

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NUMBER 2020-006

By-law to amend By-law 2009-44

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

WHEREAS the Council of the Corporation of the Town of Amherstburg hereby deems it expedient to amend By-law 2009-44, being a By-law for licensing, regulating and governing businesses in the Town of Amherstburg.

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

1. By-law 2009-44 is hereby amended as attached.

Read a first, second and third time and finally passed this 27th day of January, 2020.

MAYOR – Aldo DiCarlo

CLERK – Paula Parker

SCHEDULE A-46: REFRESHMENT VEHICLE

Applicable to:	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: Class 1: A motorized vehicle, other than a motor assisted bicycle or motorcycle, which sells food that is prepared and cooked on-site, e.g. a chip wagon; Class 2: 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; Class 3: 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; Class 4: 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 cart.
Exemptions:	None
Reason for Licensing:	Health and safety
Special Conditions:	No Refreshment Vehicle may operate within 200 metres of a licensed Restaurant or Snack Bar or within 400 metres of another refreshment vehicle. <ol style="list-style-type: none">Every application shall be accompanied by:<ol style="list-style-type: none">Certification of health inspection compliance, as issued by the Medical Officer of Health;Certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;Field Approval issued by Technical Standards and Safety Authority (TSSA) where required;All Refreshment Vehicles shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Windsor Essex County Health Unit;The Refreshment Vehicle and immediate surrounding location shall be kept in a clean and sanitary condition at all times;No Person shall operate a Refreshment Vehicle on property owned or managed by the Town, unless the Refreshment Vehicle has been awarded the rights to operate at that location by the Town.No Person shall operate a Refreshment Vehicle between the hours of 11:00 p.m. and 7:00 a.m.No Person shall operate a Refreshment Vehicle in a Residential Zone;No Person shall operate a Refreshment Vehicle from a location unless the Licensee has obtained the land owner or property manager's permission;No Person shall operate a Refreshment Vehicle at a Public Event or within 100 meters of the Public Event unless the event organizer has approved the Refreshment Vehicle as a vendor at the Public Event;All Refreshment Vehicles must adhere to applicable setbacks pursuant to the Ontario Building Code and Fire Protection and Prevention Act as approved by the Fire Chief and Chief Building Official;No Person shall operate a Refreshment Vehicle on a Highway, unless the Town or other applicable authority has authorized a portion of the Highway for that purpose;No Person shall operate a Refreshment Vehicle within 10 metres of an intersection;No Person shall operate within 3 metres of the vehicular entrance to the property or in any location which would obstruct the flow of vehicle traffic;No Person shall operate a Refreshment Vehicle that uses any amplification of sound that is contrary to the Town's Noise Control By-law as may be amended from time to time;In the event of a disagreement, the Issuer of Licences will determine the applicable "class" of a refreshment vehicle. Section 1-14 of Schedule -46 (Added By-law 2020-006, January 27, 2020)

(Amended By-law 2020-006, January 27, 2020)