

THE CORPORATION OF THE CITY OF NANAIMO

BY-LAW NO. 1211

A BY-LAW TO REGULATE THE CLOSING OF CERTAIN SHOPS PURSUANT  
TO THE PROVISIONS OF THE "MUNICIPAL ACT"

The Municipal Council of The Corporation of the City of Nanaimo in open meeting assembled enacts as follows:

1. In this By-law unless the context otherwise requires:

"MAIN BUSINESS" - Means the principal or chief business carried on and measured either by volume or value of sales or services rendered.

2. In this By-law the following are hereby defined as classes of shops:

A. "AUTOMOBILE DEALER" - Means a shop where the main business carried on is the sale of new or used automobiles, trucks, trailers or automotive equipment.

B. "BARBER SHOP"

C. "CLOTHING SHOP" - Means a shop where the main business carried on is the sale by retail of men's, women's and children's wearing apparel of all kinds, clothing accessories, luggage, drygoods or any one or more of them.

D. "FOOD MARKET SHOP" - Means a shop where the main business carried on is the sale by retail of bakery products, meats, confectionery, fish, poultry, groceries, vegetables, fruits, dairy products or any one or more of them.

E. "HAIRDRESSER'S SHOP"

F. "FURNITURE, HARDWARE AND APPLIANCE SHOP" - Means a shop where the main business carried on is the sale by retail of furniture, floor coverings, china-ware, glassware, pottery, hardware, paints, builders' supplies and materials, appliances, sporting goods, automotive accessories, office equipment, marine supplies and equipment, plumbing, heating and electrical supplies or any one or more of them.

G. "SERVICE SHOP" - Means a shop where the main business carried on is the rendering of services such as laundry, dry cleaning, the sale or servicing of appliances or equipment, shoe repairing, shoe shining or any one or more of them.

H. "VARIETY AND NOVELTY SHOP" - Means a shop where the main business carried on is the sale by retail of novelties, souvenirs, jewellery, chinaware, glassware, leather goods, magazines, books, stationery, music, musical instruments, photographic supplies, smokers' supplies, flowers and florist supplies or any one or more of them.

1. "DEPARTMENT SHOP" - Means a shop where the main business carried on includes two or more of the above defined classes.

3. For the local convenience and well-being of the residents of the municipality the following classes of shops are exempt completely from the provisions of Section 858 and 859 of the "Municipal Act" R.S.B.C. 1960:

Automobile Dealer

Clothing Shop

Food Market Shop

Furniture, Hardware and Appliance Shop

Service Shop

Variety and Novelty Shop

Department Shop

4. Barber shops shall be closed for the serving of customers on Monday, Tuesday, Thursday, Friday and Saturday at 5:30 o'clock in the afternoon and shall remain closed thereafter for the remainder of each such day; and shall also be closed for the entirety of Wednesday in each week.

5. Hairdressing shops shall be closed for the serving of customers on Tuesday, Wednesday, Thursday, Friday and Saturday at 6:00 o'clock in the afternoon and shall remain closed thereafter for the remainder of each such day; and shall also be closed for the entirety of Monday in each week.

6. The provisions of the "Municipal Act" and of this By-law regulating the closing of shops shall be suspended during the four business days immediately preceding Christmas Day with respect to such classes of shops as are not exempted from the closing provisions.

7. If any public holiday referred to in Section 858 of the "Municipal Act" falls on a Friday then shops which are not exempted from the closing provisions shall be permitted to remain open until 9:00 o'clock in the evening of the Thursday preceding, provided such Thursday is not a public holiday.

8. Any person guilty of an infraction of this By-law, shall be liable upon conviction, to a fine not exceeding One Hundred Dollars and costs, or to imprisonment for a period not exceeding six months or to both fine and imprisonment, which penalty and costs shall be recoverable and enforceable upon summary conviction in the manner provided by the "Summary Convictions Act."

