

The Corporation of the Municipality of Meaford

By-law Number 2025-75

Being a by-law to Amend Schedule A-3 of By-law 053-2012, To Licence, Regulate and Govern the Owners and Drivers of Businesses with the Municipality

Whereas, Section 5 (3) of the Municipal Act, S.O. 2001, c.25 provides that municipal power shall be exercised by by-law; and

Whereas, Section 25 of said Act provides that a local municipality may license and regulate any business, wholly or partly carried on within the municipality, even if the business is being carried on from a location outside the municipality, and

Whereas, Council of the Municipality of Meaford passed and enacted By-law 053-2012, being a by-law to licence, regulate and govern the owners and drivers of businesses with the Municipality; and

Whereas, Council of the Corporation of the Municipality of Meaford deems it expedient and necessary to amend Schedule A-3 Refreshment Vehicles of By-law 053-2012 with respect to licencing in the Municipality of Meaford.

The Council of the Corporation of the Municipality of Meaford enacts as follows:

1. That Schedule A-3 – Refreshment Vehicles of By-law 053-2012 be hereby deleted and replaced with Schedule A-3 attached hereto.
2. That Section 9.1 of By-law 053-2012 be replaced with “Class A” and “Class B”.
3. That by-law 2025-23 hereby be replaced.
4. That this By-law shall come into full force and effect on the date of final passage hereof at which time all by-laws and/or resolutions that are inconsistent with the provisions of this By-law and the same are hereby repealed or rescinded in so far as it is necessary to give effect to the provisions of this By-law.

Read a first, second and third time and finally passed this 15th day of December, 2025.

Ross Kentner, Mayor

Margaret Wilton-Siegel, Clerk

Schedule A-3 – Refreshment Vendor Licence

1. Application of Schedule A-3 – Refreshment Vehicles

- 1.1 Schedule A-3 shall pertain to every person selling or providing food that is intended for immediate consumption through the use of a motorized or non-motorized vehicle and / or equipment that is mobile or temporary in nature.

2. Definitions

2.1 In this by-law:

- a) **“Caterer”** means a person or business who prepares food in a commercial kitchen or licensed facility and then transports it to serve at a venue.
- b) **“Immediate Consumption”** means food or drink that is prepared for, sold or served in a form that permits consumption on the premises or elsewhere without further preparation by the consumer.
- c) **“Food Service Premise”** means any food premise where meals or meal portions are prepared for immediate consumption or sold or served in a form that will permit immediate consumption on the premises or elsewhere permitted within this By-law.
- d) **“Low-risk food”** means food that is not potentially hazardous food as defined in Ontario Regulation 493/17.
- e) **“Special Event”** means a one-time, annual or infrequently occurring event, exhibition, concert, festival or other organized public amusement held for profit or otherwise.
- f) **“Municipal Property”** means land and premises owned by the Municipality of Meaford including municipal parks and sidewalks, but does not include the portion of a highway used for vehicular traffic.
- g) **“Refreshment Vehicle”** means every vehicle or temporary food service premise or structure from which food intended for immediate consumption by the public and includes, but not limited to carts, wagons, trailers, trucks and bicycles, irrespective of the type of motive power employed to move the Refreshment Vehicle for one point to another.

“Class A – Motorized Food Sales” means the sale of food that is primarily based from a motorized mobile unit or trailer which includes any “motor vehicle” as defined by the Highway Traffic Act and includes but is not limited to food trucks, food wagons, motorized ice cream vehicles and Ministry of Transportation licenced/plated trailers hauled by a motor vehicle.

“Class B – Non-Motorized Food Sales” means the sale of food that is primarily based from a non-motorized, muscular powered, or stationary equipment other than food wagons, and shall include but not be limited to bicycle refreshment carts, portable barbeques or grills, tables, coolers and other mobile or temporary food premises or structure from which food therein is provided for sale or sold to members of the public.

- h) **“Refreshment Vendor”** means a person, owner, or operator of a Refreshment Vehicle within the Municipality.
- i) **“Private Event”** is a gathering organized for a specific purpose and is not open to the general public.
- j) **“Private Property”** means any land, building, or structure that is owned, leased, occupied, or controlled by a person, business, or other legal entity, and that is not owned, leased, or controlled by the Municipality of Meaford, County of Grey, the Province of Ontario, the Government of Canada, or any other public authority.

3. Exemptions

- 3.1 Caterers or catering services not engaged in food sales to the general public.
- 3.2 Food services conducted inside a permanent fixed facility and properly zoned for such use with an approved and valid permit from Public Health.
- 3.3 Small roadside youth entrepreneurship ventures on private property.
- 3.4 Refreshment Vehicles operating with the Downtown Farmers Market during the operation of the market, with an approved and valid permit from Public Health
- 3.5 Foods that are prepared as low-risk food that may include but is not limited to dry baked goods, cookies, brownies, breads, trail mixes, dry spice mixes, cake and cookie mixes, popcorn and nuts.

