



BY-LAW NO. 2016-061

**A BY-LAW OF THE CORPORATION OF THE TOWN OF
BRACEBRIDGE TO LICENCE AND REGULATE
REFRESHMENT VEHICLES WITHIN THE TOWN OF
BRACEBRIDGE**

WHEREAS Section 8 of the *Municipal Act*, 2001, S.O. 2001 c. 25 (hereinafter referred to as the "Municipal Act"), provides that the powers of the Municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising authority under the *Municipal Act* or any other Act;

AND WHEREAS Section 11 of the *Municipal Act* provides that a lower tier municipality may pass by-laws that it considers necessary or desirable for the public;

AND WHEREAS Sections 151 and 160 of the *Municipal Act* provide that a municipality may provide for a system of licences with respect to a business and pass by-laws licensing businesses under any section of the *Municipal Act* or any other Act;

AND WHEREAS Section 425(1) of the *Municipal Act* states that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence;

AND WHEREAS Section 426(1) of the *Municipal Act* states that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a by-law passed under this Act;

AND WHEREAS Section 429 of the *Municipal Act* permits a municipality to establish a system of fines for offences under a by-law of the municipality passed under this Act and designates an offence as a continuing offence;

AND WHEREAS Section 436 of the Act states that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with: a by-law of the municipality passed under this Act, a direction or order of the municipality made under this Act or made under a by-law of the municipality passed under this Act, a condition of a licence issued under a by-law of the municipality passed under this Act or an order made under section 431 of this Act;

AND WHEREAS the Council for the Town of Bracebridge deems it expedient to establish regulations to control business activities relating to refreshment vehicles in Bracebridge in the interest of public safety, nuisance control and consumer protection;

AND WHEREAS a "Vibrant, Prosperous and Economically Sustainable Community" has been identified as a core strategic objective by the Town of Bracebridge, including the creation of jobs for young people;

AND WHEREAS by motion 16-GC-188, the Council of The Corporation of the Town of Bracebridge deems it expedient to pass such a by-law;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRACEBRIDGE ENACTS AS FOLLOWS:

1. DEFINITIONS

- 1.1 **Applicant** means a person who has applied for a licence in accordance with the provisions of this by-law.
- 1.2 **Cart** means a bicycle, portable wagon or handcart that is moved from place to place exclusively by muscular power.
- 1.3 **Catering Truck** means a motor vehicle from which prepackaged food and beverages, coffee and tea are offered for sale and sold to employees and other workers on private property at the invitation of a property or business owner or a contractor working on the property.
- 1.4 **Charitable Organization** means an organization or group recognized by the Canada Revenue Agency as being charitable and in full compliance with the reporting requirements under the Charities Accounting Act, R.S.O., 1990, c. C.10 or the Income Tax Act, R.S. 1985, c.1.
- 1.5 **Clerk** means the Town Director of Corporate Services/Clerk or a designate.
- 1.6 **Council** means the Council of The Corporation of the Town of Bracebridge.
- 1.7 **Designated** means a Town property approved for refreshment vehicle operation as specifically indicated on Schedule "A" of this by-law.
- 1.8 **District** means the District Municipality of Muskoka.
- 1.9 **Food** shall include food or drink for human consumption but excludes alcoholic beverages.
- 1.10 **Food Truck** means a motorized vehicle bearing current licence plates from which refreshments are cooked, carried or offered for sale for consumption to the general public but does not include a catering truck, trailer, cart or vehicle propelled only by muscular power.
- 1.11 **Highway** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, and any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- 1.12 **Licence** means a business licence issued by the Licensing Officer authorizing the licensee to operate a refreshment vehicle business in compliance with this by-law.
- 1.13 **Licensee** means a person, company or organization that has been issued a licence and includes an applicant.
- 1.14 **Licensing Officer** means the Chief By-Law Enforcement Officer for the Town or his/her designate.

