

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 035-2017

A By-law of the Corporation of the City of Vaughan to amend Consolidated Licensing By-law No. 315-2005, as amended, to establish Refreshment Vehicle Event Licences and to amend Parks By-law No. 134-95, as amended, to allow for vending in parks where there is a Special Event Permit in place.

WHEREAS section 8(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on a municipality to (a) enable it to govern its affairs as it considers appropriate, and (b) enhance its ability to respond to municipal issues;

AND WHEREAS section 11(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides for a lower-tier municipality and an upper-tier municipality to pass by-laws respecting matters that include business licensing;

AND WHEREAS section 151(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides for municipalities to provide for a system of licences with respect to businesses;

AND WHEREAS section 391(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides for a municipality to impose fees or charges on persons for services or activities it provides and for the use of its property;

AND WHEREAS the Council of The Corporation of the City of Vaughan wishes to protect consumers, control nuisances, and protect the health and safety of the public, while also attracting investment, creating jobs, and promoting the arts, culture, heritage and sports in the community;

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

1. Amend Licensing By-law 315-2005, as amended, as follows:
 - (a) Add to Section 2.1, in alphabetical sequence, the following definitions:

“Event” includes a temporary organized public or social occasion that takes place in a predetermined place or places over a specified time period of one day or several consecutive days.

“Special Event Permit” means a permit issued under the authority of the Special Events By-law 370-2004, as amended, or its successor by-law.

(b) Delete Section 25.0(12) and replace it with the following:

(12) 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, no *Owner* or *Operator* of a Refreshment Vehicle shall sell or offer for sale refreshments or other products:

- a) Within one hundred (100) meters of a public park;
- b) In any way that impedes or obstructs traffic, private roadways or driveways;
- c) From September 1st to June 30th inclusive from 7:00 am to 7:00 pm consecutively within a two hundred (200) meter radius of any school grounds.

(c) Add the following section, in numerical sequence, as follows:

25.2 REFRESHMENT VEHICLES – EVENT LICENCES

- (1) Unless licensed under Section 25.0 or Section 25.1, no person shall cause a *Refreshment Vehicle* to be operated at an *Event* without a Refreshment Vehicle Event Licence.
- (2) Every *Refreshment Vehicle Owner* who applies for a Refreshment Vehicle Event Licence shall be subject to the applicable fee, as set out in Schedule “B”.
- (3) In addition to the requirements set out in section 4.3, every *Refreshment Vehicle Owner* who applies for a Refreshment Vehicle Event Licence shall include proof, satisfactory to the *Chief Licensing Officer*, that all of the application requirements for a *Refreshment Vehicle Owner* under section 25.0 of this By-law, as amended, have been met.

- (4) Despite Subsection 25.2(3), the requirement under 25.0(14), to affix the original license to the exterior rear of the vehicle for which such license was granted, does not apply to vehicles with a Refreshment Vehicle Event Licence.
- (5) In addition to the requirements set out in section 4.3, every *Refreshment Vehicle Owner* who applies for a Refreshment Vehicle Event Licence shall include proof, satisfactory to the *Chief Licensing Officer*, that every person under the *Refreshment Vehicle Owner's* charge during the *Event* meets the requirements of *Refreshment Vehicle Operators* as set out under section 25.0 of this By-law, as amended.
- (6) Every *Refreshment Vehicle Owner* who applies for a Refreshment Vehicle Event Licence, who also holds a valid licence in a municipality with requirements that, to the satisfaction of the *Chief Licensing Officer*, similarly meet the licensing requirements of this By-law, may be eligible to have the similar requirements in this By-law deemed to be satisfied by the *Chief Licensing Officer*.
- (7) Every *Refreshment Vehicle Owner* licensed under this section and operating at an *Event* shall have for inspection and make available upon request its Refreshment Vehicle Event Licence that confirms permission for the *Refreshment Vehicle* and all its *Refreshment Vehicle Operators* to vend at the *Event*.
- (8) No *Refreshment Vehicle Owners* or *Refreshment Vehicle Operators* licensed under section 25.2 of this By-law shall sell or offer to sell any refreshments at any place or time not explicitly provided for under their Refreshment Vehicle Event Licence.

(d) Add the following fees, in alphabetical sequence, to Schedule "B":

CLASSES OF BUSINESS LICENCES	2017		2018	
	INITIAL FEE	RENEWAL FEE	INITIAL FEE	RENEWAL FEE
Refreshment Vehicle Event Licence (per vehicle, per event)	\$50	N/A	\$52	N/A

(e) Add to subsection 4.3(14) the following:

(i) Subsections 4.3 (14) (a) to (d) do not apply to Refreshment Vehicle Event Licences.

2. Amend the Parks By-law No. 134-95, as amended, as follows:

(a) Add to Section 1, in alphabetical sequence, the following definitions:

“Special Event Permit” means a permit issued under the authority of the Special Events By-law 370-2004, as amended, or its successor by-law.

(b) Amend the first paragraph of section 38(1) to read as follows:

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, no person shall, while in any park, sell or offer or display for sale:

3. This By-law comes into effect and force on the date enacted by City Council.

Enacted by City of Vaughan Council this 19th day of April, 2017.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk