

CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF LITCHFIELD

BY-LAW S.Q. 2011-004
CONCERNING PEDDLING
ENFORCEABLE BY THE QUEBEC PROVINCIAL POLICE

WHEREAS under section 85 of the *Municipal Powers Act* (Q.R.S., chapter C-47, 1), any local municipality may adopt by-laws relating to the general well-being of its population;

WHEREAS the municipality has received a request from the RCM of Pontiac asking that it update its by-laws with respect to criminal matters, and

WHEREAS a regular notice of motion was given on November 7th, 2011,

CONSEQUENTLY it is moved by Ken O'Leary that this by-law abrogate and replace all interior By-Laws relating to peddling, as enforceable by the Quebec Provincial Police.

IT IS ALSO RESOLVED that this by-law be adopted:

"Preamble" SECTION 1 The preamble forms an integral part of this by-law.

The schedules attached to this by-law form an integral part of it.

"Definition" SECTION 2 For purposes of this by-law, the following definition shall apply:

Peddler: Physical or artificial person having authorized someone who, without being required to do so, solicits another person at its home or place of business in order to sell goods or offer a service, or ask for a donation.

"Permit" SECTION 3 Peddling without a permit is prohibited.

"Exceptions" SECTION 4 Section 3 shall not apply to the following persons:

- a) those who sell or peddle publications, brochures and books of a moral or religious character;
- b) those who solicit donations for non-for-profit causes.

"Cost"	SECTION 5	To obtain a peddler's permit, a person must pay the amount set by the municipality.
"Period"	SECTION 6	The permit is valid for the period indicated thereon.
"Transfer"	SECTION 7	The permit is not transferable.
"Examination"	SECTION 8	The permit must be visibly worn by the peddler and submitted upon request, for examination, to a peace agent of the Quebec Provincial Police or to any individual designated by Council, when so requested.
"Hours"	SECTION 9	Peddling between the hours of 8:00 p.m. and 10:00 a.m. is prohibited.
"Application"	SECTION 10	The person responsible for the application of this by-law shall be any official or municipal employee appointed by Council.

The Council also authorizes all peace agents of the Quebec Provincial Police to undertake criminal proceedings against any contravener and to issue statements of violation for any offence to one of the provisions of this by-law.

PENAL PROVISIONS

"Penalty"	SECTION 11	Without prejudice to any other possible recourse, whoever contravenes a provision of this by-law is liable to a fine of one hundred dollars (\$ 100) in the case of a natural person, and two hundred dollars (\$ 200) in the case of an artificial person, for a first infraction; the fine is two hundred dollars (\$ 200) in the case of a natural person, and four hundred dollars (\$ 400) in the case of an artificial person, for any repeat offence during the following year; in each case, legal expenses shall be additional.
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"Abrogation" SECTION 12 This by-law abrogates all previous municipal by-law which are incompatible with its provisions.

"Effective date" SECTION 13 This by-law shall become effective according to law.

Adopted by the Municipal Council of during a meeting held **December 5th, 2011** and signed by the Mayor and the Secretary-Treasurer.

Mayor

Secretary-Treasurer