

**THE CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH/CARDINAL**

BY-LAW NO. 2012-68

“A BY-LAW TO LICENSE AND REGULATE REFRESHMENT VEHICLES”

WHEREAS Section 150(1) of the Municipal Act, S.O. 2001, C. 25, authorizes the Council of a municipality to pass by-laws to license, regulate and govern any business carried on within the municipality;

AND WHEREAS Municipal Council deems it advisable to license refreshment vehicles within the Township of Edwardsburgh/Cardinal for the purposes of health and safety and consumer protection;

NOW THEREFORE the Council of the Corporation of the Township of Edwardsburgh/Cardinal enacts as follows:

1. In this by-law, the following definitions shall apply:

“Restaurant” means an eating establishment where food is prepared and offered for sale to the public for consumption within the premises or to be taken out and/or delivered for consumption off the premises, but does not include a motorized or non-motorized refreshment vehicle.

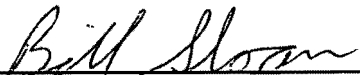
“Motorized refreshment vehicle” means a motor vehicle or trailer capable of being moved from which food is sold.

“Non-motorized refreshment vehicle” means a vehicle propelled solely by muscular power from which food is sold, and shall also include motorcycles.


2. No person shall 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 Edwardsburgh/Cardinal covering the said vehicle.
3. Application for motorized or non-motorized refreshment vehicle license shall be made at the municipal office in writing using the form attached hereto as Schedule “A”. The Clerk or designate may issue a license upon receipt of the completed application form and the applicable fee. Applications must be accompanied by a favourable report from the Lanark, Leeds and Grenville District Health Unit and the Township of Edwardsburgh/Cardinal Fire Department. Where the operator of the refreshment vehicle is not the owner of the property on which he/she intends to locate the refreshment vehicle, the application must be accompanied by a letter of consent from the property owner.
4. Application for motorized refreshment vehicle license must be accompanied by a sketch of the proposed location for the refreshment vehicle indicating distance from surrounding property lines. Said sketch shall indicate the proposed location and number of parking spaces, location of garbage disposal and location and number of any proposed outdoor seating area. Council may review applications received and reserves the right to refuse an application when they believe it is in the best interests of the Township to do so.
5. No refreshment vehicle shall be located within 65 feet of any lot line of a property used as residential.
6. No motorized or non-motorized refreshment vehicle shall be located so as to impede pedestrian or vehicular traffic.

7. Hours of operation of all refreshment vehicles are restricted to between 9:00 a.m. and 9:00 p.m. daily.
8. The property on which a refreshment vehicle is located shall be maintained in a neat and tidy condition and all refuse shall be deposited in proper containers and disposed of by the operator.
9. Refreshment vehicles participating in special community functions such as the Spencerville Fair shall be exempted from the requirements of this by-law.
10. Refreshment vehicle licenses may be transferred from one owner to another or from one location to another, providing all requirements of this by-law are complied with.
11. The fee for each refreshment vehicle application will be \$250.00.

Bylaw passed, signed and sealed in open Council this 22nd day of October, 2012.



Mayor



Clerk

SCHEDULE 'A'
TO BY-LAW 2012-68

REFRESHMENT VEHICLE LICENSE APPLICATION

Applicant's Name(s) _____

Mailing Address _____

Telephone _____

Vehicle Type Motorized _____ Non-Motorized _____

Location _____

Distance to nearest residential lot line _____

- Attachments:
- District Health Unit Letter of Approval
 - Fire Department Letter of Approval
 - Property Owner's Permission
 - Site Plan
 - Fee

By signing below, the applicant certifies that all information contained herein is correct.

Applicant's signature Date

Applicant's signature Date

Application reviewed by	_____ (municipal official).
License granted/refused	_____ (date).
Additional information	_____

