



THE CORPORATION OF THE CITY OF THUNDER BAY

BY-LAW NUMBER 163-2005

A By-law pursuant to Section 150 of the *Municipal Act, 2001* to provide for the Licensing and Regulation of Refreshment Vehicles for health and safety reasons in the City of Thunder Bay, in the District of Thunder Bay.

Recitals

1. The *Municipal Act, 2001* authorizes Council to license and regulate a variety of businesses and events.
2. The authority in the *Municipal Act, 2001* includes: the power to issue Licenses on condition, revoke Licenses, suspend Licenses, to regulate or govern the place used in the carrying on of business, and many other matters.
3. Council considers it appropriate to license Refreshment Vehicles. From a consumer protection control standpoint, licensing enables Police background checks on certain Operators. From a health and safety standpoint, licensing enables regular inspections to facilitate compliance with all required health and fire regulations, and also allows control measures to be implemented to avoid the hindering of vehicle or pedestrian traffic.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

ARTICLE 1.00: INTERPRETATION

1.01 **Definitions**

Wherever a term set out below appears in the text of this By-law with its initial letter capitalized, the term is intended to have the meaning set out for it in this Section 1.01. Wherever a term below appears in the text of this By-law in regular case, it is intended to have the meaning ordinarily attributed to it in the English language.

- (a) “**Applicant**” means the person making application for a License, or renewal of a License to Operate a Refreshment Vehicle in Thunder Bay.
- (b) “**Business**” means the sale of Food and Drink for immediate consumption from a Refreshment Vehicle.
- (c) “**By-law**” means this By-law, as it may be amended from time to time unless another By-law is expressly referenced by name or number. The Recitals to, and the Schedules attached to this By-law are considered integral parts of it.

- (d) “**Chief Building Official**” means the person within the City’s administration who fulfills the function of the chief building official as required by the *Ontario Building Code Act, 1992*, or his or her designate.
- (e) “**City**” means The Corporation of the City of Thunder Bay.
- (f) “**Committee**” means the committee of Council to which Council has delegated the responsibility of handling Licensing matters. Where there has been no delegation, the term refers to the Committee of the Whole.
- (g) “**Council**” means the elected municipal council for the City.
- (h) “**Fire Chief**” means the person within the City’s administration who fulfills the function of the fire chief as required by the *Fire Protection and Prevention Act*, or his or her designate.
- (i) “**Food and Drink**” includes any kind of food, refreshment, alcoholic or non-alcoholic beverage and any other commodity intended for human consumption. Notwithstanding the use of the word ‘and’, the defined term includes either or both food and drink.
- (j) “**Health Unit**” means the Thunder Bay District Health Unit.
- (k) “**Highway**” means a common and public highway and includes any bridge, trestle, viaduct, sidewalk, boulevard or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway.
- (l) “**License**” means a License to Operate a Business issued pursuant to this By-law.
- (m) “**Licensee**” means the holder of a License.
- (n) “**Manager**” means the Manager of the Licensing & Enforcement Division of the Development Services Department for the City. The term also includes his or her designate.
- (o) “**Medical Officer of Health**” means the Medical Officer of Health of the Health Unit. The term also includes his or her designate.
- (p) “**Municipal Law Enforcement Officer**” means a Police Officer, law enforcement officer or a person duly appointed within the City’s administration to enforce the by-laws of the City.

- (q) **“Not for Profit Organization”** means an organization, which is either (a) created primarily for a charitable object or purpose in Ontario, (b) is operated not for profit, (c) a registered charity as described in Subsection 248(1) of the *Income Tax Act* (Canada).
- (r) **“Nuisance Related Legislation”** means any City by-law or Provincial legislation which regulates activity in order to protect people from things considered to be nuisances. For example, the City’s Noise Prohibition By-law regulates noise emission in order to strike a balance between enjoyment of property and reasonable sound associated with urban living.
- (s) **“Operator”** is a person who has care and control of a Business at any given point in time. The term includes any one or more of the following persons:
- (i) the Owner of a location from which a Business is conducted;
 - (ii) the Operator of a Business;
 - (iii) the occupier of a location from which a Business is conducted;
 - (iv) one who assists or acts on behalf of the Owner or occupier of a location from which a Business is conducted, including a manager or supervisor;
 - (v) one who has the care or management of a location from which a Business is conducted; or
 - (vi) a Licensee.
- The terms **“Operate”**, **“Operation”** and words of like import or intent have corresponding meanings.
- (t) **“Owner”** is a Person with legal title to real or personal property. The terms **“Own”**, **“Ownership”**, and words of like import or intent have corresponding meanings.
- (u) **“Photo I.D.”** means valid photographic identification, issued by the government of Canada or a Province. Examples include: driver’s licenses, health cards, status cards, or passports.
- (v) **“Police”** means the Thunder Bay Police Service.
- (w) **“Refreshment Vehicle”** means any vehicle or device from which Food and Drink is sold for consumption by the public. The term includes, carts, wagons, trailers and trucks, irrespective of the type of power required to move the vehicle or device from one point to another. The different types of Refreshment Vehicles licensed by the City are:

