

**TOWN OF ROCKY MOUNTAIN HOUSE
BYLAW NO. 2026/13**

BEING A BYLAW OF THE TOWN OF ROCKY MOUNTAIN HOUSE IN THE PROVINCE OF ALBERTA PURSUANT TO PROVISIONS OF THE MUNICIPAL GOVERNMENT ACT, BEING CHAPTER M-26 OF THE REVISED STATUTES OF ALBERTA, 2000 AND AMENDMENTS THERETO, TO PROVIDE FOR THE REGULATION AND LICENSING OF ALL BUSINESS CARRIED OUT WITHIN THE MUNICIPALITY.

WHEREAS the Council of the Town of Rocky Mountain House is committed to developing and maintaining a safe and viable community, and

WHEREAS Council may pass bylaws for municipal purposes respecting the safety, health, welfare and protection of people, and

WHEREAS Council may, in passing a bylaw, regulate or prohibit, or provide for a system of licences, permits or approvals, for any development, activity, industry, business or thing, until a licence, permit or approval has been granted, which can include terms and conditions, and fines and penalties.

WHEREAS the Council of the Town of Rocky Mountain House; duly assembled, deems it necessary to provide for the regulation and licensing of all businesses carried on within the municipality,

NOW THEREFORE the Council of the Town of Rocky Mountain House, in the Province of Alberta, duly assembled, enacts as follows:

1. TITLE

1.1. This Bylaw may be cited as the "Business Licence Bylaw".

2. DEFINITIONS

2.1 In this Bylaw:

- a) "Abutting Vendor"** means a vending business that is located directly adjacent to an existing commercial establishment of which the operation is done by that establishment, and for the purposes of that establishment, including the selling of perishable items;
- b) "Applicant"** means a person who applies for a business licence or renewal of a business licence required by the Bylaw;
- c) "Business"** means:
 - i) a commercial, merchandising or industrial activity or undertaking,
 - ii) a profession, trade, occupation, calling or employment; or,
 - iii) an activity providing goods or services whether or not for profit and however organized or formed, including cooperative or association of persons;

- d) **"Business Premises"** means the premises from which a Business is operated;
- e) **"Busker"** means a person (or persons) who entertains to solicit money from people in public spaces;
- f) **"CAO"** means the Chief Administrative Officer of the Town of Rocky Mountain House;
- g) **"Council"** means the Municipal Council of the Town of Rocky Mountain House;
- h) **"County Resident Business"** means a Business that resides within the corporate limits of Clearwater County, but outside the corporate boundaries of the Town of Rocky Mountain House, that conducts business within the Town of Rocky Mountain House;
- i) **"Fee"** means the monetary amount levied on each application for a business licence as set out in the Fees, Fees and Charges Bylaw;
- j) **"For-Profit Events"** means events that are in nature, for commercial purposes of financial gain through the selling of goods or services. Examples include Farmers Markets, other markets, trade fairs, for-profit music concerts. This does not include fundraising events.
- k) **"Home Occupation"** means any person, firm or corporation carrying on any business out of a residence within the Town of Rocky Mountain House.
- l) **"Licence"** means a licence granted by the Town of Rocky Mountain House entitling the person, to whom it is granted, to carry on business therein specified in the Town of Rocky Mountain House;
- m) **"Licencee"** means a person holding a valid and subsisting Licence issued pursuant to the provisions of this Bylaw;
- n) **"Licence Inspector"** means the person designated and authorized in writing by the Chief Administrative Officer to administer and enforce the requirements of this Bylaw;
- o) **"Mobile Vendors"** means a vending business that can be easily relocated in four (4) hours and does not take up more than 100 sq. ft. Examples include hot dog or ice cream carts;
- p) **"Municipal Tag"** means a form of ticket prescribed by the Town for a Bylaw Offence providing a person with the opportunity to pay an amount to the Town in lieu of prosecution;
- q) **"Not-for Profit Events"** means events that are in nature, for no monetary gain, and are thus community orientated, charitable, or activity-based;

