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**Subject: Mobile Food Vendors By-law Review**

**Department: Corporate Services**

**Division: By-law/Property Standards**

**Report #: CPS-2024-091**

**Meeting Date: 2024-12-16**

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### **Recommendations**

**That report CPS-2024-091, Mobile Food Vendors By-law Review, be received; and**

**That a public meeting be held to obtain input from the public on the proposed Mobile Food Vendor By-law; and**

**That staff report back to Council on the comments and feedback received.**

### **Background**

At the November 3, 2008, Council meeting the Mobile Food Vendors By-law 2008-102 was passed, which took effect on January 1, 2009, and established the rules and regulations for licensing mobile food vendors in the town.

At the November 16, 2009, Council meeting By-law 2009-120 was passed to amend the Mobile Food Vendors By-law to add the “non-residents” definition as well as an updated fees schedule.

At the May 31, 2021, Council meeting By-law 2021-047 was passed to amend sections 9.8 and 9.8.2 Mobile Food Vendors By-law addressing the permitted locations of Mobile Food Vendors.

At the May 15, 2023, Council meeting, By-law 2023-041 was passed to amend section 4.2 of the Mobile Food Vendors By-law addressing that mobile food vendors do not require a licence when attending an event initiated by the Town within the Business Improvement Area or where a special event permit has been issued by the Town.

### **Analysis/Current Situation**

A review of the current Mobile Vendor by-law was conducted, and a new by-law has been drafted 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 and comparable municipalities’ mobile food vendors; and
- Relevant legislation, such as the Municipal Act.

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

| <b>Summary of Proposed By-law Requirements</b>   |
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| Definitions  |
| <p>Add:</p> <ul style="list-style-type: none"> <li>• Definitions have been added and or modified to provide clarity and consistency with other Town by-laws</li> </ul>   |
| General Prohibitions and Regulations   |
| <p>Add:</p> <ul style="list-style-type: none"> <li>• Any charitable or not-for-profit organization requiring a license will be exempt from the fee</li> </ul>  |
| Application for License  |
| <p>Add:</p> <ul style="list-style-type: none"> <li>• Applicants are required to submit a copy of their incorporating documents or business name registration, if applicable</li> <li>• Proof of valid insurance of not less than two million dollars naming the Town as an additional insured</li> <li>• Licence renewal timeline of 14 days</li> <li>• Requirement of the applicant to provide a vulnerable sector check</li> </ul> |

## Financial Impact

The annual fee for a restaurant license has been maintained at \$500.00 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 \$5,000 per year.

## Conclusion

The mobile Food Vendors By-law has undergone several amendments since its initial adoption in 2008 to address emerging needs and improve clarity. Following a comprehensive review, a new by-law has been developed to modernize the regulatory framework, align with best practices, and ensure consistency with the Town's general licensing provisions.

The proposed update prioritizes public safety, streamlines administrative processes, and incorporates feedback from comparable municipalities. Key changes include clarified definitions, enhanced application requirements, and adjustments to ensure alignment with the Municipal Act.

By maintaining the annual \$500 licence fee, the by-law continues to support the Town's operating revenues while promoting a fair and efficient licensing system.

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## Strategic Alignment

### Strategic Plan

Strategic Goal: Community Vitality

Objective: Wellbeing

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## 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.

Respectfully submitted,

Antonietta Minichillo

Reviewed by:

Raylene Martell

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Town Clerk, Corporate Services

Prepared by:

James Bramley  
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**Attachment(s):** 1. MFV – Draft By-law