

Revised as per recommendations from Solicitor - November 15, 2007.
Additional Revisions by Economic Development Committee August 2010.
Additional Revisions by Business Licensing Committee April 2024.

Nipissing First Nation Business Licensing Law

Law No. 1, LM-2024-06-25

*A law to provide for the licensing and regulation of businesses
operating on Nipissing First Nation.*

Amendments

Amended December 3rd, 2024
Original version November 16, 2010

WHEREAS the Council of the Nipissing First Nation desires to make a law governing the licensing and regulating of various businesses in Nipissing First Nation and its land, with respect to any matter arising out of or ancillary to the exercise of powers under the *First Nations Land Management Act* for the imposition of a penalty for a violation thereof.

AND WHEREAS the Council of the Nipissing First Nation is empowered to make such law pursuant to Section 20 of the *First Nations Land Management Act* and 6.1 of the Nipissing First Nation Land Code.

AND WHEREAS it is considered expedient and necessary to ensure that, prior to engaging in business activities, prospective proprietors obtain written authority from the Nipissing First Nation Economic Development Officer, in accordance with the NFN Gichi-Naaknigewin, to conduct their specific type of business. Furthermore, it is imperative to ensure that existing businesses operating on Nipissing First Nation lands adhere to the licensing and regulatory provisions outlined in this law, as well as any other Nipissing First Nation laws, to safeguard the lands and resources of the First Nation for the benefit of all Debendaagziwaad.

NOW THEREFORE the Council of Nipissing First Nation hereby ends as follows:

Short Title:

This law may be cited as the "Nipissing First Nation Business Licensing Law."

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1. DEFINITIONS

In this Law:

"Additional Fee" means a fee, in addition to the Licence fee, imposed by Nipissing First Nation on a business at any time during the term of the Licence for costs incurred by Nipissing First attributable to the activities of the business.

"Applicant" means any person who applies for a licence pursuant to the provisions of this Law.

"Business" means an organization or enterprising entity engaged in commercial, industrial, or professional services. This includes but is not limited to sole proprietorships, partnerships, corporations, not-for-profit organizations, and organized events.

"Business Licence" means a licence to conduct business approved by Council and issued by the Economic Development Officer.

"Business Licensing Committee" means a group of people appointed by Chief and Council for the purpose of reviewing, recommending, or revoking business licences.

"Business Licence Number" means the unique number assigned by the Nipissing First to the holder of a business licence certificate enabling business operations on Nipissing First (ex. 2022-BUS###).

"Canvasser" means any individual, business, or organization engaged in door-to-door solicitation, including the sale of goods, services, or merchandise, as well as conducting surveys, petitions, or other similar activities, where the individual approaches residential properties or other private premises to directly interact with residents or property owners for the purpose of promoting, selling, or gathering information.

"Council" means the Chief and Council of Nipissing First Nation.

"Economic Development Officer" means an individual appointed to oversee Nipissing First Nation's business licence process on behalf of Chief and Council and the Business Licensing Committee.

"Environmental Health Officer" means the Environmental Health Officer, First Nation and Inuit Health Branch of Health and Welfare Canada and/or the Nipissing First Nation Environmental Health Officer designated by Chief and Council.

"For Profit Event" means any event, performance, or gathering for more than one day but less than one month for which entry of participation is paid.

"Gichi-Naaknigewin" means constitution of Nipissing First Nation that confirms the rights, responsibilities, and freedoms of the Nation's Debendaagziwaad (the People, those who belong to Nipissing First Nation), its government and its governing institutions.

"Licencee" means a person who has been issued and maintains a valid business licence pursuant to the

terms of this Law.

"Member" means a person who is a registered member of Nipissing First Nation.

"Non-Member" means a person not entitled to be registered as a Nipissing First Nation band member on the Band List of Nipissing First Nation.

"Notice of Additional Fee" means a written notice by the Nipissing First Nation Business Licensing Committee or Economic Development Department to a Licencee advising them of their requirement to pay an Additional Fee under this law.

"Operator" means the operator of a for profit event.

"Owner" refers to an individual or group with ultimate control over a proprietorship, company, or partnership conducting business, whose name appears on the licence issued by Nipissing First Nation under this Law.

"Parking Area" means an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways and related ingress and egress lands, but shall not include any part of a public street or road.

"Partnership" means an association of two or more persons to carry on, as co- owners, of a business, calling or trade.

"Person" includes not only an individual but also a corporation, syndicate, association, sole proprietor, partnership, and heirs, executors, administrators, or agent or trustee of a person and other legal representatives of a person to whom the context can apply according to law.

"Place of Public Assembly" means a building, tent or part of a building or tent, that has a capacity of one hundred (100) persons or more where business will be transacted, unless used for religious purposes.

"Premises" means a building or part of a building and any yard or place of storage, and any place used for business.

"Profession" means a vocation or occupation that requires specialized, often advanced, education and skills.

"Reserve" means any Nipissing Reserve or part thereof set apart for the use and benefit of the Nipissing First Nation.

"Short Term Rental" means all or part of a dwelling unit rented out for less than 90 consecutive days in exchange for payment.

"Sole Proprietorship" means a form of business in which only one person has sole care and control over the business, and/or sole ownership over the assets of the business, and the only person to receive the profit of the business.

2. LICENCE REQUIRED

2.1 No person shall carry on or engage in any business on Nipissing First Nation land without a licence authorizing them to do so obtained from the Nipissing First Nation Economic Development Officer, and issued in accordance with this Nipissing First Nation Business Licensing Law and any other laws deemed applicable by the Nipissing First Nation Council.

2.2 No person shall publish or cause to be published any representation that the person is licenced under this Law if the person is not so licenced.

2.3 For the purpose of this Law, a business licenced under this Law shall be deemed to be carried on within the Nipissing First Nation lands if any part of the business is located within Nipissing First Nation territory.

2.4 All businesses involving the production, sale or distribution of cannabis products must possess a valid business licence and comply with the Nipissing First Nation Cannabis Law and any other laws deemed applicable by Nipissing First Nation Council.

3. LICENCE

3.1 Any individual conducting multiple businesses on Nipissing First Nation, must acquire distinct business licences for each of those businesses. Additionally, if a business is carried out in or from multiple locations, each individual location's activities will be considered as a unique and separate business.

3.2 Every licence granted under this law permits the Licencee to carry on the business in a lawful manner.

3.3 The Licensee or person in charge of the premises must always prominently display the licence(s) in a location clearly visible to customers or as otherwise designated by the Economic Development Officer.

3.4 The Licencee must notify the Economic Development Officer of any change in the mailing or business address; the type of business; the area of the premises; and any substantial physical alteration to the premises in which the business is conducted or any other significant changes to the business. Upon the closing of the business, the Licencee will surrender the licence to the Economic Development Officer or delegate appointed by Chief and Council.

3.5 The Business Licensing Committee may require new or additional conditions in the licence by the Licencee if the Business Licensing Committee deems in their sole discretion that the changes to the business be substantial enough to warrant new or additional conditions or licencing. The committee may review a business licence at any time if they are aware of changes to the business.

4. ADMINISTRATION AND ENFORCEMENT

4.1 Unless otherwise indicated, the administration of this Law is assigned to the Economic Development Officer, whose duties shall include but not be limited to the following:

- (a) Providing and processing all necessary application forms including applications for business licences and the renewal of business licences.
- (b) Providing all relevant documentation to the Business Licensing Committee.
- (c) Distributing and collecting community notices when deemed necessary by the Business Licensing Committee.
- (d) Performing business site inspections as deemed necessary by Chief and Council or the Business Licensing Committee.
- (e) Issuing licences when an application is made in accordance with and in compliance with the provisions of this Law and approved by Nipissing First Nation Chief and Council.
- (f) Maintaining records showing all applications received, licences issued and licence renewal dates.
- (g) Performing all the administrative functions conferred upon the Economic Development Officer by this Law.
- (h) Maintaining a record of all correspondence related to each business licence application.
- (i) Carrying out the enforcement of this Law together with the Anishinabek Police Service (APS), the Lawrence Commanda Health Center, the Nipissing First Nation Fire Department, and any other Nipissing First Nation department including any other agency.

4.2 The Economic Development Officer may delegate to other staff the performance of elements of their functions under this Law from time to time as they deem necessary.

4.3 In the event of unpaid business licensing or administrative fees, Nipissing First Nation reserves the right to issue a lien against the Licensee's business-related land.

5. APPLICATIONS

5.1 Licence applications shall be submitted to the Nipissing First Nation Economic Development Department on the forms provided by the Economic Development Officer at the earliest stages of business development. The Economic Development Officer will provide information to the applicant in terms of the process to be followed, depending on the nature of the business. From time to time, the Economic Development Department may change this process at their sole discretion.

