

CORPORATION OF THE TOWNSHIP OF NORWICH

BY-LAW NO. 50-84

Being a by-law to licence, govern and regulate vehicles from which refreshments are sold for consumption by the public.

WHEREAS Subsection 11 of Section 232 of The Municipal Act, R.S.O. 1980, provides that by-laws may be passed by the councils of townships for licensing, regulating and governing vehicles from which refreshments are sold for consumption by the public and for revoking any such licences.

THEREFORE, the Municipal Council of the Corporation of the Township of Norwich enacts as follows:

1. For the purpose of this by-law "VEHICLE" shall mean:
 - a) A vehicle as defined under the Highway Traffic Act;
 - b) A self-propelled vehicle, licensed or not;
 - c) A vehicle or structure, licensed or not, and capable of being drawn or propelled by a motor vehicle, notwithstanding that such vehicle when located is jacked-up or that its running gear is removed.
2. No person or persons shall sell or offer for sale refreshments from a vehicle within the limits of the Corporation of the Township of Norwich without first having secured a license for such vehicle.
3.
 - a) Refreshments shall not be sold or offered for sale from a vehicle:
 - i) in any public park, or,
 - ii) on any street, highway, public place or any other place,without the express permission of the Municipal Council of the Corporation of the Township of Norwich.
 - b) No refreshment vehicle shall be located closer than 90 metres of any place of business assessed for business tax where similar refreshments are sold.
 - c) No refreshment vehicle shall be located in the Municipality in contravention of Zoning By-Law Number 19-84.
4. The Licence fee payable for the operation of a vehicle from which refreshments are sold shall be the sum of \$150.00 for the first vehicle, and \$50.00 for each additional vehicle.
5. Such licence shall expire on December 31st next following the date of issue.

- 6. Such licence shall be issued in the name of the Corporation and shall be granted and signed by the Clerk or Deputy-Clerk upon a yearly written application therefor signed by the person applying therefor, with the address of premises occupied by such person, if any, and his business or calling upon a form to be furnished and approved by the Corporation.
- 7. The licensee shall at all times while carrying on his business have his licence with him and shall upon demand exhibit it to any municipal or peace officer, and if he fails to do so is guilty of an offence, unless the same is accounted for satisfactorily, and on summary conviction is liable to a fine of not less than \$10.00 and not more than \$50.00.
- 8. No such licence shall be issued until the Corporation has received, in writing, from the Medical Officer of Health of the County of Oxford satisfactory proof that the vehicle to be used for the sale of refreshments is of a suitable design and that it is maintained in a safe and sanitary condition.
- 9. Any licence granted under this by-law may be revoked by Council at any time when it deems it is in the public interest so to do, and in the event that a licence is revoked the licensee shall be entitled to a refund of the licence fee proportionate to the unexpired portion of the term of the licence as if said licence had been issued January 1st.
- 10. Any person who contravenes any of the provisions of this by-law shall, upon conviction therefore, be subject to a penalty in the discretion of the convicting magistrate of not less than \$50.00 and not more than \$500.00, exclusive of costs, and every such penalty shall be recoverable under the Summary Convictions Act, all the provisions of which shall apply, except that the imprisonment may be for any term not exceeding six months.
- 11. Any other by-law, previously enacted, the provisions of which are inconsistent with the provisions set forth herein, is now and herewith repealed.
- 12. That this by-law shall come into force and effect from and after the final passing thereof.

FIRST READING: JULY 9th, 1984.

SECOND READING: JULY 9th, 1984.

BY-LAW READ A FIRST AND SECOND TIME, THIS 9th DAY OF JULY, 1984.

John M. Heleniak
MAYOR - JOHN M. HELENIAK

Robert C. Watkins
CLERK - ROBERT C. WATKINS

THIRD READING: AUGUST 13th, 1984.

BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 13th DAY OF AUGUST, 1984.

John M. Heleniak
MAYOR - JOHN M. HELENIAK

Robert C. Watkins
CLERK - ROBERT C. WATKINS

CORPORATION OF THE TOWNSHIP OF NORWICH

BY-LAW NO. 50-87

Being a by-law to amend By-Law No.
50-84.

WHEREAS By-Law No. 50-84 was duly passed on the 13th day of August, 1984, to licence, govern and regulate vehicles from which refreshments are sold;

AND WHEREAS, the Municipal Council deems it necessary to amend said by-law;

NOW THEREFORE, the Municipal Council of the Corporation of the Township of Norwich enacts as follows:

1. That Section 3(b) of By-Law No. 50-84 is hereby amended to read as follows:

"s. 3(b) - No person shall locate a refreshment vehicle closer than 90 metres of any place of business assessed for business tax where similar refreshments are served."

2. That Section 10 of By-Law No. 50-84 be deleted and the following be substituted therefore:

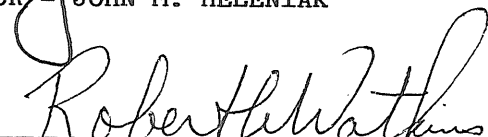
"s. 10 - Every person who contravenes a provision of this by-law is guilty of an offence and upon conviction is liable to a fine of not less than \$50.00 and not more than \$500.00 exclusive of costs."

3. That this by-law shall come into force and effect from and after the final passing thereof.

BY-LAW READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED THIS 14th

DAY OF SEPTEMBER, 1987.


MAYOR - JOHN M. HELENIAK


CLERK - ROBERT C. WATKINS