

NO. 19 LICENSES: GENERAL PROVISIONS

1. Every license mentioned in this bylaw shall be granted on the recommendation of the Committee on Police and licenses (hereinafter called the committee) shall be issued and signed by the clerk, and shall be in force until the 31st day of December next succeeding the day on which the same is issued.
2. The Council may from time to time fix the fee to be paid for any of the licenses mentioned in this bylaw and may from time to time change any such fee. Any such fee shall be the fee for license for one year, and on an application for a license for a period less than one year the fee shall be for a sum determined by the Clerk after consultation with the committee.
3. Every such fee shall be payable before the license is issued.
4. Every license shall state the date when the same expires and the occupation or privilege authorized or granted or any terms or conditions imposed by the committee.
5. Everyday during which any contravention or failure to comply with any requirement of this bylaw continues, shall constitute a fresh offense.
6. In any action, prosecution or other proceeding in respect to any contravention or failure to comply with any requirement of this bylaw, it shall not be necessary for the plaintiff, prosecutor, or other party having the conduct of the proceedings, to prove that the defendant or person accused does not hold a license, but the burden of proving the holding of a license shall be upon the defendant or person accused.
7. Any person may at any time for any contravention of or failure to comply with the conditions of the same, and whether a penalty has been imposed for such contravention or failure or not, be revoked by the committee. The fact that the license is liable to such revocation shall be stated in the license.

LICENSED BOTTLE DEALERS

- 7a. No person shall peddle or trade used bottles or in containers of a nature ordinarily used to contain alcoholic beverages without first having obtained a license for such purposes.
- 7b. Such license may be granted by the Mayor and the Town Council and signed by the Mayor and Town Clerk and shall be in force until the following first day of January.
- 7c. The fee for any such license shall be fifteen dollars.

PETTY TRADES

8. (1) No person who is not and has not been for at least one year next previously a resident rate payer for the Town and assessed in respect to property with the Town shall:
 - a. do business in the town as a hawker, peddler, petty chapman, coal dealer or other petty tradesman, or
 - b. go from door to door within the Town offering to sell any goods, wares or merchandise or to take orders for the same or for the performance of any work or labour, without having first taken out a license therefor.

(2) Nothing in this section shall apply to:

- a. any person offering for sale products of the farm, forest or sea, or
- b. any person offering to sell any person doing business in the Town goods intended to be re sold by such person in his business.

9. Every license to carry on any petty trade shall specify the particular trade which the license is authorized to carry on.

10. No license shall be issued to any person proposing to carry on any such petty trade with a horse and wagon or other vehicle until such horse, vehicle and harness have been inspected and approved by the committee, or by some person appointed by them in that behalf, and a certificate of such approval produced to the Clerk.

11. A record shall be kept by the Clerk of every license so granted with the number of each one, which number shall be inserted in the license.

12. Every licensee shall, while conducting his business, wear in a conspicuous place, on the outside of his outer garment, a suitable metal badge to be approved by the committee, with the number of his license thereon, and shall also keep such number painted or affixed in a conspicuous manner on every vehicle or boat used by him in such business.

13. No license shall permit his badge, or any vehicle or boat so numbered, to be used for business by any person other than his servant or some member of his family for the benefit of the licensee.

14. No licensee or any person in his employ shall cry his wares to the disturbance of the public.

15. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to petty trades shall, in addition to the amount of the license fee, be liable to a penalty not exceeding ten dollars, and in default of payment, to imprisonment for a period not exceeding twenty days.

16. The fees payable for licenses to carry on petty trades shall be as follows:

| | |
|--|---------|
| Transient merchants, traders, hawkers, or peddlers | \$30.00 |
| Butchers | \$10.00 |
| Bakers | \$10.00 |
| Coal Dealers | \$10.00 |

AUCTIONEERS

17. (1) No person shall carry on business within the town as an auctioneer or sell any property, real or personal by auction without having first taken out a license therefor.

(2) The fee for such license shall be fixed by the committee.

(3) No person except the person named in the license shall be authorized thereby to sell or cry goods at auction.

(4) Every person who carries on business as an auctioneer or sells or attempts to sell any property, real or personal, at auction without having first taken out such license, shall in addition to the amount of the license fee be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.

