

Lac La Ronge Indian Band

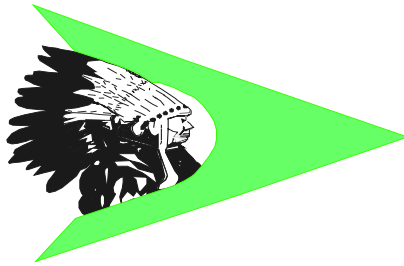
Business Regulation Law

[Law Number]

November 16, 2021

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LAC LA RONGE INDIAN BAND BUSINESS REGULATION LAW PREAMBLE

Whereas Lac La Ronge Indian Band has an inherent right to self-government which emanates from our people, culture and land and which is recognized and affirmed by section 35 of the Constitution Act, 1982;

Whereas the Lac La Ronge Indian Band has taken over control and management of Lac La Ronge Indian Band Land and resources pursuant to the Framework Agreement on First Nation Land Management and has enacted the *Lac La Ronge Indian Band Land Code*, effective September 10, 2019;

Whereas under the Land Code, Lac La Ronge Indian Band Chief and Council is authorized to pass various laws relating to lands including laws relating to regulation and use of Lac La Ronge Indian Band Lands;

And Whereas Chief and Council wishes to make a law governing businesses and to implement a business licensing system to record and regulate the conduct and development of businesses on Lac La Ronge Indian Band Land.

NOW THEREFORE, Council of the Lac La Ronge Indian Band enacts:

PART 1 PRELIMINARY MATTERS

1. Name

1.1 This law is called the *Lac La Ronge Indian Band Business Regulation Law*.

2. Definitions

2.1 Unless otherwise defined in this law or required by the context, words and expressions used in this law have the same meaning as they have been given in the Land Code.

2.2 In this law:

“Business” means, subject to the prohibitions set out in Part 3, the carrying on of a commercial or industrial undertaking, or the provision of professional, personal, contractual or other services for financial or personal gain or profit on Lac La Ronge Indian Band Land, and includes a Non-Profit Society. For clarity, this includes advertising an open business, holding an authorized franchise licence, or dealing, buying, selling, bartering, renting, soliciting, promoting, or advertising any commodity, service, or use of residential or commercial space on anyone’s behalf;

“Business Licence” means a valid licence to carry on Business within Lac La Ronge Indian Band Lands issued under this law in the prescribed form;

“Lands & Resources Department” means that office which provides, among other duties, administrative support to the Land Code Advisory Committee and the Traditional Lands and Resources Advisory Committee and is responsible for managing Lac La Ronge Indian Band Lands under the Land Code; for the purposes of this law, any delegate of the Lands & Resources Department must be a staff member, such as the Reserve Lands Manager;

“Fire Inspection” means any written inspection report conducted by a qualified individual or company able to assess the fire hazards of the lands or Premises, which must contain required mitigation requirements of any potential fire hazards

“Non-Profit Society” means a charitable society or organization that is incorporated and in good standing under the *Non-profit Corporations Act, 1995, N-4.2*, as amended from time to time;

“Premises” means a building, structure, store, office, shop, building, home warehouse, factory, structure, enclosure, temporary or permanent stand, yard, or other definite area occupied or capable of being occupied by a Person for the purpose of carrying out a Business, and includes any area situated within any of the foregoing where a separate class or type of Business is carried on by a separate operator; and

“**Person**” means any natural person, but for the purposes of this law, also includes any corporate or government entity.

2. General Interpretation

2.1 In this law:

- (1) Headings and subheadings are for convenience only, do not form part of this law, and in no way define, limit, alter, or enlarge the scope or meaning of any provision of this law;
- (2) Unless the context requires otherwise, the use of the singular is to be construed as including the plural and vice versa;
- (3) Unless the context requires otherwise, a reference to one gender includes reference to all other genders;
- (4) “Must” is to be construed as imperative;
- (5) The words “include”, “includes”, “including”, “exclude”, “excludes”, and “excluding” are to be read as if they are followed by the phrase “without limitation”; and
- (6) A reference to an enactment includes every amendment to it, every subordinate enactment—including laws, by-laws, and regulations—made under it, and any replacement enactment.

2.2 If there is an inconsistency or conflict between this law and the Land Code, the Land Code prevails to the extent of the inconsistency or conflict.

2.3 This law must be interpreted in a fair, large, and liberal manner and in accordance with the Land Code.

3. Specific Interpretation

3.1 A Person will be deemed to be carrying on a Business within or on Lac La Ronge Indian Band Land on a case-by-case basis, based on—but not limited to—whether any of the factors defining a Business in this law exist.

4. Severability

4.1 If any provision of this law is determined by a court of competent jurisdiction to be illegal or unenforceable, that invalid provision will be considered separate and severable, and the legality or enforceability of the remaining provisions will not be affected by that determination.

5. Application

- 5.1 This law applies to the whole area of Lac La Ronge Indian Band Land.
- 5.2 Where any other enactment, including a law, by-law, or regulation, of Canada or Lac La Ronge Indian Band applies to any matter covered by this law, compliance with this law does not relieve any person from also needing to comply with the provisions of other applicable enactments.

