

(Consolidated Copy – Amendments 77 of 2000, 70 of 2002 and 134 of 2008)

BY-LAW NUMBER 24 OF 1992  
OF THE CITY OF SARNIA

“A By-Law to Permit Sunday and Holiday Openings”

WHEREAS the Retail Business Holidays Act, R.S.O. 1980, c.453, as amended, provides that Council of a municipality may by by-law permit retail business establishments to be open on any holiday as defined therein, for the maintenance or development of tourism;

AND WHEREAS Council has determined that the community of Sarnia and the businesses located therein are tourism-dependant and may be adversely affected by mandatory Sunday and holiday closure;

AND WHEREAS the sites listed on Schedule “A” attached hereto which forms part of this By-Law are tourist attractions within the meaning of the Regulations passed pursuant to the Retail Business Holidays Act;

AND WHEREAS the Retail Areas are all within two (2) kilometers of one or more of the tourist attractions listed on Schedule “A”, and at least 25% of the Retail Business Establishments in the Retail Areas are directly associated with the tourist attraction or rely on tourists visiting the attraction for business on a holiday;

AND WHEREAS Council, in determining the hours which Retail Business Establishments may be open for business on a holiday, has taken into account the principle that holidays should be maintained as common pause days;

AND WHEREAS the provisions of the Retail Business Holidays Act respecting the holding of a public meeting and the publication of notice thereof have been complied with;

NOW THEREFORE the Municipal Council of The Corporation of the City of Sarnia-Clearwater enacts as follows:

1. In this By-Law,
  - (a) **“Retail Area” means those parts of the City of Sarnia identified by Schedule “B” annexed hereto and forming part of this By-Law.**
  - (b) **“Retail Business” means the selling or offering for sale of goods or Services by retail;**

- (c) “Retail Business Establishment” means the premises where retail business is carried on;
- (d) “Open for Business” means permitting members of the public to be admitted to the premises, offering goods and services for sale by retail and/or selling goods or services by retail; and
- (e) **“Holiday” means,**
  - (i) *New Years Day;*
  - (ii) *Family Day;*
  - (iii) *Good Friday;*
  - (iv) *Victoria Day;*
  - (v) *Canada Day;*
  - (vi) *Labour Day;*
  - (vii) *Thanksgiving Day;*
  - (viii) *Christmas Day;*
  - (ix) *Easter Sunday; and*
  - (x) *Any other Public Holiday declared by proclamation of the Lieutenant Governor to be a holiday for purposes of the Act.*

B/L 134 of 2008

- 2. ***Retail Business Establishments located in a Retail Area are hereby granted an exemption and may be open for business on the following Holidays:***

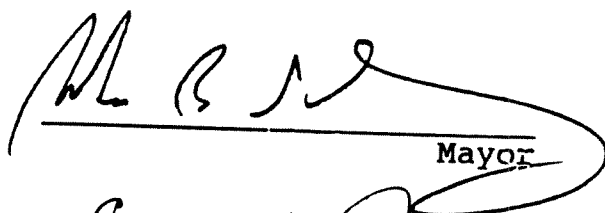
B/L 134 of 2008

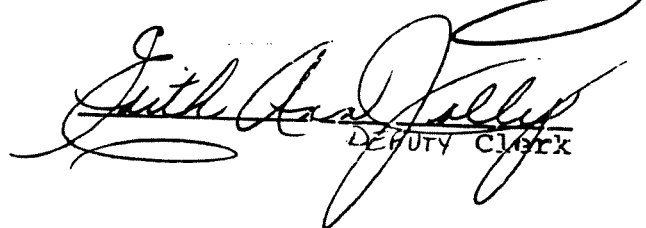
- (a) *Family Day;*
- (b) *Victoria Day; and*
- (c) *Labour Day.*

- 3. Where there is a conflict between the provisions of the Retail Business Holidays Act in force from time to time, or its successor, and the provisions of this By-Law, the provisions of any Provincial Legislation shall prevail.
- 4. Should any provision or provisions of the By-Law be illegal or unenforceable it or they shall be considered separate and severable from the By-Law and its remaining provisions shall remain in full force and effect as though the illegal or unenforceable provision or provisions had never been included.

5. This By-Law comes into force on the 31<sup>st</sup> day after the date upon which it is finally passed.

FINALLY PASSED this 17<sup>th</sup> day of February, 1992.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
DEPUTY CLERK

SCHEDULE "A"

1. *402 Golfland*
2. *Bluewater Fun Park*
3. *Bluewater Trails*
4. *Bright's Grove Golf*
5. *CN Train Tunnel*
6. *Canatara Park*
7. *Centennial Park*
8. *Gallery Lambton*
9. *Greenwood Golf Course Inc.*
10. *Greystone Golf Course*
11. *Hiawatha Horse Park*
12. *Holiday Inn Golf Club*
13. *Howard Watson Nature Trail Connection*
14. *Huron Oaks Golf Course*
15. *Lake Huron*
16. *Lawrence House*
17. *Public Beaches*
  - (a) *Blackwell Road*
  - (b) *Colborne Road*
  - (c) *Mike Weir Park*
  - (d) *Modeland Road*
  - (e) *Kathleen and Old Lakeshore Road*
18. *Sarnia Bay Marina*
19. *Sarnia Heritage Properties:*  
*The buildings identified in the Local Architectural Conservation Advisory Committee Inventory of Buildings of Architectural and Historical Significance as located on the map attached to this Schedule.*
20. *Sarnia Sports and Entertainment Centre*
21. *Sarnia Yacht Club*
22. *St. Clair River*
23. *Stones and Bones Museum*
21. *Tecumseh Park and Youth Centre*
22. *Wawanosh Wetlands*





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READINGS:

FIRST: FEBRUARY 17<sup>TH</sup> 1992

SECOND: FEBRUARY 17<sup>TH</sup> 1992

THIRD: FEBRUARY 17<sup>TH</sup> 1992

THE CORPORATION OF THE CITY  
OF SARINIA (DGM:df)  
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