- (5) Nothing in the selection shall apply to:
- a. any sheriff, bailiff, or other officer of the law selling under legal process, or
 - b. to any person selling to any social or benevolent entertainment.

PUBLIC ENTERTAINMENT

18. No person shall give any theatrical or musical exhibition, circus, show, or other entertainment to which admission is obtained by the public on payment of money, or at which participation in any show or entertainment or exhibition on the street for gain, without having first taken out a license therefor.

19. Every such license shall specify the nature of the exhibition or entertainment for which it is issued and the period for which it shall be in force.

20. The fees payable for such licenses respectively shall be: for a license for a traveling circus or menagerie, or other like traveling public show, for each day, not less than \$25.00 nor more than \$100.00.

For a license fee to exhibit wax works, menageries, circus riding, rope walking, dancing, tumbling or other acrobatic or gymnastic performance, wild animals, sparring, boxing, sleight of hand, legerdemain, jugglers, or other like tricks, pictures, painting, statuary, works of arts, natural or artificial curiosities, tableaus, wonderful animals or freaks of nature, or any other exhibition kept for hire or profit, when the same is exhibited elsewhere than in the theater, music, or concert hall or other building or place duly licensed, for each day of such exhibition a fee of not less than \$5.00 or more than \$50.00.

For an annual license to keep for hire or profit a theater, music or concert hall, or other building or place which is used for theatrical, dramatic or other amusements, not less than \$20.00 or more than \$100.00.

For the license for the performance of any troupe or company of actors, musicians or dramatic or musical performers, not being residents of the town, when such performance is given elsewhere than in a licensed theater, music or concert hall, building, tent or other place, for each performance, a fee of not less than \$5.00 or more than \$20.00.

For a license for keeping any other place of amusement or entertainment where an admission fee is charged, no less than \$5.00 a month, or more than \$20.00.

For a license to operate a merry go round \$10.00 for the first day and thereafter for every day \$1.00.

21. A general license may be issued in respect to any theater, music hall or other building used for public entertainment, authorizing entertainment's to be given therein for one year or fraction thereof.

22. No owner or manager of any building shall permit any public entertainment to be given therein for admission to which money is paid, unless such general license or a license for such entertainment has been first taken out.

23. Every application for any such license shall be made in writing to the clerk, and shall state:

- a. the name, occupation and address of the applicant;
- b. the nature of the license applied for;
- c. the place where the entertainment is to be given;
- d. the period for which the license is required;
- e. the nature and descriptions of whatever kind or description, for which a license is applied.

24. The committee may exempt from the payment of a license fee any entertainment given wholly for religious or charitable purposes.

25. No drunken or disorderly person shall be allowed to enter into any building where an exhibition, public show or public lecture is being exhibited or delivered.
26. It shall be the duty of every person obtaining any such license to keep good order in and about his theater, music or concert hall, exhibition, show or public lecture, or any place of public amusement for which a license is required, at his own expense, and shall keep sufficient force of servants for that purpose.
27. Any person present at any exhibition, public show, lecture, or any show or exhibition for which a license is required, who uses insulting, offensive or abusive language, or in any way disturbs the peace and quiet of the persons present thereat, may be removed from the building, and any person so offending shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment of a period not exceeding thirty days.
28. The committee may at any time cancel the license for any entertainment which found to be of an indecent or immoral description or contrary to law and public order.
29. The clerk may prevent any entertainment being given, a license for which has not been obtained and for that purpose thereto, or may disperse any crowd, or order the arrest without warrant of any person giving such entertainment, after being notified to desist therefrom.
30. Any police officer shall have the right at any time during any entertainment, exhibition or public lecture, to enter any building in which the same is held or being held or being given, and assist in keeping order.
31. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to public entertainments shall, in addition to the amount of the license fee, be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.

