

THE CORPORATION OF THE CITY OF PEMBROKE

BY- LAW 2000 - 10

BEING A BY- LAW TO AUTHORIZE RETAIL BUSINESS ESTABLISHMENTS TO OPEN ON CERTAIN SPECIFIED HOLIDAYS.

WHEREAS Section 4 of the *Retail Business Holidays Act*, R.S.O. 1990, Chapter R.30, as amended provides that the 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;

AND WHEREAS Section 4 (6) of the *Retail Business Holidays Act* requires the Council to hold a public meeting in respect to the proposed by- law under Section 4(1);

AND WHEREAS Pembroke City Council has advertised at least thirty (30) days before the meeting and has held a public meeting in compliance with the said Act;

AND WHEREAS the City of Pembroke has many historical attraction, educational attractions, cultural attractions, natural and outdoor recreational attractions;

AND WHEREAS the Pembroke City Council deems it expedient to pass a by- law pursuant to the *Retail Business Holidays Act* to permit all retail business establishments to open on certain specified holidays, namely Victoria Day, Canada Day, Labour Day and the day proclaimed as a civic holiday, within the City of Pembroke;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF PEMBROKE ENACTS AS FOLLOWS:

1. Definitions

(a) Holiday shall mean:

- (i) New Years Day,
- (ii) Good Friday,
- (iii) Easter Sunday,
- (iv) Victoria Day,
- (v) Canada Day,
- (vi) Labour Day,
- (vii) Thanksgiving Day,
- (viii) Christmas Day, and
- (ix) Any other public holiday declared by proclamation of the Lieutenant Governor to be a holiday for the purposes of this By- law.

(b) Owner shall mean any person, persons or corporation who owns or manages a retail business establishment.

(c) Retail Business shall mean the selling or offering for sale of goods or services by retail.

(d) Retail Business Establishment shall mean the premises where a retail business is carried on.

(e) Year shall mean a calendar year commencing January 1st and ending December 31st.

2. The Owner of a retail business establishment within the limits of the City of Pembroke may open the establishment for retail business during the following holidays and hours specified:

(a) Victoria Day, Canada Day, Labour Day and the day proclaimed as a Civic Holiday from 9:00 a.m. until 9:00 p.m.

3. Notwithstanding the provisions of this by-law the said shops shall close from 10:30 a.m. until 12:00 noon on the 11th day of November in each year.

4. Every Owner who contravenes this By-law is guilty of an offence and on conviction is liable to a fine of not more than the greater of:

(a) \$50,000, or

(b) The gross sales in the retail business establishment on the holiday on which the contravention occurred.

5. By-law 72-72, as amended by By-law 94-72 and 99-61 of the Corporation of the City of Pembroke shall be and the same is hereby repealed.

6. This by-law shall come into force and take effect on the day of its final passage subject to an appeal to the Ontario Municipal Board within thirty (30) days of final passage.

READ A FIRST AND SECOND TIME this 21st day of MARCH , 2000.

Chief Administrative Officer

Mayor

READ A THIRD TIME AND PASSED this 21st day of MARCH , 2000.

Chief Administrative Officer

Mayor