

THE CORPORATION OF THE Township...OF Westmeath...

BY-LAW NO. 746.....

A by-law to license, regulate and govern hawkers and pedlars.

The Council of the Corporation of the Township... of Westmeath... hereby ENACTS AS FOLLOWS:

1. That every person who goes from place to place or to a particular place with goods, wares or merchandise for sale within the Township...of Westmeath., or who carries and exposes samples, patterns or specimens of goods, wares or merchandise which is to be delivered in the municipality afterwards, shall obtain a license for so doing from the License Inspector.
2. The fee for a license under this by-law shall be:
  - (a) \$25.00....for a person with a motor vehicle,
  - (b) \$15.00....for a person with a horse-drawn vehicle,
  - (c) \$10.00....for a person with a pushcart or any other vehicle on wheels or runners drawn or propelled by human muscular power.
  - (d) \$10.00....for a person on foot with or without a basket, pack or valise.
3. A license issued under this by-law shall be valid only from the date of its issue until December 31st of the year of its issue.
4. Application for a license under this by-law shall be made in writing to the License Inspector on the form of application approved by Council and the fee for the license shall be paid to the City Treasurer.
5. No license shall be required for hawking, peddling or selling goods, wares or merchandise.
  - (a) to wholesale or retail dealers in similar goods, wares or merchandise, or
  - (b) if the goods, wares or merchandise are grown, produced or manufactured in Ontario and are hawked, peddled or sold by the grower, producer or manufacturer or his agent or employee having written authority so to do, in the municipality in which the grower, producer or manufacturer resides, or
  - (c) if the goods, wares or merchandise are grown or produced by a farmer resident in Ontario who offers for sale or sells only the produce of his own farm or,
  - (d) if the goods, wares or merchandise are hawked, peddled or sold by a person who pays business tax in the municipality, or by his employee, or by his agent, or
  - (e) if the goods, wares or merchandise are hawked, peddled or sold by an agent of the grower, producer or manufacturer,

(continued.....)

(e) continued

acting on behalf of a dealer who pays business tax in the municipality in respect of premises used for the sale of such goods, wares or merchandise.

6. No person shall go from place to place or to a particular place with goods, wares or merchandise for sale within the Township of Westmeath... or who carries and exposes samples, patterns or specimens of goods, wares or merchandise which is to be delivered in the municipality afterwards, without first obtaining a license under the provisions of this by-law.

7. In a prosecution for a breach of this by-law the onus of proving that he does not for any of the reasons mentioned in paragraph 5 above, require to be licensed, shall be upon the person charged.

8. The licensee shall at all times while carrying on his business 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 more than \$ 5.00.

SEE SEC 410 (1)(g)  
MUNICIPAL ACT.

9. If a peace officer demands the production of a license by any person to whom this by-law applies and the demand is not complied with, it shall be the duty of the peace officer and he shall have the power to arrest such person without a warrant and to take him before the nearest justice of the peace, there to be dealt with according to law.

10. Any person who contravenes any provision of this by-law except as provided in paragraph 8, shall upon conviction be liable to a penalty not exceeding \$ 25.00... recoverable under The Summary Convictions Act

READ a first and second time this

.....11.....day of January 1954..

.....*J. Bell*.....  
Mayor

.....*S. E. Davison*.....  
Clerk

READ a third time and finally passed

this.....11.....day of January,  
1954..

.....*J. Bell*.....  
Mayor

.....*S. E. Davison*.....  
Clerk

