

TOWN OF MARKHAM
ONTARIO



BY-LAW 2002-298

**A BY-LAW TO LICENSE THE OPERATION OF
GOLF DRIVING RANGES**

This By-law is printed under and
by authority of the Council of
the Town of Markham

(Consolidated for convenience only
to December 14, 2007)

Amended by:

By-law 2007-282 – December 11, 2007

BY-LAW 2002-298

A by-law to license the operation of Golf Driving Ranges

WHEREAS the *Municipal Act, 2001* provides that Council may, by by-law, license the operation of Golf Driving Ranges in the municipality and may revoke such license;

AND WHEREAS the Town of Markham deems it advisable to enact a by-law to license the operation of Golf Driving Ranges for the health and safety and public nuisance potential.

THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM ENACTS AS FOLLOWS:

1. No Golf Driving Range shall be managed, operated or carried on in the Town of Markham without a license from the Town of Markham as hereinafter provided so to do, and any person who contravenes this By-law shall be guilty of an offence against the provisions of this By-law.
2. All applications for a license under this By-law shall be in writing and shall be lodged with the Clerk of the Town of Markham.
3. The application for license shall state the following:
 - (a) The name and address of the applicant.
 - (b) A short description of the place where the Driving Range is to be located, its frontage, depth and the distance from the place of driving to the boundary of the adjoining property.
 - (c) Whether or not any buildings are to be erected on the proposed range, and if so, a general description of such buildings.
 - (d) What provision, if any, has been made for the protection of the adjoining property owner from damage by reason of the operation of the range.
4. The fee to be paid upon application for license is indicated in By-law No. 2002-284.
5. Upon receipt of an application and payment of the license fee, the Clerk shall refer the application to the Council at its next sitting.
6. Every license granted pursuant to this By-law shall expire on the 31st day of December next, following the date upon which the license has been granted.
7. Any license granted under this By-law may be revoked by the Council at any time.

8. A license granted under this By-law shall not be assigned.
9. Any person who contravenes any provision of this By-law is guilty of an offence pursuant to this Provincial Offences Act, and upon conviction is liable to a fine of not more than five thousand dollars (\$5,000) for each offence committed.
10. By-law No. 2001-29, "A By-law to license the operation of Golf Driving Ranges" shall be repealed effective January 1, 2003.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 10TH
DAY OF DECEMBER, 2002.

"Sheila Birrell"

TOWN CLERK

"Don Cousens"

MAYOR