



# TOWN OF AMHERSTBURG REGULAR COUNCIL MEETING

## AGENDA

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Monday, April 14, 2025

6:00 PM

Council Chambers

271 Sandwich Street South, Amherstburg, ON, N9V 2A5

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Pages

1. CALL TO ORDER
2. NATIONAL ANTHEM
3. ROLL CALL
4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

*(Public Council Meeting Agenda Items)*

## 5. LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

## 6. REPORT OUT FROM IN-CAMERA SESSION

## 7. MINUTES OF PREVIOUS MEETING

That the minutes **BE ADOPTED** and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:

7.1	Special In-Camera Council Meeting (Public) - January 27, 2025	9
7.2	Special In-Camera Council Meeting (Confidential) - January 27, 2025	
7.3	Special Council Meeting - Planning - February 10, 2025	12
7.4	Special Council Meeting- Planning - February 24, 2025	15

## 8. RECOGNITIONS

## 9. DELEGATIONS

10. PRESENTATIONS

11. REPORTS – CORPORATE SERVICES

*No Reports.*

12. REPORTS - PARKS, RECREATION AND FACILITIES

12.1 Jack Purdie Multi-Use Trail Tender 2025-003 Results

18

It is recommended that:

1. The Chief Administrative Officer and the Town Clerk **BE AUTHORIZED** to sign a contract with Murray Mills Excavating & Trucking (Sarnia) Ltd. to an upset limit of **\$375,805 plus HST** for the installation of a multi-use trail at Jack Purdie Park satisfactory in form to the Town Clerk, financial content to the Chief Financial Officer, and technical content to the Director Parks, Facilities, and Recreation; and,
2. The shortfall in funding of \$107,419.17 **BE FUNDED** from the Jack Purdie Park Upgrades Project (#722076) in the amount of \$ \$77,419.17 from the Park Reserve (1010) and \$30,000 from the Enbridge sponsor via the Giving Back to Communities opportunity or the Multi-Use Trail and Sidewalks for Parks (#725023/PAR-005-24) with funding from the Canada Community Benefit Fund (0410) should the grant funding not be awarded; and,
3. That Council **DELEGATE** the Authority to the CAO to accept the funds from the Enbridge Giving Back to Communities Grant including signing any and all documentation associated with receiving the funds; and,
4. Council **DELEGATE** authority to the Chief Administrative Officer to award and issue purchase orders and/or sign and execute any agreements as may be required for the necessary services to execute the scope of work for the Multi-Use Trail project at Jack Purdie park.

12.2 2025 Arena and Ice Infrastructure Award of Boiler Replacement Tender

31

1. A total project cost of \$191,305 inclusive of non-recoverable HST **BE APPROVED** for this project and;
2. The Chief Administrative Officer and the Town Clerk **BE AUTHORIZED** to sign a contract with Cardinal Services Group Inc. in the amount of **\$179, 930** plus HST and contingency, for boiler replacement at the Libro as per Tender #2025-002,

satisfactory in financial content to the Chief Financial Officer, and in technical content to the Director Parks, Facilities, and Recreation; and

3. The funding shortfall of \$91,305 **BE FUNDED** from General Reserve (0400) as follows:
4. \$56,305 and;
5. Re-allocation of \$10,000 approved in 2025 for the Libro Life Cycle Project – Artificial Turf (#724032/FAC-003-24) and;
6. Re-allocation of \$25,000 approved in the 2024 for the Lexon Panel replacements (#723004/FAC-001-23); and
7. Recommendation number three (#3) included in CR20230911-002, more specifically: “Net proceeds from the sale of the current Zamboni **BE DIRECTED** to the Libro Ice and Arena Infrastructure project (#723004), along with any surplus funding after the purchase of the Electric Zamboni, estimated at \$58,381, to be use towards the purchase of additional ice maintenance equipment required for the Libro Centre rinks.”

**BE RESCENDED and BE REPLACED with;**

“Net proceeds from the sale of the current Zamboni **BE DIRECTED** to the General Reserve (0400) and the surplus funding of \$56,305 in the Zamboni project (#723004/FAC-001-23) **BE DIRECTED** in the New Capital Reserve (0401)

1. The Chief Administrative Officer **BE DELEGATED** authority to Award and issue purchase orders and/or sign and execute agreements as may be required for the necessary services to execute the scope of work for the boiler replacement project at the Libro.

**12.3 Playground Design, Supply and Installation for Malden Centre Park RFP #2025-004**

38

It is recommended that:

1. Council **APPROVE** the playground design attached under *Appendix A* as the new accessible playground for Malden Centre Park in accordance with RFP 2025-004 and the Town of Amherstburg’s Purchasing By-Law; and
2. The Chief Administrative Officer and the Town Clerk **BE AUTHORIZED** to sign a contract with New World Parks Solutions Inc. in the amount of \$339,940 plus HST as result of RFP# 2025-004, satisfactory in form to the Town Clerk, financial content to the Chief Financial Officer, and technical content to the Director Parks, Facilities, and Recreation.



### 13. REPORTS - INFRASTRUCTURE SERVICES

#### 13.1 Traffic Concerns – South Riverview/Concession 3 N/County Road 8

55

It is recommended that:

1. The report from the Manager of Roads and Fleet dated January 10, 2025 regarding the Traffic Concerns for South Riverview, Concession 3 North and County Road 8 **BE RECEIVED**;
2. Administration **BE DIRECTED** to send a letter requesting that the County of Essex complete a Traffic Study for the intersection of County Road 8 and South Riverview to provide options to improve the safety for pedestrians.

### 14. REPORTS - PLANNING AND DEVELOPMENT SERVICES

*No Reports.*

### 15. REPORTS - CAO's OFFICE

#### 15.1 Amendments to Annual Vacation and Paid Holidays Policy

63

It is recommended that:

1. The Annual Vacation and Paid Holidays policy **BE AMENDED** in accordance with the March 12, 2025 report; and,
2. The Paid Holidays policy **BE RESCINDED**.

#### 15.2 2009 Aerial Apparatus Replacement RFP

71

It is recommended that:

1. The Chief Administrative Officer and the Town Clerk **BE AUTHORIZED** to sign a contract with Fort Erie Fire Trucks in the amount of **\$3,038,000** plus HST, for the purchase of an Aerial Apparatus as per results of Tender #2024-040, satisfactory in financial content to the Chief Financial Officer, and in technical content to the Fire Chief or designate; and,
2. Additional funding in the amount of \$91,566.10 from the General Reserve (0400) **BE APPROVED** for the Aerial Apparatus purchase.

**15.3 Community Grant Process** 77

It is recommended that:

1. The request from 2<sup>nd</sup> Amherstburg Scouting **BE RECEIVED** and further direction **BE PROVIDED**.

**15.4 Future Policing Model in Amherstburg** 109

It is recommended that:

1. The report dated March 31, 2025, regarding the status of investigations into the potential policing models for the Town of Amherstburg **BE RECEIVED**;
2. A formal request **BE MADE** to the Ministry of the Solicitor General for the provision of a Policing Resource Plan from the Ontario Provincial Police for policing in the Town of Amherstburg post December 31, 2028; and,
3. Administration **BE DIRECTED** to continue investigations into the various options available to the Town of Amherstburg with respect to policing post December 2028, in order to bring a comprehensive report and recommendation to Council regarding the same.

**16. INFORMATION REPORT**

*No Reports.*

**17. CONSENT CORRESPONDENCE**

**18. CORRESPONDENCE**

**18.1 Proclamation Request- BeADonor Month** 117

That:

1. The month of April 2025 **BE PROCLAIMED** "BeADonor" Month in the Town of Amherstburg.

**18.2 Extension of Nomination Deadline: Order of Ontario** 119

19. CONSENT OTHER MINUTES

That the following minutes BE RECEIVED:

- |      |  |     |
|------|--|-----|
| 19.1 | Heritage Committee Meeting Minutes - February 20, 2025                       | 120 |
| 19.2 | Amherstburg Accessibility Advisory Committee Meeting Minutes - April 2, 2025 | 126 |

20. OTHER MINUTES

- |      |  |     |
|------|--|-----|
| 20.1 | Parks and Recreation Advisory Committee Meeting Minutes - March 19, 2025 | 130 |
|------|--|-----|

That the Parks and Recreation Advisory Committee **RECOMMEND** to Council that the Economic Development Advisory Committee look into the possibility of third-party donations and/or sponsorships to support Town projects.

21. UNFINISHED BUSINESS

- |      |                                       |     |
|------|---------------------------------------|-----|
| 21.1 | Unfinished Business List - April 2025 | 134 |
|------|---------------------------------------|-----|

22. NEW BUSINESS

23. NOTICE OF MOTION

- |      |  |  |
|------|--|--|
| 23.1 | Notice of Motion of March 25,2025 -Amherstburg Branch of the Essex County Library – Councillor Allaire |  |
|------|--|--|

*To be deliberated April 14, 2025*

That:

1. Administration **BE DIRECTED** to report back on future opportunities that may exist to relocate the Amherstburg Branch of the Essex County Library from the Carnegie Building; and,
2. Administration **BE DIRECTED** to send a letter to the Essex

County Council and Essex County Library Board to request consideration for monies to be set aside for future funding in relation to fit up costs associated with a new Amherstburg Library Branch.

## 24. BY-LAWS

### 24.1 By-law 2025-004 - Pike Road Drain East (2025) - Third & Final Reading 137

It is recommended that:

1. **By-law 2025-004** being a by-law to provide for the Pike Road Drain East (2025) improvements be read a third and final time and the Mayor and Clerk **BE AUTHORIZED** to sign same.

### 24.2 By-law 2025-005 - Rebidoux Drain - Third & Final Reading 139

It is recommended that:

1. **By-law 2025-005** being a by-law to provide for the Rebidoux Drain improvements be read a third and final time and the Mayor and Clerk **BE AUTHORIZED** to sign same.

### 24.3 Housekeeping By-law 2025-030 141

By-law 2025-030 being a by-law to Re-enact By-Law 2009-044, a By-Law to regulate Licensing in the Town of Amherstburg, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

### 24.4 2025 -029 Confirmatory By-Law 234

That: By-law 2025-029 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on the March 27, 2025 and April 14, 2025 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

## 25. ADJOURNMENT

That Council rise and adjourn at     p.m.



**TOWN OF AMHERSTBURG**  
**SPECIAL IN-CAMERA COUNCIL MEETING**  
**PUBLIC MINUTES**

**Monday, January 27, 2025**  
**5:00 PM**  
**Council Chambers**  
**271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

PRESENT                      Mayor Michael Prue  
                                    Deputy Mayor Gibb  
                                    Councillor Molly Allaire  
                                    Councillor Linden Crain  
                                    Councillor Donald McArthur  
                                    Councillor Diane Pouget  
                                    Councillor Peter Courtney

STAFF PRESENT            Kevin Fox - Clerk  
                                    Valerie Critchley - CAO  
                                    Sarah Sabihuddin - Deputy Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 5:03 p.m.

**2. ROLL CALL**

**3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

#### **4. LAND ACKNOWLEDGEMENT**

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

#### **5. SPECIAL IN-CAMERA MEETING**

**Moved By** Councillor Allaire  
**Seconded By** Deputy Mayor Gibb

**That Council move into an In-Camera Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:**

##### **Item A – Update on Ontario Land Tribunal Matters**

Section 239(2)(E) - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Section 239(2)(F) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose

##### **Item B - Legal Advice and information regarding a contract for operational services provided to the Town of Amherstburg**

Section 239(2)(F) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose

##### **Item C – Update Regarding Potential Advertising Contracted Service**

Section 239(2)(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

**Item D: Legal Advice and Recommendations Regarding Municipal Agreements for Emergency Service Provision**

Section 239(2)(F) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose

The Mayor put the Motion.

**Motion Carried.**

*Council went In-Camera at 5:08 pm.*

**6. ADJOURNMENT**

That Council **RISE** and **ADJOURN** at 6:20 p.m.

The Mayor put the Motion.

**Motion Carried.**

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MAYOR - MICHAEL PRUE

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KEVIN FOX - CLERK



**TOWN OF AMHERSTBURG  
SPECIAL COUNCIL MEETING  
MINUTES - PLANNING**

**Monday, February 10, 2025  
5:00 PM**

**Council Chambers  
271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

PRESENT	Mayor Michael Prue Deputy Mayor Gibb Councillor Molly Allaire Councillor Linden Crain Councillor Diane Pouget Councillor Peter Courtney
STAFF PRESENT	Kevin Fox - Clerk Valerie Critchley - CAO Sarah Sabihuddin - Deputy Clerk
ABSENT	Councillor Donald McArthur ( <i>Regrets</i> )

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 5:04 p.m.

**2. ROLL CALL**

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### 3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

*(Public Council Meeting Agenda Items)*

There were no disclosures of pecuniary interest noted.

### 4. LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

### 5. PLANNING REPORTS

#### 5.1 Statutory Public Meeting – Excess Soil Strategy and Site Alteration By-law

The Mayor called on Megan Reddy and Alexandra Chan from Dillon Consulting to provide an overview on the matter.

The Mayor invited the public to comment and there were no comments.

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Crain

That comments from the public, municipal departments, agencies and Council with respect to the proposed Excess Soil Strategy and Site Alteration By-law **BE RECEIVED and SUMMARIZED** in a future report to Council.

The Mayor put the Motion.

**Motion Carried.**

**6. ADJOURNMENT**

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Crain

That Council **RISE AND ADJOURN** at 5:22 p.m.

The Mayor put the Motion.

**Motion Carried.**

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MAYOR - MICHAEL PRUE

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KEVIN FOX - CLERK



**TOWN OF AMHERSTBURG  
SPECIAL COUNCIL MEETING  
MINUTES - PLANNING**

**Monday, February 24, 2025  
5:00 PM**

**Council Chambers  
271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

**PRESENT** Mayor Michael Prue  
Deputy Mayor Gibb  
Councillor Molly Allaire (*Electronic Participant*)  
Councillor Linden Crain  
Councillor Peter Courtney  
Councillor Diane Pouget  
Councillor Donald McArthur

**STAFF PRESENT** Kevin Fox - Clerk  
Valerie Critchley - CAO  
Sarah Sabihuddin - Deputy Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 5:08 p.m.

**2. ROLL CALL**

### 3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

### 4. LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

### 5. PLANNING REPORTS

#### 5.1 Statutory Public Meeting to Consider a Zoning By-law Amendment for 1267 Front Road North, Riverview Subdivision

The Mayor called on upon Town Staff to present the planning report.

The Mayor called on the developer to speak.

The Mayor invited the public to comment and Nick Cacciato provided comments.

**Moved By** Councillor McArthur

**Seconded By** Deputy Mayor Gibb

That comments from the public, municipal departments, agencies, and Council with respect to Zoning By-law Amendment for lands municipally known as 1267 Front Road North, Riverview Subdivision, (File ZBA-03-25) **BE RECEIVED and SUMMARIZED** in a future report to Council.

The Mayor put the Motion.

**Motion Carried.**

**6. ADJOURNMENT**

**Moved By** Councillor McArthur

**Seconded By** Councillor Crain

That Council **RISE AND ADJOURN** at 5:23 p.m.

The Mayor put the Motion.

**Motion Carried.**

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MAYOR - MICHAEL PRUE

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KEVIN FOX - CLERK



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PARKS, FACILITIES & RECREATION

Mission Statement: As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Table with 2 columns: Author's Name, Report Date, Author's Phone, Date to Council, Author's E-mail, Resolution #.

To: Mayor and Members of Town Council

Subject: Jack Purdie Multi-Use Trail Tender 2025-003 Results

1. RECOMMENDATION:

It is recommended that:

- 1. The Chief Administrative Officer and the Town Clerk BE AUTHORIZED to sign a contract with Murray Mills Excavating & Trucking (Sarnia) Ltd. to an upset limit of \$375,805 plus HST for the installation of a multi-use trail at Jack Purdie Park satisfactory in form to the Town Clerk, financial content to the Chief Financial Officer, and technical content to the Director Parks, Facilities, and Recreation; and,
2. The shortfall in funding of \$107,419.17 BE FUNDED from the Jack Purdie Park Upgrades Project (#722076) in the amount of \$ \$77,419.17 from the Park Reserve (1010) and \$30,000 from the Enbridge sponsor via the Giving Back to Communities opportunity or the Multi-Use Trail and Sidewalks for Parks (#725023/PAR-005-24) with funding from the Canada Community Benefit Fund (0410) should the grant funding not be awarded; and,
3. That Council DELEGATE the Authority to the CAO to accept the funds from the Enbridge Giving Back to Communities Grant including signing any and all documentation associated with receiving the funds; and,
4. Council DELEGATE authority to the Chief Administrative Officer to award and issue purchase orders and/or sign and execute any agreements as may be required for the necessary services to execute the scope of work for the Multi-Use Trail project at Jack Purdie park.

## **2. BACKGROUND:**

Jack Purdie park is located within a 0.8km distance of H. Murray Smith Centennial Park and is surrounded by housing on all sides. The park was named after the Purdie family and was always intended to be a ‘family oriented’ park equipped with playground equipment, open space and a place for families to gather. From the public engagement process the community made it clear that they wished to keep this park in its entirety and amenities found within should cater to a ‘family oriented’ recreational experience.

During the August 15, 2022 Council meeting, Council passed the following resolution to approved the Master Plan for Jack Purdie Park. The approved master plan is attached as **Appendix A**.

Resolution # 20220815-05

That:

1. *Council APPROVE the Conceptual Master Plan for Jack Purdie Park as presented in Appendix A;*
2. *Funding for the phased implementation BE DEFERRED to the 2023 budget deliberations as this project is expected to be phased in over a number of years;*

The Town installed an accessible playground in Jack Purdie park that opened in July 2023. The playground was constructed as phase (1) one of the larger master plan.

Phase two (2) includes the design, planning and construction of accessible multi-use pathway system within the park that connects all park amenities. This project was identified in the 5 year capital forecast and received funding in 2025. The remaining park elements in the master plan will be built in phases over time as budget allows.

## **3. DISCUSSION:**

Tender #2025-003 was issued on February 27, 2025 for the design, planning and construction of the accessible multi-use pathways in Jack Purdie Park. The tender includes the removal and disposal of existing asphalt trail segments and the installation of a new 3m wide asphalt pathway system around the park that connects all park amenities and includes drainage, catch basins, concrete approaches and tactile plates, bollards and landscape restoration. Any clean excess soil excavated as part of the project will remain on site, and will be used to shape a sledding hill in the southern half of the park as identified in the master plan.

A total of twelve (12) bids were received from the companies noted within the Financial Matters section of this report.

On March 19, 2025 Administration presented the designs and project at the Parks Committee meeting where it was requested that Administration seek potential funding donations and or sponsorships to help offset some of the costs of the project.

As a result the Director of Parks, Facilities and Recreation met internally with the CAO and Deputy CAO along with the Economic Development team to see if there were any potential opportunities that could be leveraged. The Enbridge “Giving Back to Communities” funding program was discussed and an application was submitted in the

amount of \$30,000 to help offset the overage not currently covered within the funding sources already approved for the park.

The Enbridge 'Giving Back to Communities' grant is being made available to all communities in Essex County as well as to the County of Essex in recognition of the community support provided by the municipalities regarding Enbridge's recent projects in the area. The grant supports projects under the following three main project streams:

1. Safe Communities
2. Vibrant Communities
3. Sustainable Communities

It is anticipated the Town will receive a response from Enbridge regarding the "Giving Back to Communities" application within the coming weeks. If the Town is not successful with the application the overage can be covered within the current capital budget under PAR—005-24 Multi-use Trails and Sidewalks within Parks. Should this funding not be required it will be used to create connections within the Town that support the Active Transportation initiatives within parks.

In addition, Tender #2025-003 was circulated to the Accessibility Committee for review and comment at the March 27<sup>th</sup> committee meeting which was moved to April 2, 2025. The pathways and trails within Jack Purdie park meet all current AODA and accessibility regulations including eleven (11) rest areas, required every 100-200M according to the Towns Facility Accessibility Design Standards (FADS) Guidelines.

#### **4. RISK ANALYSIS:**

The following items are being identified as potential risks:

- a) **Resource Risk:** There are sufficient personnel and financial resources available to complete the multi-use pathway installation (see Financial Matters below), however there is a risk that unforeseen supply and demand conditions could cause increased costs to the project. It is considered possible, and of medium impact.
- b) **Timing Risks:** In order to ensure that delivery and installation are completed with ample time to complete all associated site work before the potential of cold or poor weather, delay or deferral early contract award is best. This is considered possible, and of medium impact.
- c) **Health & Safety:** Accessible multi-use asphalt pathways in general, carry minimal inherent risk to users and, by extension, the Town. Measures have been taken in the design to limit the risks to users. This is considered low risk and of low impact.
- d) **Litigation:** As with any procurement, failure to award the contract in accordance with the terms of the Tender and the Purchasing By-Law could result in liability to the municipality. This is considered unlikely to occur and of medium impact.

#### **5. FINANCIAL MATTERS:**

A total of twelve (12) bids were received as outlined below, all over-budget, ranging from \$375,805 to \$530,776.50 plus HST:



1. Murray Mills Excavating & Trucking (Sarnia) Ltd: \$375,805
2. Armstrong Paving and Materials Group Ltd.: \$389,319.15
3. 1752336 Ontario Ltd.: \$402,315
4. Quinlan Inc.: \$407,650
5. Piera Con Enterprises Inc.: \$408,281.60
6. J.C.S Construction Inc.: \$462,300
7. Sterling Ridge Infrastructure Inc.: \$469,845
8. Powerserve Inc.: \$474,200
9. Fuller Construction (1986) Inc.: \$478,407
10. D Rock Paving: \$480,868.41
11. SheaRock Construction Group Inc.: \$495,200
12. Nevan Construction Inc.: \$530,776.50

The lowest compliant bid in the amount of \$375,805, when including non-recoverable HST will result in a total cost of \$382,419.17.

Jack Purdie Park Project (# 722076) currently has \$ 355,418.89 in approved funding for the park, with \$275,000 of this funding specifically identified for the trail. The other \$80,418.89 is remaining from the \$100,000 approved in 2022 for consulting and design for the park as well as preparing design documents for the trail and to investigate site servicing and utilities required for the park development. Use of \$77,419.17, of the \$80,418.89, for the trail to be developed may require the 2026 capital budget development to revisit the costs for investigation of site servicing and utility requirements as they may exceed the remaining \$2,999.72.

The remaining shortfall in funding of \$30,000 is recommended to be leveraged from the Enbridge 'Giving Back to Communities' program. The Town has been granted \$30,000 in funding from Enbridge. There is a requirement that an application be filled out for a project the Town wants to apply the funding to. The project must meet one of the 3 eligible program types which Enbridge has identified for this funding. Administration has put forward the Jack Purdie Trail project and is awaiting confirmation from Enbridge that they agree the project aligns with their objectives for the funding. Should Enbridge not deem this project to be in alignment with their objectives then Administration recommends the \$30,000 funding shortfall be from #725023/PAR-005-24 Multi-Use Trails and Sidewalks within Parks, which has \$30,000 in approved funding from Gas Tax/Canada Community Benefit Reserve. In addition, Administration would put forward a different project for the Enbridge funding of \$30,000, which has yet to be determined as we are hopeful this project will be confirmed as acceptable by Enbridge.

## **6. ASSET MANAGEMENT IMPACTS**

Every asset the Town adds to its current inventory must be accounted for in the Town's Asset Management Plan for future end of life replacement. See **Appendix B** for asset management considerations and replacement costs associated with the aforementioned multi-use accessible pathway.

Other additional considerations include warranty and ongoing long-term maintenance costs. The warranty on an accessible multi-use pathway is generally 1 year from time of installation. Additional maintenance could include, but is not limited to, crack repair, pot

hole repair, landscape grading along pathway edges due to normal use and site conditions.

**7. CONSULTATIONS:**

Manager of Parks and Naturalized Areas  
 Technical Support Project Manager

**8. CORPORATE STRATEGIC ALIGNMENT:**

*Vision: Preserving our past while forging our future.*

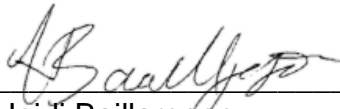
<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p style="text-align: center;"><b>PILLAR 1</b>  <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li> <li><input type="checkbox"/> Deliver transparent and efficient financial management.</li> <li><input type="checkbox"/> Increase effective communication and engagement with residents.</li> <li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li> <li><input type="checkbox"/> Continue to deliver strong core municipal services.</li> <li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li> </ul>	<p style="text-align: center;"><b>PILLAR 3</b>  <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li> <li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li> <li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li> <li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li> </ul>
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operations and increase Town resilience to climate change.

Preserve the Town's greenspaces, agricultural lands, and natural environment.

## 9. CONCLUSION:

Of the bids submitted for Tender#2025-003 Jack Purdie Park Pathway Reconstruction and in accordance with the Town of Amherstburg Purchasing By-Law, Administration recommends awarding the contract to Murray Mills Excavating & Trucking (Sarnia) Ltd. for the complete design and construction of multi-use accessible pathways at Jack Purdie Park. Murray Mills Excavating & Trucking (Sarnia) Ltd. was the lowest compliant bid meeting all requirements as set forth in Tender #2025-003. The new multi-use pathways will be accessible and will have a positive impact on the neighbourhood and the Town.



Heidi Baillargeon

**Director of Parks, Facilities and Recreation**

## Report Approval Details

Document Title:	Jack Purdie Tender 2025-003 Results.docx
Attachments:	- Appendix A 2024 Jack Purdie_approved by council.pdf - Appendix B AMP Asset Managment calculation.xlsx
Final Approval Date:	Apr 2, 2025

This report and all of its attachments were approved and signed as outlined below:



Tracy Prince



Valerie Critchley



Kevin Fox



CENTRAL GATHERING AREA WITH NEW NATURE THEMED PLAYGROUND, SPLASH PAD, PAVILION WITH COVERED SEATING AREA, WASHROOM/CHANGE ROOM.

750m PERIMETER ASPHALT PEDESTRIAN TRAIL

HARD SURFACE MULTI USE SPORTS COURT

CONNECTION TO SUBDIVISION

PROPOSED SHADE TREES

METAL BENCH ON CONCRETE PAD

OUTDOOR EXERCISE STATIONS

NEW PARK LIGHTING

OPEN PLAY AREA

EXISTING PARKING

TREED PICNIC AREA

EXISTING SWINGS TO REMAIN

CONNECTION TO SUBDIVISION

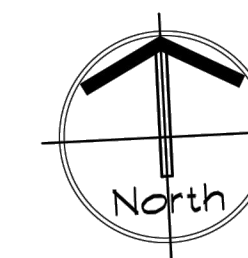
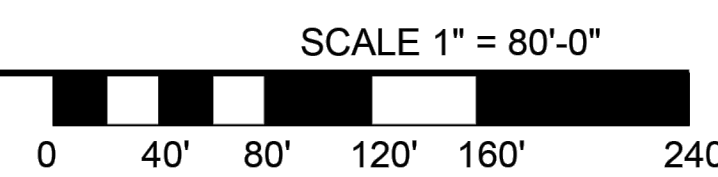
SLEDDING HILL

DEEP WELL TRASH & RECYCLE RECEPTACLES

EXISTING PARKING



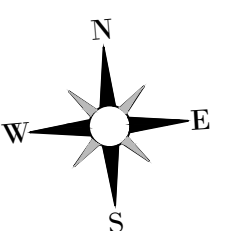
ALL PARK CONCEPT



JACK PURDIE PARK - APPROVED CONCEPT PLAN

JULY 2024

N.T.S.





# INSTRUCTIONS

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**Appendix A - Asset Management Table**  
**Proposed New Assets**

<b>Assets</b>	<b>Current Value</b>	<b>Expected Useful Life (yrs)</b>	<b>Annual Increase to AMP Contribution*</b>	<b>One-time % Increase for AMP</b>
New Accessible Multi Use Trail in Jack Purdie Park approximate (3400 sq. M)	\$ 375,805	20	\$ 25,260	0.079%
<b>TOTAL</b>	<b>\$ 375,805</b>		<b>\$ 25,260</b>	<b>0.08%</b>

\*Assumes 3% CPI increases

**SAMPLE TABLE**

Assets	Current Value	Expected Useful Life (yrs)	Annual Increase to AMP Contribution*	One-time % Increase for AMP
Storm	\$ 4,046,427	75	\$ 136,235	0.426%
Streetlights	\$ 375,789	30	\$ 19,172	0.060%
Road & Curb	\$ 3,642,327	60	\$ 131,608	0.411%
Playground - River Canard Park	\$ 300,000	20	\$ 20,165	0.063%
<b>TOTAL</b>	<b>\$ 8,364,543</b>		<b>\$ 307,180</b>	<b>0.96%</b>

\*Assumes 3% CPI increases

NOTE: (do not copy into report)



**Appendix A - Asset Management Table**  
**Proposed New Water Assets**

Assets	Current Value	Expected Useful Life (yrs)	Annual Increase to AMP Contribution*
(Insert name of asset or group of assets)	\$ -	0	
	\$ -		\$ -

\*Assumes 3% CPI increases

NOTE: Water assets are managed through the OCWA AMP.

**Appendix A - Asset Management Table**  
**Proposed New Wastewater Assets**

Assets	Current Value	Expected Useful Life (yrs)	Annual Increase to AMP Contribution*
(Insert name of asset or group of assets)	\$ -	0	
	\$ -		\$ -

\*Assumes 3% CPI increases

NOTE: Wastewater assets are managed through the OCWA AMP.



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PARKS, FACILITIES & RECREATION

Mission Statement: As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Table with 2 columns: Author's Name, Report Date, Author's Phone, Date to Council, Author's E-mail, Resolution #.

To: Mayor and Members of Town Council

Subject: 2025 Arena and Ice Infrastructure Award of Boiler Replacement Tender

1. RECOMMENDATION:

It is recommended that:

- 1. A total project cost of \$191,305 inclusive of non-recoverable HST BE APPROVED for this project and;
2. The Chief Administrative Officer and the Town Clerk BE AUTHORIZED to sign a contract with Cardinal Services Group Inc. in the amount of \$179,930 plus HST and contingency, for boiler replacement at the Libro as per Tender #2025-002, satisfactory in financial content to the Chief Financial Officer, and in technical content to the Director Parks, Facilities, and Recreation; and
3. The funding shortfall of \$91,305 BE FUNDED from General Reserve (0400) as follows:
a. \$56,305 and;
b. Re-allocation of \$10,000 approved in 2025 for the Libro Life Cycle Project - Artificial Turf (#724032/FAC-003-24) and;
c. Re-allocation of \$25,000 approved in the 2024 for the Lexon Panel replacements (#723004/FAC-001-23); and
4. Recommendation number three (#3) included in CR20230911-002, more specifically:

“Net proceeds from the sale of the current Zamboni **BE DIRECTED** to the Libro Ice and Arena Infrastructure project (#723004), along with any surplus funding after the purchase of the Electric Zamboni, estimated at \$58,381, to be use towards the purchase of additional ice maintenance equipment required for the Libro Centre rinks.”

**BE RESCENDED and BE REPLACED with;**

“Net proceeds from the sale of the current Zamboni **BE DIRECTED** to the General Reserve (0400) and the surplus funding of \$56,305 in the Zamboni project (#723004/FAC-001-23) **BE DIRECTED** in the New Capital Reserve (0401)

5. The Chief Administrative Officer **BE DELEGATED** authority to Award and issue purchase orders and/or sign and execute agreements as may be required for the necessary services to execute the scope of work for the boiler replacement project at the Libro.

**2. BACKGROUND:**

The boilers in the Libro facility function to provide hot water for showers, bathrooms, make ice, and function as backup heat within the radiators to assist the geo-thermal system. In the fall of 2024 one of the two boilers in the mechanical room failed at the start of the 2024/2025 season. The remaining boiler kept the facility operational but is now also showing signs of failure. Without the boilers, the Town will not be able to make ice, provide hot water in the washrooms and change rooms nor have a backup for the radiators to aid the geo-thermal heating system.

For quality assurance, the system was designed with two boilers to adequately service the Libro facility. One boiler has completely failed requiring immediate replacement and the other boiler is showing signs of failure. It is recommended that both boilers be replaced at this time to ensure the successful operation of the Libro for future seasons.

**3. DISCUSSION:**

The 2025 Capital Budget identified \$100,000 under FAC-001-23 for the replacement of one (1) boiler and re-lamping with LED energy efficient lighting at the Libro as at that time, it was anticipated that only one (1) boiler would be replaced. After the budget was approved, the second boiler started to show signs of failure. As a result replacement of both units is now required. Upon further investigation regarding both the boiler replacement and re-lamping with more energy efficient LED lights, the approved budget will only allow for the two boilers to be replaced at this time. Re-lamping with more energy efficient LED lights as well as the replacement of Lexan panels at the Libro identified in 2024 and 2025 will come back to Council for consideration as part of the 2026 budget deliberations.

On January 20, 2025 the Town issued Tender #2025-002 via bids and tenders for the supply and installation of two new boilers at the Libro Centre. The Town of Amherstburg

received eight (8) submissions, one of which was non-compliant and therefore not included below. The compliant bids were:

1. Cardinal Services Group Inc. \$226,930.00
2. Cimco Refrigeration \$246,769.00
3. Black & MacDonald Ltd. \$256,200.00
4. Ainsworth Inc. \$268,591.00
5. Lekter Industrial Services Inc. \$283,706.00
6. Haller Mechanical Contractors Inc. \$307,100.00
7. Carrier Commercial Services \$307,296.00

Of note all bids, including the one removed as it was not compliant, were substantially over budget given the new need for two units as opposed to one. As per the purchasing by law Administration entered into negotiations with the lowest compliant bidder, Cardinal Services Group Inc. This resulted in a final tender price of \$179,930 plus HST.

Despite the results of the negotiations providing for a lower tender value, the overall cost remains in excess of the approved budget. In addition, there is a risk of additional costs should unexpected issues occur during the project and as such a modest contingency of \$8,200 is being requested for the project. This will provide for an overall requested budget of \$191,305, inclusive of the tender cost, non-recoverable HST and contingency, resulting in a \$91,305 shortfall in funding. The financial matters section of the report outlines the funding strategy to address the \$91,305.

#### **4. RISK ANALYSIS:**

Aforementioned, the boilers in the Libro facility function to provide hot water for showers, bathrooms, make ice, and function as backup heat within the radiators to assist the geo-thermal system. Failure to replace the existing boiler infrastructure has the potential to severely limit the function and successful operation of the Libro facility. In order to minimize this risk, it is recommended that the boilers be replaced. This is considered possible and is of medium impact.

With the purchase of any new piece of equipment there are ongoing maintenance and replacement costs to consider. In order to minimize any risk for replacement, these components are captured under the current asset inventory for the Town to ensure the appropriate funding is identified for lifecycle replacement.

#### **5. FINANCIAL MATTERS:**

On January 20 2025 via bids and tenders a total of eight (8) bids were received to replace two boilers at the Libro. All bids submitted for this project came in above the approved capital budget. Upon negotiation with the *lowest qualified compliant bidder*, the cost to replace both boilers is \$179,930 plus non-recoverable HST and a minor contingency of \$8,200 resulting in a total project budget of \$191,305.

The 2025 Capital Budget approved funding for the Libro Arena and Ice Infrastructure (#723004/FAC-001-23) in the amount of \$100,000 funded from the General Reserve Fund (0400). These funds are mainly for the replacement of the boilers and noted may also be used for the re-lamping within Rink 'A' with LED lights. Given the results of the tender the full \$100,000 will need to be used for the priority of project being the boiler.

Future capital budgets will consider the timing and request for funding to address the LED lights.

This leaves a \$91,305 shortfall in funding. Administration has reviewed various capital projects and determine the following funding sources.

During the 2025 budget deliberations Council approved \$50,000 from the General Reserve (0400) for the planning, design and engineering for the replacement of the Artificial Turf, included in the Libro Life Cycle Project (FAC-003-24). There is also additional funding requested in 2026, 2029 and 2030 for this project. Administration has determined that a \$10,000 reduction in this approved funding will not materially change the timing for the project as the replacement of the turf will take several years to build up enough funds for the project to proceed. Therefore, Administration deems this a lower priority than the boiler project and recommends use of these funds be redirected accordingly.

During the 2024 budget deliberations Council approved \$25,000 from the General Reserve (0400) for the replacement of Lexon panels in the arena, included in the Libro – Arena and Ice Infrastructure Project (FAC-001-23). This project is also deemed to be a lower priority than the boiler project and Administration recommends use of these funds be redirected accordingly.

Council received a report on September 11, 2023 regarding the purchase of the new electric Zamboni. The following recommendations were approved by Council in that report:

Resolution # 20230911-002

**Moved By** Councillor Allaire  
**Seconded By** Councillor Pouget

That:

1. An expenditure for the purchase of a 2024 Zamboni 650 Electric **BE APPROVED** with a total cost not to exceed \$198,131.97 plus HST;
2. The purchase of the 2024 Zamboni 650 Electric **BE AWARDED** to Zamboni Company Ltd.; and,
3. Net proceeds from the sale of the current Zamboni **BE DIRECTED** to the Libro Ice and Arena Infrastructure project (#723004), along with any surplus funding after the purchase of the Electric Zamboni, estimated at \$58,381, to be use towards the purchase of additional ice maintenance equipment required for the Libro Centre rinks.

The Mayor put the Motion.

**Motion Carried.**

Of note, the final surplus on the project is \$56,305, rather than the estimated \$58,381. Administration is not able to recommend the surplus be directly used to fund the boiler

project as the funding source is New Capital (0401). That said, Administration is recommending that the Zamboni surplus funds be returned to the New Capital Reserve (0401) rather than to the Libro Ice and Arena Infrastructure for the purchase of additional ice maintenance equipment. By directing those funds to the New Capital Reserve Administration can recommend use of General Reserve funds (0400) for the boiler project. This results in an overall net impact to our reserves of \$0, as the increase to New Capital offsets the use of General Reserve. Recommendations to rescind the previous direction and amend are included in this report in order for this to be achieved.

The funding recommendations above have no impact on the overall reserve balances of the Town. Any projects for which funding has been reduced or eliminated are of a lesser priority and can be revisited during the development of future capital budgets.

**6. ASSET MANAGEMENT IMPACTS:**

Every asset the Town adds to its current inventory must be accounted for in the Town’s Asset Management Plan the boilers are captured and accounted for in the Towns current asset management plan.

