

SCHEDULE NO. 28
Relating to Rural Refreshment Vehicles,
Rural Mobile Canteens and Rural Refreshment Stands
(Added by By-law 2009-152)

LICENSE REQUIRED

1. (1) The following rural refreshment licenses may be issued pursuant to this Schedule:
 - (a) a License "A," an annual license to a person operating a rural refreshment vehicle as a rural refreshment vehicle, rural mobile canteen, or a rural refreshment stand in the rural area from a particular location on private property or at one or more rural special events from May 15th to May 14th of the following year;
 - (b) a License B," a six consecutive month license to a person operating a rural refreshment vehicle as a rural refreshment vehicle, rural mobile canteen, or a rural refreshment stand in the rural area from a particular location on private property or at one or more rural special events;
 - (c) a License "C," a rural special event license to a person operating a rural refreshment vehicle, as a rural refreshment vehicle, rural mobile canteen or a rural refreshment stand a rural special event with a duration of one (1) to thirty (30) consecutive days.
- (2) Every person who operates a rural refreshment vehicle, rural mobile canteen or a rural refreshment stand shall obtain a license of the appropriate category.
- (3) Every person who operates a rural refreshment vehicle, rural mobile canteen or a rural refreshment stand shall obtain a separate license for each rural refreshment vehicle, rural mobile canteen and rural refreshment stand.
- (4) Licensees having rural vending licenses issued by a former municipality that originally permitted vendors to operate on the highway in accordance with the by-law or documented written agreement shall be permitted to continue their operation at their location until such time as they cease operation of their business, and the vending location will then cease to exist. Such licenses will be non-transferable, except to an immediate family member, namely a spouse, son, daughter, brother, sister or parent.

- (5) Despite paragraphs (a) and (b) of subsection 1(1), rural refreshment vehicles licensed prior to May 14, 2009 that were not required to be mobile pursuant to the licensing by-law of the formerly-existing municipality from which they obtained the license, shall not be required to be mobile until such time as the licensee changes locations or replaces the rural refreshment vehicle.
- (6) The use of a rural refreshment stand shall only be permitted for rural special events.

EXEMPTIONS

2. (1) Subsection 1 (2) does not apply to:
 - (a) farmers' markets and events that are sponsored by and benefit farmers' markets;
 - (b) public markets managed by the City;
 - (c) agricultural fairs and events that are sponsored by and benefit agricultural fairs;
 - (d) the Central Canada Exhibition;
 - (e) fundraisers for charitable and not-for-profit organizations that operate solely for cultural or religious goals, social welfare, civic improvement, recreation, amateur sport or any other similar community enhancement initiatives for any purpose except profit, and any profits or economic advantages which are received by it are used to promote its objectives and not used for the personal gain of any of its members or of any other person;
 - (f) a farmer selling his or her own locally grown produce;
 - (g) despite subsection (e), individual vendors participating in an event for fundraising purposes that do not donate all of their profits to the charity or not-for-profit organization for which the event is being held shall require a license.
- (2) No holder of a license "A," "B" or "C" issued under this Schedule shall be permitted to sell at a rural special event unless the licensee:
 - (a) has notified the Chief License Inspector of:
 - (i) his or her intention to vend at the rural special event;
 - (ii) the description of the rural special event including its location, duration and hours of operation; and

- (iii) the name and telephone number of the promoter of the rural special event;
 - (b) has written proof that he or she is permitted to operate at the rural special event;
 - (c) operates from the rural refreshment vehicle or stand identified under his or her license; and
 - (d) the license is valid at the time of and for the duration of the rural special event.
- (3) The operator of a rural refreshment vehicle, rural mobile canteen or a rural refreshment stand must comply with all municipal, provincial and federal acts, regulations and by-laws.
- (4) The provisions of this Schedule only apply in the rural area.

CONDITIONS FOR ISSUANCE

3. (1) No applicant for an “A”, “B” or “C” rural refreshment vehicle, rural mobile canteen, or a rural refreshment stand license, shall be issued a license unless:
- (a) the applicant is at least eighteen (18) years of age;
 - (b) the applicant has indicated on the application the type of rural refreshment operation for which the license is sought;
 - (c) the applicant has provided the following information related to the rural refreshment vehicle:
 - (i) a recent colour photograph of the rural refreshment vehicle to be used in the business;
 - (ii) the type of heating and cooking equipment used;
 - (iii) the maximum height, length, width and depth of the rural refreshment vehicle;
 - (iv) other equipment to be used in the business; and
 - (v) the make, model, style and serial number of the rural mobile refreshment vehicle where applicable;
 - (d) where applicable, the applicant has provided a certificate issued no more than sixty days prior to the application date and issued pursuant to the Propane, Storage and Handling Regulations under the Technical

Standards and Safety Act, 2000 S.O. 2000, c.16, as amended, with respect to the rural refreshment vehicle;

- (e) the applicant has filed proof of insurance in accordance with the requirements of Section 8;
- (f) the applicant has met all requirements of the Health Protection and Promotion Act, R.S.O. 1990, c. H.7, as amended, and of any applicable Regulations enacted thereunder;
- (g) the Medical Officer of Health has reported in writing that the rural refreshment vehicle, rural mobile canteen or rural refreshment stand is suitable for the purpose of the vending operation in the license application and is in a sanitary condition;
- (h) the Chief License Inspector has reported in writing that the rural refreshment vehicle, rural mobile canteen, or rural refreshment stand and its equipment are suitable for the vending operation noted in the application;
- (i) the rural refreshment vehicle, rural mobile canteen or rural refreshment stand comply with the requirements of the Fire Code and the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended;
- (j) where an applicant is applying for a class "C" license, the applicant has furnished details to the Chief License Inspector outlined in subsection 2 (2);
- (k) if applying to sell on private property, the applicant has filed written proof with the Chief License Inspector that the owner of the property has granted permission to the applicant for the use of the property for the vending business indicated on the application, the duration and conditions of permission, the name and telephone number of the owner or occupant of the property;
- (l) the location from which the applicant proposes to operate the rural refreshment vehicle complies with the applicable zoning by-law and will not contravene zoning use or lead to a deficiency in required parking and proper vehicular circulation;
- (m) in the case of a motor vehicle operating as a rural refreshment vehicle the applicant is the holder of a current motor vehicle permit issued pursuant to the said Highway Traffic Act, R.S.O. 1990, c. H.8, as

amended, that permits the vehicle to be driven on any highway, where applicable; and

(n) the applicant has paid the fees set out in Schedule "A".

CONDITIONS FOR RENEWAL OF LICENSE

4. (1) The Chief License Inspector may require the licensee to submit his or her rural refreshment vehicle, rural mobile canteen or a rural refreshment stand and equipment for inspection by the Chief Medical Officer of Health, at any reasonable time during the current license period.
- (2) The Chief License Inspector may require that a rural refreshment vehicle operator prove that the vehicle being used for the vending activity is capable of mobility under its own motor power.
- (3) Despite subsection 4(2), the Chief License Inspector may require the operator of a trailer operating as a rural refreshment vehicle to prove that the trailer is capable of being immediately towed by a motor vehicle upon request.
- (4) Despite subsection 4 (2) and (3), rural refreshment vehicles licensed prior to May 14, 2009 that are currently not mobile pursuant to the licensing by-law of the former municipality from which they obtained the license, shall not be required to be mobile until such time as the licensee changes locations or replaces the vehicle.
- (5) The Chief License Inspector may waive any or all of the requirements listed in Section 3 where the Chief License Inspector determines that any or all of the requirements do not apply.
- (6) The licensee shall ensure that prior to the expiration of the license, his or her rural refreshment vehicle, rural mobile canteen or rural refreshment stand and vending equipment is submitted for inspection, where applicable, to,
 - (a) the Medical Officer of Health; and
 - (b) the Chief License Inspector
 as if the applicant was filing an original application.
- (7) The licensee must comply with the applicable requirements of Section 3.

