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BY-LAW NO. 92- 16

OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD

WHEREAS under Subsection 4(1) of the *Retail Business Holidays Act* as amended, (hereinafter called the "Act"), a municipality may, despite Section 2 of the Act, permit retail business establishments to be open on any holiday or may require that retail business establishments be closed on a holiday;

AND WHEREAS the Town Council passed By-law No. 91-47 under the Act, exempting certain businesses from the provisions of that statute;

AND WHEREAS By-law No. 91-47 was repealed by virtue of the enactment of the *Retail Business Establishments Statute Law Amendment Act, 1991*;

AND WHEREAS applications have been received from those businesses described in Table I attached hereto requesting an exemption from the prohibition set out in section 2 of the Act for the locations at which each carries on business and which is outlined in Table I and forming part of this by-law;

AND WHEREAS the municipality held a public meeting on February 4, 1992, notice of which was published in the *Enterprise-Bulletin*, being a newspaper having general circulation in the municipality, and at which persons in attendance were given the opportunity to make representations in respect of the said applications;

AND WHEREAS the Municipal Council of the Town of Collingwood is satisfied that the tourism criteria as set out in the regulations of the Act have been met for the businesses so applying;

NOW THEREFORE the Municipal Council of the Town of Collingwood enacts as follows:

1. In this by-law:

(a) "Holiday" means,

- (i) New Year's Day;
- (ii) Good Friday;
- (iii) Victoria Day;

- (iv) Canada Day;
- (v) Labour Day;
- (vi) Thanksgiving Day;
- (vii) Christmas Day;
- (viii) the 26th day of December;
- (ix) Sunday; and
- (x) any other public holiday declared by proclamation of the Lieutenant Governor to be a holiday for the purposes of the Act.

- (b) "Retail Business" means the selling or offering for sale of goods or services by retail; and,
- (c) "Retail Business Establishment" means the premises where a retail business is carried on.

2. Despite Section 2 and pursuant to Section 4(1) of the Act, all retail business establishments identified in Table 1 may be open on a holiday at the locations indicated therein or such other locations as the same business may relocate to within the Town of Collingwood.

3(1). Notwithstanding paragraph 2 herein, 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 thereto,

on Christmas Day, New Year's Day, Good Friday or Easter Sunday.

4. The provisions of this by-law shall supersede the provisions of any other by-law passed under any other Act to the extent that such other provisions require the closing of a retail business establishment on a holiday.

5. Every person who carries on business in violation of this by-law shall be guilty of an offence and shall be liable upon conviction to a penalty of not more than the greater of:

- (a) \$50,000.00; or,
- (b) the gross sales in the retail business establishment on the holiday in respect of which the offence under this by-law occurred.


6. Every person who coerces, requires or counsels another person to contravene this by-law is guilty of an offence and on conviction is liable to a penalty of not more than the greater of:

- (a) \$50,000.00; or,
- (b) the gross sales in the retail business establishment on the holiday in respect of which the offence under this by-law occurred.


7. This by-law shall come into force and have effect on the thirty - first day from the passing thereof unless appealed to the Ontario Municipal Board pursuant to section 4.3 of the Act.

8. This by-law shall be administered and enforced by the Collingwood Police Force.

THAT this by-law be introduced, read a first and second time and referred to the Committee of the Whole for study this 6th day of February, 1992.




 RAY BARKER, Mayor




 GORDON NORRIS
 Deputy Clerk Administration

THAT this by-law having been studied in the Committee of the Whole be presented, read a third time, and finally passed this 6th day of February, 1992.



 RAY BARKER, Mayor



 GORDON NORRIS
 Deputy Clerk Administration

TABLE I

APPLICANT BUSINESS	ADDRESS	DESCRIPTION OF BUSINESS
Too Rad For Mom & Dad	510 First Street Collingwood, Ontario	Sporting Goods Retail Rental & Service Sporting Goods
Crystal's	124 Hurontario Street Collingwood, Ontario	Casual Clothing
Material Things	115 Hurontario Street, Suite 102 Collingwood, Ontario	Interior Decorating Gifts & Accessories Fabric
John Marks Jewelry	78 Hurontario Street Collingwood, Ontario	Jewelry
Heels 'N Toes	115 Hurontario Street Collingwood, Ontario	Shoes & Leather Accessories
Sally Stone Boutique	115 Hurontario Street Collingwood, Ontario	Ladies Clothing Apparel
C. & E. Electric	25 Balsam Street Collingwood, Ontario	Electrical Service
Balloon Expressions	227 Hurontario Street Collingwood, Ontario	Balloons, Costume Rentals, Frozen Yogurt
The Table Setting Ltd.	75 Hurontario Street Collingwood, Ontario	China Giftware
Petals, Flowers & Gifts	126 Hurontario Street Collingwood, Ontario	Flowers, Gifts, Antiques
From Our Hands, Inc.	203 Hurontario Street Collingwood, Ontario	Fine Art & Craft
Schuller Photography	116 Hurontario Street Collingwood, Ontario	Photographic retail store and studio with one hour photofinishing
Clerkson's Country	94 Pine Street Collingwood, Ontario	Antiques, Country Furniture
Allison Decorating	191 Hurontario Street Collingwood, Ontario	Retail & Trade Sales of Paint, Stain, Wallcoverings & Related Sundries
Mark's Work Wearhouse	191 Hurontario Street Collingwood, Ontario	Men's & Ladies Wear for Summer & Winter including Foul Weather Gear
Miss Mollies Country Crafts	202 Hurontario Street Collingwood, Ontario	Retail Sale of Crafts & Gifts Custom Made Gifts & Home Decorating Accessories, some craft supplies
91DISCS	134 Hurontario Street Collingwood, Ontario	Sale of Compact Discs, Cassettes & Accessories
The Cloth Shop	260 First Street Collingwood, Ontario	Retail Sale of Fabrics, Patterns and Sewing Supplies Craft Supplies
Blowouts	9 Hurontario Street Collingwood, Ontario	Clothing & Accessories for Men, Women & Children
The Ski Shop (of Collingwood)	560 First Street Collingwood, Ontario	Ski/Golf Equipment Sales, Service & Rentals
Closets And Things	124 Hurontario Street Collingwood, Ontario	Interior Design, Accessories & Giftware
Sports Connection	65 Hurontario Street Collingwood, Ontario	Retail Sporting Goods
Stoutenburg's Sport Shop Ltd.	134 Hurontario Street Collingwood, Ontario	Sporting Goods, Retail & Service
Malibu	159 First Street Collingwood, Ontario	Sale of Sporting Goods, Accessories, Sports Clothing, Antiques & Handcrafts
Dan's Sports Cards	166 Hurontario Street Collingwood, Ontario	Selling & Trading used and new sports cards and related products
Hwy 26 Market Inc.	101 Pretty River Parkway Collingwood, Ontario	Furniture and Home Decorating
Ed Christie's	93 Hurontario Street Collingwood, Ontario	Retail Ladies & Men's Apparel
Rural Roots	72 Pine Street, Ste. 2 Collingwood, Ontario	Local & Imported Handcrafts, Craft Supplies, make your own custom jewellery (Craft workshop for Youth)
West Face Mountain Bikes	175 First Street Collingwood, Ontario	Rental, Tours & Sales of Mountain Bikes
Inspirations	210 Hurontario Street Collingwood, Ontario	Card & Gift Shop (Souvenirs)