**7. CONSULTATIONS:**

Procurement Specialist  
 Facilities Manager  
 Asset Management Coordinator  
 Deputy CAO / Director of Development Services

**8. CORPORATE STRATEGIC ALIGNMENT:**

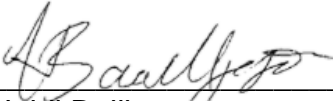
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**9. CONCLUSION:**

Administration recommends moving forward with the award of Tender #2025-002 to Cardinal Services Group Inc. in the amount of **\$179,930** plus HST and contingency to replace the failing boiler system at the Libro Recreation Complex.


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 Heidi Baillargeon  
**Director of Parks, Facilities and Recreation**



## Report Approval Details

Document Title:	2025 - Arena and ice infrastructure - Award of Tender.docx
Attachments:	
Final Approval Date:	Apr 3, 2025

This report and all of its attachments were approved and signed as outlined below:



Heidi Baillargeon



Tracy Prince



Valerie Critchley



Kevin Fox



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PARKS, FACILITIES & RECREATION

Mission Statement: As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Table with 2 columns: Author's Name, Report Date, Author's Phone, Date to Council, Author's E-mail, Resolution #.

To: Mayor and Members of Town Council

Subject: Playground Design, Supply and Installation for Malden Centre Park RFP #2025-004

1. RECOMMENDATION:

It is recommended that:

- 1. Council APPROVE the playground design attached under Appendix A as the new accessible playground for Malden Centre Park in accordance with RFP 2025-004 and the Town of Amherstburg's Purchasing By-Law; and
2. The Chief Administrative Officer and the Town Clerk BE AUTHORIZED to sign a contract with New World Parks Solutions Inc. in the amount of \$339,940 plus HST as result of RFP# 2025-004, satisfactory in form to the Town Clerk, financial content to the Chief Financial Officer, and technical content to the Director Parks, Facilities, and Recreation.

2. BACKGROUND:

Malden Centre Park is a community park located at 5460 County Road 20. The park is approximately 5.6 ha in size and is used extensively by local baseball and softball groups.

In February 2022, Council Resolution #20220214-12 approved the removal of non-compliant playground equipment in Malden Centre Park. On June 9, 2023 an Open House was held for all at the Libro Community Centre to collect information, share ideas and answer questions regarding opportunities for the park and the playground. A public survey was launched and closed August 1,

2023 regarding park improvements and a notification for participation was sent to the Accessibility Committee and Parks Committee.

A second Open House was held February 5, 2024 to obtain feedback on the proposed park design showcasing the feedback and information received at the 1<sup>st</sup> Open House. A second public survey was launched and closed February 29, 2024 regarding the park layout and playground improvements.

Further to the first two public consultation sessions a third consultation was held on July 29, 2024 at the Parks Summit Meeting and notifications were mailed to every resident in Amherstburg. Committees of council were all notified and another public survey was launched collecting further feedback and ideas for the park and playground.

### **3. DISCUSSION:**

In February 2025, Request for Proposal (RFP) 2025-004 was issued for the design, supply and installation of a new accessible playground at Malden Centre Park including rubber safety surfacing and site furnishings. The RFP was issued based on comments received at the public consultation sessions and requested 2 designs be submitted, one with a sports/baseball theme and one non-themed design.

All proposals submitted were required to meet current AODA accessibility requirements. Evaluation of the proposals were based on play value, challenge, creativity, and how well accessible components were integrated into the design, aesthetics, use of space, number of children the playground could accommodate as well as the overall layout and technical requirements of the proposal package.

The Town of Amherstburg included a public voting component within the RFP process. All proposals were received via bids and tenders according to the Town's procurement process and only those that received a passing score in technical content were permitted to be included in the public vote. The Parks Committee and Accessibility Committee were notified of the public vote and consultation process on March 19, 2025 and April 2, 2025 respectively.

Each company of the five (5) companies responding provided 2 design proposals in their submissions, resulting in (10) design proposals. Four (4) companies, and both of their design submissions, met the minimum criteria, technical requirements and financial requirements as requested by the Town as part of the procurement process. These eight (8) designs were presented for public voting that was open from March 21, 2025 to April 4<sup>th</sup> 2025. Survey voting results are captured under **Appendix B.**

In accordance with the Town of Amherstburg's procurement process and the Purchasing By-Law, the highest ranked proposal was from New World Park Solutions Inc., Option 3 in the survey, and as such is recommended to be awarded the playground contract for Malden Centre Park. The successful design proposal is attached under **Appendix A.**

#### 4. RISK ANALYSIS:

The following items are being identified as potential risks:

- a) **Resource Risk:** There are sufficient personnel and financial resources available to complete the playground installations (see Financial Matters below), however there is a risk that unforeseen supply and demand conditions could cause increased costs to the project. It is considered possible, and of medium impact.
- b) **Timing Risks:** The manufacturing of play equipment (from the time of purchase order) takes approximately 12 to 24 weeks depending on the manufacturer and availability of materials. There are many issues including tariffs, shipping and cross border supply and demand for parts and service that have the ability to affect this project. In order to ensure that delivery and installation of playground equipment are completed before the potential of cold or poor weather conditions time is of the essence. Any delay or deferral of the contract will affect timelines in which the project can be successfully completed. This is considered possible, and of medium impact.
- c) **Health & Safety:** Playground equipment, in general, carries inherent risk to users and, by extension, the Town. Measures have been taken in the design process to limit risks to users. All playgrounds installed as part of this project will have rubber safety surfacing to help with impact attenuation and will meet the most current CAN/CSA-Z614-14 and Annex H guidelines. The playgrounds will be inspected and maintained by the Town of Amherstburg staff in accordance with these guidelines to limit the risk and liability. This is considered low risk, low impact.
- d) **Litigation:** As with any procurement, failure to award the contract in accordance with the terms of the RFP and the Purchasing By-Law could result in liability to the municipality. This is considered unlikely to occur and of medium impact.

#### 5. FINANCIAL MATTERS:

The total funding allocation required for this project is \$350,000 including non-recoverable HST and any third-party site inspection and landscaping.

	<b>Funding Source</b>	<b>Amount</b>	<b>Balance</b>
<b>Revenue</b>			
2025 Capital Budget (#725024/PAR-012-23)	New Capital (0401) Park Reserve (1010)	\$300,000 \$50,000	\$350,000
<b>Expenses</b>			
Playground		\$345,922.94	\$4,077.06

The tender cost of \$339,940 plus non-recoverable HST will result in a draw down of the approved budget in the amount of \$345,922.94. The remaining funding approved for this project, estimated at \$4,077.06, will be used to address the site inspection and landscaping.

**6. ASSET MANAGEMENT IMPACTS:**

There is no impact to the Asset Management Plan as this project does not increase our overall playground complement.

**7. CONSULTATIONS:**

- Manager of Parks Development
- Manager Facility Operations
- Manager of Recreation
- Parks and Facilities Technical Project Manager
- Procurement Specialist

**8. CORPORATE STRATEGIC ALIGNMENT:**

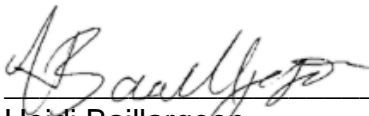
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<ul style="list-style-type: none"> <li>✓ Maintain safe, reliable and accessible municipal infrastructure and facilities.</li> <li>✓ Increase access to recreation opportunities for all ages.</li> <li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy's site, Belle Vue)</li> <li><input type="checkbox"/> Create public access to water and waterfront</li> <li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Define and communicate a vision for the Town's future and identity.</li> <li><input type="checkbox"/> Promote and plan for green and "climate change ready" development.</li> <li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li> <li><input type="checkbox"/> Protect the Town's historic sites and heritage.</li> <li><input type="checkbox"/> Preserve the Town's greenspaces, agricultural lands, and natural environment.</li> </ul>
--	---

**9. CONCLUSION:**

Of the proposals submitted for RFP 2025-004, and in accordance with the Town of Amherstburg's Purchasing By-Law, Administration recommends awarding a contract to New World Park Solutions Inc. for the complete design, supply and installation of a new accessible playground at Malden Centre Park.



Heidi Baillargeon

**Director of Parks, Facilities and Recreation**

## Report Approval Details

Document Title:	Playground Design Supply and Installation for Malden Centre Park RFP 2025-004.docx
Attachments:	- Appendix A Winning Playground Images.pdf - Appendix B – Survey Results.pptx
Final Approval Date:	Apr 4, 2025

This report and all of its attachments were approved and signed as outlined below:



Tracy Prince

**No Signature - Task assigned to Valerie Critchley was completed by assistant  
Melissa Osborne**

Valerie Critchley



Kevin Fox



# Appendix A Winning Playground Images





# Appendix A Winning Playground Images

## CANADA Baseball theme



Although rendering do now show it this proposal includes sidewalks ALL around for easier access everywhere- no curbs

Malden Centre Park

Custom products are shown as conceptual.

**PLAYWORLD**  
The world needs play.



# Appendix A Winning Playground Images

**CANADA Baseball theme**





# Appendix A Winning Playground Images





# Appendix A Winning Playground Images





# Appendix A Winning Playground Images





# Appendix A Winning Playground Images

**CANADA Baseball theme**



Malden Centre Park

**PLAYWORLD**  
The world needs play.

Custom products are shown as conceptual.



# Appendix A Winning Playground Images





# Appendix A Winning Playground Images





# Appendix A Winning Playground Images

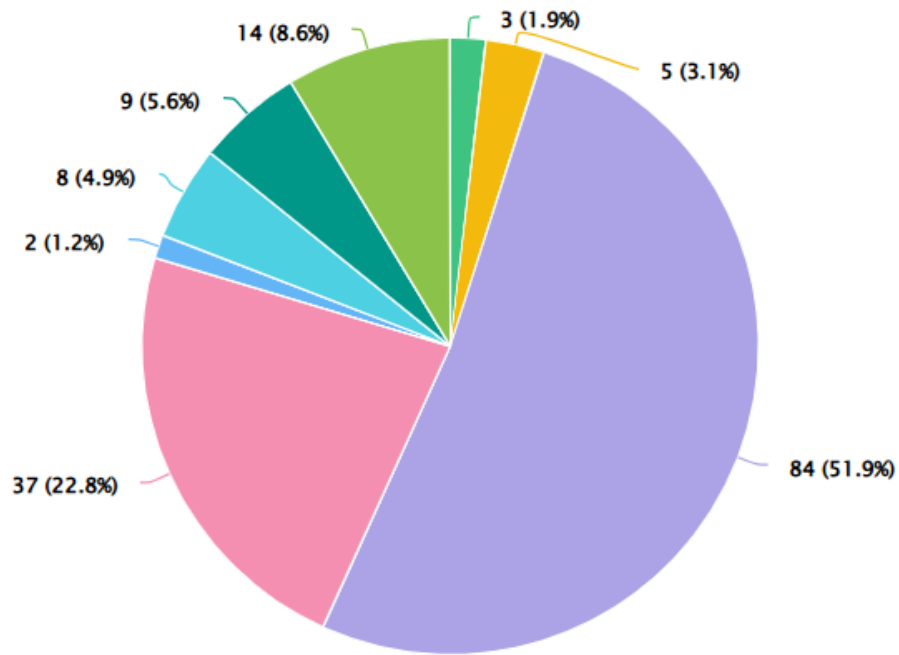
**CANADA Baseball theme**



Custom products are shown as conceptual.

# Appendix B – Survey Results

Q3 From the 8 options above, vote for your favourite playground unit.



Question options  
*(Click items to hide)*

- Option 1
- Option 2
- Option 3
- Option 4
- Option 5
- Option 6
- Option 7
- Option 8

Overview

Pulse

Responses

Mandatory Question (162 response(s))  
Question type: Dropdown Question



**THE CORPORATION OF THE TOWN OF AMHERSTBURG**  
**OFFICE OF ENGINEERING & INFRASTRUCTURE SERVICES**

***Mission Statement:** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.*

<b>Author’s Name:</b> Eric Chamberlain	<b>Report Date:</b> January 10, 2025
<b>Author’s Phone:</b> 519 736-3664 ext. 2312	<b>Date to Council:</b> April 14, 2025
<b>Author’s E-mail:</b> echamberlain@amherstburg.ca	<b>Resolution #:</b>

**To: Mayor and Members of Town Council**

**Subject: Traffic Concerns – South Riverview/Concession 3 N/County Road 8**

---

**1. RECOMMENDATION:**

It is recommended that:

1. The report from the Manager of Roads and Fleet dated January 10, 2025 regarding the Traffic Concerns for South Riverview, Concession 3 North and County Road 8 **BE RECEIVED**;
2. Administration **BE DIRECTED** to send a letter requesting that the County of Essex complete a Traffic Study for the intersection of County Road 8 and South Riverview to provide options to improve the safety for pedestrians.

**2. BACKGROUND:**

On December 16, 2024 Council directed Administration to BRING BACK a report to look into the possibility and feasibility of a Community Safety Zone at Concession 3 North by County Road 8 near the school. There were also concerns raised by St. Joseph Parish regarding safety concerns on County Road 8 and South Riverview.

**3. DISCUSSION:**

On January 7, 2025, Jeremy Krueger from the County of Essex, John Sutton and Don Petrozzi from St. Joseph Parish and members of Administration met onsite to review the concerns from the Parish’s perspective. The following were concerns raised by Mr. Petrozzi:

1. Uncontrolled access from County Road 8 and South River View to the church parking lot on the north side of South Riverview. The school bus drivers are using the parking lot as a turn around and staging for St. Joseph Catholic Elementary School.
2. Request to lower speed limit on County Road 8 to 30 km/h. There was a misunderstanding in that the current warning signs are the posted speed limit.
3. Conflicts between traffic and parishioners crossing the road.

In addition, Mr. Petrozzi advised that Barry Horrobin, Director of Planning & Physical Resources for the Windsor Police Service had attended the church and has reviewed the safety and security of the St. Joseph Church area in the past.

### **Existing Conditions:**

#### **County Road 8**

This road is a two-lane roadway commencing at County Road 3 and extending across the entire County of Essex. The section of County Road 8 being reviewed is from County Road 3 to approximately 275 metres east of Concession 3 North. This section of County Road 8 is 670 metres long which includes a curve and bridge over the River Canard. The land use is primarily residential and institutional with a church and elementary school. The speed limit reduces from 80km/h to 50km/h approximately 275 metres east of Concession 3 North. In addition, there is a Community Safety Zone sign near the speed limit reduction signs. There are two (2) warning signs that advise drivers of the curve in the road. The warning signs are accompanied with 30 km/h signage. The warning signs are advisement and regulatory signs. It should be noted, the County of Essex reduces the speed limit to 50 km/h.

The Clerk has recently found that sections of County Road 8 could be still owned by the Town of Amherstburg and the Town of LaSalle. Administration has reached out to the Town of LaSalle and the County of Essex to review the potential concerns of ownership of County Road 8 through the project area.

#### **South Riverview**

This road is a two-lane roadway commencing at County Road 8 and extends to Concession 2 North. The section of South Riverview being reviewed is from County Road 8 to approximately 250 metres west of County Road 8. South Riverview has a stop control sign at County Road 8. The speed limit is 50 km/h from Concession 2 North to County Road 8. The land use is residential through this section of road which includes a private parking lot, cemetery and St. Joseph Church.

#### **Concession 3 North**

This road is a two-lane roadway commencing at County Road 8 and extends to County Road 10. The section of Concession 3 North being reviewed is from County Road 8 to Beneteau Drive. Concession 3 North has a stop control sign at County Road 8. The speed limit is 50 km/h from County Road 8 to approximately 800 metres south of County

Road 8. The land use is residential through this section of road which includes the elementary school at the intersection of County Road 8.

### **Recommendations:**

#### **County of Essex:**

Based on the review and concerns raised by representatives of St. Joseph's Parish, the County of Essex has agreed to complete the following items:

1. Install a 50 km/h sign and Community Safety Zone signs on County Road 8 just south of County Road 3 to improve information to the drivers on the posted speed limit.
2. Install flexible bollards along the church parking lot and County Road 8 to prevent the access from the intersection of County Road 8 and South Riverview.
3. Reconfigure the stop bar at South Riverview and County Road 8 to allow for installation of a painted crosswalk at the intersection. The painted crosswalk should eliminate the mid-block pedestrian crossing and make the pedestrians more visible at the intersection.

#### **Town of Amherstburg:**

The following are items that the Town should complete to assist the County of Essex and make the signage consistent for the area:

1. Install Community Safety Zone signs on Concession 3 North adjacent to school property and on South Riverview approximately 150 metres west of County Road 8.
2. Install additional 50 km/h signs on both Concession 3 North and South Riverview.
3. Make improvements to the sidewalk by installing accessible ramps and tactile plates at the proposed crossing installed by the County of Essex.

The signage and line painting will advise drivers that they are entering a safety zone, remind them of the expected speed limit and bring attention to potential of pedestrians crossing at the intersection.

Council could still consider requesting County of Essex to complete a traffic study to review and confirm the operation of the implement measures. The study may also recommend additional measures or improvements with the goal to make the intersection safer for drivers and pedestrians.

#### **Windsor Police Service:**

It was confirmed that Mr. Barry Horrobin, Director of Planning & Physical Resources for the Windsor Police Service, did attend St. Joseph Catholic Elementary School in

December of 2018 to complete a physical safety and security assessment of the elementary school building and surrounding property. Mr. Horrobin also completed a physical safety and security assessment for St. Joseph Church and its surrounding property in June of 2019. While both assessments identified building-specific recommendations for improving safety and security, there was also considerable focus on the safety impacts associated with the abutting roadway environment, which both the school and church rely upon considerably. Stakeholders from both the school and church identified the abutting roadways as a safety concern to Mr. Horrobin during his assessments. This was particularly applicable to the school, as their property access to/from the abutting roadways occurs on a more frequent basis than that for the church. For both assessments, considerable conversation took place with affected stakeholders such as school staff, parents, church staff and parishioners, and a member of the County's roads dept. A combination of how the roadway environment is used and by whom in this particular location, combined with the speed of observed passing traffic and its curved configuration in relation to driver sight lines, were identified as issues warranting additional thought and consideration of measures to elevate safety.

Windsor Police Service supports the initial plan being proposed here for improving the safety concerns raised by St. Joseph Parish, and the school stakeholders as well. Windsor Police Service also recommends signage and posted speed limits in the area be consistent from County and municipal roads to assist with enforcement.

#### **4. RISK ANALYSIS:**

The current risk is with the overall safety to pedestrians and parishioner in the intersection of County Road 8 and South Riverview. The implementation of signage and crosswalk will attempt to reduce the risk with the goal to improve the safety and visibility of pedestrians. The plan would be to review to ensure implemented measures are achieving the required outcomes.

The review through a Traffic Study would provide a further layer of risk protection and may produce further recommendations for County of Essex and Town of Amherstburg to consider for the improvements to the intersection of County Road 8 and South Riverview.

#### **5. FINANCIAL MATTERS:**

The installation of signs and improvements to the sidewalk will be covered through the Public Works Budget Centre. The cost of the signage and sidewalk work is approximately \$3,000. The remainder of the improvements and signage will be completed by the County of Essex. In addition, the Traffic Study would be the responsibility of the County of Essex to fund.

#### **6. ASSET MANAGEMENT IMPACTS:**

The additional signage and improvements will be added to the Town's Asset Management Plan and tracked for future maintenance and replacement. The impacts to the overall Asset Management Plan is minor.



**7. CONSULTATIONS:**

- Jeremy Krueger, County of Essex
- Don Petrozzi and John Sutton, St. Joseph Parish
- Barry Horrobin, Windsor Police Service
- Mark Beggs, Town of LaSalle

**8. CORPORATE STRATEGIC ALIGNMENT:**

*Vision: Preserving our past while forging our future.*

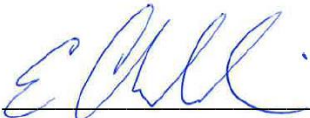
<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
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operations and increase Town resilience to climate change.

Preserve the Town's greenspaces, agricultural lands, and natural environment.

**9. CONCLUSION:**

The County of Essex and the Town of Amherstburg to install signage, bollards and line painting to improve the safety and visibility of the pedestrian in the intersection of County Road 8 and South Riverview.



Eric Chamberlain  
**Manager of Roads and Fleet**



## Report Approval Details

Document Title:	Traffic Review - South Riverview-Concession 3 N-County Road 8.docx
Attachments:	- Image of Plan for Traffic - St Joseph Parrish.png
Final Approval Date:	Apr 3, 2025

This report and all of its attachments were approved and signed as outlined below:



Antonietta Giofu



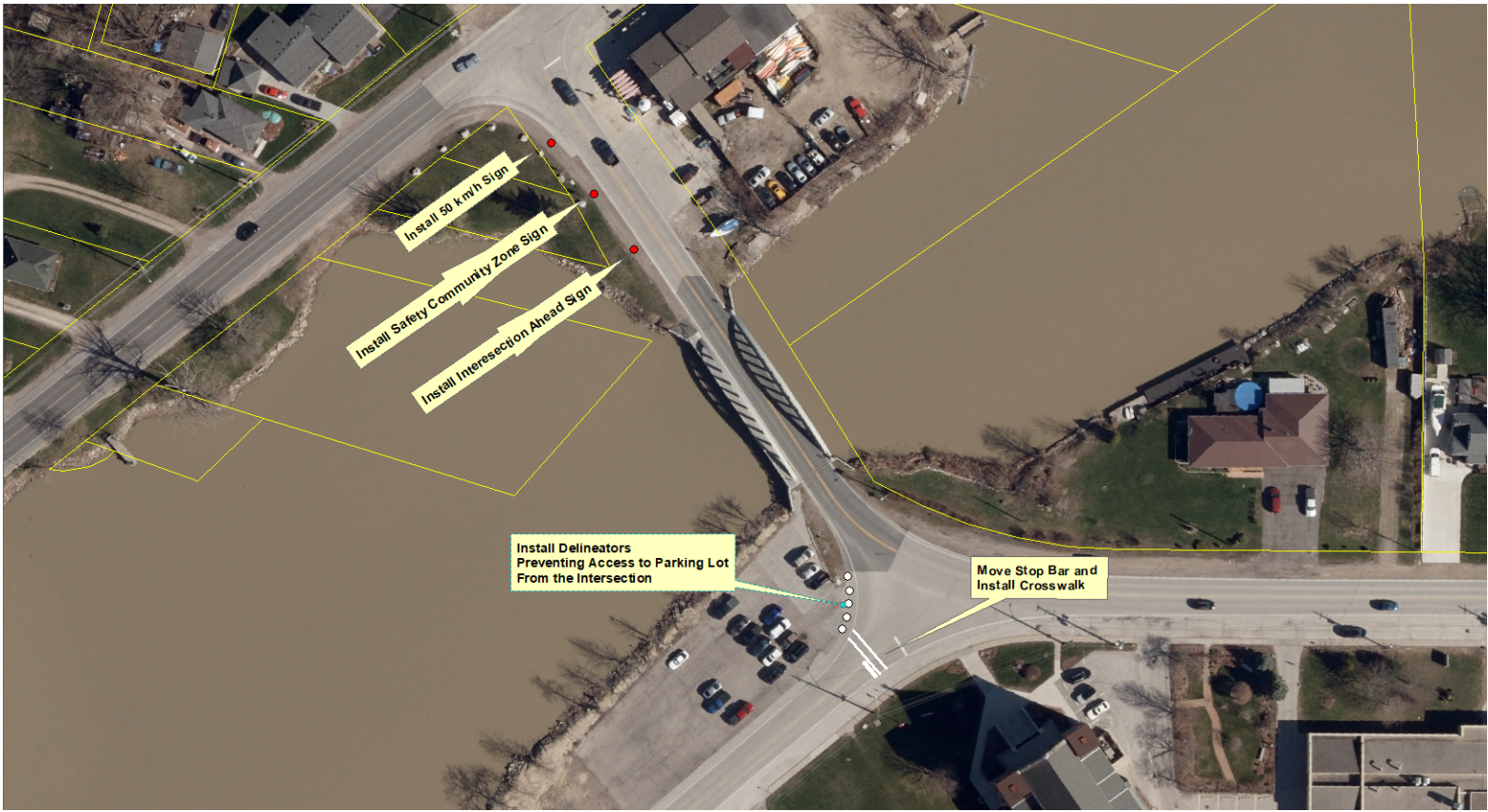
Tracy Prince



Valerie Critchley



Kevin Fox





THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

**Mission Statement:** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Donna Drouillard / Selena Scebba	Report Date: March 12, 2025
Author's Phone: 519 736 0012 ext. 2242 / 2237	Date to Council: April 14, 2025
Author's E-mail: <a href="mailto:ddrouillard@amherstburg.ca">ddrouillard@amherstburg.ca</a> / <a href="mailto:sscebba@amherstburg.ca">sscebba@amherstburg.ca</a>	Resolution #:

To: Mayor and Members of Town Council

Subject: Amendments to Annual Vacation and Paid Holidays Policy

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1. **RECOMMENDATION:**

It is recommended that:

1. The Annual Vacation and Paid Holidays policy **BE AMENDED** in accordance with the March 12, 2025 report; and,
2. The Paid Holidays policy **BE RESCINDED**.

2. **BACKGROUND:**

The Non-Union Annual Vacation policy, last amended on October 25, 2021, details the Town's commitment to providing paid vacation time to its employees in accordance with its legislative responsibilities as an employer and to provide time away from the workplace for rest and rejuvenation. Specifically, this policy defines the vacation entitlement for non-union employees. Similarly, the Paid Holidays policy was adopted on October 23, 2006 to provide a definition of paid holidays as it relates to employees of the Town.

3. **DISCUSSION:**

In accordance with the Town's policy program, which encourages a five-year review schedule, the Non-Union Annual Vacation policy and Paid Holidays policy were reviewed. As a result, the policies were consolidated into the Annual Vacation and Paid Holidays policy in an effort to reduce duplication, provide role clarity, ensure legislative compliance, and engage in best practices.

**4. RISK ANALYSIS:**

There are no risks associated with the policy changes recommended in this report.

**5. FINANCIAL MATTERS:**

In addition to the benefits referred to in the Discussion section of the report, the Policy proposes slight adjustments in how vacation carry over is managed and includes a progressive plan and more rigorous thresholds to reduce any liabilities associated with the amount of vacation carry forward year over year.

**6. ASSET MANAGEMENT IMPACTS:**

There are no asset management impacts associated with the policy changes recommended in this report.

**7. CONSULTATIONS:**

Kevin Fox, Clerk/Risk Manager  
 Valerie Critchley, Chief Administrative Officer  
 Senior Management Team

**8. CORPORATE STRATEGIC ALIGNMENT:**

*Vision: Preserving our past while forging our future.*

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
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**9. CONCLUSION:**

Administration recommends that Council adopt the amendments to the Annual Vacation and Paid Holidays policy and rescind the Paid Holidays policy.




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Donna Drouillard  
**Manager of Human Resources**




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Selena Scebba  
**Policy and Committee Coordinator**

## Report Approval Details

Document Title:	Amendments to Annual Vacation and Paid Holidays Policy.docx
Attachments:	- 2025 02 28 - Annual Vacation and Paid Holidays Policy RM.pdf
Final Approval Date:	Apr 2, 2025

This report and all of its attachments were approved and signed as outlined below:



Tracy Prince




Valerie Critchley



Kevin Fox

# POLICY

	Policy:	<b>Annual Vacation and Paid Holidays</b>		
	Department:	Office of the CAO		
	Division:	Human Resources	By-Law No.:	N/A
	Administered By:	Manager of Human Resources	Approval Date:	DRAFT
	Replaces:	Non-Union Annual Vacation October 25, 2021 Paid Holidays October 23, 2006		
	Attachment(s):	N/A		

## 1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to providing paid vacation time to employees in accordance with legislative responsibilities as well as to provide time away from the workplace for rest and rejuvenation that supports employee health and wellness and work-life balance and distinction.

## 2. PURPOSE

2.1. This policy defines the vacation and paid holiday entitlements for non-union employees.

## 3. SCOPE

3.1. This policy applies to all non-union permanent full-time employees.

3.2. Vacation and paid holiday entitlements for employees employed under union or association agreements shall be administered in accordance with those agreements and or applicable legislation.

3.3. Vacation and paid holiday entitlements for all other employees will follow the guidelines under the Employment Standards Act (ESA) as amended.

3.4. This policy shall be reviewed every five (5) years from the date it becomes effective or sooner at the discretion of the CAO or designate.

## 4. DEFINITIONS

Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

## 5. INTERPRETATIONS

Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a by-law or Town policy shall be deemed to be a reference to the most recent passed policy or by-law and any replacements thereto.

## 6. GENERAL CONDITIONS

6.1. The vacation year shall be from January 1st to December 31st.



- 6.2. Vacation entitlements are intended to be used by employees within the calendar year for which the entitlement is provided and, subject to the provisions of section 6.3, must be taken within the same calendar year.
- 6.3. Accumulation of vacation beyond the calendar year may be permissible, provided a legitimate and reasonable rationale is presented demonstrating the reasons the employee was unable to use their vacation days within the calendar year. Accumulation of carried forward vacation shall be considered as follows:
  - 6.3.1. If, by the end of the calendar year, an employee has not used all of their vacation entitlements, the employee may request vacation carryover to the following year of up to 10 days for approval by the Department Director.
  - 6.3.2. Requests for carryover of the CAO's vacation entitlement of up to ten (10) days shall be approved by the Mayor.
  - 6.3.3. Any remaining vacation entitlement in excess of ten (10) days shall be forfeited, subject to compliance with the Employment Standards Act, 2000.
  - 6.3.4. All vacation days carried over must be used within the first ten (10) months (by October 31<sup>st</sup>) of the year they are carried forward to, with any unused entitlements being forfeited.
- 6.4. Notwithstanding provisions within this Policy, where service or operational exigencies have precluded an employee from using their vacation entitlement within a calendar year, resulting in excess of ten (10) days remaining, the employee may make a request to the Director, who will provide a recommendation to the CAO who may then authorize carryover of vacation entitlement in excess of ten (10) days or pay out of unused vacation entitlements in excess of ten (10) days at the applicable daily salary rate in the year in which it was earned by the employee at year end.
  - 6.4.1. In all cases, where the vacation has been carried forward, a plan must be put in place to ensure progressive reduction of the carried forward vacation within the first 5 months (by May 31<sup>st</sup>) and full utilization by October 31<sup>st</sup>.
  - 6.4.2. Requests for carryover or pay out of the CAO's vacation entitlement in excess of ten (10) days shall be approved by Council and are subject to the reduction plan as laid out above.
- 6.5. In May and October of each year, the Senior Management Team (SMT) will be provided with a summary of the outstanding vacation entitlements for their employees. The SMT shall ensure that an active plan is developed for all outstanding vacation time to be scheduled and taken within the calendar year subject to authorization to carry forward and reduction plan under sections 6.3.4 and 6.4 above.
- 6.6. Once an employee's vacation has been requested and subsequently approved by the Employer, it shall not be cancelled, postponed, or interrupted by the Employer except in the event of a Municipal emergency as defined in the Employment Policy or in the event the employee has been summoned to testify as a Crown witness on behalf of the Town as outlined in the Leave of Absence policy. Should an employee's vacation be cancelled or



postponed, the employer agrees to provide full reimbursement for any deposits, cancellation fees or other such expenses incurred by the employee for such action provided that insurance is not covering the cancellation fee.

6.7. Where in any year an employee ceases to be an employee of the Town prior to December 31<sup>st</sup>, the employee will be paid their vacation entitlement on a prorated basis on the later of seven (7) days from the employee's departure or the next pay day. In the event an employee has overdrawn their vacation entitlement, the equivalent monetary reimbursement owing will be deducted from the employee's final pay, to the extent available.

6.8. **Vacation Entitlement**

6.8.1. Vacation entitlement is prorated with the date of hire to December 31<sup>st</sup> of the same year and shall be considered the first year of vacation. Annual vacation for each non-union employee shall be as follows:

In the second calendar year	- 2 weeks	4%
In and after the third calendar year	- 3 weeks	6%
In and after the eighth calendar year	- 4 weeks	8%
In and after the fourteenth calendar year	- 5 weeks	10%
In and after the twenty-second calendar year	- 6 weeks	12%
In and after the twenty-ninth (29) calendar year	- 7 weeks	14%

6.8.2. Notwithstanding 6.8.1, the schedule of annual vacation entitlement for non-union/management staff shall not provide a lesser benefit than that provided under the union collective agreement.

6.8.3. Upon hire, an employee's accumulated years of professional municipal service will be considered when determining the starting annual vacation entitlement. Subsequent increases in vacation time will be based on service thresholds.

6.9. Days to be recognized as paid statutory holidays during the calendar year shall be as follows:

6.9.1. One (1) full day prior to New Year's Day;

6.9.2. New Year's Day;

6.9.3. Family Day;

6.9.4. Good Friday;

6.9.5. Easter Monday;

6.9.6. Victoria Day;

6.9.7. Canada Day;

6.9.8. Labour Day;

6.9.9. National Day for Truth and Reconciliation;

6.9.10. Thanksgiving Day;

6.9.11. Remembrance Day;

6.9.12. One (1) full day prior to Christmas Day;

6.9.13. Christmas Day;

6.9.14. Boxing Day;

6.9.15. Or the day which may be proclaimed as the effective legal holiday for the days previously set forth; and,

6.9.16. Any other day which may be proclaimed as a holiday by the Governor General, Lieutenant Governor in Council and/or the Mayor.

- 6.9.17. When a paid holiday falls on the weekend and no other day is proclaimed as said holiday, the employees shall be granted the Friday preceding such holiday or the Monday following such holiday off with pay, at the option of the employer.
- 6.9.18. The Town of Amherstburg Municipal Offices will be closed between Christmas Eve and New Year's Day, inclusive. It is understood and agreed that to facilitate the closure, employees are required to schedule either personal time, vacation time and/or time off banked in lieu of overtime on the days not recognized as paid holidays during this period.

## **7. RESPONSIBILITIES**

- 7.1. The **Mayor** has the authority and responsibility to:
  - 7.1.1. Consider requests for carry over of unused vacation time of the CAO in accordance with this policy.
- 7.2. **Council** has the authority and responsibility to:
  - 7.2.1. Approve the Annual Vacation and Paid Holidays Policy.
- 7.3. The **CAO** has the authority and responsibility to:
  - 7.3.1. Ensure compliance with the Annual Vacation and Paid Holidays Policy.
  - 7.3.2. Authorize exigent and exceptional carryover or payment of unused vacation time in excess of 10 days where necessary and ensure appropriate resources are in place to support municipal operations in accordance with this policy.
- 7.4. **Directors** have the authority and responsibility to:
  - 7.4.1. Monitor and ensure appropriate approval and vacation scheduling processes are in place for their department.
  - 7.4.2. Review vacation balances as distributed twice annually in May and October and ensure plans are in place to use vacation entitlements in accordance with this policy and any carry over provisions in place.
  - 7.4.3. Approve carryover of unused vacation balances up to 10 days in accordance with this policy.
- 7.5. **Manager of Human Resources** has the authority and responsibility to:
  - 7.5.1. Administer and recommend changes to the Annual Vacation and Paid Holidays Policy.
- 7.6. **Managers and Supervisors** have the authority and responsibility to:
  - 7.6.1. Monitor, approve and schedule vacation time off for their staff.
- 7.7. **Staff** have the responsibility to:
  - 7.7.1. Take approved time off per their vacation entitlement each year.
  - 7.7.2. Adhere to and abide by the Annual Vacation and Paid Holidays Policy.

## **8. LEGISLATIVE REFERENCES**

- 8.1. Employment Standards Act, 2000



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

**Mission Statement:** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Michael Mio	Report Date: March 31, 2025
Author's Phone: 519 736-6500 ext. 2241	Date to Council: April 14, 2025
Author's E-mail: mmio@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: 2009 Aerial Apparatus Replacement RFP

1. **RECOMMENDATION:**

It is recommended that:

1. The Chief Administrative Officer and the Town Clerk **BE AUTHORIZED** to sign a contract with Fort Erie Fire Trucks in the amount of **\$3,038,000** plus HST, for the purchase of an Aerial Apparatus as per results of Tender #2024-040, satisfactory in financial content to the Chief Financial Officer, and in technical content to the Fire Chief or designate; and,
2. Additional funding in the amount of \$91,566.10 from the General Reserve (0400) **BE APPROVED** for the Aerial Apparatus purchase.

2. **BACKGROUND:**

On August 12, 2024, Council approved funding for the purchase of a new 100" aerial apparatus under Council Resolution 20240812-019, replacing our current 70' ladder truck.

Resolution: 20240812-019

**Moved By** Councillor Crain

**Seconded By** Councillor Allaire

That:

1. Administration **BE AUTHORIZED** to issue a Request for Tender (RFT) for the replacement of the 2009 Aerial Apparatus currently in service and reaching its end of life;
2. Total funding for the project, as outlined below, for a total amount of \$3,000,000, inclusive of non-recoverable HST, **BE APPROVED** for this project;
  - a. 2024 - \$500,000– As approved in Capital Budget
  - b. 2025 - \$500,000 – General Reserve (0400)
  - c. 2026 - \$500,000 – General Reserve (0400)
  - d. 2027 - \$500,000 – Fleet Reserve (0065)
  - e. 2028 - \$1,000,000 – General Reserve (0400)
3. The Chief Financial Officer and Fire Chief **BE DIRECTED** that the key milestone dates for payments aligns with the available funding in each year to ensure there is no requirement to leverage any funding sooner than the year in which it is available;
4. The Chief Administration Officer **BE AUTHORIZED** to award the tender to the lowest bidder, provided the tender is within the \$3,000,000, inclusive of non-recoverable HST, to ensure the order is placed by December 2024 safeguarding the risk of having to retire the current ladder truck prior to the arrival of the new one; and,
5. Should results of the tender come in lower than the approved \$3,000,000 Administration **BE DIRECTED** to reduce the project budget to the actual amount and make those funds available for use on other projects during capital budget development.

The Mayor put the Motion.

**Motion Carried.**

Following the issuance of the tender, a sole bid was received from Fort Erie Fire Trucks. The cost however was slightly higher than initially projected, coming in at \$3,038,000.00 plus HST. This increase is attributed to factors such as inflation, supply chain constraints, and increased material costs. As a result, an additional \$91,566.10 is required to proceed with the current proposal.

