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**6. RECORDS**

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**6.1. Compliance with Local By-Laws**

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**54. Checklist Reference**

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**LEGISLATIVE  
REFERENCE 4(1)**

- 4(1) Every person who applies for a licence to establish, operate or maintain a day nursery under section 11 of the Act shall at the time of application file with a Director evidence that the premises used or to be used as a day nursery comply with,
- (a) the laws affecting the health of inhabitants of the municipality or the reserve of a band, as the case may be;
  - (b) any rule, regulation, direction or order of the local board of health and any direction or order of the local medical officer of health that may affect the operation;
  - (c) any by-law of the municipality or any by-law of the council of the band on the reserve, as the case may be, and any other law for the protection of persons from fire hazards;
  - (d) any restricted area, standard of housing or building by-law passed by the municipality in which the premises are located pursuant to Part V of the *Planning Act* or any predecessor thereof and any by-law of the council of the band on the reserve to regulate the construction, repair or use of buildings;
  - (e) the requirements of the Building Code made under the *Building Code Act, 1992* where applicable; and
  - (f) the requirements of the Fire Code made under the *Fire Protection and Prevention Act, 1997* where applicable.

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**INTENT**

As local by-laws vary among municipalities and bands, there must be evidence that the day nursery complies with the requirements of the local authorities before a licence is issued.

The local municipal office should be contacted about any by-laws which affect the operation of a day nursery, e.g. parking.

**INDICATOR**

**Indicator Type:** Documentation

1. Documentation in a file confirming that the day nursery complies with the items listed in section 4(1) above.