

THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY

BY-LAW NUMBER 2021-05-021

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Being a By-Law to Authorize Retail Business Establishments to Open on Certain Specified Holidays.

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WHEREAS pursuant to Section 1.2(1) of the Retail Business Holidays Act, R.S.O. 1990, c. R.30 (the "RBHA"), the RBHA does not apply to a municipality where a municipality has passed a bylaw providing that the RBHA does not apply to it;

AND WHEREAS pursuant to Section 1.2(2) of the Retail Business Holidays Act, R.S.O. 1990, c. R.30 (the "RBHA"), a by-law passed pursuant Section 1.2(1) of the RBHA does not take effect until the municipality passes a by-law under section 148 of the Municipal Act, 2001, S.O. 2001, c. 25 requiring that one or more classes of retail business establishments be closed on a holiday;

AND WHEREAS Section 148 of the Municipal Act, 2001, S.O. 2001, c. 25 authorizes a local municipality to pass a bylaw requiring that retail business establishments be closed to the public at any time;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF LAURENTIAN VALLEY ENACTS AS FOLLOWS:

DEFINITIONS

1. In this by-law:
  - (a) "Holiday" shall mean:
    - (i) New Year's Day
    - (ii) Family Day
    - (iii) Good Friday
    - (iv) Easter Sunday
    - (v) Victoria Day
    - (vi) Canada Day
    - (vii) Labour Day
    - (viii) Thanksgiving Day
    - (ix) Christmas Day, and
    - (x) Any other public holiday declared by proclamation of the Lieutenant Governor to be a holiday for the purposes of the RBHA.
  - (b) "Person" shall mean an individual, partnership, joint-venture, association, corporation or other legal entity;
  - (c) "RBHA" shall mean the the Retail Business Holidays Act, R.S.O. 1990, c. R.30, as amended.
  - (d) "Retail Business" shall mean a business selling or offering for sale of goods or services by retail but shall not include businesses exempted under Sections 3 and 4 of the RBHA, as amended.
  - (e) "Retail Business Establishment" shall mean the premises where a retail business is carried on.
  - (f) "Township" shall mean the Corporation of the Township of Laurentian Valley.

THE RBHA DOES NOT APPLY

2. The RBHA does not apply to any retail business establishment in the Township as of the effective date of this by-law.
3. All retail business establishments in the Township may remain open on a holiday unless prohibited to do so under this by-law.

CLOSURES

4. No person carrying on a retail business in a retail business establishment shall:
  - (a) sell or offer for sale any goods or services therein by retail; or
  - (b) admit members of the public to a retail business establishment on Christmas Day.

EMPLOYMENT STANDARDS ACT

5. Despite any provision of this bylaw, and for greater certainty, Part XVII of the Employment Standards Act, 2000, S.O. 2000, c. 41, as amended, still applies to all retail businesses and retail business establishments within the Township.

PENALTIES AND ENFORCEMENT

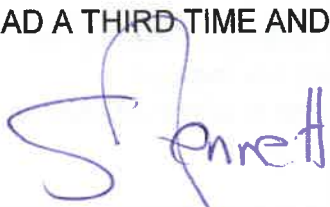
6. Any person who contravenes this by-law is guilty of an offence: and on conviction is liable to a fine of not more than the greater of:
  - (a) \$50,000, or
  - (b) The gross sales in the retail business establishment on the holiday on which the contravention occurred.
7. This by-law may be enforced by a municipal by-law officer or a police officer.

REPEAL AND ENACTMENT

8. By-Law 00-05-39, being a by-law to authorize retail business establishments to open on certain specified holidays, is hereby repealed
9. This by-law shall come into force and take effect on the date of final passing thereof.

READ A FIRST AND SECOND TIME THIS 18<sup>TH</sup> DAY OF MAY, 2021.

READ A THIRD TIME AND FINALLY PASSED THIS 18<sup>TH</sup> DAY OF MAY, 2021.



Steve Bennett, Mayor



Dean Sauriol, CAO/Clerk