

THE CORPORATION OF THE TOWN OF ESSEX

BY-LAW NO. 979

**BEING A BY-LAW TO PROVIDE FOR RETAIL BUSINESS
ESTABLISHMENTS TO BE OPEN ON CERTAIN HOLIDAYS
IN THE TOWN OF ESSEX**

WHEREAS Section 4 of the *Retail Business Holidays Act*, R.S.O. 1990, Chapter R.30, as amended, (the "Act") 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 the Essex BIA has applied to the Corporation of the Town of Essex to pass a bylaw permitting retail business establishments to remain open on certain holidays in the Town of Essex;

AND WHEREAS the tourism criteria established by the *Retail Business Holiday Act, Ontario Regulations 711/91* have been met;

AND WHEREAS it is deemed essential for the maintenance and development of tourism in the Town of Essex to permit retail businesses to open on certain holidays;

AND WHEREAS the Council of the Town of Essex have designated the Town of Essex a tourism area necessary for the maintenance or development of tourism of its natural, outdoor, recreational, historical, cultural, multicultural and educational attractions;

AND WHEREAS a public meeting in respect of the passing of this by-law was held on the 16th day of November, 2009.

AND WHEREAS the Council of the Town of Essex has taken into account the principle that holidays should be maintained as common pause days;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF ESSEX HEREBY ENACTS AS FOLLOWS:

1. **THAT** in this by-law:
 - (a) "Retail Business" means the selling or offering for sale of goods or services by retail.
 - (b) "Retail Business Establishment" means the premises where retail business is carried on.

2. **THAT** Retail Business Establishments in the Town of Essex are hereby granted an exemption to the *Retail Business Holidays Act* and may remain open on the following holidays: Family Day, Good Friday, Victoria Day, Canada Day, Labour Day and Thanksgiving Day, between the hours from 9:00 am to 6:00 pm.

3. **THAT** this by-law shall come into full force and effect in accordance with sub-section 4(8) of the *Retail Business Holidays Act*, R.S.O. 1990, Chapter R.30, on the 17th day of December, 2009, being the 31st day after the date upon which it is finally passed.

READ A FIRST, A SECOND AND A THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF NOVEMBER, 2009.

Mayor

Clerk/Deputy-Treasurer

DRAFT