

CORPORATION OF THE MUNICIPALITY OF SOUTH HURON

BY-LAW # 62- 2004

“Being a By-law to provide an exemption from the Retail Business Holidays Act R.S.O. 1990 for retail business establishments in the Municipality of South Huron.”

WHEREAS the Retail Business Holidays Act R.S.O. 1990, CHAPTER 30, Section 4 provides that council of a municipality may by by-law permit retail business establishments in the municipality to be open on holidays for the maintenance or development of tourism on the condition that there is compliance with the tourism criteria set out in Regulations made under Section 4; and further that subject to the Regulations made under Section 4, council shall consider a by-law only on the application of one or more persons carrying on retail business in the municipality or on the application of an association, whether or not incorporated, representing persons carrying on retail business in the municipality;

AND WHEREAS the Retail Business Holidays Act R.S.O. 1990, CHAPTER 30, Section 4.1 provides that a by-law under Section 4 may apply to one or more retail business establishments, may apply to all of the municipality, and may permit the opening of retail business establishments on some holidays and not on others;

AND WHEREAS Ontario Regulation 711/91 Section 2 sets out the Tourism Criteria that must be met before a municipality may pass an exempting by-law under subsection 4 of the Act;

AND WHEREAS an application was made by persons carrying on retail business in the former Town of Exeter, and By-law #17-2000 of the former Town of Exeter was passed;

AND WHEREAS Council of the Corporation of the Municipality of South Huron deems it expedient to continue the former Town of Exeter exemption to provisions of the Retail Business Holidays Act and to have the exemption apply across the municipality;

AND WHEREAS Council of the Corporation of the Municipality of South Huron has held a public meeting in respect of this proposed by-law, notice for which was published in a newspaper having general circulation in the municipality and persons attending that public meeting were provided an opportunity to make representations in respect of the proposed by-law;

NOW THEREFORE, Council of the Corporation of the Municipality of South Huron enacts as follows:

1. Definitions:
 - a. That “holiday” means New Year’s Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day, Easter Sunday, and any other public holiday declared by proclamation of the Lieutenant Governor to be a holiday for the purpose of the Retail Business Holidays Act
 - b. “municipality” means The Corporation of the Municipality of South Huron.
 - c. “retail business” means the selling or offering for sale of goods or services by retail.
 - d. “retail business establishment” means the premises where a retail business is carried on.

2. That the entire Municipality of South Huron has met the Tourism Criteria set out in Ontario Regulation 711/91.
3. That all Retail Businesses in the municipality may open for business on the following holidays:
 - a. Victoria Day
 - b. Canada Day
 - c. Labour Day

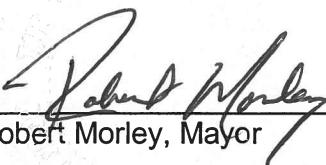
This by-law comes into force on the thirty-first (31st.) day after it is passed and rescinds and replaces By-law #17-2000 of the former Town of Exeter.

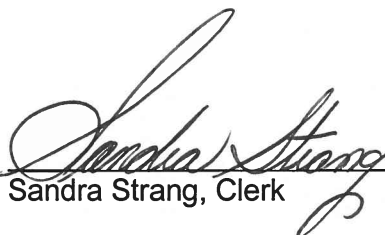
Read a First and Second Time

November 15, 2004

Read a Third Time and Finally Passed

November 15, 2004


Robert Morley, Mayor


Sandra Strang, Clerk