PART 2 ADMINISTRATION

6. Administration

Council delegates authority

- 6.1 The Land Code Advisory Committee and the Lands & Resources Department or its delegate are expressly appointed by Council to administer this law.

Specific scope of authority

- 6.2 The Lands & Resources Department or its delegate is authorized to:
- (1) create the form of applications, Business Licences, orders, and notices except to the extent that they are specifically prescribed by this law;
 - (2) receive and review applications for Business Licences in order to make a recommendation to the Land Code Advisory Committee on whether to issue or refuse to issue a Business Licence;
 - (3) receive, review, and approve applications for renewed, changed, or transferred Business Licences, and issue new Business Licences following approval, unless a substantial change in conditions requires the Land Code Advisory Committee to review the application;
 - (4) issue orders and notices, in accordance with this law;
 - (5) establish whether the methods or types of construction and types of materials used in construction of a Premises substantially conforms to the requirements of this law and any other laws or policies;
 - (6) keep records of applications, Business Licences, notices and orders issued, inspections and tests made, and in doing so, must retain copies of all documents related to the administration of this law, which may be in digital form;

- (7) order and allow the correction of any work that is being done or has been done in contravention of this law; and
- (8) enter a parcel of land or a Premises at any reasonable time for the purpose of ascertaining that this law is being observed and must:
 - (a) where entering a residence that is occupied, obtain the consent of the occupant, or provide written notice to the occupant 24 hours in advance of entry; and
 - (b) carry proper credentials to confirm their authority to administer this law.

6.3 The Land Code Advisory Committee is authorized to issue, or refuse to issue, new, renewed, changed, or transferred Business Licences, after considering recommendation by the Lands & Resources Department or its delegate, as long as in the case of a refusal, it is:

- (1) reasonable;
- (2) provided to the applicant in the prescribed form as set out in Schedule F; and
- (3) accompanied by written reasons.

Considerations

6.4 The Lands & Resources Department or its delegate, and the Land Code Advisory Committee, may consider any of the following in recommending or making a decision regarding an application for issuing a new, renewed, changed, or transferred Business Licence:

- (1) The completeness and accuracy of information in the application;
- (2) Any health, safety, sanitation, or environmental risks or requirements associated with the proposed Business activities;
- (3) Any risks to Lac La Ronge Indian Band's traditional, cultural, or spiritual values;
- (4) Building regulations;
- (5) Zoning regulations;
- (6) Business regulations;
- (7) Any Fire Inspection;
- (8) Lease requirements;

- (9) Adherence to Lac La Ronge Indian Band's other laws, policies or plans;
- (10) The applicant's compliance with previously issued Business Licences or other laws; and
- (11) Such other matters that the Lands & Resources Department or its delegate or the Land Code Advisory Committee deems applicable to the specific Business.

PART 3 PROHIBITIONS

7. Prohibitions

Prohibition against unlicensed Business activities and locations

7.1 Unless otherwise exempted by this Law, it is prohibited for a Person to:

- (1) carry on a Business on Lac La Ronge Indian Band Land without a valid Business Licence issued for that Business.
- (2) carry on Business at a Premises different than that listed in the valid Business Licence issued for that Business.
- (3) transfer, give, lend, sell, or otherwise grant any interest in a Business Licence to any other Person other than in accordance with the transfer provisions in this law at section 11.6.

Prohibition against specific Business activities and locations

7.2 The following are expressly prohibited on Lac La Ronge Indian Band Land:

- (1) adult entertainment stores, meaning Premises where sexual material or paraphernalia is offered for sale, or adult films are available for viewing, sale, or rent;
- (2) adult movie theatres, meaning a theatre where adult or restricted films are shown;
- (3) construction, sale, or trade of weapons or items designed to cause harm, unless intended for cultural reasons and where pre-approved in writing as permitted by the Lands & Resources Department or its delegate; and
- (4) unless permitted under other laws, the sale, distribution, packaging, compounding, storing, or production of any controlled substance as defined in the federal *Controlled Drugs and Substances Act*.

PART 4 LICENCES

8. Licence Requirements

Licence required

8.1 Unless specifically exempted by this law, any Person who owns or operates any Business within or on Lac La Ronge Indian Band Land must apply for, obtain, hold, and follow the terms and conditions of a valid Business Licence, in the prescribed form set out at Schedule B.

Separate Premises deemed separate Businesses

8.2 Any Person who operates a Business from more than one Premises within Lac La Ronge Indian Band Land must obtain a separate Business Licence for each.

Mobile Businesses

8.3 For clarity, any Person who operates a Business within or on Lac La Ronge Indian Band Land, but not from a Premises, still requires a Business Licence.

8.4 Notwithstanding section 8.2, the Land Code Advisory Committee may, on a case-by-case basis, issue a single Business Licence to a mobile Business operating on Lac La Ronge Indian Band Land.

Licence is additional legal requirement

8.5 Every person who operates a Business on Lac La Ronge Indian Band Land must comply with all the applicable laws of the Lac La Ronge Indian Band and all applicable laws, rules, codes, regulations, and orders of all federal or provincial authorities having jurisdiction over such Business.

8.6 A Business Licence has limited effect, meaning that it is not a representation or warranty that the licenced Business, its operation, or the corresponding Premises complies with all applicable laws, regulations, or standards.

