

**The Corporation of the Township
of Minden Hills**

By-law No. 02-30

Being a By-law to license, regulate and govern Refreshment Vehicles within the boundaries of the Township of Minden Hills and to rescind various By-laws previously passed, in this regard.

WHEREAS, Section 257.2(1) of the Municipal Act, R.S.O. 1990, Chap. M45, as amended, provides that by-laws may be passed by Councils for the licensing, regulating and governing of any business carried on within the Municipality;

AND WHEREAS, various by-laws, being By-laws to license, regulate and control food shops and refreshment vehicles within the boundaries of the Township of Minden Hills were passed by the Council for The Corporation of the Township of Minden Hills;

AND WHEREAS, the Council for The Corporation of the Township of Minden Hills deems it expedient to license, regulate and govern only refreshment vehicles;

NOW THEREFORE, the Council of The Corporation of the Township of Minden Hills hereby enacts as follows:

1) Definitions:

- a) "Corporation" shall mean The Corporation of the Township of Minden Hills.
- b) "Food shop" shall include all restaurants, take-out food establishments, snack bars, coffee shops, ice cream parlours and refreshment vehicles within the boundaries of this Municipality.
- c) "Refreshment Vehicle" shall mean,
 - 1) A vehicle as defined by the Highway Traffic Act, R.S.O. 1990, or,
 - 2) Any structure or vehicle so constructed that it is suitable for being attached to a motor vehicle for the purposes of being drawn or propelled by the motor vehicle, even if the structure or the vehicle is jacked-up or its running gear removed,
where foodstuffs or beverages intended for human consumption are made for sale, offered for sale, stored, or sold.
- d) "Township" shall mean all lands within the corporate limits of the Township of Minden Hills.

2) Licences:

- a) No person shall operate, keep, maintain or engage in the business of a refreshment vehicle without obtaining a licence to carry on such business from the CAO/Clerk of the Corporation.
- b) All applications for a licence shall be made annually on a form supplied by the Corporation, and the applicant shall pay a licence fee of \$500.00 per year, per refreshment vehicle, payable on the 15th day of January in each year, or prior to the refreshment vehicle commencing operation, whichever last occurs. Every licence expires January 15th in the year next following the year in which the licence is issued.

3) Licences cont'd:

- c) No licence issued under this By-law shall be transferable.

3) Condition of Licence:

- a) Every application for a licence under this By-law shall be accompanied by a copy of a current approval from the local Health Unit.

4) Regulations:

- a) No person shall operate a refreshment vehicle between the hours of 2:00 a.m. and 6:00 a.m. on any day.
- b) No person shall operate a refreshment vehicle unless it is kept in a clean and sanitary condition.
- c) No person shall operate a refreshment vehicle within 304.8 metres (1,000 feet) of an existing food shop, existing at the date of the passing of this By-Law, unless written permission is provided to the Corporation from the owner of the existing food shop.
- d) No refreshment vehicle shall be located on a property other than a property zoned commercial as described in Zoning By-law No. 86-26, as amended, of the former Townships of Anson, Hindon and Minden, Zoning By-law No. 4-81, as amended, of the former Township of Lutterworth and Zoning By-law No. 3-78, as amended, of the former Township of Snowdon.

5) Penalty:


- a) Any person who contravenes or fails to comply with a section of these By-laws is guilty of an offence and is subject to penalties provided by the Provincial Offences Act.

6) General

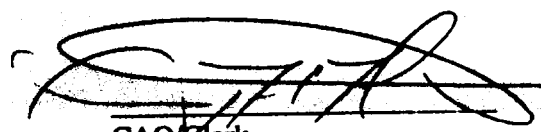
- a) If any provision of this By-law is, for any reason, declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the provision so declared to be invalid and it is hereby declared to be the intention that all the remaining provisions of this By-law shall continue to be in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared invalid.

- 7) By-Law, No. 99-25 of The Corporation of the Townships of Anson, Hindon and Minden; By-Law, No. 13-89 of The Corporation of the Township of Snowdon; and By-Law, No. 14-94 of The Corporation of the Township of Lutterworth are hereby rescinded in their entirety.

READ A FIRST, SECOND AND THIRD TIME, passed, signed and the Corporate Seal attached hereto, this 25th day of April, 2002.



Reeve



Clerk

Township of Minden Hills
Refreshment Vehicle Application

Date: _____

Name: _____

Address: _____

Phone: Home: _____

Work: _____

1. Type of Vehicle: _____

2. Location of Vehicle: _____

3. Type of Refreshments that are going to be sold: _____

4. Dates of Operation - From: _____ to _____

5. Hours of Operation - From: _____ to _____

6. Type of Cooking Source: Propane _____
Electric _____
Other _____

7. Health Unit Approval attached: Yes _____ No _____

8. Is Written permission from the Property Owner, on which the vehicle is located, attached:
Yes _____ No _____

9. Are you within (1000 feet) 308.4 metres from an existing food shop?
Yes _____ No _____

If Yes in question #9, is written permission from the owner of the existing food shop attached?
Yes _____ No _____

Applicant

Office Use Only:

Licence Fee of \$ _____ received on _____, 2002.