

CORPORATION OF THE TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS

BY-LAW NO. 07-014

BEING A BY-LAW TO LICENSE AND REGULATE AND GOVERN REFRESHMENT VEHICLES IN THE TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS

WHEREAS Section 150 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended permits a municipality to pass by-laws for licensing, regulating and governing any business wholly or 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 Township of Leeds and the Thousand Islands deems it expedient to pass a by-law for this purpose.

NOW THEREFORE the Council of the Corporation of the Township of Leeds and the Thousand Islands enacts as follows:

1) No person shall own or operate a Refreshment Vehicle from which refreshments are sold for consumption by the public unless such person has first obtained a Refreshment Vehicle License from the Township of Leeds and the Thousand Islands.

2) In this By-law the following definitions shall apply:

"Refreshment Vehicle" shall mean any vehicle from which refreshments are sold for consumption by the public and includes, without limiting the generality of the foregoing, carts, wagons, trailers and chip trucks, irrespective of the type of motor power employed to move the refreshment vehicle from one point to another, but shall exclude a vehicle propelled by human muscle power designed to sell frozen ice cream products.

"Person" shall mean a person, firm, company or corporation.

"Restaurant" shall mean and include any place of business in which food is prepared for human consumption either on or off the premises, but does not include a grocery store.

3) Prior to the issuance of such a license the owner and/or the operator of the vehicle must comply to the requirements of this by-law and as well, satisfy the following conditions:

a) All refreshment vehicles must be place on commercial property.

b) Provide written approval from the applicable Health Unit that the vehicle complies with the applicable health regulations.

c) Provide written approval from a certified propane fitter that the vehicle and its equipment complies with the Ontario Propane Code or its successor, if the said vehicle is equipped with propane-fuelled appliances, not more than sixty days prior to the application for a license herein.

d) Provide written approval from the Township of Leeds and the Thousand Islands Fire Department that the said vehicle complies with the applicable fire code regulations.

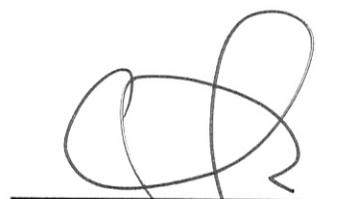
e) Provide a site inspection statement from the Zoning Administrator of the Township of Leeds and the Thousand Islands that the said vehicle is under a Site Plan and Development Control Agreement in areas where site plan control applies.

- f) *Provide evidence that the applicable license fees have been paid.*
- g) *The vehicle from which refreshments are sold shall be equipped with a metal refuse container with a self-closing lid; available to the refreshment vehicle clientele. Garbage to be removed on a daily basis.*
- 4) *No refreshment vehicle will be permitted to be parked on any street or roadway, or lands within the possession of the Township without written permission of the Council of the Township to do so.*
- 5) *Exceptions may be made to certain requirements of this by-law by Council in situations where a refreshment vehicle is proposed to be located at a special event site for a brief period of time, not exceeding five consecutive days of operation.*
- 6) *The license fee, payable to the Township of Leeds and the Thousand Islands shall be as per the Township fee by-law.*
- 7) *Each license issued by the authority of this by-law shall be in effect from January 1st to December 31st each year, or within five days or the conclusion of the event, whichever is the lesser, for licenses approved by Council under the authority of Clause 5 of this by-law.*
- 8) *Any license issued by the authority of this by-law may be revoked at any time by resolution of the Council of the Township of Leeds and the Thousand Islands, if the respective refreshment vehicle fails to comply with any one of the conditions of this by-law.*
- 9) *Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine of not more than Five Thousand Dollars (\$5,000.00) for each offence committed. All fines are recoverable under the Provincial Offences Act R.S.O. 1990, c. P. 33.*
- 10) *That this by-law shall come into force and take effect on the date of passing thereof.*

READ A FIRST AND SECOND TIME THIS 12th DAY OF FEBRUARY, 2007

READ A THIRD TIME AND FINALLY PASSED THIS 12th DAY OF February, 2007.


Frank Kinsella, Mayor


Vanessa Tye, Clerk