9. Exemptions

Aboriginal or Treaty rights

9.1 This law does not apply to a Lac La Ronge Indian Band Member who is carrying out trade or barter under an Aboriginal or Treaty right.

Exempted activities

9.2 Despite the rest of this law, no Business Licence is required for any of the following activities carried out on Lac La Ronge Indian Band Land, as long as they follow other applicable laws and meet any applicable health, safety and environmental laws, regulations or standards:

- (1) door-to-door sale of newspapers published in Canada;
- (2) public schools;
- (3) teaching music, crafts, art, or cultural or language activities to small groups out of the home;
- (4) garage or yard sales held by Members or occupants of Lac La Ronge Indian Band Land;
- (5) sale of carvings, crafts, or artwork by Members;
- (6) sale of small-batch baked goods or food, such as in a canteen;
- (7) small scale, non-commercial, periodic fundraising events by Members, organizations, or occupants of Lac La Ronge Indian Band Land; and
- (8) small scale, home-based activities by Members or occupants of Lac La Ronge Indian Band Land, such as Avon or Tupperware.

Waiver

9.3 For certainty, notwithstanding that the activities in section 9.2 do not require a Business Licence, no claims may be brought against Lac La Ronge Indian Band, its employees, Members, officers, representatives, or Chief and Council in relation to such activities or the Premises in which they are carried out.

10. Business Licence Application

General

10.1 Any Person undertaking a Business must first apply for a Business Licence to the Lands & Resources Department in accordance with the provisions under this heading 10.

Application content

10.2 An application must be in the prescribed application form set out in Schedule C.

10.3 An application must always contain at least the following:

- (1) contact information (telephone number, mailing address, and email) for the applicant, Business owner (if different from the applicant), and other key people involved in the Business;
- (2) name, address, phone number, incorporation number, nature, and location of the Business;
- (3) an acknowledgement that the Business Licence does not provide authorizations for land use or other matters, and that other permits or authorizations may be required;
- (4) a release and waiver signed by a duly authorized agent of the Business, releasing and indemnifying Lac La Ronge Indian Band against any claims in relation to the Business or Premises for which the Business Licence is being sought; and
- (5) the applicable Business Licence fee as prescribed.

10.4 Where applicable, an application must also contain at least the following:

- (1) proof of personal, professional, or commercial liability insurance coverage;
- (2) detailed information on the Premises in which the Business will be carried out in, including:
 - (a) address;
 - (b) legal description;
 - (c) square footage information;
 - (d) a floor plan;
 - (e) accessibility information;
 - (f) the proposed parking area for the required number of parking spaces;
 - (g) information on permitted uses of the Premises (including zoning, development, subdivision, strata and land use requirements);
 - (h) proof of completion and certification of a Fire Inspection;
 - (i) proof of compliance with any other legal requirements;
 - (j) if necessary and requested by the Lands & Resources Department or its delegate, a letter of authorization from the holder of an allocation or Interest in the land for which the Business will be operated from, if the applicant is not the allocation or Interest holder;

- (k) if necessary, a letter of assurance from an engineer or architect indicating that the Premises, if it is a building or structure, can be used safely for its intended use; and
- (l) if necessary, proof of insurance coverage for the Premises;
- (3) a copy of all necessary certificates from federal, provincial or municipal government authorities, or other regulatory bodies, including, for example:
 - (a) a health certificate from the appropriate health inspector;
 - (b) if the applicant belongs to a regulated profession, a copy of the applicant's professional licence and proof of any professional insurance coverage; and
 - (c) proof of other licencing for the specific Business activities, including, for example, for the sale or distribution of liquor, proof of licensing under the *Alcohol and Gaming Regulation Act, 1997*, or for a daycare, proof of licensing under the *Child Care Act, 2014*.

11. Business Licence Renewals, Transfers or Changes

Timelines

- 11.1 A Business Licence holder may apply to renew a Business Licence each year on or before March 15th of that year.
- 11.2 A Business Licence holder may apply to change any conditions on the Business Licence at any point before its expiry.
- 11.3 A Business Licence holder must endeavor to apply to change the Premises on the Business Licence before the Premises where the Business is carried out from changes, but in any case, no later than five (5) days after the Premises changes.
- 11.4 Any Person who purchases a Business or the controlling interest in a Business of any other Person holding a Business Licence and who desires to continue this Business must apply for a transfer within thirty (30) days of the purchase.

Renewal process

- 11.5 To apply for renewal, Business Licence holders must:
 - (1) Submit the prescribed renewal form set out at Schedule D to the Lands & Resources Department, which must include a signed statement that the Business Licence holder is following all the Business Licence terms and conditions; and

- (2) Pay the prescribed Business Licence renewal fee to the Lands & Resources Department.

Transfer or change process

11.6 To apply for a change of the Premises listed on the Business Licence or the Person the Business Licence is issued to, Business Licence holder must:

- (1) Submit the prescribed change or transfer application set out at Schedule E to the Lands & Resources Department; and
- (2) Pay the prescribed Business Licence change or transfer fee, as applicable, to the Lands & Resources Department.

