

**THE CORPORATION OF THE CITY OF PETERBOROUGH**

**BY-LAW NUMBER 03-088**

**BEING A BY-LAW TO PROVIDE FOR INTERIM CONTROL  
OF ROOF-TOP PATIOS**

**WHEREAS** by resolution dated May 12, 2003, Council determined that a review be made of the location, size, and/or occupancy of roof-top patios;

**AND WHEREAS** in the interim period, it is deemed desirable to regulate the occupancy of roof-top patios prior to the completion of the review and the passage of any related by-law;

**AND WHEREAS** it is deemed to be in the public interest to establish a period of interim control pursuant to Section 38 of *The Planning Act*, R.S.O. 1990, c.P.13, as amended.

**THEREFORE, THE CORPORATION OF THE CITY OF PETERBOROUGH BY  
THE COUNCIL THEREOF ENACTS AS FOLLOWS:**

1. In this by-law, "roof-top patio" shall mean an unenclosed area, located on the roof of a building, which is used as the whole or a portion of an establishment for the sale of food and/or beverages.
2. No person shall use any land, building or structure within the City of Peterborough for the purpose of a roof-top patio which has an occupant load of more than 60 persons, as determined by reference to Table 3.1.16.1 of the Ontario Building Code.
3. This by-law shall come into force and take effect for a period of six (6) months from the date of passing hereof.

By-law read a first and second time this 20<sup>th</sup> day of May, 2003

By-law read a third time and finally passed this 20<sup>th</sup> day of May, 2003

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk