

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Housing and Community Growth

Subject: Business Licensing By-law, Schedule 16 – Refreshment Vehicles – Review and Proposed Amendments

Date: February 18, 2025

Recommendation

That, on the recommendation of the Deputy City Manager, Housing and Community Growth, the following actions be taken:

- (a) the attached proposed by-law amendments (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting to be held on March 4, 2025, to amend By-law No. L-131-16, being “A by-law to provide for the Licensing and Regulation of Various Businesses” amending sections of Parts 1, 3, 6, 7, and 10 of the by-law, and to replace Schedule 16 – Refreshment Vehicles;
- (b) the attached proposed by-law amendments (Appendix “B”) **BE INTRODUCED** at the Municipal Council meeting to be held on March 4, 2025, to amend By-law No. A-54, being “A by-law to implement an Administrative Monetary Penalty System in London” to amend penalty categories and their amounts to align with the proposed amendment to Schedule 16;
- (c) the attached proposed by-law (Appendix “C”) **BE INTRODUCED** at the Municipal Council meeting to be held on March 4, 2025, to amend By-law No. A-59, being “A by-law to provide for Various Fees and Charges” to align the new fees with the proposed new Schedule.

Summary

The proposed amendments aim to proactively improve the existing Refreshment Vehicle Schedule within the Business Licensing By-law and introduce minor changes to the main by-law to improve clarity and eliminate duplication. The definition of Refreshment Vehicles includes all types of food service vehicles; chip wagons, ice-cream and food trucks, hot-dog carts, etc.

Additionally, Staff have reviewed internal administrative and enforcement-related processes, suggesting amendments that promote consistency and simplicity in the Refreshment Vehicle schedule.

Linkage to the Corporate Strategic Plan

These proposed amendments align with the City's strategic plan under the "Well-Run City" section. The following strategies underpin these changes:

- 1.1 c) delivering municipal services that meet the needs of a growing and changing community;
- 2.1 a) delivering services that are easily accessed, simple to use, timely, and accountable to businesses, and;

2.2d) conducting targeted service reviews to ensure the efficient and effective allocation of resources. These strategies are designed to ensure that the city continuously improves and maintains high levels of satisfaction among businesses and residents.

Analysis

1.0 Previous Reports and Resolutions Related to this Matter

None

2.0 General Discussion & Considerations

2.1 Background

The proposed amendments focus on administration and enforcement matters, addressing the economic, social, and environmental well-being of the municipality, the health, safety, and well-being of persons, and the protection of persons and property, through business licensing. The proposed changes include:

- **New Definitions:** Adding terms like "Grease," "Grease-laden Vapour," and various roadway-related definitions to provide clarity for operators and enforcement officials.
- **License Classification Changes:** Redefining vehicle classes based on location (public vs. private property) and mobility rather than types of motor power and food.
- **Licensing and Renewal Process:** Updating documentation requirements for businesses, including corporate documents, proof of insurance, and inspection approvals.
- **Operational Adjustments:** Adjusting license expiration dates from January 31 to March 31 to improve administrative efficiency.
- **Fee Adjustments:** Increasing Class 1 and 2 license fees by \$48 while reducing Class 3 fees by \$74.
- **Administrative Penalties:** Setting all penalty amounts at \$500 for violations rather than then the existing penalty range, from \$225 to \$575.

Further detail and analysis of these changes is provided in subsequent sections of this report.

2.2 Consultation with Licensees and Other Departments

As part of the proposed amendment(s), staff requested the input of the Building Division, Code Compliance, Municipal Law Enforcement, Licensing, Wastewater, and Fire, and external agencies including the Middlesex London Health Unit (MLHU), and the Technical Standards and Safety Association (TSSA).

Staff also reached out to all 2023-2024 Refreshment Vehicle licensees to obtain feedback on the existing by-law and to determine if there were areas for improvement. The response from operators was positive, highlighting the ease of the licensing process, the clarity and number of documents required for submission, the availability of information, and the administration and enforcement of the by-law.

This consultation helped focus the proposed improvements on aligning the schedule with the needs of partner agencies.

3.0 By-law Discussion and Analysis

3.1 Amendments to the Business Licensing By-law

a) Definitions:

For matters of clarity and guidance, seven new definitions have been proposed which will apply to all Licence categories moving forward. These include:

- “Grease” & “Grease-laden Vapour;” these definitions were added at the request of the Fire Department to assist with education, inspections, and enforcement and will apply to all Refreshment Vehicles.
- “Roadway,” “Sidewalk,” “Street,” and “Street Line” were added to help staff and licensees differentiate between the different terms that are used in conversations at the counter with current and prospective licensees. These definitions are the same as those found within the Streets By-law (S.-1).
- A definition for “Vehicle” has been suggested, to align with the *Highway Traffic Act*. This will provide clarity for staff and operators where there was previously some confusion, especially regarding refreshment vehicle trailers.

b) Part 3 - Prohibitions:

Section 3.5 (b), regarding the display of business licences for all vehicles, is presented for amendment at the recommendation of enforcement staff. This change allows the removal of specific language from the Refreshment Vehicle Schedule and better represents the way the by-law is enforced, in the field.

c) Part 6 – New Licence Application and Licence Renewal:

Updated the application requirements to reflect the types of corporate documents that are readily available to applicants. This change also allowed the removal of redundant language from the Schedule. This change will affect all licence applications positively made by corporations; ensuring staff asks for, and receive, the types of documents necessary for reviewing applications.

d) Part 7 –Licences Expiration and Renewal Date

Subsection 7.3 is considered for an amendment to change the *universal* expiration date for annual business licences from January 31 to March 31. This change is being proposed to improve internal administrative processes and should not affect business owners, other than those who have already acquired their 2025 business licenses, who will be granted an additional 2 months before their 2026 renewals. In those instances where a Class 3 Refreshment Vehicle Licensee has already purchased their 2025 business licence, refunds will not be issued. However, they will be automatically granted a two-month extension (to March 31, 2026) if the amendment is approved. This amendment will also better redistribute client volumes at the City’s ‘Path2Approvals’ counter in City Hall.

e) Part 10 – Fees

Subsection 10.2 is being brought forward for amendment to revise outdated language pertaining to charities and non-profits. The amendment takes the phrase “...charitable organization that is registered as such...” and replaces it with “Registered Canadian Charities.” Staff also suggest adding “Incorporated Not-for Profit organizations” for consideration of reduced fees to permit more discretion when requests are made.

3.2 Replacement of Schedule 16 – Refreshment Vehicles

The following is a summary of the general purpose, effect, and intent of the replacement of the Refreshment Vehicle Schedule and the associated regulations.

a) Definitions:

- added a definition for "Refreshment" and modified the definition of “Refreshment Vehicle” to reduce instances of confusion from operators regarding what constitutes a refreshment.

- updated the definition for "Special Events", including "Neighbourhood Events," and tied this update to the recent amendments to the Council Approved Special Events Policy Manual, in consultation with the Special Events Manager.
- added a new definition for "Special Occasion" to provide additional business opportunities for Class 3 Vehicles to operate outside of standard, day-to-day operations.

b) Licence Classes:

- Redefined the three classes of licenses with specific details for each class.
- Changed the way the classes are differentiated. The classes now focus on the difference between stationary and mobile vehicles, and vehicles on private property vs. vehicles on public property. See Table 1 (below) for more details.
- Previously, the classes were differentiated by the types of motors and foods being sold.
- The proposed changes will help staff and operators better understand, administer, and enforce the Schedule.

c) Application for Licence and Renewal:

- Reorganized and refined the details for licence applications and renewals, including insurance, photos, and menus. This section was re-written for clarity and updated with input from Risk Management, and through a review of by-laws from other municipalities.

d) Operator Requirements:

- Reconfirmed the licensee's responsibilities including specific types of certifications and inspections by outside and partner agencies including the Technical Standards and Safety Association, the Electrical Safety Association, the Fire Department, and the Middlesex London Health Unit.
- These were always requirements but have been updated based on new input from the identified agencies and their current processes.

e) Operating Locations:

- Reconsidered the impact of, and permissions for, the use of public and private property and redefined the Classes based on those more important considerations:

Table 1: VEHICLE CLASSES AND LOCATIONS

	Stationary Vehicles	Mobile Vehicles
Public Property	<p>Class 2 Vehicles</p> <ul style="list-style-type: none"> - assigned a single location on City Sidewalk - may be considered for other locations by application 	<p>Class 3 Vehicles</p> <ul style="list-style-type: none"> - move from place to place on public roadways - access to parks, arenas, recreation centers
Private Property	<p>Class 1 and 2 Vehicles</p> <ul style="list-style-type: none"> - Class 1 assigned single location based on Zoning - Class 2 assigned single location based on evaluation, including Zoning - Vehicles stay at assigned locations - Class 1 Vehicles may 'park' on site but still be mobile (i.e., vehicles, not structures) 	<p>Class 3 Vehicles</p> <ul style="list-style-type: none"> - Approved by Zoning when on private commercial property - Can move from location to location between public and private property - New short-term permissions to operate at a variety of new locations and occasions.

