



**RESORT VILLAGE OF CANDLE LAKE
AGENDA
SPECIAL MEETING OF COUNCIL**

Date: Friday, November 4th, 2016 Time: 9:00 AM

Resort Village of Candle Lake Council Chamber

1. Call to order:

Mayor Borden Wasyluk will call the Meeting to order.

2. Submission of Pecuniary Interest Forms:

3. Approval of Agenda:

Recommendation: That the Agenda for this meeting be approved.

4. Presentations, Delegations and related Reports: None

5. Correspondence: None

6. Reports:

6.1 Page 1 – Report 152 /2016 from Assistant Administrator Re: North Central Lakelands Inter-Municipal Business License.

Options:

1. That Council enter into the North Central Lakelands Inter-Municipal Business License for a trial period of two years. **AND**
2. That Council authorize the signing of the North Central Lakelands Inter-Municipal Business License Agreement. **AND**
3. That Council authorize administration to draft bylaws with respect to the Inter-Municipal Business Licensing to be brought forward at the next meeting of Council. **OR**

4. Refer back to administration for further review and report. **OR**
5. Receive and file.

7. Project Updates: None

6. Adjournment



REPORT

Report Title: North Central Lakelands Inter-Municipal Business License
(Report 152-2016)

Date: November 2nd, 2016
Prepared By: Heather Scott
Prepared For: Council

Options:

1. That Council enter into the North Central Lakelands Inter-Municipal Business License for a trial period of two years. **AND**
2. That Council authorize the signing of the North Central Lakelands Inter-Municipal Business License Agreement. **AND**
3. That Council authorize administration to draft bylaws with respect to the Inter-Municipal Business Licensing to be brought forward at the next meeting of Council. **OR**
4. Refer back to administration for further review and report. **OR**
5. Receive and file.

Justification for In Camera: N/A

Background: Previous council turned down a proposal for an Inter-municipal Business License Project that initially included Prince Albert and surrounding areas. After considering the draft framework for this project, Council declined participation. The basis of the program is that a business could go into any one of these communities and buy an inter-municipal business license that would be valid in all of the participating communities for an increased cost for the year, rather than having to go into each community the business is working in and acquiring an individual license for that municipality.

Discussion: Since the initial framework and discussions for the project, members of the North Central Lakelands Planning District have branched off on their own and developed an Inter-Municipal Business License Plan that would include just the District of Lakeland, The Resort Village of Candle Lake, the RM of Paddockwood, the Village of Christopher Lake and the Village of Paddockwood. These licenses would be option in addition to the regular business license the community offers. (see below)

RVCL Current Business License Costs	Inter-Municipal License Costs
Annual Resident - \$75	New Application \$525
Annual Non-Resident - \$150	New application applied after Aug 1 - \$275

Single Project - \$50	Renewal prior to Mar 1 \$325
Seasonal Resident - \$50	Renewal after Mar 1 - \$525
Seasonal Non-resident - \$100	
Single Day - \$20	

The inter-municipal business license provides for a discount to encourage early renewal for the current year. The RVCL business license costs are paid 100% as revenue to the Resort Village of Candle Lake. The Inter-municipal licenses would be pooled together with 20% going to the Resort Village of Candle Lake, The District of Lakeland, the RM of Paddockwood, the Village of Christopher Lake and 10% paid to the Village of Paddockwood.

The hopes are that the project would capture those revenues from companies already doing business within all of these communities that aren't obtaining licenses when going between them or working on weekends when the municipal offices are closed.

This project is being proposed as a two year pilot project.

Financial Implications: Revenue from companies obtaining these licenses.

Communications: None

Attachments:

1. Draft Inter-Municipal Business License Agreement.
2. Sample Bylaw from the District of Lakeland.

Conclusion: Council may wish to consider entering into this agreement for a two year term to evaluate the effectiveness of the project.

Respectfully submitted,


 Heather Scott

**NORTH CENTRAL LAKELANDS INTER-MUNICIPAL BUSINESS
LICENCE AGREEMENT 2016**

BETWEEN: The District of Lakeland, Resort Village of Candle Lake, RM of Paddockwood, Village of Christopher Lake, Village of Paddockwood.

WHEREAS businesses carrying on business in the participating municipalities are obliged to obtain a business licence from each municipality in which they do business:

AND WHEREAS it has been agreed that, in order to reduce such licensing requirements, cost, and administration, a business shall be entitled to apply for an **Inter-Municipal Business Licence** to permit that business to carry on business in those municipalities that are party to this Agreement.

THE PARTIES THEREFORE AGREE AS FOLLOWS:

1. The parties to this Agreement hereby establish an Inter-Municipal Business Licence.
2. Notwithstanding any bylaw of any party to this agreement to the contrary, an Inter-Municipal Business Licence shall entitle the holder to carry on business in each municipality that is a party to this Agreement.
3. The holder of a business licence from any municipality that is a party to this Agreement, shall be entitled to apply to any party to the Agreement for an Inter-Municipal Business Licence relating to that business.
4. An Inter-Municipal Business Licence shall entitle the holder to carry on only that business to which the licence relates, and a separate Inter-Municipal Business Licence shall be required for each business carried on by an applicant.
5. An Inter-Municipal Business Licence shall expire at midnight on the 31st day of December in each year, unless the licence has been cancelled or forfeited sooner.
6. The fee payable for an Inter-Municipal Business Licence shall be as set forth in Schedule 'A' to this Agreement. Schedule 'A' may be amended by the parties by unanimous consent of all of the parties, and any such amendment shall come into force when all parties have passed such an amendment by bylaw.
7. All fees collected under this Agreement shall be held by the receiving parties for payment on an annual basis, being on the 31st day of December in each year for distribution as listed in Schedule 'C'.

8. Each party shall account, on the 31st day of December in each year to the others for all fees collected and shall forthwith pay over all fees collected for immediate distribution as set out in Schedule 'C' of the Agreement.
9. Each party shall pass a bylaw incorporating the terms of this Agreement.
10. Each party shall ensure they require the same fees for businesses as the other participating municipalities.
11. This Agreement comes into force effective January 1st, 2017.
12. This Agreement shall remain in force until December 31st, 2018, and thereafter from year to year unless earlier terminated.
13. Any party may terminate this Agreement effective December 31st in any year by giving at least six months' notice in writing of a bylaw of the terminating party. On termination all fees collected by all parties shall be immediately accounted for and distributed providing, however, that any fees paid relating to the next ensuing calendar year shall be retained for distribution to the remaining parties to this Agreement.
14. All Inter-Municipal Business Licences shall be in the form set out in Schedule 'B' to this Agreement.
15. Where the provisions of this Agreement conflict with the provisions of any Business Licence Bylaw of any party, the latter shall govern.
16. The provisions of a Business Licence Bylaw of any party relating to revocation or refusal of a licence, and appeals there from, and transfers of licences, shall apply with the necessary changes to any application to an Inter-Municipal Business Licence made to that party.
17. For greater clarity, nothing in this Agreement shall be construed as waiving any requirement on any person to take out a business licence from any party in relation to any business operated from premises situated within the municipal boundaries of that party.
18. The Inter-Municipal Business Licence only covers business activities within the municipal boundaries of those participants to this Agreement (as listed in Schedule C).
19. Where an Inter-Municipal Business Licence is issued to a business, the issuing municipality shall, within 24 hours, forward a copy of the business licence, application form, supporting documents, and any other information held in respect to the issuance of an Inter-Municipal Business Licence to the parties contained within this agreement.

20. Any municipality suspending, revoking or cancelling a business licence operating under an Inter-Municipal Business Licence, shall report such information in writing to the municipalities party to this Agreement within 24 hours of the suspension, revocation or cancellation.
21. Any Inter-Municipal Business Licence that has been suspended, revoked or cancelled shall be considered suspended, revoked or cancelled within every municipality party to this agreement.
22. In the event a dispute arises regarding licence suspension, revocation or cancellation between a business and a participating municipality, the municipality that caused the licence suspension, revocation or cancellation will attempt to resolve the issue with that business.
23. The parties to this Agreement shall maintain the integrity of this Agreement and corresponding bylaw by ensuring that the bylaw is appropriately administered and enforced within their municipality.
24. IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals in the presence of their duly authorized signing officers on that behalf in 2016.

