

Title

KAHNAWÁ:KE HAWKERS & PEDDLERS LAW

K.R.L. c. H-1

[Enacted by Kahnawá:ke By-Law No. 52, on 14 Kentenhkó:wa/November 1953]
[Repealed & Replaced by MCR # 11/1996-97 on 6 Onerahtohkó:wa/May 1995]

Preamble

WHEREAS this Mohawk Law was enacted by the Mohawk Council of Kahnawá:ke pursuant to MCR No. 11/1996-97 passed at a duly convened meeting on Monday, May 6, 1996, and Kahnawá:ke By-Law No. 52, enacted November 14, 1953, is hereby repealed and replaced with this Law ; and,

SECTION I

"Definitions"

1. DEFINITIONS

- 1.1 For the purposes of this Mohawk Law, a "hawker and peddler" is any person who does not have a permanent business establishment within the Mohawk Territory of Kahnawá:ke (the "Territory") and who wishes to enter into the Territory on a short-term or temporary basis for the purpose of soliciting orders for the purchase or sale of wares, merchandise or services. "Hawker and peddler" does not include a person who enters into the Territory to deliver wares or merchandise or to perform services that have been pre-arranged or pre-paid with or by a Mohawk of Kahnawá:ke.

SECTION II

"Permit Requirement"

2. PERMIT REQUIREMENT

- 2.1 No hawker, peddler shall carry on business within the Mohawk Territory of Kahnawá:ke without first:
- a) applying for a permit by completing an application in the form provided in the attached Schedule "A";
 - b) paying in full the appropriate fee as provided in the attached Schedule "B";
 - c) being issued a permit by the Mohawk Council of Kahnawá:ke, in the form provided in the attached Schedule "C".
- 2.2 A copy of this Law shall be given to any person applying for a permit under this Law.

- 2.3 Any hawker, peddler or other person issued a permit under this Law shall, at all times, conduct themselves in a professional and respectful manner and should, whenever possible, pre-arrange appointments with the persons with whom, or businesses with which, they wish to discuss a business transaction.
- 2.4 By issuing a permit under this Mohawk Law, the Mohawk Council of Kahnawá:ke does not, and shall not be deemed, to endorse the holder of the permit or the wares, merchandise and/or services the holder may sell or offer for sale.
- 2.5 In the event the Mohawk Council of Kahnawá:ke receives a complaint or complaints concerning the manner in which the holder of a permit under this Law is conducting themselves, the Mohawk Council of Kahnawá:ke may, in its sole discretion, revoke the permit in question. In the event of revocation, the permit fee paid by the permit holder is forfeited.

"Application"

3. **APPLICATION**

- 3.1 Mohawks of Kahnawá:ke are exempt from the application of this Law.

"Display of Permit"

4. **DISPLAY OF PERMIT**

- 4.1 Any hawker, peddler or other person issued a permit under this Law shall, at all times, display the permit in plain view in a conspicuous place in or on his or her vehicle, if operating a vehicle, or carry the permit on his or her person if on foot and, in any event, shall produce the permit whenever requested to do so by any Kahnawá:ke Peacekeeper, inspector, person authorized by the Mohawk Council of Kahnawá:ke or person with whom the permit holder has business dealings.

SECTION III

"Penalties"

5. **PENALTIES**

- 5.1 Any person who violates any provision of this Law shall be guilty of an offence and liable upon summary conviction to a fine not exceeding one thousand (1,000.00) dollars or imprisonment for a term not exceeding thirty (30) days, or to both fine and imprisonment, and court costs.