

COMMITTEE OF THE WHOLE JUNE 3, 2002

HOURS OF OPERATION – LICENSING REQUIREMENTS

Recommendation

Councillor Bernie DiVona recommends:

That the City of Vaughan review the possibility of imposing restrictions on hours of operation for businesses within the city as governed by the Municipal Act.

Purpose

To eliminate loitering, extreme noise, congestion and burning of tires at commercial centres.

Background - Analysis and Options

The ability to impose restrictions on hours of operation is governed by the Municipal act. Section 214 (5) of the Act states that the Council of a city, town or village may by by-law require that during the whole or any part or parts of the year all or any class or classes of shops in the municipality shall be closed or remain closed on each or any day of the week at and during any time or hours between 6 o'clock in the afternoon of any day and 5 o'clock in the forenoon of the next following day.

For the purposes of this section, a shop is defined in section 214 (1) as a building or part of a building, booth, stall or place where goods are exposed or offered for sale by retail, and barber's shops, beauty parlours, shoe repair shops, shoe shine shops and hat cleaning and blocking businesses, but does not include a place where the only trade or business carried on is that of a licensed hotel or tavern, victualing house or refreshment house.

Conclusion

Under Section 257.1, the municipality also has the power to license any business within its jurisdiction. A power under the general licensing power also includes the power to regulate hours of operation.

In light of this the City can regulate the hours of operation of the fast food chains, if we license them. However, such hours of operation regulations would have to apply to all such operators through out the city.

Attachment

None

Report prepared by:

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Respectfully submitted,

Councillor Bernie Di Vona