

BY-LAW NO. 1200

BEING A BY-LAW FOR REGULATING TRANSIENT TRADERS IN THE CITY OF NORTH BAY.

WHEREAS it is deemed advisable by the Municipal Council of the Corporation of the City of North Bay, that a By-Law should be enacted regulating Transient Traders within the limits of the City of North Bay.

BE IT ENACTED AND IT IS THEREFORE HEREBY ENACTED BY the Municipal Corporation of the City of North Bay, as follows:-

That By-Law Number 495 as amended by By-Law Numbered 946 be and the same is hereby repealed, and the following substituted therefor:

1. There shall be taken out by every Transient Trader or other person in the City of North Bay whose name has not been entered on the last revised Assessment Roll of the Municipality in respect of income or business assessment for the then current year, and who may offer goods, wares or merchandise of any description for sale by auction conducted by himself or by a licensed auctioneer or otherwise, or who offers them for sale in any other manner, a license authorizing him to carry on his trade or calling within the limits of the said City, and for which license the person obtaining same shall pay at the time of the issue of such license the sum of One Hundred Dollars (\$100.00).

2. No Transient Trader or other person coming within the limits of the provisions of this By-Law shall commence to trade or transact business within the limits of the said City of North Bay until the said license above provided for has been paid for and issued to him or them.

3. The Clerk of the Municipality is hereby empowered and required on the application of any person for a license for the purpose mentioned in this By-Law, to issue such license to such person on payment of the license fee hereinbefore provided for.

4. A license issued under the provisions of this By-Law shall not be transferable.

5. This By-Law is enacted and governed by the provisions of Revised Statutes of Ontario, 1927, Chapter 233, Section 429 sub-sections 5 and 6 as amended in so far as paragraph 6 is concerned by 19 George the Fifth 1929, Chapter 58, Section 12 and the sub-sections therein contained.

6. In this By-Law the term "Transient Trader" shall include any person commencing business either from a stand or otherwise who has not resided continually in the Municipality for at least three months next preceding the time of his commencement of such business.

7. Pursuant to 19 George the Fifth, 1929, Chapter 58, Section 12 thereof every Licensee shall cause his license to be prominently and permanently displayed in his place of business during the full term in which he is carrying on business as a Transient Trader and any person convicted of a breach of this provision in this By-Law shall forfeit and pay at the discretion of the convicting Magistrate a penalty not less than \$1.00 nor more than \$10.00 for each offence, exclusive of costs, and in default of the said payment of the said penalty and costs forthwith the said penalty and costs or costs only may be levied by distress and sale of the goods and chattels of the offender. In case of there being no distress found out of which such penalty and costs can be levied the convicting Magistrate may commit the offender to the common gaol of the District of Nipissing with or without hard labor for any period not exceeding six calendar months unless the said penalty and costs be sooner paid.

8. Every applicant for Transient Trader's license shall as part of his application for such license furnish a statement in writing containing the full description of the goods, wares, or merchandise which he proposes to sell or offer for sale under such license, and the license shall only cover such goods as are contained in the said statement.

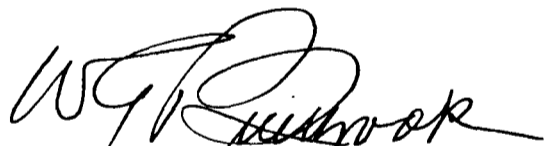
9. For every infraction of this By-Law saving and excepting the provisions hereinbefore for which the penalty has been provided for any person convicted shall forfeit and pay at the discretion of the convicting Magistrate a penalty of not less than \$20.00 and not more than \$200.00 together with costs and in default of payment of the said penalty and costs forthwith the said penalty and costs, or costs only may be levied by distress and sale of the goods and chattels of the offender and in case of there being no distress found out of which said penalty can be levied the convicting Magistrate may commit the offender to the common gaol of the District of Nipissing with or without hard labor for any period not exceeding six calendar months unless the said penalty and costs be sooner paid.

10. This By-Law shall take effect immediately after the passing thereof.

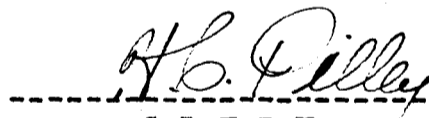
Read a First Time in Open Council this 7th. day of May, 1935.

Read a Second Time in Open Council this 7th. day of May, 1935.

Rules of Order were suspended and By-Law was read a Third Time short and passed this 7th. day of May, 1935.



MAYOR



CLERK