3.6 A Special Events Vendor Licence for a Special Event held in the Municipality on Private property.

4. Annual Licence Fee – Refreshment Vendors

4.1 All licence fees are provided for in the annual Fees and Charges By-law.

5. Application Requirements – Refreshment Vendors Licence

5.1 Class A or Class B Refreshment Vendors Licence

A person who wishes to operate as a Class A or Class B Refreshment Vendor licence shall make an application for a licence under this By-law. In the case where the operator does not own the vehicle to which a licence application is made, the application shall be a joint application by both the owner and operator of the Refreshment Vehicle.

Applications may be submitted electronically, where applicable. All applications for licences must be made at least 10 regular business days prior to commencing operations. Refreshment Vehicles are not permitted to operate until a License has been issued by the Municipality.

The following items shall be submitted to the Licensing Officer when applying for a Class A or Class B Refreshment Vendor licence:

- a) A completed and signed application form including the type(s) of food to be sold and the address of any off-site premises at which food is to be prepared and cooked, with a sample menu or general description of the food to be offered for sale.
- b) Applications for food sales on private property must be accompanied by a letter from the owner of the private property authorizing permission to operate such food sales.
- c) A detailed site plan showing the proposed location of the food sale/service and is to include any adjacent structures, the distance from the adjacent structures and municipal sidewalk and/or road, location of garbage receptacle, along with any other information that may be requested by the Licensing Officer.

- d) Certificate of Insurance naming the Municipality of Meaford as an additional insured for coverage of at least \$2,000,000 general commercial liability insurance for the duration of the licence.
- e) A photo of the refreshment vehicle taken no more than 12 months prior to the date of application showing (at minimum) the customer facing façade and any associated signage.
- f) Each refreshment vehicle is required to submit an approved and valid food premises permit from the Health Unit. Prior to commencing food sales, proof of an inspection by the Health Unit is required to be submitted to the Licensing Officer.
- g) A certificate of inspection from a licenced gas fitter shall be supplied annually with the application for vendors using applicable combustible materials (if applicable).
- h) A spill containment plan including a description of how and where garbage, grease, and grey water will be disposed of in a sanitary manner satisfactory to the Municipality.
- i) An application for a Class A Licence shall include a current valid copy of the vehicle registration.

6. General Conditions

- 6.1 In addition to the General Regulations set out in Part 4 of By-law 053-2012, the following conditions apply to operate a Refreshment Vehicle unless otherwise specified:
- a) No Refreshment Vehicle shall operate within the Municipality of Meaford without an approved Refreshment Vendors License unless exempt under this By-law.
 - b) A Refreshment Vehicle shall be permitted to operate on public or private property with an approved Refreshment Vendors licence. Private property permission to enter onto the property for the purpose of operating as a Licenced Refreshment Vendor must be obtained and provided to the Licensing Officer upon application and conform with land use provisions set out in the Zoning By-law.
 - c) No Refreshment Vehicle shall utilize equipment that is drawn by a horse or other animal.
 - d) No Refreshment Vehicle shall operate a BBQ or any other equipment with an open flame under a tent structure.

- e) A separate licence shall be required for each refreshment vehicle, unless otherwise issued under the Special Events By-law or exempt under this By-law.
- f) Licences are valid until December 31st the year of issuance regardless of the date they were issued, or any other date as may be deemed appropriate by the Licensing Officer.
- g) The dimensions of a food premises based out of a vehicle shall not be greater than 6.7 metres (22 feet) in length and 2.2 metres (7.2 feet) in height, unless otherwise approved by the Licensing Officer.
- h) The size of a temporary food premises or structure shall not exceed the requirements of a building permit as per the Ontario Building Code.
- i) Every licensee shall ensure that their Licence relating hereto is affixed to the food premises in a conspicuous manner clearly visible to the public at all times during the hours of operation of the business.
- j) No licensee shall carry on food sales between the hours of 11:00 p.m. and 7:00 a.m., unless approved by the Licensing Officer in writing.
- k) No Refreshment Vehicle is permitted to operate within 15 metres of an intersection or a bus stop unless permitted through approval of the Licencing Officer or designate.
- l) No Refreshment Vehicle shall operate within 3 metres of the vehicular entrance to the property, or of the property line, or in any location which will obstruct the flow of vehicles, obstruct sight lines.
- m) All Refreshment Vehicles shall be clear of 3 meters of all flammable or combustible material or vegetation that will carry fire.
- n) No Refreshment Vehicle shall operate within 3 metres of any structure unless permitted through approval of the Licensing Officer.
- o) Refreshment Vehicles must maintain a barrier-free pedestrian aisle access of a minimum of 2 metres and ensure there is no obstruction of any existing fire routes or public utilities.

