

GENERAL

Chapter 304 CLOSING OF RETAIL BUSINESSES ON BOXING DAY

CHAPTER INDEX

Article 1 INTERPRETATION

- 304.1.1 Closed - defined
- 304.1.2 Person - defined
- 304.1.3 Premises - defined
- 304.1.4 Boxing Day - defined
- 304.1.5 Retail business - defined
- 304.1.6 Retail business establishment - defined

Article 2 CLOSURE TIMES

- 304.2.1 Closure of retail business establishments

Article 3 PROHIBITION

- 304.3.1 Prohibition - persons
- 304.3.2 Prohibition - employees

Article 4 EXEMPTIONS

- 304.4.1 Exemptions - retail business establishments

**Article 5
ENFORCEMENT**

304.5.1 Fine - for contravention - other

**Article 6
ENACTMENT**

304.6.1 Effective date

**Article 1
INTERPRETATION**

304.1.1 Closed - defined

“closed” means not open for the serving of any customer.

304.1.2 Person - defined

“person” means a natural person, a partnership, a body corporate and any association, and the heirs, executors, administrators, successors and assigns or other legal representatives thereof to whom the context may apply.

304.1.3 Premises - defined

“premises” means a building or part of a building or place where a person owns or operates a retail business establishment.

304.1.4 Boxing Day - defined

“Boxing Day” means December 26 in each year in the Gregorian calendar.

304.1.5 Retail business - defined

“retail business” means the selling or offering for sale of goods or services by retail.

304.1.6 Retail business establishment - defined

“retail business establishment” means the premises where goods or services are sold or offered for sale by retail.

**Article 2
CLOSURE TIMES**

304.2.1 Closure of retail business establishments

On Boxing Day, all retail business establishments within the City of Brantford shall close to the public and remain closed, up until the hour of 9:00 a.m. and close to the public, at the hour of 5:00 p.m.

**Article 3
PROHIBITION**

304.3.1 Prohibition - persons

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 in accordance with Article 2.

304.3.2 Prohibition - employees

No person employed by or acting on behalf of a person carrying on a retail business in a retail business establishment shall sell or offer for sale any goods or services or admit members of the public thereto in accordance with Article 2.

**Article 4
EXEMPTIONS**

304.4.1 Exemptions - retail business establishments

Article 2 of this Chapter shall not apply to the sale or offering for sale by retail of:

- (a) goods or services in the form of or in connection with prepared meals or living accommodation;
- (b) liquor under the authority of a licence or permit issued under the *Liquor Licence Act*, R.S.O. 1990, c. L.19, as amended;
- (c) the exemptions found in section 3 of the *Retail Business Holiday Act*, R.S.O. 1990, c. R.30, as amended, *mutatis mutandis*.
By-law 198-2005, 28 November, 2005.

**Article 5
ENFORCEMENT**

304.5.1 Fine - for contravention - other

Every person who contravenes any provision of the Chapter is guilty of an offence and upon conviction is liable to a fine of not more than the greater of:

- (a) \$50,000; and

- (b) the gross sales of the retail business establishment for the period the establishment was open in contravention of this Chapter. By-law 147-2006, 16 October, 2006.

Article 6
ENACTMENT

304.6.1 Effective date

This Chapter shall come into force and effect from and after the date of passing of the enabling by-law. By-law 198-2005, 28 November, 2005.