

**BY-LAW NO. 9-04
A BY-LAW OF THE MUNICIPALITY OF ROTHESAY
RELATED TO THE CLOSING OF RETAIL BUSINESSES IN ROTHESAY**

The Council of Rothesay, under authority vested in it by the *Municipalities Act* R.S.N.B. (1973), Chapter M-22, section 11(1)(e.1) and amendments thereto enacts as follows:

TITLE

1. This by-law may be cited as the 'Rothesay Closing By-law'.

INTERPRETATION

DEFINITIONS

2. In this By-law:
 - a) "closed " means not open for the service of a customer;
 - b) "licensed premise" means an establishment licensed under the *Liquor Control Act*, R.S.N.B. (1973), Chapter L-10;
 - c) "open" means open for the service of a customer;
 - d) "retail business" means a barber shop, a hairdressing establishment or a building or portion of a building or place in which, as the principal business carried on therein, goods, wares or merchandise are sold or offered or displayed for sale at retail.

SUNDAY OPENING

- ~~3. No person shall open, or cause to be opened, on a Sunday a retail business, except between the hours of 12:00 p.m. and 5:00 p.m. consolidation April 14, 2014.~~
- 3.1 No person shall open, or cause to be opened, on Easter Sunday a retail business.

HOLIDAY OPENING

4. No person shall open, or cause to be opened, a retail business on a prescribed day of rest as defined in the *Days of Rest Act*, R.S.N.B (1973) Chapter D-4.2 and amendments thereto.

EXEMPTIONS

5. The provisions of sections 3 and 4 do not apply to those retail businesses noted in the *Days of Rest Act*, R.S.N.B (1973) Chapter D-4.2 and amendments thereto, more specifically Section 4(3).

LICENSED PREMISES

6. A licensed premise may not be open for any aspect of its business that involves the sale of alcoholic beverages between the hours of 2:00 am and 6:00 am on any day of the week.

PENALTIES

7. Any person who violates any provision of this by-law is guilty of an offence and is liable on conviction to a minimum fine of five hundred (\$500.⁰⁰) dollars and maximum fine of one thousand (\$1000.⁰⁰) dollars.

BY-LAWS REPEALED

8. By-law 1-04, "Rothesay Closing By-law", is hereby repealed.

EFFECTIVE DATE

9. The provisions of this by-law shall come into effect 1 January 2005.

FIRST READING BY TITLE	<u>13 December 2004</u>
SECOND READING BY TITLE	<u>13 December 2004</u>
READ IN ITS ENTIRETY	<u>10 January 2005</u>
THIRD READING BY TITLE AND ENACTMENT	<u>10 January 2005</u>
CONSOLIDATED WITH BY-LAW 9-04-1	<u>14 April 2014</u>

William J. Bishop, Mayor

Mary Jane E. Banks, Clerk