

Auctioneer ONLINE Licence Instructions

**** A new online process for business licensing applications and renewals** has been implemented.

The online application process and form is available on the City website

<https://www.brampton.ca/EN/Business/Licensing/Pages/Stationary-Licence-Requirements.aspx>

Requests for licences and renewals will only be accepted through the online application process.**



Requirements for obtaining the above licence:

- 1. Licence Application Form
Business and owner information to be entered online.

- 2. Certificate of Insurance
The insurance form must be completed and signed by your insurer showing evidence of \$2,000,000 (minimum) Commercial General Liability. It is the business owner's responsibility for uploading the insurance certificate on the online application form.

- 3. Criminal Record Search
Security clearance issued within the last 30 days by the Police Services in the jurisdiction in which the Applicant resides.

- 4. Fee: \$207.00 **Once your application is reviewed, a link to the payment option will be sent to the email provided on application.

- Expiry Date – May 31st of each year.

Once your application has been reviewed and approved your payment will be processed and your licence will be mailed out.

**SCHEDULE 2 TO THE STATIONARY BUSINESS LICENSING BY-LAW
RELATING TO**

AUCTIONEERS

1. In this Schedule:
“Auction” means a publicly held sale where goods are sold to the highest bidder;
“Auctioneer” means a Person or Individual who sells or offers for sale goods, wares, merchandise or effects or livestock by public auction.
2. A Person or Individual shall not carry on the business, trade or occupation of an Auctioneer without a Licence.
3. This Schedule does not apply to:
 - (a) A sheriff or bailiff offering for sale goods or chattels seized on execution or distrained for rent;
 - (b) An auction of unclaimed or surplus property held by or on behalf of Peel Police Services, the Region of Peel or the City of Brampton;
 - (c) A municipal tax sale held pursuant to the *Municipal Act, 2001* or any successor legislation thereto;
 - (d) Any person holding a licence under the *Livestock Community Sales Act*, R.S.O. 1990, c. L.22, as amended for the sale of pure-bred livestock
 - (e) A person conducting an auction on behalf of a service club or similar organization to raise money for charitable purposes; or
 - (f) A person registered under the *Real Estate and Business Brokers Act, 2002*, S.O. 2002, c.30 who is selling real estate by public auction.
4. A completed Application for a Licence or at the discretion of the Licence Issuer for a Licence renewal shall be accompanied by a security clearance issued to the Applicant within the last 30 days by the Police Services in whose jurisdiction the Applicant resides.
5. A Licence shall not be issued if at any time within three years prior to the Application the Person or Individual has been convicted of any offence relating to fraudulent practices, stolen goods, theft or burglary under the *Criminal Code*, R.S.C. 1985, c. C-46.
6. Every Person or Individual licensed as an Auctioneer under this Schedule shall:
 - (a) Prominently display his or her name and business address at the place of each Auction;
 - (b) Include his or her name, and business address in all public advertisements of any nature;
 - (c) Maintain and keep proper records showing:
 - (i) the names and addresses of the owners of the goods auctioned;
 - (ii) a description of the goods and the price at which they were sold;
 - (iii) the amount of any commission or fee;
 - (iv) the names and addresses of the purchasers; and
 - (v) the date of payment and amounts paid to the owners for the goods sold, or the date of return of unsold goods to the owners;
 - (d) Inform the purchasers and sellers that their personal information set out in subsection 6.(c) is being collected and that the personal information will only be used if necessary for law enforcement purposes;
 - (e) Ensure that the records set out in subsection 6.(c) are maintained for a period of 2 years;
 - (f) Upon request by the Licence Issuer or anyone else charged with inspection or enforcement powers under this By-law, present the required records for inspection, and permit them to remove specific entries from the register required for use in any Court or other law enforcement proceedings.
7. No Person or Individual licensed as an Auctioneer under this Schedule shall:
 - (a) Permit any disorder in the place of the Auction;
 - (b) Conduct or permit to be conducted any mock Auction;
 - (c) Knowingly make or permit to be made any misrepresentation as to the nature, content, quantity or value of any goods, wares, merchandise or effects which may be offered for sale by them;
 - (d) Give away articles or sell for nominal amounts for the purpose of stimulating bidding;
 - (e) Do any act that is calculated to or which may reasonably be expected to have the effect of confusing a purchaser as to the amount to be paid for any article or articles;
 - (f) Avail themselves of the services of, or act in concert with, persons known in the trade as “beaters”, “boosters”, or “shills” for the purpose of raising or stimulating bids;
 - (g) Sell or put up for sale by Auction, any goods, wares, merchandise or effects on a reserve-bid basis without first having announced clearly to those in attendance at the Auction the fact of such reserve bid;
 - (h) Give a false statement to the owner or to a purchaser as to a sale.