

**OFFICE CONSOLIDATION
FOR INFORMATION PURPOSES ONLY**

**THE CORPORATION OF THE TOWN OF GANANOQUE
BY-LAW NO. 2015-012**

As amended by By-law No. 2025-054, dated June 3, 2024

BEING A BY-LAW TO REGULATE AND GOVERN MOBILE CANTEENS

WHEREAS by Section 5 of the *Municipal Act*, 2001, S.O. 2001, c. 25, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS the *Municipal Act*, 2001, S.O. 2001, c. 25, provides that the powers of every Council are to be exercised by By-law;

AND WHEREAS the Council of the Town of Gananoque passed By-law No. 2015-012, being a By-law to Regulate and Govern Mobile Canteens;

AND WHEREAS the Council of the Town of Gananoque received Council Report PD-2023-07, and concurred with the recommendation to amend By-law No. 2015-012;

AND WHEREAS the Council of the Town of Gananoque reviewed Report Council PD-2024-27 and concurs with staff recommendation to amend the Mobile Canteens By-law No. 2015-012 to remove in its entirety "Subsection "6.10.5.1. A Type 'A' Monthly Mobile Canteen Licence is permitted on April 1 to October 31 for the year of 2023 and 2024 only" and replace with "Subsection 6.10.5.1. A Type 'A' Monthly Mobile Canteen Licence is permitted on April 1 to October 31";

June 3, 2025 Amendment

AND WHEREAS Council received Report Council PD-2025-10 and concurred with the recommendation to amend By-law No. 2015-012, a By-law to Regulate and Govern Mobile Canteens to:

1. Amend Schedule 'B', Permitted Location for Mobile Canteens, to remove in its entirety Subsection "2.1.2. – One (1) Licence – Charles Street N and Stone Street N";
2. Renumber Section 2.1., accordingly, and;
3. Authorize an administrative amendment to remove reference to "The Leeds, Grenville and Lanark District Health Unit" and replace with "The South East Health Unit".

AND WHEREAS the Council of the Town of Gananoque considers it desirable and necessary to Licence, regulate and govern Mobile Canteens for the purposes of Consumer Protection, to enhance and encourage equal, fair and courteous treatment of clients in providing services, promote accountability, support proper and good business practices.

NOW THEREFORE the Council of the Corporation of the Town of Gananoque enacts as follows:

1. DEFINITIONS:

- 1.1. **Additional Fee** means a fee, in addition to the Licence Fee, imposed by the Town on a Licence Holder during the term of the Licence for costs incurred by the Town that are attributable to the activities of the operation of a Mobile Canteen.
- 1.2. **By-law Enforcement Officer** or his or her designate shall mean a person appointed by Council for the purposes of enforcing the by-laws of the Municipality.
- 1.3. **Chief of Police** shall mean the Chief of Police of the Gananoque Police

Town of Gananoque Consolidation By-law No. 2015-012, as amended

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Department or his/her designate as appointed by the Town.

- 1.4. **Council** means the Council of the Corporation of the Town of Gananoque.
- 1.5. **Criminal Background Check** is a screening process by the local Police Department and is usually required for by-law Licences, employment or immigration purposes.
- 1.6. **Development Permit By-law or Designation** shall mean a by-law enacted under the *Planning Act* that designates and restricts the use of the land.
- 1.7. **Grocery Store** shall mean a store, in which various kinds of food products are offered or kept for retail sale, including fresh, frozen, prepared and preserved groceries, meats, poultry, fish, fruit, vegetables, beverages, garden produce, dairy produce, bakery products and flowers.
- 1.8. **Hot Food** means foods such as hot dogs, sausages, hamburgers and/or similar hand-held sandwiches prepared on a grill or a barbecue on site and does not include any foods prepared using quantities of cooking oils in fryers and/or other cooking devices.
- 1.9. **Licence Fee** means the fee set out in the General Fees and Rates By-law that is required to be paid to the Town for a new Licence or a Licence renewal.
- 1.10. **Licence Holder** shall mean the person to whom the Licence has been issued to under this By-law.
- 1.11. **Licensed Premises** shall mean the premises referred to in a Licence.
- 1.12. **Locally Grown** is defined as home-grown or home-produced within 100 km of the municipal boundaries of the Town of Gananoque. Preference is given to vendors within 40 km of the municipal boundaries.
- 1.13. **Manager of Planning and Development** shall mean a person managing the licensing of Mobile Canteens as appointed by the Town or his/her designate as appointed by the Town.
- 1.14. **Medical Officer of Health** shall mean the Medical Officer of Health for the South East Health Unit or his or her designate.
- 1.15. **Mobile Canteen** shall mean any one of the following:
 - 1.15.1. **Type A)** A motorized or towable vehicle selling food which has been prepared on the vehicle or at a place approved by the South East Health Unit and is designed to sell food from a fixed location.
 - 1.15.2. **Type B)** A motorized vehicle selling food which has been prepared on the vehicle or at a place approved by The South East Health Unit and is designed to be a transient food selling location.
 - 1.15.3. **Type C)** A vehicle propelled by human muscle power designed to sell frozen ice cream products or hot food which has been prepared on the vehicle or at a place approved by the South East Health Unit.

- 1.15.4. **Type D)** A vehicle designed to be operated from the exterior and no greater than 100" in length which is towed to its location designed to sell hot food which has been prepared on the vehicle or at a place approved by the South East Health Unit.
- 1.15.5. **Type E)** A vehicle designed to be operated from the interior or exterior and no greater than 100" in length which is towed to its location designed to sell cold products which has been prepared on the vehicle, pre-packed or at a place approved by the South East Health Unit.
- 1.15.6. **Type F)** A stand or motorized vehicle selling fruits, vegetables and/or flowers only and is designed to sell from a fixed location. Only locally grown produce shall be permitted.
- 1.16. **Next-in-Line List** shall mean a list of individuals' written interest in obtaining a Mobile Canteen Licence which is dated by the Manager of Planning and Development upon receipt.
- 1.17. **Person** shall mean a person, firm or corporation.
- 1.18. **Producer-defined** shall mean home-grown or home-produced products being sold by another locally grown vendor whereby the producer is identified by name, address and phone number.
- 1.19. **Restaurant** shall mean and include any premise where food is prepared and/or offered for sale or sold to the public for immediate human consumption either on or off the premises, but does not include a grocery store or a Mobile Canteen as defined herein.
- 1.20. **Special Event** shall mean an event which is sponsored, authorized or conducted by the Town, or on behalf of the Town, or on behalf of a registered not-for-profit organizations or registered charity or other community group with the approval of Council or the Manager of Planning and Development.
- 1.21. **Successor** shall mean the person to whom the Licence holder has transferred his/her Licence to.

2. **LICENSING**

- 2.1. No person shall operate any Mobile Canteen within the Town from which refreshments are sold, for consumption by the public without obtaining a Licence annually from the Corporation of the Town of Gananoque.
- 2.2. Applications for any type of Licence to be issued pursuant to this By-law thereof shall be upon such form(s) as shall be provided by the Town and other such material and information as is required by this By-law.
- 2.3. All Applications submitted for a Mobile Canteen Licence shall include the Application along with the following information:
 - 2.3.1. Proof that the vehicle being used is properly Licenced by the Government of Ontario, if applicable.
 - 2.3.2. Permission of the landowner.
 - 2.3.3. Proof of insurance as per Section 4.
 - 2.3.4. A Criminal Background Check for all employees dated within one month of the approved Application.
 - 2.3.5. Application fee as set out in the General Fees and Rates By-law and referred to in Section 2.7.
- 2.4. Prior to being issued a Mobile Canteen Licence on public property, the type and number of Licences issued annually shall be as per Schedule

‘A’ hereto attached.

