

**BY-LAW 2013-185**

**BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND  
BY-LAW 2004-350, BEING A BY-LAW TO LICENCE AND REGULATE  
VARIOUS BUSINESSES**

**WHEREAS** the Council of The City of Greater Sudbury deems it desirable to amend By-Law 2004-350, as amended, being a By-Law to Licence and Regulate Various Businesses;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY  
HEREBY ENACTS AS FOLLOWS:**

Amend Section 5(1)

1. Subsection 5(1) of By-law 2004-350 as amended, being a By-law of the City of Greater Sudbury to Licence and Regulate Various Businesses, as amended is hereby further amended by adding the following definition after the definition of "Hawker or Pedlar" and before the definition of "local retailer":

"Itinerant Auction Event" means an auction conducted by or authorized by a person or business that does not have a permanent business location in Greater Sudbury;"

Adding SubSection 5(20) to 5(27)

2. By-law 2004-350 as amended, being a By-law of the City of Greater Sudbury to Licence and Regulate Various Businesses, as amended is hereby further amended by

adding the following Subsections 5(20) to 5(27) immediately after Subsection 5(19) and before Section 6:

"5(20) No person shall sell by auction, or in any way offer to sell by auction or advertise for sale by auction any goods by way of an Itinerant Auction Event unless such person is the holder of a licence for an Itinerant Auction Event issued under this By-law for such purpose. The holder of a licence for an Itinerant Auction Event shall not also require an Auctioneer Licence.

(21) Where a person applying for an Itinerant Auction Event licence intends to hold an Itinerant Auction Event at more than one location, a separate application and licence is required for each such location. Where a person applying for an Itinerant Auction Event licence intends to hold an Itinerant Auction Event in the City on more than one occasion, a separate licence will be required for each occasion. It shall be considered a separate occasion if more than 1 day will lapse between the end date of one such event and the start date of another such event.

(22) The applicant for a Itinerant Auction Event licence shall produce, both before and after an Itinerant Auction Event licence is issued, such books, records or other documents or information as the Issuer of Licences may consider necessary to corroborate any of the statements contained in the application, or to determine compliance with the requirements of this By-law.

- (23) An Itinerant Auction Event licence may be refused or revoked if:
- (a) any of the information set forth in the application or statutory declaration of the applicant is false;
  - (b) any attempt is made to add to or replenish the goods described in the application or to substitute other goods therefor;
  - (c) the sale by auction is advertised or conducted in any manner other than that described in the application or in any manner calculated to mislead or deceive the public, or in a manner contrary to the provisions of this By-law; or
  - (d) the applicant refuses to produce any books, documents, records or other information requested by the Issuer of Licences, or refuses to permit the Issuer of Licences to inspect any goods or premises in accordance with the provisions of this By-law.

(24) Every licence issued for an Itinerant Auction Event shall specify the location at which the Itinerant Auction Event may be held, and the date or dates on which the Itinerant Auction Event may be held. No licence for an Itinerant Auction Event shall be granted for an auction event which will continue for more than 2 consecutive days.

(25) All advertising material distributed, displayed or published with respect to an Itinerant Auction Event, including each radio or television broadcast, shall contain a statement that such sale by auction is held under the authority of this By-law and shall state the number and expiry date of the licence issued for such sale by auction under this By-law.

(26) The Itinerant Auction Event licence shall be displayed and kept displayed on the premises where the Itinerant Auction Event is held.

(27) It is an offence to fail to produce a licence for an Itinerant Auction Event when asked to do so by a police officer or a By-law Enforcement Officer."

Amend Schedule A - Fees Payable

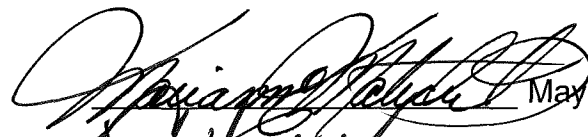
3. Schedule A to By-law 2004-350 as amended, being a By-law of the City of Greater Sudbury to Licence and Regulate Various Businesses, as amended is hereby further amended by adding the following row at the end of the chart labelled as Part V :


Licence Type	Admin fee	Zoning Check	Fire Check	Building Inspection	By-law Enforcement	Total	Other Search Required
Itinerant Auction Event	\$65.00	\$38.32			\$183.48	\$286.80	Criminal Record Check

Effective Date

4. This By-law shall come into force and effect upon passage.

**READ AND PASSED IN OPEN COUNCIL** this 13th day of August, 2013

  
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Mayor

  
\_\_\_\_\_  
Clerk