

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 095-2025

A By-law of the Corporation of the City of Vaughan to amend Business Licensing By-law 122-2022, as amended, to set additional regulations for refreshment vehicles licence holders and to allow refreshment vehicles on City property with a permit.

AND WHEREAS section 8(3) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, ("*Municipal Act*") provides that a by-law under section 10 and 11 of the *Municipal Act* may regulate or prohibit, require persons to do things, and provide for a system of licences respecting a matter;

AND WHEREAS section 11(3) of the *Municipal Act* sets out that a lower-tier municipality may pass by-laws with respect to business licensing;

AND WHEREAS section 151(1) of the *Municipal Act* provides that a municipality may provide for a system of licences with respect to a business;

AND WHEREAS Council has determined that it is desirable to make amendments to Business Licensing By-law 122-2022, as amended, to set additional regulations for refreshment vehicle licence holders;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That Business Licensing By-law 122-2022, as amended, be further amended by adding the following definitions to section 3.0(5):

"Designated Area" means a space on *City Property* reserved for the exclusive use of a specific *Refreshment Vehicle* with a *City* issued permit, as indicated in the permit;

"Criminal Record Check Level 1" means a Criminal Record Check issued by an *Ontario Police Service*;

"Criminal Record Check Level 2" means a Criminal Record and Judicial Matters Check issued by an *Ontario Police Service*;

“Criminal Record Check Level 3” means a Vulnerable Sector Check issued by an *Ontario Police Service*;

2. That Business Licensing By-law 122-2022, as amended, be further amended by deleting and replacing references to “Criminal Record Check”, “criminal record check”, “Police Criminal Record Check”, “complete Police Criminal Record Check” or “complete Police Criminal Records Check” with “*Criminal Record Check Level 1*”.
3. That Business Licensing By-law 122-2022, as amended, be further amended by deleting and replacing the definition of “Ontario Police Service” with the following definition in section 3.0(5):

“Ontario Police Service” means a police service as defined in the *Community Safety and Policing Act, 2019*, S.O. 2019, c.1, Sched. 1.
4. That Business Licensing By-law 122-2022, as amended, be further amended by adding subsection 25.0(2)(h) to read as follows:

(h) a *Criminal Record Check Level 2*, dated not more than ninety (90) days prior to the date of application, if the *Owner* operates the *Refreshment Vehicle*.
5. That Business Licensing By-law 122-2022, as amended, be further amended by adding subsection 25.0(3)(f) to read as follows:

(f) a *Criminal Record Check Level 2*, dated not more than ninety (90) days prior to the date of application.
6. That Business Licensing By-law 122-2022, as amended, be further amended by adding subsection 25.0(4)(e) to read as follows:

(e) a *Criminal Record Check Level 2*, dated not more than ninety (90) days prior to the date of application, if the *Owner* operates the *Refreshment Vehicle*.
7. That Business Licensing By-law 122-2022, as amended, be further amended by adding subsection 25.0(5)(d) to read as follows:

(d) a *Criminal Record Check Level 2*, dated not more than ninety (90) days prior to the date of application.
8. That Business Licensing By-law 122-2022, as amended, be further amended by adding sections 25.0(8.1) and 25.0(8.2) to read as follows:

- (8.1) Every *Refreshment Vehicle Owner* and *Refreshment Vehicle Driver* shall keep the area surrounding the *Refreshment Vehicle* free of waste and debris, and shall regularly and properly dispose of waste.
- (8.2) Every *Refreshment Vehicle Owner* and *Driver* shall ensure that any wastewater from the *Refreshment Vehicle* is stored in an appropriate wastewater holding tank and that it is disposed of by a licensed wastewater disposal contractor.
9. That Business Licensing By-law 122-2022, as amended, be further amended by repealing section 25.0(10)(c).
10. That Business Licensing By-law 122-2022, as amended, be further amended by adding the following subsections to section 25.0(10):
- (m) all special extinguishing systems, kitchen suppression systems, ventilation in every *Refreshment Vehicle – Type 1* have to be inspected every six (6) months by an authorized third-party contractor;
 - (n) where the *Refreshment Vehicle* is equipped with a deep fryer, range, griddle, char-broiler or other similar equipment, the *Refreshment Vehicle* shall be equipped with a “K” Class portable fire extinguisher;
 - (o) where the *Refreshment Vehicle* is equipped with cooking equipment powered by propane, the *Refreshment Vehicle* shall have a 2A10BC, or larger, dry chemical portable fire extinguisher;
 - (p) every *Refreshment Vehicle* shall be operated in compliance with all relevant *City* by-laws;
 - (q) every *Refreshment Vehicle* shall comply with the requirements of the *Fire Code and the Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4;
 - (r) no *Person* operating a *Refreshment Vehicle* shall sell or offer for sale any alcoholic beverages, tobacco or cannabis products;
 - (s) every *Owner* of a *Refreshment Vehicle* shall comply with the *Occupational Health and Safety Act, 1997*, R.S.O. 1990, c. O.1, the *Workplace Safety and Insurance Act, 1997*, S.O. 1997, c. 16, the *Human Rights Code, 1990*, R.S.O. 1990, c. H.19, and applicable regulations under such legislation and all other legal obligations with respect to worker health, safety and treatment.

11. That Business Licensing By-law 122-2022, as amended, be further amended by deleting and replacing “Unless authorized by a permit for a special *Event* organized or sponsored by the *City* or by a *Special Event Permit*, and subject to the conditions therein” from section 25.0(13) with “Unless authorized by a permit issued by the *City*, and operating in accordance with the terms and conditions of that permit.”.

12. That Business Licensing By-law 122-2022, as amended, be further amended by adding section 25.0(17) to read as follows:

(17) Every holder of a *City* issued permit to operate a *Refreshment Vehicle* on *City Property* shall agree to indemnify and save the *City* harmless from any and all claims, demands, causes of action, losses, costs (including legal fees), expenses, or damages that the *City* may suffer, incur or be liable for, resulting from or in any way related to their negligence, acts, or omissions, or that of the individuals operating the *Refreshment Vehicle*, while using *City Property*.

13. That Business Licensing By-law 122-2022, as amended, be further amended by adding **Part 25.3 Refreshment Vehicles on City Property** to read as follows:

Part 25.3 Refreshment Vehicles on City Property

(1) No *Person* shall operate a *Refreshment Vehicle* on any *City Property* except with a permit issued by the *Chief Licensing Officer* to do so, and when operating in compliance with the provisions of this By-law and in accordance the terms and conditions of that permit.

(2) No *Person* shall apply for a permit to operate a *Refreshment Vehicle* on *City Property* unless that *Person* is a *Refreshment Vehicle Owner* who has a valid *City Refreshment Vehicle Owner Licence*.

(3) Every *Owner* of a *Refreshment Vehicle* who intends to operate a *Refreshment Vehicle* on *City Property*, and is eligible to do so under section 25.3, shall:

(a) be in compliance with all of the applicable licensing or renewal requirements under Part 25.0;

(b) apply for a permit to operate a *Refreshment Vehicle* on *City Property*;

(c) pay the applicable permit fee as set out in *Fees and Charges By-law*, prior to the permit being issued;

- (d) submit an operational plan indicating plans for signage, waste management including disposal of grease and grey water, and a list of types of food products to be sold or offered for sale;
 - (e) submit a recent colour photograph of the *Refreshment Vehicle* that is going to operate under this permit;
 - (f) provide information on the maximum height, length, width and depth of the *Refreshment Vehicle*;
 - (g) provide information on the type of heating and cooking equipment used;
and
 - (h) provide information on any other equipment to be used in the business, if any.
- (4) Notwithstanding subsection 25.0(10)(f), no amplification of sound, ringing of any bells or chimes, or other means of recognition shall be conducted at any time on *City Property*.
- (5) No *Person* operating a *Refreshment Vehicle* on *City Property* shall install any structures, such as fences, or appurtenances, such as tables, chairs or umbrellas.
- (6) No *Person* operating a *Refreshment Vehicle* on *City Property* shall install and/or operate any outdoor cooking equipment, including a portable barbeque.
- (7) A permit to operate a *Refreshment Vehicle* on *City Property* shall be renewed every season (i.e., May 1 to October 31) and is applicable only for the specific location and timeline as indicated in the permit.
- (8) Notwithstanding any other provisions of this Part, the *Chief Licensing Officer* may impose terms and conditions on the *Refreshment Vehicle* permit to operate on *City Property* at issuance, renewal or at any other time during the permit period, including special conditions, as he or she may deem necessary.

Voted in favour by City of Vaughan Council this 23rd day of April, 2025.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. 4 of Report No. 16 of the Committee of the Whole.
Report adopted by Vaughan City Council on April 23, 2025.
City Council voted in favour of this by-law on April 23, 2025.
Approved by Mayoral Decision MDC 006-2025 dated April 23, 2025.
Effective Date of By-Law: April 23, 2025