- As indicated, vehicle classes are now based on location and mobility. This includes permissions and conditions for operating on private property, public sidewalks, public roadways, parks, recreation centers, arenas, etc.
- Setback distances from licensed food premises, schools, and special events are maintained.

f) Prohibitions:

- Minor change from previous by-law; mostly re-formatting.
- Introduced some new prohibitions where required.

g) Powers of the Licence Manager:

- Examined, consolidated, and better articulated the Licence Manager’s powers to prescribe locations, processes, and operational standards.

h) Reorganization and Schedule Maintenance

Other proposed amendments to the Schedule are being introduced to reorganize the information therein, remove redundancies, and provide clearer instructions for applicants, licensees, and administration.

Should these amendments be approved, there is also a need to amend the existing regulations, which do not form part of the by-law. This will be done to align the regulations with the (proposed) new schedule.

3.3 Financial Impacts and Considerations

Licence Fees were examined and adjustments proposed based on the realigned categories, the amount of administrative work for licensing and enforcement staff, the use of public vs. private property, and the ‘impact’ of the vehicles.

2025 Fees:	Existing	Proposed	Change
Class 1 RV	\$202.00	\$250.00	+ \$48.00*
Class 2 RV	\$202.00	\$250.00	+ \$48.00
Class 3 RV	\$574.00	\$500.00	- \$74.00

**Note; the five Class 1 Refreshment Vehicles licensed in 2024 would be reclassified as Class 3 Vehicles, increasing their fees from \$202 to \$500 (+\$298.00/vehicle).*

Staff are recommending an increase in fees of \$48.00 for Class 1 and Class 2 Refreshment Vehicles and a decrease in fees of - \$74.00 for Class 3 Refreshment Vehicles.

The proposed fee changes would have the effect of increasing projected revenue by \$1,346: from \$30,154 to \$31,500. This assumes that the number of Licensees remains the same as 2024 (91) and includes the re-classification of the five existing Class 1 vehicles described above in the note.

4.0 Administrative Monetary Penalties

The Administrative Monetary Penalties By-law is being considered for amendment to align with the proposed licensing by-law amendments and introduce the new section numbers and penalty categories. Previously the eleven potential penalty amounts ranged from \$225 to \$575. The proposed amendment sets the penalties to \$500 across the board.

It should be noted that since March 2021, when Business Licensing violations became a schedule of the AMPs By-law, there have not been any penalties issued to refreshment vehicles operators.

Conclusion

These proposed amendments are the result of a continuous improvement process involving numerous City service areas, external partners, and Refreshment Vehicle licensees to streamline the application process and add clarity to the Business Licensing regulations. Staff are confident that these changes will maintain public safety while increasing administrative and enforcement efficiencies.

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**Reviewed &
Concurred by:** Orest Katolyk, MLEO (C)
Director, Municipal Compliance

Recommended by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Housing and Community Growth

Appendix "A"

Bill No. XXX
2025

By-law No. _____

A by-law to amend the Business Licensing By-law L.-131-16, with respect to all Classes of Refreshment Vehicles, and specific sections of the main By-law.

WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act, 2001* or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social and environmental well-being of the municipality; in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 11 Business Licensing;

AND WHEREAS pursuant to the provisions of Part IV of the *Municipal Act, 2001*, as amended, a municipality may pass by-laws for licensing, regulating and governing businesses;

AND WHEREAS subsection 151(1) of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10 of the Act, a municipality may provide for a system of licences with respect to a business and may:

- (a) prohibit the carrying on or engaging in the business without a licence;
- (b) refuse to grant a licence or to revoke or suspend a licence;
- (c) impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- (d) impose special conditions on a business in a class that have not been imposed on all the businesses in that class to obtain, continue to hold or renew a licence;
- (e) impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;
- (f) license, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and,
- (g) require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licenses established by the municipality.

AND WHEREAS the Municipal Council for The Corporation of the City of London considers it necessary and desirable for the public to exercise its licensing powers for the purposes of:

- (a) Health and safety including health and safety of service providers, consumers, and patrons; and/or
- (b) Nuisance control; and/or

- (c) Consumer protection; and/or
- (d) Suppressing conditions conducive to crime;

AND WHEREAS section 23.2 of the *Municipal Act, 2001* permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS the Municipal Council for The Corporation of the City of London is of the opinion that the delegation of legislative powers under this by-law to the Licence Manager and the Hearings Officer including without limitation the power to issue, revoke, suspend and impose conditions on a licence and prescribe operational standards to be imposed on licensees, including without limitation operational standards such as signage requirements, advertising requirements, hours of operation and records that are to be kept by licensees and the form and content thereof, are powers of a minor nature having regard to the number of people, the size of geographic area and the time period affected by the exercise of the power in accordance with subsection 23.2(4) of the *Municipal Act, 2001*;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees and charges on persons:

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- (c) for the use of its property including property under its control.

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 1.1 of By-law L.-131-16, is amended by adding the following new definitions to Section 1.1, in alphabetical order:

“Grease” means rendered animal fat, vegetable shortening, and other such oily matter used for the purposes of, and resulting from, cooking and/or preparing food;

“Grease-laden vapour” means smoke and vapour produced when heat and steam rise from a cooking surface, or cooking apparatus, that contains grease.

“Roadway” shall mean the portion of a street which is improved, designed, or ordinarily used for vehicular traffic;

“Sidewalk” shall mean any municipal walkway or road works for the accommodation of pedestrians on that portion of a street between the curb line and the street line which is located outside of a roadway;

“Street” shall mean a highway, road allowance, avenue, parkway, sidewalk, lane, square, place, bridge, or other public right-of-way under the jurisdiction of the City of London and this term includes all road works and appurtenant to municipal land;

“Street line” shall mean the boundary between the street and the abutting land;

“Vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle, and any vehicle drawn, propelled, or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a streetcar.

2. Subsection 3.5(b) of By-law L.-131-16, is deleted and replaced with the following new subsection 3.5(b):

“(b) with respect to a vehicle, affix the licence plate issued by the City of London in a conspicuous place on the exterior of the licensed Vehicle, or if no plate is issued, display the business licence in a conspicuous place visible from the exterior of the licensed Vehicle;

3. Sections 6.1 and 6.2 of By-law L.-131-16, are deleted and replaced with the following new sections 6.1 and 6.2:

“6.1 Every application for a new licence, or renewal of an existing licence, shall be made to the Licence Manager in the format specified herein. Without limitation every application for a new licence or licence renewal shall include the following:

- a) the name, municipal address, email address, and telephone number of each Applicant, and of each Owner, and of each partner if the applicant is a partnership;
- b) with respect to a corporation:
 - i) articles of incorporation, or a corporation profile report no more than fifteen (15) days old;
 - ii) the head office/registered office address, the mailing address of the corporation, and the principal place of business in Ontario.
 - iii) the names and addresses of all the directors and officers of the corporation, and;
 - iv) the email address and telephone number of the primary contact;
- c) the municipal address of the premises where the business is located, if applicable;
- d) proof satisfactory to the Licence Manager that the location where the business is carried on is permitted by and conforms with the rules and regulations of the City of London’s Zoning By-law Z.-1 or its successor.

6.2 Every person applying for or renewing a business licence shall provide in full at the time the application is submitted all the information requested on the application form as well as:

- a) payment of the fee(s) prescribed in “Part 10 – Fees” of this By-law;
- b) proof satisfactory to the Licence Manager that the Applicant or Licensee has contractual or proprietary interest in the lands and premises, upon which the business is to be operated which will enable the Applicant or Licensee to carry on the business;
- c) proof satisfactory to the Licence Manager that the Applicant or Licensee has contractual or proprietary interest in the vehicles and equipment to be used in the operation of the business which will enable the Applicant or Licensee to carry on the business;
- d) a copy of provincial business name certificate and registration or signed franchise agreement, if applicable;
- e) a sworn statement certifying the accuracy, truthfulness, and completeness of the application by the Applicant, Owner, and of each partner if the Applicant is a partnership, and of an officer of the corporation duly authorized for that purpose if the Applicant is a corporation;

4. Section 7.3 of By-law L.-131-16, is deleted and replaced with the following new section 7.3:

“7.3 A licence issued under this By-law shall be valid only for the period for which it is issued. Unless expressly stated on the face of the licence, all licences issued under this By-law shall expire annually on March 31 at 11:59 pm. An application for business license renewal shall be submitted on or before the expiry date of the licence being requested for renewal.”

5. Section 10.2 of By-law L.-131-16 is deleted and replaced with the following new section 10.2:

“10.2 Despite section 10.1, the Licence Manager may reduce a licence fee set out in the City's *Fees and Charges By-law* by an amount up to fifty (50) percent where the Applicant or Licensee is a Registered Canadian Charity or an Incorporated Not-for Profit.”

6. Schedule 16 of By-law L.-131-16, deleted and replaced with the new attached Schedule 16, attached as “Schedule 16 – Refreshment Vehicles” to this By-law.
7. This by-law comes into effect on the day it is passed subject to the provisions of PART VI.1 of the Municipal Act, 2001.

PASSED in Open Council on March 4, 2025, subject to the provisions of PART VI.1 of the Municipal Act, 2001.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – March 4, 2025
Second Reading – March 4, 2025
Third Reading – March 4, 2025

Schedule 16 REFRESHMENT VEHICLES

1.0 DEFINITIONS

1.1 In this Schedule:

“Refreshment” means food or drink for human consumption and “Refreshments” shall have a similar meaning;

“Refreshment Vehicle” means any Vehicle from which Refreshments are sold;

“Special Occasion” means a unique, singular, or remarkable event, or instance, on private property for invited guests only;

“Special Event” means an event that the City of London has determined is a Special Event under the City of London Special Events Policies and Procedures Manual and, for the purposes of this Schedule, also means an event that the City of London has determined is a “Neighbourhood Event” under the Special Events Policies and Procedures Manual.

2.0 APPLICATION OF THIS SCHEDULE

2.1 This Schedule shall apply to all Refreshment Vehicles operating in the City of London unless they are part of a Special Event.

3.0 LICENCE CATEGORIES

3.1 The following license categories are established for Refreshment Vehicles:

Class 1 Refreshment Vehicle - a Refreshment Vehicle carrying on or engaging in business from a single approved location on private property.

Class 2 Refreshment Vehicle - a Refreshment Vehicle carrying on or engaging in business from a single location on a Sidewalk, or other location, allocated by the Licence Manager.

Class 3 Refreshment Vehicle - a Refreshment Vehicle that moves from location to location on public or private property to carry on or engage in business.

4.0 APPLICATION FOR LICENCE AND RENEWAL

4.1 In addition to all the requirements set out in this By-law, every application for a Refreshment Vehicle licence or licence renewal shall include:

- a) proof of current and valid Personal Liability & Property Damage (PL/PD) insurance naming the City as an additional insured, with a third-party liability limit of at least \$2,000,000 per occurrence.
- b) a photo, or photos, of the vehicle exterior which shows the colour, badging, and service window, where applicable;
- c) a list of food items being sold or offered for sale (menu), and;
- d) written proof that City of London Fire Services has inspected and approved of any Refreshment Vehicle that uses equipment or cooking processes capable of producing smoke or Grease-laden Vapours.

4.2 In addition to all the requirements set out in this By-law, and section 4.1 of this Schedule, the Licence Manager may require Refreshment Vehicle licence applications, and licence renewal applications to include the following;

- a) if the Refreshment Vehicle is to be located on private property, written confirmation from a City of London Zoning Officer that the location and use of the Refreshment Vehicle is permitted under the City of London's Z.-1 Zoning By-law, or any successor by-law;
- b) if the Refreshment Vehicle is to be located on private property, a letter from the registered owner(s) on title to the property which clearly grants permission for the Refreshment Vehicle to operate there, to the satisfaction of the Licence Manager;
- c) if the Refreshment Vehicle is a motor vehicle as defined under the *Highway Traffic Act R.S.O., 1990, c. H.8*, proof of current and valid Compulsory automobile insurance, as defined in the *Compulsory Automobile Insurance Act, R.S.O., 1990, c. C.25*, with a liability limit of at least \$2,000,000 per occurrence shall be provided with the application to the City of London;
- d) where a Refreshment Vehicle is subject to Director's Order FS-056-06 (issued under the *Technical Standards and Safety Act, 2000, or its successor*), the Applicant shall provide a Technical Standards and Safety Authority (TSSA) Field Approval for Mobile Food Service Equipment (MFSE) with fuel-fired cooking facilities ("Field Approval") to the City of London with the Business Licence application and shall be dated no more than 36 days prior to date of application;
- e) a Certificate of Acceptance from the Electrical Safety Authority for electrical equipment, where applicable;
- f) where required by the Licence Manager, documentation indicating an inspection and approval by the City of London Wastewater Treatment Division regarding the storage, treatment, and disposal of grease and grey water.

