

BUSINESS DEALING IN USED GOODS AND PRECIOUS METALS DOING BUSINESS IN WINNIPEG BY-LAW NO. 91/2008

(Consolidated update July 16, 2008)

By-law Extract of pertinent sections regarding the regulation of specific business activities as adopted by Council effective June 1, 2008. This is only an extract. For more information please contact Community By-Law Enforcement Services at 986-2234

PART 1: GENERAL LICENSING PROVISIONS

DEFINITIONS

“acquisition”, when referring to the acquisition of goods for which a record of transaction is required to be made and maintained by this Division, means acquisition by purchase, barter, collateral lending, pawn transaction, consignment, pledge, or any other manner;

“antique” means a decorative object, piece of furniture or other item produced in an earlier period that is valuable because of its age, beauty or rarity but does not include jewellery;

“antique dealer” means a person who, for the preponderant purpose of earning a profit, carries on the business of dealing in antiques but does not include a person who acquires antiques exclusively by way of commercial transaction;

amended 12/7/2008

“auction” means the sale of real or personal property or goods by means of exchanges between an auctioneer and members of an audience consisting of a series of invitations for offers made by the auctioneer, offers by members of the audience, and the acceptance by the auctioneer of the highest or most favourable offer;

“auctioneer” means any person who, for the preponderant purpose of earning a profit, carries on the business of selling or offering for sale any real or personal property or goods by public or private auction but does not include a person who carries on the business of selling or offering for sale any real or personal property by public or private action exclusively by way of commercial transaction;

amended 12/7/2008

“bicycle dealer” means a person who, for the preponderant purpose of earning a profit, carries on the business of dealing in used bicycles but does not include a person who acquires used bicycles exclusively by way of commercial transaction;

amended 12/7/2008

“coins” means coins that either

- (a) do not have value as currency; or
- (b) have a market value greater than their face value as currency;

added 127/2008

“collateral lending transaction” means

- (a) the deposit of goods in return for the loan of money upon interest on the security of the goods deposited; or
- (b) the sale and deposit of goods by a person with the express or implied condition that the goods may be redeemed or repurchased, on any terms, by the person who sold or deposited the goods;

“collectibles” includes postage stamps, sports trading cards, spoons, dolls and other items that are commonly collected;

added 127/2008

“commercial transaction” means a transaction in which payment for goods is made by a cheque

- (a) drawn on an account in the name of the purchaser of the goods at a financial institution;
- (b) dated at least seven days after the date of the transaction; and
- (c) mailed to an address provided by the vendor of the goods;

added 127/2008

“dealing” means engaging in transactions or offering to engage in transactions by any means, including by way of internet communication, in respect of used goods;

“disposition” includes the

- (a) sale or resale;
- (b) redemption;
- (c) storage at any place other than the place where the goods were acquired;
- (d) transfer to another dealer; or
- (e) any other form of disposition;

of used goods or other goods in respect of which a record of transaction is required to be made and maintained by this Division;

“fine art dealer” means a person who carries on the business of dealing in works of fine art;

“investment grade precious metals” means

- (a) gold or platinum that is refined to a purity level of at least 99.5%; or
- (b) silver that is refined to a purity level of at least 99.9%;

and that, when in the form of a bar, ingot or wafer, is recognized and accepted for trading on Canadian financial markets and bears markings indicating its purity level and, when in the form of a coin, has been issued by a governmental authority and may be used as currency.

added 127/2008

“Police Chief” means the Chief of the Winnipeg Police Service or delegate;

“postage stamp” means a postage stamp that either

- (a) cannot be used as postage for items mailed in Canada; or
- (b) has a market value that is greater than its face value;

added 127/2008

“precious metals” includes

- (a) coins;
- (b) gems and other precious stones;
- (c) gold, silver, platinum and other similar metals;
- (d) paper money that is either not in current circulation as currency or has a value greater than its face value as currency of numismatic value; and

amended 127/2008

- (e) used jewellery consisting of precious stones or precious metals;

amended 127/2008

“precious metals dealer” means a person who, for the preponderant purpose of earning a profit, carries on the business of dealing in precious metals but does not include a person who acquires precious metals exclusively by way of commercial transaction;

amended 127/2008

“record of transaction” means the record required to be kept by a person who holds a licence issued under this Division by section 70;