5.2 Every person applying for a Licence under this law to operate a business that is governed or requires registration by any federal statute, or self-regulating professional body, must supply proof of their qualifications and of the qualifications of the employees to carry out such a business and must accompany the Nipissing First Nation Business Licence Application form prescribed under this law.

5.3 Should the facts or conditions stated in the licence application change after the licence is issued, the applicant must notify the Economic Development Officer in writing within 7 days. The applicant must also provide any information requested by the Economic Development Officer regarding these changes. Failure to meet these requirements may result in the licence being suspended, revoked, or not renewed. Additionally, a licence may not be renewed for reasons specified in this Law, such as failure to pay the required licensing fees.

5.4 The applicant shall provide in full, at the time the application is submitted, all the information requested on the application form as well as the following:

- (a) A comprehensive business plan.
- (b) Payment of the licence fee as set out in Schedule 2 of this Law.
- (c) A site plan depicting, at a minimum, all structures, parking, wells, and septic systems of the proposed business.
- (d) Any other document or information required by the Business Licensing Committee or Council to support the application. This may include but is not limited to fire inspections, traffic studies, health inspections and archaeological studies.
- (e) It is the responsibility of the applicant to satisfy requests for additional information, studies, environmental assessments, or other actions deemed necessary at the sole discretion of the Business Licensing Committee or Council.
- (f) If the applicant is a corporation, a copy of the articles of incorporation, a copy of the last annual return filed, and a list of all current directors and officers with their addresses and phone numbers. Further, a list with the name and address of every person having responsibility for the management or operation of the business. Failure to supply such information may result in the denial of approval of an application for a business licence or renewal; and
- (g) If the applicant is a partnership, a copy of the registered declaration of partnership, a copy of the business name registration and a list of all current partners together with their addresses and phone numbers. Failure to supply such information may result in the denial of approval of an application for a business licence or renewal.
- (h) Consent to share business information for the purpose of collecting economic data for Nipissing First Nation's departmental reports

5.5 If additional documentation, such as Engineered Site Plans or Environmental Assessments, is requested, the applicant or their designated representative must arrange a meeting with Nipissing First Nation representatives. The meeting will clarify the scope of the required information. Nipissing First Nation will provide the applicant with the necessary plan or assessment scope within 30 days of the

meeting. The applicant is responsible for all costs associated with obtaining the additional information needed for their application.

5.6 The Economic Development Officer may conduct or initiate any investigations deemed necessary or required by law, the Council, or the Business Licensing Committee regarding the application. The application may also be circulated to relevant departments within the Nipissing Nation, the Anishinabek Police Service, the Lawrence Commanda Health Center, and any other necessary persons or agencies.

5.7 The Economic Development Officer and Business Licensing Committee reserve the right to reject or deny an application or renewal from an applicant or Licensee who has encroached on land beyond what was assigned to them by the Nipissing First Nation or to which they own.

5.8 If deemed by Nipissing First Nation to be warranted, a third-party inspection or review of engineered plans may be required at the expense of the applicant or Licensee.

5.9 If the business impacts Nipissing First Nation infrastructure at any point, a licence review may be required as deemed appropriate by the Economic Development Officer.

5.10 Any recommendation made by the business licensing committee will be provided in writing to the applicant within 30 days of such recommendation. If the business licensing committee does not recommend approval of the application, , the applicant may appeal to Chief and Council. If the applicant intends to appeal, they must do so within 30 days of receiving written notice of the committee recommendation.

6. BUSINESS LICENSING COMMITTEE

6.1 The Business Licensing Committee shall review and make recommendations for Council for all licence applications under this Law. The decision to grant a licence is at the sole discretion of Nipissing First Nation Council.

6.2 The Business Licensing Committee, composed of the Economic Development Officer, a Lands Department representative, and an Administration Department representative of the Nipissing First Nation, shall constitute a Committee of the Nipissing First Nation Council known as the Business Licensing Committee. Additional resource people may join the meeting if requested by the Committee.

6.3 At the conclusion of a review, the Economic Development Officer shall, as soon as practicable, make a written report to Council and the applicant.

6.4 Council may approve, reject or vary the recommendation of the Business Licensing Committee.

7. RENEWALS

7.1 Every Licencee shall be required to renew their licence prior to the expiry of the licence issued under this Law. All Business Licences are valid for up to twelve (12) months and must be renewed within 30 days of expiration date. The Economic Development Officer may extend a licence for an additional 12 months at their sole discretion. Failure to renew a licence may result in the suspension or revocation of that licence.

7.2 To renew a Business Licence, the Licencee must complete the Business Licensing Renewal Form and make a renewal payment to Economic Development Officer as set in Schedule 2 of this Law.

7.3 Notwithstanding that a licence has been renewed, the Economic Development Officer may require the holder of a licence to provide such certificates or other documentary evidence as the Economic Development Officer may require as evidence that such applicant satisfies the requirements of this Law.

7.4 The Economic Development Officer may require the applicant to obtain more than one licence if the nature of the business qualifies under more than one licensing category under this Law.

7.5 Notwithstanding the provisions in this section, the Economic Development Officer may require additional site inspections during the term of the licence if they deem necessary to ensure continued compliance.

7.6 The issuance of a renewed licence shall be contingent upon the successful completion of the site inspection and the rectification of any identified non-compliance issues and compliance with any other applicable laws or regulations.

8. INSPECTIONS

8.1 The Economic Development Officer or an appointed delegate has the right to inspect any area used for business activities requiring a licence under this Law, at any reasonable time.

8.2 The Economic Development Officer or appointed delegate may inspect any business-related vehicles, goods, articles, books, records, and documents, excluding those protected under federal or provincial law.

8.3 No person shall obstruct, hinder, or in any way interfere with the person inspecting, investigating, or enforcing this Law, or withhold, destroy, conceal, or refuse to furnish information required by this Law.

8.4 Licensees must follow all recommendations and make required modifications identified during inspections. Non-compliance with this section may result in enforcement actions, including fines, business licence revocation, and possible termination of rights to the commercial lot inspected.

8.5 Licensees are responsible for scheduling all necessary inspections promptly and in accordance with the schedule set by the Nipissing First Nation Lands Staff or delegate.

8.6 Licensees must ensure that all required building, plumbing, HVAC, and other relevant inspections are completed as outlined in the Building Permit Process. This includes, but is not limited to, inspections for footings, foundations, structural framing, fire separations, vapor barriers, insulation, fireplaces, gas appliances, chimneys, storm and sanitary sewers, water services, and mechanical systems.

8.7 Licensees must close all permits by scheduling a final inspection upon the completion of their project, ensuring compliance with all required standards and regulations.

9. GRANTING OF LICENCE

9.1 Any licence issued under this Law may be cancelled by the Nipissing First Nation Economic Development Officer at any time upon the request of the Licencee.

9.2 Every licence issued under this Law shall be valid for a period of twelve (12) months unless specified otherwise.

9.3 Every licence shall expire on the date set out in the licence unless it is renewed in accordance with the provisions of this Law. If no expiration is indicated on the licence, the licence will expire 12 months after the date of issuance.

9.4 Any Licencee shall carry on business in Nipissing First Nation in the name which is set out on the licence and shall not promote, advertise, or carry out business in Nipissing First Nation in any other name unless the Licencee has first notified the Nipissing First Nation Economic Development Officer and complied with this Law.

9.5 The Nipissing First Nation Economic Development Officer shall, on behalf of the Business Licensing Committee, sign all licences approved by Nipissing First Nation chief and council Law, and their signature may be printed or mechanically reproduced upon each licence issued.

9.6 No person shall enjoy a vested right in the continuance of a licence, and upon the suspension or revocation, the licence, which is the property of Nipissing First Nation, shall be returned to Nipissing Nation.

9.7 Every licence is valid only in respect of the person and the premises of the person named therein and for the nature of the business stated on the licence, and no licence may be sold, purchased, leased, mortgaged, charged, encumbered, assigned, pledged, transferred, or otherwise dealt without approval from Nipissing First Nation.

10. TERMS AND CONDITIONS

10.1 Notwithstanding any other provisions of this Law, the Economic Development Officer may issue, renew, or continue a licence subject to such terms and conditions, including special conditions as are

necessary to give effect to this Law.