- 2.5. All new locations on public property shall be reviewed by Council as per Schedule ‘B’. All new and renewal Applications shall be reviewed and approved by the Manager of Planning and Development.
- 2.6. Preference will be given in any given year to the holder of the same Licence from the previous year to the Mobile Canteen for which the Licence is applied, provided such holder to the Mobile Canteen for which the Licence is applied meets all of the requirements to obtain a Licence as described herein.
- 2.7. The owner of the Mobile Canteen shall submit a complete Mobile Canteen Application and necessary approvals and shall include a deposit of 25% of the fee payable for the said Licence no later than the close of the first business day in March of the year for which the Licence is being applied. The remaining fees shall be payable no later than the first business day in June of the year for which the Licence is being applied.
- 2.8. Notwithstanding Section 2.7., the owner of the Mobile Canteen is responsible to make payment for any or all applicable fees. It is not the responsibility of the Town to seek payment of any applicable fees.
- 2.9. Fees are not applicable for any non-profit organizations participating in special events not exceeding ten (10) consecutive days. Exemption from fees may be granted for special events by way of Council or by approval of the Manager of Planning and Development.
- 2.10. The Mobile Canteen owner shall have at all times on display the Licence granted by the Town and shall present this Licence on demand for inspection by any By-law Enforcement Officer and/or Chief of Police.
- 2.11. A Licence shall not be assigned or transferred.
- 2.12. All Licences shall be for the calendar year in which it is issued and shall expire on the 31st day of December of that year.

3. REFUSAL TO RENEW/ISSUE A LICENCE

- 3.1. An Applicant whose Application meets all the requirements of this By-law is entitled to the issuance or renewal of a Licence except where the Licence issuer is of the opinion that one or more of the following has or may occur:
 - 3.1.1. Any Application or other document provided to the Licence Issuer by or on behalf of the Applicant or Licencee contains a false statement or provides false information.
 - 3.1.2. The Applicant is carrying on activities that are, or would be, if Licenced, in contravention of this By-law, any other by-law, or federal or provincial statute.
 - 3.1.3. The Application is not a complete Application as per Section 2.3.
 - 3.1.4. The fees payable for the Licence has not been paid.
- 3.2. In addition to and notwithstanding Section 3.1., an Applicant may be refused to renew or issue a Licence on public property where one or more of the following has or may occur:
 - 3.2.1. Past conduct of the Applicant affords reasonable grounds for belief that the issuance of a Licence would be adverse to the public interest in respect of the health and safety of any person, a nuisance affecting any land or person in the Town or Canada, or the protection of any consumer.

3.2.2. The conduct of the Applicant affords reasonable grounds for belief that the Applicant has not carried on, or will not carry on, his or her Mobile Canteen in accordance with law and with integrity and honesty.

4. INSURANCE

- 4.1. The operator shall, at their own expense, prior to the commencement of work, obtain and maintain until the termination of the contract or otherwise stated, provide the Town with evidence of:
- 4.1.1. Commercial General Liability Insurance issued on an occurrence basis for an amount of not less than \$2,000,000. per occurrence/\$2,000,000. annual aggregate for any negligent acts or omissions by the operator relating to their obligations under this Agreement. Such insurance shall include, but is not limited to bodily injury and property damage including loss of use; personal injury; contractual liability; premises, property & operations; non-owned automobile; broad form property damage; products & completed operations; owners & contractors protective; occurrence property damage; employees as Additional Insured(s); contingent employers liability; tenants legal liability; cross liability and severability of interest clause.
- 4.1.1.1. Such insurance shall add the Corporation of the Town of Gananoque as Additional Insured. This insurance shall be non-contributing with and apply as primary and not as excess of any insurance available to the Town.
- 4.1.2. Automobile liability insurance with respect to owned or leased vehicles used directly or indirectly in the performance of the services covering liability for bodily injury, death and damage to property with a limit of not less than \$2,000,000. inclusive for each and every loss.
- 4.2. Notwithstanding Section 4.1.1, effective January 1, 2024, the requirement for Commercial General Liability insurance will be increased to \$5,000,000.
- 4.3. The Policies shown above shall not be cancelled unless the Insurer notifies the Town in writing at least thirty (30) days prior to the effective date of the cancellation. The insurance policy will be in a form and with a company which are, in all respects, acceptable to the Town.

5. INDEMNIFICATION

- 5.1. The operator shall indemnify and hold Corporation of the Town of Gananoque harmless from and against any liability, loss, claims, demands, costs and expenses, including reasonable legal fees, occasioned wholly or in part by any negligence or acts or omissions whether willful or otherwise by the contractor, their officers, employees or other persons for whom the contractor is legally responsible.

