

PUBLISHED BY AUTHORITY

Pursuant to the power conferred by Section 229 of The Municipalities Act, the Town Council of Labrador City has made the following Regulations:



Karl Hiscock, MAYOR

HAWKER AND PEDDLER REGULATIONS

1. Interpretations:

In these Regulations, unless the context otherwise requires:

- (a) "Act" means The Municipalities Act, 1979. ^{1999, Section M-2}
- (b) "Council" means the Town Council of the Town of Labrador City.
- (c) "Town" means the Town of Labrador City as defined by Order-in-Council dated the 27th day of June 1961, and any amendments thereto, according to the Municipalities Act.
- (d) "Hawker and Peddler" means any person who goes from place to place or to homes of other persons on foot or with any animal, vehicle, boat, or other craft, carrying to sell or exposing for sale goods, wares, or merchandise, or displaying samples or patterns of any such goods, wares, or merchandise to be afterwards delivered, but does not include any person selling goods, wares, or merchandise to, or seeking orders therefor, from persons, partnerships, associations, or companies who are dealers therein and who buy to sell again, or any person selling or exposing for sale goods, wares, or merchandise, the growth, produce, or manufactures of Newfoundland who is the manufacturer or producer thereof, or who is the bona fide servant or employee and acting under the written authority of any such manufacturer or producer.
- (e) "Town Clerk" means the Town Clerk of the Town of Labrador City appointed under the provisions of the said Act.

Hawker and Peddler Regulations

- 2A. It shall be unlawful for any person to engage in the business of Hawker or Peddler within the Town except under and in accordance with the terms of a permit obtained in writing from the Town Clerk of The Town of Labrador City.
- 2B. It shall be unlawful for any person engaged in the business of Hawker or Peddler to sell or display goods, wares, or merchandise, or to solicit business on any street, sidewalk, or public place within the Town.
3. Applicants for permits must file with the Town Clerk a sworn application in writing (in duplicate) on a form to be furnished by the Town Clerk, and shall give the following information:
- (1) Name and description of the applicant.
 - (2) Address.
 - (3) A brief description of the nature of the business and the goods to be sold.
 - (4) If employed, the name and address of the employer.
 - (5) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal regulations, the nature of the offence, and the punishment or penalty assessed therefor.
 - (6) The applicant shall file with his application a statement by a physician dated not more than ten days prior to submission of the application, certifying the applicant to be free of infections, contagious or communicable diseases.
 - (7) At the time of filing the application, the applicant shall pay the annual tax of \$25.00, the said tax to cover the period from the date of issue of the permit under these Regulations until December 31st in each year.
4. A permit issued in accordance with these Regulations shall not be transferred to any other person.
5. Hawkers and Peddlers are required to exhibit their permit at the request of any citizen.

Hawker and Peddler Regulations

- 6A. A permit may be revoked by the Council for any of the following reasons:
- (1) Fraud, misrepresentation, or false statement contained in the application for a permit.
 - (2) Fraud, misrepresentation, or false statement made in the course of carrying on the business of Hawker or Peddler.
 - (3) Any violation of these Regulations.
 - (4) Conviction of any crime or misdemeanor involving moral turpitude.
 - (5) Conducting the business of Peddler in an unlawful nature or in such a nature as to constitute a menace to the health or general welfare of the public.
- 6B. Notices of the hearing for revocation of a permit shall be given in writing, setting forth specifically the grounds of complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the permit holder at his last known address at least five days prior to the date set for the hearing.
7. Any person aggrieved by the decision of the Town Clerk to refuse a permit shall have the right of appeal to the Town Council. Such appeal shall be taken by filing with the Council within fourteen (14) days after refusal, a written statement setting forth the grounds for the appeal. The Council shall set a time and place for a hearing of such appeal and notices of the hearing shall be given to the applicant in the same manner as provided in Section 6 for notice of hearing of revocation. The decision and order of the Council on such appeal shall be final and conclusive.
8. All permits issued under these Regulations shall expire on the 31st day of December in the year when issued.

Hawker and Peddler Regulations

9. Any person violating any of the provisions of these Regulations shall, upon conviction, be punished by a fine not exceeding One Hundred Dollars (\$100.00), or in default of payment to imprisonment for a period not exceeding ninety days, or to both such fine and imprisonment.
10. No permit shall be issued to any Hawker or Peddler who fails to pay any taxes due by him to the Council under and in accordance with these Regulations.
11. These Regulations were passed and adopted by Council on the 28th day of May 1981, and will come into effect on the 28th day of May 1981, and may be cited as the Town of Labrador City (Hawker and Peddler) Regulations, 1981.