10.2 It shall be a condition of every licence that the Licencee shall, in carrying on the business:

- (a) Comply with the provisions of this Law and ensure such compliance for every other person involved in the carrying on of such business.
- (b) Comply with Nipissing First Nation's Law, corrections, orders, policies, guidelines and all federal and provincial laws and regulations unless otherwise specified.
- (c) Abide by any moratoriums, regulations or any other limitation placed on a type of business, location of businesses, business practice, equipment, or impacts to the environment by the Business Licensing Committee or Council.
- (d) At all times, maintain and keep clean, safe, and in good condition and repair any vehicle, place, or premises for which a licence has been issued under this Law.
- (e) Not cause, tolerate, or permit a nuisance to arise in connection with the place or premises for which the licence was issued.
- (f) Not cause, tolerate, or permit light, noise, or disturbance on, in or connection with the place or premises for which a licence was issued, which is deemed to be unnecessary, unreasonable, or contrary to any Law. The Economic Development Officer may issue an order to cease or abate such disturbances. Failure to comply with any order or request issued by the Economic Development Officer, the Business Licensing Committee, or Council may result in suspension or termination of the business licence associated with the activity.
- (g) Not cause, tolerate, or permit any obstruction on any highway, sidewalk, lane, or public place in front of or adjoining the place or premises for which a licence was issued.

11. GROUNDS TO REFUSE TO GRANT OR RENEW A LICENCE OR TO REVOKE OR SUSPEND

11.1 The following are the grounds upon which a business licence may be refused, not renewed, revoked, or suspended by Nipissing First Nation Council:

- (a) A moratorium or regulation approved by Council prohibiting licence type, land use, or process related to the application.
- (b) The past or present conduct of the applicant or Licensee, or any partner (in the case of a partnership), or the conduct of officers, directors, employees, or agents (in the case of a corporation), provides reasonable grounds to believe the Licensee will not conduct business in accordance with the purpose set out in the licence. If complaints are received concerning the business, the business licence may be revoked at the sole discretion of the Economic Development Officer or Council.

(c) There are reasonable grounds to believe that any information or documents provided to the Economic Development Officer by or on behalf of the applicant or Licencee contains false or misleading information.

(d) The applicant or Licencee has failed to pay the fine or fines imposed by a Court arising from convictions for breach of a Law enacted by Nipissing First Nation Council or has failed to pay the fines for convictions under all applicable laws which are due and unpaid, or where a prohibition or other Court order made upon conviction has not been complied with.

(e) There are reasonable grounds to believe that the applicant or licencee or the business is being operated in contravention of any provincial, federal law, or Nipissing First Nation.

(f) There are reasonable grounds to believe that the applicant or Licencee does not meet or has failed to comply with the requirements of this Law, or any other Nipissing First Nation Law, or the business is carried on or intended to be carried on in a location on Nipissing First Nation where such business is prohibited by this Law or in any other Nipissing First Nation laws from being carried on, or in respect of which the issuing of a Licence in respect of the business is not permitted by this Law.

(g) There are reasonable grounds to believe that the building, premises or place or part thereof in which the business is carried on or intended to be carried on is dangerous or unsafe.

(h) There are reasonable grounds to believe that the equipment, vehicles, building and other personal property used or kept for hire in connection with the carrying on of, or engaging in the business is a hazard.

(i) The application is not complete, or the fee payable in respect of the licence or renewal has not been paid.

(j) The applicant or Licencee has failed to comply with any condition, direction or order of the Economic Development Officer or failed to permit any investigation by the Nipissing First Nation

(k) Adverse comment or comments have been received by the Economic Development Officer, or from any other Nipissing First Nation Department or any of the agencies to which the application, renewal or request was circulated.

(l) Any of Part 8 terms and conditions are breached.

(m) The business is deemed not to be in the best interest of the members of the Nipissing First Nation determined at the sole discretion of Nipissing First Nation Council.

11.2 Written notice with grounds of Nipissing First Nation Council's decision will be given in accordance with Section 22 to the applicant or Licencee.

12. REFUSALS TO ISSUE OR RENEW - SUSPEND OR REVOKE

12.1 The applicant or Licencee is entitled to a rehearing before Council where the decision of the Council is to refuse, or not renew a licence or to suspend or revoke a licence, if new or additional information is available and the applicant wishes to resubmit the application for reconsideration with that additional information.

12.2 To obtain a rehearing before the Council, the applicant or Licencee shall, within thirty (30) days from the date contained within the notice from the Economic Development Officer, file a written request for a hearing with Council, together with the reasons for requesting the rehearing, which request shall include any change of address for receipt of the notice of hearing from that specified in the application or licence.

