



Report n° CLERK2025-02

Date: February 12, 2025

Submitted by: Monique Ouellet, Clerk

Subject: Retail Business Establishment Operating Hours

### Nature/Goal

The purpose of this report is to present options for Council's consideration with regards to regulated operating hours for retail business establishment.

### Directive/Previous policy

On April 17, 2024, Council adopted resolution no. 2024-38, mandating the administration to validate if there is still a need for the enacted By-law 2018-41 and to prepare a By-law to repeal By-law 2018-41 if it is deemed to be in the best interest of the City to repeal the said by-law at this time.

### Department's recommendation

THAT the Committee of the Whole directs the administration to launch a public opinion survey in order to better understand if the residents and business owners would support or object to any proposed changes to the Retail Business Establishment Operating Hours in Clarence-Rockland.

QUE le Comité plénier mandate l'administration à lancer un sondage d'opinion publique afin de mieux comprendre si les résidents et les propriétaires d'entreprises appuient ou s'opposent à tout changement proposé aux heures d'ouverture des établissements de commerce de détail dans Clarence-Rockland.

### Background

The [\*Retail Business Holidays Act, 1990\*](#), regulates the opening and closing of retail business on certain holidays. It specifies which holidays require retail businesses to be closed or restricts the operating hours. This legislation aims to balance the interests of employees, consumers, and businesses by designating specific holidays where retail businesses must remain closed or operate with limited hours.

Currently, in Ontario retail businesses, unless exempted under Section 3 of the [\*Retail Business Holidays Act, 1990\*](#), must be closed on the following nine holidays each year.

1. New Year's Day (January 1)
2. Family Day (the third Monday of February)
3. Good Friday (the Friday before Easter Sunday – typically in March or April)
4. Easter Sunday (typically in March or April)
5. Victoria Day (the last Monday before or on May 24)
6. Canada Day (July 1 – if July 1 is a Sunday, the mandatory closure moves to the following Monday)
7. Labour Day (the first Monday in September)

8. Thanksgiving Day (the second Monday in October)
9. Christmas Day (December 25)

These mandatory closures do not apply to municipalities if they have passed a by-law stating the act does not apply and have also passed a by-law requiring certain retail businesses to be closed on a holiday.

### Discussion

The City of Clarence-Rockland currently has in force and effect, [By-law 2018-41](#) which states that the Retail Business Holiday Act does not apply to the City of Clarence-Rockland and requires certain retail businesses to be closed on specific Holidays as well as specific hours on other days.

The following are options that can be considered by Council:

**1. Status Quo**

- By-law 2008-41 remains in effect

**2. Repeal By-Law 2008-41**

- Upon the repeal of By-law 2008-41, the Retail Business Holiday Act would automatically be applicable for Clarence-Rockland.

**3. Amend By-law 2008-41 to be less restrictive**

- A municipality may adopt a by-law exempting an entire municipality from the Act, as long as the municipality designates **at least one** day as a required Holiday closing.

Before moving forward with any of these options, it is recommended that a public opinion survey be launched in order to better understand if the residents and business owners support or object to any proposed changes. The draft survey is attached for Council's review.

Should Council agree to move forward with the launch of the survey, the administration will then gather the results and provide a recommendation at a future Council meeting.

### Consultation

Public consultation is being recommended.

### Recommendations or comments from committee/ other departments

n/a

### Financial impact (expenses/material/etc.)

There is no financial impact associated with this report.

### Legal implications

Section 1.2 of the Retail Business Holidays Act allows a municipal council to enact a by-law exempting an entire municipality from the Retail Business Holidays Act providing that the said by-law adopted pursuant to Section 148 of the Municipal Act, 2001 requires that one or more classes of retail business establishments be closed on at least one holiday.

## Risk management

n/a

## Strategic implications

n/a

## Supporting documents

- By-law 2008-41 (Current by-law)
- Draft Public Opinion Survey