

The Corporation of the Township of North Huron

By-law No. 48-2026

Being a By-law to provide an exemption from the Retail Business Holidays Act R.S.O. 1990 c.R.30 for retail business establishments in the Township of North Huron.

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The Corporation of the Township of North Huron

By-law No. 48-2026

Being a By-law to provide an exemption from the Retail Business Holidays Act R.S.O. 1990 c.R.30 for retail business establishments in the Township of North Huron

WHEREAS Section 2(1) of the Retail Business Holidays Act, R.S.O. 1990, c.R.30, as amended, (the "Act") provides that no person carrying on a retail business in a retail business establishment shall sell or offer for sale any goods or services therein by retail or admit members of the public thereto, on a holiday;

AND WHEREAS Section 1.2(1) of the Act provides that the Act does not apply to a municipality and does not apply in respect of any By-law of the municipality or any retail business establishment located in the municipality if there is in effect a By-law passed by the municipality providing that this Act does not apply to it;

AND WHEREAS a by-law under Section 1.2(1) of the Act does not take effect until the municipality passes a by-law under Section 148 of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, 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 the Council of The Township of North Huron to pass a by-law requiring that retail business establishments be closed to the public on a holiday;

NOW THEREFORE the Council of the Corporation of the Township of North Huron ENACTS as follows:

1. **Definitions:**

1.1. In this by-law:

- a. **"Holiday"** shall mean any holiday as defined by the Retail Business Holiday Act, as amended, including any other public holiday declared by proclamation of the Lieutenant Governor to be a holiday for the purpose of the Retail Business Holidays Act.
- b. **"Officer"** shall mean a Municipal By-law Enforcement Officer appointed by the Council of the Corporation of the Township of North Huron or a Police Officer with the Ontario Provincial Police.
- c. **"Retail Business"** shall mean the selling or offering for sale of goods or services by retail.
- d. **"Retail Business Establishment"** shall mean the premises where a Retail Business is carried on.
- e. **"Township"** shall mean The Corporation of the Township of North Huron.

2. **General:**

2.1. That the Retail Business Holidays Act does not apply to a retail business establishment in the Township as of the effective date of this by-law.

2.2. Retail business establishments in the Township may remain open on a holiday unless prohibited to do so under this by-law.

3. **Prohibition:**

3.1. 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 Good Friday, Easter Sunday, Christmas Day, and New Year's Day.

3.2. No person employed by or acting on behalf of a person carrying on a retail business in a retail business establishment shall engage in any prohibited activity listed in Section 3.1.

4. **Exemptions:**

Small Stores

4.1. Section 3 of this by-law does not apply in respect of the carrying on of a retail business where,

- a. the only goods available for sale by retail in the retail business establishment are:
 - (i) foodstuffs;
 - (ii) tobacco or articles required for the use of tobacco;
 - (iii) antiques; or
 - (iv) handicrafts,or any combination of them, or where the principal business is the sale of goods referred to in subclauses (i) to (iv), or any of them, by retail and no other goods are available for sale except as sundries; and
- b. the number of persons engaged in the service of the public in the establishment does not at any time exceed three; and
- c. the total area used for serving the public or for selling or displaying to the public in the establishment is less than 2,400 square feet.

Necessary Services

4.2. Section 3 of this by-law does not apply in respect of goods or services sold or offered for sale by retail in the form of or in connection with:

- a. prepared meals;
- b. living accommodation;
- c. laundromats and other coin-operated services;
- d. rentals of vehicles or boats; or
- e. servicing and repair of vehicles or boats.

Pharmacies

4.3. Section 3 of this by-law does not apply in respect of the carrying on of a retail business in a pharmacy accredited under the Drug and Pharmacies Regulation Act, where the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and no other goods are available for sale except as sundries.

Special Services

4.4. Section 3 of this by-law does not apply in respect of the carrying on of a retail business in a retail business establishment where the only goods available for sale by retail in the establishment are:

- a. gasoline and motor oil and, in conjunction therewith, other goods for consumption in the operation of a motor vehicle;
- b. nursery stock or flowers, and in conjunction therewith, accessory gardening supplies; or
- c. books, newspapers or periodicals provided that no other goods are available for sale except as sundries, the number of persons engaged in the service of the public in the establishment does not at any time exceed three and the total area used for serving the public or for selling or displaying to the public in the establishment is less than 2,400 square feet.

Art Galleries

4.5. Section 3 of this by-law does not apply in respect of the carrying on of the retail business of an art gallery where the number of persons engaged in the service of the public in the art gallery does not at any time exceed three and the total area used for serving the public or for selling or displaying to the public in the art gallery is less than 2,400 square feet.

Liquor

4.6. Section 3 of this by-law does not apply in respect of the sale or offering for sale of liquor, other than liquor sold at a retail store as defined in the Liquor Licence and Control Act, 2019.

Tourist Establishments

4.7. Section 3 of this by-law does not apply in respect of the sale or offering for sale of retail goods or services from tourist establishments or tourist attractions.

4.8. For the purpose of Section 4.7,

“tourist establishment” means any premise operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include,

- a. a camp operated by a charitable corporation approved under the Charitable Institutions Act;
- b. a summer camp within the meaning of the regulations made under the Health Protection and Promotion Act, or
- c. a club owned by its members and operated without profit or gain.

For the purpose of Section 4.7,

“tourist attraction” is limited to,

- d. natural attractions or outdoor recreational attractions;
- e. historical attractions; and
- f. cultural, multicultural or educational attractions.

Education, Recreation, Amusement

4.9. Section 3 of this by-law does not apply in respect of the admission of the public to premises for educational, recreational or amusement purposes or in respect of the sale or offering for sale of goods or services incidental thereto.

5. Application of the Employment Standards Act:

5.1. Despite any provision of this by-law, Part XVII of the Employment Standards Act, 2000, S.O. 2000, c. 41 applies to all retail business establishments in the Township.

6. Offences:

6.1. Every person who contravenes Section 3 of this by-law is guilty of an offence and on conviction is liable to a fine

7. Inspections:

7.1. An Officer, for the purpose of determining compliance with this by-law, may enter a retail business establishment to carry out an inspection and may:

- a. require the production for inspection of documents or things relevant to the inspection;
- b. inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts; and
- c. take photographs necessary for the purpose of the inspection.

8. Repeal and Enactment:

8.1. That By-law No. 5-2009 be hereby repealed.

8.2. That this by-law shall come into force and takes effect on the day of the final passing thereof.

Read a first and second time this 6th day of July, 2026.

Read a third time and passed this 6th day of July, 2026.

CORPORATE SEAL

Paul Heffer, Reeve

Carson Lamb, Clerk