12.3 The Economic Development Officer, upon receipt of a written request from the applicant or Licencee within the time limit specified in this part, shall schedule a rehearing before Council and send written notice of the rehearing to the parties, which notice may be personally delivered or sent via electronic means or sent by regular or registered mail, to the address in the application unless the request for a hearing specifies a different address.

12.4 Any hearing required by the Council under this Law shall be held pursuant to the procedures for Council of the Nipissing First Nation, as amended.

12.5 If the applicant or Licencee does not request a rehearing within thirty (30) days, the decision of Council is final.

12.6 An applicant or Licencee is also entitled to a hearing by the Council regarding a term or condition imposed on the licence if the applicant or Licencee delivers to the Economic Development Officer within thirty (30) days of the notice of the term or condition to be imposed, a written request for a hearing setting out the implicated term or condition and the reason for the request for the hearing in which case the procedural provisions of this part apply. The Licencee may be required to provide additional information.

12.7 If the licence is suspended or revoked the Economic Development Officer will notify the membership via digital or other means of communication.

13. DIRECTIONS TO COMPLY

13.1 Where Economic Development Officer finds that any provision of this Law has been violated, they may issue a directive to the person believed to be in violation, instructing them to comply with the provision. The directive may require immediate compliance or specify a timeframe for compliance as determined by the Economic Development Officer.

14. GENERAL BUSINESS LICENCE PROHIBITIONS

14.1 No person shall claim to be licensed under this Law unless the person is so licenced.

14.2 No person shall operate or permit to be operated any vehicle as a business which is not licenced pursuant to this Law if required.

14.3 No person shall operate or permit to be operated any vehicle as a business which does not have affixed to it in a manner approved by the Economic Development Officer a current valid licence.

14.4 No person licenced to carry on business under this Law shall advertise, promote, or carry on such business under any name other than the name endorsed upon the licence.

14.5 No person licenced under the provision of this Law shall fail to maintain, on a continuous basis, the conditions or requirements which were necessary to obtain the original approval of the licence application or have been imposed since the issuance of the licence.

14.6 No person shall fail to keep records required to be kept under any provision of this law.

15. CHANGES TO INFORMATION

15.1 Every Licencee shall notify the Economic Development department within five (5) business days in the event of:

- (a) Any change in the Licencee's business address.
- (b) Change of location, change in business name; or
- (c) Any change to any other information related to the licence.
- (d) Any material or material change to the business type, service, products, or processes.
- (e) Any material changes to the site plan, environment, or structures.

15.2 Where the Licencee is a corporation the Licencee shall notify the Economic Development Officer and or delegate within 7 days of any change in the names and addresses of the officers and directors, the location of the corporate head office or if a partnership any change in the name and address of any partner.

16. DISPLAY AND PRODUCTION OF LICENCE

16.1 Every person who obtains a licence under this Law will keep their licence posted up in some conspicuous place on the premises in respect of which the licence is issued, and every person so licenced shall, when requested, produce the licence for inspection.

16.2 Where the Licencee does not have the licence on the premises, the Licencee shall immediately produce the licence upon being requested by the Economic Development Officer or their authorized representative.

17. EXEMPTIONS

17.1 Notwithstanding any other provisions of this Law, vendors selling products or merchandise at traditional ceremonies, pow wows, feasts, community fundraising events, or carnivals sanctioned by the Council are exempt from the requirement to obtain a business licence for those specific events.

18. PENALTIES

18.1 Any person who violates any provision of this Law, including any director or officer of a corporation who agrees to the corporation's violation, is guilty of an offence. Upon conviction, they are liable to a fine as specified in Schedule 1 of this Law, along with all enforcement costs. Each day a business operates in violation of this Law will be considered a separate and individual offence.

18.2 The penalties or fines for every person who contravenes this law are set out in the Schedule 1 to this law and may be amended from time to time by the Nipissing First Nation Council at their discretion.

18.3 Where a corporation is convicted of an offence under the provisions of this law is liable to a fine not exceeding an amount as set out in Schedule 1.

19. INTERPRETATION

19.1 In this law, unless the context otherwise requires, words importing the singular number shall include the plural, and words importing the masculine gender shall include the feminine or other and vice versa.