REFUSAL OF LICENSE

5. In addition to Section 21 of the by-law, the Chief License Inspector may refuse to issue or renew a license pursuant to this Schedule if,

- (a) an inspection or inspections reveal that the site conditions are deemed inappropriate or unsuitable for the business;
- (b) an inspection or inspections reveal that the rural mobile refreshment vehicle, or equipment used for vending do not meet the regulations of this Schedule;
- (c) the Medical Officer of Health has not reported in writing that the rural mobile refreshment vehicle or vending equipment is suitable for the purpose of the license application and is in sanitary condition;
- (d) the location from which the applicant proposes to operate the rural mobile refreshment vehicle does not comply with the applicable zoning by-law and will contravene zoning use or lead to a deficiency in required parking and proper vehicular circulation;
- (e) the certificate provided by the applicant and issued pursuant to the Propane, Storage and Handling Regulations under the Technical Standards and Safety Act 2000, S.O. 2000, c.16, as amended, with respect to the vehicle, does not meet the provisions of this by-law;
- (f) where applicable, the mobile refreshment vehicle is not capable of mobility under its own motor power or the trailer is not capable of mobility while hitched to a motor vehicle capable of towing the trailer used as a mobile refreshment vehicle; or
- (g) the Chief License Inspector has reported that the mobile refreshment vehicle or vending equipment is unsuitable for the purpose of the license application and is in an unsafe condition.

ISSUANCE OF LICENSE

6. (1) The Chief License Inspector shall furnish a plate or decal bearing an identifying number for a license "A" or "B" as the case may be.
- (2) The Chief License Inspector shall furnish a license certificate for a "A", "B" and "C" license.
- (3) Every licensee operating under an "A" or "B" license shall ensure that the decal furnished pursuant to subsection (1) is properly affixed to the upper right corner of the plate and that the plate is attached to the right rear of the rural refreshment vehicle for which it has been issued, so as to be clearly visible to the public during the currency of the license.

- (4) Every licensee shall ensure that the license issued by the Chief License Inspector is posted on or in the rural refreshment vehicle, rural mobile canteen or rural refreshment stand and visible to the public;
- (5) Every person who vends under the authority of a license shall ensure that he or she has the original license in his or her possession.
- (6) Every person who vends under the authority of a license shall ensure that the license corresponds with the plate or decal furnished by the Chief License Inspector pursuant to subsection 6(1).
- (7) Every licensee shall produce the license for inspection when so requested by a By-law Officer or a Peace Officer.
- (8) Every licensee who ceases to operate the business permanently shall return the plate to the Chief License Inspector within fifteen (15) business days.
- (9) A license certificate issued pursuant to subsection (2) shall indicate the location in the rural area at which the licensee is authorized to operate.
- (10) No person shall operate a rural refreshment vehicle, rural mobile canteen, or rural refreshment stand at a location other than that indicated on the license certificate without having first obtained the approval of the Chief License Inspector.

APPROVALS REQUIRED TO VEND FROM A PARTICULAR LOCATION

7. (1) The issuance of a license to operate a rural refreshment vehicle, rural mobile canteen or a rural refreshment stand does not constitute the granting of authority to vend on any of the highways in the City.
- (2) The issuance of a license to operate a rural refreshment vehicle, rural mobile canteen or a rural refreshment stand does not constitute the granting of authority to vend on private property.
- (3) The onus of obtaining the necessary approval to vend from a particular location on private property from the owner of such property is solely on the licensee.
- (4) No person shall vend on private property of the City without first obtaining the written permission from the City.
- (5) Licensed rural refreshment vehicle, rural mobile canteen, or a rural refreshment stand operators who are participating in a special event on a highway that is carried on under the authority of a permit issued pursuant to

By-law No. 2001-260, entitled “A by-law to regulate special events on City streets”, as amended, may vend within the special event area.

- (6) No person shall vend on private property without the written consent of the owner or occupant of such property.
- (7) No person shall vend on the street or sidewalk without a valid permit, or authorization, to do so.
- (8) No person shall locate or operate a rural refreshment vehicle:
 - (a) within one hundred and fifty (150) metres of food premises selling the same or similar products;
 - (b) in a residential area not permitted by the applicable Zoning By-law;
 - (c) within nine (9) metres of an intersection;
 - (d) within ten (10) metres of a bus stop; or
 - (e) within six hundred (600) metres of another vendor.

((e) amended by By-law 2010-263)

- (9) Despite paragraph (e) of subsection 8, any rural refreshment vendors who are currently in operation at a distance of less than six hundred 600 metres from another refreshment vendor shall be permitted to continue operating at the location provided that the Chief License Inspector has provided approval for the location.