“temporary trade show” means two or more antique dealers, bicycle dealers, precious metals dealers or used goods dealers who are located for a period of seven days or less on a single property in close proximity to one another in order to engage in transactions or offer to engage in transactions with members of the public;

added 127/2008

“temporary trade show promoter” means a person who organizes or arranges a temporary trade show;

added 127/2008

“transaction” means an incident in which

- (a) goods are acquired and the person from whom the goods are acquired receives a benefit or gain or the promise of a benefit or gain; or
- (b) goods are disposed of;

by any means, including by way of internet communication but does not include an incident in which goods are acquired from a registered charitable organization;

amended 127/2008

“used goods” includes

- (a) goods that are not new, including bicycles, antiques, collectibles other than precious metals, art, used jewellery that does not consist of precious stones or precious metals, precious metals, musical instruments, furniture,

appliances, electronics, videos, computers and computer software, video games, household goods, building materials, sports equipment, and automobile parts;

amended 12/7/2008

- (b) *repealed 12/7/2008*
- (c) precious metals;

but does not include

- (d) used books and magazines that are not antiques;
amended 12/7/2008
- (e) used compact discs and long-playing records;
- (f) *repealed 12/7/2008*
- (g) metals that are not precious metals;
amended 12/7/2008
- (h) cardboard, glass, paper or paper products;
- (i) plastics;
- (j) lumber or wood products;
- (k) wood by-products, including sawdust, wood chips and chipped material;
- (l) used tires;

“used goods dealer” means any person who, for the preponderant purpose of earning a profit, carries on a business which deals in used goods but does not include a person who deals in used goods or precious metals exclusively in one or more of the following ways:

- (a) as an auctioneer;
- (b) as an antique dealer;
- (c) as a bicycle dealer;
- (d) as a precious metals dealer;
- (e) as a fine art dealer;
- (f) as a person who deals exclusively in one or more of the following:
amended 12/7/2008
 - (i) footwear, clothing, used jewellery that does not consist of precious stones or precious metals, and accessories such as hats and handbags;
amended 12/7/2008
 - (ii) housewares, including dishes, pots, pans, cooking utensils and cutlery;
 - (iii) furniture;
added 12/7/2008
 - (iv) children’s toys, car seats and strollers;
added 12/7/2008
- (g) as a person licenced as a “dealer” under The Drivers and Vehicles Act;
amended 12/7/2008

- (h) as a retailer who accepts and resells goods that have been purchased new in a retail sales transaction and are returned by a dissatisfied customer for a refund, credit or exchange of another item of merchandise;
- (i) as a person who sells used goods that have previously been rented to the public by that person; or
amended 12/7/2008
- (j) as a retailer who acquires used goods as an incident of a business as partial payment of the cost of another item of a similar nature on the basis of a one-for-one trade.
- (k) as a person who acquires used goods or precious metals exclusively by commercial transaction.
added 12/7/2008

“used jewellery” means jewellery that cannot be demonstrated to have been acquired from a manufacturer, wholesaler or some other person who has been issued a GST/HST number by the Canada Revenue Agency;
added 12/7/2008

APPROVAL OF NEW LICENCE APPLICATION

69(2) The designated employee must not issue a licence under this Division unless the designated employee receives:

Zoning Compliance

- (a) verification from a City employee authorized to administer and enforce the *Winnipeg Zoning By-law* or the *Downtown Winnipeg Zoning By-law* that operation of the business on the premises for which the licence is sought is permitted under one of those two zoning by-laws;

Occupancy Permit

- (b) an occupancy permit authorizing the proposed business to occupy the premises for which the licence is sought.

Fire Prevention

69(3) The designated employee must not issue an Antique Dealer Licence, an Auctioneer Licence or a Used Goods Dealer Licence unless the designated employee receives verification from the Fire Paramedic Chief or delegate that the operation of the business on the proposed premises meets the requirements of the Fire Prevention By-law, the Manitoba Fire Code and other regulatory requirements relating to fire safety.

Record Review

68(1) A licence under this Division must not be issued unless the designated employee receives a certificate from the Record Review Board in respect of each of the individuals referred to in section 16 and in respect of any individual who is employed by the applicant or provides assistance to the applicant in respect of the business.

68(2) Subsections 16(2) (obligation to notify of changes) and 16(3) (obligation to notify of criminal charges) apply in respect of any individual who is employed by the applicant

or provides assistance to the applicant in respect of the business.

MULTIPLE BUSINESSES

67(1) Where a person carries on more than one of the types of business referred to in section 66 at the same location, the person may either obtain licences for each of the businesses or may obtain a Used Goods Dealer Licence for all of the businesses.

67(2) Where a person chooses to obtain a Used Goods Dealer Licence for more than one of the types of business referred to in section 66, the person:

- (a) must inform the designated employee of this choice at the time the Used Goods Dealer Licence is issued or at the time a licence in respect of an additional business would otherwise be required; and
- (b) must comply with the requirements and obligations imposed by this By-law on used goods dealers in respect of all of the types of business to which the licence applies.

APPLICATIONS FOR CERTIFICATE FROM RECORD REVIEW BOARD

15(1) Where this By-law requires that one or more certificates from the Record Review Board must be provided as a condition of obtaining a licence, the applicant must apply to the Record Review Board for the required certificates.

15 (2) When applying for a certificate, an applicant must provide the Record Review Board with accurate identification and the releases and authorizations sufficient to allow the Record Review Board to review, throughout the duration of the licence, the criminal and other records of every individual for whom a certificate is required as a condition of obtaining a licence.

Individuals requiring record reviews

16(1) Subject to section 68 (record review board certification required for employees of used goods dealers), where this By-law provides that a licence must not be issued unless a certificate from the Record Review Board has been issued, the certificate must be provided in respect of each of the following individuals:

- (a) where the owner of the business is a sole proprietor, the owner;
- (b) where the owner of the business is a partnership or a corporation, the manager of the business at each location from which business is carried on.

16(2) It is a condition of a licence issued under this By-law that, where an individual holding any position for which a Record Review certificate is required is replaced by another individual, the licence holder must, within 30 days of the replacement, apply to the Record Review Board for a certificate in respect of the new individual holding that position.

16(3) It is a condition of a licence issued under this By-law that a licence holder under this Part must immediately notify the Record Review Board when any individual for whom a Record Review certificate is required is convicted of a criminal offence.

PART 2 – SPECIFIC PROVISIONS RELATING TO BUSINESS DEALING IN USED GOODS AND PRECIOUS METALS

Record of transaction and other documentation

70(1) A person who carries on a business that is required to hold a licence under this Division must ensure that the business does not acquire or dispose of used goods unless a record of transaction for that transaction is made at the time of the acquisition and disposal of used goods and is maintained in accordance with this Division.

amended 12/7/2008

70(2) The record of transaction required by subsection (1) consists of:

- (a) a record of acquisition;
- (b) a record of identification;
- (c) a record of disposition, when created.

70(3) A used goods dealer must make and maintain a record of transaction required by subsection (1) when the used goods dealer acquires

- (a) goods that are not used; and
- (b) compact discs and long playing records;

and the obligation to make and keep a record of transaction applies in respect of these goods as if they were used goods.

