

**BY-LAW 409 (CONSOLIDATED WITH AMENDMENTS)**

**A BY-LAW RELATING TO THE OPERATION OF RETAIL BUSINESSES  
WITHIN THE TOWN OF OROMOCTO**

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**Incorporating By-law Nos.:**

409 (October 20, 2005)

409-A (October 17, 2013)

The Council of the Town of Oromocto under the authority invested in it by Section 11(1) (e.1) of the Municipalities Act enacts as follows:

**DEFINITIONS**

1. In this By-Law:

- (1) "Closed" means not open for the service of a customer;
- (2) "Open" means open for the service of a customer;
- (3) "Retail Business" means the renting or offering for rent, selling or offering for sale any goods, chattels or services by retail;
- (4) "Prescribed Day of Rest" means:
  - a. New Year's Day
  - b. Good Friday
  - c. Victoria Day
  - d. Canada Day
  - e. New Brunswick Day
  - f. Labour Day
  - g. Thanksgiving Day
  - h. Remembrance Day
  - i. Christmas Day
  - j. Boxing Day
  - k. Any day appointed by any Statute in force in the Province or by Proclamation of the Governor General or Lieutenant Governor as a general holiday within the Province; and
- (5) "Weekly Day of Rest" means Sunday.

2. A person:

- (1) may open or permit to be opened a retail business on a Sunday, being the weekly day of rest, between the hours of 12:00:01 a.m. and 11:59:59 p.m.;  
**(By-law No. 409-A/Enacted October 17, 2013)**
- (2) shall not open or cause to be opened any retail business within the Town of Oromocto on any of the Prescribed Days of Rest as defined in section 1, subparagraph 4 above, and Easter Sunday;

**PENALTY**

3. Every person who violates or fails to comply with this by-law commits an offence punishable under Part II of the Provincial Offences Procedure Act as a Category C offence.

**READ FIRST TIME BY TITLE ONLY: 18 August 2005**

**READ SECOND TIME IN ITS ENTIRETY: 22 September 2005**

**READ THIRD TIME FOR ENACTMENT: 20 October 2005**

*(Sgd) A Wayne Carnell*  
A Wayne Carnell  
CAO/Clerk

*(Sgd) Fay L Tidd*  
Fay L Tidd  
Mayor