THE DISTRICT OF LAKELAND

RESORT VILLAGE OF CANDLE LAKE

THE RURAL MUNICIPALITY OF PADDOCKWOOD

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SCHEDULE "A"

To the North Central Lakelands Inter-Municipal Business Licence Agreement 2016

INTER-MUNICIPAL BUSINESS LICENCE FEE

The fees prescribed in this schedule apply to businesses wishing to operate in municipalities other than that in which they may be based. The Fee schedule applies in municipalities participating in this Agreement as listed in Schedule "C". The schedule will be reviewed from time to time. Revised fee schedules may be authorized by consensus of the participants.

The Inter-Municipal Business Licence fee for any business for all or any part of a calendar year shall be:

- **New application - \$525**
- **New application applied for on or after August 1 - \$275**
- **Renewal of current IMBL licence prior to March 1 - \$325**
- **Renewal of current IMBL licence on or after March 1 - \$525**

SCHEDULE "B"

To the North Central Lakelands Inter-Municipal Business

NORTH CENTRAL LAKELANDS INTER-MUNICIPAL BUSSINESS LICENCE

201X

North Central Lakelands Inter-Municipal Business Licence

ABC123 Company

has been granted a licence to carry on business of

OCCUPATION

**Within the North Central Lakelands Inter-Municipal Business
Licence Area**

This licence expires midnight December 31st 201X

**Issued this XXth Day of Month, 2016 from the Jurisdiction,
Municipality, Saskatchewan, CANADA**

Licence No. VP - 1101

Designated Officer

*This licence is valid in the following municipalities:
District of Lakeland, Resort Village of Candle Lake, RM of Paddockwood, Village of Christopher Lake, Village of Paddockwood.
Please consult individual municipalities for applicable laws regarding your business activity. Failing to comply with the law may result in licence suspension, revocation or legal action.*

Proud Community Partners in North Central Lakelands

***District of Lakeland Resort Village of Candle Lake Village of Christopher Lake
RM of Paddockwood Village of Paddockwood***

SCHEDULE "C"

To the North Central Lakelands Inter-Municipal Business Licence Agreement 2016

The funds collected for the cost of purchasing an Inter-Municipal Business Licence shall be distributed to the participating municipalities as follows;

- 28% - paid to The District of Lakeland
- 22% - paid to the Resort Village of Candle Lake
- 20% - paid to The Rural Municipality of Paddockwood
- 20% - paid to The Village of Christopher Lake
- 10% - paid to The Village of Paddockwood

The monies are to be retained by the municipality collecting the funds and shall be kept in a separate fund to be distributed as proportioned above to all other participating members on or before December 31.

LIST OF PARTICIPATING MUNICIPALITIES TO THIS AGREEMENT

The District of Lakeland
The Resort Village of Candle Lake
The Rural Municipality of Paddockwood
The Village of Christopher Lake
The Village of Paddockwood

BYLAW NO. XX-2016

A BYLAW RESPECTING INTER-MUNICIPAL BUSINESS LICENCING AND INTERMUNICIPAL BUSINESS ACTIVITY

The Council of District of Lakeland No. 521, in the Province of Saskatchewan enacts as follows:

Part I

General Matters

TITLE

1. This bylaw shall be referred to as the "*The Inter-Municipal Business Licence Bylaw*"

PURPOSE

2. The purpose of this Bylaw is to license businesses in the municipality so as to
 - (a) to regulate businesses;
 - (b) to ensure compliance with land-use and building regulations;
 - (c) to alleviate requirements for multiple business licences for business to operate within the inter-municipal business area; and
 - (d) to facilitate planning decisions within the inter-municipal business licence area.

Definitions

In this bylaw;

3. "**Administrator**" means the Administrator of the Municipality as appointed pursuant to *The Municipalities Act*.
4. "**Adult Services**" means any service of an adult nature appealing to or designed to appeal to erotic or sexual appetites or inclinations.

