



TO: Mayor and Members of Council

FROM: Sheila Birrell, Town Clerk

DATE: December 6, 2007

Re: Business Licensing By-laws 2002-284, 2002-286, 2002-287, 2002-288, 2002-290, 2002-291, 2002-292, 2002-293, 2002-294, 2002-295, 2002-296, 2002-297, 2002-298, 002-299, 2002-301, 2002-302, 2002-303, 2002-304, 2002-305, 2002-306, 2002-307, 2002-308, 2002-309, and 2002-310

On December 10, 2002, Council passed a number of By-laws to licence, regulate and govern various local businesses. The authority for a municipality to licence businesses is contained in the *Municipal Act, 2001, S.O. 2001, c.25*.

In accordance with Section 150 (13) of the *Municipal Act*, at that time, a business licensing by-law expired five years after it came into force or when repealed, whichever occurred first. The above-mentioned Business Licensing By-laws each contain a clause that states that the by-law was effective from its passage and would remain so until December 31, 2007. The Section of the Municipal Act requiring business licensing by-laws to expire five years from their passage has since been deleted, and therefore, the Business Licensing by-laws should be amended by the removal of the reference to their expiration in December, 2007.

In order that the aforementioned by-laws continue in effect beyond December 31, 2007, staff is recommending that the attached By-law be enacted.

A handwritten signature in cursive script, reading 'Sheila Birrell'.

Sheila Birrell
Town Clerk



BY-LAW 2007-

A By-law to amend By-laws 2002-284, 2002-286, 2002-287, 2002-288, 2002-290, 2002-291, 2002-292, 2002-293, 2002-294, 2002-295, 2002-296, 2002-297, 2002-298, 2002-299, 2002-301, 2002-302, 2002-303, 2002-304, 2002-305, 2002-306, 2002-307, 2002-308, 2002-309, 2002-310

WHEREAS Sections, 9, 10, 11 and 151 of the *Municipal Act, 2001, S.O. 2001, c.25*, authorize municipalities to licence, regulate and govern any business wholly or partly carried on within the municipality; and

WHEREAS By-laws 2002-284, 2002-286, 2002-287, 2002-288, 2002-290, 2002-291, 2002-292, 2002-293, 2002-294, 2002-295, 2002-296, 2002-297, 2002-298, 2002-299, 2002-301, 2002-302, 2002-303, 2002-304, 2002-305, 2002-306, 2002-307, 2002-308, 2002-309, and 2002-310, provide for the regulating and licensing of various businesses carried on within Markham; and

WHEREAS Section 150 (13) of the *Municipal Act, 2001, S.O. 2001*, required that all By-laws enacted to licence businesses expire five years after their coming into force, and the above-referenced By-laws were subsequently amended by adding a clause to cause the By-laws to remain in effect until December 31, 2007, and

WHEREAS Section 150 (13) of the *Municipal Act, 2001, S.O. 2001*, was repealed,

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM ENACTS AS FOLLOWS;

1. That By-laws 2002-284, 2002-286, 2002-287, 2002-288, 2002-290, 2002-291, 2002-292, 2002-293, 2002-294, 2002-295, 2002-296, 2002-297, 2002-298, 2002-299, 2002-301, 2002-302, 2002-303, 2002-304, 2002-305, 2002-306, 2002-307, 2002-308, 2002-309, and 2002-310, be amended by deleting there from all references to their remaining in effect until December 31, 2007.
2. This By-law will take effect and come into force upon its passing.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS DAY OF DECEMBER, 2007.

SHEILA BIRRELL,
TOWN CLERK

FRANK SCARPITTI
MAYOR