- r) **"Non-Resident Business"** a Business that resides outside the corporate limits of Clearwater County and the corporate boundaries of the Town of Rocky Mountain House, that conducts business within the Town of Rocky Mountain House. This category shall include those non-resident contractors and trades people associated with the construction and/or repair of a building within the corporate boundaries of the Town of Rocky Mountain House;
- s) **"Officer"** means:
 - i) the Licence Inspector;
 - ii) a Bylaw Officer appointed to enforce bylaws of the Town;
 - iii) a Community Peace Officer appointed by the Province of Alberta and authorized by the Town; or
 - iv) a member of the Royal Canadian Mountain Police;
- t) **"Patio"** means an extension to an existing eating or drinking establishment that requires no permanent construction and includes a seating area for customers;
- u) **"Resident Business"** means any Business that resides and maintains a permanent place of business within the corporate boundaries of the Town of Rocky Mountain House;
- v) **"Sidewalk Sales"** means tables and racks set up temporarily in front of a commercial establishment filled with retail merchandise;
- w) **"Temporary"** means a commercial use where there is a clear start and end date that does not extend past an annual year;
- x) **"Town"** means the Town of Rocky Mountain House, a municipal corporation in the Province of Alberta;
- y) **"Violation Ticket"** has the same meaning as in the *Provincial Offences Procedures Act, RSA 2000, c. P-34*, as amended.

3. APPOINTMENT, POWERS, AND DUTIES OF LICENCE INSPECTOR:

3.1 The CAO and/or delegate shall appoint a Licence Inspector(s) to carry out the terms of this Bylaw.

3.2 The Powers and duties of the Licence Inspector are:

- a) to establish forms for the purpose of this Bylaw, and to receive and administer all applications for Licences with the appropriate fee payable under the Fees, Rates and Charges Bylaw;
- b) to carry out whatever inspections are reasonably required to determine compliance with this Bylaw;
- c) to require a person holding a licence to provide any information reasonably required to make a decision regarding that Licence;

- d) to consider the advice and recommendations from internal departments and outside agencies with respect to Licence applications and to determine whether the granting of a Licence to a particular applicant is appropriate in light of that advice;
- e) to prosecute violations and infractions of this Bylaw.

4. LICENCE REQUIRED:

- 4.1** No person shall carry on or operate a Business in the Town unless the person holds a valid Licence authorizing the person to carry on or operate that Business and has paid the Town the fee for that Licence as set out in the Fees, Rates and Charges Bylaw.
- 4.2** A separate Licence is required for each location at which the Business operates. A Mobile Vendor may be exempt from requiring a Licence for each location, if each location, including specific times and dates, is clearly determined upon application.
- 4.3** Where more than one Business operates at the same location, each Business must have a separate Licence.
- 4.4** No Licence shall be required for:
 - a) residential garage sales, provided that the sales take place on a residential property where that property owner, or primary resident, directly supervises and controls the garage sale;
 - b) Non-Profit, religious or charitable organizations;
 - c) Non-Profit Events;
 - d) product delivery operations are exempted from needing a Licence provided that the company is not a Resident Business;
 - e) any Business that is exempt under Provincial or Federal legislation;
 - f) for any other businesses that Council by resolution may exempt;
 - g) for landlords or any landlord businesses that own properties for rent.
 - h) anyone under eighteen (18) years of age operating as a Home Occupation or Temporary business; providing occasional light duty services such as babysitting, yard work, snow shoveling or operating a lemonade or similar stand.

5. APPLICATION:

- 5.1** An Applicant for a Licence shall make an application to the Licence Inspector on a form supplied by the Licence Inspector, furnishing such information as the form shall require and such additional information as the Licence Inspector may require including:
 - a) valid Federal or Provincial Certificate, authority, licence or other document or qualification that may be required in connection with the carrying on of a Business;

- b) valid development permit approval under the Town's Land Use Bylaw;
- c) any certificate or other approval required by any provision of this Bylaw with respect to the Business;
- d) the Licence fee payable in respect of the Business as set out in the Fees, Rates and Charges Bylaw.

5.2 During the currency of a Licence, the Licencee shall promptly inform the Licence Inspector of any change in the information submitted in the Licence application.

6. TEMPORARY USE REGULATIONS:

6.1 A Busking Licencee shall meet the following conditions:

- a) adhere to the hours of operation as stipulated by the Licence Inspector;
- b) shall not charge a minimum or set fee, but may receive donations for their performances;
- c) shall not aggressively or persistently solicit donations;
- d) shall not perform on sites that have been booked for For-Profits or Not-For Profit Events unless they are a part of the Event;
- e) must carry a valid Licence.

7. FOR PROFIT EVENTS:

7.1 A Licence for a For-Profit Event is a valid Licence for all vendors operating within the Event while the Event is in operation.

7.2 If food handling and vending is a part of a For-Profit Event, proof of Public Health inspector approval under the Public Health Act will be required prior to issuance of a Licence.

8. MOBILE VENDORS:

8.1 An Applicant for a Licence for a Mobile Vendor must submit to the Town, in the form acceptable to the Licence Inspector:

- a) letter of permission from the property owner (if located on private property);
- b) permission from the Town if located on Town property;
- c) a description of the operation and hours of operation;
- d) a sketch illustrating proposed layout location and dimensions;
- e) photos and description of cart or vending unit;

- f) time period requested with start and end date.
- g) Before the letter of permission from the property owner (if located on private property);
 - i. permission from the Town if located on Town property;
 - ii. a description of the operation and hours of operation;
 - iii. a sketch illustrating proposed layout location and dimensions;
 - iv. photos and description of cart or vending unit;
 - v. time period requested with start and end date.

8.2 A Mobile Vendor Licencee must adhere to the following conditions:

- a) adhere to the hours of operation stipulated by the Licence Inspector;
- b) maintain a clean work and storage area;
- c) provide a garbage and recycle receptacles for the use of their customers;
- d) not obstruct doorways, fire hydrants, driveways, loading zones, or emergency access routes;
- e) display their Licence during operation.

8.3 Where a conflict arises with an existing business operation, the Town reserves the right to relocate a Mobile Vendor.

8.4 In the occasion that an Event (either For-Profit or Not-For Profit) is scheduled to occur on the same public land a Vendor is applying to locate on, the Vendor must require written approval from the Event organizing body before being granted approval.

8.5 If a Mobile Vendor is consistently moving from designated sites throughout Town, the Mobile Vendor must provide a plan showing the sites on public land that will be utilized at approximate times and dates.

9. ABUTTING VENDOR, PATIO AND SIDEWALK SALES:

9.1 Abutting Vendors, Patios and Sidewalk Sales require a Temporary Business Licence prior to conducting any business or placing any fixtures on the lands that the Business will be conducted.

9.2 An application for a Temporary Business Licence must be submitted to the Licence Inspector. With the licence application the following information is required:

- a) A sketch illustrating proposed layout, location, and dimensions;
- b) A description of the business and hours of operation;
- c) Photos and description (including dimensions, and size) of cart, mobile vendor, stages, patios, tables;
- d) The nature and purpose of such Temporary Use;
- e) Time period requested with start and end date;
- f) Name of business; and

- g)** A policy of liability insurance naming the Town of Rocky Mountain House as additionally named insured.
- 9.3** No permanent construction shall be allowed on a public road right of way or public land. For a Patio, this means that the entire structure can be constructed at or above grade and can be removed within 24 hours.
- 9.4** All applications will be circulated to other agencies and Town Departments that are deemed necessary by the Licence Inspector.
- 9.5** The Licence Inspector will consider the recommendations and advice of other agencies and departments for approval, with or without conditions of approval.
- 9.6** All applicable commercial uses (i.e. restaurants, bars, and nightclubs, etc.) will be required to receive approval from the appropriate Provincial regulatory body (i.e. Alberta Gaming and Liquor Commission, Alberta Health Services, etc.)
- 9.7** The Applicant through completion of the required application form, shall indemnify and save harmless the Town of Rocky Mountain House from and against all losses, claims, demands, actions, payments, suits, recoveries, judgments and statements of every nature and description brought or recovered against the Town of Rocky Mountain House and arising out of the Temporary Business Licence.
- 9.8** The Licence Inspector, at their discretion, may notify adjacent landowners of the proposed Temporary Use.
- 9.9** A Temporary Business Licence Fee according to the Fees, Rates and Charges Bylaw, as amended or replaced from time to time, shall be required to process the application.
- 9.10** The Applicant will be required to maintain Liability Insurance (minimum of \$2,000,000 for patios, vendors, and re-occurring events) as a condition of the Temporary Business Licence and will name the Town of Rocky Mountain House as an additional insured.

Sidewalk Sales

- 9.11** Tables, racks, and chairs may not be anchored to the sidewalk or road right of way.
- 9.12** Sidewalk Sales are only allowed abutting the frontage of an existing commercial establishment for the purposes of this establishment.
- 9.13** The Applicant shall provide unobstructed access to the entrance of a building and to adjacent businesses.
- 9.14** Temporary uses will not be permitted in a location which may obstruct sightlines at an intersection, or cause any operational or safety problem on a public road right of way.
- 9.15** The Applicant must provide a minimum of 1.5 meters of unobstructed sidewalk for pedestrian usage.

Abutting Vendors

- 9.16** The Vendor must collect and dispose of any refuse produced directly or indirectly by the vending operation within a 6-meter area of stand. This includes refuse/litter discarded by customers, pedestrians, or operators. If a commercial container is not provided, the Vendor must remove the garbage from the site.
- 9.17** The Vendor must not obstruct doorways, fire hydrants, driveways, loading zones, or emergency access routes.
- 9.18** All vending must be oriented towards the sidewalk traffic.
- 9.19** Where a conflict arises because of construction, cleaning, road traffic concerns, negative impacts on an existing business, or other unforeseen problems, the Town of Rocky

Mountain House reserves the right to require the Vendor to relocate or cease operations.

Patios

- 9.20** A building permit may be required if the Applicant wishes to construct a canopy, temporary deck, or any other structure within the Licence area. The associated building permit fees arising from this requirement are the responsibility of the Applicant.
- 9.21** Patios are to have an open appearance with a defined edge, such as a railing, fence, suspended chain, or row of planters or pots.
- 9.22** Patios must be adjacent to the frontage (either side of a double frontage use) of an existing restaurant, café or drinking establishment and must not extend laterally beyond the frontage unless approved by the Licence Inspector.

10. REFUSAL, CANCELLATION, AND REVOCATION:

- 10.1** The Licence Inspector may refuse to issue or renew a Licence, or may cancel or revoke a Licence for any of the following reasons:
- a)** the Applicant or Licencee does not or no longer meets the requirements of this Bylaw, with respect to the Licence being applied for and held;
 - b)** where any certificate, authority, licence or other document of qualification under this or any other Bylaw, or under any statute of Canada or Province of Alberta (i.e. Public Health Act, or Fire Prevention Act) is suspended, cancelled, terminated, or surrendered, any Licence issued under this Bylaw based in whole or in part on such certificate, authority, licence or other document of qualification shall be revoked automatically forthwith;
 - c)** the Applicant or Licencee or any of its officers or employees:
 - i) furnishes false information or misrepresents any fact or circumstance to an Officer;
 - ii) has, in the opinion of the Licence Inspector based on reasonable grounds, contravened this Bylaw;
 - iii) fails to pay a fine imposed by a court for a contravention of this Bylaw.
 - iv) fails to pay any fee required by the Fees, Rates and Charges Bylaw or any other applicable Bylaw;
 - d)** in the opinion of Licence Inspector based on reasonable grounds it is in the public interest to do so;
 - e)** The Licensee refuses to admit an Officer into the Business Premises from which the Business is carried out.
- 10.2** The Licence Inspector shall notify the Applicant or Licencee of a refusal, cancellation, or revocation of a Licence by:
- a)** delivering a notice to the Applicant or Licencee, or any of its officers or employees personally; or

- b) sending a notice by ordinary mail to the mailing address on the application.

11. APPEAL:

- 11.1** Where an application has been refused, or where an existing licence has been revoked, suspended, or issued subject to conditions, the Applicant or Licencee as the case may be, is entitled to appeal to Council the refusal, revocation or conditions of the licence.
- 11.2** The Applicant or Licencee, as the case may be, shall have five (5) business days from the date of refusal, revocation, suspension, or issuance subject to conditions, in which to appeal to Council, in writing; otherwise, the right of appeal shall be barred and extinguished. Any person desiring to appeal the decision of the Licence Inspector, pursuant to this bylaw, shall be required to pay an appeal fee as outlined in the Fees, Rates and Charges Bylaw.
- 11.3** An appeal shall be heard by Town Council within 14 days of the date upon which a letter of appeal has been received and shall give forty-eight (48) hours notice of the hearing in writing to the appellant.
- 11.4** Council shall hear the appellant, the Licence Inspector, and any other person who, in the opinion of Council, is affected by the decision. Council may accept any other evidence or information deemed pertinent to the subject matter of the appeal.
- 11.5** After hearing the Applicant and the evidence provided, Council may confirm such refusal, cancellation, or revocation, or may direct that the Licence be issued either conditionally or unconditionally. The decision of the Council is final and binding on all parties.

12. DURATION:

- 12.1** Every Licence issued under the provisions of this Bylaw shall terminate at midnight on the 31st day of December of the year in which said Licence was issued unless:
 - a) the Licence provides otherwise; or
 - b) the Licence has been sooner cancelled or forfeited.

13. LICENCE FEES:

- 13.1** Business Licence fees shall be levied on each applicant and are non-refundable. All Licence fees are based on an annual duration (unless specified) and are provided in the Fees, Rates and Charges Bylaw.

14. ENFORCEMENT:

Offence

- 14.1** A person who contravenes this Bylaw is guilty of an Offence.