Record of acquisition

71 Subject to section 75, a record of acquisition required by section 70 must contain the following information:

- (a) the time and date that the used goods were acquired in the transaction;
- (b) a photograph of the used goods providing sufficient detail to identify the goods;
- (c) the serial number, make, model number and manufacturer's name of any manufactured used goods acquired;
- (d) a detailed statement of any writing, engraving and other distinctive marks on the used goods acquired;
- (e) with respect to jewellery acquired:
 - (i) the type of jewellery;
 - (i) the weight of the jewellery;
 - (ii) the karat of any precious stone which forms part of the jewellery;
 - (iv) any engraving or micro-reference on the jewellery;

- (v) the number of precious stones and the type, colour, and shape of each precious stone;
- (vi) whether the item of jewellery is typically worn by a man or a woman;
- (f) the price or other consideration paid or given for the used goods or the agreed selling price for goods left to be sold on consignment.
- (g) the identification number assigned to the person from whom the used goods were acquired, as required by subsection 73(5).

added 127/2008

Record of disposition

72 Subject to section 75, a record of disposition required by section 69 must contain the following information:

- (a) the time and date of the disposition;
- (b) the form of the disposition; and
- (c) if the disposition consists of storage of the used goods by the person who holds a licence issued under this Division at any place other than the place where the used goods were acquired, the location of any other place where the used goods have been placed into storage.

Record of identification

73(1) Subject to this section and section 75, a record of identification required by section 70 must contain the following:

amended 127/2008

- (a) a photograph of the individual from whom the used goods are being acquired providing sufficient detail to identify the individual; and
- (b) the name, date of birth and current address of the individual from whom the used goods are being acquired and a description of the piece of identification provided by the individual that appears to be accurate from which that information has been obtained.

added 127/2008

73(2) Where a business that is required to be licensed under this Division acquires used goods from a partnership or corporation, the record of identification required by section 70 must contain the following:

amended 127/2008

- (a) the name, address and telephone number of the partnership or corporation;
- (b) the name of the individual entering into the transaction on behalf of the partnership or corporation.

73(3) Where a business that is required to be licensed under this Division engages in an acquisition by way of internet communication, the record of identification required by section 70 must contain the name, mailing address and electronic mailing (e-mail) address of the person from whom the goods are being acquired.

added 127/2008

73(4) Where a business that is required to be licensed under this Division engages in an acquisition by way of telephone, mail or delivery service, the record of identification required by section 70 must contain the name, mailing address and telephone number of the person from whom the goods are being acquired.

added 127/2008

73(5) A person who carries on a business that is required to hold a licence under this Division must ensure that, subject to subsection 78(5), each person from whom used goods are acquired is assigned an identification number and that the identification number is recorded on each record of acquisition that records used goods acquired from that person.

added 127/2008

Form of record of transaction

74(1) Subject to section 75, a record of transaction required by section 70 must be recorded by entering it in an electronic record keeping system in a form prescribed by the Police Chief such that a separate record of each transaction is created and saved in a retrievable and printable form.

74(2) A person who holds a licence issued under this Division must ensure that each record of transaction is assigned a number in order to distinguish that record of transaction from every other record of transaction recorded by that person.

Maintenance and destruction of record of transaction

76(1) A person who carries on a business that is required to be licensed under this Division must ensure that a record of transaction is maintained as it was entered and that no part of the record is erased, obliterated, deleted or removed.

76(2) A record of transaction must be retained on the premises of the business or, if maintained in electronic form, must be accessible from the premises of the business, for a period of not less than two years after the date of acquisition and must be available for inspection by an enforcement officer, including a member of the Winnipeg Police Service, in accordance with this Division.

amended 127/2008

76(3) No person may use personal information contained in a record of identification in any way other than as required by this By-law.

76(4) No person may disseminate personal information contained in a record of identification in any way other than as required by this By-law.

76(5) A person who carries on a business that is required to be licensed under this Division must ensure that a record of identification is destroyed as soon as a period of two years has elapsed after the date of acquisition.

Provision of records of acquisition to Police Chief

77(1) A used goods dealer, a bicycle dealer and a precious metals dealer must ensure that delivery is made to the Police Chief by the close of business every day that the business is open a copy of the records of acquisition concerning acquisitions that have been made since the time when the previous records of acquisition were delivered.

amended 127/2008

77(2) The records of acquisition referred to in subsection (1) must be delivered in electronic form in a manner and to an electronic address determined by the Police Chief.

