

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW 2006 - 034

A BY-LAW TO PERMIT RETAIL BUSINESS ESTABLISHMENTS IN THE CITY OF KAWARTHA LAKES TO BE OPEN ON CERTAIN HOLIDAYS

Recitals

1. The *Retail Business Holidays Act* authorizes municipal councils to pass by-laws to permit retail business establishments to be open on holidays for the maintenance or development of tourism.
2. City Council has received an application from an organization representing a person carrying on retail business in the municipality for such a by-law.
3. The area within the City's boundaries complies with the tourism criteria set out in the regulation made under the *Retail Business Holidays Act*.
4. City Council has complied with the requirements of section 4 of that Act with respect to notice, a public meeting and hearing representations.
5. City Council, having taken into account the principle that holidays should be maintained as common pause days, considers it advisable to permit retail business establishments throughout the City to open on certain holidays.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2006-034.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes;

“City Clerk” means the person appointed by Council to carry out the duties of the clerk described in section 228 of the *Municipal Act, 2001*;

“City Council” means the Council of the City of Kawartha Lakes;

“holiday” means,

- (a) New Year's Day,
- (b) Good Friday,
- (c) Victoria Day,
- (d) Canada Day,
- (e) Labour Day,
- (f) Thanksgiving Day,
- (g) Christmas Day,
- (h) Easter Sunday, and
- (i) any other public holiday declared by proclamation of the Lieutenant Governor to be a holiday for the purposes of this Act; and

“retail business establishment” means the premises where a retail business is carried on.

1.02 Interpretation: This by-law applies to the entire area within the geographic boundaries of the City.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Holidays

- 2.01 **Holidays:** Despite section 2 of the *Retail Business Holidays Act*, all retail business establishments may be open between 9:00 a.m. and 9:00 p.m. on the following holidays,
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 purposes of the *Retail Business Holidays Act*.

Section 3.00: General Provisions

- 3.01 **Administration:** The City Clerk is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This by-law comes into force thirty-one (31) days after it receives third reading and is passed.

By-law read a first, second and third time, and finally passed, this 28th day of February, 2006.

Mayor

Clerk