

The Corporation of the City of Richmond Hill

By-Law 89-21

A By-Law to amend By-law 194-05 of the Corporation of the City of Richmond Hill for the licensing of refreshment vehicles, as amended, being Chapter 875 of the Municipal Code

Whereas pursuant to Section 150 of the *Municipal Act, 2001 S.O. 2001, c. 25*, Council of the Corporation of the City of Richmond Hill (the “City”) enacted By-law 194-05, being Chapter 875 of the Municipal Code, to regulate the operation of refreshment vehicles within the City (the “Refreshment Vehicle By-law”);

And Whereas on June 9th, 2021, Council of the City adopted the recommendations set out in staff report SRCS.21.12 and directed staff to bring forward this by-law to amend the Refreshment Vehicle By-law;

Now Therefore The Council Of The Corporation Of The City Of Richmond Hill Enacts As Follows:

1. That the Refreshment Vehicle By-law be amended as follows:
 - a. Section 875.2.6 titled “Expiry – annually – June 30th” shall be repealed and replaced by the following:

875.2.6 Expiry – annually June 30 – City-Led Events and Activities

The licenses for the several trades, callings, businesses and occupations set out in this Chapter shall terminate on the 30th day of June in the year endorsed upon the license certificate, unless they are obtained solely for the purpose of participation in City-led events or activities, in which case they will expire in accordance with the applicable City permission.

- b. Section 875.2.8 titled “Fee – license” shall be repealed and replaced by the following:

875.2.8 Fee – license – special event exception

Prior to obtaining a license under this Chapter, every applicant shall pay to the City the fee set forth in the City’s most recent by-law imposing fees and charges known as the Tariff of Fees By-law. Notwithstanding the foregoing, no license fee shall be payable for a license obtained pursuant to the requirements of this Chapter solely for the purpose of participation in City-led events or activities.

- c. Section 875.2.16 titled “Fee – license” shall be repealed and replaced by the following:

875.2.16 Sales – prohibitions – from refreshment cart

No person shall hawk, peddle or sell refreshments from a refreshment cart except:

- (a) Within a building by or on behalf of the person who is the lawful owner or tenant of such building, or part thereof, that person carries on a full-time commercial business therein related to the hawking, peddling or selling of refreshments; or
 - (b) Outside a building described in paragraph (a) with the written permission of the lawful owner or tenant of such building.

Items hawked, peddled or sold from a refreshment cart may only include items such as dairy, hot dogs and related products.

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- d. Section 875.4.4 titled “Inspection – vehicle – at appointed place – time” shall be repealed.
- e. Section 875.9.9 titled “Refreshments – wrapped – sold – individual packages” shall be repealed.
- f. Section 875.10.6 titled “Service – restricted areas” shall be repealed and replaced by the following:

875.10.6 Service – restricted areas

The operation of a Refreshment Vehicle shall be restricted to locations within industrial, commercial or retail zones, or at temporary construction sites. Notwithstanding the foregoing, a Refreshment Vehicle may be operated on City property for the purpose of participation in a City-led event provided that, in addition to compliance with this Chapter, approval of the City’s Commissioner of Community Services (or any successor position) or their designate has been obtained for such participation.

- g. Section 875.10.6 titled “Service – restricted areas” shall be repealed and replaced by the following:

875.10.7 Service – duration – fifteen minutes – in one place

The operation of a Refreshment Vehicle shall be restricted such that the vehicle goes from place to place and does not remain in one place, while operating for a length of time in excess of fifteen minutes, unless written permission has been provided by the property owner for a longer duration.

- 2. Except as herein provided and as required to give effect to the amendments in this By-law 89-21, the provisions of the Refreshment Vehicle By-law continue in full force and effect without amendment.

Passed this 23rd day of June, 2021.

Joe DiPaola
Acting Mayor

Stephen M.A. Huycke
City Clerk