In this definition:

 - i. "service" includes activities, facilities, performances, exhibitions, viewing and encounters; and
 - ii. "services designed to appeal to erotic or sexual appetites or inclinations" includes;
 - a. acting as an escort, companion, guide or date;
 - b. modelling lingerie;
 - c. performing a striptease or similar dance; and
 - d. performing a body rub
5. "**body-rub**" includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include:

- i. medical or therapeutic treatment given by a person with demonstrated qualifications to perform the treatment; or
 - ii. alternative medical treatment given by a person with demonstrated qualifications to perform the treatment;
- 6. **“Business Activity”** means the carrying on of any personal, commercial or industrial undertaking of any kind whatsoever providing any;
 - a. commercial, merchandising or industrial activity or undertaking.
 - b. carrying on of a profession, trade, occupation, calling or employment; or
 - c. an activity providing any goods or services regardless of receiving income or revenue;but shall not include an activity carried on directly by a Municipal, Provincial or Federal Government or Crown Corporation.
- 7. **“Council”** means the council of the District of Lakeland No. 521;
- 8. **“designated officer”** means a person appointed by the Municipality to enforce this Bylaw and shall include the Administrator and a Peace Officer;
- 9. **IMBL-** Shall mean an Inter-Municipal Business Licence
- 10. **Inter-Municipal Business Licence** – means a business licence issued by a Municipality to carry on business within the boundaries of a participating municipality as identified in Schedule “A” attached to and forming part of this bylaw.
- 11. **“Municipality”** means The District of Lakeland No. 521;
- 12. **“Peace Officer”** means a peace officer as defined in *The Summary Offence Procedures Act, 1990* and may include the Administrator.
- 13. **“person”** means an individual, proprietorship, partnership, corporation, association, or other legal entity;

Part II General Licensing

License Required

- 14. A business may be permitted to apply for an IMBL provided they are not a business, or provide goods, services or employment as identified on Schedule “B” attached to and forming part of this bylaw.
- 15. Any business person or business that holds them, their business, a calling or occupation out for any goods, services, or undertaking within the municipality shall be required to have a business licence.

16. A designated officer shall have established a business is in operation if the designated officer has been present to see the business in operation or in proceedings against a business that on the satisfaction of a Court of competent jurisdiction, has established that a business has been in operation by providing goods, services, or undertakings.
17. A person or business is deemed to have been engaged in business without a licence, if as in section 385 of *The Municipalities Act*, a designated officer is able to establish that any advertising was done within the municipality or that one transaction has taken place and no licence has been issued by a participating Municipality.
18. Notwithstanding Section 17, a designated officer may establish that a person or business is engaged in business in the Municipality should that person or business be providing any goods or any service, calling, profession or employment;
 - a. Within the municipality;
 - b. Outside of the Municipality where a corporate office, as registered with the Province of Saskatchewan, is located within the Municipality.
19. An application for a licence must include all requested information, and shall include:
 - a. name, and permanent address of the applicant;
 - b. the nature of the business for which the license is required;
 - c. the place where the business is to be carried on;
 - d. the name under which the business will be operated; and
 - e. the name of a contact person; and
 - f. any other reasonable information requested by a designated officer.
20. A licence is not valid and in effect until such licence is duly issued and signed by the designated officer for the Municipality so issuing the licence.

Licence Fee

21. A person must pay the fee provided for in Schedule "A" when applying for a licence.
22. Any fee initially paid to the municipality, on application, that is not honoured shall be considered not paid for the purpose of the processing and issuance of any licence.
23. A person will not be issued a licence until the fee outlined in subsection 21 has been paid.
24. Applying for a licence and paying the application fee is not authorization to commence any business activity.
25. A licence is not valid and in effect until such licence is duly issued and signed by the designated officer for the Municipality so issuing the licence.

Provincial Licence Required

26. Any licence issued under this Bylaw, without the person first obtaining and maintaining a required provincial licence, is deemed invalid.

Licence Issued for Calendar Year Unless Otherwise Stated

27. Every license shall be valid until midnight December 31, unless cancelled, revoked or terminated prior to December 31.

Renewal

28. A person must pay the renewal fee provided for in Schedule "A" when applying for a licence renewal.
29. Any business that has a current and valid business licence as issued from a participating municipality for this bylaw on December 31, 2016 shall be permitted to apply for an IMBL.
30. The fee for any business applying for an IMBL pursuant to section 29 shall be the same as a renewal fee.
31. A business must renew their licence annually in the manner prescribed by the Municipality.
32. Any business renewing their licence must pay the renewal fee prior to their licence being valid.
33. Any business who fails to renew their licence prior to March 1 shall be required to pay the new application fee in Schedule "A".

Discontinuance or Change

34. A person must notify the municipality who originally issued the IMBL in writing if a business is discontinued.
35. Notice of a discontinued business must be done in writing within 21 days of discontinuance to the issuing Municipality.
36. A business that has discontinued operation at the conclusion of their licence being valid is not required to formally notify a municipality.
37. A person must notify the issuing Municipality if either the size or nature of the business changes.
38. A person purchasing or taking over an existing licenced business must apply for a new licence but shall not be required to pay a new licence fee.

Licence to be Displayed

39. Any licence issued under this Bylaw to a business shall make available for inspection that business licence to any designated officer requesting to inspect that licence.
40. A designated officer may allow a business up to 48 hours to produce the business licence for inspection at a reasonable time and place that the designated officer appoints.
41. No person shall fail to produce a licence for inspection on request of a designated officer as allowed by this bylaw.

Standards

42. Any licence that was found to be issued in error may be cancelled immediately by a designated officer.
43. The issuing of an IMBL does not relieve that business of the responsibility of conforming to any zoning, building, and other requirements and bylaws of the Municipality.
44. The issuing of an IMBL does not relieve that business of the responsibility of complying with the laws of participating municipalities and any Provincial or Federal laws.

Granting of Licenses

45. The Municipality may issue a licence when all the following circumstances are met:
 - a. the required application form has been fully completed;
 - b. the required licence fee has been paid in full;
 - c. if requested, the necessary provincial licence has been produced;
 - d. if requested, the necessary written approval of Prince Albert Parkland Health Region been produced; and
 - e. the business or the premises occupied by the business complies with all the zoning, building, and other requirements of the Municipality
 - f. any required information requested in processing and issuing of a licence has been met to the satisfaction of the issuing Municipality.
46. In the issuance of any licence, Council, or a designated officer may provide conditions for which that business is subject to as a condition of that licence.
47. Each participating Municipality may add conditions to a licence it deems appropriate.
48. Should a Municipality add conditions to a licence as permitted by this bylaw that Municipality shall provide, in writing, notification to the business and to the other Municipalities.

Revoking or Suspending of Licences

49. If a licensee contravenes any term or condition of this Bylaw, or any municipal or provincial law or requirement of that business, a Municipality may suspend or cancel the licence.
50. If a licensee has had their licence cancelled as allowed in Section 49, that business shall be deemed to have been operating without a licence should they continue to operate after the licence cancellation.
51. The Municipality that suspended or canceled the licence may reinstate the licence if it is satisfied that the licensee is complying with the law for which the licence was suspended.
52. Any licensee may appeal the suspension or cancellation of a licence to Council of the Municipality that cancelled the licence.
53. If a licence is suspended or cancelled by a Municipality that suspension or cancellation is applicable to the licence and is suspended or cancelled for all Municipalities.

Distress

54. The Municipality may recover any licence fee by distress in accordance with *The Municipalities Act*.

Enforcement of Bylaw

55. The administration and enforcement of this Bylaw is hereby delegated to a designated officer for the Municipality

Inspections

56. The inspection of property by the Municipality to determine if this Bylaw is being complied with is hereby authorized.
57. Inspections under this Bylaw shall be carried out in accordance with *The Municipalities Act*.
58. No person shall obstruct;
 - (a) a designated officer who is authorized to conduct an inspection under this Section, or
 - (b) any person who is assisting a designated officer.
59. Any person stopped, detained or otherwise, pursuant to this Bylaw shall be required to give his or her name, date of birth and address on request of the person requesting the information so long as that person is identifiable as a peace officer and is in the lawful execution of his or her duties and responsibilities.

60. Any person stopped, detained or otherwise pursuant to this Bylaw shall be required to give the name, address, and person in charge of the company or employer for which they are conducting business to the person requesting the information so long as that person identifies them as a peace officer and is in the lawful execution of their duty.
61. Any peace officer not readily identifiable as a peace officer requesting information identified in Section 64 and 65 shall, upon request of the individual stopped or detained produce identification attesting to the peace officer's authority for the municipality.

Part III

Offences and Penalties

62. No person shall:
 - c. obstruct or hinder any designated officer or any other person acting under the authority of this Bylaw; or
 - d. fail to comply with any provision of this Bylaw;
 - e. fail to produce a copy of their licence within the prescribed time, when directed to do so by a designated officer.
 - f. fail to comply with any conditions of the licence as assigned by Council or a designated officer.
63. Any person or business that has commenced business within a Municipality prior to being issued a licence shall have the licence fee increase by \$200.00.
64. For the purpose of section 63, the Municipality to which the \$200 is payable shall be the municipality for which the violation occurred.
65. Should a violation take place as identified in Section 63 in multiple locations, the \$200 fee shall be divided equally to the Municipalities that the violation has occurred.
66. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction:
 - (a) in a case of an individual, to a fine not less than \$250.00 and not exceeding \$10,000.00 and, in the case of a continuing offence, to a further fine not exceeding \$10,000.00 for each day during which the offence continues; and
 - (b) in the case of a corporation, to a fine not less than \$450.00 and not exceeding \$25,000.00 and, in the case of a continuing offence, to a further fine not exceeding \$25,000.00 for each day during which the offence continues. And
 - (c) not more than one year in jail.
67. If a corporation commits an offence, any officer or director of the corporation who directed, authorized, assented to, acquiesced in allowing, participated in, or did not prevent the commission of the violation is guilty of the offence and liable on summary conviction to the penalties mentioned in this section in the case of individuals, whether or not the corporation has been prosecuted or convicted.

71. If a person is found guilty of an offence against this Bylaw, the court may, in addition to any other penalty imposed, order the person to comply with this Bylaw, or with a licence, permit or other authorization issued pursuant to the Bylaw, or with a condition of any of them.

Notice of Violation

- 72 A Designated officer may issue a notice of violation to any person committing a first offence under this bylaw.
- 73 The notice of violation shall require the person to pay to the Municipality;
- a) in a case of an individual, to an amount of \$150.00.
 - b) in the case of a corporation, to an amount of \$250.00
- 74 The amount specified in clause 73 may be paid:
- a) in person, during regular office hours, to the District of Lakeland at the Municipal Office, 48 Main Street South, Christopher Lake, Saskatchewan,
 - g. by deposit, at the depository located at the main entrance to the Municipal Office 48 Main Street South, Christopher Lake, Saskatchewan, or
 - h. by mail addressed to the District of Lakeland No. 521 Box 27 Christopher Lake, Saskatchewan S0J 0N0
- 75 If payment of the amount as provided in clause 73 is made prior to 21 days from the date they received the notice of violation, the person shall not be liable to prosecution for that offence.
- 76 The imposition of any penalty or where any money is paid for violation of this bylaw shall not relieve the person for complying with the conditions of the bylaw.
- 77 For the purposes of this Section, an offence shall be deemed to be a first offence if the offender has not been convicted of the same offence, or paid a fine under this bylaw, within two years immediately preceding the commission of the alleged offence.
- 78 No prosecution for a contravention of this bylaw may be commenced more than two years after the date of the alleged offence.

Severability

- 79 If a Court of competent jurisdiction should declare any section or part of a section of this bylaw to be invalid, such section or part of a section shall not be construed as having persuaded or influenced the Council to pass the remainder of the bylaw, and it is hereby declared that the remainder of the bylaw shall be valid and shall remain in force and effect.

Coming into Force

79. This Bylaw comes into force and takes effect as of January 1, 2017

REEVE

ADMINISTRATOR

Read a Third Time and Passed by
Resolution of Council on The XXX
Day of MMMMM, YYYYYY.

Schedule “A”

The participating municipalities for the purpose of Inter-Municipal Business Licencing contained within this bylaw shall be;

District of Lakeland No. 521
Resort Village of Candle Lake
RM of Paddockwood No. 520
Village of Christopher Lake
Village of Paddockwood.

The IMBL application fee shall be;

- New application - \$550
- New application made on or after August 1 - \$300
- Renewal of current IMBL licence made prior to March 1 - \$325
- Renewal of current IMBL licence made on or after March 1 - \$550

Schedule “B”

Pursuant to Section 14 of this bylaw the following business are not eligible for an IMBL.

- Adult Services.
- Taxi, Limousine, Bus or Transportation Services.
- Fruit Stands, Farmers Markets, Trade Shows, Flea Markets.
- Circus, Rodeo, Fair, Exhibitions, Carnivals, Concerts.