(amended by By-law 2010-263)

- (10) For the purposes of this Schedule, the distance from a food premises is measured to the front door for a food premises in a stand-alone building, and to the closest door in the case of a shopping plaza, shopping centre or similar shopping area.
- (11) Despite subsection (8) (a), the Chief License Inspector may provide approval to a licensee to operate less than one hundred and fifty (150) metres from a food premises selling the same or similar products provided that the licensee obtains a written letter from the owner or operator of affected food premises stating that he or she has no objection to the operation of the rural refreshment vehicle at the intended location and that a copy of this letter is provided to the Chief License Inspector at the time of application and annually upon renewal of the license.

- (12) A rural refreshment vehicle or a rural mobile canteen vending ice cream and frozen flavoured ice products is exempt from subsection 8(b).
- (13) The Chief License Inspector may require that a licensee relocate his or her rural mobile refreshment vehicle by presenting a written notice indicating the reason for the request for relocation and indicating when the relocation must be completed.

INSURANCE

8. (1) Every owner or operator of a rural refreshment vehicle, rural mobile canteen or rural refreshment stand shall file with the Chief License Inspector prior to the issuance of the license or renewal proof of Commercial General Liability insurance subject to limits of not less than \$2,000,000.00 inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof and including damage occasioned by any accident arising out of the operation of the rural mobile refreshment vehicle for which a license has been applied for or obtained.
- (2) The insurance required under subsection (1) shall be in the name of the applicant or licensee and shall name the City of Ottawa as an additional insured thereunder. Such insurance policy shall contain an endorsement to provide the City of Ottawa with thirty (30) days prior written notice of cancellation or of a material change that would diminish coverage, and a Certificate of Insurance evidencing such insurance coverage shall be provided to the City of Ottawa prior to the issuance of a license.

INDEMNIFICATION

9. The licensee shall indemnify and save harmless the City of Ottawa from and against any and all claims, demands, causes of action, loss, costs or damages that the City of Ottawa may suffer, incur or be liable for, resulting from the performance or non-performance of the licensee of his or her obligations under the license whether with or without negligence on the part of the licensee, the licensee's employees, directors, contractors and agents.

LICENSE TRANSFER

10. (1) No license issued pursuant to this Schedule shall be transferred from person to person in any manner, including leasing agreement and assignment.
- (2) No person shall transfer a license issued pursuant to this Schedule in any manner, including leasing agreement or assignment.

- (3) Despite subsections (1) and (2), any license granted by a former municipality that permits a licensee to operate on the City highway shall be transferable to the licensee's spouse, brother, sister, son or daughter provided that the following information is provided to the Chief License Inspector prior to the transfer:
 - (a) an affidavit from either of the original licensee or the prospective licensee attesting that he or she is the parent, child or sibling of the other, as the case may be, and
 - (b) a valid photo identification of the prospective licensee.
- (4) Should the original licensee or the prospective licensee pursuant to subsection (3) cease to operate or re-locate the licensed business, the location for which the original license was obtained shall cease to exist.

LOCATION TRANSFER

11. Location transfers may be permitted with the prior approval of the Chief License Inspector.

RURAL MOBILE REFRESHMENT VEHICLE AND STAND STANDARDS

12. (1) A motor vehicle, hand-powered vehicle, pedal-powered vehicle, any other vehicle or stand operating as a rural refreshment vehicle, rural mobile canteen, or rural refreshment stand shall be purpose-built and suitably designed for the licensed business.
- (2) A motor vehicle, hand-powered vehicle, pedal-powered vehicle, and any other vehicle or stand operating as a rural refreshment vehicle, rural mobile canteen, or rural refreshment stand shall be safe and stable with or without goods contained therein.
- (3) Every licensee shall at all times keep his or her rural refreshment vehicle, rural mobile canteen, or rural refreshment stand in a clean and sanitary condition and in a state of good repair and appearance.
- (4) No person who vends from a rural refreshment vehicle, rural mobile canteen, or rural refreshment stand shall use:
 - (a) an external gasoline-powered generator;
 - (b) an external propane-powered generator;
 - (c) an external diesel-powered generator; or
 - (d) an external natural gas-powered generator,

in conjunction with the vending activity.

- (5) Every licensee operating a rural refreshment vehicle, rural mobile canteen, or rural refreshment stand shall have attached or painted on two sides of the exterior body of the rural refreshment vehicle, rural mobile canteen, or rural refreshment stand, in a clearly visible position, a sign showing his or her trade name and address, legibly printed in letters and figures not less than seven (7) centimetres in height.
- (6) Every licensee operating a rural refreshment vehicle, rural mobile canteen, or rural refreshment stand having a food heating capability, food cooking capability or electric heater shall ensure that his or her rural mobile refreshment vehicle, rural mobile canteen, or rural refreshment stand, is adequately equipped with a fire extinguisher consistent with the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended, and Regulation 213, as amended, enacted thereunder, and any other Regulation enacted in substitution therefor.
- (7) No licensee shall operate from a rural refreshment vehicle, rural mobile canteen, or rural refreshment stand having visible rust.
- (8) Where reports have been received from the Medical Officer of Health in respect of the rural refreshment vehicle, rural mobile canteen, or rural refreshment stand, and the Chief License Inspector has issued the license based on the reports, the licensee shall ensure that no modifications are made to the rural refreshment vehicle, rural mobile canteen, or rural refreshment stand, or equipment related to the rural refreshment vehicle, rural mobile canteen, or rural refreshment stand operation, without the prior approval of the Chief License Inspector.
- (9) No licensee shall allow modifications to the equipment used in the licensed business without the prior approval of the Chief License Inspector.

MOTOR VEHICLE AND TRAILER EQUIPMENT STANDARDS

13. (1) Every licensee shall ensure that any motor vehicle operating as a rural refreshment vehicle, rural mobile canteen, or rural refreshment stand, that is licensed as a motor vehicle pursuant to the Highway Traffic Act R.S.O. 1990, c. H.8, is at all times capable of immediate relocation by the operator upon being directed so to do.

- (2) Despite subsection (1), a trailer shall be permitted, however a motor vehicle sufficient to tow the trailer must remain accessible at all times during operation.
- (3) Despite subsections (1) and (2), rural refreshment vehicles licensed prior to June 1, 2008 that were not required to be mobile pursuant to the licensing by-law of the former municipality from which the license was obtained, shall not be required to be mobile until such time as the licensee changes locations or replaces the vehicle.
- (4) No licensee shall construct a structure or cause a structure to be constructed around or adjacent to a rural refreshment vehicle, rural mobile canteen, or rural refreshment stand that would prevent the rural refreshment vehicle, rural mobile canteen, or rural refreshment stand, from being easily relocated.
- (5) Every rural refreshment vehicle or rural mobile canteen that is currently licensed to be driven on the highway pursuant to the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, may have a canopy that extends beyond the dimensions of the vehicle provided that:
 - (a) the extension of the canopy is at the height of not less than two point two (2.2) metres measured from the ground;
 - (b) the extension of the canopy does not extend beyond the dimensions of the vehicle by more than one (1) metre on any one (1) side; and
 - (c) no part of the canopy shall extend into the street.

DIMENSIONS OF A MOTORIZED RURAL REFRESHMENT VEHICLE

14. (1) No person shall use a rural refreshment vehicle or rural mobile canteen that exceeds the dimensions of ten (10) metres in length by two point six (2.6) metres in width, by four point three (4.3) metres in height.
- (2) For the purposes of subsection (1), a deck and a secondary structure shall not be included in the measurement provided the deck or secondary structure is not permanently attached to the vehicle or trailer used as rural refreshment vehicle or rural mobile canteen.
- (3) Despite subsection (1), any motor vehicle or trailer operating as a rural refreshment vehicle or rural mobile canteen pursuant to a license issued prior to May 14, 2009 that exceeds the prescribed size dimensions shall be permitted to operate until such time as the licensee changes locations or replaces the vehicle.

- (4) The dimensions prescribed in subsection (1) do not apply to a hand-powered or pedal-powered vehicle operating as a rural refreshment vehicle or rural mobile canteen.