Decision

11.7 The Lands & Resources Department or its delegate will approve the renewal, transfer, or change request following receipt of the form and fee in sections 11.5 or 11.6, and will issue a new Business Licence, which may include new terms and conditions.

11.8 For clarity, the Lands & Resources Department or its delegate may consider any of the factors outlined in section 6.4 in deciding to set new terms and conditions to any approval of an application to renew, change, or transfer a Business Licence.

11.9 Notwithstanding section 11.7, if new conditions arise which, in the opinion of the Lands & Resources Department or its delegate, require fresh review of the renewal, change, or transfer request by the Land Code Advisory Committee, the Lands & Resources Department or its delegate:

- (1) must provide notice in writing to the applicant that the renewal, change, or transfer request requires review by the Land Code Advisory Committee, and provide the reasons;
- (2) must provide the timeline for such review; and
- (3) may request any further information needed to facilitate the review.

11.10 The Land Code Advisory Committee may approve or deny any renewal, change, or transfer request brought to it pursuant to section 11.9, and may consider any of the factors outlined in section 6.4 in doing so, but must follow the provisions in section 6.3 if denying the request.

If renewal, transfer, or change not requested

11.11 If the Business Licence holder does not apply for a renewal, change of Premises, or the Business Licence is not transferred in accordance with this law:

- (1) the Business Licence will be terminated;
- (2) applicable fines may be applied; and
- (3) Lac La Ronge Indian Band may post a notice of the Business Licence termination at the applicable Premises and on the Lac La Ronge Indian Band website.

11.12 The holder or anticipated holder of the terminated Business Licence must apply for and obtain a new Business Licence in accordance with section 10 before it may recommence any of its Business activities.

12. Business Licence Fees

Council may establish prescribed fees

12.1 Council may establish or approve fees in relation to this law, payable to Lac La Ronge Indian Band.

12.2 Council prescribes the fees as set out in Schedule A to this law.

Fees

12.3 For clarity, every application for a Business Licence, whether new, renewed, changed or transferred, must include the prescribed fee.

Fee waived

12.4 Notwithstanding subsection 10.3(5), section 12.3, and the prescribed fees set out in Schedule A, no fee is required to apply for a Business Licence where a Business is a Non-Profit Society registered as a charity under the federal *Income Tax Act*.

Fee halved

12.5 Notwithstanding the prescribed fees set out in Schedule A, the fee must be reduced by one-half in respect of any Business Licence issued after October 1st in any year.

Fee refunded

12.6 A fee for a Business Licence may be refunded in full, only:

- (1) if the application is withdrawn before a Business Licence is issued; or if
- (2) the Business Licence was refused.

13. Business Licence Terms and Conditions

Duration

13.1 A Business Licence must be issued annually for a twelve (12) month period starting on April 1st and ending on March 31st of the following year, unless the dates are differently stated on the Business Licence, according to exceptions in this law.

Partial duration

13.2 Notwithstanding section 13.1, where an application for a Business Licence is made after April 1st, a Business Licence may still be issued for a partial term but must still end on the following March 31st.

Specific or seasonal duration

13.3 A Business Licence may be issued to a Person who intends to carry on Business on a temporary or seasonal basis of less than a year if the dates of the temporary or seasonal duration are specifically listed on the Business Licence.

Visible posting or carrying

13.4 A Person carrying on a Business must post the Business Licence visibly at the Premises listed on it or carry the Business Licence with them at all times, if conducting a mobile Business.

Access

13.5 Every Business Licence deems to grant access to the Lands & Resources Department or its delegate to conduct any inspection and enforcement of the Business or Premises in relation to this law.

Other terms and conditions

13.6 The Lands & Resources Department or its delegate, or the Land Code Advisory Committee, may impose other terms and conditions in relation to hours of operation or occupant load, which must be included on the Business Licence.

13.7 The Lands & Resources Department or its delegate, or the Land Code Advisory Committee, may refer the Business Licence application to Council or to any third-party regulatory authority, as required, to impose any additional terms and conditions.

14. Business Licence Suspensions and Revocations

Right to suspend or revoke

14.1 The Lands & Resources Department or its delegate may suspend or revoke a Business Licence for reasonable cause after giving notice and offering an opportunity to be heard to the Business Licence holder, unless that Person cannot be found.

14.2 For certainty, reasonable cause to suspend or revoke a Business Licence would arise if the Business Licence holder:

- (1) has made a false declaration or has misrepresented or concealed a material fact with respect to the application for a Business Licence;
- (2) is convicted of an indictable offence which, in the opinion of the Lands & Resources Department or its delegate, directly relates to the conduct of the Business;
- (3) is convicted of an offence under any law in respect of the Business for which the holder is licenced or with respect to the Premises to which the Business Licence applies;
- (4) has, in the opinion of the Lands & Resources Department or its delegate, been guilty of such misconduct in respect of the Business or in respect to the Premises to which the Business Licence applies to warrant the suspension or revocation of the holder's Business Licence;
- (5) has ceased to meet any lawful requirements necessary to carry on the Business for which the holder is licenced or in respect to the Premises to which the Licence applies;
- (6) has, in the opinion of the Lands & Resources Department or its delegate, conducted Business in a manner that may be harmful or dangerous to the health or safety of an individual actually or apparently under the age of eighteen (18) years;
- (7) has refused to provide to Persons entitled to receive an exemption for the payment of GST or PST, as the case may be, in accordance with the applicable legislation creating such exemptions;
- (8) is in breach of any of the terms and conditions of the Business Licence;
- (9) has failed to pay a prescribed fee within the specified timeline; or
- (10) has otherwise violated or caused or allowed any of the provisions of this law to be violated, failed to comply with any of the provisions of this law or any other

applicable law, or neglected or refrained from doing anything required under the provisions of this law.

Suspension or revocation process

14.3 The suspension or revocation of a Business Licence by the Lands & Resources Department or its delegate must be made in the prescribed form as set out at Schedule G and served on the person holding such Business Licence or delivered by registered mail to the address listed on the Business Licence.

Notice

14.4 The Lands & Resources Department must post a notice of a suspension or revocation made pursuant to section 14.3 on the Premises for which the Business Licence was issued and this notice must not be removed until:

- (1) the holder of the suspended or revoked Business Licence ceases to occupy the Premises covered by such Business Licence;
- (2) a new Business is licenced for the Premises in accordance with this law;
- (3) twelve (12) months have passed since the applicable Business Licence was suspended or revoked; or
- (4) for notices of suspension only, the Business Licence is reinstated.

Reinstatement

14.5 The Lands & Resources Department or its delegate must specify any terms or conditions for the reinstatement of a Business Licence holder's suspended Business Licence.

14.6 A Business License that has been suspended may be reinstated when the suspension conditions of the Business Licence have been satisfied in the opinion of the Lands & Resources Department or its delegate, and after the holder of the Business Licence has paid the prescribed fee for reinstatement.

Part 5 APPEALS

15. Appeals

Right to appeal

15.1 An applicant or Business Licence holder subject to any of the following decisions is entitled to have Council reconsider the matter on appeal:

- (1) if the Lands & Resources Department or its delegate suspends or revokes a Business Licence;
- (2) if the Land Code Advisory Committee has refused to grant a Business Licence, whether new, renewed, changed, or transferred; or
- (3) if either the Lands & Resources Department or its delegate, or the Land Code Advisory Committee, has imposed a term or condition on the Business Licence or for the reinstatement of a suspended Business Licence that the applicant or Business Licence holder considers is unreasonable.

Timeline of appeal

15.2 The applicant must apply to Council for reconsideration within thirty (30) days of the decision.

15.3 Council must respond to the applicant with a date for the hearing of the appeal in the prescribed form, as set out in Schedule I.

Content of appeal

15.4 A request for reconsideration made in accordance with section 15.2 must be in the prescribed form, as set out in Schedule H, and must include sufficient information to enable Council to properly consider the appeal.

15.5 The applicant must pay the prescribed fee payable on request for a hearing.

Process of reconsideration

15.6 Council must consider the appeal at its next Council meeting.

15.7 Both the applicant and the original decision maker (the Lands & Resources Department or its delegate, or the Land Code Advisory Committee) have the right to be heard when the appeal is being considered by Council.

Result of reconsideration

15.8 After reconsideration, Council may either agree with, reverse, or modify the applicable decision of the original decision maker.

15.9 Council must provide its decision in writing to the applicant, within five (5) days after the Council meeting where the appeal was considered.

15.10 Council's decision will be final and binding, and not subject to further appeal.

15.11 If Council's decision is in favor of the applicant's appeal, the prescribed fee paid on application for the hearing must be returned to the applicant.

Continuation of business activities

15.12 For clarity, Business activities that are permitted under a Business Licence that is subject to a decision being appealed may continue during the appeal period.

PART 6 ENFORCEMENT

16. Practical Enforcement

General

16.1 No Person may obstruct, interfere with or hinder Council, the Land Code Advisory Committee, the Lands & Resources Department or its delegate, or any authorized employee, officer, or agent in the carrying out of their duties and responsibilities under this law.

Right of Access

16.2 The Reserve Lands Manager, or that person's delegate, is hereby authorized and empowered to enter upon any Premises listed on a Business Licence, between the hours of 8:30 am to 5:30 pm, or to authorize entry by Lac La Ronge Indian Band security personnel, the RCMP, or the Lac La Ronge Regional Fire Chief, to ascertain whether the provisions of this law are being adhered to.

16.3 Holders of any registered Interest in Lac La Ronge Indian Band Land must give the individual or individuals outlined in section 16.2 access to that land as reasonably necessary to enforce this law.

Orders

16.4 The Lands & Resources Department or its delegate may:

- (4) order any Person who requires a Business Permit under this law but who has not received a Business Permit to stop carrying out Business; or
- (5) order that a Premises, or a portion of it, be closed until there is a Business Permit in place for that Premises.

17. Legal Enforcement

Offences

17.1 Every Person who:

- (1) violates or causes or allows any of the provisions of this law to be violated;

(2) fails to comply with any of the provisions of this law, or any other applicable law;
or

(3) neglects or refrains from doing anything required under the provisions of this law,

is deemed to have committed an offence under this law and is liable to a fine or imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed under the Land Code and any other applicable Lac La Ronge Indian Band laws, and each day such violation is caused or allowed to continue constitutes a separate offence.

PART 7 IMMUNITY

18. No Liability

18.1 The provisions in the Land Code at section 39.1 apply.

18.2 For certainty, neither the granting or refusal of a Business Licence is evidence that a Business, Premises, or any associated approvals are valid or legal or creates any liability on behalf of Lac La Ronge Indian Band.

BE IT KNOWN that this law entitled Lac La Ronge Indian Band Business Regulation Law is hereby enacted by a quorum of Council at a duly convened Council of the Lac La Ronge Indian Band, open to Members and held on _____, 20__ and comes into force and effect on the ____ day of _____, 20__.

Chief Tammy Miriam Cook-Searson

Councillor Michael James Bird

Councillor Jimmy Bryce Charles

Councillor Linda Ann Mary Charles

Councillor Gerald Robin McKenzie

Councillor Keith Robert Mirasty

Councillor Ann Rachel Ratt

Councillor Devin Daniel Bernatchez

Councillor Harry Sam Roberts

Councillor John Patrick Roberts

Councillor Norman Paul Ross

Councillor Dennis Bruce Sanderson

Councillor John Richard Halkett

Quorum of Council is 7.

**SCHEDULE A:
PRESCRIBED FEES**

Fee	Amount
On application for an annual Business Licence	\$150.00
On application for an annual Business Licence after October 1 st	\$75.00
On late application for renewal of an annual Business Licence after March 15 th	\$200.00
On application to transfer an existing Business Licence to a different Person	\$150.00
On application to change the Premises listed on an existing Business Licence indicating where a Business may be carried out	\$25
On application to change any other terms or conditions specific to an existing Business Licence which require assessment or discretion	\$25
On application to change administrative elements on an existing Business Licence (business name, business trade name)	\$10
On request for a hearing (refundable if appeal found in favour of applicant's position)	\$100.00
On request for reinstatement of a Business Licence after suspension	\$150.00
For a replacement copy of a Business Licence	\$5.00



SCHEDULE B: BUSINESS LICENCE

Lac La Ronge Indian Band
PO Box 480, La Ronge, Saskatchewan S0J 1L0
Phone: (306) 425-2183 Fax (306) 425-2170

License Number: _____

BUSINESS LICENCE

_____ is hereby authorized to conduct business, calling, trade or occupation located on Lac La Ronge Indian Band Land for the period commencing _____, 20____, and expiring on _____, 20___. This license has been issued with the following additional conditions, as noted below:

- 1/.
- 2/.
- 3/.

This license has been issued with no additional conditions attached to this license. ____

(Name of Business)

(Civic address of the Business)

(Signature of the Lac La Ronge
Indian Band Official)

(Signature of the applicant)

(Date)

This license is subject to the terms and conditions of the *Lac La Ronge Business Regulation Law*, as amended from time to time, and all other Lac La Ronge Indian Band laws, policies, or plans. If there is any change in the business, trade, occupation, ownership, business status, or location or premises of the business, the applicant is required to contact the Lac La Ronge Indian Band Reserve Lands Manager in writing prior to the change, but no later than within five (5) days of the change for location or premises, and within thirty (30) days of the change for change of ownership.



**SCHEDULE C:
BUSINESS LICENCE APPLICATION
BUSINESS LICENSE APPLICATION**

Application Date: _____

A. APPLICANT'S INFORMATION:

<u>APPLICANT'S NAME:</u>	
<u>MAILING ADDRESS:</u>	
<u>EMAIL:</u>	<u>PHONE:</u>

B. BUSINESS INFORMATION:

<u>BUSINESS NAME:</u>	<u>INCORPORATION NO.:</u>
<u>BUSINESS CIVIC ADDRESS/LOCATION:</u>	
<u>CONTACT PERSON:</u>	<u>PHONE:</u>
<u>DESCRIPTION / NATURE OF BUSINESS:</u>	
<u>BUSINESS WEBSITE:</u>	<u>CONTACT EMAIL:</u>

C. BUSINESS MAILING ADDRESS AND CONTACT INFORMATION:

<u>BUSINESS MAILING ADDRESS:</u>	
<u>PHONE NUMBERS:</u>	<u>FAX:</u>

D. OWNER'S MAILING ADDRESS AND INFORMATION (IF DIFFERENT FROM APPLICANT):

<u>OWNER'S NAME:</u>

MAILING ADDRESS:	
EMAIL:	PHONE NUMBER:

E. OTHER KEY PEOPLE:

NAME:	
MAILING ADDRESS:	
EMAIL:	PHONE NUMBER:
AFFILIATION WITH BUSINESS:	
NAME:	
MAILING ADDRESS:	
EMAIL:	PHONE NUMBER:
AFFILIATION WITH BUSINESS:	

F. PREMISES (IF APPLICABLE)

If the proposed Business will not be carried out from a Premises, skip and proceed to G.