6. GENERAL REGULATIONS:

- 6.1. All Mobile Canteens shall be located on private property, unless otherwise noted in this By-law.
- 6.2. Notwithstanding Section 6.1., Mobile Canteens permitted on public property are identified on Schedule 'B'.
- 6.3. Mobile Canteens are permitted in Progressive Commercial, Gateway Commercial or Employment lands, as per the Development Permit By-law, as amended, or its successor with exception to the Employment Lands identified as 400 Nalon Road or 290 Fourth Street or as otherwise identified in this By-law.

No Mobile Canteen shall be parked or located at any time for the purpose of selling food in a location other than a location approved by the Town of Gananoque at the time of issuance of the Licence with the exception of a Type B and Type C Mobile Canteen.

- 6.4. Licence holders located on publicly owned property may not operate during the months of November to March inclusive and shall be removed from the site no later than 10:00 PM on a nightly basis. No Mobile Canteen shall be parked for the purpose of selling food or other refreshments within 30 metres (98 feet) of a building containing a restaurant or another Mobile Canteen as defined in this By-law.
- 6.5. The issuance of a Licence does not act to exempt Licence holders from the provisions of the *Highway Traffic Act* and all Traffic and Parking By-laws of the Town, or of the necessity for licensing and assuring that vehicles are road worthy as provided by the provisions of the *Highway Traffic Act* and other applicable legislation.
- 6.6. Every Mobile Canteen shall at all times be roadworthy and shall be Licenced by the Ministry of Transportation under the provisions of the *Highway Traffic Act*.
- 6.7. Additional provisions for Mobile Canteens located on public property:
 - 6.7.1. Existing Licence holders located on publicly owned property shall be open daily with consistent hours.
 - 6.7.2. Mobile Canteens on public property, shall not have affixed to it any ornaments, decoration, or any other fixture that gives it the appearance that it is a permanent structure. Such items include, but are not limited to lattice, plywood or any other skirts, etc.
- 6.8. Food and Drink Service Containers
 - 6.8.1. All Mobile Canteens located on private property are encouraged to use food and/or drink containers that are accepted in blue box (plastic/metal/glass) or green box (paper/fibre) program.
 - 6.8.2. All Mobile Canteens located on public property shall use food and/or drink containers that are accepted in blue box (plastic/metal/glass) or green box (paper/fibre) program.
- 6.9. Mobile Canteen – Type A:
 - 6.9.1. No Type A Mobile Canteen shall be located on publicly owned property unless it is located at an approved public location as set out in Schedule ‘B’.
 - 6.9.2. Notwithstanding Section 6.5 of this By-law, Type A Mobile Canteens may be located within 30 metres (98 feet) feet of a building containing a restaurant provided written acknowledgement is obtained from the owners of the affected restaurant as defined in this By-law.
 - 6.9.3. All Type A Mobile Canteens shall obtain an approved Class I Development Permit, meeting all of the setback requirements of the designation in which it is located. It shall not occupy any required parking spots required by the principle use of the property, and shall provide, in addition to the parking requirements for the principle use on the property, three (3) additional parking spaces.

