

**THE CORPORATION OF THE
TOWN OF WASAGA BEACH**

BY-LAW NO. 2013-43

**A BY-LAW TO AMEND BY-LAW NO. 2007-38, BEING A BY-LAW TO
LICENSE, REGULATE AND GOVERN BUSINESSES CARRIED ON
WITHIN THE MUNICIPALITY**

WHEREAS Section 8 of the *Municipal Act, 2001*, as amended provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the *Municipal Act, 2001*, as amended, grants municipalities the capacity, rights, power and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS under Section 11 of the *Municipal Act, 2001*, as amended, a lower tier municipality may pass by-laws respecting matters within the sphere of jurisdiction set out therein;

AND WHEREAS Section 151 and Section 160 of the *Municipal Act, 2001*, provides that a local municipality may provide for a system of licenses with respect to a business and pass by-laws licensing businesses under any section of the *Municipal Act* or any other Act;

AND WHEREAS Council of The Corporation of the Town of Wasaga Beach passed By-Law No. 2007-38, to license, regulate and govern businesses carried on within the Municipality, deems it expedient to amend the said by-law regarding provisions for revocations and other suspensions;

NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach HEREBY ENACTS as follows:

1. THAT By-Law No. 2007-38, is hereby amended, by adding:

Section P2. REVOCATION/SUSPENSION-OTHER

1. The Business Licensing Officer may, where a licence has been issued, revoke or suspend any licence where, in the opinion of the officer:
 - a) upon the grounds that the holder is in breach of the business licensing by-law, including any conditions of a licence issued there under, or
 - b) the licence holder fails to comply with any “order to remedy or comply”, issued pursuant to the *Municipal Act 2001*, S.O. 2001 c.25, as amended or the Building Code Act, S.O. 1992, c.23, as amended, or
 - c) the licence holder fails to pay any arrears, penalties or taxes when required or requested, or
 - d) the licence was issued in error or upon information that was not complete, accurate or truthful, or is no longer reflective of current business practices, or
 - e) upon the grounds that the conduct of any person, including the officers, directors, employees or agents of a corporation, affords reasonable cause to believe that the person will not carry on or engage in the business in accordance with the law or with honesty and integrity.
2. THAT where the provisions of any other by-law, resolution or action of Council are inconsistent with the provisions of this by-law, the provision of this by-law shall prevail.
3. THAT this By-Law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 28TH DAY OF MAY 2013.

Cal Patterson, Mayor

Twyla Nicholson, Clerk