

Subject: Restaurant By-law

Department: Corporate Services

Division: Clerks

Report #: CPS-2023-057

Meeting Date: 2023-10-30

Recommendations

That report CPS-2023-057, Restaurant By-law be received;

And that a public meeting be held to obtain input from the public on the proposed Restaurant By-law;

And that staff report back to Council on the comments and feedback received.

Background and Analysis

The Regulatory By-law Review Work Plan Update adopted by Council at its meeting held on January 23, 2023 includes a review of the Town's Restaurant By-law.

The current Restaurant By-law was adopted in 2004 and establishes rules and regulations for licensing of restaurants in the Town. This by-law was amended to reflect a change in the expiry date for restaurant licenses.

The proposed Restaurant By-law has been developed taking into consideration the following:

- an administrative framework that creates regulations to ensure the public safety of persons;
- a consistent approach with the regulations and general licensing provisions set out in the Town's regulatory and general licensing by-laws;
- a comprehensive review of best practices of comparable municipalities' restaurant by-laws; and
- relevant legislation, such as the Municipal Act.

The table below outlines key changes set out in the proposed by-law:

| Summary of Proposed By-law Requirements | |
|---|--|
| Definitions | |
| Add: | <ul style="list-style-type: none">Definitions have been added and/or modified to provide clarity and consistency with other Town by-laws |
| General Prohibitions and Regulations | |
| Add: | <ul style="list-style-type: none">Any charitable or not for profit organization requiring a license will be exempt from the fee |
| Application for Licence | |
| Add: | <ul style="list-style-type: none">Applicants required to submit a copy of their incorporating documents or business name registration, if applicableProof of valid insurance of not less than two million dollars naming the Town as an additional insuredLicence renewal timeline of 14 days |
| Delegated Authority | |
| Add: | <ul style="list-style-type: none">Licence Issuer shall not issue or renew a licence to a person if the applicant has two or more related convictions, overdue by-law fines, penalties or other monies owing to the Town, outstanding property taxes and late payment charges owing to the Town. |
| General Prohibitions and Regulations | |
| Add: | <ul style="list-style-type: none">Further protections for persons with service animals – non refusal of serviceMore clarity and details regarding the process for an applicant's right to a hearing if licence issuance (or renewal) is refused, revoked, or suspendedMore clarity and details regarding the hearing process as well as enforcement and penalty provisions |

Next Steps

A public meeting will be held to obtain feedback regarding the proposed by-law, and staff will report back to Council with recommendations regarding the adoption of the by-law.

Strategic Alignment

Strategic Plan

Strategic Goal: Community Vitality

Objective: Wellbeing

Sustainable Neighbourhood Action Plan

Theme: N/A

Strategy: N/A

Notice Provisions

The Town's Notice Policy requires that notice be placed on the Town's website and published in a newspaper once per week for two consecutive weeks prior to the meeting at which the matter is to be considered, or prior to the holding of a public meeting.

Financial Impact

The annual fee for a restaurant license has been maintained at \$175.00 per location under the proposed by-law update. These licensing fees are included within the operating revenues budget under the Clerks Division of Corporate Services, and total approximately \$20,000 per year.

Respectfully submitted

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Town Clerk, Corporate Services

Attachment(s): 1. Draft Restaurant By-law