- 6.9.4. Additional provisions for Mobile Canteens located on public property:
 - 6.9.4.1. The Licence holder shall be required to meet all conditions of the By-law and shall not be permitted to sell or transfer his/her Licence or as holder of the previous year to any other person.
 - 6.9.4.2. Should the Town require the public property to meet its' obligations, the use of the location may be terminated at the end of a year without penalty to the Town or the need to provide the owner with an alternate location.
 - 6.9.4.3. Notwithstanding Section 6.5 of this By-law, if a restaurant moves to within 30 metres (98 feet) of an existing Type A Mobile Canteen located on public property, the Licencee having rights to that location shall be allowed to remain at that location until such time as the Licencee chooses not to renew his/her Licence. Alternate locations on public property will not be permitted.
- 6.9.5. Notwithstanding Section 6.10.1., specifically the location of 135 Water Street (Joel Stone Heritage Park):
 - 6.9.5.1. A Type A monthly Mobile Canteen Licence is permitted on April 1 to October 31.
 - 6.9.5.2. Location of canteen is specific to the area of Kate Street and Water Street, to be located on the concrete pad and shall not require a Class I permit.
 - 6.9.5.3. Applications shall be received with a specified timeframe as outlined in the Application.
 - 6.9.5.4. Applications will be selected based on a variety of canteen types and first come, first serve basis.
 - 6.9.5.5. All requirements of a Licence including fees, clearance certificates are to be submitted a minimum of two (2) weeks prior to opening.
 - 6.9.5.6. It is the intent that an Applicant is permitted for the period of one month only during a calendar year. Should the Town not receive a complete Application within two (2) weeks of the next month, an Applicant may be issued an additional month(s).
- 6.10. Mobile Canteen - Type B:
 - 6.10.1. Type B Mobile Canteens may be permitted at all construction sites in any designation provided it is not stopped in any location for longer than is necessary to complete a sale or sales and at no time be longer than 15 minutes.
 - 6.10.2. Notwithstanding Section 6.5., of this By-law, Type B Mobile Canteens may be located within 30 metres (98 feet) feet of a building containing a restaurant provided written acknowledgement is obtained from the owners of the affected restaurant as defined in this by-law or it is a construction site.

6.11. **Mobile Canteen – Type C:**

- 6.11.1. Type C Mobile Canteens may be permitted in any designation provided the canteen is not stopped in any location for longer than is necessary to complete a sale or sales and at no time be longer than 15 minutes.

6.12. **Mobile Canteen – Type D and Type E:**

- 6.12.1. Type D and Type E Mobile Canteen may additionally be located on approved public locations as set out in Schedule 'B'.

6.13. **Mobile Canteen – Type F:**

- 6.13.1. No Type F Mobile Canteen may be located within 30 metres (98 feet) of a building containing a grocery store, supermarket or any other business selling fruits, vegetables and/or flowers.
- 6.13.2. Notwithstanding Section 6.14.1 of this By-law, Type F Mobile Canteens may be located within 30 metres (98 feet) of a building containing a grocery store, supermarket or any other business selling fruits, vegetables and/or flowers provided written acknowledgement is obtained from the owners of the affected restaurant as defined in this By-law.
- 6.13.3. Where a Type F Mobile Canteen (Annual Licence) is located, it is required to have a Class I under the Development Permit By-law approved meeting all of the setback requirements of the designation in which it is located. It shall not occupy any parking spot required by the principle use of the property, and shall provide in addition to the parking requirements for the principle use on the property, three (3) additional parking spaces.
- 6.13.4. The number of permitted Licences for a Type F Mobile Canteen Licence under Schedule A shall mean the maximum number of canteens open at one given time and may be a combination of annual and 30 days Licences.
- 6.13.4.1. Preference is given to Applicants seeking an annual Licence.

7. **DUTIES OF THE MOBILE CANTEEN LICENCE HOLDER**

- 7.1. Prior to receiving a Mobile Canteen Licence, the approved Licence holder shall, prior to opening the operation of the Mobile Canteen in the current year, provide:
- 7.1.1. Proof that the vehicle and its equipment meet any requirements of the South East Health Unit or its successor.
- 7.1.2. Proof that the vehicle and its equipment has been inspected by a certified propane fitter, pursuant to the Ontario Propane Code or its successor, presently administered by the Ministry of Consumer and Commercial Relations, if the said vehicle is equipped with propane-fueled appliances.
- 7.1.3. Proof that the vehicle and its equipment has been inspected by the Gananoque Fire Department.
- 7.1.4. Such certificates to be dated not more than sixty (60) days prior to the Application for a Licence herein.

- 7.1.5. Licence holders are required to submit all necessary paperwork identified as Section 7.1.1, 7.1.2 and 7.1.3 within thirty (30) days of Council approval or prior to opening for the season, whichever comes first.
- 7.2. The Licence holder shall ensure:
 - 7.2.1. That the Mobile Canteen is kept in a clean and presentable condition and is painted in a manner satisfactory to the Town including signs.
 - 7.2.2. That the property on which the Mobile Canteen is located shall be maintained in a neat and tidy condition.
 - 7.2.3. Additional Provisions for Type A Licence holders:
 - 7.2.3.1. That proper and clear garbage bags are supplied by the Licence holder and used in the refuse and debris containers provided by the Town immediately or adjacent the Mobile Canteen on public property. All refuse and debris containers shall be disposed of properly by the Town on public property.
 - 7.2.3.2. That the payment of an Environmental Fee be payable to the Town for the refuse and debris containers on public property annually as set out in the General Fees and Rates By-law.
 - 7.2.3.3. That refuse and debris from Mobile Canteens on private property shall be disposed of properly by the Licence holder.
- 7.3. Every Licence holder shall ensure that:
 - 7.3.1 Any person operating or employed shall be adequately trained in the safe operation of the Mobile Canteen, and;
 - 7.3.2 Any person operating or employed shall be familiar with the contents of this By-law
 - 7.3.3 Any person operating or employed under the Licence holders' control, management or supervision does not breach any of the provisions of this By-law.
 - 7.3.4 Every Licence holder, person operating or employed by a Licenced Mobile Canteen shall, in carrying on his or her operation, be properly dressed and shall be civil and well behaved to members of the public with whom he or she is dealing.

8. NEXT-IN-LINE LIST

- 8.1. The Town limits the number of Licences for each Mobile Canteen as per Schedule 'A' attached.
- 8.2. The Manager of Planning and Development shall maintain a Next-in-Line List for all Mobile Canteen types.
- 8.3. Upon a revocation of a Licence under Section 10 or a Licence of the holder of the previous year not reapplying within the defined timelines as per Section 2.6., the Manager of Planning and Development will contact the interested party on the Next-in-Line List. The interested party will be given a timeframe of two (2) weeks to respond prior to the Manager of Planning and Development seeking the next interested party.

- 8.4. An Applicant may apply for more than one (1) Mobile Canteen type, however, no more than one (1) Licence will be issued to one (1) Applicant or his or her spouse.
9. Notwithstanding Section 8.4., the two (2) existing Type A Mobile Canteen Licences namely, Jones/Roberts will be permitted to remain until such time as the Licences are not renewed, non-compliance under Section 10., or the Town requires the lands as per Section 6.10.4.2.
10. **INSPECTION**
- 10.1. Compliance approvals by agencies may be conducted at any time or upon request by the Town.
- 10.2. Upon request of the Town, By-law Enforcement Officer, Chief of Police, Medical Officer of Health or Fire Chief and or his or her designates shall produce the Licence and any other requested documents herewith.
- 10.3. No Licence holder who has or is required to have a Licence under this By-law shall obstruct, hinder the making of an inspection, or cause or permit an inspection to be obstructed or hindered by those listed under Section 9.1.
11. **SUSPENSION OR REVOCATION OF LICENCE**
- 11.1. Any Licence issued by the Town in accordance with this By-law may be suspended by the Manager of Planning and Development at any time if the Licencee contravenes any provision of this By-law, any other by-law within the Town or any federal or provincial statute including the Medical Officer of Health.
- 11.2. The Manager of Planning and Development shall in writing provide the Licence holder with the reasons for the suspension of the Licence and indicate the Licence holder is entitled to appear before Council as outlined in Section 11.
- 11.3. The Manager of Planning and Development may suspend the Licence to allow the Licencee to rectify the contravention within twenty-four (24) hours from the date of receipt of the notice or until such time as Council has had an opportunity to review the suspension.
- 11.4. Any Licence issued by the Town may be suspended or revoked for any contravention listed in Section 3.
- 11.4.1. Where a Licence is suspended or revoked on public property, the Mobile Canteen shall be removed immediately from the public property.
- 11.5. Where a Licence is suspended or revoked on private property, the Mobile Canteen shall be closed immediately. Council has the right to revoke a Licence issued by the Town for any contravention listed in Section 3 or upon review of a suspension.
12. **RIGHT TO APPEAL**
- 12.1. Where a Licence has been suspended, the Licencee may appeal the decision to Council by filing a written correspondence detailing and/or responding to the suspension, along with any applicable fees, with the Clerk within ten (10) days of receipt of the revocation.
- 12.2. Upon receipt of a written correspondence by the Clerk, the Clerk will schedule the hearing at the next available Council meeting.
- 12.3. Until such time as the hearing is to occur, the Licencee shall not operate his/her Mobile Canteen.

- 12.4. Where the hearing grants the Licencee to have his/her Licence reinstated, the Mobile Canteen owner shall fulfill any outstanding requirements of the Licence under this By-law prior to reopening the operation.
- 12.5. Where a Licence has been revoked by Council, the Licencee shall have the right to reapply for a new Licence in the next calendar year. The Licencee shall follow the procedures of the waiting list as held by the Town.
- 12.6. Notwithstanding Section 11.5., where a Licence has been revoked by Council, Council is not required to issue a new Licence upon review of a new Application and as per Section 3.
- 12.7. In addition to any measures that are available to the Town in this Section, the Town shall have the right to seek any additional fees.

13. EXEMPTIONS:

- 13.1. Notwithstanding any other Section in this By-law, a Licence shall not be required for advertised special events not exceeding ten (10) consecutive days.
- 13.2. Fruit, vegetable or flower stands participating in the Farmers' Market, and set up on the days of and in the location designated by the Town as the official location of the Farmers' Market shall be exempt from the provisions of this By-law.

14. CONTRAVENTION:

- 14.1. Any person who contravenes any provision of this By-law shall, upon conviction, be subject to a penalty, as outlined in the provisions of the *Provincial Offences Act*.

15. BY-LAW REPEALED:

- 15.1. Any and all by-laws or portions thereof conflicting with this By-law are hereby repealed.

16. SHORT TITLE:

- 16.1. This By-law may be referred to as the "**Mobile Canteen By-law**".

17. EFFECTIVE DATE:

- 17.1. This By-law shall be in force and take effect upon its final passage.

Schedule 'A' to By-law No. 2015-012, as amended by By-law No. 2023-047

1. The maximum number of Licences that shall be issued in any calendar year on public property are as follows:
 - 1.1. Four (4) Licences being one (1) Licence per Type A Mobile Canteen on public property;
 - 1.2. Two (2) Licences being one (1) Licence per Type B Mobile Canteen;
 - 1.3. Two (2) Licences being one (1) Licence per Type C Mobile Canteen;
 - 1.4. Four (4) Licences being one (1) Licence per Type D Mobile Canteen on public property;
 - 1.5. Four (4) Licences being one (1) Licence per Type E Mobile Canteen on public property;
 - 1.6. Four (4) Licences being one (1) Licence per Type F Mobile Canteen on public property.

Schedule 'B' to By-law No. 2015-012, as amended by By-law No. 2025-054

2. The following locations are permitted for Mobile Canteens on public property:
 - 2.1. Type A – Employment Lands, Gateway Commercial, Progressive Commercial, specific Open Space and Lowertown – mixed use locations
 - 2.1.1. One (1) Licence – 30 King Street East – Town Park
 - 2.1.2. One (1) Licence – 600 King Street East (Lou Jefferies Complex)
 - 2.1.3. One (1) Licence – 135 Water Street (Joel Stone Heritage Park)
 - 2.1.3.1. Licence shall be issued on a monthly basis as per Section 6.10.5.
 - 2.2. Type D (hot) and Type E (cold) – Employment Lands, Gateway Commercial, Progressive Commercial, specific Open Space and Lowertown – mixed use locations
 - 2.2.1. Two (2) cold or hot Licence – Water Street (south side from Kate Street to Swing Bridge)
 - 2.2.2. One (1) cold or hot Licence – King Street East/King Street West – Memorial Park
 - 2.2.3. One (1) cold or hot Licence – 2 King Street East – Confederation Park
 - 2.3. Type F (fruit/vegetable) – Employment Lands, Gateway Commercial, Progressive Commercial, specific Open Space and Lowertown – mixed use locations
 - 2.3.1. One (1) Licence – Water Street (south side from Kate Street to Swing Bridge)
 - 2.3.2. One (1) Licence – King Street East/King Street West – Veterans Park
 - 2.3.3. One (1) Licence – 2 King Street East – Confederation Park