

**THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY**

**BY-LAW NO. 33 - 2016**

**Being a By-law for licensing, regulating and governing Mobile Food Wagons and Chip Stands from which refreshments are sold for consumption by the public and for revoking any such licenses.**

**WHEREAS** the Municipal Act, 2001 authorizes Council to pass by-laws regulating vending in streets, etc., for prohibiting or regulating sales by retail in the highways or on vacant lots adjacent to them and for regulating traffic in and preventing the blocking up of the highways by vehicles or otherwise. And a by-law passed under this paragraph may be made applicable to the whole municipality or to any defined areas thereof.

**AND WHEREAS** the Municipal Act, 2001 authorizes Council to pass a by-law prohibiting the sale of refreshments on public streets, etc., for prohibiting the sale of refreshments or confections from a basket or wagon, cart or other vehicle upon any highway or part of it or in any public park or other public place, but no by-law passed under this paragraph applies to a farmer's market gardener or other person selling or delivering goods at any place of business or residence upon such highway or part thereof.

**AND WHEREAS** the Municipal Act, 2001 authorizes the Council of a local municipality to pass by-laws for licensing, regulating and governing any business carried on within the municipality, sets out the powers re: licenses, provides for Council to set and charge license fees, sets out the limitations, and sets out the expiry of such a by-law.

**AND WHEREAS** it is necessary and desirable that such Mobile Food Wagons or Chip Stands be maintained in a proper and sanitary condition, and should vend such merchandise in places and in such ways as to minimize traffic and safety hazards and inconvenience to the general public.

**NOW THEREFORE** the Council of the Corporation of the Township of North Glengarry enacts as follows:

1. **Interpretation**

- a) In this by-law, "**Mobile Food Wagon**" shall mean a vehicle from which in whole or in part, refreshments for consumption by the general public are sold upon the streets and in public places, said refreshments having been prepared on a recognized commercial establishment such establishment being subject to regular inspections as determined by the office of the Medical Officer of Health
- b) "**Medical Officer of Health**" shall mean the Medical Officer of Health for the Stormont, Dundas and Glengarry Health Unit.
- c) "**Chip Stand**" shall mean a vehicle or structure, from which in whole or in part, refreshments for consumption by the general public are sold upon the streets, public places or private property, said refreshments having been prepared in whole or part on site.

2. Every person, whether an individual or a corporation shall observe and comply with the following requirements in the operation of a Mobile Food Wagon or Chip Stand.

- a) The body, doors and windows of any Mobile Food Wagon or Chip Stand shall be of sufficiently sound construction to provide all reasonable protection of food against dust, dirt, flies and of other insect pests, rodents or other injurious matter or things.

The interior of the Mobile Food Wagon or Chip Stand shall be painted in a light colour and all parts equipment thereof, related to the storage, preparation or dispensing of refreshments shall be kept clean.

- c) The floor of such Mobile Food Wagon or Chip Stand shall be of a suitable impervious material, free from holes, cracks or crevices, and the surface thereof shall be readily washable and shall be kept clean and in good condition.
- d) Suitable removable racks, shelves or counters shall be provided for the storage and preparation of food.
- e) Hand washing facilities shall be provided on the Mobile Food Wagon or Chip Stand and shall consist of a water storage tank connected through a faucet to a wash basin and discharging into an enclosed container for waste water. The waste water shall be emptied periodically into a sanitary drain in a manner which does not create an offense or a nuisance. A constant supply of soap and clean towels shall be provided at all times.
- f) All water used on the vehicle shall be of potable quality satisfactory to the Medical Officer of Health.
- g) All refreshments sold from any Mobile Food Wagon or Chip Stand licensed under this by-law, shall be clean, fresh and wholesome.
- h) No food other than those described in Schedule A of this by law may be offered or prepared for sale from any Mobile Food Wagon or Chip Stand.
- i) Any preparation of food for sale to the public not carried out within the Mobile Food Wagon or Chip Stand, shall be carried out in a recognized commercial establishment for the preparation of food. Any other food offered for sale from such vehicle or Chip Stand shall be in individual prepackaged and sealed containers which have also been prepared in such establishment.
- j) All salt, vinegar and other condiments shall be dispensed from suitable containers designed to protect the contents from dust, flies and other injurious things, and shall be dispensed in such a manner as well prevent contamination by any means.