- (i) Chip Trucks (which are Refreshment Vehicles that are relatively stationary, and vend food stuffs from not more than two locations in any one day);
 - (ii) Hot Dog Carts (which are smaller Refreshment Vehicles that contain bar-be-que or other cooking facilities for preparing sausages, frankfurters and/or similar hand-held sandwiches served hot and prepared at the Refreshment Vehicle);
 - (iii) Ice Cream Carts/Trucks (which are Refreshment Vehicles that store only frozen products such as ice cream bars and popsicles);
 - (iv) Popcorn Carts (which are Refreshment Vehicles that store only popcorn, peanuts, and/or chestnuts with or without beverages); and
 - (v) Other Refreshment Vehicles (which are any Refreshment Vehicles or devices which do not meet the definitions in (1) through (4) above), such as: barbeques, or any other devices with an artificial heat source.
- (x) **"Thunder Bay"** means the geographic area under the jurisdiction of the City.
 - (y) **"Waste"** includes discarded: food, disposable eating utensils, paper, wood, cardboard, plastic, glass or metal products, any of which were used in the Business prior to being discarded.

1.02 **Legislation, By-laws**

Each reference to Provincial legislation in this By-law, is printed in Italic font and, unless otherwise specified, is a reference to the Revised Statutes of Ontario, 1990 edition, and, in every case, includes all applicable amendments to the legislation, including successor legislation. Each reference to another by-law in this By-law, unless otherwise specified, is a reference to a By-law of the Corporation, and, in every case, includes all applicable amendments to this By-law, including successor by-laws.

1.03 **Construing this By-law**

The captions, article and section names and numbers appearing in this By-law are for convenience of reference only and have no effect on its interpretation. This By-law is to be read with all changes of gender or number required by the context. The words **"include"**, **"includes"**, **"including"** and **"included"** are not to be interpreted as restricting or modifying the words or phrases which precede them.

1.04 **Severability**

If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered to be severed from the balance of the By-law, which will continue to operate in full force.

ARTICLE 2.00: ADMINISTRATION OF THIS BY-LAW

2.01 **Administration of By-law**

Unless otherwise indicated, the administration of this By-law is assigned to the Manager, who may delegate the performance of his or her functions under this By-law from time to time as occasion requires.

2.02 **Application**

Applications for all Licenses under the provisions of this By-law:

- (a) shall be made to the office of the Licensing & Enforcement Division of the Development Services Department of the City, on forms to be provided;
- (b) when received by the Licensing & Enforcement Division office, will be stamped with the date of receipt and processed in the order in which they are received; and
- (c) must be finalized unless a hearing before the Committee is pending within thirty (30) days of the date referenced in (b).

2.03 **Application Information Required**

Every Applicant shall provide in full, at the time the application is submitted, all of the information requested on the application form as well as:

- (a) payment of the prescribed License fee as set out in By-law Number 297-2002;
- (b) proof that the Refreshment Vehicle holds all required current Provincial Licenses applicable to that vehicle type;
- (c) Where propane fueled appliances are located on the Refreshment Vehicle, a Propane Fitter's Certificate certified within the current year of application indicating compliance with the provisions of the Ontario Propane Storage and Utilization Code;
- (d) Where the Operator uses the Refreshment Vehicle to sell Food & Drink from place to place, a Police background check;

- (e) Where the Refreshment Vehicle is over one hundred eighty (180) kilograms in weight (fully equipped excluding Food and Drink items for sale), a Safety Standards Certificate issued by a certified Class “A” or Class “B” mechanic in Ontario dated not more than thirty-six (36) days prior to the issuance or renewal of a License;
- (f) written permission from the Owner or occupant of the property upon which the Refreshment Vehicle will be Operated;
- (g) Where electricity is used to power the cooking facilities, an Electrical Safety Authority certificate indicating compliance with the Authority;
- (h) Photo I.D. for every Owner and Operator of the Refreshment Vehicle;
 - (i) An original or certified copy of a current valid insurance policy or certificate to include the following:
 - (ii) a description of the coverage, policy number, effective date, expiry date, limits of liability and details of the Refreshment Vehicle covered;
 - (iii) an insurance amount not less than two million (\$2,000,000.00) dollars exclusive of interest and costs for each Refreshment Vehicle to include:
 - (1) loss or damage resulting from illness, injury or death of one or more persons from any act or omission by the Operator of the Refreshment Vehicle; and,
 - (2) loss or damage resulting from bodily injury to or death of one or more persons or from loss or damage to property resulting from any accident; and,
 - (3) no right or ability to cancel the insurance policy without fifteen (15) day’s prior written notice to the Manager of any cancellation.
 - (4) any other document or information as may be required in any other part of this By-law.

2.04 **License Fee**

The fee for obtaining a License shall be as set out in By-law Number 297-2002. No fee is refundable except in the event that a License is revoked by reason of municipal staff error. In that case the Licensee is entitled to a full refund

2.05 **Application Subject to Approval**

Every Refreshment Vehicle for which the License is issued will authorize the operation of the Business and is subject to investigation and approvals from the Health Unit, the City's Fire Services Department and the Licensing & Enforcement Division of the City's Development Services Department.

2.06 **License Surrender**

A Licensee may at any time surrender a License. Surrender of a License does not entitle the Licensee to a refund of all or any portion of the License fee paid.

2.07 **Transfer Prohibited**

Every License, at all times, is owned by and is the property of the City and is valid only in respect of the Refreshment Vehicle named in the License. No License may be sold, purchased, leased, mortgaged, charged, encumbered or assigned.

2.08 **Circulation Requirement**

Before issuance of a License the Applicant shall circulate the application to those persons or agencies as set out in the relevant application, as applicable to the class and status of the License.

2.09 **Negative Comments**

The circulation referred to in section 2.08 may result in negative comments or recommendations to the Manager. Negative comments may result in the denial of the application under this By-law. Alternatively, negative comments may result in the issuance of a License upon specific conditions. Examples of negative comments include:

- (a) the site from which the Refreshment Vehicle will operate is the object of an order to comply made under the Property Standards By-law, or an order made under the *Building Code Act, 1992*;
- (b) the site from which the Refreshment Vehicle will operate (or use of such for the Business) is not in compliance with the Zoning By-law or any parking requirements of the City;
- (c) the site from which the Refreshment Vehicle will operate requires corrective action pursuant to an order of the Medical Officer of Health to ensure the safety or health of the public;
- (d) the site from which the Refreshment Vehicle will operate requires corrective action pursuant to an order of the Fire Chief;

- (e) the site from which the Refreshment Vehicle will operate (or use of such for the Business) requires modification in order to remove a barrier as that term is defined in the *Ontarians With Disabilities Act* or similar legislation;
- (f) the Applicant was previously convicted of an offence pursuant to this (or a predecessor By-law);
- (g) the Applicant was previously convicted of an offence under any Nuisance Related Legislation; and
- (h) the Applicant is financially obligated to the City in some manner.

2.10 **Denial**

Where an application for a License is denied the reasons for the denial shall be specified in writing, and the Manager shall provide the Applicant with the reasons.

2.11 **License Issuance**

Where no negative comments are received as a result of the circulation required by Section 2.08, and where the Applicant's documentation is in order and the applicable fee has been paid, the Manager shall grant the License, or the renewal, to the Applicant.

2.12 **License with Conditions**

The Manager may, in response to negative comments resulting from the circulation required in Section 2.08, issue a License subject to specific conditions. The conditions must address any deficiencies identified in the negative comments.

2.13 **Time Limit**

Except as otherwise provided in this By-law, Licenses shall come into effect on the date that they are issued and are renewable one year from the date of issue.

2.14 **Posting Licenses**

A License shall be displayed in a conspicuous place on each Refreshment Vehicle to which the License applies. This Section of the By-law may be complied with through posting of a photocopy or other reproduction of the License, provided the original License is maintained on the Refreshment Vehicle and can be readily produced upon request.

