

BY-LAW NO. 1201

BEING A BY-LAW to provide for licensing, regulating and governing hawkers or petty chapmen and other persons carrying on petty trades, or who go from place to place or to other men's houses on foot, or with any animal, vehicle, boat, vessel, or other craft, bearing or drawing any goods, wares or merchandise for sale, or otherwise carrying goods, wares or merchandise for sale within the Municipality of the City of North Bay.

THE MUNICIPAL COUNCIL OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:-

THAT BY-LAW Number 12 as amended by By-Law Number 84, By-Law Number 266 and By-Law Number 473 be and the same is hereby repealed and the following substituted therefor;

1. No person or persons who are not permanent residents of the said City of North Bay shall carry on any petty trades, or go from place to place or to other men's houses on foot, or with any animal, vehicle, boat, vessel or other craft, bearing or drawing goods, wares or merchandise for sale without being duly licensed therefor.

2. That the person or persons desirous of carrying on a trade described as above in this municipality, shall pay for a license therefor as follows:

On foot or with basket only	\$10.00
On foot and carrying goods, wares and merchandise other than in basket	\$30.00
On foot with a push cart	\$40.00
With vehicle drawn by One horse	\$50.00
With vehicle drawn by two horses	\$75.00
With Motor Vehicle	\$250.00

3. No person or persons not being Wholesale Dealers residing in Ontario who go from place to place or to a particular place to make sales or deliveries of fruits or garden produce to retail dealers shall not do so without first obtaining a license therefor and the fee to be paid for such license shall be the sum of Two Hundred and Fifty Dollars (\$250.00).

4. Any Licensee coming within the provisions of this By-Law or his servants or employees shall exhibit his authority when required so to do by any Municipal or Peace Officer.

5. In any prosecution for breach of this By-Law the onus or proving that he does not for either of the reasons mentioned in Clause A. of Revised Statutes of Ontario, 1927, Chapter 233, Section 422 sub-section I A, required to be licensed shall be upon the person charged.

6. For the purpose of this By-Law the word "hawkers" shall be defined to mean "hawker" as defined in Revised Statutes of Ontario, 1927, Chapter 233, Section 422, I.E.

7. The Licensee shall at all times whilst carrying on his business within the Municipality of North Bay have his license with him and shall upon demand exhibit it to any Municipal or Peace Officer, and if he fails to do so shall, unless the same is accounted for satisfactorily, incur a penalty of not less than \$1.00 or more than \$5.00 recoverable under the provisions of The Summary Conviction Act of the Province of Ontario and any amendments thereto.

8. If any Peace Officer demands production of the license by any person or persons to whom this By-Law applies and demand is not complied with forthwith it shall be the duty of the said Peace Officer and he shall have power to arrest such person or persons without a Warrant and to take him or them before the nearest Justice of the Peace, there to be dealt with according to law.

9. The Clerk of the Municipality is hereby empowered and required upon application of any person or persons for a license for the purpose mentioned hereinbefore in this By-Law and upon production to him by such person of a receipt of the Treasurer of this Municipality for the sum before mentioned to be paid, to issue under his hand and the Seal of the Corporation a license allowing such person to carry on such a trade as mentioned and described in this By-Law, within the City of North Bay, and the Clerk is hereby empowered and authorized to charge, collect and receive from such applicant to his own use and benefit in addition to the fee hereinbefore mentioned the sum of \$1.00.

10. Any person convicted of a breach of any of the provisions of this By-Law saving and excepting the penalty hereinbefore provided for shall forfeit and pay at the discretion of the convicting Magistrate a penalty of not more than \$50.00 for each offence, exclusive of costs, and in default of payment of such penalty and costs forthwith the said penalty and costs or the 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 such 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 of not less than ten days nor more than one month, unless the said penalty and costs or costs only, including cost of said distress and of the committal and conveyance of the offender to the said gaol are sooner paid.

11. This By-Law shall come into force and take effect on the date of 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