

**Authority:** Item 4(a), Emergency and  
Community Services Committee  
Report 11-007  
(HFMTS Report 11-002)  
CM: May 11, 2011

**Bill No. 121**

## **CITY OF HAMILTON**

### **BY-LAW NO. 11-121**

#### **To Amend By-law No. 10-209, a By-law to Regulate the Hamilton Farmers' Market**

**WHEREAS** Council enacted a By-law to regulate the Hamilton Farmers' Market being City of Hamilton By-law No. 10-209;

**AND WHEREAS** this By-law provides for amendments to the hours for the café in the Hamilton Farmers' Market;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The definition of "market day" in section 2 of By-law No. 10-209 is deleted and replaced with the following new

"market day" means:

- (i) as it relates to all stallholders but subject to clause (ii), any Tuesday, Thursday, Friday or Saturday, which is not a holiday;
- (ii) as it relates to the stallholder selected by the Market Supervisor to operate a café, any Monday, Tuesday, Wednesday, Thursday, Friday or Saturday, which is not a holiday; and
- (iii) includes any other day, which may from time to time be designated by Council as a market day;

2. Subsection 5(1) of By-law No. 10-209 is deleted and replaced with the following new subsections 5(1) and 5(1a):

5(1) Subject to subsection 5(1a), the market hours for customers shall be as follows:

- (a) From 7:00 in the morning to 6:00 in the afternoon on the same day on Tuesday and Thursday;
- (b) From 8:00 in the morning to 6:00 in the afternoon of the same day on Friday; and
- (c) From 6:00 in the morning to 6:00 in the afternoon of the same day on Saturday.

5(1a) The market hours for customers of the stallholder selected by the Market Supervisor for the purpose of operating a café shall be as follows:

- (a) From 9:00 in the morning to 7:00 in the afternoon on the same day on Monday and Wednesday;
- (b) From 6:00 in the morning to 7:00 in the afternoon of the same day on Tuesday and Thursday;
- (c) From 8:00 in the morning to 6:00 in the afternoon of the same day on Friday; and
- (d) From 6:00 in the morning to 6:00 in the afternoon of the same day on Saturday.

3. Subsection 5(2) of By-law No. 10-209 is deleted and replaced with the following new subsections 5(2) and 5(2a):

5(2) Subject to subsection 5(2a), the market hours for stallholders shall be as follows:

- (a) Except as provided in paragraphs (b), (c) and (d), from 4:00 in the morning to 6:00 in the afternoon of the same day;
- (b) On Saturdays from 3:00 in the morning to 6:00 in the afternoon of the same day;
- (c) From 12:00 midnight on market days immediately preceding a statutory holiday to 6:00 in the afternoon of the same day; and
- (d) During peak season, for such periods of time as are designated by the Market Supervisor.

5(2a) The market hours for the stallholder selected by the Market Supervisor for the purpose of operating a café shall be as follows:

- (a) Except as provided in paragraphs (b), (c), (d) and (e), from 4:00 in the morning to 9:00 in the evening of the same day;
- (b) On Fridays from 4:00 in the morning to 8:00 in the evening of the same day;
- (c) On Saturdays from 3:00 in the morning to 8:00 in the evening of the same day;
- (d) From 12:00 midnight on market days immediately preceding a statutory holiday to 2 hours after the closing time for customers of the same day; and

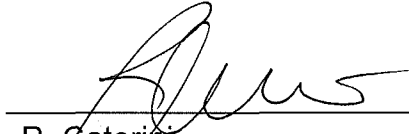
(e) During peak season, for such periods of time as are designated by the Market Supervisor.

4. This By-law comes into force on the day it is passed.

**PASSED** this 11<sup>th</sup> day of May, 2011.



R. Bratina  
Mayor



R. Caterini  
City Clerk