BUSINESS CIVIC ADDRESS/LOCATION (IF DIFFERENT FROM ABOVE):
LEGAL DESCRIPTION OF PREMISES:
SQUARE FOOTAGE INFORMATION:
ACCESSIBILITY INFORMATION:

PROPOSED PARKING AREA:
REQUIRED NUMBER OF PARKING SPACES:

- 1. Is there a floor plan for the Premises? Yes No
If YES, please attach a copy of the floor plan
- 2. Has a Fire Inspection been completed? Yes No
If YES, please attach a copy of the Inspection Report.
- 3. Is the Premises currently under construction or renovation? Yes No
- 4. Do you have insurance coverage for the Premises? Yes No
If YES, please attach proof of insurance coverage

G. OTHER INFORMATION:

- 5. Have you previously had a business license from the Lac La Ronge Indian Band? Yes No
If YES, please provide the license number: _____
- 6. Are you presently registered with the federal government or a self-regulating professional body with respect to the conduct of your business? Yes No
If YES, please provide proof and give details below:

- 7. Are you bonded? Yes No
If YES, please provide proof and give details below:

- 8. Have you, within the past three years, been convicted of an offense under the *Criminal Code*, RSC 1985, c C-46, as amended from time to time, for which you have not been pardoned? Yes No

9. Is the business incorporated federally or provincially? Yes No
If YES, please provide required details:

10. Is the business administered by a partnership? Yes No
If YES, please provide required details:

11. Food/Liquor Services Only: Licence Required? Yes No
If YES, please provide the license number: _____
If YES, please also attach a copy of the Health Inspection Report.

H. ADDITIONAL REQUIRED ITEMS AND DOCUMENTATION:

You must submit the following in support of your Business Licence Application:

- Applicable Business Licence fee, as prescribed in Schedule A of the *Lac La Ronge Indian Business Regulation Law*.

Where applicable, you must also remit the following in support of your Business Licence Application:

- Further detailed information on the Premises in which the Business will be carried out in, including:
 - information on permitted uses of the Premises (including zoning, development, subdivision, strata and land use requirements);
 - proof of compliance with any other legal requirements;
 - if necessary and requested by the Lands Committee, a letter of authorization from the holder of an allocation or Interest in the Land for which the Business will be operated from, if the applicant is not the allocation or Interest holder;
 - if necessary, a letter of assurance from an engineer or architect indicating that the Premises, if it is a building or structure, can be used safely for its intended use; and
 - if necessary, proof of insurance coverage for the Premises;
- Proof of personal, professional, or commercial liability insurance coverage;
- A copy of all necessary certificates from federal, provincial or municipal government authorities, including, for example:
 - a health certificate from the appropriate health inspector;
 - if the applicant belongs to a regulated profession, a copy of the applicant's professional licence; and

- proof of other licencing for the specific Business activities, including, for example, for the sale or distribution of liquor, proof of licensing under the *Alcohol and Gaming Regulation Act, 1997*, or for a daycare, proof of licensing under the *Child Care Act, 2014*.

I. ACKNOWLEDGEMENTS:

By signing and submitting this application, I understand and agree that:

1. The Business Licence does not provide authorizations for land use or other matters, and other permits or authorizations may be required; and
2. I am authorized to act as agent of the Business named in this application, and release and indemnify Lac La Ronge Indian Band against any claims in relation to the Business or Premises for which the Business Licence is being sought.

NAME:	SIGNATURE:
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LANDS & RESOURCES DEPARTMENT USE ONLY:

DATE FEE PAID _____ AMOUNT PAID \$ _____ METHOD OF PAYMENT: _____	RECEIPT #:
Fee waived <input type="checkbox"/> Fee Halved <input type="checkbox"/>	Business Licence number assigned to this application:
Business Type:	Licence number if applicant licenced under a regulated profession:
Lease/sub-lease Number:	Zoning: Use is permitted:
Copy of lease or sub-lease provided:	Accessibility plan or report provided:
APPROVALS:	
Building Inspector:	Fire Department:
Health Department:	Lands & Resources Department:
Liquor Control Branch:	Environmental Health Inspection:
Date of approval:	Reviewed By:
Signature:	



**SCHEDULE D:
RENEWAL APPLICATION**

**BUSINESS LICENCE
RENEWAL APPLICATION**

Business License Number: _____

RE: _____
(name of Business and location of the Business)

In signing, I _____ warrant that the named Business and the listed Premises are in compliance with all the terms and conditions of my current Business Licence, and that I have read, or had explained to me, the content of the *Lac La Ronge Indian Band Business Regulation Law*, and am in compliance with the law and all other applicable laws and regulations that are applicable to my Business and the Premises where it is located.

Dated this ____ day of _____, 20__.

Signature of applicant

Please provide to the Lands & Resources Department any updated information that may have changed since you submitted your business licence application (i.e., change of contact information, key people, updated proof of insurance) alongside the prescribed fee for an annual business licence by March 15th

LANDS & RESOURCES DEPARTMENT USE ONLY:

DATE FEE PAID _____ AMOUNT PAID \$ _____ METHOD OF PAYMENT: _____	RECEIPT #:
Fee waived <input type="checkbox"/> Fee Halved <input type="checkbox"/>	Business Licence number assigned to this application:
Business Type:	Licence number if applicant licenced under a regulated profession:
Date of approval:	Reviewed By:
Signature:	



**SCHEDULE E:
CHANGE OR TRANSFER APPLICATION

BUSINESS LICENSE CHANGE OR
TRANSFER APPLICATION**

Business License Number: _____

RE: _____
(name of Business and location of the Business)

I request to change the location of the Premises listed on my Business Licence, to _____, as of _____ (location of the Business)

(date)

I request to change the listed holder of my Business Licence, to _____, as of _____ (name and contact information of transferee)

(date)

Dated this ____ day of _____, 20__.