3. Every operator or employee who handles or comes into contact with any utensil or with any food during its preparation, service, storage or sale shall:

- a) Be clean;
- b) Wear clean outer garments;
- c) Be free from and not a carrier of any disease which may be spread through the medium of food;
- d) Satisfy the Medical Officer of Health as to his freedom from diseases
- e) Submit to such medical examination and tests as the Medical Officer of Health may require.
- f) No person shall work in a Mobile Food Wagon or Chip Stand who has any abrasion or other skin condition which may contaminate food.

4. Every person whether an individual or a corporation shall pay to the Clerk of the Township of North Glengarry the sum of:


- 1) In the ward of Alexandria (Chip Stands) a yearly license fee of \$1500.00 or a six month license fee of \$750.00.

- 2) In all other wards (Chip Stands) a yearly license fee of \$400.00 or a 6 months license fees of \$200.00.
- 2) In all wards a yearly license fee for a Mobile Food Wagon be \$500.00 for each unit.
  - a) Such license or licenses (as per schedule "B") shall be transferable upon approval by the authorities hereinafter set out.
  - b) Such license or licenses shall not be issued by the Clerk of the Township of North Glengarry until the applicant shall have filed formal application therefor, together with a written approval from the Medical Officer of Health covering the equipment said to be licensed.
  - c) Such license or licenses shall not be issued by the Clerk of the Township of North Glengarry until the applicant has filed written approval from the Fire Chief of North Glengarry.
  - d) A maximum of not more than 2 licenses may be permitted within the limits of the Town of Alexandria or the Village of Maxville. Those limits are included in the attached map Schedule C.
  - e) A maximum of not more than one Chip Stand license or Mobile Food Wagon may be permitted within any residential hamlet.
  - f) A maximum of not more than one Chip Stand license or Mobile Food Wagon may be permitted within any area located in the former boundaries of the Township of Lochiel or Kenyon not deemed to be a village or hamlet
5. The owner or operator of any Mobile Food Wagon or Chip Stand licensed under this by-law may not stop in any one spot on the public streets of the municipality, or establish themselves in other public places at a distance less than 500 feet from any eating establishment, refreshment house or public park in which there is a permanent food concession or refreshment house in operation.
6. No operator of any Mobile Food Wagon licensed under this by-law shall make a sale therefrom except at the rear of the said vehicle or on the curb side of the vehicle.
7. No operator of a Mobile Food Wagon or Chip Stand licensed under this by-law shall make a sale from private property unless
  - a) such private property, from which the sale is being made, is commercial property as defined by the Zoning By-law of the North Glengarry Township and amendments thereto, or a permitted commercial use under Section 30 (7) of the Planning Act.
  - b) he/she has written permission from property owner to be present.
8. If an operator fails for a reasonable period to observe all of the provisions of this by-law, the By-law Enforcement Officer of the Township or the Clerk shall have the power to revoke his/her license.
9. Any person who contravenes any of the provisions of this by-law, shall be subject to a penalty on conviction, and all such penalties shall be recoverable under the Provincial Offences Act.

10. By-law 19-2004 is hereby repealed.

**READ** a first, second, third time and enacted in Open Council this 24<sup>th</sup> day of May, 2016.

  
Clerk / Deputy Clerk

  
Mayor / Deputy Mayor

I hereby certify that this is a true copy of By-law No. 33-2016, duly passed by the Council for the Corporation of the Township of North Glengarry on the 24<sup>th</sup> day of May, 2016

\_\_\_\_\_  
Date Certified

\_\_\_\_\_  
Clerk/Deputy Clerk

**Schedule A – Food Permitted to be Sold from Mobile Food Wagons / Chip Stands**

- French Fries / Poutine
- Hamburgers / Ground Beef (ie chili dogs, poutine toppings)
- Hot Dogs / Pogos
- Sausages
- Smoked Meat or Pulled Pork (only if cooked off-site in a commercial kitchen and simply reheated)
- Clubhouse Sandwiches
- Pitas / Wraps
- Onion Rings
- Wings / Chicken Fingers
- Perch Rolls / Fish and Chips / Fish Sandwiches

Schedule B – Copy of License for Mobile Food Wagon / Chip Stand



TOWNSHIP OF  
NORTH GLENGARRY

# LICENCE

Licence No.

