



By-law 2024-106

To amend the Stationary Business Licensing By-law
specifically for Tobacco and Nicotine Products

For May 29, 2024 Council agenda

WHEREAS Section 151 of the Municipal Act, 2001 S.O. 2001, c.25, provides that a local municipality may license, regulate and govern any business wholly or partly carried on within the municipality even if the business is being carried on from a location outside the municipality; and

WHEREAS the regulation of the businesses and the requirement for a Licence and the imposition of conditions will aid in the administration and enforcement of this By-law and other laws, so as to identify and qualify the Persons responsible for the operation of the business, identify the location of businesses, the regulation and inspection of equipment, vehicles, Premises and other property used to carry on business, and allow for the protection of Persons dealing with or affected by such Businesses and Persons; and,

Whereas the City of Markham has adopted By-law 2018-90 to provide for the licensing and regulation of stationary businesses,

NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. That By-law 2018-90 known as “the Stationary Business Licensing By-law” be amended as follows:
 - 1.1 That Section - 4.1 subsection “y” under Licence Requirement which currently states:

“y) every person who sells tobacco; and”

be amended to read as follows:

“y) every person who sells tobacco, or any products containing nicotine, and”
 - 1.2 That Schedule 24 of By-law 2018-90 relating to Tobacco Shops be amended as follows:

That the definition of “Tobacco Shop” which currently states

“Tobacco Shop” means any store or shop where tobacco, cigars, or cigarettes are sold by Retail.”

be amended to read as follows:

“Tobacco Shop” means any store or shop where tobacco, cigars, cigarettes, or any products containing nicotine are sold by Retail.”

Read a first, second, and third time and passed on May 29, 2024

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor