

**MUNICIPALITY OF WESTLAKE-GLADSTONE
BY-LAW NO. 2025-10**

BEING A BY-LAW OF THE MUNICIPALITY OF WESTLAKE-GLADSTONE FOR THE LICENSING AND REGULATION OF TRANSIENT BUSINESSES CARRIED ON WITHIN THE MUNICIPALITY.

WHEREAS subsection 1 (1) of *The Municipal Act* defines "business" as

- (a) commercial, merchandising or industrial activity of undertaking
- (b) a profession, trade, occupation, calling or employment, or
- (c) an activity providing goods and services,

whether it is carried on continuously or on an intermittent or one time basis, and whether or not for profit, and however organized or formed, and includes a cooperative and an association of persons;

AND WHEREAS paragraph 232 (1)(n) of the Act provides that a council may pass by-laws for municipal purposes respecting businesses, business activities and persons engaged in business;

AND WHEREAS paragraph 232(1)(o) of the Act provides that a council may pass by-laws for municipal purposes respecting the enforcement of by-laws;

AND WHEREAS subsection 232(2) of the Act provides that a council may in a by-law passed under subsection 232(1)

- (a) regulate or prohibit;
- (c) deal with any development, activity, industry, business, or thing in different ways, or divide any of them into classes and deal with each class in different ways.
- (d) Subject to the regulations, provide for a system of licenses, permits or approvals, including any or all of the following:
 - (i) establishing fees, and terms for payment of fees, for inspections, licenses, permits and approvals, including fees related to recovering the costs of regulation,
 - (ii) establishing fees for licenses, permits and approvals that are higher for persons or businesses who do not reside or maintain a place of business in the municipality,
 - (iii) prohibiting development, activity, industry, business or thing until a license, permit or approval is granted,
- (g) require persons who do not reside or have a place of business in the municipality to report to the municipal office before conducting business in the municipality.

AND WHEREAS subsection 294(1) of the Act provides, in part, that a person who contravenes a by-law of the municipality is guilty of an offense;

AND WHEREAS subsection 294(2) of the Act provides that where a contravention continues for more than one day, the person is guilty of a separate offense for each day it continues;


AND WHEREAS section 237 of the Act provides that no municipality shall require a license to sell produce grown in Manitoba if the sale is by the individual who produced it or an immediate family member or employee of the individual;

NOW THEREFORE the Council of the Municipality of WestLake-Gladstone in meeting duly assembled, enacts as follows:

1. That for the purpose of this by-law, "business" shall be defined as any commercial, merchandising or industrial activity or undertaking, profession, trade, occupation or calling whether or not it is carried on continuously or on an intermittent or one time basis however organized or formed and includes a cooperative and an association or persons.
2. That for the purposes of this by-law, "person" shall be defined as including an individual, proprietorship, partnership, or corporation.
3. That no license shall be required for
 - a. Selling produce grown in Manitoba if the sale is by the individual who produced it or an immediate family member or employee of the individual, or
 - b. Businesses engaged exclusively in the wholesale goods to other businesses within the Municipality of WestLake-Gladstone

4. That all transient traders, hawkers, peddlers and other persons who go from place to place, or from door to door, by any means, bearing or drawing any goods, wares or merchandise for sale, contractors, trades people, or providers of services, shall, before transacting business in a municipality, report to the Municipality of WestLake-Gladstone Office and obtain a license as required under this bylaw.
5. That all venders, food trucks, confectionary trucks and/or food trailers who are not based in the municipality or a part of a municipal event (ie. fair and farmers market) must obtain a business license.
6. That for the purposes of this by-law, a business shall be deemed to be based in a municipality if it has an established place of business, or personal property used in connection therewith assessed ad set out in the latest revised assessment roll of the municipality.
7. That the business license fee, be established at a cost of \$40 for one-time permit, or \$150 for an annual permit, from the Municipality of WestLake-Gladstone. Receipt for business license fee will be deemed as the permit and must always be visible to the public while conducting business in the municipality.
8. That every license issued under this by-law shall be effective only on the day of issue for the one-time permit or from the day of issue to and including the 31st day of December of the year of issuance for an annual permit.
9. That every license issued hereunder shall be produced by the licensee at all reasonable times upon demand of an authorized officer of the municipality or any member of the RCMP.
10. That it is an offence to carry on a business within the Municipality of WestLake-Gladstone without having first obtained a license under this by-law.
11. That any person violating the provisions of this by-law shall be liable on summary of conviction to a fine of twice the amount for the applicable license fee, and where the violation of any of the provisions of this by-law continue for more than one day, the person or firm is guilty of a separate offence for each day that it continues.

DONE AND PASSED in open Council of the Municipality of WestLake-Gladstone, this ~~21st~~ day of May, 2025.



Daryl Shipman
Mayor



Karen Paz
Chief Administrative Officer

Read a first time this 17th day of April, 2025.
Read a second time this 21st day of May, 2025.
Read a third time this 21st day of May, 2025.