Continuing Offence

- 14.2** In the case of an Offence that is of a continuing nature, a contravention constitutes a separate Offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offense is liable to a fine in an

amount not less than the amount established by this Bylaw, for each day the contravention continues.

Proof of Licence

- 14.3** The onus of proving that a person has a valid and subsisting Licence for a Business is on the person alleging the Licence, and such person shall, upon request, forthwith produce same to an Officer, or any person with whom he is doing business to which the Licence relates.

Prosecution

- 14.4** In a prosecution for a contravention of this Bylaw against engaging in or operating a Business without a Licence, proof of one transaction in the Business or that the Business has been advertised is sufficient to establish that a person is engaged in or operates the Business.

Fines and Penalties

- 14.5** A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an Offence and liable upon summary conviction to a fine set out in Schedule B of this Bylaw, and in default of payment of any fine, to imprisonment for up to 6 months.
- 14.6** For any Offence for which there is a fine set out in Schedule A for a first Offence, the fine for any subsequent Offence is double the amount of the first Offence.
- 14.7** Where an Officer reasonably believes that a person has contravened any provision of this Bylaw, the Officer may, in addition to any other remedy at law, issue and serve upon the person a Municipal Tag or a Violation Ticket. The recording of the payment of a fine made to the Town pursuant to a Municipal Tag or to the Provincial Court of Alberta pursuant to a Violation Ticket shall constitute an acceptance of a guilty plea and a conviction for the Offence.

Municipal Tag

- 14.8** If a Municipal Tag is issued in respect of an Offence, the Municipal Tag must specify the fine amount established by this Bylaw for the Offence.

Payment in Lieu of Prosecution

- 14.9** If a Municipal Tag is issued for an Offence to a person, that person may pay the fine amount established by this Bylaw for the Offence to the Town and if the amount is paid on or before the required date, the person will not be prosecuted for the Offence.

Violation Ticket

- 14.10** If a Violation Ticket is issued for an Offence, the Violation Ticket may:

- a)** specify the fine amount established by this Bylaw for the Offence; or
- b)** require a person to appear in court without the option of making a voluntary payment;

and where a Violation Ticket specifies a fine amount, a payment equal to the specified amount may be made as directed on the Violation Ticket.

Obstruction

14.11 No person shall obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this Bylaw.

Police Referral

14.12 If the head of the RCMP Rocky Mountain House Detachment believes, on reasonable grounds, that the issue or renewal of a Licence would endanger the safety, health, or welfare of people or the protection of people or property, then he or she must notify the Licence Inspector forthwith, in writing.

14.13 If the Licence Inspector is notified of such concerns, then the Licence Inspector may refuse to issue or renew the Licence.

Other Provisions

14.14 The invalidity of any provision in this Bylaw shall not affect the validity of the remainder.

14.15 Business Licence Bylaw No. 2019/15V is hereby repealed.

15. EFFECTIVE DATE

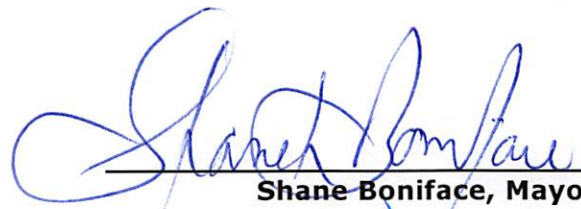
This Bylaw comes into force and has effect on the date of third and final reading.

READ a first time this 18th day of August, 2026.

READ a second time this 18th day of August, 2026.

UNANIMOUS CONSENT for third reading this 18th day of August, 2026.

READ a third and final time this 18th day of August, 2026.



Shane Boniface, Mayor



Dean Krause, CAO

SCHEDULE A - FINES AND PENALTIES

SECTION	OFFENCE	SPECIFIED FINE
4.1	Engaging in or operating a Business without a Licence	\$400.00
5.a)	Failure to provide valid Federal or Provincial Certificate, authority, Licence or other document or qualification	\$200.00
5.b)	Failure to provide valid development approval under the Town's Land Use Bylaw	\$200.00
5.2	Failure to advise the Licence Inspector of any changes in the information submitted in the Licence application	\$200.00
6	Breach of Busking Licence condition	\$200.00
8.2	Breach of Mobile Vending condition	\$200.00
9.1, 9.3, 9.11-9.22	Breach of Abutting Vendor, Patio and Sidewalk Sales Licence condition	\$200.00
14.3	Failure to provide proof of Licence	\$400.00
14.11	Obstruct/hinder person in performance of powers	\$200.00