

THE CORPORATION OF THE TOWN OF GRIMSBY

BY-LAW NO. 92-118

A BY-LAW TO LICENSE AND REGULATE VEHICLES
FROM WHICH REFRESHMENTS ARE SOLD FOR
CONSUMPTION BY THE PUBLIC.

WHEREAS Section 232(11) of The Municipal Act, R.S.O. 1990 empowers Councils of Municipalities to license and regulate vehicles from which refreshments are sold for consumption by the public.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GRIMSBY ENACTS AS FOLLOWS:

1. GENERAL PROVISIONS

- (a) Every person who owns, operates and uses any vehicle from which refreshments are sold for consumption by the public shall be subject to the provisions of this by-law.
- (b) No person to whom this by-law relates shall sell food unless the same has been prepared, assembled and wrapped in a premises and under conditions which comply in all particulars with the requirements of regulations made under the Health Protection and Promotion Act of Ontario relating to eating establishments or any regulations that may supersede the same.
- (c) Every person to whom this by-law relates shall bring the vehicle in respect of which he is applying for or holds a licence, save and except pedal vehicles, to the Fire Chief of the Corporation and to the Medical Officer of Health or an authorized officer of the Niagara Regional Health Services Department or to any person designated by the Council to inspect the same at such times and places as may be indicated by such person.
- (d) Vehicles utilizing propane fuelled appliances must comply with the Ontario Propane Code. Written certification of annual inspection by a certified propane fitter who is, or is employed by, a contractor registered with the Fuels Safety Branch of the Ministry of Consumer and Commercial Relations must be submitted with the application for each licence.
- (e) Every person who operates a refreshment vehicle on any highway must comply with the traffic regulations for vending stops on roadways as contained in By-law No. 89-2000 and any amendments thereto.
- (f) No person shall operate a refreshment vehicle on a property unless its use is permitted in accordance with the provisions of By-law No. 71-74, as amended. If the property is under the jurisdiction of the Niagara Escarpment Commission, approval must be obtained from the Commission prior to the issuance of a Refreshment Vehicle Licence.

2. LICENCE AND FEES

(a) The fee for a licence to operate a refreshment vehicle shall be as follows, for the whole or any part of any one year:

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|--------------------------------------|--|
| Mobile Motorized | \$100.00 |
| Stationary Motorized | \$100.00 |
| Non-Motorized (i.e. Hot Dog Cart) | \$ 75.00 |
| Pedal (i.e. Ice Cream Bicycle) | \$ 50.00 1st Vehicle \$ 25.00 Each Additional Vehicle |

(b) Notwithstanding Paragraph (a) above, the fee for a licence to operate a refreshment vehicle for a period of 7 days or less shall be \$10.00. Such licence shall expire on the 7th day after its issue.

(c) Any person who owns or operates a refreshment vehicle with the proceeds of all sales being wholly used for public, municipal or charitable purposes, may apply to the Clerk of the Corporation for an exemption from the payment of any licence fee payable hereunder. Any such exemption may be revoked by Council at any time.

(d) A separate licence shall be taken out for each refreshment vehicle, save and except pedal vehicles, and shall be prominently displayed on such vehicle.

(e) All licences issued under this by-law shall expire on the 31st day of December in the year in which the licence is issued.

(f) Any licence issued under this by-law may be revoked by Council at any time.

3. By-law Nos. 70-19 and 75-99 are hereby repealed.

4. This by-law shall become effective on January 1, 1993.

READ A FIRST TIME THIS 7th day of December, 1992.

READ A SECOND AND THIRD TIME AND FINALLY PASSED THIS 7th day of December, 1992.

M. B. Ambrey
MAYOR

[Signature]
TOWN ADMINISTRATOR