

The Corporation of the Township of Huron-Kinloss



BY-LAW

2022-85

Being a By-Law to Amend By-Law No. 2006-50 being the Refreshment Vehicle By-Law for the Township of Huron-Kinloss

WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9; shall be exercised by By-law;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 151 provided that a local municipality may license, regulate and govern any business wholly partly carried on within the municipality [even if the business is being carried on from a location outside the municipality];

AND WHEREAS the Council of The Corporation of the Township of Huron-Kinloss passed By-Law No. 2006-50 as amended to regulate food vending carts in the Township of Huron-Kinloss;

AND WHEREAS the Council of the Corporation of the Township of Huron-Kinloss deems it advisable to amend the Refreshment Vehicle By-Law;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss **ENACTS** as follows:

1. That By-Law No. 2006-50 be amended as follows:

Section 1.0 Definitions

1.7 Refreshment Vehicle – shall mean a vehicle, which is on wheels and is capable of being moved from place to place by a person and includes a refrigerated bicycle cart

1.9 Refrigerated Bicycle Cart shall mean a manually propelled bicycle or tricycle vehicle which pre-packaged ice-cream, ice-cream cones and other iced confectionery products are offered for sale or sold to the public.

1.10 Clerk shall mean the Clerk of the Township of Huron-Kinloss or their delegate.

Section 2.0 Regulations

2.19 Every Licensee of a Refrigerated Bicycle Cart shall ensure that

- a) only ice-cream cones, ice milk and other iced confectionery products are offered for sale or sold from the Refrigerated Bicycle Cart.
- b) All food items offered for sale or sold from the Refrigerated Bicycle Cart are individually wrapped

- c) The Refrigerated Bicycle Cart is not operated on any arterial roads within the municipality, must remain stationary when in service.
- d) No licensee of a Refrigerated Bicycle Cart shall employ or allow anyone under the legal age to work to operate the Refreshment Vehicle

Section 3.0 Administration

3.4 Each License application shall be approved by the Clerk of the Township of Huron-Kinloss.

3.5 The Township in any calendar year shall only issue six seasonal refreshment vehicle licenses per year. (One day licenses are excluded)

3.6 Community Events which require an operating and safety plan that require food provisions are exempt from obtaining a Refreshment Vehicle Licence.

- 2. That Schedule 'B' is hereby repealed and replaced with the attached Schedule 'B' of this By-law.
- 3. That all other provisions of By-law No. 2006-50, remain in full force and effect
- 4. That this By-law shall come into full force and effect upon its final passage.
- 5. This By-law may be cited as the "Refreshment Vehicle Amendment (2) By-Law".

READ a FIRST and SECOND TIME this 16th day of May, 2022

READ a THIRD TIME and FINALLY PASSED this 16th day of May, 2022

Mitch Twolan, Mayor

Emily Dance, Clerk



Township of Huron-Kinloss

Application for Refreshment Vehicle License

Pursuant to By-Law 2006-50

Name: _____

Address: _____

Phone: _____ Home Phone: _____

Business Phone: _____

Business Name: _____

Location:

- ☐ Seasonal Refreshment Vehicle
- ☐ Day Rental Refreshment Vehicle
- ☐ Refrigerated Bicycle Cart

I have inspected the above referred refreshment vehicle and confirm that it complies with all Public Health regulations regarding same.

Medical Officer of Health

Date

I have inspected the above referred to refreshment vehicle and confirm that it complies with all Fire Regulations regarding same.

Fire Chief

Date

Internal Use Only

- ☐ Proof of Insurance Attached ☐ Sketch Attached
- ☐ Fee (as per Consolidated Fees By-Law) _____
- ☐ Approval from Property Owner (if applicable) _____
- ☐ Approval By Clerk _____

Date Issued: _____ License Number: _____

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