Access to record of transaction by enforcement officers

78(1) A person who holds a licence issued under this Division must allow an enforcement officer, including a member of the Winnipeg Police Service, to enter at any time the licensed business is open for business all areas of the premises for which a licence has been issued and to view a record of transaction and any goods to which this Division applies in order to ensure compliance with this By-law.

78(2) A member of the Winnipeg Police Service must not access a record of identification in respect of a person and must not use a record of identification for the purposes of a criminal investigation unless:

amended 12/7/2008

- (a) he or she has reasonable grounds to believe that used goods or precious metal that are identified in the same record of transaction as the record of identification were obtained by or in the course of the commission of a criminal offence;
- (b) the person has been charged under any of the following sections of the Criminal Code, R.S.C. 1985, c. C-46 (i) 348 (break and enter),
 - (ii) 349 (being unlawfully in a dwelling house),
 - (iii) 351 (possess house breaking instrument, disguise with intent), orunder any of the following sections of the Criminal Code, R.S.C. 1985, C-46 with respect to property other than real property, cash or a motor vehicle:
 - (iv) 322 (theft),
 - (v) 343 or 344 (robbery),
 - (vi) 354 (possess property obtained by crime),
 - (vii) 354 (theft from mail).

amended 12/7/2008

78(2.1) Where a member of the Winnipeg Police Service accesses a record of identification pursuant to subsection (2), he or she may access or use all records of identification in respect of that person that have been made by any person who holds a licence issued under this Division in Winnipeg within the previous six months.

added 12/7/2008

78(3) For purposes of clarification, subsection (2) does not apply to an enforcement officer other than a member of the Winnipeg Police Service.

78(4) Where a person who holds a licence issued under this Division is asked to provide a record of identification to, or to make a record of identification available for inspection by, an enforcement officer, the licence holder must provide it or make it available for inspection without regard to the enforcement officer's compliance with subsection (2).

78(5) Where a person who holds a licence issued under this Division provides a record of identification to or makes a record of identification available for inspection by a member of the Winnipeg Police Service, the licence holder must immediately assign a new identification number to the person identified in the record of identification and must

subsequently provide that identification number as part of any future record of acquisition in respect of used goods acquired from that person.

added 127/2008

Storage of used goods

79(1) Subject to subsection (2), a person who holds a licence under this Division must ensure that every item for which a record of transaction is required to be made and maintained is tagged or otherwise identified with the number of that record of transaction referred to in subsection 74(2) until the used goods are disposed of by sale, redemption or transfer to another dealer.

amended 127/2008

79(2) Subsection (1) does not apply to coins, investment grade precious metals or postage stamps after 15 days have elapsed since a record of acquisition was delivered to the Police Chief in respect of those precious metals.

added 127/2008

Disposition of used goods

80(1) Subject to subsection (2), used goods dealers, bicycle dealers and precious metals dealers must ensure that goods for which a record of transaction is required to be made and maintained are not disposed of until at least 15 days have elapsed since the records of acquisition concerning those goods were delivered to the Police Chief in accordance with section 77.

amended 127/2008

80(2) Subsection (1) does not apply to:

- (a) used goods acquired from a person who holds a licence under this Division;
- (b) coins and gold, silver, platinum and other similar metals acquired from:
 - (i) a dealer located outside the City of Winnipeg who is determined by the Chief of the Winnipeg Police Service to be subject to a municipal or provincial regulatory regime that requires that the goods be retained for a period of time similar or greater than the time specified in subsection (1); or
 - (ii) a Federal, Provincial or Municipal government department or agency;
- (b.1) investment grade precious metals;
- (c) new or refurbished goods; or
- (d) used goods acquired in a collateral lending transaction that have previously been used as collateral in a collateral lending transaction involving the same individual providing the goods and the same licensed used goods dealer;

added 127/2008

so long as the licence holder complies with subsection (3).

80(3) The exemptions provided in clauses (2)(a) and (b) apply only if the licence holder records :

- (a) where the person from whom the goods were acquired is an individual,

- the name, address and telephone number of the individual;
- (b) where the person from whom the goods were acquired is a partnership or corporation, the name of the individual acting on behalf of the person and the municipal or provincial licence number of the dealer; and
 - (c) where the goods were acquired from a Federal, Provincial or Municipal government department or agency, the name of the Federal, Provincial or Municipal government department or agency and the name of the individual acting on behalf of the department or agency.

Restrictions on dealers

81 A person who carries on a business that is required to be licensed under this Division must not, and must ensure that the business he or she is carrying on does not:

- (a) acquire any goods from any person who is less than 18 years of age;
- (b) acquire any goods from any person who is apparently under the influence of alcohol or a drug;
- (c) go from house to house acquiring or soliciting to acquire any goods;
- (d) acquire any goods that he or she has reason to suspect have been stolen or otherwise unlawfully obtained;
- (e) acquire any goods that bear or customarily bear a serial number or distinguishing mark where that serial number or distinguishing mark has been altered, defaced, obliterated, obscured or removed;
- (f) alter, deface, obliterate, obscure or remove any serial number or distinctive mark upon any goods purchased or received by the person in the course of his business;

AUCTIONEERS

Auctioneers' records of transaction

75(1) Subject to subsection (4), an auctioneer must ensure that a record of acquisition is made at the time used goods are deposited with the auctioneer for sale, consisting of the following information:

- (a) the time and date that the used goods were deposited;
- (b) either an accurate description of the used goods deposited or a photograph of the used goods providing sufficient detail to identify the used goods;
- (c) the serial number, make, model number and maker's name of the used goods deposited, if available;

75(2) Subject to subsection (4), an auctioneer must ensure that a record of disposition is made at the time used goods are sold at auction, consisting of the following information:

- (a) the name and address of the person purchasing each article of used goods;
- (b) the price for which each article of used goods was purchased.

75(3) Subject to subsection (4), an auctioneer must ensure that a record of identification is made at the time that used goods are deposited with the auctioneer for sale, which consists of the name and address of the individual who deposited the used goods for sale.

75 (4) This section does not apply where:

- (a) used goods are acquired by an auctioneer from a law enforcement agency or officer acting in an official capacity;
- (b) used goods are acquired by an auctioneer from a trustee in bankruptcy, executor, administrator or receiver who has presented to the auctioneer proof of his or her position;
- (c) used goods are acquired by an auctioneer from a public official who is acting under judicial process or authority and who has presented to the auctioneer proof of his or her position;
- (d) an auctioneer conducts a public auction exclusively of the personal property of an individual and his or her immediate family and no goods that are the property of another person are included in that sale;
- (e) an auctioneer conducts a public auction consisting solely of:
 - (i) livestock;
 - (ii) commercial or industrial machinery and vehicles;
 - (iii) real estate; or
 - (iv) goods on behalf of the Manitoba Public Insurance Corporation;
- (f) an auctioneer conducts an auction which is not open to the public of:
 - (i) automobiles and trucks;
 - (ii) commercial vehicles; or
 - (iii) recreational vehicles and equipment.

75(5) A record of transaction made by an auctioneer may be:

- (a) recorded by entering it in an electronic record keeping system in a form prescribed by the Police Chief such that a separate record of each transaction is created and saved in a retrievable and printable form; or
- (b) may be kept in on a paper form prescribed by the Police Chief.

Maintenance and destruction of record of transaction

76(1) A person who carries on a business that is required to be licensed under this Division must ensure that a record of transaction is maintained as it was entered and that no part of the record is erased, obliterated, deleted or removed.