Licensee
Address

THE ABOVE-NAMED PERSON IS HEREBY LICENSED, pursuant and subject to municipal authority to carry on the

Trade     Calling     Business     Occupation    of:

--

at the following location .....  
 within the limits of the municipality

THE LICENSEE SHALL observe all by-laws, rules and regulations, matters and things as are, or may be enacted by the council of the municipality or its legally constituted police services board, as the case may be, as well as any other applicable law.

Subject to revocation, this licence shall continue in force until ....., and no longer.

Issued at ..... this ..... day of .....

Licence fee of \$ ..... received this ..... day of .....

(seal)

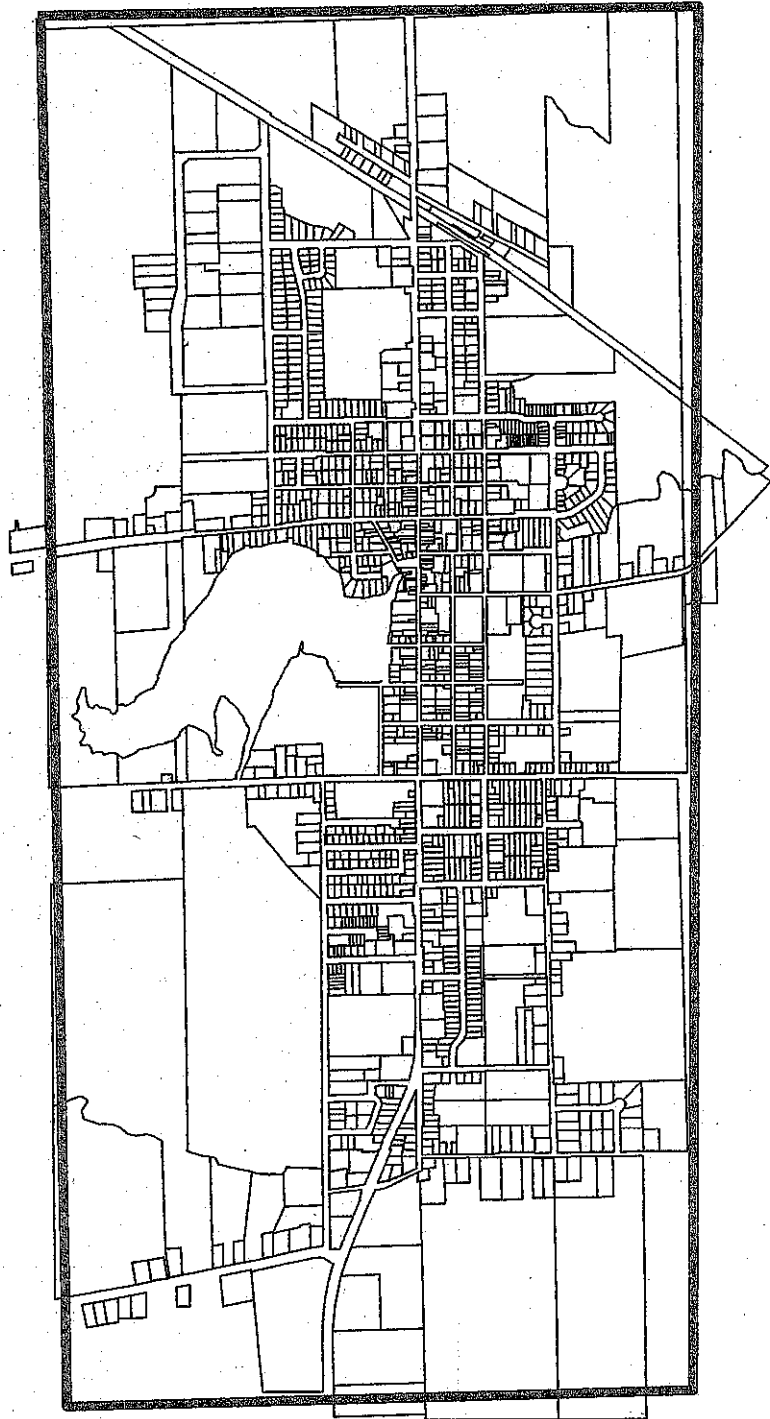
The personal information on this licence forms part of a public record and will be used for the licensing and regulation records of the municipality. For further information, please contact the Municipal Clerk or the Freedom of Information and Privacy Coordinator.