PUBLIC BILLIARD ROOMS AND BOWLING ALLEYS

32. No person shall maintain for gain any public billiard room, pool room, bowling alley or shooting gallery without having first taken out such a license therefor.
33. The fees for any such license shall be:
- a. license to keep a public billiard room, when there is only one billiard table or pool table therein, \$14.00 per year;
 - b. each additional table \$2.00 per year;
 - c. license to keep a shooting gallery, or bowling alley when the beds do not exceed two, \$10.00 per year;
 - d. each additional bed, \$1.00 per year.
34. Every place so licensed shall be closed at night no later than eleven o'clock, and shall be conducted in an orderly and respectable manner.
35. No boy under the age of sixteen years shall be admitted to, or employed in, any public billiard or pool room, bowling alley or shooting gallery.
36. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to public billiard rooms and bowling alleys shall, in addition to the amount of the license fee, be liable to a penalty not exceeding ten dollars, and in default of payment, to imprisonment for a period not exceeding twenty days.

TRUCKS

37. In this part of this bylaw, the expression "truck", includes every vehicle of any description whatever, for conveyance or transportation of goods or other material whatsoever, for hire.
38. No person shall ply for hire any truck without having first obtained a license therefor. The fee payable for each such license shall be two dollars for the first horse and one dollar for each additional horse.
39. No license shall be granted in respect to any vehicle until the same has been inspected and approved by the committee or some person on their behalf.
40. Every licensed truck shall be kept in good repair and condition to the satisfaction of the committee, or some person on their behalf.
41. No horse shall be driven in any licensed truck which, in the opinion of the committee, is unsuitable for the work to be done by it, or which is not kept in a kit and proper condition to the satisfaction of the committee or some person on their behalf.
42. No person under the age of sixteen years shall be permitted to drive any truck.
43. The holder of the license of any truck shall be responsible for the good conduct of any person employed by him as a driver and for observance by him of the provisions of this part of this by law.
44. Every bo cart used as a truck shall be capable of holding fifteen hundred weight of coal without the same being heaped up, or in any risk of any coal falling out.
45. No portable front or sideboard shall be used on any truck unless the same is so fastened when in place as to prevent it from moving or rattling.
46. Every licensed truckman, shall keep the initial letter of his Christian name and his full surname, and the number of his license painted in characters not less than one half inches high, on both sides of his truck.
47. No licensed truckman, when his truck is on the street without employment, shall refuse or neglect to employ the same within the town for any citizen offering him such employment.
48. No licensed truckman shall refuse or neglect to immediately obey any call to employ his truck, when on a street for any purpose of the town or other public purpose, when such call is made upon him by the Mayor or any councillor, the chief of police or any police officer.
49. Every licensed truckman or his driver shall load or unload his truck or assist in so doing so far as he is capable.
50. No truckman or driver shall drive at a rate faster than a slow trot.
51. The fares to be charged by any licensed truckman shall be determined by the committee. A card having printed on it such fares shall be furnished by the clerk to every licensed truckman, and the truckman or driver shall, on request, exhibit the same to any person employing him.
52. Any licensed truckman who receives or demands a fare greater than is specified by the committee, shall be guilty of a violation of this part of this by law.

53. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to trucks, shall be liable to a penalty not exceeding five dollars, and in default of payment, to imprisonment for a period not exceeding ten days; and in the case of any such contravention or failure to comply by any holder of any truck license, the committee may punish such offender by cancellation, or suspension of the license, or by a fine not exceeding five dollars.

JUNK DEALERS

54. No person shall do business as a dealer in junk, scrap, iron, steel, brass or other metal, second hand marine stores, rags or bones or other like material (hereinafter referred to as junk dealer) without having first taken out a license therefor.

55. The fee for every such license shall be fixed by the License Committee.

56. If such licensed junk dealer does business at any place at which any person proposes to do business shall be specified in the license.

57. A separate license shall be required for every place at which any person proposes to do business as a junk dealer.

58. No person licensed to do business as a junk dealer shall remove his place of business from the place designated in his license without having first obtained the permission of the committee, and such change shall be endorsed upon his license by the clerk.

59. The name of the license shall be painted in legible characters on the door of every place in which any person does business as a junk dealer, and on both sides of every vessel, boat or vehicle used in connection with the business, with the words "licensed junk dealer" added thereto.

60. No junk dealer shall purchase any article in the way of his business at any place other than the place designated in his license, except in the case of a sale by public auction or at some place at which the public is invited by advertisement or otherwise to attend for the purpose of making such purchase.

61. No junk dealer shall purchase in the way of his business any article whatever from any minor under the age of eighteen years.

62. No junk dealer shall purchase in the way of his business any article whatever from any person whomsoever between the hours of six o'clock in the afternoon and seven o'clock in the forenoon.

63. Every junk dealer shall on demand by the chief of police or any police officer, exhibit to him any article on his premises.

64. All rags, old rope, and other combustible or inflammable material in any place of business of a junk dealer shall be kept isolated and apart from other articles, and every precaution taken to prevent the risk of fire in the same.

65. Every junk dealer shall keep in the same place in which he does business, a book in the form following, that is to say: in which shall be fairly written at the time of the purchase of any article in the way of business, an accurate account and description of the article so purchased, including any distinctive mark thereon, the price paid therefor and the precise time of making such purchase, and the name, residence, and the description of the person from whom such purchase was made, and such book shall at all times be open to the inspection of the chief of police or any police officer.

66. Immediately after the sale of any article by the junk dealer, he shall make an entry in such book, opposite to the entries therein of the purchase of such article, showing the name, residence and description of the person to whom the same was sold, and the price and date of the sale.

67. Every person who wilfully makes any false entry in the books so required to be kept, shall be deemed guilty of a violation of this part of this by law.

68. Every person licensed to do business as a junk dealer, shall at the time of receiving his license, enter into a bond to the town with two sufficient sureties in the sum of fifty dollars conditioned for the faithful observance by the licensee of the provisions of this part of this by law in respect to junk dealers.

69. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to junk any of the foregoing provisions in respect to junk dealers shall be liable to a penalty not exceeding fifty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days, and for a second conviction for any such offence (not necessarily the same) shall forfeit his license and shall not be granted a renewal thereof for one year thereafter.

CHIMNEY SWEEPS

70. The fee for each such license shall be one dollar.

71. Every licensed chimney sweep shall keep a book and shall enter therein the names of the persons whose chimneys he sweeps and the date of sweeping.

72. Proper precautions shall in ever case be taken to prevent injury to the premises from soot, and the sweep shall remove all soot from the premises in which he has been employed.

73. Every licensed chimney sweep who receives or demans payment of any higher rate for chimney sweeping than is set out in his license shall be guilty of a violation of this part of this by law.

74. If any chimney, flue or stove pipe takes fire, the occupant of the buildng in which such fire occurs, shall be liable to a penalty, unless it appears that the chimney or flue had been properly swept within twelve months of such fire, or in the case of a stove pipe that proper care had been taken to prevent the fire, and that it was an unavoidable accident. In the case of the occupant being a monthly or weekly tenant, the owner of the building shall be liable to the penalty. If any such fire occurs within sixty days after the chimney or flue was swept by a licensed sweep, such sweep shall be liable to a penalty, unless it appears that the fire was not occasioned by insufficient sweeping.

75. Every person who contravens or fails to comply with any of the foregoing provisions in respect to chimney sweeps, shall be liable to a penalty not exceeding five dollars, and in default of payment, to imprisonment for a period not exceeding ten days.

ADVERTISING IN PUBLIC PLACES

76. In this part of this by law:

- a. the expression "bill poster" means every person who posts by pasting, tacking, painting, or otherwise, or who distributes any bill, poster, picture or any other advertising matter or device whatsoever, advertising any article or goods, or any public meeting or entertainment; but does not include any sign painter painting any sign for any shop, office or building, or any sheriff or other officer of the law posting any notice by law required to be posted by him;
- b. the expression "bill or placard" means any such advertising matter, whether printed, painted or otherwise;
- c. the expression "bill board" means any boarding, sign, fence, building, frame, or construction of wood, metal or other material, erected, maintained or used for the display of such bills or

- placards, the subject matter of which does not relate to the property on which said bill board is placed.
77. No person shall do business as a bill poster without having first taken out a license therefor.
 78. The fee for such license shall be Five dollars.
 79. No bill board shall be erected or maintained within the town without the permission therefor of the committee, and without the consent in writing of the owners and residents within two hundred feet of the proposed location of such bill board.
 80. Every bill board shall:
 - a. be constructed and maintained in a safe and substantial manner to the satisfaction of the committee, and
 - b. at all times be kept in a neat and clean condition.
 81. No bill board shall exceed two hundred and fifty square feet in area.
 82. No bill board shall be erected on any public park, square, play ground, or any property of any government, municipality or of the town.
 83. No bill board shall be placed upon the roof of any building unless such billboard is constructed wholly of metal and securely fastened to such building.
 84. Every illuminated bill board, sign or transparency, shall be made of non combustible material, and all wiring and apparatus in connection therewith shall be subject to the approval of the committee.
 85. Every bill board which in the opinion of the committee is in any way dangerous or unsafe, or so placed as to obstruct the approach to or access from any buildings, or so as to be an obstruction in any other way to the public, may be removed by any police officer.
 86. No person shall post any bill or placard upon any fire alarm box, post, fence, wall, tree, hydrant, building, curb, sidewalk, or other property of the town, or upon any other fence, post, or other structure unless the same is the property of the person so posting or permission to post thereon has been given by the owner thereof.
 87. No person shall post any bill or placard containing any picture or reading matter of an obscene or immoral character or depicting the commission of a crime, and any such bill or placard may be torn down or removed by any police officer.
 88. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to advertising in public places shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.
 89. Every day that any violation of any of the foregoing provisions in respect to advertising in public places continues, shall constitute a fresh offence.

RESTAURANTS

90. The word "proprietor" when used in connection with a restaurant shall mean and include the person in whose name the business of a restaurant is being conducted and shall also include any person who is entitled to receive the profits of the business or any part thereof.

91. Every person intending to keep a restaurant shall make and file with the Town Clerk a written application for the purpose of obtaining a license for the premises intended to be used as a restaurant and such application shall contain the following particulars:
- a. the name, occupation and full address of the applicant;
 - b. the nature of the license applied for;
 - c. the street and building of the restaurant is to be situated and the business therein carried on;
 - d. the period for which the license is required;
 - e. the size fo the building, number of seats, number of tables, number and description of sanitary conveniences and location of same, location of kitchen or place where food is prepared, location and place of garbage receptacles.
92. When the preceding section hereof has been duly complied with, the Medical Health Officer, shall be himself or some on by him duly authorized, immediately inspect and shall report on the premises sought to be licenses and no premises shall be licensed as a restaurant until found to comply with all the requirements and provisions of this by law nor until the Medical Health Officer shall have so reported in writing to the Town Clerk.
93. Before a license is issued to any person to open or run a restaurant, the proprietor shall pay to the Town Treasurer a fee of not less than Five Dollars.
94. Before a license is issued to any person to open or run a restaurant, the proprietor shall sign an undertaking in the following form to be provided to the Town Clerk and shall agree to the provisions contained therein:

“I _____ of _____ have applied for a license to open and run a restaurant situated at _____ and if such license is granted, I hereby agree to the conditions hereinafter mentioned and that the license may be suspended or cancelled at the discretion of the Committee or Town Council upon a breach of conditions.

- a. the place in which the restaurant is run shall be scrupulously clean, and all dishes, glasses and other vessels must be thoroughly cleaned and disinfected every time they have been used.
- b. the food and drink provided, must be pure, clean and unadulterated containing no deleterious substances.
- c. no drinks containing alcohol or other habit forming or injurious drugs shall be sold.
- d. no person shall be allowed to remain on the premises longer than necessary for the legitimate business of the restaurant.
- e. the premises or any room or apartment connected therewith, shall not be used as a rendezvous for idlers, card players, gamblers, or other persons whose actions or conduct is offensive to good morals.
- f. no alcoholic liquor shall be brought in or drunk upon the premises.
- g. the license so granted together with a copy of these by laws shall be hung up in a conspicuous place in such restaurant.
- h. the Medical Officer or any policeman shall have the privilege of inspection at any time any restaurant and the dishes, utensils and food contained therein.
- I. no work shall be done upon the premises or in connection with the business which shall be in violation of the Lord’s Day Act;
- j. such restaurant shll be closed