76(2) A record of transaction must be retained on the premises of the business or, if maintained in electronic form, must be accessible from the premises of the business, for a period of not less than two years after the date of acquisition and must be available for inspection by an enforcement officer, including a member of the Winnipeg Police Service, in accordance with this Division.

amended 127/2008

76(3) No person may use personal information contained in a record of identification in any way other than as required by this By-law.

76(4) No person may disseminate personal information contained in a record of identification in any way other than as required by this By-law.

76(5) A person who carries on a business that is required to be licensed under this Division must ensure that a record of identification is destroyed as soon as a period of two years has elapsed after the date of acquisition.

Storage of used goods

79(1) Subject to subsection (2), a person who holds a licence under this Division must ensure that every item for which a record of transaction is required to be made and maintained is tagged or otherwise identified with the number of that record of transaction referred to in subsection 74(2) until the used goods are disposed of by sale, redemption or transfer to another dealer.

amended 127/2008

79(2) Subsection (1) does not apply to coins, investment grade precious metals or postage stamps after 15 days have elapsed since a record of acquisition was delivered to the Police Chief in respect of those precious metals.

added 127/2008

Restrictions on dealers

81 A person who carries on a business that is required to be licensed under this Division must not, and must ensure that the business he or she is carrying on does not:

- (a) acquire any goods from any person who is less than 18 years of age;
- (b) acquire any goods from any person who is apparently under the influence of alcohol or a drug;
- (c) go from house to house acquiring or soliciting to acquire any goods;
- (d) acquire any goods that he or she has reason to suspect have been stolen or otherwise unlawfully obtained;
- (e) acquire any goods that bear or customarily bear a serial number or distinguishing mark where that serial number or distinguishing mark has been altered, defaced, obliterated, obscured or removed;
- (f) alter, deface, obliterate, obscure or remove any serial number or distinctive mark upon any goods purchased or received by the person in the course of his business;

TEMPORARY TRADE SHOWS

Temporary trade shows

66.1(1) Subject to section 81.1, a person must not operate as a temporary trade show promoter without a Temporary Trade Show Licence issued under this section for each temporary trade show being promoted by the person.

added 127/2008

66.1(2) Notwithstanding section 66, a person may carry on the business of an antique dealer, a bicycle dealer, a precious metals dealer or a used goods dealer without a licence issued under this Division for a period of seven days or less if the person is during that period listed as a participant in a temporary trade show in a subsisting Temporary Trade Show Licence.

added 127/2008

81.1(1) Sections 68, 69, 70, 71, 72, 73, 74, 76(2), 76(5), 77, 78(1), 79 and 80 do not apply to the holder of a Temporary Trade Show Licence nor to a person to whom subsection 66.1(2) applies.

81.1(2) The designated employee must not issue a Temporary Trade Show Licence unless the designated employee receives verification from a City employee authorized to administer and enforce the Winnipeg Zoning By-law or the Downtown Winnipeg Zoning By-law that operation of the temporary trade show on the premises for which the licence is sought is permitted under one of those two zoning by-laws.

81.1(3) It is a condition of a Temporary Trade Show Licence that the holder of the licence must:

- (a) provide the names of every person occupying a booth, stall, table or other exclusive space at or otherwise participating in the temporary trade show to Police Chief at least five days prior to the person beginning to occupy the space or otherwise participate in the temporary trade show; and
- (b) provide access to enforcement officers, including on-duty members of the Winnipeg Police Service, without fee or charge at any time the temporary trade show is open to the public.

added 127/2008

SCHEDULE A – FEES

amended 127/2008

Part 1: All license fees in this part are applicable to the licence year June 1, 2011 to May 31, 2012 and are subject to an inflationary increase based on the Consumer Price Index thereafter. Licence holders renewing a licence must pay the fee as increased by the rate of inflation.

No.	Business License	Annual Fee
1	Antique Dealer	\$371
2	Auctioneer	\$371
3	Bicycle Dealer	\$211
16	Precious Metals Dealer	\$422
21	Temporary Trade Show	\$275
22	Used Goods Dealer	\$475