- 1.15 **Not for Profit Sales** means that 100 % of the profit from the sale of food is retained by or provided to a Not for Profit or Charitable Organization or an organization that raises money for the advancement of recreation or culture within the Town.
- 1.16 **Nuisance** means any activity or action which, in the opinion of the Licensing Officer, is likely to disturb any resident.
- 1.17 **Officer** means a By-Law Enforcement Officer appointed by Council or a member of the Ontario Provincial Police.
- 1.18 **Operate** means to directly or indirectly manage, work, control, maintain, put or keep in a functional state any business.
- 1.19 **Owner** means the registered owner of the land on which the refreshment vehicle or stand business is being conducted or the licensee.
- 1.20 **Person** means an individual, sole proprietorship, partnership, unincorporated association, organization including a charitable organization or a corporation.
- 1.21 **Premises** means land and includes all buildings, structures and refreshment vehicles situated thereon.
- 1.22 **Refreshment Vehicle** means any vehicle, cart or stand from which food is sold or offered for sale for consumption by the public and includes wagons, trailers, bicycle carts, food trucks and portable structures but does not include a catering truck.
- 1.23 **Residential Area** means an area designated as residential in the Town's Comprehensive Zoning By-Law.
- 1.24 **Restaurant** has the same meaning as in the Town's current Comprehensive Zoning By-Law.
- 1.25 **Roadway** means the travelled portion of a highway.
- 1.26 **Seasonal** means permitted to operate between May 1st and October 31st.
- 1.27 **Sidewalk** means the portion of a highway between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.
- 1.28 **Special Event** means an event proceeding under the authority of a valid special event permit issued by the Town.
- 1.29 **Stand** means a portable building or structure that is used to prepare and/or serve food to the general public.
- 1.30 **Student** means a person who is not older than 29 years of age and is currently enrolled in a program of study at a secondary or post-secondary institution.
- 1.31 **Town** means the Corporation of the Town of Bracebridge.
- 1.32 **Valid** means currently in effect and not expired.
- 1.33 **Vehicle** has the same meaning as within the *Ontario Highway Traffic Act, R.S.O. 1990, c.H.8.*

2. LICENCE APPLICATION

- 2.1 Every person making application for a refreshment vehicle licence shall submit the following information and/or documentation to the Licensing Officer as part of a completed application package:
- 2.1.1 A completed Town business licence application form with the required licence fee as contained in the Town Fees and Charges by-law currently in effect;
 - 2.1.2 For food trucks and motor vehicles to be operated on a highway, a copy of the vehicle ownership certificate showing the owner of the vehicle, the vehicle licence plate number and vehicle identification number and proof of valid vehicle insurance with the required coverage;
 - 2.1.3 All approvals, inspections or other documentation as specified under the provisions of this by-law or specifically requested by the Licensing Officer;
 - 2.1.4 When applicable, a written plan for the containment and disposal of grey water, grease and garbage in a sanitary manner satisfactory to the Town;
 - 2.1.5 For a refreshment vehicle located on private property, written confirmation from the owner of the property that the refreshment vehicle is permitted to operate on the property and the specific period of time it has been approved to operate on the property;
 - 2.1.6 For a refreshment vehicle to be located on private property, written confirmation from the Director of Planning and Development or her/his designate that the proposed refreshment vehicle will comply with the official plan and zoning by-law as well as all relevant plans and policies currently in effect that apply to the application.
 - 2.1.7 The address of where the refreshment vehicle will be parked or stored when not operating;
 - 2.1.8 Proof of business insurance in an amount specified under section 9 of this by-law.

3. TERM OF LICENCE

- 3.1 The term of every licence shall be indicated on the licence after which time the licence shall become null and void. For the purposes of determining the term of a licence, the following shall apply:
- 3.1.1 Weekly – Seven (7) consecutive calendar days
 - 3.1.2 Monthly – Thirty (30) consecutive calendar days
 - 3.1.3 Seasonal – May 1st to October 31st inclusive
 - 3.1.4 Annual – January 1st to December 31st inclusive

4. SCHEDULES

- 4.1 All schedules attached to this by-law shall form part of the by-law.

5. NO VESTED RIGHT

- 5.1 No person shall have a vested right to the continuation or re-issuance of a licence. All licences issued, renewed, cancelled, suspended or terminated remain the sole property of the Town.

6. LICENCE SUSPENSION/REVOCATION

- 6.1 The Licensing Officer shall receive, review and process all applications for a refreshment vehicle business licence.
- 6.2 The Licensing Officer may refuse to issue a licence and may suspend or cancel an issued licence when:
- 6.2.1 The licensee does not meet or has failed to adhere to the requirements of this by-law, other Town by-laws or any applicable provincial or federal legislation;
- 6.2.2 The Licensing Officer determines that the location and/or operation of the business may create or has created a public nuisance;
- 6.2.3 The Licensing Officer determines that the operation of the business is contrary to the public interest.
- 6.3 Notice of the suspension or cancellation of an issued licence shall be in a written form and may be communicated to the licensee by an Officer via any one of the following approved methods:
- 6.3.1 Personal service to a person working at the refreshment vehicle;
- 6.3.2 Posting the notice in a prominent location on the premises of the refreshment vehicle;
- 6.3.3 Mailing the notice through regular mail to the licensee at the address noted on the business licence application. When notice of licence cancellation or suspension is communicated to the licensee via regular mail, the licence shall be deemed to be cancelled or suspended three (3) business days after mailing.

7. NOTICE AND APPEAL

- 7.1 A licensee that has had a licence application refused or an issued licence suspended or cancelled by the Licensing Officer may make a written application to Council to have the decision of the Licensing Officer overturned.
- 7.2 Upon receipt of a written application as outlined in section 7.1, Council may either:
- 7.2.1 Confirm the decision of the Licensing Officer;
- 7.2.2 At Council's sole discretion, permit the applicant an opportunity to address Council.
- 7.3 Any decision made by Council to allow or deny an applicant to address Council at a public meeting, to uphold the initial licence refusal, suspension or cancellation or to issue the licence with or without conditions, shall be final.

8. GENERAL PROVISIONS

- 8.1 No person shall operate a refreshment vehicle anywhere within the Town of Bracebridge without possessing and displaying a valid business licence issued by the Licensing Officer for the Town under the authority of this by-law.
- 8.2 No person shall operate a refreshment vehicle anywhere within the Town of Bracebridge between the hours of:
 - 8.2.1 11:00 p.m. and 7:00 a.m. when parked or located on private property;
 - 8.2.2 9:00 p.m. and 7:00 a.m. when parked or located upon any roadway;
 - 8.2.3 11:00 p.m. and 7:00 a.m. when parked or located on a designated Town property.
- 8.3 No person shall locate a refreshment vehicle on any portion of a sidewalk or boulevard area at any time.
- 8.4 No person shall locate a refreshment vehicle on a designated Town property unless the refreshment vehicle is:
 - 8.4.1 Located on a designated Town property identified in Schedule "A" of this by-law;
 - 8.4.2 Parked or located in compliance with the Town parking lot by-law currently in effect for the designated Town property where applicable;
 - 8.4.3 Removed from the designated Town property each day between 11:00 p.m. and 7:00 a.m.;
 - 8.4.4 Not exceeding the maximum number of permitted refreshment vehicles permitted on the designated Town property as confirmed on Schedule "A" of this by-law. Should more than the maximum number of permitted refreshment vehicles operate or attempt to operate on a designated Town property, the Licensing Officer shall prepare an operating schedule and no person shall operate a refreshment vehicle on the designated Town property unless permitted to do so on the approved dates as indicated on the issued operating schedule.
 - 8.4.5 Only operating between the period of May 1st and October 31st. Under no circumstances may a refreshment vehicle operate on a designated Town property between the period of November 1st and April 30th.
- 8.5 No person shall operate a refreshment vehicle within 30 metres of a restaurant currently open for business when, in the opinion of the Licensing Officer, the refreshment vehicle is offering for sale or selling a comparable food product to that of the open restaurant.
- 8.6 No person shall operate a refreshment vehicle on any portion of any District highway as shown on Schedule "C" of this by-law.
- 8.7 No person shall operate a refreshment vehicle within 100 metres of a school or hospital.
- 8.8 No person shall operate a refreshment vehicle consisting of a food truck, trailer or stand unless:

- 8.8.1 A waste receptacle with a lid is provided by the licensee for customer waste collection;
- 8.8.2 The waste receptacle is located in a position to be easily accessible by customers at all times;
- 8.8.3 The waste receptacle is emptied at the conclusion of each business day by the licensee or other person in control of the food truck, trailer or stand;
- 8.8.4 All emptied waste is disposed of in accordance with Town and District by-laws at the sole expense of the licensee.
- 8.9 No person shall operate a refreshment vehicle unless all litter and debris in the immediate area of the refreshment vehicle that has been generated by the operation of the refreshment vehicle is picked up and placed in the licensee's provided waste receptacle by the licensee or other person in control of the refreshment vehicle.
- 8.10 No person shall operate a refreshment vehicle that uses liquid propane gas or natural gas unless an inspection of the refreshment vehicle has been conducted and a valid approval certificate issued by a licensed gasfitter or the Technical Standards Safety Association (TSSA). A valid inspection certificate must be obtained and provided to the Licensing Officer at least once each year that the refreshment vehicle is in operation.
- 8.11 No person shall operate a refreshment vehicle using combustible fuel within 3 metres of any structure, door, window or other opening into a building.
- 8.12 No person shall operate a refreshment vehicle that makes a noise in contravention of the Town's noise control by-law or such other noise deemed to be a public nuisance by the Licensing Officer.
- 8.13 No person shall operate a refreshment vehicle anywhere within the Town of Bracebridge unless the type of refreshment vehicle and location of the refreshment vehicle comply with Schedule "B" of this by-law.
- 8.14 No person shall offer for sale or sell other than prepackaged or previously prepared food products from a refreshment vehicle propelled only by muscular power including a bicycle or cart.
- 8.15 No person shall operate a refreshment vehicle unless the preparation and sale of food products from the refreshment vehicle has been previously approved by a Public Health Inspector from the Simcoe Muskoka District Health Unit (SMDHU).
- 8.16 No person operating a refreshment vehicle shall dispense a food product from the refreshment vehicle to any person while the person is located on a roadway.
- 8.17 No person shall operate a refreshment vehicle unless the vehicle displays, in contrasting colour and in clearly visible letters measuring at least 10 centimetres in height, the operating name of the business as it appears on the issued licence.
- 8.18 No person shall operate a refreshment vehicle within 50 metres of an area being used as part of a Town approved special event unless the refreshment vehicle has been approved to participate in the special event or written confirmation has been obtained from the special event organizer indicating non-objection to the refreshment vehicle location if located within 50 metres of the special event.

- 8.19 No person shall operate a refreshment vehicle that is using an accessory generator when the generator is located outside of the refreshment vehicle.
- 8.20 No person shall operate a refreshment vehicle for a period exceeding 15 minutes within any one block face in a residential area in any 24 hour period.
- 8.21 No person shall operate a refreshment vehicle drawn or propelled by one or more animals.

9. INSURANCE

- 9.1 Every licensee shall maintain the following minimum insurance coverage(s) on the licensed refreshment vehicle business for the duration of the licence:
 - 9.1.1 Two million dollars (\$2,000,000) public or general liability business insurance naming the Town as an additional insured;
 - 9.1.2 Two million dollars (\$2,000,000) automotive liability insurance for all motor vehicles being operated as refreshment vehicles on any portion of a highway.

10. EXEMPTIONS

- 10.1 Sections 2.1.1 and 8.1 of this by-law do not apply to a refreshment vehicle:
 - 10.1.1 Operated by or on behalf of a charitable organization with all of the proceeds from the operation of the refreshment vehicle being retained by or provided to the charitable organization;
 - 10.1.2 Approved by the Licensing Officer to operate on a not for profit sales basis.
- 10.2 The provisions of this by-law do not apply to a refreshment vehicle:
 - 10.2.1 Operated by a restaurant on the premises of the restaurant;
 - 10.2.2 Approved to operate as part of the Bracebridge Farmer's Market;
 - 10.2.3 Operating under the authority of a special event permit issued by the Town for the period and location specified on the special event permit;

11. INSPECTIONS

- 11.1 An officer may enter onto land at any reasonable time and may be accompanied by any person for the purpose of carrying out an inspection, taking photographs and obtaining evidence to determine whether a refreshment vehicle is in compliance with this by-law or an order issued under the authority of this by-law.
- 11.2 No person shall hinder or obstruct, or attempt to hinder or obstruct, an officer or person assisting an officer when exercising a power or performing a duty under this by-law. For the purposes of this section, the failure to properly identify upon request by an officer shall be deemed to be obstruction of the officer.

12. OFFENCES AND PENALTIES

- 12.1 Any person who contravenes any provision of this by-law is guilty of an offence and is, upon conviction, liable to any penalty provided under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended and the Municipal Act, 2001, S.O. 2001 C.25.
- 12.2 Every person guilty of an offence under this by-law may, if permitted under the Provincial Offences Act, pay a set fine and the Chief Justice of the Ontario Court of Justice shall be requested to establish set fines in accordance with Schedule "D" of this by-law.
- 12.3 For the purpose of this by-law, each day of a continuing offence shall be deemed to be a separate offence.

13. VALIDITY AND SEVERABILITY

- 13.1 Every provision of this by-law is declared severable from the remainder and if any such provision of this by-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of the by-law.

14. FORCE AND EFFECT

- 14.1 This by-law shall come into force and effect upon the date Council approves the by-law.

15. REPEAL

- 15.1 On the date this by-law comes into effect, By-law 99-121 and all amendments thereto, are hereby repealed.

16. SHORT TITLE

- 16.1 This by-law may be referred to as the "Refreshment Vehicle By-Law".

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 6th DAY OF JULY, 2016.

Mayor, Graydon Smith

Director of Corporate Services/Clerk,
L. McDonald

SCHEDULE "A"**Designated Town Property**

DESIGNATED LOCATION	LICENCE TERM PERMITTED	MAXIMUM NUMBER PERMITTED TO OPERATE IN DESIGNATED LOCATION AT ONE TIME
Hiram Lot	Weekly, Monthly, Seasonal	Two (2)
Bay Park/Bay Park Lot (Refreshment Vehicle may not be located within 15 metres of the Muskoka River)	Weekly, Monthly, Seasonal	One (1)
Kirby's Beach Park/Kirby's Beach Lot (Refreshment Vehicle must be located within 15 metres of the parking lot when located in park area)	Weekly, Monthly, Seasonal	One (1)
Manitoba Street Parkette (north west corner of Manitoba Street and McMurray Street)	Weekly, Monthly, Seasonal	One (1)
Bird Mill Mews Parkette (north of Bird Mill Mews)	Weekly, Monthly, Seasonal	One (1)

SCHEDULE "B"**Permitted Refreshment Vehicle Locations by Type**

A refreshment vehicle may only operate in a location identified on the following table:

TYPE OF REFRESHMENT VEHICLE	ROADWAY PORTION OF HIGHWAY (EXCLUDES DISTRICT HIGHWAYS¹)	DESIGNATED TOWN PARKING LOT AS SHOWN ON SCHEDULE "A"	DESIGNATED TOWN PARK/PARKETTE AS SHOWN ON SCHEDULE "A"	PRIVATE PROPERTY
Currently licensed motor vehicle (food truck)	✓	✓		✓
Trailer		✓		✓
Bicycles propelled only by muscular power	✓	✓	✓	✓
Wheeled carts propelled only by muscular power		✓	✓	✓
Stand		✓	✓	✓

¹ As shown on Schedule "C" of By-Law 2016-061

SCHEDULE “C”**List of District Municipality of Muskoka Highways**

Refreshment Vehicles Prohibited on any portion of the following highways:	
District Roadway Designation	Local Roadway Name
Muskoka Road 4	Manitoba Street
Muskoka Road 6	Doe Lake Road
Muskoka Road 14	Fraserburg Road
Muskoka Road 15	Golden Beach Road
Muskoka Road 16	Beaumont Drive
Muskoka Road 17	Muskoka Beach Road
Muskoka Road 20	Uffington Road
Muskoka Road 37	Entrance Drive
Muskoka Road 42	Taylor Road
Muskoka Road 46	Bonnie Lake Road
Muskoka Road 50	High Falls Road
Muskoka Road 117	Muskoka Road 117
Muskoka Road 118 West	Muskoka Road 118 West

SCHEDULE “D”**Proposed Set Fines and Short Form Wording**

ITEM	Offence	Section	Proposed Set Fine
1	Operate refreshment vehicle without required licence	8.1	\$400
2	Operate refreshment vehicle on private property during prohibited hours	8.2.1	\$200
3	Operate refreshment vehicle on roadway during prohibited hours	8.2.2	\$200
4	Operate refreshment vehicle in designated lot during prohibited hours	8.2.3	\$200
5	Locate refreshment vehicle on sidewalk/boulevard area	8.3	\$200
6	Locate refreshment vehicle on other than designated Town property	8.4.1	\$200
7	Fail to remove refreshment vehicle from designated Town property between 11:00 p.m. and 7:00 a.m.	8.4.3	\$200
8	Operate on non-scheduled date	8.4.4	\$200
9	Operate refreshment vehicle during prohibited months	8.4.5	\$200
10	Operate refreshment vehicle within 30 metres of open restaurant	8.5	\$200
11	Operate refreshment vehicle on District highway	8.6	\$200
12	Operate refreshment vehicle within 100 metres of school or hospital	8.7	\$200
13	Operate refreshment vehicle – fail to provide required waste receptacle	8.8.1	\$200
14	Operate refreshment vehicle without accessible waste receptacle	8.8.2	\$200
15	Operate refreshment vehicle – fail to empty waste receptacle each day	8.8.3	\$200
16	Operate refreshment vehicle – fail to dispose of waste in acceptable manner	8.8.4	\$200
17	Operate refreshment vehicle – fail to keep area clear of litter	8.9	\$200
18	Operate refreshment vehicle without required inspection certificate	8.10	\$200
19	Operate refreshment vehicle within 3 metres of structure/door/window/other opening into building	8.11	\$200
20	Operate refreshment vehicle – noise creating a nuisance	8.12	\$200

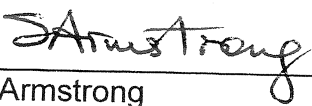
ITEM	Offence	Section	Proposed Set Fine
21	Operate refreshment vehicle in other than permitted location	8.13	\$200
22	Offer for sale other than prepackaged food products	8.14	\$200
23	Operate refreshment vehicle without health unit approval	8.15	\$200
24	Provide service to customer situated on roadway	8.16	\$200
25	Operate refreshment vehicle without clearly displaying name on vehicle	8.17	\$200
26	Operate refreshment vehicle within 50 metres of special event	8.18	\$200
27	Operate refreshment vehicle using external generator	8.19	\$200
28	Operate refreshment vehicle on one block face on a residential street in excess of 15 minutes in a 24 hour period	8.20	\$200
29	Operate refreshment vehicle drawn or propelled by one or more animals.	8.21	\$200
30	Fail to maintain required business insurance coverage	9.1.1	\$400
31	Fail to maintain required vehicle insurance coverage	9.1.2	\$400
32	Obstruct officer performing duty	11.2	\$400

PROVINCIAL OFFENCES ACT

PART I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the attached schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-Law 2016-061 for the Town of Bracebridge attached hereto is the set fine for those offences. This Order is to take effect August 30, 2016.

DATED at Newmarket this 30th
day of August, 2016.



Simon Armstrong
Regional Senior Justice
Central East Region

Part I Provincial Offences Act

TOWN OF BRACEBRIDGE BY-LAW 2016-061

TITLE: A BY-LAW OF THE CORPORATION OF THE TOWN OF
BRACEBRIDGE TO LICENCE AND REGULATE REFRESHMENT
VEHICLES WITHIN THE TOWN OF BRACEBRIDGE

<u>ITEM</u>	<u>COLUMN 1</u> Short Form Wording	<u>COLUMN 2</u> Provision creating offence or defining offence	<u>COLUMN 3</u> Set fine
1.	Operate refreshment vehicle without required licence	s. 8.1	\$400
2.	Operate refreshment vehicle on private property during prohibited hours	s. 8.2.1	\$200
3.	Operate refreshment vehicle on roadway during prohibited hours	s. 8.2.2	\$200
4.	Operate refreshment vehicle in designated lot during prohibited hours	s. 8.2.3	\$200
5.	Locate refreshment vehicle on sidewalk/boulevard area	s. 8.3	\$200
6.	Locate refreshment vehicle on other than designated Town property	s. 8.4.1	\$200
7.	Fail to remove refreshment vehicle from designated Town property between 11:00 p.m. and 7:00 a.m.	s. 8.4.3	\$200
8.	Operate on non-scheduled date	s. 8.4.4	\$200

<u>ITEM</u>	<u>COLUMN 1</u> Short Form Wording	<u>COLUMN 2</u> Provision creating offence or defining offence	<u>COLUMN 3</u> Set fine
9.	Operate refreshment vehicle during prohibited months	s. 8.4.5	\$200
10.	Operate refreshment vehicle within 30 metres of open restaurant	s. 8.5	\$200
11.	Operate refreshment vehicle on District highway	s. 8.6	\$200
12.	Operate refreshment vehicle within 100 metres of school or hospital	s. 8.7	\$200
13.	Operate refreshment vehicle – fail to provide required waste receptacle	s. 8.8.1	\$200
14.	Operate refreshment vehicle without accessible waste receptacle	s. 8.8.2	\$200
15.	Operate refreshment vehicle – fail to empty waste receptacle each day	s. 8.8.3	\$200
16.	Operate refreshment vehicle – fail to dispose of waste in acceptable manner	s. 8.8.4	\$200
17.	Operate refreshment vehicle – fail to keep area clear of litter	s. 8.9	\$200
18.	Operate refreshment vehicle without required inspection certificate	s. 8.10	\$200

<u>ITEM</u>	<u>COLUMN 1</u> Short Form Wording	<u>COLUMN 2</u> Provision creating offence or defining offence	<u>COLUMN 3</u> Set fine
19.	Operate refreshment vehicle within 3 metres of structure/door/window/other opening into building	s. 8.11	\$200
20.	Operate refreshment vehicle – noise creating a nuisance	s. 8.12	\$200
21.	Operate refreshment vehicle in other than permitted location	s. 8.13	\$200
22.	Offer for sale other than prepackaged food products	s. 8.14	\$200
23.	Operate refreshment vehicle without health unit approval	s. 8.15	\$200
24.	Provide service to customer situated on roadway	s. 8.16	\$200
25.	Operate refreshment vehicle without clearly displaying name on vehicle	s. 8.17	\$200
26.	Operate refreshment vehicle within 50 metres of special event	s. 8.18	\$200
27.	Operate refreshment vehicle using external generator	s. 8.19	\$200

<u>ITEM</u>	<u>COLUMN 1</u> Short Form Wording	<u>COLUMN 2</u> Provision creating offence or defining offence	<u>COLUMN 3</u> Set fine
28.	Operate refreshment vehicle on one block face on a residential street in excess of 15 minutes in a 24 hour period	s. 8.20	\$200
29.	Operate refreshment vehicle drawn or propelled by one or more animals.	s. 8.21	\$200
30.	Fail to maintain required business insurance coverage	s. 9.1.1	\$400
31.	Fail to maintain required vehicle insurance coverage	s. 9.1.2	\$400
32.	Obstruct officer performing duty	s. 11.2	\$400

NOTE: The penalty provision for the offence listed above is section 12.1 of By-Law 2016-061 (a certified copy of which has been filed).