2.15 **Loss of License**

Any License which is lost, stolen or destroyed must be reported to Thunder Bay Police Service within forty-eight (48) hours of the discovery of loss of the License.

2.16 **Duplicate License**

A duplicate License may be issued by the Manager to replace any License previously issued which has been lost, stolen or destroyed, upon written application by the Licensee and upon payment of a fee as set out in By-law Number 297-2002.

2.17 **Revocation or Suspension**

No Person enjoys a vested right in the continuance of a License. The Manager may recommend to the Committee that a License be revoked or suspended for a certain period of time in the following circumstances:

- (a) the Licensee becomes unable to hold the License or carry on the Business under this By-law or any other legislation;
- (b) the Licensee fails to comply with any condition imposed upon the License under Section 2.12 of this By-law; or
- (c) the Licensee has been convicted of an offence pursuant to this By-law on more than one (1) occasion within a twelve (12) month period.

2.18 **Renewals**

If the facts, conditions and negative comments are the same as had been received in a prior year, and if the Manager or the Committee authorized that License issue for that prior time period, the Manager may renew the License. Notwithstanding this Section, all renewal applications are subject to any circulation requirements pursuant to Section 2.08.

ARTICLE 3:00: INTERPRETATION

3.01 **Operating Without a License**

It is an offence for a person to operate a Business without having first taken out a License from the City pursuant to this By-law.

3.02 **Cessation or Sale of a Business**

It is an offence for a Licensee to fail to report to the Manager the cessation or sale of his or her Business.

3.03 **Change of Address**

It is an offence for a Licensee to fail to report to the Manager every change of mailing address or telephone number of that Licensee within fifteen (15) days of the change.

3.04 **Posting Licenses**

It is an offence for a Licensee to fail to post the License in a conspicuous place on each Refreshment Vehicle to which the License applies.

3.05 **Health Unit Inspection**

It is an offence for a Licensee to fail to submit the Refreshment Vehicle to the Health Unit for an inspection at least once per year.

3.06 **Fire Services Inspection**

It is an offence for a Licensee to fail to submit the Refreshment Vehicle to the Fire Services Department for an inspection at least once per year.

3.07 **Sanitary Requirements for Vehicles**

It is an offence for a Licensee to fail to keep his or her Refreshment Vehicle, together with all utensils and equipment associated with it, in a clean and sanitary condition to the satisfaction of the Medical Officer of Health.

3.08 **Sanitary Requirements for Site**

It is an offence for a Licensee to fail to keep the site at which his or her Refreshment Vehicle is Operated free from Waste.

3.09 **Health**

When and as often as requested by the Medical Officer of Health to do so, a Licensee shall procure and produce a certificate of an approved qualified physician, certifying the good health of any person employed in the Business, including certification that the physician has carried out a physical examination of the person and has submitted to the Medical Officer of Health any laboratory specimens as the Medical Officer of Health may require for the purpose of determining that the person is free from infection or communicable disease. Failure to comply with this requirement is an offence.

3.10 **Person Requiring Certificate under Section 3.09**

It is an offence for a Licensee to allow any person in respect of whom a request for certificate under Section 3.09 of this By-law has been made, to be involved in the Business in any capacity unless and until a certificate of the Medical Officer of Health confirms that all requirements have been met.

3.11 **Rating of Fire Extinguisher I**

Where preparation of Food and Drink includes the method of deep fat frying, the Operator shall provide a fire extinguisher with a rating of no less than 50 BC. It must be compatible with a multi-purpose extinguisher and must be securely mounted on the Refreshment Vehicle. Failure to provide this extinguisher is an offence.

3.12 **Rating of Fire Extinguisher II**

Where preparation of Food and Drink includes the use of propane gas, the Operator shall provide a fire extinguisher with a rating of no less than 2A-10 BC. It must be compatible with a multi-purpose extinguisher and must be securely mounted on the Refreshment Vehicle. Failure to provide this extinguisher is an offence.

3.13 **Use of Fire Fighting Equipment**

It is an offence for any Operator of a Refreshment Vehicle to have less than full working knowledge of fire extinguishers required by Sections 3.11 or 3.12 of this By-law.

3.14 **Mechanical Fitness**

Refreshment Vehicles weighing more than one hundred eighty (180kg) kilograms when weighed fully equipped, excluding Food and Drink, must be capable of being mechanically self-propelled. Use of a Refreshment Vehicle which does not meet this requirement is an offence.