4.3 A separate application and fee is required for each individual Refreshment Vehicle regardless of Licence Class or Ownership. If approved, an individual Business Licence will be issued for each vehicle.

5.0 OPERATOR REQUIREMENTS

5.1 Every person operating a Refreshment Vehicle shall ensure that:

- a) Before selling any Refreshment, a "Notice of Intent to Operate a Mobile Food Premises Form" is provided to the Middlesex London Health Unit (MLHU), as per the *Health Protection and Promotion Act, R.S.O. 1990, c. H.7* and the *Ontario Food Premises Regulation (O. Reg. 493/17)* or its successor;
- b) at all times, the Refreshment Vehicle is in a safe mechanical condition when it is driven, drawn, moved, or operated;
- c) all statutes, regulations, and by-laws governing driving, parking, and stopping a Vehicle are complied with at all times including, but not limited to, the *Traffic and Parking By-Law PS-113*, the *Streets By-law S-1*, the *Parks and Recreation Area By-law PR-2*, the *Public Nuisance By-law PH-8*, or any successor by-law, and the *Highway Traffic Act*;
- d) the Refreshment Vehicle is not operated within a City Park, or on the Thames Valley Trail, unless authorized to do so and in accordance with the *Parks and Recreation Area By-law PR-2*, subject to regulations;
- e) all insurance documents required by this by-law are kept up to date and provided to the Licence Manager a minimum of fifteen (15) days prior to the expiration of an existing policy, and;

- f) all certificates, field approvals, or other inspections required by the Licence Manager, or other authorities, shall be provided to the Licence Manager on an annual basis at the time the licence is renewed, or as required by the authority or agency. This includes the Electrical Safety Authority, the Technical Standards and Safety Authority, the Fire Department, the Middlesex London Health Unit, and the City of London Wastewater Division.

6.0 OPERATING LOCATIONS

6.1 Refreshment Vehicles on Private Property – All Classes

In addition to all the requirements set out in his By-law, the holder of a Refreshment Vehicle licence is subject to the following conditions of obtaining and continuing to hold a licence:

- a) that the operation of a Refreshment Vehicle is permitted and complies with the City's Zoning By-law, determined by a City of London Zoning Officer in writing, and;
- b) that the operation of a Refreshment Vehicle does not, or shall not, cause an obstruction or nuisance to pedestrian or vehicular traffic on the subject or surrounding lands, or cause unnecessary interference with the use and enjoyment of a public place, as determined by an Enforcement Officer.

6.2 Class 2 Refreshment Vehicles - Public Sidewalks

In addition to all the requirements set out in this By-law, the holder of a Class 2 Refreshment Vehicle Licence is subject to the following conditions for obtaining and continuing to hold a licence;

- a) that the operation of the Refreshment Vehicle on a public Sidewalk is only at a location allocated to the Licensee by the Licence Manager in writing;
- b) that the Class 2 Refreshment Vehicle shall not be moved from location to location to conduct business,
- c) that the operation of a Class 2 Refreshment Vehicle does not, or shall not, cause an obstruction or nuisance to pedestrian or vehicular traffic on the subject or surrounding lands, or cause unnecessary interference with the use and enjoyment of a public place, as determined by an Enforcement Officer, and;
- d) that Class 2 Refreshment Vehicles on public property will be moved immediately at any time at the verbal or written request of an Enforcement Officer where the placement or operation of the Refreshment Vehicle at that location does not comply with any by-law or provincial or federal legislation, or if it poses a safety concern, creates a nuisance, or obstructs access to another property, as determined by an Enforcement Officer.