The previous recommendation to execute the agreement is not able to be actioned as the price did not come in on budget. This report is required to seek Council approval for the additional funding and to execute an agreement with the lowest and sole submission. This equipment is essential for maintaining and improving fire response capabilities within the Town.

### **3. DISCUSSION:**

A thorough review of potential cost-saving measures was conducted with the committee however, the only reductions identified would require eliminating or downgrading critical life safety and diagnostic systems. Such reductions could lead to higher long-term costs due to increased difficulties in diagnosing and resolving mechanical and operational issues. Furthermore, firefighter safety remains the top priority, and any compromises to essential safety systems would introduce unacceptable risks to personnel. Installing these items after the vehicle is assembled would also not be cost-effective. Investing in a fully equipped aerial apparatus now ensures operational reliability, minimizes future maintenance expenses, and enhances firefighter safety. As this is a 4-year horizon, the administration will make every effort to reduce costs and any funds not required would be returned.

### **4. RISK ANALYSIS:**

Not approving additional funds at this time would cause Administration to enter into a new tender process, which would expose the Town to more volatility and higher costs due to current inflationary pressures, along with supply chain constraints and increasing material costs. Investing in the additional funds required for the aerial apparatus is essential to ensuring that the municipality maintains an effective and reliable fire response system. In addition, as stated in the August 12, 2024 report, not replacing the unit on time can result in erosion of the current dwelling protection grading by the Fire Underwriter's Survey. This can result in higher than expected fire insurance premiums for the municipality and ratepayers. Approving the additional funds now will prevent higher maintenance, insurance and repair costs in the future while ensuring firefighter and public safety.

### **5. FINANCIAL MATTERS:**

In 2024, Council approved the spending of \$3,000,000.00, inclusive of non-recoverable HST to be funded over 4 years. Based on the results of \$3,038,000 plus non-recoverable HST the total cost for the project will be \$3,091,566.10, a \$91,566.10 shortfall in approved funding. It is recommended the General Reserve (0400) be used for fund the shortfall. There is sufficient funding in the reserve as a result of Council approval of the continuance of their investment in asset management which addresses the replacement and rehabilitation of existing assets, for which the Aerial Apparatus qualifies as.

Not accepting the current tender could result in additional costs associated with the current economic uncertainties.

### **6. ASSET MANAGEMENT IMPACTS:**

There is no current impact to the asset management program with Council adoption of the recommendation. The 2009 Aerial Apparatus is included in our asset management registry, once in receipt of the new asset the registry will be updated with the revised asset information and costs.

**7. CONSULTATIONS:**

Procurement Specialist – Antonella Little  
 Deputy CAO/Director Development Services – Melissa Osborne

**8. CORPORATE STRATEGIC ALIGNMENT:**

***Vision: Preserving our past while forging our future.***

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p style="text-align: center;"><b>PILLAR 1</b>  <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"> <li>✓ Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li> <li>✓ Deliver transparent and efficient financial management.</li> <li><input type="checkbox"/> Increase effective communication and engagement with residents.</li> <li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li> <li>✓ Continue to deliver strong core municipal services.</li> <li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li> </ul>	<p style="text-align: center;"><b>PILLAR 3</b>  <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li> <li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li> <li>✓ Continue to facilitate downtown development for residents and visitors.</li> <li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li> </ul>
<p style="text-align: center;"><b>PILLAR 2</b>  <b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"> <li>✓ Maintain safe, reliable and accessible municipal infrastructure and facilities.</li> <li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li> <li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy’s site, Belle Vue)</li> <li><input type="checkbox"/> Create public access to water and waterfront</li> </ul>	<p style="text-align: center;"><b>PILLAR 4</b>  <b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Define and communicate a vision for the Town’s future and identity.</li> <li><input type="checkbox"/> Promote and plan for green and “climate change ready” development.</li> <li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li> <li>✓ Protect the Town’s historic sites and heritage.</li> </ul>

Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.

Preserve the Town's greenspaces, agricultural lands, and natural environment.

## 9. CONCLUSION:

In light of the cost increase beyond the previously approved budget, Council's approval of \$91,566.10 in additional funding is strongly recommended to complete the procurement of the aerial apparatus. This investment will enhance fire services and ensure continued public safety.



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Michael Mio  
**Fire Chief**

MM

## Report Approval Details

Document Title:	Aerial Tower.docx
Attachments:	
Final Approval Date:	Apr 4, 2025

This report and all of its attachments were approved and signed as outlined below:



Tracy Prince



Valerie Critchley



Kevin Fox





THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

**Mission Statement:** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Kevin Fox	Report Date: February 21, 2025
Author's Phone: 519 736 0012 ext. 2272	Date to Council: March 24, 2025
Author's E-mail: <a href="mailto:kfox@amherstburg.ca">kfox@amherstburg.ca</a>	Resolution #:

To: Mayor and Members of Town Council

Subject: Community Grant Process

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1. **RECOMMENDATION:**

It is recommended that:

1. The request from 2<sup>nd</sup> Amherstburg Scouting **BE RECEIVED** and further direction **BE PROVIDED**.

2. **BACKGROUND:**

On October 5<sup>th</sup>, 2007 the Community Grant Policy was adopted by the Town of Amherstburg. Community Grants had been provided prior to 2007, but it is unclear what formal structure existed at that time.

The latest revisions to the Community Grant Program and Policy were approved on January 1, 2024, including elements seeking to align the funding to the Town's community based strategic plan.

On December 9<sup>th</sup>, 2024 during the 2025 budget deliberations regarding the Community Grant Program, the following Council motion was adopted:

**Resolution 20241209-005**

**Moved By** Councillor Crain

**Seconded By** Deputy Mayor Gibb

That Council **TO REQUEST** a report to allow for review of the community grant process and determine a more streamlined approach prior to the 2026 deliberations.

During budget deliberations, one Community Grant request, from 2<sup>nd</sup> Amherstburg Scouting for \$2,000.00, was not brought forward for consideration, in error. This error resulted from the various methods with which community grants are currently provided to the Town and administrative error. In 2024, the 2025 grant requests featured a number of late requests and submissions varied from those submitted in-person, through the mail, and to various email addresses. This can cause confusion and issues with tracking and following up.

This request has now been included for consideration to allow Council to direct how they wish to address that Community Grant application.

### **3. DISCUSSION:**

#### **2<sup>nd</sup> Amherstburg Scouting Community Grant Request**

The 2<sup>nd</sup> Amherstburg Scouting Community Grant request complies with the Town's Community Grant Policy and was submitted in accordance with the timelines for consideration.

The grant request is as follows:

"2<sup>nd</sup> Amherstburg Scouting is our local scouting group, which is inclusive of all youth regardless of gender, religion, or race. We are growing in size, but do not have a dedicated meeting place since the closing of Wesley United Church; in recent years we have been at Amherstburg Public School, Masonic Lodge, and most recently Anderdon Public School. We are once again displaced due to scheduling conflicts and would like to use the Bryerswood Camp; unfortunately, this is out of our price range, but the location provides an amazing opportunity for our youth to balance outdoor activities and indoor usage in extreme weather conditions. The Town's community grant would help cover the rental costs for this year's Amherstburg youth scouting season."

Should Council wish to approve this funding, the following motion would be in order:

That:

1. The Community Grant Request from 2<sup>nd</sup> Amherstburg Scouting **BE APPROVED**; and,
2. Administration **BE DIRECTED** to fund an unbudgeted expenditure to the Non-Departmental General Listing, Community Grants (0357), in the amount of \$2,000.

#### **Community Grant Programs**

Whether or not a community provides a Community Grant program is entirely at the discretion of a Council. In recent years, many communities have found it increasingly difficult to fund programs of this sort with increased downloaded responsibilities, the known inadequacy of the municipal funding model and the demands of aging infrastructure.

Balancing these realities are the very real impact that a Community Grant Program can have to sustain the vibrancy of a community and its civic, artistic and cultural programs, events and associations. Were the Town of Amherstburg to not offer the Community Grant Program, it could be expected to have a real and significant impact on a number of local causes.

### **Conceptual Design and Philosophy behind Community Grant Programs**

The current Community Grant Policy and Program are designed around a broad sense of community benefit. This program is not designed in the manner akin to traditional grant applications, in that it lacks much of the exclusionary elements that would frame what the grant intends to cover and what it does not.

The Community Grant Program has been a substantial support for various community groups since 2007, and represents significant investments in many arts, culture and heritage endeavours in the community, which is reflective of the character of the community. In recent years, the requests have grown in size and are much more substantial than in years prior. In order to remain within the budgetary constraints, some requests have not been funded at all, while others have seen reductions from requests to stay within the targeted funding envelope.

While this practice of providing funding to community groups was more common in other communities in 2007, it is less common today, as budgetary constraints on many communities have led to these programs being scaled back or removed. Where such programs do not exist, community groups that have relied on that support may not have sufficient funding to maintain the service levels they currently provide.

Should Council wish to continue the program but also seek to streamline the process to better align with the budget set for the project, Administration has included changes it will be undertaking to internal processes and includes some elements that Council could give further consideration.

### **Community Grant Application Process**

One of the largest issues with regards to any grant process, are the administrative tasks associated with reviewing and managing these elements. Since 2007, the program has taken in requests received from a variety of methods, and can sometimes vary wildly depending on the applicant and whether they utilized the proper application forms and processes. This also introduces the opportunity for administrative error.

Administration will build a web form application, with clear requirements for submission and routing through appropriate staff for approvals and Council consideration. This should reduce the administrative burden associated and make plain the requirements in the grant process, in line with the other streamlined elements.

### **Communication with Community Groups**

As with any change to policy or practice, Administration is aware that changes to the Program may not be apparent to applicants, as they may not have followed Council matters closely in this regard. To prevent any miscommunication, Administration will

reach out to those who applied in the previous cycle and advise them of the application process changes to prevent any issues from arising.

### **Promotion of Community Grants**

Granting agencies will often promote the good works that their funding has enabled through a public showcase of the grants and some communications on this front. In recent years, the Town has not promoting much of what it has funded, and has not sought recognition from grantees in their own promotions.

The 2025 Community Grants were provided by Council to the recipients in a public way and Administration can include in their correspondence the requirements to acknowledge the funding in promotional materials that the recipients create as part of the programming being funded.

### **Additional Considerations - #1 - Council's Community Grant Objectives**

Many grants target their funding to specific objectives and set out elements which are excluded from consideration. As the Community Grant Program is Council's program, they can certainly identify any strategic alignment or excluded content that they wish to see noted in the policy, beyond that which is already noted.

Administration would recommend consideration of the addition exclusionary statements for the Community Grant Policy, to better denote what is not to be funded through this process:

#### **1. Funding not to be provided for: Capital funding for building projects, renovations, or construction related activities;**

For example, in excluding capital investments for construction activities, the Town would not entertain those types of projects through this process and can deal with any such opportunities that may arise through other funding considerations like its Charitable Donation Policy process.

#### **2. Funding not to be provided for; sport related activities;**

With regards to funding for sport-related activities, the Town already subsidizes paces it provides for these activities to take place, and/or the costs associated with running these programs, and includes the processes under the Town's Access to Affordable Recreation Policy, the Pathway 2 Potential Program funding and promotes other granting agencies, like Jump Start. In addition, should this funding appear to include these elements, it is likely that additional user groups will come forward to seek those supports, necessitating either greater investment or higher rejection rates.

#### **3. Funding not to be provided for; Fee Waivers, tax relief or expenses related to insurance;**

There are already processes in place for fee waiver requests to be considered, based upon the specific process the request is in relation to. Processes regarding taxation should not be addressed via the Community Grants process, given this highly regulated space and requirements around such considerations. Finally, expenses related to insurance are often excluded from grant considerations because it ensures the adequacy of the space between respective parties from an insured standpoint, and it does not appear to have any genuine public interest in providing funding for another parties liability.

#### **4. Funding not to be provided for; advertising and promotional materials.**

Funding these elements does not appear to be the original objective or intention associated with the Community Grant Program, and prevents situations wherein the content of that messaging needs to be considered from the Town's interests or perspectives. Further, the Town already has avenues for promotion of local interests and events through its digital gateway signage and its various promotional channels that regularly occur.

The above additional policy exclusions provide greater clarity to those seeking grant funding to better align that funding with the Town's Community Based Strategic Plan, to not duplicate existing supports or programs, and to limit the scope and volume of requests received.

In re-focusing requests in this way, it would ensure that when funding is provided it is streamlined to reflect Council's Strategic Objectives and the focus on community based funding supports for arts, culture and heritage as well as community services, like food programs or social programming.

Should Council wish to revise the policy to include these exclusionary elements, or any other, in addition to those already noted in the attached policy, direction to Administration should be provided to amend the Community Grants Policy to include section #1.

#### **Additional Considerations - #2 - Grant Funding Envelope and Maximum Individual Funding Contribution**

Grants offered at Provincial or Federal levels include a funding framework to ensure that those requesting grants understand the intended funding levels available in applying. In recent years, the Town has seen some requests in excess of the entire funding envelope from a single grant request. This likely derives from there being no defined maximum individual funding contribution.

In the jurisdictional scan completed for this realm, a common theme is to ensure that there is broad, but shallow supports to reach the maximum target audience. Council could given due consideration to what the total funding envelope consists of, what a maximum total contribution could be, and thereby have an appreciation for how many areas may be able to be supported by any particular funding season.

In giving consideration to this, Council should be mindful that while the Town's policy clearly notes that, "...Grants are intended to be supplementary to main sources of funding

for organizations,” however, it cannot be discounted that an impact is likely to be felt by organizations if the funding provided is quickly and significantly altered.

The Community Grant Program and Policy was drafted with a number of warnings that there is no guarantee of funding supports, but there is also no doubt that this funding has enabled a number of Community Groups to offer programming and opportunities to the residents which might not otherwise exist and for which, changes to this area could have real world consequences.

### **Other Considerations - #3 – Specific Program Goals and Objectives**

As this is Council’s Community Grant Program, the goals and objectives for the program should be a reflection of the strategic aims of the Council. A review of our Strategic Plan notes some elements that are immediately apparent and seem to align, such as:

#### **Pillar 1 – Deliver Trusted and Accountable Government**

- Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.

#### **Pillar 2 – Invest in Community Amenities and Infrastructure**

- Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.
- Increase access to recreation opportunities for all ages.

#### **Pillar 3 – Encourage Local Economic Prosperity**

- Continue to promote local tourism industry, especially overnight accommodation.
- Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.

#### **Pillar 4 – Shape Growth Aligned with Local Identity**

- Protect the Town’s historic sites and heritage.
- Preserve the Town’s greenspaces, agricultural lands, and natural environment.

These strategic priorities are Council’s priority provided through the lens of what the Town seeks to achieve, so may not be a perfect representation of what Council seeks to achieve through its Community Grants. For example, many of the above items, being strategic objectives, are achieved through a combination of Council’s other targeted objectives, such as through an Economic Development CIP, through a Heritage Tax Rebate Program, through Access to Affordable Recreation Services or the P2P Program, etc.

For this reason, it may be best that Council separately articulates some elements that represent the goals and objectives it has in providing a Community Grant Program. A review of previous funding includes elements that are not noted in the strategic plan, but for which the current and previous Council’s have routinely funded, such as Amherstburg Community Services, the Amherstburg Food and Fellowship Mission or the Freedom Museum. In articulating the specific aims areas which have been funded in the past tend to be those with a civic, social, cultural, and/or heritage focus.

#### 4. RISK ANALYSIS:

There is a risk that if Council decided to cease offering the Community Grant Program that this could have a negative impact on organizations and associations in the community who have programming or services which are funded through this program.

The current Community Grant Program does not provide clear guidance in terms of excluded content and alignment with strategic priorities of the Town of Amherstburg. It is further lacking a defined maximum individual contribution limit, and as such, sets forth the conditions that could lead to misunderstandings of what the program does or does not fund, and at what rate.

The considerations in this report could mitigate the risks inherent in the existing program by setting out a streamlined application process to be followed, clear parameters for the types of activities that are not funded and that are encouraged to be funded, and gives consideration to the funding envelope and maximum individual contributions.

#### 5. FINANCIAL MATTERS:

The Town's Community Grant Program receives requests in excess of available funding each and every year. In recent years, the program has also seen an increase in the amount that has been requested by individual requester's in relation to changing market conditions, which do not reflect the intention of the grant program to be a supportive assistance for increased programming needs, and not to represent a foundational element of any organizations funding envelope.

Year	Total Amount Requested	Total Amount Funded
2025	\$100,930.60	\$60,000.00
2024	\$137,703.00	\$60,000.00
2023	\$54,250.00	\$54,250.00
2022	\$40,121.00	\$44,750.00
2021	\$34,250.00	\$32,569.76
2020	\$41,775.00	\$30,400.00
2019	\$37,136.00	\$36,276.71
2018	\$87,405.00	\$41,769.90
2017	\$36,750.00	\$34,250.00
2016	<i>Information not readily available</i>	\$31,500.00
2015	<i>Information not readily available</i>	\$27,250.00
2014	<i>Information not readily available</i>	\$30,000.00
2013	<i>Information not readily available</i>	\$29,150.00
2012	<i>Information not readily available</i>	\$34,900.00
2011	<i>Information not readily available</i>	\$25,145.00
2010	<i>Information not readily available</i>	\$22,250.00
2009	<i>Information not readily available</i>	\$24,050.00
2008	<i>Information not readily available</i>	\$22,076.86
2007	<i>Information not readily available</i>	\$20,050.00
2006	<i>Information not readily available</i>	\$60,825.00

<b>2005</b>	<i>Information not readily available</i>	<b>\$23,450.00</b>
<b>2004</b>	<i>Information not readily available</i>	<b>\$25,750.00</b>
<b>2003</b>	<i>Information not readily available</i>	<b>\$22,700.00</b>

In 2025, the following grant requests and funding, was provided:

<b>Applicants</b>	<b>Grant Requests</b>	<b>Funding Received</b>
<b>Amherstburg Community Services</b>	\$15,000.00	\$15,000.00
<b>Amherstburg Food and Fellowship Mission</b>	\$20,000.00	\$20,000.00
<b>Amherstburg Freedom Museum</b>	\$8,500.00	\$8,500.00
<b>Amherstburg Historic Sites Association (Park House)</b>	\$15,000.00	\$10,000.00
<b>Amherstburg Columbus Community Hall</b>	\$10,477.60	\$0.00
<b>Christ Anglican Church Cemetery</b>	\$1,000.00	\$547.00
<b>Windsor-Essex Bike Community</b>	\$2,500.00	\$2,500.00
<b>Affordable Housing Grant*</b>	\$8,453.00	\$8,453.00
<b>Rose City Gymnastics</b>	\$18,000.00	\$0.00
<b>2<sup>nd</sup> Amherstburg Scouts</b>	\$2,000.00	TBD

\*The Affordable Housing Grant is a contractual obligation of the Town for a period of 20 years, beginning in 2021. Given this is not part of the Community Grants Program, Council can provide direction to fund this element from another area if it so wishes, as the Program requirements and application elements do not apply to this funding.\*

It is a Council decision whether to fund this program and at what level to fund the program, inclusive of whether there are individual contribution maximums. To date, the highest single amount that has been provided appears to be \$20,000.00. The total highest contributions given out in a year appears to be \$60,825.00. The current base budget amount is \$60,000.00.

**6. ASSET MANAGEMENT IMPACTS:**

N/A

**7. CONSULTATIONS:**

Tracy Prince, Chief Financial Officer/Treasurer/Director of Corporate Services  
Yufang Du, Manager of Financial Services / Deputy Treasurer

2<sup>nd</sup> Amherstburg Scouting Troop



**8. CORPORATE STRATEGIC ALIGNMENT:**

*Vision: Preserving our past while forging our future.*

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p style="text-align: center;"><b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li> <li>✓ Deliver transparent and efficient financial management.</li> <li><input type="checkbox"/> Increase effective communication and engagement with residents.</li> <li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li> <li><input type="checkbox"/> Continue to deliver strong core municipal services.</li> <li>✓ Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li> </ul>	<p style="text-align: center;"><b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li> <li>✓ Continue to promote local tourism industry, especially overnight accommodation.</li> <li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li> <li>✓ Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li> </ul>
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**9. CONCLUSION:**

The request from 2<sup>nd</sup> Amherstburg Scouting should be received and direction provided. Administration will amend the processes associated with future applications, communications and public announcements. Council can direct any other change to the program that it wishes to see.



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Kevin Fox  
**Municipal Clerk / Risk Manager**

## Report Approval Details

Document Title:	Community Grant Process.docx
Attachments:	- 2024 01 01 - Community Grants Program RM.pdf - 2024 01 01 Request for Grants to Community Groups - Application Form FINAL RM.pdf
Final Approval Date:	Apr 4, 2025

This report and all of its attachments were approved and signed as outlined below:



Tracy Prince




Valerie Critchley



Kevin Fox

# POLICY

	Policy:	<b>COMMUNITY GRANTS PROGRAM POLICY</b>		
	Department:	Chief Administrative Office		
	Division:	Clerks	By-law No.:	N/A
	Administered by:	Municipal Clerk	Approval Date:	January 1, 2024
	Replaces:	F 10 Grants to Community Groups and Organizations – October 5, 2007		
	Attachment(s):	1. Community Grants Application and Post Report Form		

## 1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to the growth of the community and the development of a robust, culturally vibrant and self-sufficient non-profit sector through the provision of community-based grants.

## 2. PURPOSE

- 2.1. This policy provides a mechanism to build and advance the self-sustainability and effectiveness of community organizations in their ability to deliver programs and services.
- 2.2. This policy defines the scope, general requirements, and criteria for the allocation of resources and/or municipal funds within budgetary limits.
- 2.3. This policy ensures that each grant application is evaluated in a fair and equitable manner.

## 3. SCOPE

- 3.1. This policy applies to all Amherstburg groups and organizations requesting a community grant.
  - 3.1.1. Eligible applicants must be non-for-profit groups based and active in the Town of Amherstburg. Applicants based outside of Amherstburg are eligible, provided that 100% of the awarded grants are allocated to programming/services for Amherstburg residents.
- 3.2. The policy does not apply to for-profit organizations, programs with a political mandate, or special interest groups that do not align with the Towns' mission, vision, values and strategic priorities.
  - 3.2.1. At the sole discretion of the Town, the Town reserves the right to refuse any application or reduce amounts as needed or whereas evaluated as appropriate.
- 3.3. This policy does not apply for other targeted funding opportunities identified and established by Council within their operating budget that align with the Town's strategic priorities.
- 3.4. This policy shall be reviewed every 5 years from the date it becomes effective and/or sooner at the discretion of the Chief Administrative Officer (CAO).

## 4. DEFINITIONS

- 4.1. **Grant** refers to financial and/or in-kind assistance from the Town to an eligible applicant hosting an event and/or undertaking an approved project.
- 4.1.1. **Financial Grant** refers to a monetary grant from the Town distributed to eligible applicants.
- 4.1.2. **In-kind Grant** refers to a grant from the Town to eligible applicants for the use of municipality-owned assets. This includes equipment, facilities, property, and additional or incremental town staff labour costs associated with the use of town-owned assets required to support an approved activity.
- 4.2. **Community Project** an activity, program or initiative of the non-profit organization that is clearly defined with a specific objective, specific budget and will be executed in a fixed period of time designed to achieve a particular community-related goal or purpose.

Other common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

## 5. **INTERPRETATIONS**

Any reference in this Policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a By-law or Town policy shall be deemed to be a reference to the most recent passed policy or By-law and any replacements thereto.

## 6. **GENERAL CONDITIONS**

### 6.1. **Eligibility Criteria**

- 6.1.1. In order to be considered for a community grant, an applicant or organization must meet the following criteria:
- 6.1.1.1. Operate as a non-profit organization and/or registered as a charity.
- 6.1.1.2. Submit a *Community Grants Post Report Form* within the required timelines for any community grant received in the previous year.
- 6.1.1.3. Demonstrate that they have explored and/or are receiving other sources of financial support. Grants are intended to be supplementary to main sources of funding for organizations.
- 6.1.2. The Town reserves the right to restrict the number of applications submitted by a single organization in a calendar year based on the amount of funding or type of grants already awarded to the same community organization.

### 6.2. **Conditions of Grant Support**

- 6.2.1. Requests may be made for monetary and/or in-kind contributions by completing the *Community Grants Application Form*.
- 6.2.2. All applications for monetary and/or in-kind contributions and post reports must be submitted before September 1<sup>st</sup> in order for the organization to be considered for a

grant in the following year. Grants shall only be considered when Council is establishing the annual operating budget.

- 6.2.3. Council may provide grants for municipal activities which pertain to community development, arts, culture, environment, and other related events. Consideration will be given to non-profit groups and individuals that align with the Town's strategic goals and objectives.
- 6.2.4. Groups requesting and receiving a grant are required to disclose all budget and financial information to the Town.
- 6.2.5. Approved grants or other types of assistance in any one year are not to be regarded as a commitment for future assistance or ongoing financial support.
- 6.2.6. Grant funding or assistance is not guaranteed. The Community Grants Program is subject to funding availability and is conditional on Council's approval of the annual operating budget.

### 6.3. **Right to Deny**

- 6.3.1. Council may deny an application or rescind a grant, without limiting the generality of the foregoing, who:
  - 6.3.1.1. Has submitted an incomplete application;
  - 6.3.1.2. The Town believes, with reasonable grounds, has made statements on the application that are false;
  - 6.3.1.3. Has made past breaches of this policy, or any predecessors thereof, and Council determines that it is not in the public's best interest to consider a grant;
  - 6.3.1.4. Has failed to comply with any condition imposed by Council;
  - 6.3.1.5. Has exhibited past questionable behaviour, conduct, or practices that may pose a negative reflection on the Towns' reputation.
  - 6.3.1.6. The Town believes, with reasonable grounds, the committee or group is not conducting business in a financially sound manner.
- 6.3.2. In addition, the Town may deny grant requests where:
  - 6.3.2.1. The demand for grants is greater than the funding available for allocation;
  - 6.3.2.2. The Town determines that the organization requesting the grant is in any way indebted to the Town;
  - 6.3.2.3. The Town, in its sole discretion, is of the opinion that it is in its best interest to deny the grant; or
  - 6.3.2.4. A request is made for activities that do not align with the Town's mission, vision, values, and strategic priorities.

6.3.3. If, at any time, Council determines that the operation of a community organization does not conform to the requirements of this policy, it may rescind any promissory grants.

6.3.4. All in-kind and cash grants, regardless of the amount, shall abide by this policy.

#### 6.4. **Accountability**

6.4.1. Applicants awarded a grant will be held accountable for the expenditure of the funds in accordance with the stated objectives/plans. Completion of the *Community Grants Post Report Form* must be submitted by September 1<sup>st</sup> of the following the receipt of grant funds.

6.4.2. Grants in future years will be reviewed based on past demonstrated fiscal responsibility of the applicants.

6.4.3. Should the event/project not go forward, the grant recipient shall return the full amount of funds previously allocated for the proposed activity.

6.4.4. Funds granted are not transferable between projects or groups without prior approval, and must be used for the specific purposes outlined in the application.

### 7. **RESPONSIBILITIES**

7.1. **Council** has the authority and responsibility to:

7.1.1. Adopt and maintain the Community Grants Program.

7.2. The **CAO** has the authority and responsibility to:

7.2.1. Ensure appropriate oversight is in place with respective areas of responsibility to ensure compliance with the policy.

7.2.2. Ensure that an effective process is in place to receive and review applications.

7.2.3. Determine when the Town may refuse grant applications based on the criteria outlined in this policy.

7.3. The **Clerk** has the authority and responsibility to:

7.3.1. Ensure a report is brought to the annual budget process outlining the community grants received that conform with the requirements of this policy.

7.3.2. Ensure correspondence is sent to all grant applicants and recipients indicating Council support.

7.4. The **Treasurer** has the authority and responsibility to:

7.4.1. Ensure appropriate department oversight to administer and comply with the policy.

7.4.2. Ensure payment of all funds allocated under this policy to successful applicants.

7.4.3. Ensure that a procedure is in place to demonstrate due diligence in monitoring the use of funds and ensure full compliance with the terms and conditions of the Community Grant Program Policy.

7.4.4. Assess the quality and impact of the program being funded.

7.4.5. Identify opportunities to improve the efficiency and effectiveness of the program.

7.5. **Staff** have the authority and responsibility to:

7.5.1. Ensure their understanding and compliance with the policy and seek clarification where needed to follow the policy expectations

## **8. LEGISLATIVE REFERENCES**

- 8.1. Government of Canada, Income Tax Act (Registering a Charity)
- 8.2. Ontario Municipal Act, 2001
- 8.3. Municipal Statute Law Amendment Act, 2006, S.O. 2006, c.32



# FORM

	<p><b>The Corporation of The Town of Amherstburg</b></p> <p>271 Sandwich St. South, Amherstburg, ON N9V 2A5 www.amherstburg.ca</p>	
	Form Name:	Request for Grant to Community Groups and Organization

## Part A – Application

Thank you for applying for a Request for Grant to Community Groups and Organizations! Our priority is to support programs or projects with tangible results that enrich and connect residents to their community.

Please answer the following questions in the space provided.

### 1. General Information

Date:			
Committee or Organization Name:			
<b>Contact Person</b>			
Name			
Phone Number			
<b>Organization</b>			
Address			
Phone Number			
E-mail Address			
Website			
Mission/Vision Statement:			
<b>Board of Directors</b>			
	<i>Name</i>	<i>Phone Number</i>	<i>Email</i>
1			
2			
3			
4			
5			
6			
7			
8			

Revision #:

Date:

9			
10			
11			
12			
Insurance Policy Carrier:			
Town Consultations?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Department Consulted:			
Non-Profit/Charitable Status Number			

**2. Project or Proposal**

**a. Project Overview: (200 words max):**

**Guidance:** The project overview should present a concise summary of your project. Include the reason for your project, goals and objectives, who will be involved and the amount of funding requested.

Amount requested:	\$
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Revision #:  
Date:

**b. Project Description: (500 words max):**

The project description should provide in depth details of how you plan to bring your project to life. Include some of the key next steps and activities you will undertake. Market Reach or Attendance. Partnerships or Collaborations.

Amount requested:

\$

**c. Desired Outcomes: (200 words max):**

This section should also include what will be accomplished and the desired outcomes.

Revision #:

Date:

**3. Goals & Objectives:**

Describe the project goals and objective in measurable terms by using the **Timeline and Tasks Completed by Date** requirement below. This timeline should include all major milestones involved in your project.

Name of Task		Projected Completion Date:	
Task Description			
Name of Task		Projected Completion Date:	
Task Description			
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Name of Task		Projected Completion Date:	
Task Description			
Name of Task		Projected Completion Date:	
Task Description			

Revision #:

Date:

**4. Budget:**

**a. Budget Breakdown**

Include a budget breakdown of how the grant funding will be used for your project. List and describe actual and pending costs and any other sources of outside income. **Please attach copy of last fiscal operating budget.**

--

**b. Funding Sources**

Please list all other funding sources for the project:

Source	Amount
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
<b>Total amount received or anticipated</b>	<b>\$</b>

Revision #:

Date:

**c. Services Required**

What services will your project require from the Town of Amherstburg?

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**d. Services Required**

What services will your project require from the Town of Amherstburg? Example; picnic tables, Public Works services, water, hydro etc. Yes or No and list items?

--

**5. Disclosure of Previous Grants**

Has your organization received a grant previously from the program?		Yes <input type="checkbox"/> No <input type="checkbox"/>
Amount (cumulative)	\$	Year(s)

**6. Volunteers:**

Please describe the number of volunteers and volunteer hours that will be used for your project. How will you recruit and train them for the task?

--

Revision #:

Date:



**7. Other Information (200 words max):**

Include any other useful information about your project. This could include reference letters, website pages, photos, etc.

Once you have completed the application and post report please **email, mail or fax** your responses to:

Kevin Fox, Municipal Clerk  
271 Sandwich Street  
South Amherstburg, ON  
N9V 2A5

Telephone: 519-736-0012 ext. 2272  
Fax: 519-736-5403  
Email: [kfox@amherstburg.ca](mailto:kfox@amherstburg.ca)

**8. Disclaimer and Signature:**

*I certify that my answers are true and complete to the best of my knowledge.*

*I agree to complete an "Annual Report" and disclose all relevant information to the Town. The committee takes full responsibility for the actions of all members and volunteers associated with the committee.*

**Name:**

Signature \_\_\_\_\_

Date: \_\_\_\_\_

**Witness Name:**

Signature \_\_\_\_\_

Date: \_\_\_\_\_

***Incomplete applications will not be considered***

Revision #:

Date:

# FORM

	<p><b>The Corporation of The Town of Amherstburg</b></p> <p>271 Sandwich St. South, Amherstburg, ON N9V 2A5 www.amherstburg.ca</p>	
	Form Name:	Request for Grant to Community Groups and Organization

## Part B – Post Report

This form must be completed and must be submitted by September 1<sup>st</sup> of the following the receipt of grant funds.

Please answer the following questions in the space provided.

### 1. General Information

Date:	
Committee or Organization Name:	
<b>Contact Person</b>	
Name	
Phone Number	
<b>Organization</b>	
Address	
Phone Number	
E-mail Address	
Website	

### 2. Past Events

Please list events held during the previous year including those associated with the project.			
<u>Event Name</u>	<u>Date of Event</u>	<u>Number of Patrons</u>	<u>Financial Contribution from Town</u>

Revision #:

Date:

Have the actions of the committee reflected the committee's initial purpose? Explain: (150 words or less)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Does the committee plan on running the event again?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Does the committee plan on seeking funding from this grant again?	<input type="checkbox"/> YES	<input type="checkbox"/> NO

**3. Volunteers**

Please describe the number of volunteers and volunteer hours that was used for your project. How will you recruit them again? **(150 words max)**

**4. Budget**

List any known or anticipated new sources of funding:

Financial position for most current fiscal year ending:	
Annual Revenue:	\$
Less: Annual Costs:	\$
Equals: Financial position at year end:	\$
Forecasted budget for next year:	\$

Revision #:  
Date:

**5. Other Information**

Include any other useful information about your project. This could include reference letters, website pages, photos of project or proposal, partnerships etc. **(200 words max)**

**6. Disclaimer and Signature;**

*I certify that my answers are true and complete to the best of my knowledge.*

*I agree to complete an "Annual Report" and disclose all relevant information to the Town.*

*The committee takes full responsibility for the actions of all members and volunteers associated with the committee.*

**Name:**

Signature; \_\_\_\_\_

Date: \_\_\_\_\_

**Witness**

**Name:**

Signature; \_\_\_\_\_

Date: \_\_\_\_\_

Revision #:

Date:

# FORM

	<p>The Corporation of The  <b>Town of Amherstburg</b>                  271 Sandwich St. South, Amherstburg, ON N9V 2A5                  www.amherstburg.ca</p>	
	Form Name:	Request for Grant to Community Groups and Organization

## Part A – Application

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Name			
Phone Number			
<b>Organization</b>			
Address			
Phone Number			
E-mail Address			
Website			
Mission/Vision Statement:			
<b>Board of Directors</b>			
	<i>Name</i>	<i>Phone Number</i>	<i>Email</i>
1			
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12			
Insurance Policy Carrier:			

Town Consultations?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Department Consulted:	
Non-Profit/Charitable Status Number	

**2. Project or Proposal**

**a. Project Overview: (200 words max):**

**Guidance:** The project overview should present a concise summary of your project. Include the reason for your project, goals and objectives, who will be involved and the amount of funding requested.

Amount requested:	\$
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**b. Project Description: (500 words max):**

The project description should provide in depth details of how you plan to bring your project to life. Include some of the key next steps and activities you will undertake. Market Reach or Attendance. Partnerships or Collaborations.



Amount requested:	\$
-------------------	----

**c. Desired Outcomes: (200 words max):**

This section should also include what will be accomplished and the desired outcomes.

**3. Goals & Objectives:**

Describe the project goals and objective in measurable terms by using the **Timeline and Tasks Completed by Date** requirement below. This timeline should include all major milestones involved in your project.

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Task Description			
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Task Description			

Task Description			
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Task Description			

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**a. Budget Breakdown**

Include a budget breakdown of how the grant funding will be used for your project. List and describe actual and pending costs and any other sources of outside income. **Please attach copy of last fiscal operating budget.**

--

**b. Funding Sources**

Please list all other funding sources for the project:

Source	Amount
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
<b>Total amount received or anticipated</b>	<b>\$</b>

**c. Services Required**

What services will your project require from the Town of Amherstburg?

--

**d. Services Required**

What services will your project require from the Town of Amherstburg? Example; picnic tables, Public Works services, water, hydro etc. Yes or No and list items?

--

**5. Disclosure of Previous Grants**

Has your organization received a grant previously from the program?		Yes <input type="checkbox"/> No <input type="checkbox"/>
Amount (cumulative)	\$	Year(s)

**6. Volunteers:**

Please describe the number of volunteers and volunteer hours that will be used for your project. How will you recruit and train them for the task?

--

**7. Other Information (200 words max):**

Include any other useful information about your project. This could include reference letters, website pages, photos, etc.

Once you have completed the application and post report please **email, mail or fax** your responses to:

Kevin Fox, Municipal Clerk  
271 Sandwich Street  
South Amherstburg, ON  
N9V 2A5

Telephone: 519-736-0012 ext. 2272  
Fax: 519-736-5403  
Email: [kfox@amherstburg.ca](mailto:kfox@amherstburg.ca)

**8. Disclaimer and Signature:**

*I certify that my answers are true and complete to the best of my knowledge.  
I agree to complete an "Annual Report" and disclose all relevant information to the Town. The committee takes full responsibility for the actions of all members and volunteers associated with the committee.*

**Name:**  
Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Witness Name:**  
Signature \_\_\_\_\_ Date: \_\_\_\_\_

***Incomplete applications will not be considered***



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

**Mission Statement:** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Valerie Critchley	Report Date: March 31, 2025
Author's Phone: 519 736-0012 ext. 2228	Date to Council: April 14, 2025
Author's E-mail: <a href="mailto:vcritchley@amherstburg.ca">vcritchley@amherstburg.ca</a>	Resolution #:

To: Mayor and Members of Town Council

Subject: Future Policing Model in Amherstburg

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1. **RECOMMENDATION:**

It is recommended that:

1. The report dated March 31, 2025, regarding the status of investigations into the potential policing models for the Town of Amherstburg **BE RECEIVED**;
2. A formal request **BE MADE** to the Ministry of the Solicitor General for the provision of a Policing Resource Plan from the Ontario Provincial Police for policing in the Town of Amherstburg post December 31, 2028; and,
3. Administration **BE DIRECTED** to continue investigations into the various options available to the Town of Amherstburg with respect to policing post December 2028, in order to bring a comprehensive report and recommendation to Council regarding the same.