20. NOTICE

20.1 Any notice required by this law to be given to the applicant or Licencee may be given unless otherwise provided in this Law:

- (a) By mailing a copy of the notice by prepaid ordinary mail post addressed to the address of the applicant or Licencee, as the case may be, listed on the most recent application for a licence.
- (b) By delivering a copy of the notice personally to the applicant or Licencee.
- (c) By leaving a copy of the notice at the address of the applicant or the Licencee as listed on the most recent application for a licence; or

- (d) By leaving a copy of the notice at the business address of the applicant or Licencee.
- (e) By electronic email or other means deemed reasonable by the Economic Development Officer.

20.2 Any notice served by prepaid ordinary mail shall be deemed to have been received by the Applicant or Licencee on the fifth day following mailing.

21. SEVERABILITY

21.1 If a Court of competent jurisdiction declares any section or part of this Law invalid, the remainder of the Law shall continue to be in effect.

22. BUSINESS LICENCE FEES

22. The Licencee shall be responsible for the payment of all Business Licensing and Renewal Fees as set forth in Schedule 2 of this Law. Failure to pay these fees may result in the denial or revocation of the Business Licence.

23. CANVASSERS

23.1 No business defined under this Law as a Canvasser shall commence business without first obtaining a temporary licence from the Nipissing First Nation Economic Development Officer.

23.2 Every canvasser shall carry a copy of their licence on their person while engaged in door-to-door activities. If no permanent business location is present, the licence must be readily available and shown upon request during the canvassing process.

23.3 Canvassing shall be conducted only between the hours of 9:00 AM and 7:00 PM, unless otherwise approved by the Nipissing First Nation Economic Development Officer.

23.4 Canvassers shall not engage in any of the following practices:

- Misleading or false advertising.
- Coercive or aggressive sales tactics.
- Harassment of residents or refusal to leave when requested.
- Collecting personal information without consent.

23.5 Any person who has a complaint against a canvasser may submit a written complaint to the Nipissing First Nation Economic Development Officer, who will investigate the matter and take appropriate action as necessary.

23.6 The fee for a temporary canvassing licence can be found in SCHEDULE B – Applicable Fees

24. SPECIAL EVENTS

- 24.1 A request to host a special event or social such as anniversaries, stag and doe, weddings, and fundraisers must be in writing to Nipissing First Nation Council who may approve the special event or social
- 24.2 A request to host a special event or social must be provided to Council in writing prior to applying for a permit through the Liquor Control Board of Ontario (LCBO).
- 24.3 All business-related structures shall meet or exceed any applicable building code.

25. SALE OF FIREWORKS

- 25.1 No business shall commence the storage or sale of fireworks on Nipissing Nation land unless authorized under licence.
- 25.2 An application for the Sale of Fireworks Licence, or renewal of such licence, shall be completed on the forms provided by the Economic Development Officer.
- 25.3 All new licence applications filed under this law will require the approval of the Fire Chief or designate subject to inspection and written confirmation being provided to the Economic Development Officer.
- 25.4 A completed application for the Sale of Fireworks Licence, or renewal of such licence shall be delivered to the Nipissing First Nation Economic Development Officer and shall be accompanied by:
- (a) A copy of Certificate of Insurance for \$5,000,000 with Nipissing Nation to be added as additional named insured.
 - (b) The approval from Nipissing First Nation Business Licensing Committee allowing the Sale of Fireworks for the proposed location.
 - (c) A letter from the owner of the property where the Sale of Fireworks will commence providing written permission to allow the Sale of Fireworks on the premises.

26. FOR PROFIT EVENT

- 26.1 No person shall hold a for-profit-event without first obtaining a licence from the Economic Development Officer.
- 26.2 No person shall hold, operate, or conduct a For Profit Event on Nipissing First Nation land unless such person has, at least thirty (30) days prior to the start date of the event, complied with all the provisions of this law and obtained a licence from the Economic Development Officer.

26.3 No person shall permit any land or building owned by that person to be used for a For Profit Event unless a licence has been issued in accordance with the terms of this law.

26.4 An application for a For Profit Event licence shall be accompanied by the following:

(a) A letter from the Anishinabek Police Chief or designate indicating that adequate police protection will be provided for the For-Profit Event.

(b) A formal written agreement must be prepared that indemnifies and holds Nipissing First Nation harmless from any liabilities or claims. This agreement must be approved by the Nipissing First Nation solicitor.

(c) A formal written agreement signed by the applicant, owner or operator of the For-Profit Event and the owner of the land or buildings, that the land and buildings will be put back to their original condition or to the satisfaction of the Economic Development Officer after the For-Profit Event, a refundable bond may be considered by the parties.