6.3 Class 3 Refreshment Vehicles on Public Property

In addition to all requirements in this By-law, the holder of a Class 3 Refreshment Vehicle licence is subject to the following conditions for obtaining and continuing to hold a licence:

- a) that, if parking the Class 3 Refreshment Vehicle on the Roadway, such parking at the location is permitted under the City of London *Traffic and Parking By-Law PS-113*;
- b) that the Class 3 Refreshment Vehicle is not operated within 25 metres of a licensed Food Premises,
- c) that the Class 3 Refreshment Vehicle shall not be operated within 100 metres of any school as defined in the *Education Act, R.S.O. 1990, c. E.2*,

- d) that the Class 3 Refreshment Vehicle shall not operate within 100 metres of the boundary of a Special Event;
- e) that the Class 3 Refreshment Vehicle shall not operate on a Neighbourhood Street or Neighbourhood Connector, as identified in the City's Official Plan (The London Plan),
- f) that the operation of the Class 3 Refreshment Vehicle does not, or shall not, cause an obstruction or nuisance to pedestrian or vehicular traffic on the subject or surrounding lands, or cause unnecessary interference with the use and enjoyment of a public place, as determined by an Enforcement Officer, and;
- g) that Class 3 Refreshment Vehicles on public property will be moved immediately at any time at the verbal or written request of an Enforcement Officer where the placement or operation of the Refreshment Vehicle at that location does not comply with any by-law or provincial or federal legislation, or if it poses a safety concern, creates a nuisance, or obstructs access to another property, as determined by an Enforcement Officer.

7.0 PROHIBITIONS

7.1 No person who operates a Refreshment Vehicle shall:

- a) fail to operate a Refreshment Vehicle in the manner prescribed by their licence, including but not limited to inspections, notices, and location;
- b) fail to hold and renew appropriate and valid insurance as per this Schedule, or fail to provide proof of same to the Licence Manager;
- c) fail to hold and renew appropriate and valid certifications, approvals, inspections, and other documents as per this Schedule and By-law, or to fail to provide proof of same to the Licence Manager;
- d) operate a Refreshment Vehicle without holding a current valid licence issued under this By-law;
- e) fail to keep the Refreshment Vehicle in good working condition, to the satisfaction of an Enforcement Officer;
- f) obstruct, encumber, injure, or foul any street as per the *Streets By-law S-1* while operating a Refreshment Vehicle;
- g) cause, incite, or allow a public nuisance on a street by any means whatsoever, as per the *Streets By-law S-1* while operating a Refreshment Vehicle;
- h) operate a Refreshment Vehicle within 40m of the cenotaph located in Victoria Park, located at the north-west corner of Dufferin Ave. and Wellington Street;
- i) operate a Refreshment Vehicle in a location not permitted by this Schedule;
- j) fail to move or relocate a Refreshment Vehicle at the direction of an Enforcement Officer.

8.0 POWERS OF THE LICENCE MANAGER

8.1 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may make regulations under this Schedule including:

- k) prescribing the locations where Refreshment Vehicles may carry on business;
- l) prescribing the process for allocating and assigning Class 2 Refreshment Vehicle locations on public property;

- m) prescribing operational standards and protocols for Refreshment Vehicles and holders of Refreshment Vehicle licences;
- n) prescribing how new locations are brought forward for consideration, and;
- o) amending administrative regulations from time to time without advanced notice.

9.0 REGULATIONS

9.1 The City Clerk shall maintain a record of all regulations prescribed by the Licence Manager under this By-law and any Schedule under this By-law. The record of all regulations shall be available for public inspection at the office of the Licence Manager and the office of the City Clerk during normal business hours.

9.2 Every holder of a Refreshment Vehicle licence shall comply with all regulations prescribed by the Licence Manager, where applicable.

Appendix “B”

Bill No. XXX
2025

By-law No. _____

A by-law to amend the Administrative and Monetary Penalties By-law A-54, with respect to a Rental Unit Repair Licence.

WHEREAS section 434.1 of the Municipal Act and Section 15.4.1 of the Building Code Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

AND WHEREAS the Municipal Council on June 25, 2019, passed By-law No. A-54, being “A by-law to implement an Administrative Monetary Penalty System in London;”

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to contraventions of designated by-laws under the Administrative Monetary Penalty System By-Law;

NOW THEREFORE the Council of The Corporation of the City of London enacts as follows:

- 1.) That the following rows of Schedule A-5 “Penalty Schedule for Business Licensing By-law” to By-law No. A.54 be amended:

Column 1 Item #	Column 2 Short Form Wording	Column 3 Designated Provision	Column 4 Penalty Amount
100	Operate a Refreshment Vehicle without a current valid licence	Schedule 16, SS. 7.1 d)	\$500
101	Failure to hold, provide, and renew with the Licence Manager appropriate and valid insurance as per this Schedule	Schedule 16, SS. 7.1 b)	\$500
102	Failure to hold, provide, and renew with the Licence Manager appropriate and valid certifications, approvals, inspections, and other documents as per Schedule and By-law	Schedule 16, SS. 7.1, c)	\$500
103	Failure to keep the Refreshment Vehicle in good working condition	Schedule 16, SS. 7.1, e)	\$500
104	Operate Refreshment Vehicle within 40m of the cenotaph in Victoria Park	Schedule 16, SS. 7.1, h)	\$500
105	Operate Refreshment Vehicle in a location not permitted by this Schedule	Schedule 16, SS. 7.1, i)	\$500
106	Failure to move or relocate Refreshment Vehicle at the direction of Enforcement Officer	Schedule 16, SS. 7.1, j)	\$500
107	Fail to follow the Operator Requirements of this Schedule	Schedule 16, SS. 5.0	\$500

108	Fail to follow any Regulation prescribed by the Licence Manager	Schedule 16, SS. 9.0	\$500
109	Cause an obstruction or nuisance to pedestrian or vehicular traffic on the subject or surrounding lands, or cause unnecessary interference with the use and enjoyment of a public place	Schedule 16, SS. 6.1 b)	\$500
110	Operate Refreshment Vehicle in contravention of any Municipal By-law	Part 7, SS. 7.1 i)	\$500

2.) This by-law comes into effect on the day it is passed subject to the provisions of PART VI.1 of the Municipal Act, 2001.

PASSED in Open Council on March 4, 2025, subject to the provisions of PART VI.1 of the Municipal Act, 2001.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – March 4, 2025
Second Reading – March 4, 2025
Third Reading – March 4, 2025

Appendix "C"

Bill No. XXX
2025

By-law No. _____

A by-law to amend the Fees and Charges By-law A-59 with respect to the Rental Unit Repair Licence Fee.

WHEREAS section 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 7, Services, and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS section 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees or charges on persons:

- (a) for services and activities provided or done by or on behalf of it;
- (b) for costs payable by it for services and activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property including property under its control;

AND WHEREAS Municipal Council passed By-law No. A-59 on November 28, 2023, to provide for Various Fees and Charges;

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-59.

NOW THEREFORE the Council of The Corporation of the City of London enacts as follows:

- 1.) That "Schedule 2 (2025) Service Grouping: By-law Enforcement & Property Standards" of By-law No. A-59 be amended to include the following:

Service/Activity	2025 Effective Date	2025 Fee
Refreshment Vehicle Class 1+	March 4, 2025	\$250.00
Refreshment Vehicle Class 2+	March 4, 2025	\$250.00
Refreshment Vehicle Class 3+	March 4, 2025	\$500.00

Note re. "^": Fee names marked with "^" will be indexed annually commencing on January 1, 2026, based on the Consumer Price Index (CPI) calculated each September and rounded to the nearest dollar.

- 2.) That "Schedule 3 (2026) Service Grouping: By-law Enforcement & Property Standards" of By-law No. A-59 be amended to include the following:

Service/Activity	2026 Effective Date	2026 Fee
Refreshment Vehicle Class 1+	January 1, 2026	tbd based on CPI (see Note re. "^")
Refreshment Vehicle Class 2+	January 1, 2026	tbd based on CPI (see Note re. "^")
Refreshment Vehicle Class 3+	January 1, 2026	tbd based on CPI (see Note re. "^")

Note re. "^": Fee names marked with "^" will be indexed annually commencing on January 1, 2026, based on the Consumer Price Index (CPI) calculated each September and rounded to the nearest dollar.

3.) That "Schedule 4 (2027) Service Grouping: By-law Enforcement & Property Standards of By-law No. A-54 be amended to include the following:

Service/Activity	2027 Effective Date	2027 Fee
Refreshment Vehicle Class 1+	January 1, 2027	tbd based on CPI (see Note re. "A")
Refreshment Vehicle Class 2+	January 1, 2027	tbd based on CPI (see Note re. "A")
Refreshment Vehicle Class 3+	January 1, 2027	tbd based on CPI (see Note re. "A")

4.) This by-law comes into effect on the day it is passed subject to the provisions of PART VI.1 of the Municipal Act, 2001.

PASSED in Open Council on March 4, 2025, subject to the provisions of PART VI.1 of the Municipal Act, 2001.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – March 4, 2025
Second Reading – March 4, 2025
Third Reading – March 4, 2025