2. **BACKGROUND:**

On February 26, 2018, Council adopted the following motion:

*That:*

1. The report from the CAO dated February 9, 2018 regarding police services for the Town of Amherstburg **BE RECEIVED**;
2. The CAO **BE DIRECTED** to finalize the terms and conditions of a contract for policing services with the Windsor Police Services Board/City of Windsor for a term of 20 years commencing January 1, 2019; and,
3. The CAO **BE DIRECTED** to bring back a final contract **SUBJECT TO**

**APPROVAL** by the Ontario Civilian Police Commission.

On October 12, 2018, as contemplated by the above noted resolution, two contracts were entered into, one with the City of Windsor and the other with the WPSB for the provision of policing services to the Town of Amherstburg, “the ‘Agreements’”.

Article 2 of the agreement with the WPSB states as follows:

*Article 2 – Term:*

*This Agreement shall run for a period of five (5) years commencing at 12:01a.m. on the 1st day of January, 2019 (the “Commencement Date”). This Agreement shall be renewed automatically for succeeding terms of five (5) years each (a “Renewal Term”) not to exceed a maximum total length of twenty (20) years, unless: (i) either party provides notice to the other party at least eighteen (18) months prior to the expiration of the then current term; or (ii) otherwise terminated pursuant to the terms and provisions herein.*

Further, on February 8, 2023, Council determined that it did not wish to terminate the agreement and that it wished to enter into a further five (5) renewal term of the Agreements pursuant to Council Resolution #20230208-002 which states as follows:

That:

1. The report from the CAO dated January 23, 2023, regarding the renewal of the policing contract with Windsor Police Service **BE RECEIVED**; and,
2. The CAO **BE DIRECTED** to exercise the renewal clause in the contract dated October 12, 2018 between the Town of Amherstburg and the Windsor Police Services Board (“WPSB”) for the five-year period commencing January 1, 2024 and ending December 31, 2028.

Subsequent to the February 8, 2023 Council Meeting, the City of Windsor and Windsor Police Services were advised of Council’s decision and accordingly, the Agreements automatically renewed on January 1, 2024 for a further five (5) year term which will expire on December 31, 2028.

On January 13, 2025 the Town received a letter from the City of Windsor dated January 8, 2025, the sole contents of which stated the following:

*Windsor City Council at its in-camera meeting held December 9, 2024, adopted the following recommendation of the Windsor Police Service Board:*

***“That the Windsor Police Service Board recommends to the Council of the City of Windsor that the policing agreement with the Town of Amherstburg renewed on January 1, 2024 for a five-year period, NOT BE RENEWED, for an additional term.*”**

*This will serve as your official notice that the current contract between the Town of Amherstburg and the City of Windsor for policing services will not be renewed for a further term.*

The above noted letter was the first communication, written or verbal, that the Town had from the City or WPS indicating that it wished to discuss the terms of the Agreements or that it was contemplating not renewing the Agreements past the current term. A copy of the letter is attached for Council’s reference as Appendix “A”.

All of this was reported to Council in camera on January 27, 2025 and was also reported in a public Council Report on February 24, 2025. At that time, Council passed the following resolution:

That:

1. Administration **BE DIRECTED** to:
  - a. Formally advise the City of Windsor that the Town wishes to have discussions regarding the renewal of the current contract post December 31, 2028;
  - b. Meet with the Town of Lasalle to discuss the potential of a partnership or contract for service with the Town and its police service post December 31, 2028;
  - c. Conduct further investigations into the approximate cost of the OPP providing service to the Town of Amherstburg;
  - d. Prepare an “order of magnitude” costing regarding re-establishment of a standalone Town of Amherstburg Police Service; and,
  - e. Investigate the possibility of a Regional County Police Service.
2. Administration **BE DIRECTED** to report back to Council on the above noted items once all relevant information is gathered;
3. The Confidential In-Camera Report entitled “Policing Agreements with the City of Windsor/Windsor Police Services,” written by Valerie Critchley, CAO, **BE RELEASED** publicly in its entirety as well as the initial letter received from the City of Windsor.

This report will provide Council with an update on the steps that have been taken with respect to this matter since the last direction was provided on February 24, 2025.

### **3. DISCUSSION:**

#### **A. City of Windsor Option**

As directed by Council, correspondence was sent to the City of Windsor on February 25, 2025, advising that the Town wishes to have discussions regarding renewal of the current contract. A response was received on March 5, 2025, which advised that the matter would be brought before Windsor City Council at its next In-Camera Council Meeting scheduled for April 14, 2025. Administration will report to Council once further information is received from Windsor.

#### **B. Option to Contract with Lasalle Police Services**

A meeting was held on March 3, 2025 between the Mayor and CAO and the following representatives of Lasalle: Mayor Crystal Meloche, CAO Joe Milicia and Chief of Police for Lasalle, Michael Pearce. The meeting was congenial and informative with the parties exchanging very preliminary information with respect to service levels, possible governance structures, order of magnitude costs and other potential



operational issues. Specifics with respect to these issues will be provided to Council in closed session as they would form the basis for any future negotiations on this matter.

### **C. Costing of OPP Policing Option**

As reported on February 24, 2025, before making a formal request to the Ministry of the Solicitor General for the OPP to provide a Policing Resource Plan for the Town, Administration wished to provide Council with an order of magnitude costing for OPP services. Administration has utilized the tools provided by the OPP to make this cost estimation and this amount has also been provided to Council in closed session given it is part of potential negotiations. As this initial work has now been completed, Administration recommends that the formal request now be made of the Ministry.

### **D. Re-establishment of a standalone Town of Amherstburg Police Service**

Regarding the preparation of an order of magnitude costing with respect to the re-establishment of a standalone Amherstburg Police Service, Administration has been gathering that information. Particularly, Administration had a very informative meeting with the Chief and Deputy Chief of the Strathroy-Caradoc Police Service with respect to its annual operational and capital costs, sources of revenue and equipment costs. Strathroy-Caradoc is a useful comparator as it is an amalgamated municipality with a similar population to Amherstburg (although it is larger in land mass by approximately 87 square kilometers). This information will also be presented to Council in closed session as it will ultimately be a part of any on-going negotiations on this matter.

### **E. Investigate the possibility of a Regional County Police Service**

Finally, with respect to investigating a Regional County Police Force, this matter was raised by Mayor Prue via two Notice of Motions considered by County Council on April 2, 2025. Mayor Prue's motions (the second being an alternative motion in the event the first motion failed) were as follows:

#### Motion 1:

**WHEREAS** *the Town of Amherstburg Policing Contract with the City of Windsor ends on December 31, 2028 and the City of Windsor has decided not to renew this contract with the Town of Amherstburg;*

**AND WHEREAS** *most of the municipalities in Essex County are currently receiving policing services from the Ontario Provincial Police (OPP);*

**AND WHEREAS** *the Council of the Corporation of the Town of Amherstburg has requested that due consideration be given to options for policing of the Town of Amherstburg that include a regional approach;*

**AND WHEREAS** *the County of Essex is uniquely positioned to administer and deliver programs as an upper tier municipality;*

**NOW THEREFORE** *it is requested that the Administration of the County of Essex work with local municipalities to explore options for traditional regional policing models*

for the County of Essex and to be in place for January 1<sup>st</sup>, 2029 and for Administration to report back as soon as possible.

Motion Two:

**WHEREAS** the Town of Amherstburg Policing Contract with the City of Windsor ends on December 31, 2028 and the City of Windsor has decided not to renew this contract with the Town of Amherstburg;

**AND WHEREAS** the Council of the Corporation of the Town of Amherstburg has requested that due consideration be given to options for policing of the Town of Amherstburg that include a regional approach;

**AND WHEREAS** the County of Essex is uniquely positioned to administer and deliver programs as an upper tier municipality;

**AND WHEREAS** there is a recognized interest in preserving local span of control and service levels in policing activities, while enjoying the economies of scale and cost effectiveness of centralized control over policing activities;

**AND WHEREAS** the decision on how a community is policed requires careful consideration and planning, and communities in Essex County may approach such an endeavour on different time scales;

**NOW THEREFORE** it is requested that the Administration of the County of Essex work with local municipalities to explore possible options for a collaborative approach to policing in the long term where the Police Board, Command and Corporate structures are held at the County level and local communities are provided with options for flexible service delivery models to meet local needs and pricing. This model should be built upon the premise that any municipality can opt out of the program if they have other means of providing policing to their community and the costs borne for the command and corporate structures are levied equally amongst all signatories, with pricing for specific service delivery within each community being wholly the responsibility of the host community.

When considered by County Council, both motions were defeated. County Councillor/Mayor Sherry Bondy of Essex did introduce a motion that would direct staff to prepare a report outlining what it would cost to engage a consultant for a feasibility study on regional policing. The motion will be debated at a future County Council meeting. Should this motion pass, it would only direct staff to advise what a feasibility study would cost. County Council would then have to direct that the study be done. Given that Amherstburg is working on a defined timeline in order to have a policing service in place for January 1, 2029, the timeline involved in future investigations with the County leads to the conclusion that a Regional Police Service will not be an option for Amherstburg at this time.

Administration will now continue its analysis of the first four options listed above in order to bring all relevant information to Council for a decision and will continue to bring updates as they are available.

**4. RISK ANALYSIS:**

The main risks for the Town with respect to this issue are:

- 1. Financial; and,
- 2. Reduction in Level of Service

The mitigation strategy for these risks is the timely execution of due diligence regarding the options outlined in this report in order for Council to be able to make the most informed decision possible regarding policing in Amherstburg post December 31, 2028.

**5. FINANCIAL MATTERS:**

As the financial implications of each possible model will play a role in future negotiations with potential service providers, those details will be presented to Council in closed session while negotiations are ongoing and will be then presented publicly once there are fully negotiated options available for Council to consider.

**6. ASSET MANAGEMENT IMPACTS:**

N/A at this time.

**7. CONSULTATIONS:**

City of Windsor  
 Windsor Police Service  
 Town of Lasalle  
 Town of Lasalle Police Service  
 Strathroy-Caradoc Police Service  
 County of Essex

**8. CORPORATE STRATEGIC ALIGNMENT:**

*Vision: Preserving our past while forging our future.*

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p style="text-align: center;"><b>PILLAR 1</b>  <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li> <li><input type="checkbox"/> Deliver transparent and efficient financial management.</li> </ul>	<p style="text-align: center;"><b>PILLAR 3</b>  <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li> </ul>

<ul style="list-style-type: none"> <li><input type="checkbox"/> Increase effective communication and engagement with residents.</li> <li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li> <li>✓ Continue to deliver strong core municipal services.</li> <li><input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li> <li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li> <li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li> </ul>
<p style="text-align: center;"><b>PILLAR 2</b></p> <p style="text-align: center;"><b>Invest in Community Amenities and Infrastructure</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities.</li> <li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li> <li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy’s site, Belle Vue)</li> <li><input type="checkbox"/> Create public access to water and waterfront</li> <li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.</li> </ul>	<p style="text-align: center;"><b>PILLAR 4</b></p> <p style="text-align: center;"><b>Shape Growth Aligned with Local Identity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Define and communicate a vision for the Town’s future and identity.</li> <li><input type="checkbox"/> Promote and plan for green and “climate change ready” development.</li> <li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li> <li><input type="checkbox"/> Protect the Town’s historic sites and heritage.</li> <li><input type="checkbox"/> Preserve the Town’s greenspaces, agricultural lands, and natural environment.</li> </ul>

**9. CONCLUSION:**

At this time, in order to complete the required due diligence regarding this issue, it is recommended that Administration be directed to continue its investigations with respect to options (A) – (D) above regarding the provision of police services beyond December 31, 2028, liaise with all necessary parties in order to gather the information necessary for each option and to report back to Council regarding all said options in open session.

  
 Valerie Critchley  
**Chief Administrative Officer (CAO)**

## Report Approval Details

Document Title:	Future Policing Model in Amherstburg.docx
Attachments:	
Final Approval Date:	Apr 4, 2025

This report and all of its attachments were approved and signed as outlined below:



Tracy Prince

**No Signature - Task assigned to Valerie Critchley was completed by assistant  
Melissa Osborne**

Valerie Critchley



Kevin Fox

## Windsor Essex Gift of Life Association

Our organization local advocates for tissue and organ donation, we are part of Trillium Gift of Life Network of Ontario Health. Our advocates most have had life saving organ transplant, donor families, supporters, and health care.

We promote Green Shirt Day April 7/2025 the Logan Boulet Effect – Humbolt bus crash.

We do registration promotions and education talks, at malls, clubs, groups, radio speaking engagements, and at our hospitals in Windsor and Leamington.

Here are some statistics, Town of Amherstburg sits 78<sup>th</sup> of 170 communities.

There are 21,199 health cards, which 10,238 are registered to be a donor, donor registration rate of 48%. <https://beadonor.ca/community/list>

This community is a very giving community.

We would like this subject to be spoken about year-round not just during Be A Donor Month. It is important to tell all your family of your wishes.

We do hope the town uses the proclamation.

Thank you for your consideration, if you would like to reach me at 519-564-5700.

My connection to being an advocate is my husband Dennis has had a kidney transplant in 1979, I am his supporter, and organ donation does work!

Thank you.

Niva Segatto  
Chairperson- Windsor Essex Gift of Life Association.  
[Beadonor.ca/wegiftoflife](https://beadonor.ca/wegiftoflife)

## 2025 BeADonor Month Proclamation Template

I, Mayor **XX**, do hereby proclaim April 2025 as “BeADonor Month” in the **City/town** of **XX**;

**Whereas**, April is BeADonor Month in Ontario; and

**Whereas**, the goal during BeADonor Month is to inspire those who have not yet registered consent for organ and tissue donation; and

**Whereas**, on average 1,400 people in Ontario are waiting for a life-saving organ transplant and every three days someone will die waiting for an organ transplant; and

**Whereas**, in 2024, 341 deceased organ donors gave the gift of life, 1,035 deceased donor organ transplants were performed in Ontario, and 1,975 tissue donors enhanced the lives of thousands; and

**Whereas**, 90% of Ontarians support organ and tissue donation yet only one in three (35%) of eligible Ontarians have registered their consent to donate; and

**Whereas**, families almost always consent to donation when there is evidence a loved one registered their decision to donate, but in the absence of a registered donation decision, families consent only half of the time; and

**Whereas**, everyone has the potential to be an organ and/or tissue donor, regardless of age or health; one organ donor can save up to eight lives and enhance the lives of up to 75 others through tissue donation; and

**Now Therefore**, I encourage all citizens to learn more about organ and tissue donation and transplantation, and consider pledging their support to BeADonor Month by registering as a donor at [BeADonor.ca](https://www.beadonor.ca).

\_\_\_\_\_

*Signature*

Mayor



Email Received April 2, 2025 from Ontario Honours and Awards Secretariat - Ministry of Citizenship and Multiculturalism

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Hello,

I hope this email finds you well.

We are excited to share that the nomination window for the prestigious **Order of Ontario** has been extended until **April 30, 2025**. This extension provides additional time for individuals and organizations to submit nominations for this distinguished honour, which recognizes Ontarians who have made exceptional contributions to the province in various fields.

We strongly encourage you to consider nominating outstanding individuals who have made a meaningful impact on our community and the province. This is a wonderful opportunity to celebrate their achievements and ensure their contributions are acknowledged.

For more information on the nomination process, please visit [The Order of Ontario | ontario.ca](https://www.ontario.ca/order-of-ontario).

Should you have any questions or need assistance, please don't hesitate to reach out. We look forward to seeing many deserving nominees this year.

Sincerely,

Ontario Honours and Awards Secretariat  
Ministry of Citizenship and Multiculturalism



**TOWN OF AMHERSTBURG  
HERITAGE COMMITTEE MEETING  
MINUTES**

**Thursday, February 20, 2025  
5:30 P.M.**

**Council Chambers  
271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

PRESENT	Deputy Mayor Chris Gibb Simon Chamely - Chair Shirley Curson Prue - Vice Chair Frank Di Pasquale Stephanie Pouget-Papak
STAFF PRESENT	Chris Aspila, Manager, Planning Services Kevin Fox - Clerk Selena Scebba - Recording Secretary
ABSENT	Councillor Linden Crain ( <i>Regrets</i> ) Robert Honor

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**1. CALL TO ORDER**

The Recording Secretary called the meeting to order at 5:31 p.m.

**2. ROLL CALL**

**3. CALL FOR NOMINATIONS**

**3.1 Nomination of Chair**

**Moved by** F. Di Pasquale

**Seconded by** S. Curson-Prue

That Simon Chamely **BE APPOINTED** Chair of the Heritage Committee.

The Recording Secretary put the motion.

**Motion Carried**

**3.2 Nomination of Vice Chair**

**Moved by** F. Di Pasquale

**Seconded by** Deputy Mayor Gibb

That Shirley Curson-Prue **BE APPOINTED** Vice Chair of the Heritage Committee.

The Recording Secretary put the motion.

**Motion Carried**

*The Chair assumed control of the meeting.*

**4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

*There were no disclosures noted.*

**5. LAND ACKNOWLEDGMENT**

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

**6. MINUTES OF PREVIOUS MEETING**

**6.1 Heritage Committee Meeting Minutes - December 12, 2024**

**Moved by** S. Curson-Prue

**Seconded by** S. Pouget-Papak

That the Heritage Committee meeting minutes of December 12, 2024 **BE ADOPTED.**

The Chair put the motion.

**Motion Carried**

**7. DELEGATIONS**

*There were no delegations.*

**8. ORDER OF BUSINESS**

**8.1 Heritage Committee Meeting Schedule for 2025**

**Moved by** F. Di Pasquale

**Seconded by** Deputy Mayor Gibb

That the proposed 2025 Heritage Committee meeting schedule **BE ADOPTED.**

The Chair put the motion.

**Motion Carried**

## 8.2 131-133 Park Street, Proposed Development

**Moved by** Deputy Mayor Gibb

**Seconded by** F. Di Pasquale

That the proposed development design at 131-133 Park Street, legally described as PLAN 3 LOT 9 PT LOT 10 RP, 12R5848 PART 2 AND PT PART 1, **BE ENDORSED**, with the following condition:

1. Administration confirm that the drawings submitted for building permits reflect the design attached as Appendix A.

The Chair put the motion.

**Motion Carried**

## 8.3 269 Ramsay Street, Proposed Development

**Moved by** Deputy Mayor Gibb

**Seconded by** F. Di Pasquale

That:

1. The proposed development design at 269 Ramsay Street, legally described as PLAN 1 LOT 9, **BE ENDORSED**, with the following condition:
  - a. Administration confirm that the drawings submitted for building permits reflect the design attached as Appendix A.
2. The Committee **RECOMMEND** either option provided to be selected by the Developer.

The Chair put the motion.

**Motion Failed**

**Moved by** F. Di Pasquale

**Seconded by** S. Curson-Prue

That

1. The proposed development design at 269 Ramsay Street, legally described as PLAN 1 LOT 9, **BE ENDORSED**, with the following condition:

- a. Administration confirm that the drawings submitted for building permits reflect the design attached as Appendix A.

2. The Committee **RECOMMEND** the Developer proceed with Option 1.

The Chair put the motion.

**Motion Carried**

#### **8.4 Heritage Conservation District Update**

### **9. CORRESPONDENCE**

#### **9.1 River Canard Bridge – Provincial Plaque Update 23**

**Moved by** S. Curson-Prue

**Seconded by** S. Pouget-Papak

That the correspondence **BE RECEIVED.**

The Chair put the motion.

**Motion Carried**

#### **9.2 Conservation Award Presented to Local ACO**

**Moved by** S. Curson-Prue

**Seconded by** F. Di Pasquale

That the correspondence **BE RECEIVED.**

The Chair put the motion.

**Motion Carried**

### **10. UNFINISHED BUSINESS**

#### **10.1 Heritage Committee UFB List 2025**

### **11. NEW BUSINESS**

**12. ADJOURNMENT**

**Moved by** S. Pouget-Papak

**Seconded by** Deputy Mayor Gibb

That the Committee **ADJOURN** at 6:08 p.m.

The Chair put the motion.

**Motion Carried**

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Simon Chamely - Chair

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Selena Scebba - Recording Secretary





**TOWN OF AMHERSTBURG**  
**ACCESSIBILITY ADVISORY COMMITTEE MEETING**  
**MINUTES**

**Wednesday, April 2, 2025**

**5:00 P.M.**

**Council Chambers**

**271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

PRESENT	Shirley Curson Prue - Chair Tony Pietrangelo - Vice Chair Councillor Donald McArthur Marc Renaud William Whittall
STAFF PRESENT	Kevin Fox - Staff Liaison, Clerk Selena Scebba - Recording Secretary
ABSENT	Christine Easterbrook ( <i>Regrets</i> ) Christopher Drew ( <i>Regrets</i> )

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**1. CALL TO ORDER**

The Vice Chair called the meeting to order at 5:02 p.m.

**2. ROLL CALL**

**3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

*There were no disclosures noted.*

**4. LAND ACKNOWLEDGMENT**

The following was read, “We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.”

**5. MINUTES OF PREVIOUS MEETING**

**5.1 Amherstburg Accessibility Advisory Committee Meeting Minutes - January 23, 2025**

**Moved by** M. Renaud

**Seconded by** W. Whittall

That the Amherstburg Accessibility Advisory Committee meeting minutes of January 23, 2025 **BE ADOPTED**.

The Vice Chair put the motion.

**Motion Carried**

**6. ORDER OF BUSINESS**

**6.1 Co-An Park Inclusive Playground Design**

**Moved by** M. Renaud

**Seconded by** W. Whittall

That the Amherstburg Accessibility Advisory Committee **ENDORSE** the proposal as presented.

The Vice Chair put the motion.

**Motion Carried**

**6.2 Malden Park RFP for New Accessible Playground**

**Moved by** M. Renaud

**Seconded by** W. Whittall

That the Amherstburg Accessibility Advisory Committee **ACCEPT** the proposal as presented.

The Vice Chair put the motion.

**Motion Carried**

**6.3 Jack Purdie Park RFP for Multi Use Trail**

**Moved by** M. Renaud

**Seconded by** W. Whittall

That the Amherstburg Accessibility Advisory Committee **ACCEPT** the proposal as presented.

The Vice Chair put the motion.

**Motion Carried**

**6.4 Fest-For-All Update**

**7. UNFINISHED BUSINESS**

**8. NEW BUSINESS**

**9. ADJOURNMENT**

**Moved by** M. Renaud

**Seconded by** W. Whittall

That the Committee **ADJOURN** at 5:53 p.m.

The Vice Chair put the motion.

**Motion Carried**

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Tony Pietrangelo - Vice Chair

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Selena Scebba - Recording Secretary



**TOWN OF AMHERSTBURG**  
**PARKS AND RECREATION ADVISORY COMMITTEE MEETING**  
**MINUTES**

**Wednesday, March 19, 2025**  
**5:00 P.M.**  
**Council Chambers**  
**271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

PRESENT	Shirley Curson Prue - Chair Brinton Sharman - Vice Chair Councillor Peter Courtney Councillor Molly Allaire Leya Foster Tony Pietrangelo
ABSENT	Wes Ewer ( <i>Regrets</i> ) Councillor Donald McArthur
STAFF PRESENT	Annette Zahaluk - Staff Liaison, Manager Parks and Naturalized Areas Selena Scebba – Recording Secretary

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**1. CALL TO ORDER**

The Recording Secretary called the meeting to order at 5:04 p.m.

**2. ROLL CALL**

**3. CALL FOR NOMINATIONS**

**3.1 Nomination of Chair**

**Moved by** T. Pietrangelo

**Seconded by** L. Foster

That Shirley Curson-Prue **BE APPOINTED** Chair of the Parks and Recreation Advisory Committee.

The Recording Secretary put the motion.

**Motion Carried**

**3.2 Nomination of Vice Chair**

**Moved by** L. Foster

**Seconded by** S. Curson-Prue

That Brinton Sharman **BE APPOINTED** Vice Chair of the Parks and Recreation Advisory Committee.

The Recording Secretary put the motion.

**Motion Carried**

*The Chair assumed control of the meeting.*

**4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

*There were no disclosures noted.*

**5. LAND ACKNOWLEDGMENT**

The Chair read the following, “We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.”

**6. MINUTES OF PREVIOUS MEETING**

**6.1 Parks and Recreation Advisory Committee Meeting Minutes -  
November 20, 2024**

**Moved by** L. Foster

**Seconded by** Councillor Allaire

That the Parks and Recreation Advisory Committee meeting minutes of November 20, 2024 **BE ADOPTED**.

The Chair put the motion.

**Motion Carried**

**6.2 Parks and Recreation Advisory Committee Special Meeting Minutes -  
January 22, 2025**

**Moved by** T. Pietrangelo

**Seconded by** Councillor Courtney

That the Parks and Recreation Advisory Committee special meeting minutes of January 22, 2025 **BE ADOPTED**.

The Chair put the motion.

**Motion Carried**

**7. ORDER OF BUSINESS**

**7.1 Parks and Recreation Advisory Committee Meeting Schedule for  
2025**

**Moved by** Councillor Allaire

**Seconded by** T. Pietrangelo

That the proposed 2025 Parks and Recreation Advisory Committee meeting schedule **BE ADOPTED**.

The Chair put the motion.

**Motion Carried**

**7.2 Co-An Park Inclusive Playground Design**



**7.3 Malden Park RFP for New Accessible Playground**

**7.4 Jack Purdie Park RFP for Multi Use Trail**

**Moved by** L. Foster

**Seconded by** T. Pietrangelo

That the Parks and Recreation Advisory Committee **RECOMMEND** to Council that the Economic Development Advisory Committee look into the possibility of third-party donations and/or sponsorships to support Town projects.

The Chair put the motion.

**Motion Carried**

**8. UNFINISHED BUSINESS**

**9. NEW BUSINESS**

**10. ADJOURNMENT**

**Moved by** T. Pietrangelo

**Seconded by** Councillor Allaire

That the Committee **ADJOURN** at 6:01 p.m.

The Chair put the motion.

**Motion Carried**

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Shirley Curson-Prue - Chair

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Selena Scebba - Recording Secretary

## UNFINISHED BUSINESS LIST

Council Question #	Agenda Item	Assigned To	Description	Meeting Type	Meeting Date	Comments
CQ 23-28	NEW BUSINESS	Karly Kennedy, Antionietta Giofu, Eric Chamberlain	Resolution # 20230925-012 Moved By Councillor Allaire Seconded By Councillor Pouget That Administration BE DIRECTED to bring back a report to investigate the feasibility and costing of additions of recycling bins in our downtown core to be brought back before budget.	Regular Council Meeting	9/25/2023	Waiting on direction from EWSWA/pending new regulations
CQ 24-05	NEW BUSINESS	Antionietta Giofu, Eric Chamberlain, Karly Kennedy	Resolution: 20240610-011 Moved By Councillor McArthur Seconded By Councillor Crain That Administration BE DIRECTED to bring back a report to Council investigating the potential harmonization of speed limits on Concession Rd. 2.	Regular Council Meeting	6/10/2024	Q2 2025
CQ 24-07	NEW BUSINESS	Antionietta Giofu, Karly Kennedy	Resolution: 20240812-029 Moved By Councillor McArthur Seconded By Councillor Pouget That Administration BRING BACK a report to Council to look into the possibility and feasibility of a Community Safety Zone at Concession Road 3N by County Road 8 near the school.	Regular Council Meeting	8/12/2024	Q2 2025
CQ 24-08	Office of the CAO (Budget)	Kevin Fox, Karly Kennedy, Sarah Sabihuddin	Resolution: 20241209-005 Moved By Councillor Crain Seconded By Deputy Mayor Gibb That Council TO REQUEST a report to allow for review of the community grant process and determine a more streamlined approach prior to the 2026 deliberations.	Special Council Meeting	12/9/2024	In Progress

Blue Shaded Items are completed and will be removed next meeting.

Green Shaded Items are actioned to come before council shortly.

## UNFINISHED BUSINESS LIST

CQ 24-11	Infrastructure Services (Budget)	Karly Kennedy, Antionietta Giofu, Eric Chamberlain	Resolution: 20241209-010 Moved By Mayor Prue Seconded By Councillor Pouget That staff REPORT BACK in 2025 on “shovel your own” walkway similar to other municipalities programs and an investigation into the snow angel program be brought back before next budget.	Special Council Meeting	12/9/2024	In Progress
CQ 24-12	Development Services (Budget)	Karly Kennedy, Jennifer Ibrahim, Heidi Baillargeon, Melissa Osborne	Resolution: 20241209-012 Moved By Councillor Allaire Seconded By Councillor Crain That: FAC 005-23 –Gordon House Improvements BE SUPPORTED. Administration be directed to come back with a report on future potential uses.	Special Council Meeting	12/9/2024	TBD - Pending Determination of Town Hall Proposal
CQ25-01	NEW BUSINESS	Bill Tetler, Karly Kennedy	Resolution: 20250210-008 Moved By Councillor Pouget Seconded By Councillor Allaire That Administration BE DIRECTED to provide Council with a complete report regarding the by-law preventing the public of feeding wild animals and the TNR program regarding feral cats.	Regular Council Meeting	2/10/2025	April 2025

Blue Shaded Items are completed and will be removed next meeting.

Green Shaded Items are actioned to come before council shortly.

## UNFINISHED BUSINESS LIST

CQ25-02	Delegation	Kevin Fox, Heidi Baillargeon, Karly Kennedy	<p>Resolution: 20250210-002            Moved By Councillor Pouget Seconded            By Councillor Courtney</p> <p>That: Administration BE DIRECTED to provide Council with Toronto's latest shade policy with their shade guidelines that are AODA compatible; Administration BE DIRECTED to conduct dialogue with persons with disabilities and their caregivers along with the accessibility committee; Administration BE DIRECTED to investigate applying for a Canadian Dermatology Shade Structure Grant Program for the purpose of permanent shade structure; Administration BE DIRECTED to order and plant at least 5 large shade trees in both parks in strategic places in the interim until Council can deal with all reports dealing with permanent structures to be funded from the existing tree planting budge</p>	Regular Council Meeting	2/10/2025	In Progress
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THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2025-004

By-law to provide for the improvements to the Pike Road Drain East based on the report of Josh Warner, P.Eng of R. Dobbin Engineering Inc.

**WHEREAS** a request for improvement of the Pike Road Drain East was received under section 78 of the Drainage Act;

**WHEREAS** Council of the Corporation of the Town of Amherstburg appointed an engineer for the purpose of preparation of an engineer's report for improvements to the Pike Road Drain East under Section 78 of the Drainage Act;

**WHEREAS** Council of the Corporation of the Town of Amherstburg has authorized Josh Warner, P.Eng., of R. Dobbin Engineering Inc., to prepare a report and said engineer's report dated November 21, 2024 entitled Pike Road Drain East (2024) can be referenced as Schedule A, as attached hereto;

**WHEREAS** \$395,905.00 is the estimated cost provided for the new the drainage works;

**AND WHEREAS** the report was considered by the Amherstburg Drainage Board at the meeting held on January 7, 2025.

**NOW THEREFORE** the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

**1. AUTHORIZATION**

The attached drainage report is adopted and the drainage works is authorized and shall be completed as specified in the report.

**2. BORROWING**

The Corporation of the Town of Amherstburg may borrow on the credit of the Corporation the amount of \$395,905.00 being the estimated amount necessary for the improvements of the drainage works.

**3. DEBENTURE(S)**

The Corporation may issue debenture(s) for the amount borrowed less the total amount of:

- (a) Grants received under section 85 of the Drainage Act;
- (b) Monies paid as allowances;
- (c) Commuted payments made in respect of lands and roads assessed with the municipality;
- (d) Money paid under subsection 61(3) of the Drainage Act; and
- (e) Money assessed in and payable by another municipality.

**4. PAYMENT**

Such debenture(s) shall be made payable within 5 years from the date of the debenture(s) and shall bear interest at a rate not higher than 1% more than the municipal lending rates as posted by The Town of Amherstburg's Bank's Prime Lending Rate on the date of sale of such debenture(s).

- (1) A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads and shall be collected in the same manner and at the same as other taxes are collected in each year for 5 years after the passing of this by-law.

(2) All assessments of \$1000.00 or less are payable in the first year in which the assessments are imposed.

Read a first and second time and provisionally adopted this 27<sup>th</sup> day of January, 2025.

  
MAYOR – MICHAEL PRUE

  
CLERK – KEVIN FOX

Read a third time and finally passed this \_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
MAYOR – MICHAEL PRUE

\_\_\_\_\_  
CLERK – KEVIN FOX

**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2025-005**

**By-law to provide for the improvements to the Rebidoux Drain based on the report of Mike Gerrits, P.Eng of R. Dobbin Engineering Inc.**

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**WHEREAS** a request for improvement of the Rebidoux Drain was received under section 78 of the Drainage Act;

**WHEREAS** Council of the Corporation of the Town of Amherstburg appointed an engineer for the purpose of preparation of a preliminary report for improvements to the Rebidoux Drain under Section 78 of the Drainage Act;

**WHEREAS** Council of the Corporation of the Town of Amherstburg has authorized Mike Gerrits, P.Eng., of R. Dobbin Engineering Inc., to prepare a final report and said engineer's report dated December 4, 2024 entitled Rebidoux Drain (2024) can be referenced as Schedule A, as attached hereto;

**WHEREAS** \$658,313.00 is the estimated cost provided for the new the drainage works;

**AND WHEREAS** the report was considered by the Amherstburg Drainage Board at the meeting held on January 7, 2025.

**NOW THEREFORE** the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

**1. AUTHORIZATION**

The attached drainage report is adopted and the drainage works is authorized and shall be completed as specified in the report.

**2. BORROWING**

The Corporation of the Town of Amherstburg may borrow on the credit of the Corporation the amount of \$658,313.00 being the estimated amount necessary for the improvements of the drainage works.

**3. DEBENTURE(S)**

The Corporation may issue debenture(s) for the amount borrowed less the total amount of:

- (a) Grants received under section 85 of the Drainage Act;
- (b) Monies paid as allowances;
- (c) Commuted payments made in respect of lands and roads assessed with the municipality;
- (d) Money paid under subsection 61(3) of the Drainage Act; and
- (e) Money assessed in and payable by another municipality.

**4. PAYMENT**

Such debenture(s) shall be made payable within 5 years from the date of the debenture(s) and shall bear interest at a rate not higher than 1% more than the municipal lending rates as posted by The Town of Amherstburg's Bank's Prime Lending Rate on the date of sale of such debenture(s).

- (1) A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads and shall be collected in the same manner and at the same as other taxes are collected in each year for 5 years after the passing of this by-law.

(2) All assessments of \$1000.00 or less are payable in the first year in which the assessments are imposed.

Read a first and second time and provisionally adopted this 27<sup>th</sup> day of January, 2025.

  
\_\_\_\_\_  
MAYOR – MICHAEL PRUE

  
\_\_\_\_\_  
CLERK – KEVIN FOX

Read a third time and finally passed this \_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
MAYOR – MICHAEL PRUE

\_\_\_\_\_  
CLERK – KEVIN FOX



**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2025-030**

By-Law to Re-enact By-Law 2009-044, a By-Law to regulate Licensing in the Town of Amherstburg

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**AND WHEREAS** subsection 151(1) of the Municipal Act, 2001 provides that, without limiting sections 9 and 10 of the Act, a municipality may provide for a system of licences with respect to a business and may:

- a) Prohibit the carrying on or engaging in the business without a licence;
- b) Refuse to grant a licence or to revoke or suspend a licence;
- c) Impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- d) impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence;
- e) Impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;
- f) License, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and,
- g) require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licenses established by the municipality.

**AND WHEREAS** the Corporation of the Town of Amherstburg deems it advisable to repeal By-law 2023-066.

**NOW THEREFORE** the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

- 1. THAT By-law 2025-030 attached hereto, is hereby adopted as the by-law to govern a By-Law to regulate Licensing in the Town of Amherstburg.
- 2. THAT By-law 2025-030 may also be referred to as the Business Licensing By-law.
- 3. THAT By-law 2023-066 and any other by-laws dealing with the same subject matter are hereby repealed.
- 4. In all matters and under all circumstances the members shall be guided by and shall have regard to the *Municipal Conflict of Interest Act*.
- 5. Any procedure under this By-law which is discretionary and not mandatory under statute may be suspended with the consent of a majority of the members present.

Read three times and finally passed this 14<sup>th</sup> day of April, 2025.

