

Mobile Food Vendor By-law

Public Meeting Presentation

February 24, 2025

Timeline

Council directed staff to review the Mobile Food Vendor By-law from the Regulatory By-law Review Work Plan – CPS 2023-12-11

February 24, 2025, a Public meeting is held to receive feedback on the proposed Mobile Food Vendor By-law

December 16, 2024, staff present Report CPS-2024-091 to Council

Q1 2025, staff will report to Council on feedback received in relation to the proposed Mobile Food Vendor By-law

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.

Background (cont'd)

- 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.

Background (cont'd)

A comprehensive review of the current Mobile Vendor By-law was conducted, leading to the development of a new by-law. The updated by-law aims to:

- **Ensure Continuity** – Align with existing licensing by-laws for consistency.
- **Enhance Public Safety** – Establish a regulatory framework to protect the public.
- **Maintain Consistency** – Apply a uniform approach with the Town's regulatory and general licensing provisions.
- **Incorporate Best Practices** – Review comparable municipalities' mobile food vendor regulations.
- **Comply with Legislation** – Ensure alignment with relevant laws, such as the Municipal Act.

Summary of Proposed Regulations

Proposed Regulations

New - Definitions

- **Licence Issuer** means a **Town** employee responsible for issuing a **licence**;
- **Not for Profit** for the purposes of this By-law means a charitable or non-profit organization including a club, society or association that is organized and operated exclusively for social welfare, civic improvement, recreation or any other purpose except profit, and any profits or economic advantages which are received by it are used to promote its objectives and not used for the personal gain of any of its members or of any other **person**;
- **Person** includes an individual, sole proprietorship, partnership, limited partnership, trust, corporation, and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative;
- **Special Function** means an event occurring on private property, located outside the boundaries of the Town of Orangeville's Business Improvement Area (BIA), which does not satisfy the criteria for obtaining a **Special Event Permit** from the Parks and Recreation Department;

Proposed Regulations

New - Definitions

- **Vulnerable Sector Check** means the original search results of a Police Vulnerable Sector Check, enhanced screening for those employed in positions working with vulnerable **persons**, from each police service's jurisdiction in Canada in which the applicant has been a resident during the prior three hundred and sixty-five (365) days, dated no more than sixty (60) days prior to the submission of the Application;
- **Waste** includes food, disposable eating utensils, paper, wooden, cardboard, plastic, glass or metal products used in the preparation, serving or consumption of the food or beverages offered for sale from a refreshment vehicle or refreshment stand;
- **Special Event Permit** means a permit issued by the Community Services to hold an event on municipal property under the control of the Parks and Recreation Department;
- **Zoning By-law** means any by-law passed by a municipality pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

Proposed Regulations

Requirements for New Mobile Food Vendor Application

All application and renewal requirements have been consolidated into Schedule A to align with the Municipality's other licensing by-laws

Application Requirements

- Articles of Incorporation – Corporations
- Business Operating name – Sole proprietors
- Written authorization from Public Health, Fire Division, and relevant Town departments.
- Compliance with Zoning By-law and Site Plan Agreement.
- Proof of valid insurance (\$2M minimum) naming the Town as additional insured.
- Vulnerable Sector Check (within 60 days of application).
- Letter of permission from the property owner.
- Additional documents as required by the Licence Issuer.

Proposed Regulations

Requirements for New Mobile Food Vendor Application

Renewal Process

- Completed application form and renewal fee.
- Proof of valid insurance (\$2M minimum).
- Re-approval by all relevant bodies if conditions have changed.
- Licence renewal deadline: within 14 days of expiry; otherwise, a new application is required.
- **Right of First Refusal:** Previous year's licence holders in the Central Business District have priority if renewal is submitted by **January 15**.

This ensures a streamlined, consistent approach across all licensing by-laws.

Proposed Regulations

Fees – Schedule C

Mobile Food Vendors:	
Chip Truck - Resident	\$500
Chip Truck - Non-resident	\$600
Food Cart - Resident	\$500
Food Cart - Non-resident	\$600
Ice Cream Bike - Resident	\$100
Ice Cream Bike - Non-resident	\$120
Ice Cream Truck - Resident	\$500
Ice Cream Truck - Non-resident	\$600
Mobile Lunch Truck - Resident	\$500
Mobile Lunch Truck - Non-resident	\$600
Refreshment Stand - Resident	\$500
Refreshment Stand - Non-resident	\$600
Selling at Special Event Only - Resident	\$120
Selling at Special Event Only - Non-resident	\$160
Admin Fee (Fund raising events)	\$25

- All fees are set out in the Users Fees and Charges By-law 2024-073

Conclusion

The **Mobile Food Vendors By-law** has evolved since its adoption in 2008 to address emerging needs and improve clarity. A comprehensive review led to a **new by-law** that:

- Modernizes the regulatory framework
- Aligns with best practices and the Town's licensing provisions
- Enhances public safety and streamlines administrative processes
- Ensures consistency with comparable municipalities
- Clarifies definitions and strengthens application requirements

These updates ensure a fair, consistent, and efficient licensing system that supports both vendors and the community.

Questions and Feedback

Thank you