3.15 **Hours of Business**

It is an offence to operate a Refreshment Vehicle between the hours of eleven (11:00 p.m.) o'clock in the evening and eight (8:00 a.m.) o'clock in the morning of the following day.

3.16 **Unattended Business**

It is an offence for an Operator to leave a Refreshment Vehicle unattended.

3.17 **Removal from City Property**

Every Refreshment Vehicle must be removed from City property between eleven (11:00 p.m.) o'clock in the evening and eight (8:00 a.m.) o'clock in the morning of the following day. Failure to remove the Refreshment Vehicle constitutes an offence.

3.18 **Impound**

Any Refreshment Vehicle which is left on City property in contravention of Section 3.17 is subject to being impounded at the City's request. Release from impoundment by the Licensee will occur at the Licensee's expense.

3.19 **Exemption**

The General Manager of the Community Services Department of the City may consent to the Refreshment Vehicle remaining on City parkland. Where such consent has been provided, Sections 3.17 and 3.18 do not apply.

3.20 **Impound Costs**

Where the City has dispatched forces to impound a Refreshment Vehicle pursuant to Section 3.18, and the Refreshment Vehicle is removed by any other person, the Owner of the Refreshment Vehicle is still liable to pay the fee set out in By-law 297-2002 to compensate the City for the cost of the aborted impound.

3.21 **Offence to Vend Near Another Refreshment Vehicle – Special Event**

It is an offence for a person to vend from a Refreshment Vehicle from any location which is within ten (10m) metres of another Refreshment Vehicle at an event for which a Special Event License has been issued by the City in accordance with By-law 164-2005.

3.22 **Offence to Vend Near Another Eating Establishment/Refreshment Vehicle**

It is an offence for a person to vend from a Refreshment Vehicle from any location which is within sixty (60m) metres of an existing eating establishment and/or food shop licensed in accordance with By-law 155-2005, or another Refreshment Vehicle licensed under this By-law, without the written consent of the Licensee for that eating establishment and/or food shop and/or Refreshment Vehicle.

3.23 **Offence to Vend Near Point of Egress or Entrance**

It is an offence for a person to vend from a refreshment vehicle within a distance of ten (10m) metres from any point of entrance to any eating establishment and/or food shop licensed in accordance with By-law 155-2005 without the written consent of the licensee for that eating establishment and/or food shop.

3.24 **Offence to Vend Near Parks**

It is an offence for a person to vend from a Refreshment Vehicle from any location which is within a distance of sixty (60m) metres from a municipal park without the written consent of the General Manager of the Department of Community Services of the City.

3.25 **Offence to Vend Near School Grounds**

It is an offence for a person to vend from a Refreshment Vehicle from any location which is within a distance of sixty (60m) metres from a school ground without the written consent of the school principal.

3.26 **Occupation without Permission**

It is an offence for any person to operate a Refreshment Vehicle at any location without the written consent of the Owner of the land from which the Refreshment Vehicle is Operated.

3.27 **Citywide Restrictions**

It is an offence for a person to vend from a Refreshment Vehicle:

- (a) within three (3) metres of the intersection of any two Highways;
- (b) for more than ten (10) minutes at any one location on a residential Highway;
- (c) without being properly parked;
- (d) to a customer who is standing within the traveled portion of a Highway; and
- (e) while interfering with the normal movement of pedestrian or vehicular traffic on, or the maintenance of, any Highway.

3.28 **Safe Operation of Vehicle**

It is an offence for an Operator of a Refreshment Vehicle to fail to keep all customers safely away from the Refreshment Vehicle before putting it in motion.

3.29 **Waste Facilities**

It is an offence for any person to Operate any Refreshment Vehicle without providing a Waste receptacle capable of holding a minimum of twenty (20) litres of Waste.

3.30 **Premises – Healthy and Sanitary Condition**

It is an offence for a person to fail to comply with all health and sanitary regulations applicable to the Refreshment Vehicle, Operators of the Refreshment Vehicle, or the Food and Drink sold from the Refreshment Vehicle.

ARTICLE 4.00: INSPECTIONS

4.01 Inspections

The Manager, the Police, the Medical Officer of Health, the Fire Chief, a certified Gas Technician or any person acting under those persons, or any person authorized by Council may at reasonable times during hours of operation inspect:

- (a) any premises or Refreshment Vehicle from which a Business is carried on or there are reasonable and probable grounds to believe a Business is being carried on; and/or
- (b) any goods, equipment, books, records or documents used or to be used by the Operator in connection with the Business.

4.02 Hindering Inspections

It is an offence for any person to hinder or obstruct or to attempt to hinder or obstruct any person exercising any power authorized by Section 4.01.

4.03 Re-Inspection Fee

When a re-inspection is required to:

- (a) confirm compliance with a condition imposed; or
- (b) to rectify a deficiency to prevent negative comments; or
- (c) because the Operator failed to appear at a scheduled inspection;

a fee may be charged as set out in By-law 297-2002.

ARTICLE 5.00: COMMITTEE

5.01 Delegation to Committee

Pursuant to Section 468 of the *Municipal Act, 2001*, general licensing powers contained in Part IV of the *Municipal Act, 2001*, are assigned by the Council to the Committee. The Committee shall make all final decisions with respect to refusal to issue, suspension or revocation of a License under this By-law.

5.02 Applicant Request for Hearing

An Applicant may, upon payment of the fee set out in By-law 297-2002, request a hearing of the Committee to:

- (a) review the determination by the Manager under Section 2.10 that the application for a License be denied; or
- (b) review any conditions imposed upon a License pursuant to Section 2.12 of this By-law.

The request for a hearing under Section 5.02(a) shall be provided to the Manager within fifteen (15) days of the date that the Applicant received the reasons for the denial under Section 2.10. The request for a hearing under Section 5.02(b) shall be provided to the Manager within fifteen (15) days of the date the License was issued.

5.03 **Administration Request for Hearing**

Where the Manager intends to recommend to Committee that a License be revoked or suspended, he or she shall give notice of the intended recommendation to the Applicant or Licensee, together with the reason for their intended recommendation, as well as to such other persons, civic departments, boards, commissions, authorities or agencies as appear to have an interest in the recommendation. This notice shall include the details required by Section 5.04 of this By-law.

5.04 **Notice of Hearing**

The notice required by Section 5.04 shall:

- (a) contain a reference to sections 150 and 252 of the *Municipal Act, 2001*, under which the hearing will be held;
- (b) contain the reasons for the proposed conditions, refusal, suspension or revocation;
- (c) specify the time, place and purpose of the hearing of the Committee at which the proposed refusal, suspension or revocation will be considered;
- (d) inform the affected Applicant or Licensee that he or she is entitled to attend the hearing and to make submissions regarding the proposal and that, in his or her absence, the Committee may proceed to consider the proposal, and the Applicant or Licensee will not be entitled to any further notice of the proceeding;
- (e) afford the affected Applicant or Licensee a reasonable opportunity, before the hearing, to show or achieve compliance with all lawful requirements for the retention of the License; and
- (f) be given at least fifteen (15) days notice prior to the date of the Committee hearing.

5.05 **Hearing by Committee**

At the hearing, the Committee may suspend, revoke or refuse to issue any License, may amend conditions imposed on a License, or may add conditions to a License:

- (a) for any reason that would deny the Licensee for a License if he or she were an Applicant;
- (b) where the Licensee or Applicant is in breach of a condition of the License or of this By-law;
- (c) if a report is filed subsequent to the date of the issuance of the License or by any department or agency which originally provided its approval to the issuance of the License which indicates that the Licensee no longer complies with any of the provisions of this By-law; or
- (d) if the conduct of the Applicant or Licensee affords reasonable cause to believe that the Applicant or Licensee will not carry on or engage in the Business in accordance with the law or with honesty or integrity.

5.06 **Committee Decision**

A decision of the Committee refusing, suspending, amending or adding conditions to, or revoking an Application or License takes effect upon the rendering of the decision by the Committee.

ARTICLE 6.00: ENFORCEMENT

6.01 **Enforcement**

This By-law may be enforced by any Municipal Law Enforcement Officer.

6.02 **Penalties**

Every Person who commits an offence pursuant to this By-law is liable, upon conviction, to the penalties prescribed in the *Provincial Offences Act*.

ARTICLE 7.00: PREDECESSOR BY-LAWS; EFFECTIVE DATE

7.01 **References to Predecessor By-laws**

References in other By-laws of the City to any historically applicable licensing by-law for Refreshment Vehicles are deemed to be references to this By-law.

7.02 **Effective Date**

This By-law shall come into force on January 1, 2006.

Enacted and passed this 19th day of December, A.D. 2005 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Lynn Peterson

Mayor

Bonnie Nistico

Deputy City Clerk