Signature of applicant

Signature of transferee (if applicable)

Please submit this application with the prescribed fee to the Lands & Resources Department; a representative will be in touch requesting any specific information needed to process the application.

LANDS & RESOURCES DEPARTMENT USE ONLY:

DATE FEE PAID _____	RECEIPT #:
AMOUNT PAID \$ _____	
METHOD OF PAYMENT: _____	
Date of approval: _____	Reviewed By:
Signature: _____	



**SCHEDULE F:
NOTICE OF REFUSAL**

NOTICE OF REFUSAL

Business License Number, if applicable: _____

TO: _____
(name of the applicant)

(address of the applicant)

RE: _____
(name of Business and location of the Business)

TAKE NOTICE that pursuant to the *Lac La Ronge Indian Band Business Regulation Law*, as amended from time to time, your application to:

(Check only one)

- 1/. ___ apply for a new Business License has been refused.
- 2/. ___ renew a Business License has been refused.
- 3/. ___ transfer your Business Licence has been refused.
- 4/. ___ change the Premises listed on your Business Licence has been refused.
- 4/. ___ change a term or condition listed on your Business Licence has been refused.

AND TAKE NOTICE that the reasons for this decision are attached.

AND TAKE NOTICE that you have 30 days from the date of this Notice within which you may apply for a review by Council, by completing the Request for a Review Hearing form (attached) and paying the prescribed fee to the Lands & Resources Department.

AND TAKE FURTHER NOTICE that if you file for a Request for a Review Hearing, you will be notified in writing of the time, date and location of the hearing.

Dated at _____, this _____ day of _____, 20__.

Reserve Lands Manager



**SCHEDULE G:
NOTICE OF CONTRAVENTION
AND SUSPENSION OR REVOCATION**

**NOTICE OF CONTRAVENTION AND
SUSPENSION OR REVOCATION**

Business License Number: _____

TO: _____
(name of the applicant)

(address of the applicant)

RE: _____
(name of Business and location of the Business)

TAKE NOTICE that pursuant to the *Lac La Ronge Business Regulation Law*, as amended from time to time, a site inspection of your business was conducted on the _____ day of _____, 20__ to ensure that your business operation follows the requirements of your Business License and Lac La Ronge Indian Band laws, policies, and plans. The following contravention(s) was/were encountered during this site inspection:

- 1/.
- 2/.
- 3/.
- 4/.

or the following information has come to the attention of the Lands & Resources Department:

- 1/.
- 2/.
- 3/.
- 4/.

TAKE NOTICE that as such, your Business License is hereby:

- Revoked
- Suspended, until

_____;

(date or condition required for suspension to be lifted)

TAKE NOTICE that this decision takes place immediately, and as such, you must cease your business operations on Lac La Ronge Indian Band Land. You have 30 days from the date of this Notice within which you may apply for a review by Council, by completing the Request for a Review Hearing form (attached) and paying the prescribed fee to the Lands & Resources Department;

TAKE NOTICE that if you file a Request for a Review Hearing, you will be notified in writing of the time, date and location of the hearing;

AND TAKE FURTHER NOTICE that if your Business Licence has been suspended, you may request reinstatement of the Business Licence upon satisfaction of the conditions, by written application to the Lands & Resources Department, and paying the prescribed fee to the Lands & Resources Department.

Dated at _____, this _____ day of _____, 20__.

Reserve Lands Manger

This notice must be posted on the Business Premises so the public can view this notice, and must not be removed until authorized by the Reserve Lands Manager.



**SCHEDULE H:
REQUEST FOR A REVIEW HEARING
REQUEST FOR A REVIEW HEARING**

Business License Number, if applicable: _____

TO: The Lac La Ronge Indian Band Council
c/o of the Reserve Lands Manager

PURSUANT to the *Lac La Ronge Business Regulation Law*, as amended from time to time, I hereby appeal the decision as outlined in the **Notice of Refusal** or in the **Notice of Contravention and Suspension or Revocation**, dated the ____ day of _____, 20__ and signed by the Reserve Lands Manager (or that person's delegate).

I am appealing this decision on the following grounds:

- 1/.
- 2/.
- 3/.
- 4/.

Dated this ____ day of _____, 20__.

(Printed name of the applicant)

(Signature of the applicant)



**SCHEDULE I:
NOTICE OF REVIEW HEARING
NOTICE OF REVIEW HEARING**

Business License Number, if applicable: _____

TO: _____
(Name of the Applicant)

(Address of the Applicant)

RE: _____
(name of Business and location of the Business)

PURSUANT to the *Lac La Ronge Business Regulation Law*, as amended from time to time, Council will hear your Request for a Review Hearing submission dated the _____ day of _____, 20__;

AND TAKE NOTICE that this Review Hearing will be held at _____(am/pm) on the _____ day of _____, 20__, at the following location:

Dated this ____ day of _____, 20__.

Reserve Lands Manger