

**THE CORPORATION OF THE TOWNSHIP OF
SMITH-ENNISMORE-LAKEFIELD**

BY-LAW NUMBER 2004-24

**BEING A BY-LAW TO EXEMPT CERTAIN RETAIL ESTABLISHMENTS
LOCATED IN THE TOWNSHIP OF SMITH-ENNISMORE-LAKEFIELD FROM
THE PROVISIONS OF THE RETAIL BUSINESS HOLIDAYS ACT
PURSUANT TO THE TOURISM CRITERIA**

WHEREAS the Retail Business Holidays Act, R.S.O., 1990 c. R.30, Section 4 (1) as amended, states that 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 Bill 115, the Retail Business Establishments Statute Law Amendments Act, 1991, upon its proclamation on December 1, 1991, repealed any municipal By-laws which were enacted under Section 4 of the Retail Business Holidays Act effective December 1, 1991, for By-laws passed after June 3, 1991 and effective December 1, 1992 for By-laws enacted prior to June 4, 1991; and

WHEREAS in accordance with Retail Business Holidays Act, R.S.O., 1990 c. R.30, Section 4 (6), a notice of the proposed enactment of the By-law was published in the Peterborough Examiner on February 19, 2004 and the Lakefield Herald on February 20, 2004, and a public meeting was held on March 23, 2004 to permit any person in attendance the opportunity to make representation in respect of the proposed By-law; and

WHEREAS the retail businesses as outlined in Schedule "A" to the this By-law have applied for an exemption to the Retail Business Holidays Act under Section 4 (1); and

WHEREAS the Council of the Township of Smith-Ennismore-Lakefield is satisfied that the retail businesses as outlined in Schedule "A" to this By-law comply with the Tourism Criteria pursuant to O. Reg. 711/91 and deems it essential that those retail businesses be exempt from the provisions of the Retail Business Holidays Act R.S.O., 1990 c. R.30, as amended, for the maintenance and development of tourism;

NOW THEREFORE the Council of the Corporation of Smith-Ennismore-Lakefield **HEREBY ENACTS AS FOLLOWS:**

1. That pursuant to the Retail Business Holidays Act, R.S.O., 1990 c. R.30, Section 4 (1), as amended, those retail businesses within the Township of Smith-Ennismore-Lakefield as outlined in Column 1 of Schedule "A" attached hereto and forming part of this By-law are hereby permitted to be open on the statutory holidays as outlined in Column 2 of Schedule "A" attached hereto and forming part of this By-law.
2. That any person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine pursuant to the Retail Business Holidays Act, R.S.O., 1990 c. R.30, Section 8.

3. That pursuant to the Retail Business Holidays Act, R.S.O., 1990 c. R.30, Section 4 (8), as amended, this By-law shall come into force on the thirty-first day after it is passed by the Council.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF MARCH, A.D., 2004.

Reeve
Ron Millen

Clerk
Janice Lavalley

Corporate Seal