- p) Every licensee and its employees shall observe and comply with the regulations as set out in the Health Protection and Promotion Act, or under the authority of any other statute, regulation or By-law by the Medical Officer of Health.
- q) If the Health Unit finds that a food sales operation (and maintenance) does not comply with the requirements of the Health Protection and Promotion Act and the Food Premises Regulation (Ontario Regulation 497/17), the Licensing Officer or Officer may suspend the licence until the situation has been rectified.
- r) All licenced Refreshment Vendors shall be in compliance with land-use requirements as established in the applicable zoning by-law.
- s) All licenced Refreshment Vendors shall be in compliance with the municipal Sign By-law.
- t) All licences are conditional upon the satisfactory inspection of the food premises by a designated Meaford Fire Department or Inter Township Fire Department representative as required by the Licencing Officer.
- u) Each licensee shall ensure that appropriate measures are in place to protect municipal sidewalks or other property or infrastructure from damage, deterioration or disrepair – as may be required by the Municipality, and in accordance with the Ontario Building Code and the Ontario Fire Code.
- v) All Refreshment Vehicles shall operate in compliance with the Accessibility for Ontarians with Disabilities Act, 2005 and the Smoke-Free Ontario Act, 2017.
- w) The Licensing Officer may impose any conditions or restrictions on a licence as may be deemed necessary in the circumstances to ensure the health, safety and general public interest of the residents of the Municipality of Meaford and/or the Corporation of the Municipality of Meaford.
- x) Licences may be suspended or revoked at any time at the discretion of the Licensing Officer, Fire Chief or any other official of the Municipality of Meaford, County of Grey, Province of Ontario, or Government of Canada that has been provided the authority to do so if, as a result of the evidence that is provided, the food vendor is not conforming to the requirements of this By-law.

7. Special Conditions Applicable to Class A – Motorized Food Sales

- 7.1 In addition to the conditions provided for in section 6, the following also applies to a Class A Refreshment Vendor Licence:
- a) A Class A Refreshment Vehicle shall not carry-on business on any highway, except at a construction site where the highway has been closed to traffic, or on private property unless permission is granted by the property owner to allow entry onto the property for sales.

8. Special Conditions Applicable to Class B – Non-Motorized Food Sales

- 8.1 In addition to the conditions provided for in section 6, the following also applies to a Class B Refreshment Vendor Licence:
- a) A Class B Refreshment Vehicle where sales of food are provided primarily by a muscular powered vehicle, such as a bicycle refreshment cart, shall be permitted to operate on a highway in accordance with the Highway Traffic Act.

9. Additional Conditions for Refreshment Vehicles on Municipal Property

- 9.1 The Municipality will post a map of available Refreshment Vendor locations on the municipal website annually (prior to the application deadline).
- 9.2 The application procedure and associated lottery shall be held once annually for all approved locations.
- 9.3 Refreshment Vendor applicants who are interested in operating in a designated municipal identified location on public property can only apply with a valid licence to operate for that year and would be required to apply by March 1st of each year.
- 9.4 Should multiple applications be received for the same location prior to March 1st, the spot will be assigned by a lottery or lotteries conducted on the next business day following the application deadline and, in a manner, deemed appropriate by the Licensing Officer.
- 9.5 Applicants may apply for multiple locations but only one site will be awarded per licenced refreshment vehicle.
- 9.6 No position in a lottery may be transferred, sold, conveyed or assigned from the applicant to any other person or entity. Any attempt to transfer a lottery position will disqualify from the lottery both the refreshment vehicle seeking to transfer the lottery position and the person or entity seeking to obtain it.

- 9.7 Any Refreshment Vendor approved to operate on Municipal property must provide a signed release form indemnifying the Municipality of any actions, damage, loss, claim or liability as a direct result of the food vendor operations, the use of the designated area or anything undertaken or neglected to be undertaken in connections with the use of the permit.
- 9.8 Refreshment Vehicles located on municipal property are not permitted to offer alcohol for sale or consumption.
- 9.9 Refreshment Vehicles are only permitted to sell alcohol on municipal property through a Special Events Permit obtained through the Alcohol and Gaming Commission of Ontario (AGCO) and approved by the Licensing Officer in writing.
- 9.10 Refreshment Vehicles operating on municipal property must be always attended to by the operator or their designate.

10. Special Events - Refreshment Vendor Licence

- 10.1 A Special Events Vendor Licence is required for Class A and/or Class B Refreshment Vehicles operating within the Municipality of Meaford for a minimum of 1 day to a maximum of 5 days for events on Municipal Property or Private Events held on Municipal property.
- 10.2 Refreshment Vehicles may only operate during the dates and times indicated on the Municipal approved Special Event Refreshment Vendors Licence.
- 10.3 For Refreshment Vehicles licenced in another municipality, application, fee, proof of licence and supporting documentation outlined in section 5.1 shall be submitted at least 7 business days in advance of the special event to the Licencing Officer or designate for review of the special events refreshment licence.
- 10.4 For Refreshment Vehicles not licenced in another municipality, the application process outlined in section 5 will apply. The application, fee and supporting documentation must be submitted at least 10 business days in advance of the special event to the Licencing Officer or designate.
- 10.5 All food premises are subject to inspection by an Officer; Health Inspector; Alcohol and Gaming Commission Enforcement Officer; or any other official of the Municipality of Meaford, County of Grey, Province of Ontario, or Government of Canada.