

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER 095-2025**

**A By-law of the Corporation of the City of Vaughan to amend Business Licensing By-law 122-2022, as amended, to set additional regulations for refreshment vehicles licence holders and to allow refreshment vehicles on City property with a permit.**

**AND WHEREAS** section 8(3) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, (*"Municipal Act"*) provides that a by-law under section 10 and 11 of the *Municipal Act* may regulate or prohibit, require persons to do things, and provide for a system of licences respecting a matter;

**AND WHEREAS** section 11(3) of the *Municipal Act* sets out that a lower-tier municipality may pass by-laws with respect to business licensing;

**AND WHEREAS** section 151(1) of the *Municipal Act* provides that a municipality may provide for a system of licences with respect to a business;

**AND WHEREAS** Council has determined that it is desirable to make amendments to Business Licensing By-law 122-2022, as amended, to set additional regulations for refreshment vehicle licence holders;

**NOW THEREFORE** the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That Business Licensing By-law 122-2022, as amended, be further amended by adding the following definitions to section 3.0(5):

"Designated Area" means a space on *City Property* reserved for the exclusive use of a specific *Refreshment Vehicle* with a *City* issued permit, as indicated in the permit;

"Criminal Record Check Level 1" means a Criminal Record Check issued by an *Ontario Police Service*;

"Criminal Record Check Level 2" means a Criminal Record and Judicial Matters Check issued by an *Ontario Police Service*;

“Criminal Record Check Level 3” means a Vulnerable Sector Check issued by an *Ontario Police Service*;

2. That Business Licensing By-law 122-2022, as amended, be further amended by deleting and replacing references to “Criminal Record Check”, “criminal record check”, “Police Criminal Record Check”, “complete Police Criminal Record Check” or “complete Police Criminal Records Check” with “*Criminal Record Check Level 1*”.
3. That Business Licensing By-law 122-2022, as amended, be further amended by deleting and replacing the definition of “Ontario Police Service” with the following definition in section 3.0(5):

“Ontario Police Service” means a police service as defined in the *Community Safety and Policing Act, 2019*, S.O. 2019, c.1, Sched. 1.
4. That Business Licensing By-law 122-2022, as amended, be further amended by adding subsection 25.0(2)(h) to read as follows:

(h) a *Criminal Record Check Level 2*, dated not more than ninety (90) days prior to the date of application, if the *Owner* operates the *Refreshment Vehicle*.
5. That Business Licensing By-law 122-2022, as amended, be further amended by adding subsection 25.0(3)(f) to read as follows:

(f) a *Criminal Record Check Level 2*, dated not more than ninety (90) days prior to the date of application.
6. That Business Licensing By-law 122-2022, as amended, be further amended by adding subsection 25.0(4)(e) to read as follows:

(e) a *Criminal Record Check Level 2*, dated not more than ninety (90) days prior to the date of application, if the *Owner* operates the *Refreshment Vehicle*.
7. That Business Licensing By-law 122-2022, as amended, be further amended by adding subsection 25.0(5)(d) to read as follows:

(d) a *Criminal Record Check Level 2*, dated not more than ninety (90) days prior to the date of application.
8. That Business Licensing By-law 122-2022, as amended, be further amended by adding sections 25.0(8.1) and 25.0(8.2) to read as follows:

(8.1) Every *Refreshment Vehicle Owner* and *Refreshment Vehicle Driver* shall keep the area surrounding the *Refreshment Vehicle* free of waste and debris, and shall regularly and properly dispose of waste.

(8.2) Every *Refreshment Vehicle Owner* and *Driver* shall ensure that any wastewater from the *Refreshment Vehicle* is stored in an appropriate wastewater holding tank and that it is disposed of by a licensed wastewater disposal contractor.

9. That Business Licensing By-law 122-2022, as amended, be further amended by repealing section 25.0(10)(c).

10. That Business Licensing By-law 122-2022, as amended, be further amended by adding the following subsections to section 25.0(10):

