



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 120/2016

A By-law to amend By-law 163-2005, being a By-law 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. By-law 163-2005, enacted and passed December 19, 2005, being a by-law 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.
2. On December 5, 2016, City Council passed a resolution approving the recommendations of Committee of the Whole dated November 21, 2016, arising out of Report No. R 132/2016 (Licensing and Enforcement). The resolution authorizes that amendments be made to By-law 163-2005, being a by-law to provide for the Licensing and Regulation of Refreshment Vehicles.
3. City Council deems it necessary and expedient to amend By-law 163-2005.

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

1. Item 3 of Recitals is amended by deleting:

“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”;

and replacing Item 3. of Recitals by inserting:

“From a health and safety standpoint, licensing enables regular inspections to facilitate compliance with all required health and fire regulations, including the *Fire and Protection and Prevention Act*, 1997, as amended, and the *Health Protection and Promotion Act*, R.S.O. 1990, as amended, and also allows control measures to be implemented to avoid the hindering of vehicle or pedestrian traffic”.

2. Article 1.01 (Definitions) is amended by adding the following definitions, in alphabetical order:

“Thunder Bay District Health Unit Food Safety Inspection Report” means an original copy of an inspection report that corresponds to an inspection conducted by a Public Health Inspector, that that has been completed, signed and dated by a Public Health Inspector, and that has been issued to an Operator of a Business, pursuant to the *Health and Protection and Promotion Act*, R.S.O. 1990, as amended and regulations passed thereunder.

“Thunder Bay District Health Unit Inspection Score Card” means the summary inspection score card completed by a Public Health Inspector.

“Public Health Inspector” means a Public Health Inspector acting under the direction of a Medical Officer of Health for the District of Thunder Bay.

“Sign Holder” means a device used to affix, fasten and hold a Thunder Bay District Health Unit Food Safety Inspection Report.

“Pick-up Window” means the area at which food is obtained from the exterior of a Refreshment Vehicle.

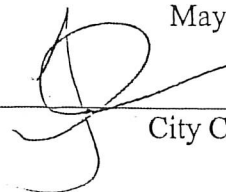
3. Article 2.00 (ADMINISTRATION OF THIS BY-LAW) is amended by adding the following articles:
 - 2.19 Posting Inspection Score Card – Every operator of a Business shall ensure that the most recent Thunder Bay District Health Unit Inspection Score Card is posted in a conspicuous location and clearly visible to members of the public at or near the Pick-up Window.
 - 2.20 Copy of Food Safety Inspection Report Available – Every operator of a Business shall keep a copy of the most recent Thunder Bay District Health Unit Food Safety Inspection Report readily available at the Business and shall produce same for viewing by a Public Health Inspector, members of the public or Municipal Law Enforcement Officer, upon request.
 - 2.21 Property of Thunder Bay District Health Unit – Every Thunder Bay District Health Unit Inspection Score Card shall remain the property of the Thunder Bay District Health Unit. Operators are permitted to use Sign Holders, subject to the approval of the Thunder Bay District Health Unit, provided that they in no way impair or obscure the public’s visibility of the Thunder Bay District Health Unit Inspection Score Card. In addition, the Operator shall ensure that the Thunder Bay District Health Unit Inspection Score Card is not defaced, altered or removed.
4. This By-law shall come into force and take effect on the date it is passed.

Enacted and passed this 5th day of December, A.D. 2016 as witnessed by the Seal of the Corporation and the hands of its proper Officers.



Mayor

CERTIFIED TRUE COPY


Deputy City Clerk

City Clerk