(d) A copy of an insurance policy in the amount of \$5,000,000 naming Nipissing First Nation as an insured for loss or damage resulting from bodily injury to, or the death of one or more persons, and for loss or damage to property arising out of the activity or event to which the licence relates.

(e) A plan showing the provision of sanitary and lavatory facilities as well as drainage and water facilities, together with a letter from the Lawrence Commanda Health Centre, approving the plan and also certifying that all matters under their authority have been satisfied; this plan must be in the public interest as determined by Nipissing First Nation. This plan shall be attached to the licence and can be considered a condition of the licence.

(f) A consent signed by the applicant, the owner or operator of the For Profit Event and the owner of the land or buildings, and any other person deemed necessary by the Economic Development Officer to permit the police, any peace officer, any sheriff and any provincial offence officer, and law enforcement officer or any person authorized by the Nipissing First Nation Enforcement Officer, to attend the For-profit Event, without charge, for the purpose of making sure this law is complied with and that the public interest and public peace are being maintained.

27. SALE OF TOBACCO AND NICOTINE

27.1 No business defined under this law shall commence in the retail, wholesale and/or manufacturing of tobacco and/or tobacco products without first obtaining a licence under this law and complying with all policies of the Nipissing First Nation including the Tobacco and Nicotine Advertising Policy and applicable federal, provincial, and First Nation Laws unless otherwise specified in regard to the retail, wholesale and or manufacturing of tobacco and nicotine products.

28. SALE OF CANNABIS

28.1 No business defined under this law shall engage in the retail, wholesale, and/or cultivation of cannabis and/or cannabis products without obtaining a valid licence under this law. Furthermore, all operations must adhere to the regulations set forth in the Nipissing First Nation Cannabis Law along with all other applicable federal, provincial and First Nation laws.

29. SALE OF FUEL

29.1 No business defined under this law shall commence in the retail, wholesale and/or manufacturing of fuel products without first obtaining a licence under this law and comply with all policies of the Nipissing First Nation including all applicable federal, provincial, and First Nation NFN laws unless otherwise specified.

29.2 Nipissing First Nation will not accept new applications from businesses that intend to use underground tanks for the sale of fuel.

30. SHORT TERM RENTALS

30.1 No business shall commence in the rental of short-term accommodation units, bed and breakfast businesses or “Airbnb’s” without first obtaining a licence under this Law. All Short-term rental units must adhere to any Nipissing Nations Short-term Rental Law and all applicable federal, provincial or First Nation laws.

Revised as per recommendations from Solicitor – November 15th, 2007
Additional Revisions by Economic Development Committee August 2010
Additional Revisions by Business Licensing Committee May 2024

THIS LAW IS HEREBY enacted and passed at a duly convened meeting of Nipissing First Nation Council,
this ____ day of _____.

Chief Cathy Stevens



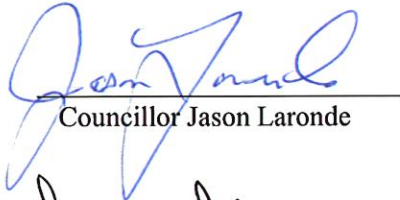
Deputy Chief Brian Couchie



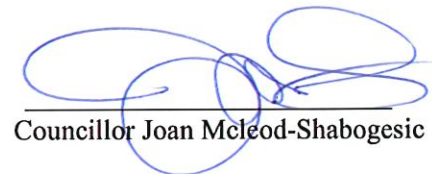
Councillor Yvette Bellefeuille



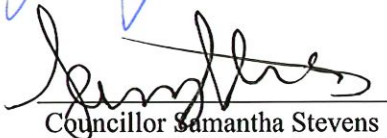
Councillor Priscilla Goulais



Councillor Jason Laronde



Councillor Joan McLeod-Shabogesic



Councillor Samantha Stevens



Councillor Eric (Rick) Stevens

Being a majority of those of the Council being present at the aforesaid meeting of Council.

The quorum of Council is five members. Number of Council present at the meeting ____.

SCHEDULE 1: Penalties

- **1st Offense**
Not to exceed \$1,000
- **2nd Offense**
Not to exceed \$5,000
- **3rd Offense**
Not to exceed \$10,000, revocation of licence

SCHEDULE 2: Applicable Fees

- 1st Business Licence Application
No cost
- Subsequent Business Licence Applications
\$100
- Business Licence Renewal
\$250
- Canvassing Licence
\$50/per day