- (m) all special extinguishing systems, kitchen suppression systems, ventilation in every *Refreshment Vehicle – Type 1* have to be inspected every six (6) months by an authorized third-party contractor;
- (n) where the *Refreshment Vehicle* is equipped with a deep fryer, range, griddle, char-broiler or other similar equipment, the *Refreshment Vehicle* shall be equipped with a “K” Class portable fire extinguisher;
- (o) where the *Refreshment Vehicle* is equipped with cooking equipment powered by propane, the *Refreshment Vehicle* shall have a 2A10BC, or larger, dry chemical portable fire extinguisher;
- (p) every *Refreshment Vehicle* shall be operated in compliance with all relevant *City* by-laws;
- (q) every *Refreshment Vehicle* shall comply with the requirements of the *Fire Code* and the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4;
- (r) no *Person* operating a *Refreshment Vehicle* shall sell or offer for sale any alcoholic beverages, tobacco or cannabis products;
- (s) every *Owner* of a *Refreshment Vehicle* shall comply with the *Occupational Health and Safety Act, 1997*, R.S.O. 1990, c. O.1, the *Workplace Safety and Insurance Act, 1997*, S.O. 1997, c. 16, the *Human Rights Code, 1990*, R.S.O. 1990, c. H.19, and applicable regulations under such legislation and all other legal obligations with respect to worker health, safety and treatment.

11. That Business Licensing By-law 122-2022, as amended, be further amended by deleting and replacing “Unless authorized by a permit for a special *Event* organized or sponsored by the *City* or by a *Special Event Permit*, and subject to the conditions therein” from section 25.0(13) with “Unless authorized by a permit issued by the *City*, and operating in accordance with the terms and conditions of that permit,”.

12. That Business Licensing By-law 122-2022, as amended, be further amended by adding section 25.0(17) to read as follows:

(17) Every holder of a *City* issued permit to operate a *Refreshment Vehicle* on *City Property* shall agree to indemnify and save the *City* harmless from any and all claims, demands, causes of action, losses, costs (including legal fees), expenses, or damages that the *City* may suffer, incur or be liable for, resulting from or in any way related to their negligence, acts, or omissions, or that of the individuals operating the *Refreshment Vehicle*, while using *City Property*.

13. That Business Licensing By-law 122-2022, as amended, be further amended by adding **Part 25.3 Refreshment Vehicles on City Property** to read as follows:

**Part 25.3 Refreshment Vehicles on City Property**

(1) No *Person* shall operate a *Refreshment Vehicle* on any *City Property* except with a permit issued by the *Chief Licensing Officer* to do so, and when operating in compliance with the provisions of this By-law and in accordance the terms and conditions of that permit.

(2) No *Person* shall apply for a permit to operate a *Refreshment Vehicle* on *City Property* unless that *Person* is a *Refreshment Vehicle Owner* who has a valid *City Refreshment Vehicle Owner Licence*.

(3) Every *Owner* of a *Refreshment Vehicle* who intends to operate a *Refreshment Vehicle* on *City Property*, and is eligible to do so under section 25.3, shall:

(a) be in compliance with all of the applicable licensing or renewal requirements under Part 25.0;

(b) apply for a permit to operate a *Refreshment Vehicle* on *City Property*;

(c) pay the applicable permit fee as set out in *Fees and Charges By-law*, prior to the permit being issued;

- (d) submit an operational plan indicating plans for signage, waste management including disposal of grease and grey water, and a list of types of food products to be sold or offered for sale;
  - (e) submit a recent colour photograph of the *Refreshment Vehicle* that is going to operate under this permit;
  - (f) provide information on the maximum height, length, width and depth of the *Refreshment Vehicle*;
  - (g) provide information on the type of heating and cooking equipment used;  
and
  - (h) provide information on any other equipment to be used in the business, if any.
- (4) Notwithstanding subsection 25.0(10)(f), no amplification of sound, ringing of any bells or chimes, or other means of recognition shall be conducted at any time on *City Property*.
- (5) No *Person* operating a *Refreshment Vehicle* on *City Property* shall install any structures, such as fences, or appurtenances, such as tables, chairs or umbrellas.
- (6) No *Person* operating a *Refreshment Vehicle* on *City Property* shall install and/or operate any outdoor cooking equipment, including a portable barbeque.
- (7) A permit to operate a *Refreshment Vehicle* on *City Property* shall be renewed every season (i.e., May 1 to October 31) and is applicable only for the specific location and timeline as indicated in the permit.
- (8) Notwithstanding any other provisions of this Part, the *Chief Licensing Officer* may impose terms and conditions on the *Refreshment Vehicle* permit to operate on *City Property* at issuance, renewal or at any other time during the permit period, including special conditions, as he or she may deem necessary.

Voted in favour by City of Vaughan Council this 23<sup>rd</sup> day of April, 2025.

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Steven Del Duca, Mayor

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Todd Coles, City Clerk

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Authorized by Item No. 4 of Report No. 16 of the Committee of the Whole.  
Report adopted by Vaughan City Council on April 23, 2025.  
City Council voted in favour of this by-law on April 23, 2025.  
Approved by Mayoral Decision MDC 006-2025 dated April 23, 2025.  
**Effective Date of By-Law: April 23, 2025**