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MAYOR – MICHAEL PRUE

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CLERK – KEVIN FOX

**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2009-44**

**BUSINESS LICENSING BY-LAW**

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**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2009-44**

Being a By-law for licensing, regulating and governing  
businesses in the Town of Amherstburg

**WHEREAS**, pursuant to the *Municipal Act*, S.O. 2001, c.25, Section 150(1), the council of a municipality may pass a by-law to license, regulate and govern 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**, a municipality may exercise its licensing powers under Section 150 of the *Municipal Act*, S.O. 2001, c.25, including imposing conditions, for one or more of the following purposes; health and safety, nuisance control or consumer protection;

**AND WHEREAS** the Municipality has held a public meeting, notice of which having been published in a newspaper having general circulation in the Town, at which time a report relating to the licensing of the businesses was presented and at which persons in attendance were given the opportunity to make representations in respect of the proposed by-law;

**AND WHEREAS** Council has considered the representations of any persons taking the opportunity to make representations at the public meeting;

**AND WHEREAS** it has been determined that it is appropriate to license, regulate and govern businesses for the purposes and reasons as contained in the Schedules attached hereto;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:**

1. DEFINITIONS:

In this by-law:

- 1.1 “Adult book or magazine” means any book or magazine:
  - (a) of which a principal feature or characteristic is the portrayal or depiction, by means of photographs, drawings or otherwise, of one or more of the specified body areas of any person or persons; and
  - (b) which appeals to or is designed to appeal to erotic or sexual appetites or inclinations;
- 1.2 “ADULT ENTERTAINMENT PARLOUR” – shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations or in which a live performance of an adult nature is provided;
- 1.3 “Adult Entertainment Attendant” means any person who provides services designed to appeal to erotic or sexual appetites or inclinations at an adult entertainment premise, and shall include an entertainer;
- 1.4 “Adult merchandise” shall include adult books, magazines, pictures, slides, pornographic records, pre-recorded magnetic tapes, discs and any other reading, viewing or listening material or any other item designed to appeal to erotic or sexual appetites or inclinations;

- 1.5 “Adult videotape” means any videotape:
- (a) of which a principal feature or characteristic is the portrayal or depiction of one or more of the specified body areas of any person or persons; and
  - (b) which appeals to or is designed to appeal to erotic or sexual appetites or inclinations;
- 1.6 “Applicant” means a person who is required to be licensed pursuant to this by-law or who has made application for a licence to the Issuer of Licences and shall include a Licensee;
- 1.7 “Auctioneer” means a person who conducts a sale by auction;
- 1.8 “Auction” means a public sale to persons in which bids on goods, articles, merchandise, effects, etc. are received by auctioneer and where each bid offers more than the last previous bid, the article being put up being sold to the highest bidder;
- 1.9 “Auction Establishment” means a building or part thereof used for the retail sale of articles or goods to the members of the public bidding the highest offer for the article or goods during the sale proceedings.
- 1.10 “Bed and Breakfast Establishment” means a single detached dwelling in which no more than three rooms are made available by the residents of the said dwelling for the temporary accommodation of travelers in the course of which no assistance is offered by any person not residing in the dwelling. This does not include a hotel, motel, boarding or lodging house, or restaurant, as defined herein;
- 1.11 “Boarding House” – see “Lodging House”;
- 1.12 “Business” means a business as defined under subsection 150(b) of the *Municipal Act, 2001*;
- 1.13 “Business Service Establishment” means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, protective services, and small equipment rental, leasing and repair.
- 1.14 “Campground” means a use consisting of at least five (5) camping sites, licensed under the provisions of The Municipal Act, as amended from time to time, and comprising land used or maintained for seasonal recreational activity as grounds for the camping or parking of a tent, tent trailer, motor home, travel trailer, or truck camper, but not a mobile home.
- 1.15 “Campsite” means an area of land in a tourist camp or trailer camp designated for the use of one camping vehicle or camping tent;
- 1.16 “Camping Tent” means any collapsible structure, which has a soft, readily foldable fabric or fabric-like material as its basic component and is designed to be used as temporary occupancy other than a small children’s play tent and a tent used exclusively for dining purposes;
- 1.17 “Camping Vehicle” means any vehicle designed to be used as temporary accommodations on a tourist camp or trailer camp such as a travel trailer, a slide-in camper, a chassis-mounted camper, tent trailer, and a motorized home. Such vehicles may be attached to a self-propelled motor vehicle for the purpose of either being towed or carried from place to place, or be capable of self-propulsion, provided that they are equipped to provide temporary occupancy;

- 1.18 “Chief Building Official” means the officer or employee of the Corporation for the time being charged with the duty of enforcing the provisions of the Zoning By-law of the Corporation.
- 1.19 “Chief of Police” means the Chief of Police for the time being of the Town of Amherstburg;
- 1.20 “Clerk” means the Clerk of the Corporation of the Town of Amherstburg;
- 1.21 “Concert” shall mean any music festival, dance festival, “rock” festival, or similar musical activity, which attracts 1,500 or more people in any one twenty-four (24) hour period, at which music is provided by paid or amateur performers or by pre-recorded means, and which is held at any place within the municipality, and to which members of the public are invited or admitted for a charge or free of cost;
- 1.22 “Corporation” means the Corporation of the Town of Amherstburg;
- 1.23 “Council” means the Council of the Corporation of the Town of Amherstburg;
- 1.24 “Derelict Motor Vehicle” means an inoperative motor vehicle which is not currently licensed;
- 1.25 “Driver” means a person who drives a vehicle on a highway;
- 1.26 “Dwelling” means a building, occupied or designated to be occupied exclusively as a home, residence or sleeping place by one (1) or more persons, but shall not include hotels, boarding, lodging, or rooming houses, tourist homes, nursing homes, motels, institutions, or travel trailers;
- i. “Apartment building” means a residential building containing four or more dwelling units to each of which access is obtained through a common entrance or entrances from the outside and through a corridor or hallway from the inside;
  - ii. “Apartment building, special needs” means an apartment building designed for the accommodation and occupancy by elderly and/or physically handicapped persons which is owned and managed by a public housing authority or non-profit organization or a charitable institution, and which may be associated with a church;
  - iii. “Converted dwelling” means an existing dwelling constructed as a single or semi-detached unit on an existing lot in which the number of dwelling units has been increased without significant alteration to the exterior of the building except for the required fire escapes, extra windows and entrances to a maximum of 10 percent (10%) of the dwelling or 30.0 square metres, whichever is the lesser, and provided that the building, when converted, complies with the provisions of the Building By-law and the parking provisions of the Zoning By-law;
  - iv. “Duplex dwelling” means the whole of a dwelling other than a converted dwelling that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule;
  - v. “Fourplex dwelling” means the whole of a dwelling that is divided horizontally and/or vertically into four separate dwelling units, each of which has an independent entrance either directly from the outside or through a common entrance;

- vi. “Modular dwelling” means a prefabricated single unit dwelling being so constructed or assembled that the shortest side of such dwelling is not less than 6.096 metres (20 feet) in width;
  - vii. “Multiple dwelling” means a dwelling containing more than three dwelling units;
  - viii. “Rowhouse” means a building divided vertically into three or more attached dwelling units by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade, and so located on a lot that individual units may not have legal frontage on a public street;
  - ix. “Seasonal farm” means a dwelling that is used for not more than six (6) months in any given year for the housing of seasonal farm labour and their families and may include a mobile home;
  - x. “Semi-detached dwelling” means a pair of two attached single dwellings with a common wall, dividing the pair of single dwellings vertically, each of which has an independent entrance either directly from the outside or through a common vestibule;
  - xi. “Semi-detached dwelling unit” means one of a pair or two attached single dwellings with a common wall, dividing the pair of single dwellings vertically, each of which has an independent entrance either directly from the outside or through a common vestibule;
  - xii. “Single detached dwelling” means a single dwelling which is freestanding, separate and detached from other main buildings or main structures, including a split level dwelling, but does not include a mobile home;
  - xiii. “Single dwelling” means a dwelling containing” not more than one dwelling unit as the sole main use thereof, with or without uses accessory thereto;
  - xiv. “Split level dwelling” means a dwelling in which the first floor above the finished grade is so constructed as to create two or more different levels, the vertical distance between such levels being always less than the full storey. For the purpose of this By-law, a split level dwelling house shall be considered as a one-storey dwelling house;
  - xv. “Street rowhouse” means a rowhouse with each unit on a separate lot and having legal frontage on a public street;
  - xvi. “Triplex dwelling” means the whole of a dwelling that is divided horizontally and/or vertically into three separate dwelling units each of which has an independent entrance either directly from the outside or through a common entrance;
- 1.27 “Dwelling unit” means one (1) or more habitable rooms occupied or designed to be occupied by an individual or group of individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such individual or group of individuals, with a private entrance from outside the building or from a common hallway or stair way inside the building.
- 1.28 “Entertainer” means a person who performs a live performance of an adult nature within an Adult Entertainment Parlour;

- 1.29 “Entertainment Establishment” means a premise, building, land or structure used for leisure activities in which the consumer or customer acts as an observer and does not actively participate. Shall include but is not limited to motion picture premise or theatres, live performance theatres, planetariums, concert halls and other similar uses but shall not include arenas, adult entertainment parlours or any use entailing the outdoor operation or racing of animals or motorized vehicles or any establishment involving gambling or gaming activities;
- 1.30 “Festival” means a cultural or community event of a temporary nature, conducted by the municipality or by a registered charitable or a not-for-profit group or organization;
- 1.31 “Florist Shop” means a retail store devoted to the sale of flowers, indoor plants and arrangements thereof.
- 1.32 “Food” means food or drink for human consumption, and includes refreshments and confections;
- 1.33 “Fire Chief” means the person who may, from time to time, be appointed by Council to the position of Chief of the Fire Department of the Town or his or her designate;
- 1.34 “Highway”, “Street” or “Road” means a public way for purposes of vehicular and pedestrian travel, including the entire area within the right-of-way, with or without provision made for curbs, sidewalks, and paved gutters, and owned or maintained by a public authority;
- 1.35 “Hotel” means any hotel, motel, tavern, inn, lounge, lodge, or public house in one (1) main building or in two (2) or more connected or adjacent buildings designed and used mainly for the purposes of catering to the needs of the travelling public by supplying food, refreshments or both and furnishing sleeping accommodation of not less than six (6) guest rooms, each having no facilities for cooking or housekeeping, and provided that each guest room may only be entered from the interior of the building, and shall include all such buildings operating under the Liquor Licence Act, and the Tourism Act, as amended from time to time. A “Hotel” does not include a rooming house, boarding house, multiple family dwelling or apartment hotels.
- 1.36 “Issuer of Licences” means any person so designated by the Town Clerk;
- 1.37 ”Lodging House” means:
1. a building in which residential accommodation is provided or is intended to be provided for hire or gain in which each lodger does not have access to all the habitable areas of the building, consisting of:
    - i. a dwelling unit, together with more than three lodging units which lodging units individually or collectively do not constitute separate dwelling units; or
    - ii. more than three lodging units, which lodging units individually or collectively do not constitute a dwelling unit; or
  2. a building in which lodging is provided for more than three persons, with or without meals.
- A lodging house shall include a rooming house, a boarding house, a fraternity and sorority house, but shall not include a hotel, motel, hostel, hospital or nursing home if licensed, approved or supervised under any general or special act other than the Municipal Act, or a residence of an educational institution.
- 1.38 “Licence” means a Town of Amherstburg business licence issued pursuant to this by-law;

- 1.39 “Licensee” means anyone who has been issued a licence pursuant to this by-law either in the current calendar year or in a previous calendar year and shall include an Applicant;
- 1.40 “Limousine” means a vehicle other than a taxicab or pedicab, and which does not have a taxi meter and which is used for hire for the conveyance of passengers;
- 1.41 “Live performances of an adult nature” means any performance, exhibition, or activity designed to appeal to erotic or sexual appetites or inclinations. For the purpose of this definition:
- (a) “performance, exhibition, or activity designed to appeal to erotic or sexual appetites or inclinations” means a live performance, exhibition, or activity of which a principal feature or characteristic is the nudity of any person; and
  - (b) “partial nudity” means less than completely and opaquely covered:
    - i. human genitals or human pubic region;
    - ii. human buttock; or
    - iii. the human female breast below the point immediately above the top of the areola;
- 1.42 “Medical Officer of Health” means a person appointed pursuant to the *Public Health Act*;
- 1.43 “Motel” means a building, a part of a building or a group of buildings used for the purpose of providing accommodation, with or without food or other refreshments, to the travelling public, including, but not so as to limit the generality of the foregoing, a motor court, auto court, motor hotel, tourist home and any hotel as defined in The Hotel Registration of Guest Act, as amended from time to time, or any successors thereto;
- 1.44 “Motor assisted bicycle” and “motorcycle” have the same meaning as in the *Highway Traffic Act*;
- 1.45 “Motor vehicle” means a wheeled, self-propelling vehicle for the transportation of passengers or goods or both passengers and goods, and without limiting the generality of the foregoing, includes automobiles, trucks, buses, ambulances, hearses, motor homes, and tractors and other self-propelled farm machinery, self-propelled implement of husbandry or road building machine within the meaning of The *Highway Traffic Act*, R.S.O. 1990, c. H. 8, as amended;
- 1.46 “Motor vehicle, commercial” means a motor vehicle as defined above that is used for commercial, industrial or any other non-private purposes;
- 1.47 “Municipal Law Enforcement Officer” means a person appointed under the authority of the Clerk for the purpose of enforcing Town by-laws;
- 1.48 “Municipality” means the Corporation of the Town of Amherstburg;
- 1.49 “Office” includes general, business and service.
- a) “Office General” means a building or part of a building or any room or suite of rooms designed, intended or used for the conduct of a profession, occupation or business, but shall not include the office of a veterinarian, the retailing of merchandise, the manufacturing, repairing or storage of goods or any place of assembly or amusement.
  - b) “Office Business” means a building or part thereof in which the administrative functions of agencies, foundations, brokers, labour or fraternal organizations are carried out and includes a service office, but does not include medical/dental offices, professional offices, support offices, financial or general offices, unless specified as permitted within this definition.



- c) “Office Service” means a building, or part thereof, in which one or more persons is employed in the management, direction or conducting of a travel agency, an insurance agency, or a real estate agency.
- 1.50 “Operator” (with respect to driving schools) means the business of teaching an individual to operate motor vehicles which shall include but is not limited to classroom instruction as well as on-road instruction;
- 1.51 “Owner” (with respect to adult entertainment parlours) means a person who alone or with others has the right to possess or occupy an Adult Entertainment Parlour or actually does possess or occupy an Adult Entertainment Parlour and includes a lessee of an Adult Entertainment Parlour or premises upon which an Adult Entertainment Parlour is located;
- 1.52 “Owner” (with respect to taxicabs, pedicabs and carriages) shall include any person having any beneficial interest in the taxicab, pedicab or carriage or having the custody and control thereof;
- 1.53 “Owner/Operator” (with respect to flea markets) means the person who legally owns or the person who operates any premises as a flea market. An operator shall include but is not limited to a manager, agent, representative or other person not being the owner of the flea market;
- 1.54 “Peace Officer” means any member of the Royal Canadian Mounted Police or Special Constable or Municipal Law Enforcement Officer;
- 1.55 “Pedicab” means a vehicle drawn, propelled or driven by human muscular power and includes a rickshaw, but does not include a bicycle as defined in the *Highway Traffic Act*;
- 1.56 “Person” means any individual, an association, a firm, a partnership or an incorporated company, municipal corporation and the agent, trustee, heirs, executors, or other legal representatives of a person to whom the context can apply according to law;
- 1.57 “Pet Groomer” means the business of a person who grooms, brushes, trims, manicures or otherwise attends to the cosmetic care of animals, particularly dogs;
- 1.58 “Pet Shop” means a location or premises where animals, fish, or birds for use as pets are sold or kept for sale;
- 1.59 “Place of entertainment” means a motion picture or other theatre, auditorium, assembly hall, billiard or pool room, bingo hall, bowling alley, amusement arcade, dance hall or music hall, but does not include any place of entertainment or amusement otherwise defined or classified herein;
- 1.60 “Place of business” means any place, premises or location, or part thereof, in which a business is carried on, and includes a shop, store or office, an office in a dwelling unit which is accessible to the public and, where there is no such place, premises or locations from which the business is carried on, it includes a vehicle or other equipment used for the purpose of carrying on the business;
- 1.61 “Police Officer” shall mean any sworn member of the Amherstburg Police Services;
- 1.62 “Portable Sign” shall mean any sign which is not permanently affixed to the ground, building or structure and which is designed with or without wheels, so as to facilitate its movement from place to place;

- 1.63 “Premises” means land, including any and all buildings or other structures thereon and includes any vehicle or conveyance used in the operation of the business;
- 1.64 “Provided” includes furnished, performed, solicited or given such services;
- 1.65 “Public hall” means the building or part thereof where members of the public gather together for the purpose of any meeting or entertainment whether or not an admission fee is charged and whether or not such premises are rented or leased by an organization for any such function. A “Public Hall” does not include a private club, a theatre, a school or a church;
- 1.66 “Regular place of business” means the place of business in which a business is normally carried on, but does not include a place, premises or location in which a business is conducted on a one-time or temporary basis;
- 1.67 “Retail Store” means a building or part of a building where goods, wares, merchandise, articles or things are offered or kept for retail sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, articles or things sufficient only to service such store but does not include any wholesale business or business supply use, or any establishment otherwise defined or classified.
- 1.68 "Seasonal Business" means a business that only operates during a specific part of a year;
- 1.69 “Second-hand Goods” shall include, but is not limited to jewellery, collectibles, electronic goods, office equipment, bicycles and automobile tires;
- 1.70 “Services” (with respect to adult entrainment) includes but is not limited to activities, facilities, performances, exhibitions, viewings, and encounters but does not include the exhibition of films approved under the *Theatres Act*;
- 1.71 “Services appealing to or designed to appeal to erotic or sexual appetites or inclinations” includes the following:
- (i) services of which a principal feature or characteristic is nudity or partial nudity of any person;
  - (ii) services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.”;
- 1.72 “Sign” means a name, identification, description, advertising device, display or illustration which is affixed to, or represented directly or indirectly upon, a building, structure or lot and which directs attention to an object, product, place, activity, person, institute, organization or business;
- 1.73 “Special Event Sale” means any sale or intended sale by retail described by the use of any of the following words or expressions or any enlargement, contradiction or combination thereof:
- |             |                |              |
|-------------|----------------|--------------|
| BANKRUPT    | MOVING OUT     | FIRE         |
| INSOLVENT   | SELLING OUT    | SMOKE        |
| TRUSTEE     | LEASE EXPIRING | WATER DAMAGE |
| RECEIVER    | CLOSING OUT    | CREDITOR     |
| LIQUIDATION | DISCONTINUING  | FORCED       |
- or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in any manner that is not in the ordinary course of business;
- 1.74 “Solicitor” means the Solicitor for the Town of Amherstburg;

- 1.75 “Taxi establishment” means a property, site or building used as a dispatch office or an area, site or location intended for the parking of taxis and/or limousines when not engaged in transporting persons or goods.
- 1.76 “Taxicab” means a motor vehicle as defined in The *Highway Traffic Act*, other than a car pool vehicle, having a seating capacity of not more than seven (7) persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip;
- 1.77 “Taxicab Broker” means any person who receives requests from the public for the services of a taxicab and who directs the request for the service to a taxicab owner or driver other than himself or herself;
- 1.78 “To provide” when used in relation to adult entertainment services includes to furnish, perform, solicit, or give such services and ‘providing’ and ‘provision’ have corresponding meanings;
- 1.79 “Vehicle” means a passenger automobile or other motor vehicle, a boat, a farm implement, a mobile home, a motor home, a snowmobile, a trailer, or any other device which is capable of being drawn, propelled or driven by any kind of power, and including a commercial vehicle as defined herein, but does not include a bicycle or any other device, other than a boat, powered solely by means of human effort;
- i. “COMMERCIAL VEHICLE” means a vehicle licensed by the Province of Ontario,
- a) as a public vehicle pursuant to the provisions of the The Public Vehicles Act, as amended from time to time, or any successors thereto, or
- b) as a public commercial vehicle, pursuant to the provisions of The Public Commercial Vehicles Act, as amended from time to time, or any successors thereto;
- 1.79 “Zoning Administrator” means the officer or employee of the Corporation charged with the duty of enforcing the provision of the Zoning By-law.

## 2. GENERAL INTERPRETATION:

In this by-law:

- 2.1 Words importing the singular number or the masculine gender only, include more persons, parties or things of the same kind than one and females as well as males and the converse;
- 2.2 A word interpreted in the singular number has a corresponding meaning when used in the plural;
- 2.3 “May” shall be construed as permissive; and
- 2.4 “Shall” shall be construed as imperative.

## 3. GENERAL PROVISIONS:

- 3.1 No person shall carry on, conduct, operate, maintain, keep, or engage in any business set forth in the Schedules of this by-law regardless of whether the business is being carried on wholly or partly within the Town, unless he first obtains the appropriate Town of Amherstburg licence to do so from the Issuer of Licences.

- 3.2 Any person who is operating a licensable business within the municipality from a location outside of the municipality will be deemed to be operating within the municipality for the purpose of this by-law, and those
  - a) Are not required to be licensed with the Town of Amherstburg.
  - b) This includes any contractors performing work within the Town of Amherstburg boundaries.
- 3.3 Unless otherwise provided in the Schedules to this by-law those businesses requiring annual renewals shall expire on the 31st day of December in the year it was issued.
- 3.4 (a) A business may apply for a seasonal business licence if the business operates for a period of less than five (5) consecutive months in a year and the licence fee is one-half (1/2) the annual fee.
  - (b) Seasonal business licences shall not apply to Horse Drawn Carriage owner/driver or Pedicab owner/driver licences.

4. APPLICATION FOR NEW LICENCE:

- 4.1 Any person required to obtain a licence pursuant to this by-law shall apply in writing on the appropriate application form as provided by the Issuer of Licences and shall deposit, at the time of application, with the Issuer of Licences, all required business licensing fees as set out in Schedule “B” to this by-law for each business category as well as any required approvals, inspections or documentation required by this by-law or as deemed necessary by the Issuer of Licences.
- 4.2 Any person applying for a licence must be 18 years of age or older.
- 4.3 Proof of insurance coverage as required under this by-law shall be provided at the time of application in a form acceptable to the Town.
- 4.4 The Issuer of Licences shall not issue a licence until:
  - i. all required certificates of approval and inspection report have been provided by the applicant and all deficiencies with respect to required inspections have been corrected;
  - ii. required applications and required documentation has been provided;
- 4.5 There shall be a separate application for each premise to be used for the business to be carried on.
- 4.6 There shall be only one application per place of business.
- 4.7 The applicant shall comply with any and all requirements set out in this by-law as well as any other provisions which may govern the business, place or premises used in the carrying on of the business and/or the persons carrying on the business or engaged in it and to which the application pertains.
- 4.8 The Issuer of Licences, upon receipt of the application for a licence may make, cause to be made, or request, any additional documents, investigations or inspections to be made in respect of such application for a licence as the Issuer of Licences deems appropriate or in the interest of the general public, and any costs incurred for such inspection or obtaining of documents shall be borne by the applicant.
- 4.9 The applicant shall be responsible for arranging all necessary inspections and obtaining all reports, documents and approvals set out in the applicable Schedule for that business, as outlined in the application form and as deemed necessary by the Issuer of Licences.
- 4.10 Any required Police Record Search Certificates shall be obtained at the expense of the applicant.

- 4.11 Upon receipt of a completed application for a licence and the appropriate fees for that licence have been paid, the Issuer of Licences may prior to the issuance of any such licence:
- (a) make any inquiries to any municipal official or employee who has carried out inspections relative to the business under application;
  - (b) receive reports from such municipal officials and employees as may be deemed necessary;
  - (c) inquire into all relevant matters in order to ascertain if the applicant is entitled to a licence under the provisions of this by-law.
- 4.12 Except as otherwise provided in the applicable Schedule, the licence fee for the current year will be reduced by 25 per cent if an application for a new licence is submitted between July 1<sup>st</sup> and November 30<sup>th</sup>.
- 4.13 Except as otherwise provided in the applicable Schedule, the licence fee for the current year will be waived if an application for a new licence is submitted after November 30<sup>th</sup> and is accompanied by the full licence fee for the next calendar year.
- 4.14 Despite sections 4.12 and 4.13, the full licence fee shall be paid, regardless of the date of application, if a person begins to carry on the business before submitting an application for a new licence.
- 4.15 Where the Issuer of Licences is satisfied that the applicant is entitled to obtain a licence under the provisions of this by-law, the Issuer of Licences shall prepare and issue a licence to the said applicant.

5. APPLICATION FOR RENEWAL LICENCE:

- 5.1 Any person required to renew a licence previously granted under this by-law, shall submit to the Issuer of Licences, an application form for renewal of the licence as provided by the Issuer of Licences and shall deposit, at the time of application, with the Issuer of Licences, all required business licensing fees as set out in Schedule “C” to this by-law for each business category as well as any required approvals. Every applicant shall arrange all inspections and obtain certificates of approval and documentation as required by this by-law or as deemed necessary by the Issuer of Licences.
- 5.2 The Issuer of Licences shall not issue a licence until all required certificates of approvals and inspection reports have been obtained by the applicant, required documentation has been provided and business licence fees have been paid in full to the Town of Amherstburg. When required as a condition of licensing, all realty taxes shall be paid in full to the Town of Amherstburg before any licence may be issued by the Issuer of Licences.
- 5.3 An inspection report by the Chief Building Official or his designate indicating that there are no outstanding orders issued against the premises is only required upon initial application for a licence unless otherwise requested by the Issuer of Licences or the Chief Building Official. All other inspections outlined in the attached Schedules are required upon application of a licence renewal.
- 5.4 Any required Police Record Search Certificates shall be obtained at the expense of the applicant
- 5.5 Where the Issuer of Licences receives an application for renewal of a licence previously granted under this by-law and the appropriate fees have been paid, he shall, prior to the issuance of any such licence:
- i. ensure that all inspection reports, certificates of approval and documents as may be required have been obtained.

- ii. make inquiries into all relevant matters in order to ascertain if the applicant is entitled to obtain a renewed licence under the provisions of this by-law.
- iii. inquire into any and all relevant changes in circumstances since the previous licence was issued to the applicant.
- iv. make any inquiries to any municipal official or employee who has carried out inspections or investigations relative to the business which is the subject of the application.
- v. receive reports from such municipal officials and employees as may be deemed necessary.

5.6 Where the Issuer of Licences is satisfied that the applicant is entitled to renew a licence under the provisions of this by-law, the Issuer of Licences shall prepare and issue a licence to the said applicant.

## 6. FORM OF APPLICATION:

6.1 Where the Applicant is a business, every application for the issuance or renewal of a licence shall contain the following information:

- (a) The full name, street address and mailing address of the applicant;
- (b) Whether the applicant is a sole proprietorship, partnership or corporation;
- (c) Where the applicant is a sole proprietorship or partnership, the full name, street address, mailing address and date of birth of the individual comprising the sole proprietorship or of each individual who is a member of the partnership;
- (d) Where the applicant is a corporation or a partnership of which a member is a corporation, a copy of the articles of incorporation, a copy of the last annual information return filed, the full name, street address, mailing address and date of birth of each officer and director of the Corporation;
- (e) The street address at which the applicant is carrying on business;

6.2 Where the Applicant is not a business, every application for the issuance or renewal of a licence shall contain the following information:

- (a) The full name, street address and mailing address of the applicant;
- (b) The name and address of his or her employment agency, if applicable.

## 7. FORM OF LICENCE:

7.1 Every licence shall:

- (a) show the operating name of the business or person to whom the licence is issued;
- (b) show the operating address of the premises or location for which the licence is issued;
- (c) show the category or type of licence granted;
- (d) show the date of issue;
- (e) show the date of expiration if applicable; and
- (f) be signed by the Issuer of Licences or his or her designate.

## 8. DUPLICATE LICENCES:

8.1 In the event that a licence issued under this by-law is lost or destroyed, the Issuer of Licences upon satisfactory proof of such loss or destruction, and upon payment of a replacement fee of five dollars (\$5.00) shall issue a duplicate of the original licence, upon which shall be stamped or marked the word "DUPLICATE".

9. CHANGE OF LICENCE INFORMATION:

- 9.1 Licences shall not be transferable.
- 9.2 No licence holder shall alter any information of the licence issued by the Town.
- 9.3 CHANGE OF NAME - Where ownership of a business is not changed or affected but only the operating name of a business changes, the licensee shall immediately notify the Issuer of Licences and upon payment of a fee in the amount of five dollars (\$5.00) and being satisfied that there have been no other changes in the circumstances of the licensed business, the Issuer of Licences may issue a replacement of the original licence. The licensee shall return and surrender his licence in order to affect such a change.
- 9.4 CHANGE OF OWNERSHIP - Every licensee shall, upon change of ownership, by sale, lease or disposal in any manner, of the licensed business return and surrender his current licence to the Issuer of Licences. The new owner shall make a fresh application for a new licence as set out in this by-law.
- 9.5 CHANGE OF PREMISE OR LOCATION - Where a currently licensed business changes location or premises, such new location or premises shall not be deemed to be licensed. The applicant shall immediately apply for a new licence under the provisions of this by-law and shall surrender to the Issuer of Licences the licence issued in respect of his previous location or premises.
- 9.6 Notification of any licensing information changes shall be made to the Issuer of Licences within fourteen (14) days of such change.

10. LICENCES PERSONAL:

- 10.1 No licence holder shall enjoy a vested or property right in any licence or the continuance of any licence and such licence and such rights shall remain the property of the Town.

11. TERMS AND CONDITIONS:

- 11.1 Everyone required to be licensed under this by-law, in addition to any other provisions or requirements expressed elsewhere in the by-law, shall comply with the following requirements:
  - (a) At all times maintain and keep safe and clean and in good condition and repair any object, amusement, vehicle, place or premises for which the licence is issued;
  - (b) Shall not breach or violate or cause, suffer, or permit any breach or violation of any by-law of the Corporation or of any Local Board, thereof, or of any statute, Order-in-Council, or Regulation of the Legislature of the Province of Ontario or the Parliament of Canada or of any Agency, Board or Commission thereof, in, upon, or in connection with the business or premises for, or in relation to which such licence was issued;
  - (c) Shall not cause, suffer or commit any nuisance to arise in, on, or in connection with the object, amusement, vehicle, place or premises for which the licence was issued;
  - (d) Shall not cause, suffer or permit any shouting, noise or other disturbance on, in or in connection with the object, amusement, vehicle, place or premises for which the licence was issued, which is unnecessary, unreasonable or contrary to any municipal by-law prohibiting same; and if any such shouting, noise or other disturbance occurs, the licensee shall immediately take steps to cause the same to be abated;

- (e) Shall not cause, suffer, or permit any obstruction on any highway, lane or public place in front of or adjoining the place or premises for which the licence was issued;
  - (f) Shall not cause, suffer or permit any profane, offensive or abusive language or disorderly conduct in, on, or in connection with any vehicle, place or premises for which the licence was issued.
- 11.2 Every business which is licensed under this by-law is responsible for the due performance and observance of all the provisions of this by-law and for its employees and all other persons in or upon its premises.
- 11.3 Notwithstanding any special licensing conditions for each class of business as outlined in the Schedules to this by-law, Council has the authority to impose other conditions as permitted by statute.

12. INSPECTION:

- 12.1 The Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer or other duly appointed individual may at all reasonable times, inspect or cause to be inspected the premises, facilities, equipment, vehicles, and other property used or kept for hire in connection with the carrying on of a business which is licensed or which is required to be licensed pursuant to this by-law.
- 12.2 The Issuer of Licences may waive the requirement for any inspection, approval or documentation as may otherwise be required pursuant to this by-law where such inspection, approval or documentation is not applicable to the carrying on of the business which is licensed or required to be licensed under this by-law.

13. POSTING OF LICENCE:

- 13.1 A licence issued hereunder shall be posted on the premises or that part thereof to which the licence pertains in a position such that it may be readily visible and seen by persons entering the premises. Licences shall be prominently and conspicuously posted on the licensed premises at all times.
- 13.2 Where a licence is issued to a person who goes place to place or a particular place with goods, wares, or merchandise for sale, the licensee shall keep the licence with him at all times while carrying out his business and shall exhibit it to any municipal law enforcement officer, peace officer, police officer or other duly appointed person who so requests.
- 13.3 Where a photo identification card is issued to a person licensed under the provisions of this by-law, the licensee shall keep the photo identification card with him at all times while carrying on his business and shall exhibit it to any municipal law enforcement officer, peace officer, police officer or other duly appointed person who so requests.

14. REFUSAL, SUSPENSION AND REVOCATION OF A LICENCE:

- 14.1 If it is determined that an application does not meet the requirements of this by-law, the Issuer of Licences will refuse to issue the licence and will refund the licence fee.
- 14.2 If, at any time, the Issuer of Licences determines, as a result of evidence that is provided, that the operation of a licensed business does not conform with the requirements of this by-law, it may suspend or revoke the licence.



- 14.3 The Issuer of Licences may refuse to grant, suspend or revoke a licence to any applicant who:
- (a) has submitted an incomplete application; or
  - (b) the Town believes, with reasonable grounds, has made statements on the application that are false; or
  - (c) has past breaches of this by-law, or any predecessors thereof and the Issuer of Licences determines that it is not in the public's interest to grant such a licence to the applicant; or
  - (d) has failed to comply with any condition as imposed by Council; or
  - (e) has past behaviour or conduct that creates reasonable grounds to believe that the applicant may not carry on the business with honesty and integrity; or
  - (f) the Town believes, with reasonable grounds, has a financial situation that indicates that the business will not be conducted in a financially responsible manner; or
  - (g) has failed to comply with the requirements of this by-law or other applicable by-laws of the Town or of any local board thereof, or of any Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board of Commission thereof, in, upon or in connection with the applied for licensed activity of the business or premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the licensed activity; or
  - (h) is in a geographic location that does not meet land use requirements; or
  - (i) has outstanding fines or penalties owing to the Town of Amherstburg or has not paid the required licence application fee as set out in Schedule "B" to this by-law; or
  - (j) has outstanding realty taxes owing to the Town of Amherstburg; or
  - (k) owns real property which is leased to a tenant with outstanding realty taxes owing to the Town.
- 14.4 Upon revocation of a licence the owner shall return the licence to the Town within fifteen (15) days. Should the licensee fail to return the said licence within the specified time limit, the Town has the authority to enter onto the premises to ensure its recovery.
- 14.5 No person shall operate any business or premises contrary to any licence suspension or terms and conditions thereto or where such licence has been revoked.

## 15. NOTICE AND APPEAL:

- 15.1 Where the Issuer of Licences refuses to grant a licence, suspends, or revokes a licence, the said Issuer of Licences shall notify the applicant in writing of such decision and the said notice shall set out the grounds upon which the issue of the said licence is refused and shall state that the Applicant or Licensee may appeal such decision by filing an appeal with the Clerk of the municipality within fifteen (15) days as set out in this by-law.
- 15.2 Where the Issuer of Licences refuses to grant a licence, suspends, or revokes a licence under this by-law the Applicant or Licensee may appeal this decision to the Council of the Corporation by filing with the Clerk an appeal, in writing, of the said decision within fifteen (15) days of being notified of the decision of the Issuer of Licences.
- 15.3 Upon receipt of an appeal from the applicant the Clerk and Council shall follow the procedure set out in this by-law.

- 15.4 The Council of the Corporation may, after the appropriate hearing is conducted grant a licence, refuse to grant a licence, revoke a licence or suspend a licence and may make any suspension of licence subject to such terms or conditions as Council may prescribe and a decision made pursuant to the exercise of these powers is final and binding upon the applicant or any licensee.
- 15.5 Council, in considering whether or not to grant a licence, to renew a licence, or to revoke or suspend a licence shall have regard to the following:
- i. Whether the submitted licence application is complete and true;
  - ii. Whether or not the Applicant or Licensee and the premises, facilities, equipment, vehicles and other personal property used or kept for hire in connection with the carrying on of a business which is licensed or which is required to be licensed, pursuant to this by-law, complies with all requirements hereof;
  - iii. Whether or not the Applicant or Licensee has failed to promptly remedy any reasonable concern with regard to those matters set out in this by-law or has committed past breaches of this by-law or any predecessor thereof;
  - iv. Whether or not the Applicant or Licensee has failed to comply with any requirements of any other applicable by-law of the Town or any local board thereof or of any statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board or Commission thereof, in, upon or in connection with the licensed activity or the premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the licensed activity;
  - v. Whether or not the Applicant or Licensee has any outstanding fines imposed under the *Provincial Offences Act* for the contravention of any provision of this by-law;
  - vi. Whether the applicant owns real property which is leased to a tenant and has any outstanding realty taxes owing to the Town in respect of the business or premises in question.
- 15.6 Council shall comply with the following procedure in determining whether or not to grant a licence, to renew a licence, or to revoke or suspend any licence under this by-law:
- (a) The Clerk shall place the matter on the agenda of Council's next meeting to fix a date and time for such matter to be considered and shall mail a Notice of Hearing to the Licensee (at his last known address as shown in the records of the Issuer of Licences or the current year's Assessment Roll) and to any other person who has applied to be heard.
  - (b) Such Notice shall be mailed at least (15) fifteen days prior to the date and time fixed for the hearing;
  - (c) At the hearing Council shall receive a report, either verbally, or in writing, from the Issuer of Licences and from such other officers or employees of the Corporation who may be involved in the matter being considered by Council;
  - (d) Upon the hearing the Council shall consider such material and evidence as may be relevant and hear such evidence or reports as to Council as may seem just and relevant;
  - (e) Council may, in its sole discretion, afford any other person who applies to be heard and who appears to have an interest in the matters under discussion, an opportunity to present material and evidence relevant to the issue and may examine any person presenting evidence or a report to Council;
  - (f) For the purposes of this Section a quorum of Council shall be a majority of the members of Council and a decision by the majority of members present shall be the decision of Council;

- (g) Council and the Issuer of Licences may, after having heard all of the evidence and submissions made to it by the Applicant/Licensee, retire and resume deliberations as a Committee of the Whole, to reach its decision;
- (h) The decision made by Council sitting as the Committee of the Whole shall be confirmed in open Council by resolution immediately following the meeting of the Committee of the Whole and a certified copy of such resolution shall be mailed to the Licensee, to any person who has appeared before Council and requested that a copy of the resolution be provided to them.

15.7 The decision of Council shall be subject to such terms as Council may impose and shall be final.

#### 16. CHARITABLE ORGANIZATIONS:

16.1 Any charitable organization conducting special events in any category set out in this by-law for the sole purpose of raising funds for their organization shall not be required to obtain a licence provided that all the proceeds derived from the conduct of their event are used for charitable or religious purposes in Ontario and provided also that the fund raising is done by the charitable organization and not a third party. Charitable organizations must meet the same requirements for eligibility as set out in the Lottery Licensing Policy Manual provided by the Alcohol and Gaming Commission of Ontario and the Customs Excise and Income Tax Act of Canada. In the event that a charitable organization does not meet the requirements, the event may be held but the organization will be required to apply for a licence under the provisions of this by-law. When a charitable organization operates a business on a permanent basis it shall be required to obtain a licence at no cost.

#### 17. REGISTER:

17.1 The Issuer of Licences shall keep a licence register in which shall be recorded the full operating name and address of each licensee, the address of the place or premises in which the licensee carries on, conducts, operates, maintains, keeps, or engages in the business, trade, occupation or calling, object or amusement for which the licence was issued, the number of the licence and any plates issued, the date of issue, the amount of the licence fee paid, the date of expiry of the licence, the type of licence issued, and any other particulars or observations pertaining to the same which are useful or necessary.

#### 18. ADMINISTRATION:

18.1 The Issuer of Licences is responsible for the administration and enforcement of this by-law.

18.2 Every application for a new licence or a renewal or extension of an existing licence shall be submitted to the Issuer of Licences in the form provided.

#### 19. ENFORCEMENT:

19.1 The provisions of this by-law shall be enforced by a Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer, or other duly appointed individual.

- 19.2 Any act or duty to be performed by the Chief of Police under this by-law may be performed by any Police Officer authorized by such Chief of Police to perform such act or duty.

20. EXEMPTIONS:

- 20.1 The requirement to obtain a licence under this by-law does not apply to a business that is engaged exclusively in the sale of goods by wholesale.
- 20.2 The requirement to obtain a licence under this by-law does not apply to those persons or classes of business that are exempted in the Schedules to this by-law.
- 20.3 The requirements to obtain a licence under this by-law does not apply to those that currently hold licences received under previous by-laws as they will be considered “grandfathered” and in compliance with the initial application of this by-law.

21. OFFENCE AND PENALTY PROVISIONS:

- 21.1 Every person who contravenes licensing or business registry by-laws, and every director or officer of a corporation who concurs in the contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$25,000.
- 21.2 Where the contravention relates to an adult entertainment establishment, the penalty may be a fine not exceeding \$25,000 or imprisonment for a term not exceeding one year, or both.
- 21.3 Where a corporation is convicted of an offence rather than an individual, the maximum penalty that may be imposed on the corporation is \$50,000.
- 21.4 If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 21.5 If this by-law is contravened and a conviction entered, the court may also order that the premises or part of the premises be closed to any use for a period not exceeding two years.

22. SCHEDULES:

22.1 The following Schedules are attached to and form part of this by-law:

Business Classes:

- Schedule A-1 Adult Book/Magazine Sales
- Schedule A-2 Adult Entertainment Attendants
- Schedule A-3 Adult Entertainment Parlours
- Schedule A-4 Adult Merchandise Sales
- Schedule A-5 Adult Videotape Sales/Rentals
- Schedule A-6 Amusement Arcades
- Schedule A-7 Auctioneers
- Schedule A-8 Automobile Body Repair Shops
- Schedule A-9 Barbershops
- Schedule A-10 Beauty Shops
- Schedule A-11 Bed and Breakfasts
- Schedule A-12 Billiard Tables
- Schedule A-13 Bingo Halls
- Schedule A-14 Boarding/Lodging/Rooming Houses
- Schedule A-15 Body Piercing Parlours
- Schedule A-16 Bowling Alleys
- Schedule A-17 Business Service
- Schedule A-18 Campgrounds/Trailer Parks
- Schedule A-19 Carnivals/Fairs/Midways
- Schedule A-20 Caterers
- Schedule A-21 Circuses
- Schedule A-22 Concerts
- Schedule A-23 Driving Schools
- Schedule A-24 Dry Cleaners
- Schedule A-25 Festivals
- Schedule A-26 Flea Markets
- Schedule A-27 Florist Shop
- Schedule A-28 Food Shops
- Schedule A-29 Gas Stations
- Schedule A-30 Hawkers and Peddlers
- Schedule A-31 Horse Drawn Carriage Owners/Drivers
- Schedule A-32 Hotels/Motels
- Schedule A-33 Indoor Recreational Establishments
- Schedule A-34 Limousine Drivers
- Schedule A-35 Limousine Owners
- Schedule A-36 Office (General, Business, Service)
- Schedule A-37 Pedicab Owners/Drivers
- Schedule A-38 Pet Groomers
- Schedule A-39 Pet Shops
- Schedule A-40 Petting Zoos
- Schedule A-41 Portable Sign Contractors
- Schedule A-42 Produce Vendors
- Schedule A-43 Public Halls (Class 1)
- Schedule A-44 Public Halls (Class 2)
- Schedule A-45 Race Tracks
- Schedule A-46 Refreshment Vehicles
- Schedule A-47 Restaurants
- Schedule A-48 Retail Store
- Schedule A-49 Second Hand Shops
- Schedule A-50 Snack Bars
- Schedule A-51 Special Event Sales
- Schedule A-52 Swimming Pools
- Schedule A-53 Tattoo Parlours
- Schedule A-54 Taxi Cab Broker
- Schedule A-55 Taxi Cab Driver
- Schedule A-56 Taxi Cab Owner

Schedule A-57 Theatres  
Schedule A-58 Trade Shows  
Schedule A-59 Wrecking Yards

Fees:

Schedule B Initial Application Licence Fees  
Schedule C Renewal Application Licence Fees

23. VALIDITY:

23.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

24. REPEALS:

24.1 By-law 2201 and 2002-81 respecting the issuance and revocation of licences and By-law 2128 and 2002-75 respecting the licensing, regulating and governing of cabs, cab owners and cab drivers be and the same are hereby repealed but all licences that have been issued thereunder shall, during the period for which the same shall have been issued, remain in force unless and until the same are forfeited or cancelled.

24.2 All such licences heretofore issued shall be deemed to have been issued under and subject to the provisions of this by-law. Provided however, that the repeal of the said by-laws shall not affect any pending proceedings in respect of anything done or ordered to be done there under, prior to the effective date of this by-law.


25. SHORT TITLE:

25.1 This by-law may be referred to as the Business Licensing By-law.

That this by-law shall come into force and take effect on the date of final passage thereof.

First Reading May 25, 2009  
Second Reading June 15, 2009  
Third Reading June 15, 2009

  
MAYOR

  
CLERK

Certified to be a true copy of By-law  
No. 2009-44 passed by Council of the  
Town of Amherstburg on the 15th  
day of June 2009.

\_\_\_\_\_  
Clerk

**SCHEDULE A-1: ADULT BOOK/MAGAZINE SALES**

<b>Applicable to:</b>	Every business or premises where adult books or magazines are sold or offered for sale.
<b>Exemptions:</b>	The requirement to obtain an Adult Book/Magazine Sales licence does not apply to businesses that have obtained a valid Adult Merchandise Sales licence.
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to all adult book/magazine sales:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations.</li> <li>2. Every owner and operator who provides adult magazines in any premises or part thereof or who operates such premises or part thereof, shall comply with the following regulations in respect of such premises or part thereof:             <ol style="list-style-type: none"> <li>(a) No adult magazine shall be displayed at a height of less than 1.5 m above floor level unless such magazine is in a part of the premises to which the public is not permitted physical access or such magazine is behind a sales counter unexposed to view.</li> <li>(b) All adult magazines offered for sale or displayed in such premises or part thereof shall be placed behind an opaque barrier of a size and nature which shall ensure that the cover of every such magazine, while being so displayed, except for the name thereof, may not be seen by any member of the public.</li> <li>(c) No adult magazine shall be offered for sale, sold, given, rented or exchanged to persons who are not at least eighteen (18) years of age.</li> </ol> </li> <li>3. Any premises to which any person under the age of eighteen (18) years is not permitted to enter or remain shall not be subject to Section 2 (a) and (b) of this schedule.</li> <li>4. Every operator who provides adult magazines and restricts access to the premises to persons eighteen (18) years of age or older shall keep posted at every entrance to such premises and in a prominent location inside such premises, signs sufficient to indicate clearly to any person approaching or entering the premises and to every person in the premises that no person under the age of eighteen (18) years is permitted to enter or remain in such premises or part thereof.</li> <li>5. Every operator who provides adult magazines and restricts access to persons eighteen (18) years of age or older shall ensure that no adult magazines are displayed in such a fashion as to be visible to any person outside of the premises.</li> <li>6. No retail establishment shall sell, give, rent or exchange Adult Magazines as its primary use.</li> </ol>



**SCHEDULE A-2: ADULT ENTERTAINMENT ATTENDANTS**

<b>Applicable to:</b>	Every person who works as an attendant in an adult entertainment establishment, i.e., a place of business in which entertainment or services designed to appeal to exotic or sexual appetites or inclinations are provided.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every adult entertainment attendant:</p> <ol style="list-style-type: none"> <li>1. Each application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) Two passport size photographs;</li> <li>(b) Proof that the applicant is at least eighteen (18) years of age, a valid driver's licence with a photograph of the applicant or an acceptable substitute, and one other piece of identification;</li> <li>(c) A Police Record Search Certificate provided by the Chief of Police</li> </ol> </li> <li>2. No person shall commence work as an attendant unless he or she has obtained both an attendant licence and a numbered photo identification card from the Issuer of Licences;</li> <li>3. An application shall be accompanied by proof of age, a valid driver's licence with a photograph of the applicant or an acceptable substitute, and one other piece of identification;</li> <li>4. No attendant shall provide entertainment or services other than within public view;</li> <li>5. No attendant shall, while providing services as an Adult Entertainment Attendant within the Adult Entertainment Parlour, touch or be touched by, or have any physical contact with, any other person in any manner whatsoever, involving any part of any person's body;</li> <li>6. No attendant shall engage in any activity of a criminal nature in an adult entertainment parlour.</li> </ol>

### SCHEDULE A-3: ADULT ENTERTAINMENT PARLOURS

<b>Applicable to:</b>	Every place of business, including a body rub parlour, in which entertainment or services designed to appeal to erotic or sexual appetites or inclinations are provided.
<b>Exemptions:</b>	The requirement to obtain an Adult Entertainment Parlour licence does not apply to a theatre which exhibits films that have been approved under the <i>Theatres Act</i> .
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to all adult entertainment parlours:</p> <ol style="list-style-type: none"> <li>1. Based upon the community size and population, in order to procure a license from the municipality an applicant must demonstrate on reasonable grounds the need for an Adult Entertainment Parlour providing services in the municipality.</li> <li>2. Subject to the <i>Municipal Act</i>, S.O. 2001, c. 25, no person shall operate an Adult Entertainment Parlour in the Town of Amherstburg except in accordance with express permissive provisions in the Town's Zoning By-law 1999-52, as amended, and in accordance with the Town's Official Plan and any provisions of this by-law.</li> <li>3. The municipality proposes to license no more than one (1) licensed Adult Entertainment Parlour providing services in the Town of Amherstburg. It is acknowledgeable that the number of Adult Entertainment Parlours providing services in the municipality should not exceed one (1) based upon the community's size and population.</li> <li>4. Each application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) two passport size photographs;</li> <li>(b) a Police Record Search Certificate provided by the Chief of Police for the owner where the owner is an individual, each partner where the owner is a partnership and for each director of the partnership where the owner is a corporation;</li> <li>(c) a floor plan of the Adult Entertainment Parlour which clearly depicts where the Main Stage is in relation to all patron seating areas;</li> <li>(d) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(e) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(f) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(g) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;</li> <li>(h) proof that the applicant is at least nineteen (19) years of age.</li> </ol> </li> <li>5. Everyone to whom this Section applies shall notify the Issuer of Licences in writing within four (4) business days of any change in any of the information required to be filed with the Issuer of Licences.</li> <li>6. All premises shall be operated in a clean and sanitary condition, and in accordance with the requirements of the Essex County Public Health Division.</li> <li>7. No establishment shall be located closer than 300 metres, measured in a continuous path over the shortest distance, from another establishment or from a school, public park, residence or area that is zoned for residential use in the zoning by-law that applies to the property;</li> <li>8. No licensee shall permit the establishment to be open for business or permit any entertainment or services to be provided between 1.00 a.m. and 12.00 noon of the same day;</li> <li>9. During the hours of business, a licensee or his or her delegate, who shall be at least 19 year of age, shall be in the establishment at all times;</li> <li>10. A licensee shall be responsible for ensuring that all entrances to the establishment are kept unlocked during the hours of business;</li> <li>11. No licensee shall permit a person under the age of 18 to enter and remain in the establishment;</li> <li>12. A licensee shall place and maintain signs at every entrance to the establishment and in a prominent place within the establishment indicating that no person under the age of eighteen (18) may enter and remain in the establishment;</li> <li>13. Every person carrying on the business of an adult entertainment parlour shall prominently display at each entrance to the premises sufficient signage reading: "ADULT ENTERTAINMENT PARLOUR"</li> <li>14. No person shall place or cause to be placed any pictures, bulletins, notices or other advertisement of any Adult Entertainment Attendants in such a way within the premises or on the premises so as to be visible to members of the general public who have not entered such premises.</li> <li>15. No licensee shall permit a person to work as an attendant in his or her establishment unless the person is at least 18 years of age and has obtained an Adult Entertainment Attendant licence and a numbered photo identification card in accordance with Schedule A-1.</li> <li>16. A licensee shall provide the Issuer of Licences, not later than one working day after the commencement of an attendant's employment at his or her establishment, with the attendant's name and licence number and the starting date of the attendant's employment.</li> <li>17. A licensee shall also advise the Issuer of Licences promptly of the date of termination of an attendant's employment.</li> </ol>

<p><b>Special Conditions Continued</b></p>	<p>18. No licensee shall permit an attendant to provide entertainment or services other than within public view.</p> <p>19. No person shall knowingly permit any Adult Entertainment Attendant, while providing services as an Adult Entertainment Attendant within the Adult Entertainment Parlour, to touch or be touched by, or have any physical contact with, any other person in any manner whatsoever, involving any part of any person's body.</p> <p>20. No licensee shall knowingly permit an attendant to engage in any activity of a criminal nature in the establishment.</p> <p>21. No licensee shall erect or place or permit the erection or placing of any sign or other advertising device that includes the words "nude", "naked", "topless", "bottomless", or "sexy", or that includes any other word or picture, symbol or representation with a similar meaning or implication.</p>
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**SCHEDULE A-4: ADULT MERCHANDISE SALES**

<b>Applicable to:</b>	Every business or premises where adult books, magazines, pictures, slides, phonographic records, pre-recorded magnetic tapes, discs and any other reading, viewing or listening material or any other item designed to appeal to erotic or sexual appetites or inclinations are sold or offered for sale, but shall not include any adult videotape sales/rental businesses.
<b>Exemptions:</b>	The requirement to obtain an Adult Merchandise Sales licence does not apply to any businesses or premises in which the only adult merchandise for sale is adult books/magazines.
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition the general provisions set out in this by-law, the following special conditions apply to all adult merchandise sales:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by             <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town.</li> </ol> </li> <li>2. No person shall permit any individual under the age of eighteen (18) years to be present in any Adult Merchandise Sales premises or location.</li> <li>3. Every business licensed under this Section shall ensure that no pictures, bulletins, notices or other advertisement for any adult merchandise is placed in such a way within the premises or on such premises or about the premises where the business is carried on and located as to be visible to the general public who have not entered such premises.</li> <li>4. No person shall place or cause to be placed any pictures, bulletins, notices or other advertisement of any adult merchandise in such a way within the premises or about the premises where the business is carried on and located so as to be visible to the general public who have not entered such premises.</li> </ol>

**SCHEDULE A-5: ADULT VIDEOTAPE SALES / RENTALS**

<b>Applicable to:</b>	Every business or premises where adult videotapes are sold, rented or offered for sale or rent.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to all adult videotape sales/rentals:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations.</li> <li>2. Where a premise is licensed for the sale or rental of adult videotapes and where such adult videotapes are also sold or rented or offered for sale or rent, the licensee shall ensure that such adult videotapes are contained within a separately enclosed area of the premise. Such area shall be designed so as not to be in view to any member of the public unless such person is within the enclosed area.</li> <li>3. The licensee shall ensure that such area is signed in such a manner as to identify to any person entering such area that the area is exclusively for adult videotapes.</li> <li>4. No licensee shall permit any person under the age of eighteen (18) years or apparently under the age of eighteen (18) years to be present in or enter into any area which has been enclosed for the purpose of Adult Videotape Sales or Rentals.</li> </ol>

**SCHEDULE A-6: AMUSEMENT ARCADES**

<b>Applicable to:</b>	Every place of business with five or more “amusement machines”, i.e. mechanical video and/or electronic games that are available for the use of the general public, including pinball machines, television games, video games and similar devices which are intended for operation as a game, entertainment or amusement.
<b>Exemptions:</b>	The requirement to obtain an Amusement Arcade licence does not apply to: <ol style="list-style-type: none"> <li>1. Premises with four or less amusement machines; or</li> <li>2. Bingo halls where electronic equipment is used; or</li> <li>3. Premises holding a valid Indoor Recreational Establishment licence issued by the Town of Amherstburg.</li> </ol>
<b>Reason for Licensing:</b>	Health and safety, nuisance control
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to every amusement arcade: <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations.</li> <li>2. The premises shall be supervised at all times by a person of at least eighteen (18) years of age;</li> <li>3. A licensee shall prevent, where possible, the patrons from congregating on an adjacent sidewalk in a manner that obstructs the movement of pedestrians;</li> <li>4. Within the licensed premises there shall be no pay-offs, betting or offering of any article or thing as prizes in contravention of the Criminal Code.</li> </ol>

## SCHEDULE A-7: AUCTIONEERS

<b>Applicable to:</b>	Every person who sells or offers goods or services for sale by public auction.
<b>Exemptions:</b>	<p>The requirement to obtain an Auctioneers licence does not apply to:</p> <ol style="list-style-type: none"> <li>1. a person conducting an auction on behalf of a service club or similar organization to raise money for charitable purposes;</li> <li>2. a sheriff or court bailiff acting under a court procedure;</li> <li>3. a municipality conducting an auction under the tax sale provisions of the <i>Municipal Act, 2001</i>;</li> <li>4. a person who engages the services of a licensed auctioneer to conduct an auction on his or her behalf;</li> <li>5. a person registered under the <i>Real Estate and Business Brokers Act</i> who is selling real estate by public auction; or</li> <li>6. a person licensed under the <i>Livestock Community Sales Act</i> who is conducting a community livestock sale.</li> </ol>
<b>Reason for Licensing:</b>	Health and safety, consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every auctioneer:</p> <ol style="list-style-type: none"> <li>1. Proper records shall be kept, including the items being auctioned, the names and addresses of the owners of those items, the amount received for each item, and the names and addresses of the purchasers.</li> </ol>

**SCHEDULE A-8: AUTOMOBILE BODY REPAIR SHOPS**

<b>Applicable to:</b>	Every place of business which restores or does maintenance to the exterior of an automobile to restore it to a good condition and shall include but is not limited to the replacement or restoration of worn out parts or the restoration of such parts but does not include the replacement, repair or restoration of any mechanical part of the automobile. Such operation shall include but is not limited to painting, repainting, body filling, or refinishing of an automobile.
<b>Exemptions:</b>	The requirement to obtain an Automotive Body Repair Shop licence does not apply to: 1. Places of business in which the only service provided to motor vehicles is automotive dealing; or 2. Persons who carry on a farming business that is eligible for an exemption from taxes under the <i>Retail Sales Tax Act</i> , 1990, that is registered under the <i>Farm Registration and Farm Organizations Funding Act</i> , 1993, and that is a permitted use under the Town's zoning by-law.
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to every automobile repair shop: 1. Each application shall be accompanied by: (a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations; (b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town; (c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality; 2. No person shall: (a) park or store any motor vehicle on any sidewalk, boulevard, highway or road; (b) permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle while stationary, unless an adequate installation is provided to ensure exhausting of carbon monoxide fumes outdoors; 3. Every person shall: (a) keep the premises free from rubbish and in a clean and neat condition; (b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of the business.



**SCHEDULE A-9: BARBERSHOPS**

<b>Applicable to:</b>	Every place of business in which the service of washing, cutting, trimming, shaving and treating of hair are provided to the general public.
<b>Exemptions:</b>	The requirement to obtain a Barbershop licence does not apply to a place of business that holds a valid Beauty Shop licence.
<b>Reason for Licensing:</b>	Health and safety, consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every barbershop:</p> <ol style="list-style-type: none"> <li>1. Each application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. No person shall work as a barber in a barbershop unless he or she is qualified to do so under the <i>Apprenticeship and Certification Act, 1998</i>;</li> <li>4. Every barber shall display proof of his or her qualification to work as a barber in a prominent location in the place of business.</li> </ol>

**SCHEDULE A-10: BEAUTY SHOPS**

<b>Applicable to:</b>	Every place of business in which hairstyling and related services are provided to the general public, including the manicuring of clients' nails and the messaging, cleaning and beautifying of clients scalps and faces.
<b>Exemptions:</b>	The requirement to obtain a Beauty Shop licence does not apply to a place of business that holds a valid Barbershop licence.
<b>Reason for Licensing:</b>	Consumer protection, health and safety.
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every Beauty Shop</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. No person shall work as a hair stylist in a beauty shop unless he or she is qualified to do so under the <i>Apprenticeship and Certification Act, 1998</i>;</li> <li>4. Every hair stylist/aesthetician shall display proof of his or her qualification to work as a hair stylist/aesthetician in a prominent location in the place of business.</li> </ol>

**SCHEDULE A-11: BED AND BREAKFAST ESTABLISHMENT**

<b>Applicable to:</b>	Every location or premise that is a detached residence which is owner occupied and operated to provide the travelling public with sleeping accommodations and meals.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Health and safety, consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every bed and breakfast:</p> <ol style="list-style-type: none"> <li>1. Each application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) a list detailing the number of rooms and facilities offered by the establishment;</li> <li>(b) proof of liability insurance in the minimum amount of \$1,000,000 in a form acceptable to the Town;</li> <li>(c) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(d) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(e) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(f) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. No person shall post any sign contrary to the provisions of any municipal by-law.</li> <li>4. No person shall, in relation to the operation of a bed and breakfast establishment, park or permit to be parked any vehicle contrary to any municipal by-law.</li> <li>5. Every person shall ensure that each room is provided with clean linens, including towels, any other customary toilet supplies for each registered guests.</li> <li>6. Every person shall keep a register of all patrons showing their name, address, the vehicle make and licence plate number including Province or State from which such plate was issued, the date of admission and departure and shall provide such register upon request of the Issuer of Licences, to a Municipal Law Enforcement Officer.</li> </ol>

## SCHEDULE A-12: BILLIARD TABLES

<b>Applicable to:</b>	Every place of business with billiard, pool or bagatelle tables that are available for the use of the general public.
<b>Exemptions:</b>	The requirement to obtain a Billiard Table licence does not apply to any premises holding a valid Indoor Recreational Establishment licence issued by the Town of Amherstburg
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to all billiard tables: <ol style="list-style-type: none"><li>1. Every application shall be accompanied by approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li></ol>

**SCHEDULE A-13: BINGO HALLS**

<b>Applicable to:</b>	Every business or premises where four or more bingo events are conducted for profit within any seven day period.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Health and safety, consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every bingo hall:</p> <ul style="list-style-type: none"> <li>a) Every application shall be accompanied by: <ul style="list-style-type: none"> <li>(a) A statement giving particulars as to the location, size and construction of the hall as may be required by the Issuer of Licences;</li> <li>(b) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(c) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(d) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(e) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ul> </li> <li>b) All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>c) The Issuer of Licences shall specify on the Bingo Hall licence, the maximum number of persons who may be in the hall at any time, which number shall be prescribed by the Fire Chief upon inspection.</li> <li>d) Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.</li> <li>e) Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the premises licensed as a bingo hall.</li> </ul>

## SCHEDULE A-14: BOARDING / LODGING / ROOMING HOUSES

<b>Applicable to:</b>	Every premises operating as a boarding, lodging or rooming house in which four or more persons, exclusive of staff, are lodged, with or without meals, in return for a fee.
<b>Exemptions:</b>	The requirement to obtain a Boarding/Lodging/Rooming House Licence does not apply to: <ol style="list-style-type: none"> <li>1. Premises with self contained residential units;</li> <li>2. Group homes that are licensed or funded under a provincial or federal statute.</li> </ol>
<b>Reason for Licensing:</b>	Consumer protection, health and safety
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to every boarding/lodging/rooming house: <ol style="list-style-type: none"> <li>1. Each application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) a list detailing the number of rooms and facilities offered by the establishment;</li> <li>(b) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(c) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(d) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(e) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. No person shall post any sign contrary to the provisions of any municipal by-law.</li> <li>4. No person shall, in relation to the operation of a boarding/lodging/rooming house establishment, park or permit to be parked any vehicle contrary to any municipal by-law.</li> <li>5. Every person shall keep a register of all patrons showing their name, address, the vehicle make and licence plate number including Province or State from which such plate was issued, the date of admission and departure and shall provide such register upon request of the Issuer of Licences, to a Municipal Law Enforcement Officer.</li> </ol>

**SCHEDULE A-15: BODY PIERCING PARLOURS**

<b>Applicable to:</b>	Every business or premises where parts of a body are punctured by a sharp-pointed instrument for the purpose of making a hole or opening through which an item may be attached to the body.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection, health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to all body piercing parlours:</p> <ol style="list-style-type: none"> <li>1. Each application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>1. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>2. No person shall dispose of any needle or other similar piercing instrument, item or tool in an unsafe manner.</li> <li>3. No person shall provide piercing services to any person who is known to suffer from a contagious disease.</li> </ol>

**SCHEDULE A-16: BOWLING ALLEYS**

<b>Applicable to:</b>	Every business or premises for use by the public and designed for the rolling or delivering of a ball towards pins.
<b>Exemptions:</b>	The requirement to obtain a Bowling Alley licence does not apply to any premises holding a valid Indoor Recreational Establishment licence issued by the Town of Amherstburg.
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every bowling alley:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) A statement giving particulars as to the location, size and construction of the hall as may be required by the Issuer of Licences;</li> <li>(b) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(c) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(d) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(e) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. The Issuer of Licences shall specify on the Bowling Alley licence, the maximum number of persons who may be in the hall at any time, which number shall be prescribed by the Fire Chief upon inspection.</li> <li>4. Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.</li> <li>5. Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the premises licensed as a bowling alley.</li> </ol>



**SCHEDULE A-17: BUSINESS SERVICE ESTABLISHMENT**

<b>Applicable to:</b>	Every place of business that is primarily engaged in providing services to business establishments on a fee or contract basis, including but not limited to advertising and mailing, building maintenance, employment services, protective services and small equipment rental, leasing and repair.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer Protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every business service:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, an in compliance with all the requirements of the Essex County Public Health Division, if required.</li> </ol>

**SCHEDULE A-18: CAMPGROUNDS / TRAILER PARKS**

<b>Applicable to:</b>	Every tourist establishment comprising land used or maintained as grounds for camping or parking recreational vehicles with a service building or buildings and may include those retail facilities required to serve the guests of and visitors to the establishment. A Summer Camp within the meaning of the regulations under the <i>Public Health Act</i> or a camp operated by a charitable organization within the meaning of <i>The Charitable Institutions Act</i> , are not deemed camping establishments for the purpose of this by-law.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every campground/trailer park:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health.</li> <li>(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all requirements of the Essex County Public Health Division.</li> </ol>

**SCHEDULE A-19: CARNIVALS / FAIRS / MIDWAYS**

<b>Applicable to:</b>	Every business operating amusement ride(s) or other device(s) and authorized games of chance intended to entertain or amuse or provide entertainment to the public.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection, health and safety, nuisance control
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every carnival/fair/midway:</p> <ol style="list-style-type: none"> <li>1. No person having control or charge of such an operation shall commence to assemble or erect any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus, or mechanical device or ride or any other structure or erection until a licence has been obtained.</li> <li>2. Applications for a licence to conduct a carnival/fair/midway shall be made to the Issuer of Licences in writing at least sixty days prior to the proposed date of the carnival/fair/midway and shall be accompanied by the non-refundable application fee.</li> <li>3. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) the address or legal description of property where the proposed carnival/fair/midway is to be conducted or operated. Additionally, the applicant shall submit proof of ownership of the place where the carnival/fair/midway is to be conducted or a written document signed by the owner of the premises indicating his consent that the site be used for the proposed carnival/fair/midway;</li> <li>(e) the date or dates and the hours during which the carnival/fair/midway is to be conducted;</li> <li>(f) an estimate of the number of customers, spectators, participants, and other persons, expected to attend the carnival/fair/midway.</li> </ol> </li> <li>4. Every person making application shall provide proof of liability insurance in the minimum amount of \$1,000,000 and in a form acceptable to the Town. Such insurance shall provide that the insurer shall notify the Town in writing of any change in the policy including notice of the expiration or cancellation thereof 30 days prior to any such change. Where the operation of such carnival will take place on any Town owned property, liability insurance shall also include and name The Corporation of the Town of Amherstburg as co-insured; when the insurance policy expires so does the licence.</li> <li>5. On the licensed property the electrical system, equipment, fuses and switches shall be inaccessible to the public and cables in the ground in areas used by the public shall be placed in trenches or suitably protected as required by the Electrical Safety Authority.</li> <li>6. All electrical systems shall be operated and maintained in a safe and proper manner.</li> <li>7. Where rides are provided, a certificate of mechanical fitness of each ride by the Technical Standards and Safety Authority shall be filed by the operators of the carnival business with the Issuer of Licences of the Town.</li> <li>8. A carnival/fair/midway licence shall only be valid for a maximum of 14 days and only for the days specified on the licence issued by the Issuer of Licences.</li> </ol>

**SCHEDULE A-20: CATERERS**

<b>Applicable to:</b>	Any person who prepares and supplies food or meals for social, professional or other similar events.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to all caterers:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town, if required;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality, if required.</li> </ol> </li> <li>2. No person shall operate or provide any service as a Caterer in any unsanitary condition or in any premises which, because of the situation, construction, or condition thereof, expose any food to the risk of contamination.</li> <li>3. All premises shall be operated in a clean and sanitary condition, and in compliance with all requirements of the Essex County Public Health Division.</li> </ol>

## SCHEDULE A-21: CIRCUSES

<b>Applicable to:</b>	Every performance exhibiting equestrian, animal, acrobatic and other performances and their equipage and shall include any other similar show.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection, health and safety, nuisance control
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every circus:</p> <ol style="list-style-type: none"> <li>1. No person owning, operating or having control or charge of a circus, travelling show or other similar show shall locate within the Town or commence to assemble or erect within the Town, any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus or mechanical device or ride or other structure or erection, and no licensee of premises within the Town who has rented or leased such premises or authorized the same to be used by a circus or similar show, shall permit or allow such circus or show to assemble or erect on such premises, any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus or mechanical device or ride or any other structure or erection until a licence has been obtained for the operation and conduct of such circus, travelling or similar show.</li> <li>2. Application for a licence to conduct a circus shall be made to the Issuer of Licences in writing at least sixty days prior to the proposed date if the circus and shall be accompanied by the non-refundable application fee.</li> <li>3. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) the address or legal description of property where the proposed circus is to be conducted or operated. Additionally, the applicant shall submit proof of ownership of the place where the circus is to be conducted or a written document signed by the owner of the premises indicating his consent that the site be used for the proposed circus;</li> <li>(e) the date or dates and the hours during which the circus is to be conducted;</li> <li>(f) an estimate of the number of customers, spectators, participants, and other persons, expected to attend the circus.</li> </ol> </li> <li>4. Every person making application for the operation of a circus, travelling or similar show, to be operated within a Town building or on Town premises, shall provide proof of liability insurance, in an amount not less than \$1,000,000 and in a form acceptable to the Town. Such insurance shall provide that the insurer shall notify the Town in writing of any change in the policy including notice of expiration or cancellation thereof 30 days prior to any such change. Where the operation of such circus will take place on any Town owned property, liability insurance shall also include and name The Corporation of the Town of Amherstburg as an additional insured.</li> <li>5. The electrical systems, equipment, fuses and switches shall be inaccessible to the public and cables in the ground in areas used by the public shall be placed in trenches or suitably protected as required by the Electrical Safety Authority.</li> <li>6. All electrical systems shall be operated and maintained in a safe and proper manner.</li> <li>7. Where rides are provided, a certificate of mechanical fitness for each ride issued by the Technical Standards and Safety Authority shall be provided by the operator of the circus to the Issuer of Licences at the time of application for a licence.</li> <li>8. A Circus licence shall only be valid for a maximum of 14 days and only for the days specified on the licence issued by the Issuer of Licences.</li> </ol>

**SCHEDULE A-22: CONCERTS**

<b>Applicable to:</b>	Any person or organization wishing to conduct an indoor or outdoor concert.
<b>Exemptions:</b>	The requirement to obtain a Concert Licence does not apply to functions commonly known as private social functions, non-profit private parties/events, community hall or public facility based events and celebrations (non-commercial in nature).
<b>Reason for Licensing:</b>	Nuisance control
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every concert:</p> <ol style="list-style-type: none"> <li>1. Applications for a license to conduct a concert shall be made to the Issuer of Licences in writing at least sixty days prior to the proposed date of the concert and shall be accompanied by the non-refundable application fee:</li> <li>2. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) a written statement of the kind, character, or type of concert which the applicant proposes to conduct or operate.;</li> <li>(e) The address or legal description of property where the proposed concert is to be conducted or operated. Additionally, the applicant shall submit proof of ownership of the place where the concert is to be conducted or a written document signed by the owner of the premises indicating his consent that the site be used for the proposed concert;</li> <li>(f) The date or dates and the hours during which the concert is to be conducted.</li> <li>(g) An estimate of the number of customers, spectators, participants, and other persons, expected to attend the concert for each day it is conducted.</li> <li>(h) The- names and addresses of anyone contributing, investing, or having a financial interest greater than \$500 (five hundred dollars) in producing the concert.</li> <li>(i) A financial statement in a form to be determined by the Issuer of Licences to give assurance of the ability of the applicant to meet the conditions of the license being applied for.</li> <li>(j) A detailed written explanation of the applicants plans to provide security and fire protection, water supplies and facilities, sewage and drainage facilities, food supplies and facilities, sanitation facilities, first aid facilities and services, vehicle parking spaces, vehicle access policing and on site traffic control and if it is proposed or expected that spectators or participants will remain at night or overnight, the arrangements for illuminating the premises and for camping or similar facilities.</li> <li>(k) The applicants plans shall include what provisions shall be made for numbers of spectators in excess of the estimate, provisions for the clean up of the premises and provisions for the removal of rubbish after the concert has concluded. A plot plan showing the arrangement of the facilities, including those for parking, egress and ingress, shall be submitted with such application.</li> <li>(l) Any other information the Issuer of Licences in his sole discretion requests, in order to assist him in deciding whether or not a license should be issued.</li> </ol> </li> <li>3. Every licensee to conducting a concert shall be subject to the following conditions and requirements: <ol style="list-style-type: none"> <li>(a) Security protection: A licensee shall provide at his own expense security protection. This shall include the provision of a minimum of one security officer for every 400 persons expected to be in attendance.</li> <li>(b) Peace Officers required are to be paid for at the time of concert approval. One Peace Officer for every 1000 persons expected. Should the actual costs incurred in providing Peace Officers exceed the amount set at the time of approval, the difference shall be paid by the concert applicant to the Municipality</li> <li>(c) Water and sanitation facilities: A licensee shall provide ample supply of potable water for drinking and sanitation purposes at the site of the concert. Lavatories and drinking facilities and sewage and drainage systems and items incidental to the operation of the foregoing shall be required as determined by the Medical Officer of Health</li> <li>(d) Food concessions: Will meet all the requirements set down by the Essex County Public Health Division.</li> <li>(e) First aid facilities: A licensee shall provide such first aid facilities at the site of the concert as may be required by the Medical Officer of Health. The licensee shall provide ambulance services to transport persons attending the concert from the site of the concert to the nearest hospital where need arises.</li> <li>(f) Parking areas: A licensee shall provide adequate parking spaces for persons attending the concert by motor vehicle. The licensee may be called upon to provide a separate parking space for every two (2) persons expected to attend the concert by motor vehicle. Such parking areas shall be clearly marked. The Issuer of Licences shall approve an applicants "parking plan" before a license shall be issued.</li> <li>(g) Access and parking control: A licensee shall provide adequate ingress and egress to the concert premises and parking areas, therefore necessary roads, driveways and entrance ways shall exist to insure the orderly flow of traffic into the premises from a highway road which is part of the highway system or which is a highway maintained by the Municipality. A special access way for fire equipment, ambulances and other emergency vehicles may be required. The Issuer of Licences shall approve a licensee's plan for ingress and egress before a license shall be issued.</li> </ol> </li> </ol>

	<p>Additionally, licensee may be required to show that traffic guards are under his employ to insure orderly traffic movement and relieve traffic congestion in the vicinity of the concert area.</p> <p>(h) Hours of operation: All concerts which are subject to a license pursuant to the provisions of the Order shall close and cease operations continuously between the hours of 2:00 a.m. and 8:00 a.m. of each and every day.</p> <p>(i) Miscellaneous: The Issuer of Licences may impose such additional conditions as are reasonably calculated as necessary to protect the health, welfare and property of local residents and persons attending concerts.</p> <p>4. The Issuer of Licences may grant relief from any of the above requirements where it appears that such an action is in the best public interest. This ability to grant relief shall be limited to those items within the control of the Issuer of Licences under this bylaw and does not relieve a licensee from any conditions or requirements imposed by law, contract or otherwise.</p> <p>5. A Concert licence shall only be valid for a maximum of 14 days and only for the days specified on the licence issued by the Issuer of Licences.</p>
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**SCHEDULE A-23: DRIVING SCHOOLS**

<b>Applicable to:</b>	Every place of business that teaches individuals how to operate motor vehicles which shall include but is not limited to classroom instruction as well as on-road instruction.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection, health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every driving school:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> <li>(c) proof of liability insurance in the minimum amount of \$1,000,000 in a form acceptable to the Town;</li> <li>(d) a list of all vehicles to be used in the business for the purpose of driving instruction, identifying the same by vehicle make, model and Licence Plate Number;</li> <li>(e) a written Statement of Rates and Charges for all services provided by the school.</li> </ol> </li> <li>2. Every driving school operator shall:             <ol style="list-style-type: none"> <li>(a) be fluent in reading and writing the English language.</li> <li>(b) notify the Issuer of Licences within fourteen (14) days of any change or addition in the vehicles being used for the purpose of driving instruction and the Driving School Operator shall provide the make, model and Licence Plate number of any and all vehicles affected. If the Operator ceases to use any such vehicle, the plate issued by the Town shall be immediately returned to the Issuer of Licences. Where vehicles are added to the operation, plates shall be issued by the Issuer of Licences and placed by the Operator on the vehicle</li> <li>(c) provide in every vehicle used in the business a frame or other device for the holding of the licence and photograph of the driving instructor;</li> <li>(d) keep a permanent record of the name and address of each student, the date of commencement and date of completion of instruction, the date, time and name of instructor for each lesson, the number of the student's Ontario Motor Vehicle Operator's Licence or Ontario Motor Vehicle Temporary Instruction Permit and the expiry date of such Motor Vehicle Operator's Licence or Motor Vehicle Temporary Instruction Permit;</li> <li>(e) allow the Issuer of Licences or other person(s) so authorized by Council to have access to all premises, vehicles, equipment, books and records used in the business and submit any vehicle for inspection at such time and place as may be designated by the Issuer of Licences, at the owner's expense;</li> <li>(f) ensure that all vehicles used in the business for the purpose of driving instruction are maintained in a safe and roadworthy condition and shall, at the time of application or addition or change of vehicles provide proof of certification of each vehicle to be used;</li> <li>(g) notify the Issuer of Licences, in writing, of the name and address of each driving instructor employed by him and the date of commencement of such employment and shall also advise the Issuer of Licences in writing of the name and address of any driving instructor ceasing to be employed by such Driving School Operator, the date that such driving instructor ceased to be employed and, such notification shall be given not later than fourteen (14) days after commencement or ceasing of the employment;</li> <li>(h) before entering into agreement for driving instruction with any person, or giving instruction, furnish to such person a written statement of all rates and charges as filed with the Issuer of Licences;</li> <li>(i) adhere to the rates and charges published in the statement referred to in Section 1(c) and give fourteen (14) days advance notice to the Issuer of Licences of any new Statement of Rates and Charges which he proposes to publish in lieu of the existing Statement;</li> <li>(j) in respect of each driving school vehicle which is used for the purpose of giving instruction, procure an insurance policy in the minimum amount of \$1,000,000</li> </ol> </li> <li>3. No driving school operator shall:             <ol style="list-style-type: none"> <li>(a) cause or permit instruction to be given in any vehicle which has not, in addition to the standard controls and brakes used by the driver, extra braking equipment in good working condition placed in a position for ready use by the instructor or operator seated beside the driver;</li> <li>(b) cause or permit instruction to be given to, or an agreement to be entered into with, any student driver who fails to produce a current Ontario Motor Vehicle Operator's Licence or a current Ontario Motor Vehicle Operator's Temporary Instruction Permit;</li> <li>(c) cause or permit driving instruction to be given upon any street or area in the Town of Amherstburg, from time to time, as maybe designated by resolution of Council;</li> <li>(d) cause or permit driving instruction to be given to any student, during the first hour of practical training, on any primary traffic artery, main highway, route or heavily travelled thoroughfare;</li> <li>(e) advertise driving school service or instruction unless he operates from the address so licensed and advertised;</li> <li>(f) use or permit to be used in his business, any vehicle unless the same has securely affixed to the back, thereof, and in a visible a prominent position, as recommended by the Issuer of Licences, a plate issued by the Issuer of Licences bearing an identifying number and indicating that such a vehicle is used in a business licensed for the current year by the Issuer of Licences;</li> <li>(g) use or permit to be used in his business, any vehicle that has not been certified and approved</li> </ol> </li> </ol>



	and recorded by the Issuer of Licences, or a vehicle which is otherwise unsafe or not roadworthy; (h) use or permit to be used in his business any vehicle unless the same bears a valid Province of Ontario licence plate;
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**SCHEDULE A-24: DRY CLEANER**

<b>Applicable to:</b>	Every place of business that dry-cleans, dry-dries, cleans, presses and removes spots or stains, or other similar application to clothing or fabric.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection, health and safety.
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every dry cleaner:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. Every licensee shall cause the premises, in respect of such licence, together with any offices, appurtenances, and any vehicles, wagons or trucks used by him in his business, to be kept in a clean and sanitary condition.</li> <li>3. Every person employed in such premises licensed under this Section shall keep himself and his wearing apparel in a clean and sanitary condition.</li> <li>4. No owner or operator of a dry cleaning establishment shall permit: <ol style="list-style-type: none"> <li>(a) the use of solvents that are flammable and emit odours;</li> <li>(b) any noise or vibration which may cause inconvenience within or outside the premises.</li> </ol> </li> </ol>

**SCHEDULE A-25: FESTIVALS**

<b>Applicable to:</b>	Any person or organization wishing to conduct a festival in the municipality.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Nuisance control
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every festival:</p> <ol style="list-style-type: none"> <li>1. Application for a license to conduct a festival shall be made in writing to the Issuer of Licences at least sixty (60) days prior to the time indicated for the commencement of the planned activity.</li> <li>2. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) Approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) Annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) A written statement of the kind, character or type of festival which the applicant proposes to conduct, operate or carry on.</li> <li>(d) The address and legal description of the place where the proposed festival is to be conducted, operated, or carried on. Additionally, the applicant shall submit proof of ownership of the property or a statement signed by the owner of the property indicating consent that the property may be used for the proposed festival.</li> <li>(e) The date or dates and the hours which it will be conducted.</li> <li>(f) An estimate of the number of customers, spectators, participants and other persons expected to attend the festival for each day it is conducted.</li> <li>(g) A detailed written explanation of the applicant's plans to provide security and fire protection, water and sanitation facilities, off-street parking facilities, vehicle access and exits to site and on-site traffic control. If an outdoor festival is to be continued during the hours of darkness, applicants must show how they propose to illuminate the site, provide for garbage collection and disposal.</li> <li>(h) Whether or not overnight camping is proposed for the premises.</li> <li>(i) Upon receipt of the completed application, the Issuer of Licences will take the application before Council hearing. Ten days prior to the hearing, the Issuer of Licences will advise the Chief of Police, R.C.M.P., Fire Chief, and Medical Officer of Health so that they may reply in writing of any condition or requirement for condition of approval.</li> </ol> </li> <li>3. Before a license is issued, the applicant shall furnish the Town with a bond in a company satisfactory to the Town in the amount of fifty thousand dollars (\$50,000.00) conditioned upon the applicant fulfilling the requirements of this by-law and any other condition requested by Council making good to all persons for any or all loss or damage or expense incurred by the Town for failure to comply with conditions of the license.</li> <li>4. Every licensee shall: <ol style="list-style-type: none"> <li>(a) be responsible for the cost of police protection. The Chief of Police shall determine the needs required to protect persons and property. Funds to cover the cost of police protection shall be deposited by the licensee to the Issuer of Licences ten (10) days prior to the commencement of the festival;</li> <li>(b) provide adequate on-site parking space for people attending the festival by motor vehicle. They may also be called upon to provide one vehicle parking space for every two people expected to attend;</li> <li>(c) provide adequate entrances and exits to and from the premises. Each entrance and exit shall allow an orderly flow of traffic to and from any highway;</li> <li>(d) cease operation of the festival between the hours of 2:00 a.m. and 8:00 a.m. on each and every day, unless an exemption is granted by Town Council;</li> <li>(e) provide on the premises at least one metal garbage container with lid, not less than thirty (30) inches high or fifteen (15) inches in diameter at the base, for every twenty-five (25) people attending the festival, and shall arrange for regular garbage pick-up and disposal;</li> <li>(f) ensure that camping area is adequately illuminated with electrical light after dark and produce letters from the Medical Officer of Health that sanitation facilities are adequate;</li> <li>(g) provide, at their own expense, adequate fire protection as determined by the Fire Chief. If the event is located in a hazardous fire area, a suitable number of fire guards shall be employed by the licensee, and approved by the Fire Chief.</li> </ol> </li> <li>5. Traffic lanes and other adequate space shall be designated and kept open for access and travel of all emergency vehicles and sanitation trucks.</li> <li>6. Every licensee planning to conduct a festival after dark, or allow people to remain on the premises after dark, shall provide adequate electrical illumination to ensure that those areas which are occupied are lighted at all times.</li> <li>7. A Festival licence shall only be valid for a maximum of 14 days and only for the days specified on the licence issued by the Issuer of Licences.</li> </ol>

**SCHEDULE A-26: FLEA MARKETS**

<b>Applicable to:</b>	Any owner/operator of a business or premises, whether enclosed by a building or structure or not, in which individual stalls are rented to vendors, other than the owner, for the purpose of individually exposing, offering for sale or selling new or used articles, foodstuffs, fruits, vegetables, services or other goods, wares or merchandise or exposing samples, patterns or specimens of any goods, wares or merchandise to be delivered at a later date.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every flea market:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) Approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) Annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) An accurate site plan of the premises, operated as a flea market, including all outdoor areas. Such site plan shall identify each stall by number.</li> </ol> </li> <li>2. No person shall allow on any Flea Market premises any exit, corridor or public corridor to be blocked, impeded or otherwise obstructed in any way.</li> <li>3. Every owner or operator of a Flea Market shall:             <ol style="list-style-type: none"> <li>(a) upon leasing, renting or otherwise providing a stall to a vendor or other person, enter into an agreement which set out the terms, conditions, rules and regulations governing operation within the flea market and such agreement shall contain the legal name of the vendor, his most recent address, the registered name of the business, the operating name of the business, the Provincial Vendor's Permit Number, and shall be signed and dated by both parties;</li> <li>(b) maintain and upon request, provide to the Issuer of Licence a duplicate copy of the Agreement above referred to;</li> <li>(c) maintain a book to be known as a "register" which shall be a comprehensive record of the Registered name and Operating name of each person or business operating within the flea market, the owner/principal of such business, address, and if available vehicle licence number and make of vehicle.</li> </ol> </li> <li>4. The owner or operator shall make such entries to the registrar at the time of rental or immediately thereafter.</li> <li>5. Such register shall be kept and all records preserved for a period of at least two years from the date of the Agreement is terminated.</li> <li>6. The register shall be provided to any Municipal Law Enforcement Officer at any reasonable time for inspection.</li> <li>7. The owner or operator shall provide for each Flea Market premises or location, on the first day of each month, a list of all vendors having entered into agreement with such owner or operator to conduct business at or within the Flea Market for the next immediate month. Such list shall identify the registered business name, operating name and owner's name of each business having entered into such agreement.</li> </ol>

**SCHEDULE A-27: FLORIST SHOP**

<b>Applicable to:</b>	Any business that is a retail store devoted to the sale of flowers, indoor plants and arrangements thereof.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer Protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every florist shop:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> </ol>

## SCHEDULE A-28: FOOD SHOP

<b>Applicable to:</b>	Any premises where food stuffs intended for human consumption are made for sale, offered for sale, stored or sold. Such premises shall include but is not limited to bakeries, delicatessens, groceries, groceterias, fish shops, butcher shops, convenience stores, etc. but does not include any restaurant, snack bar or any similar operation.
<b>Exemptions:</b>	The requirement to obtain a Food Shop licence does not apply to: <ol style="list-style-type: none"> <li>1. Premises which contain only automatic dispensers for bottled or canned beverages and/or automatic dispensers for pre-packaged confectionery items;</li> <li>2. Any premises holding a valid Produce Vendor licence issued by the Town of Amherstburg.</li> </ol>
<b>Reason for Licensing:</b>	Health and safety.
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to every food shop: <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all requirements of the Essex County Public Health Division.</li> <li>3. No person shall operate or maintain any food shop in any unsanitary condition, or in any premises the use of which, because of the location, design or condition thereof, exposes any food to the risk of contamination.</li> <li>4. No person licensed hereunder shall purchase, use, sell, offer for sale or have in his possession any meat unless such meat has been inspected and bears on the carcass, the inspection legend of the Department of Agriculture, or of Agriculture Canada.</li> <li>5. Fresh meat and fish offered for sale shall be clearly identified.</li> </ol>

**SCHEDULE A-29: GAS STATIONS**

<b>Applicable to:</b>	Every place of business where gasoline and other fuels formulated to propel motor vehicles are sold.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to all gas stations:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> </ol>

**SCHEDULE A-30: HAWKERS AND PEDDLERS**

<b>Applicable to:</b>	Any business or person who offers goods, wares, or merchandise for sale in any manner in the Town either directly or by way of sample or catalogue for delivery later, i) other than on a permanent basis, or ii) on a permanent basis if the total time the person has operated the business and the time the person continuously resided in the municipality immediately before beginning to operate the business on a permanent basis is less than three months. This also includes the business, occupation or calling commonly known as a transient trader.
<b>Exemptions:</b>	The requirement to obtain a Hawker and Peddler licence does not apply to: 1. vendors who sell goods that are grown or produced on their own agricultural operation within the Town of Amherstburg and who has a Farmer Business Number, or family members or employees who have written authority to sell the goods on their behalf; or 2. vendors who sell Christmas trees on a seasonal basis, or 3. vendors who hold a valid Refreshment Vehicle licence issued by the Town of Amherstburg, or 4. vendors who hold a valid Produce Vendor licence issued by the Town of Amherstburg.
<b>Reason for Licensing:</b>	Consumer protection, health and safety, nuisance control
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to every Hawker and Peddler: 1. Every application shall be accompanied by a Police Record Search Certificate provided by the Chief of Police. 2. In addition to a completed application the following approvals are required from various departments and agencies: (a) for units containing heating/cooking equipment, approval from the Fire Chief is required. (b) for units containing propane installations, certification from a recognized Propane Agency is required. 3. An applicant for a Hawkers and Peddlers Licence shall specify to the Issuer of Licences the types of goods and services to be sold or promoted. 4. A Hawkers and Peddlers licence shall only be valid for a maximum of 30 days and only for the days specified on the licence issued by the Issuer of Licences.



## SCHEDULE A-31: HORSE DRAWN CARRIAGE OWNERS/DRIVERS

<b>Applicable to:</b>	Every owner and every driver of a horse-drawn carriage used or kept for hire for the purpose of providing sightseeing tours in the Town of Amherstburg.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every horse drawn carriage owner or driver:</p> <ol style="list-style-type: none"> <li>1. Every owner shall for each carriage for which he or she holds a licence affix and maintain thereon while such carriage is being used for hire or while standing available for such use, a plate supplied by the Issuer of Licences and bearing an identifying number, securely affixed to the back of the carriage, and such plate shall be affixed in a position approved by the Issuer of Licences.</li> <li>2. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) A Police Record Search Certificate provided by the Chief of Police.</li> <li>(b) Proof a liability insurance policy to cover the trade, business or occupation of the licensee to which his or her licence pertains with a limit of not less than \$1,000,000 combined bodily injury and property damage, exclusive of costs, for any one accident or occurrence. The Issuer of Licences shall be given 14 days' notice in writing of any cancellation, expiration or variation in the amount of the policy.</li> <li>(c) A complete detailed list showing thereon the number of horses to be used to draw the said carriage during its hours of operation including the times and number of hours each day during which each particular horse will be made available to draw such carriage.</li> </ol> </li> <li>3. No owner shall operate or permit to be operated any carriage owned by him or her unless it is: <ol style="list-style-type: none"> <li>(a) Clean as to its exterior;</li> <li>(b) In good repair as to its exterior;</li> <li>(c) Clean as to its interior;</li> <li>(d) Free from mechanical defects; and</li> <li>(e) The harness and equipment used in conjunction therewith is sound, pliable and in good repair.</li> </ol> </li> <li>4. No owner may use or permit the use of any horse for the purpose of drawing or operating a carriage or carriages owned by him or her for a total period of time longer than eight hours in any day and in calculating the eight-hour period there shall be included any time in the same day during which the horse is used to draw a carriage for any purpose, other than for the purpose of getting to and from the stable area housing such horses.</li> <li>5. Every owner or driver in charge of a horse which has been made available for drawing any carriage or carriages for or during any period of four consecutive hours shall permit the said horse to be rested for a two-hour period before requiring it to draw or be used in the operation of any carriage at any subsequent time and during the period of rest the owner or driver in charge of the said horse shall: <ol style="list-style-type: none"> <li>(a) Remove the harness from the horse and keep it removed throughout the period of rest;</li> <li>(b) Groom the horse; and</li> <li>(c) Provide water to the horse.</li> </ol> </li> <li>6. Every owner shall allow every horse used in the operation of any carriage owned by him or her at least 24 consecutive hours of rest in every seven days.</li> <li>7. Every owner shall identify every horse used in the operation of every carriage used by him or her, by the affixing of a number on or to the hoof of such horse by a means satisfactory to the Issuer of Licences.</li> <li>8. No owner shall operate or permit the operation of a carriage owned by him or her before the first day of April or after the 30th day of October in any year, providing that the Issuer of Licences or his or her designate may grant permission to any owner licensed under this section to operate a carriage owned by him or her at or during some other designated time or times for the purpose of a special event, providing that the owner comply strictly with any terms imposed by the Issuer of Licences or his or her designate in granting such permission and with all of the other provisions of this section.</li> <li>9. Every owner in the operation of a carriage owned by him or her shall comply with or ensure compliance with the following regulations with respect to every horse used for the drawing of such carriage: <ol style="list-style-type: none"> <li>(a) No horse shall be worked where such horse has tendon cuts or fresh leg cuts.</li> <li>(b) No horse suffering from weeping sores shall be worked.</li> <li>(c) No lame or improperly shod horse shall be worked.</li> <li>(d) Without limiting the generality of Subsection (c) of this section, every horse shall be shod with rubber shoes or with cork, leather or other form of buffer or padding on its hooves.</li> <li>(e) Every horse shall be examined by a veterinarian before it is first used to draw or operate a carriage, and no such horse shall be worked unless the said veterinarian has, with respect to such horse, issued a certificate stating that in his or her opinion the horse is fit for the purpose of drawing or operating such carriage, a copy of which certificate shall be filed with the Issuer of Licences within one week of the said examination.</li> <li>(f) Every horse shall be examined by a veterinarian forthwith after it displays any sickness or injury and shall not be worked again until a further certificate as required by Subsection (e) of this section has been obtained and a copy thereof filed with the Issuer of Licences.</li> <li>(g) Notwithstanding the generality of Subsection (f) of this section, every horse shall, during any period in which it is used to draw or operate a carriage, be examined by a veterinarian at least</li> </ol> </li> </ol>

	<p>once each month.</p> <ol style="list-style-type: none"> <li>10. No owner shall permit the drawing of a carriage owned by him or her by any horse less than five years of age or by any horse over 18 years of age.</li> <li>11. No driver's licence shall be issued to any person under the age of 18 years, and no person under the age of 18 years shall own, drive or operate a carriage.</li> <li>12. No owner or driver shall drive or operate any carriage carrying or occupied by more than five persons exclusive of himself or herself.</li> <li>13. Notwithstanding Section 12, a carriage may be operated or driven while carrying or occupied by six persons exclusive of the driver, provided that two of such persons are 12 years of age or younger.</li> <li>14. No owner or driver shall drive or operate a carriage when the temperature of the air in the immediate vicinity of the said carriage exceeds 32 degrees on the Celsius scale.</li> <li>15. All manure must be removed immediately, as it occurs.</li> <li>16. No owner or driver shall take, consume or have in his or her possession any liquor while he or she is in charge of his or her carriage, nor shall the use of liquor by him or her be apparent while he or she is in charge of any such carriage.</li> <li>17. Every owner or driver in charge of a carriage shall be properly dressed, neat and clean in his or her person, and shall be civil and well-behaved.</li> <li>18. A driver, or an owner who drives his or her carriage, shall keep a record in a form supplied by the Issuer of Licences (hereinafter referred to as a "trip record") of all trips made by the carriage, and such record shall contain the following information:       <ol style="list-style-type: none"> <li>(a) The number of the owner's licence issued by the Issuer of Licences;</li> <li>(b) The name, address and licence number of the driver;</li> <li>(c) Information identifying the horse used to draw the carriage during such working period;</li> <li>(d) The date, time and location of the beginning and termination of each trip; and</li> <li>(e) The amount of the fare collected for each trip.</li> </ol> </li> <li>19. A driver or an owner in charge of his or her carriage shall not obstruct traffic while writing up his or her trip record, but each trip shall be completely recorded prior to the commencement of the next following trip.</li> <li>20. The trip record kept by an owner or required to be delivered to him or her by a driver or drivers shall be kept by the said owner for at least 12 months and shall be open to inspection by the Issuer of Licences, and such person shall be permitted to remove such trip record and retain the same for a reasonable time.</li> <li>21. Every owner shall, on a tariff card, post his or her hourly rates of fare for services provided by him or her, and any other rates, fares or fees charged by him or her in the operation of his or her carriage and the name of the owner and his or her licence number in such a manner that the same is plainly readable by any passenger in the carriage.</li> <li>22. No owner or driver shall demand or receive any rates, fares, charges or fees other than in accordance with those posted on the tariff card affixed in a carriage as provided in this section.</li> <li>23. Every driver having the care and control of a carriage and the horse drawing it shall maintain physical control over such carriage and horse at all times.</li> <li>24. Every owner shall be responsible for the training and instruction of every driver driving his or her carriage, and no owner shall permit any person to drive or operate his or her carriage unless such person has been properly trained and instructed so to do.</li> <li>25. Every applicant for a licence as a driver shall be examined by a person designated by the Issuer of Licences as to his or her ability to:       <ol style="list-style-type: none"> <li>(a) Handle horses in traffic;</li> <li>(b) Harness horses;</li> <li>(c) Groom and care for horses; and</li> <li>(d) Detect lameness in horses and assess their general health.</li> </ol> </li> <li>26. Every owner and driver operating a carriage shall, upon a request made to him or her by any peace officer, by-law enforcement officer or inspector of the Windsor-Essex County Humane Society produce and show to such officer or inspector:       <ol style="list-style-type: none"> <li>(a) His or her licence, if he or she is licensed under this chapter; and</li> <li>(b) The information required to be kept by such owner or driver under the provisions of this Schedule.</li> </ol> </li> </ol>
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**SCHEDULE A-32: HOTELS / MOTELS**

<b>Applicable to:</b>	Every premises or location operating as a hotel or motel.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection, health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every hotel/motel:</p> <ol style="list-style-type: none"> <li>1. Each application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) a list detailing the number of rooms and facilities offered by the establishment;</li> <li>(b) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(c) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(d) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town.</li> <li>(e) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. No person shall post any sign contrary to the provisions of any municipal by-law.</li> <li>4. No person shall, in relation to the operation of a bed and breakfast establishment, park or permit to be parked any vehicle contrary to any municipal by-law.</li> <li>5. Every person shall ensure that each room is provided with clean linens, including towels, any other customary toilet supplies for each registered guests.</li> <li>6. Every person operating a business of Hotel/Motel shall keep a register of all patrons showing their name, address, the vehicle make and licence plate number including Province or State from which such plate was issued, the date of admission and departure and shall provide such register upon request of the Issuer of Licences or Police Officer. Such register shall be open to inspection by the Issuer of Licences and/or Police Officer during all times during business hours and may be removed at any time by the Issuer of Licences and/or Police Officer for inspection, or use in the Courts, if necessary.</li> </ol>

## SCHEDULE A-33: INDOOR RECREATIONAL ESTABLISHMENT

<b>Applicable to:</b>	Every premises, land, building or structure that has been designed and equipped for the consumer or customer to actively participate in indoor sports or leisure activities such as but not limited to an indoor roller-skating/skateboard/rollerblading park, rink or facility, indoor automatic batting cages, automatic/electronic golf courses, indoor miniature golf course, but does not include a commercial fitness centre, adult entertainment parlour, entertainment establishment or use entailing the outdoor operation or racing of animals or motorized vehicles or any establishment involving gambling or gaming activities.
<b>Exemptions:</b>	The requirement to obtain an Indoor Recreational Establishment licence does not apply to: <ol style="list-style-type: none"> <li>1. premises who's only indoor recreational activity is amusement arcades and who holds a valid Amusement Arcade licence issued by the Town Amherstburg;</li> <li>2. premises who's only indoor recreational activity is billiards and who holds a valid Billiard Table licence issued by the Town of Amherstburg;</li> <li>3. premises who's only indoor recreational activity is bowling and who holds a valid Bowling Alley licence issued by the Town of Amherstburg.</li> </ol>
<b>Reason for Licensing:</b>	Health and safety, nuisance control
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to every indoor recreational establishment: <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) A statement giving particulars as to the location, size and construction of the hall as may be required by the Issuer of Licences;</li> <li>(b) proof of liability insurance in the minimum amount of \$1,000,000 in a form acceptable to the Town;</li> <li>(c) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(d) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(e) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(f) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. The Issuer of Licences shall specify on the Indoor Recreational Establishment licence, the maximum number of persons who may be in the hall at any time, which number shall be prescribed by the Fire Chief upon inspection.</li> <li>4. Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.</li> <li>5. The licensee shall ensure that there are no payoffs, betting or offering of any article or thing as a prize in contravention of the Criminal Code of Canada within the licensed premise.</li> <li>6. A Municipal Law Enforcement Officer, Police Officer or other person duly appointed may, at any time enter any business premise in which they have reason to believe there is kept or being operated an indoor recreational establishment contrary to the provisions of this By-law.</li> <li>7. The licensee shall ensure that the forming of queues for the purpose of gaining entrance to the premise does not obstruct any other business, sidewalk, boulevard, highway, ingress or egress to or from private property and that an attendant is present whenever a queue is formed for the purpose of regulating such queue.</li> </ol>

**SCHEDULE A-34: LIMOUSINE DRIVERS**

<b>Applicable to:</b>	Any person responsible for the care and operation of a limousine and services related thereto.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every limousine driver:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) A Police Record Search Certificate provided by the Chief of Police.</li> <li>(b) Proof that the applicant holds a valid Driver's Licence issued to him by the Ministry of Transportation for the Province of Ontario, such licence to be of a sufficient classification to authorize the driving of a limousine under the provisions of this By-law.</li> </ol> </li> <li>2. Every driver of a limousine shall keep and maintain the interior and exterior in good repair and in a clean and sanitary condition at all times.</li> <li>3. Every driver of a limousine shall ensure that the limousine is equipped with a spare usable tire and wheel and a suitable jack for lifting the limousine at all times.</li> <li>4. Every driver shall ensure that a limousine licensed under this Schedule is only used as a limousine and is not used as a taxicab unless otherwise licensed under the provisions of this by-law.</li> <li>5. No person shall operate any vehicle as a Limousine unless such vehicle is equipped with more than two passenger access doors.</li> <li>6. No person shall provide any services as a Limousine Driver for any Limousine Company which is not licensed under the provisions of this By-law.</li> <li>7. Every limousine driver shall be familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the Town of Amherstburg and be fluent in the English language.</li> <li>8. The licensee shall ensure that he holds a valid Driver's Licence as issued by the Ministry of Transportation for the Province of Ontario of a sufficient classification to authorize the driving of a limousine under the provisions of this By-law, at all times while engaged in the driving of a limousine.</li> <li>9. The licensee shall: <ol style="list-style-type: none"> <li>(a) keep an orderly record of all calls answered by him showing date, time, origin, destination and limousine vehicle licence number. The records shall be retained for a period of 12 months from date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time and may be removed by such Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and retained for any reasonable period of time;</li> <li>(b) ensure that every limousine driven by him has been submitted for vehicle safety examination prior to such vehicle being used as a limousine and at any other time as required by the Issuer of Licences, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual ensure that a valid and current Safety Standards Certificate for such limousine has been issued in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended;</li> </ol> </li> <li>10. The licensee shall ensure that any limousine driven by him is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified trip.</li> <li>11. No limousine driver shall be entitled to recover or receive, or charge any fare, rate, fee or charge from any person or persons from whom he shall have demanded any fare, rate, fee or charge greater or less than those authorized in the Schedule of Rates and Charges as outlined in Section 1(f) of the Schedule for Limousine Owners.</li> <li>12. Every licensee while in charge of a limousine for hire shall: <ol style="list-style-type: none"> <li>(a) display any photo identification in respect of any licence issued by the Issuer of Licences under the provisions of this Section and upon the request of any passenger, give in writing his name, licence number of the licence issued to him under the provisions of this By-law, the permit number issued by the Ministry of Transportation for the Province of Ontario of the limousine he is driving;</li> <li>(b) take due care of all property delivered or entrusted to him and accepted by him for in respect of any passenger for conveyance or safekeeping and immediately upon termination of any hiring or engagement, shall search his limousine for any property lost or left therein and all property or money left in his limousine shall be forthwith delivered over to the person owning the same, or if the person cannot be found at once, then to a Police Officer on duty for Amherstburg Police Service with all information in his possession regarding same;</li> <li>(c) travel by the most direct route to the point of destination unless otherwise directed by the person engaging the limousine;</li> <li>(d) be neat and clean in his person and appearance;</li> </ol> </li> <li>13. No person, while in charge of a limousine for hire shall: <ol style="list-style-type: none"> <li>(a) solicit any person to take or use the limousine he is driving by calling out or shouting. The person wishing to use or engage a limousine shall be left to choose without interception or solicitation;</li> <li>(b) take, consume or have in his possession any intoxicant;</li> <li>(c) obstruct the use of any sidewalk, make any loud noise or disturbance, use any abusive language, molest, annoy or insult any person whatsoever;</li> <li>(d) employ or allow any runner or other person to assist or act in concert with him in obtaining any passenger;</li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>(e) carry a greater number of persons than the limousine is intended to seat according to the manufacturer's rating or than specified in the licence issued under this By-law;</li> <li>(f) induce any passenger to employ him by either knowingly, recklessly or willfully misinforming, misleading or deceiving such passenger as to the arrival or departure of any public conveyance of the location or distance from any part of the Town to any terminal, station, public place, private residence or any other place;</li> <li>(g) carry any passenger other than those employing his services, unless authorized by the limousine service for which he is employed as a driver;</li> <li>(h) allow any immoral, indecent, disorderly or illegal conduct in his limousine;</li> <li>(i) smoke while driving a passenger, contrary to the provisions of the Essex County smoking by-law, whichever is the more restrictive.</li> </ul> <p>14. Every licensee shall furnish to every passenger where required, a receipt for charges made and paid by him, indicating thereon the mileage travelled, and the licensee shall promptly furnish such receipt upon request together with his name and the Town of Amherstburg Limousine licence number.</p>
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## SCHEDULE A-35: LIMOUSINE OWNERS

<b>Applicable to:</b>	Any person who owns a limousine or has possession or control thereof under an instalment purchase agreement or by way of rental or other agreement and who offers such vehicle for hire.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every limousine owner:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) a Police Record Search Certificate provided by the Chief of Police.</li> <li>(b) the vehicle make, model, year and vehicle identification number for each vehicle to be licensed as a limousine.</li> <li>(c) proof of automobile insurance in the minimum amount of \$1,000,000.</li> <li>(d) a Safety Standards Certificate in accordance with the requirements of the <i>Highway Traffic Act</i>, R.S.O. 1990, c. H.8 for the vehicle for which application is being made.</li> <li>(e) proof of GST (Goods and Services Tax) registration.</li> <li>(f) the Ontario licence plate number as issued by the Ministry of Transportation and the Vehicle Identification Number (VIN) for all vehicles to be used as a limousine by the Limousine Company.</li> <li>(g) a Schedule of Rates and Charges itemizing any and all charges for services to be provided by the Limousine Company.</li> </ol> </li> <li>2. Every owner of a limousine shall submit such limousine for safety inspection annually or as otherwise required by the Issuer of Licences, Municipal Law Enforcement Officer, Police Officer or other duly appointed individual under the provisions of the <i>Highway Traffic Act</i>, R.S.O. 1990, c. H.8 and such valid and current Safety Standards Certificate shall be filed with the Issuer of Licences.</li> <li>3. Every owner of a limousine shall keep and maintain the interior and exterior in good repair and in a clean and sanitary condition at all times.</li> <li>4. Every owner of a limousine shall ensure that the limousine is equipped with a spare usable tire and wheel and a suitable jack for lifting the limousine at all times.</li> <li>5. Every owner and driver shall ensure that a limousine licensed under this Schedule is only used as a limousine and is not used as a taxicab unless otherwise licensed under the provisions of this by-law.</li> <li>6. Where a person holds a valid Limousine Owner licence under this by-law for the current year and where such person certifies that the limousine licensed under this by-law has been removed from service and is being replaced by another vehicle to be operated as a limousine, and upon submission of: <ol style="list-style-type: none"> <li>(a) a duly completed application form, and</li> <li>(b) a valid vehicle safety inspection certificate for the vehicle to be licensed as a limousine, and</li> <li>(c) any other required inspections, approvals or documents as required by the Issuer of Licences, and</li> <li>(d) payment of a \$50.00 administrative fee,</li> </ol> a Limousine Licence may be reissued by the Issuer of Licences for the replacement vehicle. </li> <li>7. No person shall charge a rate less than \$35.00 per hour with a minimum of two (2) hours.</li> <li>8. No person shall permit any limousine to be used for hire in respect of any Limousine Company unless such limousine is licensed under the provisions of this by-law.</li> <li>9. No person shall permit any driver to drive a limousine unless such driver is licensed under the provisions of this by-law to do so.</li> <li>10. The licensee shall ensure that every driver of a limousine shall be familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the Town of Amherstburg and be fluent in the English language.</li> <li>11. The licensee shall ensure that every driver of a limousine is the holder of a valid driver's licence issued to him by the Ministry of Transportation for the Province of Ontario, such licence to be of a sufficient class to authorize the driving of the limousine under the provisions of this By-law, and that such licence is valid at all times when such driver is engaged in driving any limousine.</li> <li>12. Every licensee shall: <ol style="list-style-type: none"> <li>(a) keep an orderly record of all calls answered by limousines owned by him showing date, time, origin, destination, limousine vehicle licence number and the name of the driver. The records shall be retained for a period of 12 months from date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time and may be removed by such Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and retained for any reasonable period of time;</li> <li>(b) submit each limousine owned by him for vehicle safety inspection annually and at any other time as required by the Issuer of Licences, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and shall file with the Issuer of Licences a valid and current Safety Standards Certificate for each limousine owned by him and intended to be used as a limousine as required under the provisions of the <i>Highway Traffic Act</i>, R.S.O. 1990, c. H.8 as amended;</li> <li>(c) ensure that all persons employed by him as a limousine driver are properly licensed under the provisions of this By-law;</li> <li>(d) provide telephone and radio dispatching equipment and facilities maintained in proper working condition and in no case shall utilize a cellular telephone or similar means of communication for</li> </ol> </li> </ol>

	<p>dispatching calls.</p> <ol style="list-style-type: none"><li>13. The licensee shall ensure that any limousine operated by him is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified trip.</li><li>14. No person shall be entitled to recover or receive, or charge any fare, rate, fee or charge from any person or persons from whom he shall have demanded any fare, rate, fee or charge greater or less than those authorized in Section 1(f).</li><li>15. Notwithstanding Section 14, the licensee and a customer may enter into a contract in writing for services to extend for a period of one year or more on runs between fixed points at an agreed tariff, but a duplicate original of such contract must first be filed with the Issuer of Licences.</li></ol>
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**SCHEDULE A-36: OFFICE (GENERAL, BUSINESS, SERVICE)**

<b>Applicable to:</b>	<p>Every place of business that falls under the definition of but not limited to general office, business office and/or service office. Office, General means a building or part of a building or any room or suite of rooms designed, intended or used for the conduct of a profession, occupation or business.</p> <p>Office, Business means a building or part thereof in which the administrative functions of agencies, foundations, brokers, labour or fraternal organizations are carried out.</p> <p>Office, Service means a building, or part thereof, in which one or more persons is employed in the management, direction or conducting of a travel agency, an insurance agency or a real estate agency.</p>
<b>Exemptions:</b>	<p>The requirement to hold an Office (General, Business, Service) licence does not apply to a Veterinarian, Retailing of merchandise, Manufacturing, Repairing or storage of goods or any place of assembly or amusement, Medical/Dental offices, Professional Offices, Financial Institutions.</p>
<b>Reason for Licensing:</b>	<p>Consumer Protection</p>
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every office:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> </ol>

**SCHEDULE A-37: PEDICAB OWNERS/DRIVERS**

<b>Applicable to:</b>	Every owner and every driver of a pedicab used or kept for hire.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every pedicab owner/driver:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by a Police Record Search Certificate provided by the Chief of Police.</li> <li>2. Every owner shall, for each pedicab for which such owner holds a licence, affix and maintain while such pedicab is being used for hire, or while standing available for such use, a plate supplied by the Issuer of Licences and bearing an identifying number, securely affixed to the vehicle, in a position approved by the Issuer of Licences.</li> <li>3. Every driver and every owner shall at all times when operating a pedicab have his or her name, together with a photograph of his or her person, affixed in a place on the pedicab in such a manner as may be approved by the Issuer of Licences or his or her designate so that such name and photograph are plainly visible to and readable by any passenger of the pedicab.</li> <li>4. No owner shall permit any person other than a licensed driver employed or otherwise retained by such owner to operate the pedicab or to make it available for hire.</li> <li>5. Nothing in this section prevents an owner from operating his or her own pedicab.</li> <li>6. Every owner shall, in respect of each pedicab for which a licence is held, obtain, maintain and pay for a liability insurance policy to cover the offering and operating of pedicabs for hire with a limit of not less than \$1,000,000 combined bodily injury, death and property damage, exclusive of costs and interest, for any one accident or occurrence and the Issuer of Licences shall be given 14 days' notice in writing of any cancellation, expiration or suspension of the policy or of any reduction in the amount of coverage under the policy.</li> <li>7. Every owner shall produce for inspection by the Issuer of Licences a copy of such owner's insurance policy whenever an application for, or a renewal of, a licence is made, and the Issuer of Licences shall note the name of the insurer, the amount of coverage and the policy number in the owner's file.</li> <li>8. Every owner shall ensure that the driver of such owner's pedicab carries and every such driver shall carry a certificate or other proof of insurance as provided by the insurer, at all times while the vehicle is hired or available for hire, and will produce for inspection such certificate or other proof of insurance to the Issuer of Licences or a By-law Enforcement Officer upon request.</li> <li>9. No owner or driver shall operate or permit to be operated for hire any pedicab unless it is:             <ol style="list-style-type: none"> <li>(a) Clean as to its exterior;</li> <li>(b) In good repair as to its exterior;</li> <li>(c) Clean as to its interior;</li> <li>(d) In good repair as to its interior; and</li> <li>(e) Free from mechanical defects.</li> </ol> </li> <li>10. No owner shall permit such owner's pedicab to be hired or made available for hire and no driver shall operate such pedicab unless it is equipped with both front and rear reflective devices in good working condition and satisfactory to the Issuer of Licences.</li> <li>11. Where there are reasonable and probable grounds to believe that a pedicab is dangerous or unsafe, the Issuer of Licences may remove the pedicab number plate supplied by the Issuer of Licences and determine whether or not the licence should be suspended, revoked or have conditions placed on it.</li> <li>12. No owner or driver shall permit more than two persons to be passengers in a pedicab at any time without the consent of the Issuer of Licences or his or her designate.</li> <li>13. Notwithstanding Section 11, an owner or driver may permit a third person to be a passenger in a pedicab, provided such person is 12 years of age or younger.</li> <li>14. Every driver of a pedicab shall be properly dressed, neat and clean in his or her person, and be civil and well-behaved whenever the pedicab is hired or made available for hire, and such driver shall not make any loud noise or disturbance.</li> <li>15. No owner or driver shall permit a pedicab to be on a sidewalk or obstruct the roadway while the pedicab is hired or available for hire.</li> <li>16. Every owner shall file with the Issuer of Licences a schedule of all the rates or fares to be charged for the hiring of the pedicab, and such schedule shall be affixed to the pedicab so as to be plainly readable by any passenger in or near the pedicab.</li> <li>17. No owner or driver shall demand or request payment for services other than in accordance with the schedule of rates filed with the Issuer of Licences.</li> <li>18. No owner or driver shall take, consume or have in his or her possession any liquor while he or she is in charge of a pedicab, nor shall the use of liquor by him or her be apparent while he or she is in charge of any such pedicab.</li> </ol>

