



Report

Subject: Mobile Food Vendor By-law

Department: Corporate Services

Division: By-law/Property Standards

Report #: CPS-2025-024

Meeting Date: 2025-04-14

Recommendations

That report CPS-2025-024, Mobile Food Vendor By-law, be received; and

That Mobile Food Vendor By-law attached to this report, be enacted.

Overview

The report on the Mobile Food Vendor By-law provides an extensive review and recommendations for regulating mobile food vending operations within the Town of Orangeville. This includes updates and modifications to the existing legislation initially passed in 2008, with amendments over the subsequent years. The By-law aims to ensure public safety, promote fair business practices, and maintain community order. Key insights from recent council meetings and public consultations highlight the necessity for systematic updates, reflecting community needs and ensuring alignment with urban planning goals and public expectations. The report also discusses the implications of potential policy changes, such as the requirement of vulnerable sector checks for owners, and a re-evaluation of fee structures to balance local support and regional competitiveness.

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.

At the December 16, 2024, Council meeting, [Report CPS-2024-091](#), Mobile Food Vendor By-law was received providing a brief review of the current Mobile Food Vendor By-law with the proposed updates.

At the February 24, 2025, Public meeting, [Report PM-2025-002](#) was received with a new draft by-law and [presentation](#) with the new proposed updates.

Analysis/Current Situation

Questions and comments brought up during the Public Meeting:

Questions	Answers
What measures can be implemented to ensure that the registered owners of food trucks are actively involved in their operation? Additionally, should the requirement for a Vulnerable Sector Check (VSC) be extended to include employees of the food truck to enhance operational integrity and public safety?	The Mobile Food Vendor By-law governs food truck operations to ensure safety, quality of life, and fair business practices: 1. Health and Safety: Enforce food safety standards through regular inspections and sanitation requirements. 2. Public Order and Amenity: Define vending locations/times to avoid congestion and disturbances. 3. Economic and Fair Competition: Ensure fair competition with licensing rules, fostering a diverse economy. Require only owners, not all employees, to provide VSCs, aligning with practices for stationary establishments such as restaurants. 4. Zoning and Urban Planning: Integrate vendors into urban plans, designating zones to support cultural and social city events.
In the case of a food truck attending a private event at a residential property, how are the applicable fees determined, and who bears the responsibility for these fees?	If a food truck operates outside the BIA and not on Town property, a Special Function Permit is mandatory. The fee is \$120 for residents and \$160 for non-residents, borne by the vendor owner. Compliance with all relevant by-laws is essential.

<p>Are there designated limits on the number of Mobile Food Vendors allowed within the town, and what are the required setbacks for their operation?</p>	<p>No specific limit on licences for ice cream bicycles, ice cream trucks, etc., but food carts are limited to six (three in the Central Business District). Setbacks include:</p> <ul style="list-style-type: none"> - 8 meters from vehicular entrances. - 90 meters from other vendors or restaurants unless consent is obtained.
<p>What procedures are in place for addressing non-payment of fees by mobile food vendors, and how is enforcement carried out in such instances?</p>	<p>Upon identifying an unlicensed MFV, the vendor will be directed to vacate, and an Order is issued to obtain a license. Non-compliance may result in fines.</p>
<p>What penalties are imposed for violations committed by Mobile Food Vendors?</p>	<p>Under the POA in Ontario:</p> <ol style="list-style-type: none"> 1. For Individuals: <ul style="list-style-type: none"> - No statutory minimum fine unless specified. - Maximum fine up to \$5,000 unless otherwise stated. 2. For Corporations: <ul style="list-style-type: none"> - No statutory minimum. - Maximum fines can reach up to \$100,000 or more.
<p>What is the justification and background behind the non-resident fee being set approximately 20% higher, and what are the reasons for this fee differentiation?</p>	<p>The higher non-resident fee is to counterbalance:</p> <ol style="list-style-type: none"> 1. Resource Utilization: <ul style="list-style-type: none"> - Non-residents use municipal resources without tax contributions. 2. Encouraging Local Economy: <ul style="list-style-type: none"> - Prioritize local vendors for economic benefits. 3. Equitable Use of Public Space: <ul style="list-style-type: none"> - Helps manage demand for prime locations. <p>Fees align with regional municipal standards and support tourism.</p>
<p>Why require a Vulnerable Sector Check for owners rather than a Criminal Record Check?</p>	<p>A VSC provides:</p> <ol style="list-style-type: none"> 1. Protection in vulnerable areas by thorough assessments. 2. A holistic review including pardoned offenses. 3. Community trust assurance. 4. Compliance with policies concerning vulnerable populations. 5. Mitigated risks in youth-centric environments.

Corporate Implications

This report outlines that there are no immediate corporate implications directly affecting the Town's resources or departments.

Conclusion

The Mobile Food Vendor By-law represents an important framework supporting Orangeville's economic resilience and community viability. The proposed updates reinforce the Town's commitment to modern regulatory practices, ensuring an equitable and safe environment for mobile vendors while facilitating urban economic growth. By adopting these changes, the Town will enhance operational clarity for vendors, optimize space usage, and support an inclusive public environment. Council's approval of these recommendations will help align municipal objectives with broader social and urban development goals.

Strategic Alignment**Strategic Plan****Strategic Goal: Economic Resilience**

Objective: to establish updated regulations for mobile food vendors within the Town of Orangeville, ensuring operational integrity, compliance with new safety standards, and alignment with community and urban planning goals

Notice Provisions

Particulars confirming all statutory notice provisions, as well as notice provisions contained within the Notice Policy, have been fulfilled.

Respectfully submitted,

Antonietta Minichillo
General Manager, Corporate Services

Reviewed by:

Raylene Martell
Town Clerk, Corporate Services

Prepared by:

James Bramley
Supervisor, Licensing and By-law Enforcement

Attachment(s): 1. Draft Mobile Food Vendor By-law