Original : LICENSEE

Copy : OFFICE

**Schedule C - Limits of Alexandria and Maxville boundaries (for the purposes of licensing Mobile Food Wagons / Chip Stands)**

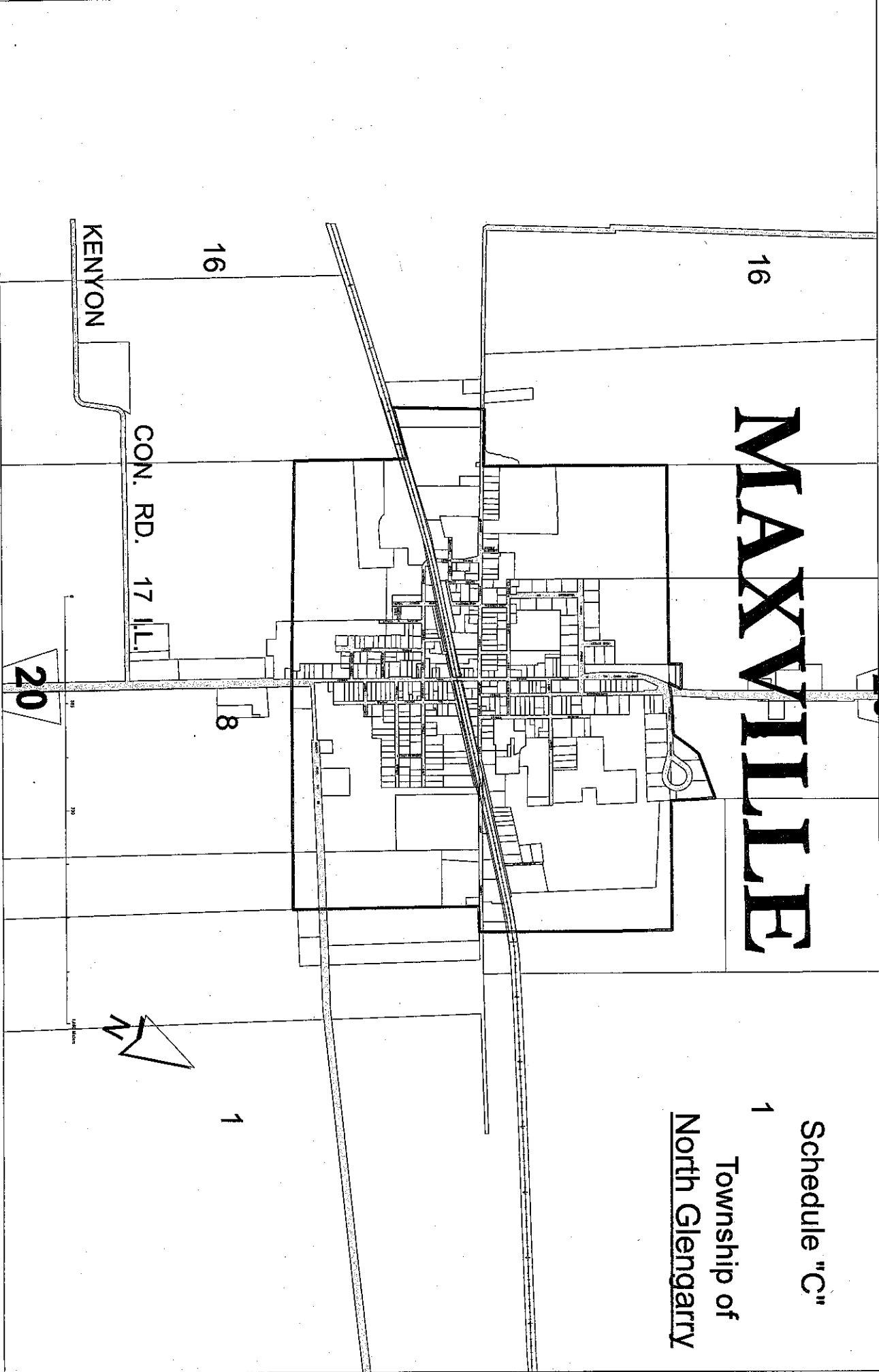
# Schedule "C"





# MAXVILLE

Schedule "C"  
1  
Township of  
North Glengarry



The Township of North Glengarry does not guarantee or warrant accuracy. This data is provided "AS IS" and is not a survey plan.