



**BY-LAW NUMBER 2015-**

**A By-law of The Corporation of the City of Barrie to amend By-law 2006-266 as amended being a by-law to licence, regulate and govern businesses carried on within the municipality.**

**WHEREAS** Section 8 of the *Municipal Act, 2001*, 2001, S.O. 2001, c.25 (*"The Municipal Act, 2001"*) provides that the Act shall be interpreted broadly so as to confer broad authority on the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**5AND WHEREAS** Section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority under the Act;

**AND WHEREAS** Section 10 of the *Municipal Act, 2001* provides that a single-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein;

**AND WHEREAS** on the 30<sup>th</sup> day of October 2006, the Council of The Corporation of the City of Barrie passed By-law 2006-266 being a by-law to licence, regulate and govern businesses carried on within the municipality;

**AND WHEREAS** pursuant to motion 15-G-142 the Council of The Corporation of the City of Barrie has deemed it expedient to further amend By-law 2006-266 as amended;

**NOW THEREFORE**, the Council of The Corporation of the City of Barrie enacts as follows:

1. **THAT** Section 63.2.4.0.0, (a) OPERATING CRITERIA FOR A PAWN SHOP, of By-law 2006-266 as amended, be deleted.
2. **THAT** Section 63.2.4.0.0, (b) OPERATING CRITERIA FOR A PAWN SHOP, of By-law 2006-266 as amended, be further amended by adding the following:

"v) For the purpose of Second Hand Sales, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual shall not access or remove personal information collected by the vendor unless such information is directly related to an active investigation, court or other legal proceeding and is necessary to the investigation."
3. **THAT** Section 63.2.6.0.0 and Section 63.2.7.0.0., OPERATING CRITERIA FOR A PAWN SHOP of By-law 2006-266 as amended, be deleted.
4. **THAT** Section 89.2.4.0.0, (e) OPERATING CRITERIA FOR SECOND HAND SALES – TEMPORARY LOCATION, of By-law 2006-266 as amended, be further amended by adding the following:

"v) For the purpose of Second Hand Sales, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual shall not access or remove personal information collected by the vendor unless such information is directly related to an active investigation, court or other legal proceeding and is necessary to the investigation."
5. **THAT** Section 89.2.4.0.0, OPERATING CRITERIA FOR SECOND HAND SALES – TEMPORARY LOCATION of By-law 2006-266 as amended, be further amended by deleting (h).
6. **THAT** Section 90.2.2.0.0, (e) OPERATING CRITERIA FOR SECOND HAND SALES – PERMANENT LOCATION, of By-law 2006-266 as amended, be amended by adding the following:

"v) For the purpose of Second Hand Sales, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual shall not access or remove personal information collected by the vendor unless such information is directly related to an active investigation, court or other legal proceeding and is necessary to the investigation."
7. **THAT** Section 90.2.2.0.0.0, OPERATING CRITERIA FOR SECOND HAND SALES – PERMANENT LOCATION of By-law 2006-266 as amended, be further amended by deleting (d) and (h).

8. **THAT** Section 111.2.3.0.0, (c) OPERATING CRITERIA FOR A WRECKING YARD of By-law 2006-266 as amended, be further amended by deleting (b)
9. **THAT** Section 111.2.3.0.0, (c) OPERATING CRITERIA FOR A WRECKING YARD of By-law 2006-266 as amended, be further amended by adding the following:
  - “v) For the purpose of Second Hand Sales, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual shall not access or remove personal information collected by the vendor unless such information is directly related to an active investigation, court or other legal proceeding and is necessary to the investigation.”
10. **THAT** Section 111.2.3.0.0, (d) OPERATING CRITERIA FOR A WRECKING YARD of By-law 2006-266 as amended, be further amended by deleting (d).
11. **THAT** within the above noted amendments all remaining sections be renumbered accordingly.
12. **THAT** this by-law shall come into force and effect on the passing thereof.

**READ** a first and second time this 22<sup>nd</sup> day of June, 2015.

**READ** a third time and finally passed this 22<sup>nd</sup> day of June, 2015.

**THE CORPORATION OF THE CITY OF BARRIE**

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**MAYOR – J. R. LEHMAN**

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**CITY CLERK - DAWN A. MCALPINE**