### SCHEDULE A-38: PET GROOMERS

<b>Applicable to:</b>	Every place of business that attends to the cosmetic care of animals
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection, health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every pet groomer:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. If the Essex County Health Unit finds that the operation and maintenance of a licensed business do not conform with the requirements of the <i>Health Protection and Promotion Act</i> and the Food Premise Regulation, the Issuer of Licences may suspend the licence until the situation has been rectified;</li> <li>3. No person shall allow any pet being accommodated in respect of the pet groomer services, to be kept in any outdoor run, compound or other area.</li> </ol>

## SCHEDULE A-39: PET SHOPS

<b>Applicable to:</b>	Every place of business that sells live animals, including but not limited to birds and reptiles, as household pets.
<b>Exemptions:</b>	The requirement to obtain a Pet Store licence does not apply to: <ol style="list-style-type: none"> <li>1. registered breeders of purebred dogs or cats; or</li> <li>2. persons who carry on a farming business that is a permitted use under the Town zoning by-law that applies to the property.</li> </ol>
<b>Reason for Licensing:</b>	Consumer protection, health and safety
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to every pet store: <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. If the Humane Society finds an animal that is distressed, the Issuer of Licences may suspend or revoke the licence;</li> <li>3. If the Essex County Health Unit finds that the operation and maintenance of a licensed business do not conform with the requirements of the <i>Health Protection and Promotion Act</i> and the Food Premise Regulation, the Issuer of Licences may suspend the licence until the situation has been rectified;</li> <li>4. An animal shall not be sold or offered for sale if the keeping of that animal as a household pet is prohibited by by-law within the Town.</li> </ol>

## SCHEDULE A-40: PETTING ZOOS

<b>Applicable to:</b>	Any business or premises exhibiting a collection of animals in cages or enclosures.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every petting zoo:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town.</li> </ol> </li> <li>2. Every applicant shall provide and maintain a current record of all animals which are kept in such petting zoo.</li> <li>3. Every petting zoo shall maintain and keep all animals within the petting zoo in a clean, well-bedded, and healthy manner and shall ensure that the animals are treated in a humane manner at all times.</li> <li>4. Every licensee shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the general contractor and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 14 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.</li> <li>5. The price of admission if any shall be posted in a conspicuous and prominent location outside the entrance.</li> </ol>

**SCHEDULE A-41: PORTABLE SIGN CONTRACTORS**

<b>Applicable to:</b>	Any person who, from a location inside or outside the municipality, carries on the business of leasing mobile signs in the municipality if the person locates or permits the location of his or her portable signs within the Town of Amherstburg.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to every portable sign contractor: <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations.</li> </ol>

## SCHEDULE A-42: PRODUCE VENDORS

<b>Applicable to:</b>	Any premises, with or without permanent buildings, where fruit and vegetables may be sold.
<b>Exemptions:</b>	<p>The requirement to obtain a Produce Vendor licence does not apply to:</p> <ol style="list-style-type: none"> <li>1. any person operating as a produce vendor within the Town for which all fruit and vegetables sold or offered for sale have been grown on a premises within the Town and who has a Farmer Business Number; or</li> <li>2. Any permanent retail business selling fruit and vegetables in conjunction with regular business sales.</li> </ol>
<b>Reason for Licensing:</b>	Consumer protection, Health and Safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every produce vendor:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. No person shall operate or maintain the business of a produce vendor in contravention of the <i>Highway Traffic Act</i> or the Traffic By-law of the Town;</li> </ol>

**SCHEDULE A-43: PUBLIC HALLS (Class 1)**

<b>Applicable to:</b>	Every business or premise which serves as a public hall and engages in the preparation and supply of food on-site.
<b>Exemptions:</b>	The requirement to obtain a Public Hall (Class 1) licence does not apply to: <ol style="list-style-type: none"> <li>1. Any religious or municipal organization by reason that its hall or building may be solely used for events given or held by it;</li> <li>2. Any premises holding a valid Restaurant licence issued by the Town of Amherstburg.</li> </ol>
<b>Reason for Licensing:</b>	Health and safety, consumer protection
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to every public hall (class 1): <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) A statement giving particulars as to the location, size and construction of the hall as may be required by the Issuer of Licences;</li> <li>(b) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(c) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(d) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(e) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. The Issuer of Licences shall specify on the Public Hall (Class 1) licence, the maximum number of persons who may be in the hall at any time, which number shall be prescribed by the Fire Chief upon inspection.</li> <li>4. Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.</li> <li>5. Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the premises licensed as a public hall.</li> </ol>



### SCHEDULE A-44: PUBLIC HALLS (Class 2)

<b>Applicable to:</b>	Every business or premise which serves as a public hall and requires the preparation and supply of food from an off-site location.
<b>Exemptions:</b>	The requirement to obtain a Public Hall (Class 2) licence does not apply to any religious or municipal organization by reason that its hall or building may be solely used for events given or held by it.
<b>Reason for Licensing:</b>	Health and safety, consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every public hall (class 2):</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) A statement giving particulars as to the location, size and construction of the hall as may be required by the Issuer of Licences;</li> <li>(b) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. The Issuer of Licences shall specify on the Public Hall (Class 2) licence, the maximum number of persons who may be in the hall at any time, which number shall be prescribed by the Fire Chief upon inspection.</li> <li>4. Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.</li> <li>5. Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the premises licensed as a public hall.</li> </ol>

**SCHEDULE A-45: RACE TRACKS**

<b>Applicable to:</b>	Any premises that is primarily used for the racing of animals or any form of motorized vehicles.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection, health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every Race Track:</p> <ol style="list-style-type: none"> <li>1. Each application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> </ol>

**SCHEDULE A-46: REFRESHMENT VEHICLE**

<b>Applicable to:</b>	<p>Every vehicle from which food intended for immediate consumption is sold. For purposes of this by-law, refreshment vehicles are divided into the following classes:</p> <p><b>Class 1:</b> A motorized vehicle, other than a motor assisted bicycle or motorcycle, which seats food that is prepared and cooked on-site, e.g. a chip wagon;</p> <p><b>Class 2:</b> A motorized vehicle, other than a motor assisted bicycle or motorcycle, which sells food that is prepared and cooked off-site, e.g. a catering truck;</p> <p><b>Class 3:</b> A vehicle propelled by muscular power, motor assisted bicycle or motorcycle which sells food that is prepared and cooked on site, e.g. hot dog cart;</p> <p><b>Class 4:</b> A vehicle propelled by muscular power, motor assisted bicycle or motorcycle which sells food that is prepared and cooked off-site, e.g. ice cream truck</p>
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	<ol style="list-style-type: none"> <li>1. No Refreshment Vehicle may operate within 200 metres of a licensed Restaurant or Snack Bar or within 400 metres of another refreshment vehicle.</li> <li>2. In the event of a disagreement, the Issuer of Licences will determine the applicable "class" of a refreshment vehicle.</li> </ol>

**SCHEDULE A-47: RESTAURANTS**

<b>Applicable to:</b>	Any establishment having ten or more seats where refreshments and/or food is prepared, served and/or offered for sale to the public for consumption. Shall include but is not limited to grills, tearooms, dining rooms, and other similar places.
<b>Exemptions:</b>	The requirement to obtain a Restaurant licence does not apply to any premises holding a valid Public Hall (Class 1) licence issued by the Town of Amherstburg.
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every Restaurant:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. The licensee shall not produce, reproduce or amplify nor allow anyone to produce, reproduce or amplify any sound contrary in contravention of the noise control by-law for the Town.</li> <li>4. No outdoor patio shall be established within a parking space or area intended for the parking of vehicles.</li> <li>5. No person shall operate any amusement device or game within any outdoor patio area.</li> <li>6. No person shall allow the consumption of alcoholic beverages within any outdoor patio area unless such area is licensed under the provisions of the Liquor Licensing Act.</li> <li>7. No person shall operate a motorized refreshment vehicle as an extension of a restaurant operation.</li> </ol>

**SCHEDULE A-48: RETAIL STORE**

<b>Applicable to:</b>	Any place of business in which goods, wares, merchandise, articles or things are offered or kept for retail sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, articles or things sufficient only to service such store. Includes but is not limited to clothing stores, jewellery stores, make your own wine stores, make your own beer stores, souvenir stores, hardware stores and automotive parts sales.
<b>Exemptions:</b>	The requirement to obtain a Retail Store licence does not apply to a place of business that holds a valid Business Service Establishment licence, Florist Shop licence, Office (General, Business, Service) licence or pertains to a wholesale business.
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every retail store:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) annual certification of health inspection compliance, as issued by the Medical Officer of Health, if required;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, an in compliance with all the requirements of the Essex County Public Health Division, if required.</li> </ol>

**SCHEDULE A-49: SECOND HAND SHOPS**

<b>Applicable to:</b>	Any premises in which the purchasing, selling, exchanging, or otherwise dealing in second-hand goods is carried on.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every second hand shop:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. Every person of any premises which is operated or maintained for the purpose of Second-hand Goods shall:             <ol style="list-style-type: none"> <li>(a) at all times keep any second-hand goods, wares or merchandise to be sold or offered for sale within any premises and none of the goods, wares or merchandise shall be offered for sale or sold except within such building;</li> <li>(b) ensure that all goods, wares or merchandise sold or offered for sale are displayed and kept in a neat, tidy, sanitary and safe manner;</li> <li>(c) at any time, permit such premises, operated or maintained to be inspected by the Issuer of Licences and/or Police Officer and promptly ensure that any reasonable changes in regard to the operation or conduct of the business are carried out as required by the Issuer of Licences and/or Police Officer;</li> <li>(d) maintain a register of all goods, wares, merchandise or articles purchased or taken in exchange or otherwise obtained, at the licensee's premises. The register entry must be made at the time of purchase or acquisition including a full description of the goods, wares, merchandise or articles including the make, model and serial number, where applicable, the price paid therefore, and the name and address of the person from whom the purchase or acquisition was made;</li> <li>(e) provide a copy of the register referred to in Subsection (d) of this Schedule to the Issuer of Licences and/or Police Officer and shall deliver a copy of the monthly register to the Issuer of Licences at the end of each calendar month. Such register shall be open to inspection by the Issuer of Licences and/or Police Officer during all times during business hours and may be removed at any time by the Issuer of Licences and/or Police Officer for inspection, or use in the Courts, if necessary;</li> <li>(f) maintain all goods, wares, merchandise or articles purchased or taken in exchange or otherwise obtained at the licensee's premises, for a minimum period of thirty (30) days prior to second-hand goods, wares or merchandise being sold or offered for sale.</li> </ol> </li> <li>3. Where the licensee has reasonable cause to believe or suspect that any goods, wares, merchandise or other article offered for sales or trade has been stolen or otherwise unlawfully obtained, he/she shall forthwith report the matter to the Issuer of Licences and/or Police Officer.</li> <li>4. No person operating or maintaining any premises for the purpose of Second-hand Goods shall:             <ol style="list-style-type: none"> <li>(a) directly or indirectly purchase from, exchange with, or receive from or in pledge from any minor, under the age of eighteen (18) years.</li> <li>(b) Alter, repair, dispose of or in any way part with any goods, wares, merchandise or articles purchased or taken in exchange until after the expiration of thirty (30) days, from the date of purchase or such exchange.</li> </ol> </li> </ol>

**SCHEDULE A-50: SNACK BARS**

<b>Applicable to:</b>	Any eating establishment having less than ten seats where food and/or refreshments are prepared for, served or offered for sale to the public for consumption. Shall include but is not limited to concession stands, ice cream parlours, grills and other similar places or premises.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special condition applies to every snack bar:</p> <ol style="list-style-type: none"> <li>1. Every licence shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;</li> <li>(e) proof of liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said licensee and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 14 days prior to such change, including notice of the expiration or cancellation thereof.</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. The licensee shall not produce, reproduce or amplify nor allow anyone to produce, reproduce or amplify any sound contrary in contravention of the noise control by-law for the Town.</li> <li>4. No outdoor patio shall be established within a parking space or area intended for the parking of vehicles.</li> <li>5. No person shall operate any amusement device or game within any outdoor patio area.</li> <li>6. No person shall allow the consumption of alcoholic beverages within any outdoor patio area unless such area is licensed under the provisions of the Liquor Licensing Act.</li> <li>7. No person shall operate a motorized refreshment vehicle as an extension of a snack bar operation.</li> </ol>

**SCHEDULE A-51: SPECIAL EVENT SALES**

<b>Applicable to:</b>	Every person or place of business conducting a special event sale of goods.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every special event sale:</p> <ol style="list-style-type: none"> <li>1. Where the applicant is not the owner of the goods, the applicant shall provide to the Issuer of Licences at the time of application, a statutory declaration of the owner of the goods verifying the details of the said application.</li> <li>2. The applicant shall, produce such books, records, or other documents as the Issuer of Licences shall deem necessary to corroborate any of the statements contained in the application.</li> <li>3. No person shall add to or replenish the goods described in the application or substitute any goods thereof.</li> <li>4. The Issuer of Licences may refuse to issue a licence or may revoke any licence already issued for a special sale if:             <ol style="list-style-type: none"> <li>(a) any attempt is made to add to or replenish the goods described in the application or substitute any goods thereof;</li> <li>(b) the sale is advertised or conducted in a manner other than that described in the application or in any manner calculated to mislead or deceive the public.</li> </ol> </li> <li>5. No licence shall be for a period longer than 30 days.</li> <li>6. Notwithstanding the provisions of Section 5 the licensee shall be entitled to apply for a licence for an additional 30 day period to permit the sale of any remaining goods described in the original application.</li> <li>7. No person shall give, post or advertise notice of special sale without including the number of the licence issued by the Issuer of Licences for such sale.</li> </ol>



**SCHEDULE A-52: SWIMMING POOLS**

<b>Applicable to:</b>	Any premises or location kept as a public swimming pool and operated for gain.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection, health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every swimming pool:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;</li> <li>(d) proof of liability insurance in the minimum amount of \$1,000,000;</li> <li>(e) a Certificate of Inspection from the Essex County District Health Unit.</li> </ol> </li> <li>2. No person shall be licensed to operate or maintain a public swimming pool unless he complies with the following requirements:             <ol style="list-style-type: none"> <li>(a) The licensee shall ensure that every swimming pool is equipped with filtration, recirculation, and continuous chlorination equipment suitable to the requirements of the Essex County District Health Unit.</li> <li>(b) The licensee shall ensure that the floor of every area adjacent to the pool, the dressing rooms and shower/bath rooms is constructed of impervious material.</li> <li>(c) In the case of an indoor pool, the licensee shall ensure that the room containing the pool is ventilated in a manner satisfactory to the Essex County District Health Unit.</li> <li>(d) In the case of an indoor pool, the licensee shall ensure that dressing rooms and other facilities for the effective cleansing of all bathers before entering the pool are provided; and in the case of an outdoor pool, adequate shower facilities for the effective cleansing of all bathers are provided.</li> </ol> </li> <li>3. The licensee shall ensure that adequate sanitary facilities are provided in a location adjacent to dressing rooms or shower/bath rooms.</li> <li>4. The licensee shall ensure that a source of drinking water for patrons consisting of one or more drinking fountains of a design approved by the Medical Officer of Health is provided.</li> <li>5. The licensee shall ensure that duckboards or cocoa matting is not be used in any shower, dressing room or swimming pool room.</li> <li>6. The licensee shall ensure that during the entirety of the bathing period, the water in the pool is reasonably free from algae growths and sufficiently clean.</li> <li>7. The licensee shall not permit any person to use the pool unless such person shall have first effectively used the facilities for cleansing the person.</li> <li>8. The licensee shall ensure that a properly qualified swimming supervisor, and a responsible and trained pool operator are in attendance at the pool during the entirety of every bathing period and such pool shall not be used in the absence of a supervisor or operator.</li> <li>9. No person shall admit or allow to be permitted any patron who has knowingly been exposed to or is suffering from any communicable disease including any communicable skin disease unless such patron has obtained permission to use the premise from the proper authorities.</li> <li>10. The licensee shall ensure the orderly conduct of all patrons at all times when on the premise.</li> </ol>

**SCHEDULE A-53: TATTOO PARLOURS**

<b>Applicable to:</b>	Every business or premises where the skin of an individual is marked by puncturing it and inserting a pigment or pigments to make permanent marks or designs.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection, health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to all tattoo parlours:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;</li> <li>(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;</li> </ol> </li> <li>2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.</li> <li>3. No person shall dispose of any needle or other similar piercing instrument, item or tool in an unsafe manner.</li> <li>4. No person shall provide tattoo services to any person who is known to suffer from a contagious disease.</li> </ol>

**SCHEDULE A-54: TAXI CAB BROKER**

<b>Applicable to:</b>	Every person who works as a taxi cab broker.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every taxicab broker:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied: <ol style="list-style-type: none"> <li>(a) by three photographs of the applicant, one to be attached to the taxicab broker's licence, one for the file of the Clerk and one for the Chief of Police.</li> <li>(b) a Police Record Search Certificate provided by the Chief of Police</li> </ol> </li> <li>2. The Clerk shall refer each application for a taxicab broker's licence to the Chief of Police and to such other persons as he deems advisable for comment, and then shall refer such application, the comments received, and the results of the examination taken by the applicant to Council for action.</li> </ol>

**SCHEDULE A-55: TAXI CAB DRIVER**

<b>Applicable to:</b>	Every person who works as a taxi cab driver for a licensed taxi cab owner.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every taxicab driver:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) Three photographs of the applicant, one to be attached to the taxicab driver's licence, one for the file of the Clerk and one for the Chief of Police;</li> <li>(b) A Police Record Search Certificate provided by the Chief of Police;</li> <li>(c) Proof of achievement of a mark of at least 66% on a written examination as to knowledge of this by-law, the operation of a taxicab, and the geography of the Town and of the County of Essex.</li> </ol> </li> <li>2. The Clerk shall refer each application for a taxicab driver's licence to the Chief of Police and to such other persons as he deems advisable for comment, and then shall refer such application, the comments received, and the results of the examination taken by the applicant to Council for action.</li> <li>3. The rates or fares to be charged by the owners or drivers of taxicabs either wholly within the Town or to any other point not more than 5 kilometres beyond its limits, shall be exactly as outlined below, and no higher or lower amount than that contained in such schedule shall be charged or payable. The taxicab driver's licence and a card not less than six inches by nine inches (6" X 9"), showing the said tariff rates shall be displayed and kept in the taxicab in a position fully visible to any passenger.</li> <li>4. When operating on a meter basis, the rates of the fare charged shall be exactly as shown by the taximeter, together with any additional charges as outlined below.</li> <li>5. No owner or driver licensed under this by-law shall publish or use a tariff, or demand or receive rates and charges other than those authorized by this by-law, whether such rates and charges are determined by distance or by time.</li> <li>6. No person employing any taxicab shall refuse, upon demand, to pay the fare or charge authorized by this by-law, but he may require the driver thereof to furnish him with a receipt for charges made and paid which shall include the mileage travelled and the name and licence number of such driver.</li> <li>7. Every licensed person operating a taxicab shall be permitted to operate on an hourly basis at the request of a passenger, and then only at the rate as outlined below.</li> <li>8. The tariff or rates herein authorized shall be computed from the time or place when or at which the passenger or passengers first enter the taxicab to the time or place when the taxicab or at which the passenger or passengers finally discharge the taxicab, but this section shall not prevent a proper charge for waiting time as outlined below.</li> <li>9. Any licensed person operating a taxicab may carry two or more passengers from a common starting point to two or more destinations, or from two or more starting points to a common destination, but in such case the fares to be charged for such a trip shall be reckoned as if each stop made for the purpose of taking on or discharging one of more passengers were the end of one trip, and the taximeter shall be cleared and reset after each such stop. Whenever two or more passengers are discharged at the same place, only the fare authorized by this bylaw shall be charged, and if such passengers are strangers, the driver shall collect from each his proportionate share of the fare payable.</li> <li>10. Every licensed taxicab driver shall:             <ol style="list-style-type: none"> <li>(a) keep both the interior and exterior of such taxicab clean, dry and in good repair;</li> <li>(b) be properly dressed, neat and clean in his person, and at all times civil and respectful to their passengers and the general public while on duty. No such driver while in charge of any taxicab shall take, consume or have in possession any intoxicating liquor, as defined in the Liquor Licence Act of Ontario, or any illegal drugs by him be apparent, nor shall he smoke while driving any passenger;</li> <li>(c) take due care of all property delivered or entrusted to him for conveyance or safekeeping. Every driver of a taxicab, immediately upon termination of any hiring or engagement shall carefully search his taxicab for any property lost or left therein, and all property or money left in his taxicab shall be forthwith delivered over to the person owning the same, or if the owner cannot at once be found, then to the nearest police station with all information in his possession regarding the same;</li> <li>(d) drive the taxicab operated by him by the most direct travelled route to the point of destination, unless otherwise desired by the passenger.</li> </ol> </li> <li>11. No licensed taxicab driver shall:             <ol style="list-style-type: none"> <li>(a) without reasonable excuse, refuse to serve the first person requiring the service of his taxicab at any place within the Town at any specified time by day or night, and if he placed some previous engagement he shall, upon demand, give the name and address of the person to whom he is so engaged, together with the time and place of such engagement; Provided however, he shall not be compelled to accept any order from a person who owes him for a previous fare or service, unless and until the same be paid. "Reasonable excuse" under this provision may be that the owner or driver generally limits his hours of operation – e.g. from 8:00 a.m. to 5:00 p.m. – and has advised the Chief of Police of such business hours.</li> <li>(b) induce any person to employ him by knowingly misleading or deceiving such person in any way.</li> </ol> </li> </ol>

	<p>(c) make any charge under this by-law for time lost through defects travelled or inefficiency of the taxicab in response to a call in advance of the time such taxicab has been requested by the person calling same.</p> <p>(d) carry or permit to be carried in any taxicab used for hire a greater number of occupants than the manufacturer's rating or seating capacity for such taxicab, inclusive of the driver.</p>
<p><b>Tariff of Charges:</b></p>	<p><u>TAXICABS BY DISTANCE</u>  For one or more passengers:</p> <ol style="list-style-type: none"> <li>1. Meter Throw, for the first one fifteenth of a mile or fraction thereof ..... \$2.95</li> <li>2. For each additional one tenth of a mile or fraction thereof .....\$0.15</li> <li>3. For waiting time under engagement, for each one minute .....\$0.22</li> <li>4. For each trunk (steamer size or smaller) not less than \$0.25 or more than \$0.50</li> </ol> <p><u>TAXICABS BY THE HOUR</u>  For the first hour or any part thereof, and thereafter at the same rate per hour for the time actually under hire .....\$25.00</p>

**SCHEDULE A-56: TAXI CAB OWNER**

<b>Applicable to:</b>	Every person who owns a taxi cab and provides taxi cab services for a fee to the community
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special condition applies to every Taxicab Owner:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) Evidence of ownership of such taxicab by the applicant;</li> <li>(b) Evidence of insurance coverage in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the taxicab owner and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any changes in the policy 14 days prior to such change, including notice of the expiration or cancellation thereof;</li> <li>(c) A Safety Standards Certificate;</li> <li>(d) a Police Record Search Certificate provided by the Chief of Police for the owner where the owner is an individual, each partner where the owner is a partnership and for each director of the partnership where the owner is a corporation;</li> </ol> </li> <li>2. The Clerk shall refer each application for an owner's licence to the Chief of Police, and to such other persons as he deems advisable, for comment, and then shall refer such application and the comments received to Council for action.</li> <li>3. Every owner of more than one taxicab required to be licensed under this by-law shall apply for and obtain a separate owner's licence for each such taxicab.</li> <li>4. No owner's licence issued under the provisions of this by-law shall be transferable, but the owner of any taxicab desiring to obtain an owner's licence for any new vehicle in substitution for a vehicle duly licensed hereunder shall make an application in writing for such exchange to the Clerk, giving a full description of the taxicab intended to be retired from service, and a full description of the taxicab to be placed in service in substitution therefore, and the Clerk, on receipt of such application, and of the other required material, may permit the substitution of the said new vehicle upon payment of a transfer fee in the sum of twenty-five dollars (\$25.00). In the balance of the current year in respect of each such new or substituted vehicle, and the original owner's licence shall be deemed to be revoked.</li> <li>5. Every holder of an owner's licence issued under this schedule shall have affixed to each taxicab in respect of which an owner's licence has been issued, a taxi meter for registering distances travelled and computing fares to be paid.</li> <li>6. It shall be the duty of the Chief of Police at frequent intervals throughout the year to cause to be made a careful inspection of all taxi-meters in use on taxicabs, and to have the same sealed or take such other precautions as he may deem necessary to prevent interference or tampering with the said meters or their registrations.</li> <li>7. Every taxicab shall have a seating capacity of no less than four or more than seven persons exclusive of the driver. Each vehicle will be equipped with three or more doors for passengers.</li> <li>8. Every owner shall submit the taxicab for examination by a certified mechanic duly licensed by the Province of Ontario before an owner's licence is issued therefore. Before the renewal of the owner's licence, the owner shall submit a certificate of mechanical fitness therefore, issued within the preceding 12 months.</li> <li>9. Whenever any taxicab is involved in any accident which affects the safe operation of a taxicab, whether within or outside the limits of the Town of Amherstburg, the owner of such taxicab shall immediately submit a written report of such accident to the Issuer of Licences and Chief of Police.</li> <li>10. Every licensee will indemnify and save harmless the Corporation of the Town of Amherstburg from any and all demands made against it by reasons of the operation of any taxicab, motor or other vehicle.</li> <li>11.             <ol style="list-style-type: none"> <li>(a) No owner of any taxicab required to be licensed under this by-law shall allow the same to be operated or driven as a taxicab for hire by any person other than the holder of a valid taxicab driver's licence under the provisions of this by-law.</li> <li>(b) No person, whether a holder of a taxicab driver's licence or not, shall drive or operate a taxicab for hire within the Town of Amherstburg unless the owner of such taxicab holds a valid owner's licence for the use of such taxicab for hire under the provisions of this bylaw.</li> <li>(c) The Town will limit the number of TAXI CAB OWNER LICENCES to 1 for each 5,000 population.</li> </ol> </li> <li>12. When any owner of a taxicab employs a driver, he shall, within two days thereafter, notify the Chief of Police in writing that he has employed such driver, giving such driver's full name and address. When the employment of a driver is terminated, the owner of the taxicab shall within two days thereafter notify the Chief of Police in writing of such termination.</li> <li>13. The rates or fares to be charged by the owners or drivers of taxicabs either wholly within the Town or to any other point not more than 5 kilometres beyond its limits, shall be exactly as outlined below, and no higher or lower amount than that contained in such schedule shall be charged or payable. The taxicab driver's licence and a card not less than six inches by nine inches (6" X 9"), showing the said tariff rates shall be displayed and kept in the taxicab in a position fully visible to any passenger.</li> <li>14. When operating on a meter basis, the rates of the fare charged shall be exactly as shown by the taximeter, together with any additional charges as outlined below.</li> </ol>

	<p>15. No owner licensed under this by-law shall publish or use a tariff, or demand or receive rates and charges other than those authorized by this by-law, whether such rates and charges are determined by distance or by time.</p> <p>16. Every licensed taxicab owner shall:</p> <p>(a) keep both the interior and exterior of such taxicab clean, dry and in good repair, and whenever the owner of any such taxicab received notice, given either to him or his driver, signed by the Chief of Police or his designate, stating that such taxicab is not in a fit or proper condition for use and setting forth briefly the items complained of, such owner shall within the time set forth in such notice, put the same in a fit and proper condition.</p> <p>(b) shall take due care of all property delivered or entrusted to him for conveyance or safekeeping. Every driver of a taxicab, immediately upon termination of any hiring or engagement shall carefully search his taxicab for any property lost or left therein, and all property or money left in his taxicab shall be forthwith delivered over to the person owning the same, or if the owner cannot at once be found, then to the nearest police station with all information in his possession regarding the same.</p> <p>17. No licensed owner shall:</p> <p>(a) induce any person to employ him by knowingly misleading or deceiving such person in any way.</p> <p>(b) make any charge under this by-law for time lost through defects travelled or inefficiency of the taxicab in response to a call in advance of the time such taxicab has been requested by the person calling same.</p>
<p><b>Tariff of Charges:</b></p>	<p><u>TAXICABS BY DISTANCE</u></p> <p>For one or more passengers:</p> <p>1. Meter Throw, for the first one fifteenth of a mile or fraction thereof ..... \$2.95</p> <p>2. For each additional one tenth of a mile or fraction thereof .....\$0.15</p> <p>3. For waiting time under engagement, for each one minute .....\$0.22</p> <p>4. For each trunk (steamer size or smaller) not less than \$0.25 or more than \$0.50</p> <p><u>TAXICABS BY THE HOUR</u></p> <p>For the first hour or any part thereof, and thereafter at the same rate per hour for the time actually under hire .....\$25.00</p>

**SCHEDULE A-57: THEATRES**

<b>Applicable to:</b>	Every place of business where theatrical performances, concerts, and other types of entertainment are held, including movie theatres and drive-in theatres.
<b>Exemptions:</b>	The requirement to obtain a Theatre Licence does not apply to a theatre that is operated by a municipality, university, college, community college, school, or charitable organization.
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every theatre:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by: <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;</li> </ol> </li> <li>2. The operation of every theatre to which the <i>Theatres Act</i> applies shall conform with the provisions of that Act.</li> <li>3. Every theatre which has a valid licence under the <i>Theatres Act</i> is entitled to a licence under this by-law.</li> </ol>



**SCHEDULE A-58: TRADE SHOWS**

<b>Applicable to:</b>	Any business which co-ordinates a show or similar exhibition of five or more vendors or businesses exhibiting, offering for sale, selling or otherwise displaying for delivery at a later date, goods, wares, merchandise, items, or services of a similar nature and where the vendors or businesses will be organized at a specific location for a period not to exceed fourteen consecutive days.
<b>Exemptions:</b>	None
<b>Reason for Licensing:</b>	Consumer protection
<b>Special Conditions:</b>	<p>In addition to the general provisions set out in this by-law, the following special conditions apply to every trade show:</p> <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) a list of all vendors to be on the licensed premise and such list shall include the business name of the vendor, the vendor's own name, a contact name, mailing address and telephone number.</li> </ol> </li> <li>2. Every person shall ensure that no vendor is permitted to operate at a Trade Show unless such vendor is identified on the listing as provided to the Issuer of Licences at the time of application.</li> <li>3. Every person shall ensure that no vendor operates within any exit, corridor or public access way and shall not, in any way, impede the ingress or egress of the trade show or any stall.</li> <li>4. Every operator shall ensure that any vehicle operated in relation to any Trade Show is not left parked, standing or otherwise stopped contrary to any Town by-law.</li> <li>5. No person shall operate a petting zoo in conjunction with any Trade Show unless such petting zoo is licensed under the provisions of this By-law.</li> </ol>

**SCHEDULE A-59: WRECKING YARDS**

<b>Applicable to:</b>	Every place of business where used motor vehicle parts or Derelict motor vehicle(s) are kept outside of a building.
<b>Exemptions:</b>	The requirement to obtain a Wrecking Yard licence does not apply to: <ol style="list-style-type: none"> <li>1. The premises of licensed automobile body repair business.</li> <li>2. Land upon which is a waste disposal site which has a certificate of approval for such purposes under the Environmental Protection Act, R.S.O. 1990, c.E. 19, as amended.</li> </ol>
<b>Reason for Licensing:</b>	Health and safety
<b>Special Conditions:</b>	In addition to the general provisions set out in this by-law, the following special conditions apply to every wrecking yard: <ol style="list-style-type: none"> <li>1. Every application shall be accompanied by:             <ol style="list-style-type: none"> <li>(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;</li> <li>(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;</li> <li>(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.</li> </ol> </li> <li>2. The applicant shall file with the Issuer of Licences, unless the application is for a renewal licence, a site or plot plan, or plan of survey showing the location and layout of the automobile wrecking yard indicating street lines and other boundaries of the property and including approval from the Zoning Administrator indicating that the premises is in compliance with all the zoning/planning regulations.</li> <li>3. The applicant for a Wrecking Yard Licence shall be the owner or his/her authorized agent of the property on which the wrecking yard is to operate.</li> </ol>

2009 LICENCE FEES Initial Application	Preparation	Administration	Inspections				Enforcement	Overhead	Technology / Office Expense	TOTAL
			Zoning review & Approval	Building inspection & report	Police inspection & report *	Fire inspection & report				
MOBILE										
Auctioneers	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Carnivals/Fairs/Midways	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Circuses	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Concerts	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Driving Schools	\$7.43	\$36.67	\$21.60	\$50.00			\$78.00	\$5.48	\$5.26	\$204.44
Festivals	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Flea Markets	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Hawkers and Peddlers	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Horse Drawn Carriage Owners/Drivers	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Limousine Driver	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Limousine Owner	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Pedicab Owners/Drivers	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Petting Zoos	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Portable Sign Contractors	\$7.43	\$36.67	\$21.60				\$78.00	\$5.48	\$5.26	\$154.44
Produce vendors	\$7.43	\$36.67	\$21.60	\$50.00			\$78.00	\$5.48	\$5.26	\$204.44
Refreshment Vehicle (Class 1)	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Refreshment Vehicle (Class 2)	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Refreshment Vehicle (Class 3)	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Refreshment Vehicle (Class 4)	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Second Hand shops	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Special Event Sales	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Taxicab Broker	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Taxicab Driver	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Taxicab Owner	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Trade Shows	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
STATIONARY										
Amusement Arcades	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Automobile body repair shops	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Barbershops	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Beauty Salons	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Bed and Breakfasts	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44

\* Please note if a Police Inspection, report are required this fee will be paid directly to the Police Service

Schedule "B"

2009 LICENCE FEES Initial Application	Preparation	Administration	Inspections				Enforcement	Overhead	Technology / Office Expense	TOTAL
			Zoning review & Approval	Building inspection & report	Police inspection & report *	Fire inspection & report				
Bingo Halls	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Boarding/Lodging/Rooming Houses	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Body piercing parlours	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Bowling Alleys	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Business Service Establishment	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Campgrounds/Trailer Parks	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Caterers	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Dry Cleaners/laundry	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Florist Shop	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Food shops	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Gas Stations	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Hotel/Motels	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Indoor Recreational Establishments	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Office (General, Business, Service)	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Pet Groomers	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Pet Shops	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Public Halls (Class 1)	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Public Halls (Class 2)	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Race Tracks	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Restaurants	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Retail Store	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Snack Bars	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Swimming pools	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Tattoo parlours	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Theatres	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Wrecking Yards	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
ADULT										
Adult Book/Magazine sales	\$7.43	\$36.67	\$21.60				\$78.00	\$5.48	\$5.26	\$154.44
Adult Entertainment Attendants	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Adult Entertainment Parlours	\$7.43	\$36.67	\$21.60	\$50.00	\$0.00	\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Adult Merchandise sales	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44
Adult Videotape Sales/Rentals	\$7.43	\$36.67	\$21.60	\$50.00		\$50.00	\$78.00	\$5.48	\$5.26	\$254.44

\* Please note if a Police Inspection, report are required this fee will be paid directly to the Police Service

**2009 LICENCE FEES  
Renewal Application**

	Preparation	Administration	Inspections				Enforcement	Overhead	Technology / Office Expense	TOTAL
			Zoning review & Approval	Building inspection & report	Police inspection & report *	Fire inspection & report				
MOBILE										
Auctioneers	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Carnivals/Fairs/Midways	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Circuses	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Concerts	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Festivals	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Flea Markets	\$7.43	\$36.67	\$21.60			\$50.00	\$78.00	\$5.48	\$5.26	\$204.44
Hawkers and Peddlers	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Limousine Driver	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Limousine Owner	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Pedicab Owners/Drivers	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Produce vendors	\$7.43	\$36.67	\$21.60				\$78.00	\$5.48	\$5.26	\$154.44
Refreshment Vehicle (Class 1)	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Refreshment Vehicle (Class 2)	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Refreshment Vehicle (Class 3)	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Refreshment Vehicle (Class 4)	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Special Event Sales	\$7.43	\$36.67					\$78.00	\$5.48	\$5.26	\$132.84
Taxicab Broker	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Taxicab Driver	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84
Taxicab Owner	\$7.43	\$36.67			\$0.00		\$78.00	\$5.48	\$5.26	\$132.84

\* Please note if a Police Inspection, report are required this fee will be paid directly to the Police Service

**THE CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2025-029**

**By-law to Confirm the Proceedings of the Council  
of the Corporation of the Town of Amherstburg**

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**WHEREAS** pursuant to Section 5(1) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, the powers of a municipality shall be exercised by its Council;

**WHEREAS** pursuant to Section 5(3) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, shall be exercised by By-law unless the municipality is specifically authorized to do otherwise;

**WHEREAS** it is deemed expedient that a By-law be passed to authorize the execution of agreements and other documents and that the Proceedings of the Council of the Corporation of the Town of Amherstburg at its meeting be confirmed and adopted by By-law; and,

**NOW THEREFORE** the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

1. THAT the action(s) of the Council of the Corporation of the Town of Amherstburg in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all actions passed and taken by the Council of the Corporation of the Town of Amherstburg, documents and transactions entered into during the March 27, 2025 and April 14, 2025 meetings of Council, are hereby adopted and confirmed, as if the same were expressly contained in this By-law;
2. THAT the Mayor and proper officials of the Corporation of the Town of Amherstburg are hereby authorized and directed to do all things necessary to give effect to the action(s) of the Council of the Corporation of the Town of Amherstburg during the said meetings referred to in paragraph 1 of this By-law;
3. THAT the Mayor and Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of the Corporation of the Town of Amherstburg to all documents referred to in said paragraph 1.

Read a first, second and third time and finally passed this 14<sup>th</sup> day of April, 2025.

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MAYOR – MICHAEL PRUE

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CLERK – KEVIN FOX