



## TOWNSHIP OF NORTH HURON

## REPORT

Item No.

**REPORT TO:** Reeve Vincent and Members of Council  
**PREPARED BY:** Richard Al, Clerk / Manager of IT  
**DATE:** 16/10/2017  
**SUBJECT:** Repeal of By-law No. 1488  
**ATTACHMENTS:** Scan of By-law No. 1488

---

### **RECOMMENDATION:**

THAT the Council of the Township of North Huron hereby receives the report of the Clerk/Manager of IT dated October 16, 2017, regarding the repeal of By-law No. 1488 for information purposes;

AND FURTHER THAT Council approves an exception to Section 19.1 of the Procedural By-Law to allow By-Law No. 93-2017 to be passed at the October 16, 2017 Council Meeting.

### **EXECUTIVE SUMMARY**

In 1906 Provincial legislation in the form of the Lord's Day Act prohibited various business transactions from taking place on Sundays. The Lord's Day Act was in force until 1985 when the Supreme Court of Canada ruled the Act to be unconstitutional. A pre-amalgamation by-law passed by the Town of Wingham still exists which references the former Lord's Day Act.

### **DISCUSSION**

On February 3<sup>rd</sup>, 1969 the Council of the Town of Wingham passed By-law No. 1488 referencing the Lord's Day Act which was in force at the time, that By-law reads

*1. Section 1 of the Lord's Day (Ontario) Act 1960-61 is hereby declared to be in force in the Town of Wingham.*

Further, By-law No. 1488 specifies various sports activities and requires that

*4. (b) No such game or sport shall be commenced before half-past one O' clock in the afternoon of the Lord's Day.*

The Lord's Day Act is no longer in force in Ontario, and as such the Town of Wingham by-law should be repealed as it no longer has a basis for enforcement.

In addition, due to increased utilization of North Huron facilities, various sports groups and organization have expressed an interest in renting facilities on Sunday mornings. Many organizations have booked or are actively booking their rental time slots at this time and as such staff are recommending that Council make an exception to Procedural By-law section 19.1 to allow By-law 93-2017 to be passed, repealing By-law No. 1488 and allowing the Recreation Department to offer additional rental times on Sundays.

**FINANCIAL IMPACT**

Repealing By-law No. 1488 allows the Recreation Department to offer rentals to sporting groups and organizations on Sunday mornings which in turn increases facility utilization and enhances potential revenue streams for the municipality.

**FUTURE CONSIDERATIONS**

None at this time.

**RELATIONSHIP TO STRATEGIC PLAN**

Goal #4 - Our administration is fiscally responsible and strives for operational excellence.



---

Richard Al, Clerk/Manager of IT



---

Dwayne Evans, CAO