Licensee of a Canine Boarding and Breeding Establishment shall:

22.14.1 submit a site plan indicating the location of all buildings;

22.14.2 submit a Certificate of Registration or certified extract with the Canadian Kennel Club or other association incorporated under the Animal Pedigree Act (Canada) indicating that all dogs kept, bred, and raised in the kennel are so registered or eligible to be registered; and

22.14.3 allow an inspection of the Premises by the Regional Municipality of Halton Health Department.

22.15 No Licensee shall operate or maintain a Canine Boarding Establishment that:

22.15.1 is closer than thirty (30) metres from any property line;

22.15.2 is attached to a dwelling unit or any other building used for human habitation;

22.15.3 does not have a floor of concrete or other impermeable material with a drain opening constructed as a plumbing fixture;

22.15.4 does not have windows that can be opened for proper ventilation;

22.15.5 does not have adequately sized cages to allow the dog to extend its legs to their full extent, stand or sit, turn around, or lie down in a fully extended position;

22.15.6 does not have cages that are constructed solely of metal, wire, or impermeable concrete block; and

22.15.7 does not have an outside area for use by dogs enclosed with a solid board fence of a minimum height of one (1) metre, which shall be deemed part of the building for the purpose of this by-law.

22.16 Every Licensee of a Canine Boarding and Breeding Establishment shall:

22.16.1 thoroughly clean the floor of the Canine Boarding and Breeding Establishment on a daily basis;

22.16.2 maintain the Premises in a sanitary, well-ventilated, clean condition, and free from offensive odours;

22.16.3 keep all dogs in a clean and healthy condition free from vermin and disease;

22.16.4 provide every dog with adequate food and potable water at all times; and

22.16.5 provide every dog with sanitary, well ventilated, naturally lighted quarters kept at a healthy temperature at all times.

### ***SIGN DISTRIBUTOR***

22.17 Every Sign Distributor shall not install, erect, or locate any sign in the Town without obtaining all requisite permits in accordance with the Town's Sign By-law.

### ***FLEA MARKET (Temporary Sale) or TRADE SHOW***

22.18 Every applicant or Licensee of a flea market or Trade Show shall:

22.18.1 submit a list of every food vendor who will be operating in conjunction with the flea market or Trade Show and the Premises of every food vendor shall be subject to inspection by Regional Municipality of Halton Health Department;

22.18.2 provide proof that adequate sanitary facilities are provided to the satisfaction of the Regional Municipality of Halton Health Department; and

22.18.3 advise the Issuer of Licenses of the number stalls available for rent by vendors and the number of days the flea market or Trade Show will be operating.

22.19 Every Licensee of a flea market or Trade Show shall:

22.19.1 ensure all entrances, corridors, and exits are not blocked, obstructed, or impeded; and

22.19.2 maintain a record of all vendors indicating the owner's name, business operating name, address, and phone number or keep a copy of any agreement entered into with the vendor that contains such information to provide upon request to an Officer.

### ***PAWNBROKER***

22.20 Every applicant or Licensee of a pawnbroker licence shall:

22.20.1 give to the Town, security to the satisfaction of the Treasurer in the sum of two thousand (\$2,000.00) for due observance in accordance

with the Pawnbrokers Act, R.S.O. 1990, c. P.6;

- 22.20.2 forthwith report to the Halton Regional Police Service any article that may be offered to him that he has reasonable cause to suspect may be stolen or unlawfully obtained; and
- 22.20.3 advise Halton Regional Police Service of any article or object on which the serial number has been obliterated or removed at least twenty-four (24) hours prior to acquisition.

***SECOND HAND GOODS DEALER***

22.21 Every Licensee of a Second Hand Goods Dealer licence shall:

- 22.21.1 maintain a record of all second hand goods purchased or taken in exchange, which record shall include the make, model, name, serial number, code, or any other identifying marks, the date of the purchase or exchange, the purchase price of each item, and the name and address, telephone number of the Person from who the item was purchased or exchanged;
  - 22.21.2 forthwith report to the Halton Regional Police Service any article offered to him or her if he or she has knowledge of it being stolen or unlawfully obtained;
  - 22.21.3 not display any goods or merchandise outside of a second hand goods store so as to obstruct the sidewalk.
- 22.22 No Licensee dealing in Second Hand Goods shall purchase or exchange or receive any second hand goods from any Person who appears to be under the influence of an intoxicating substance.