HAND-POWERED AND PEDAL-POWERED VEHICLE EQUIPMENT STANDARDS

15. (1) Every hand-powered vehicle shall,
- (a) have,
 - (i) at least two (2) wheels;
 - (ii) two (2) handles or a push-bar; and
 - (iii) a body that is not higher than one point two (1.2) metres as measured from the ground to the top of the body;
 - (b) be mobile so that it may be pulled or pushed by hand by the person who is vending; and
 - (c) be structured so as to be safe and stable with or without refreshments therein.
- (2) The hand-powered vehicle may have a canopy or umbrella so long as the canopy conforms to the provisions of subsection (3) or (4), whichever is applicable.
- (3) The canopy may extend beyond the dimensions of the hand-powered vehicle prescribed by Section 11 provided that:
- (a) the extension of the canopy is of a height of not less than two point two (2.20) metres measured from the ground;
 - (b) the extension of the canopy does not extend beyond the said dimensions by more than sixty-five (65) centimetres on any one (1) side; and
 - (c) the canopy does not extend over the road.
- (4) Despite subsection (3), where the canopy is an umbrella it may extend beyond the prescribed dimensions provided that:
- (a) the diameter of the umbrella does not exceed two point three (2.3) metres;
 - (b) the outside perimeter of the umbrella does not extend beyond the said dimensions by more than sixty-five (65) centimetres on any one (1) side;

- (c) the extension of the umbrella is at the height of not less than two point two (2.20) metres measured from the ground; and
 - (d) the umbrella is securely attached to the rural refreshment vehicle.
- (5) A table with castors shall not constitute a hand-powered vehicle.
 - (6) The maximum height of the display of goods on or in the hand-powered vehicle shall not exceed a height of one point four (1.4) metres as measured from the ground to the top of the display.
 - (7) No person shall operate a hand-powered or pedal-powered vehicle as a rural refreshment vehicle unless the vehicle is capable of immediate relocation by the user.
 - (8) No person shall vend with or from a hand-powered vehicle that does not comply with the provisions of this Section.

DIMENSIONS OF HAND-POWERED OR PEDAL-POWERED VEHICLES

16. (1) No person shall use a hand-powered or a pedal-powered vehicle that exceeds the dimensions of three (3) metres in length, by one (1) metre in width, by two point five (2.5) metres in height.
- (2) Subsection (1) does not apply to a person operating a hand-powered or pedal-powered vehicle as a rural refreshment vehicle for vending on private property provided the entire vending activity is on private property and approved by the Chief License Inspector.
- (3) No person shall use for vending a hand-powered or pedal-powered vehicle that is:
 - (a) not structured so as to be safe and stable with or without refreshments therein, or
 - (b) not capable of easy relocation by the user.

GENERAL REGULATIONS

17. (1) No licensee shall carry, sell, offer or expose for sale any food product that is prohibited by the Medical Officer of Health, or by-law, Act or Regulation.
- (2) No licensee shall fail to comply with the Health Protection and Promotion Act, R.S.O. 1990, c. H.7, as amended, and regulations enacted thereunder.
- (3) No licensee or a person who vends under the authority of a license shall fail to produce the following documentation when so requested by a By-law Officer or a Peace Officer:

- (a) a copy of the valid refreshment license authorizing the vending activity;
 - (b) if vending at a rural special event, a copy of the permission from the promoter of the event including the name and telephone number of the promoter, indicating that the licensee is authorized to vend during the rural special event;
 - (c) if vending on private property, a copy of the permission of the owner of the property including the name and telephone number of the property owner, indicating that the licensee is authorized to vend on the property and any conditions related to the permission if any;
 - (d) if applicable under this by-law, a certificate issued pursuant to the Propane, Storage and Handling Regulations under the Technical Standards and Safety Act, 2000, S.O. 2000, c.16. as amended; and
 - (e) a copy of the certificate from the Medical Officer of Health.
- (4) No licensee shall fail to submit the rural refreshment vehicle, rural mobile canteen, or rural refreshment stand, for an inspection if requested to do so by a By-law Officer or a Peace Officer.
- (5) Every licensee shall take prompt measures to reduce or eliminate nuisances created by the business when so directed by a By-law Officer or a Peace Officer.
- (6) Every licensee shall ensure that he or she conforms to all municipal by-laws and that he or she does not:
- (a) interfere with the normal movement of pedestrian or vehicular traffic or the maintenance of the highways in the City;
 - (b) interfere with a designated fire route pursuant to By-law No. 2003-499, as amended, the Designated Fire Routes By-Law;
 - (c) interfere with highway maintenance or highway signage; and
 - (d) interfere with required parking spaces, private approaches, accesses or egresses to buildings or premises.
- (7) Every licensee who is vending on private property shall ensure that the vending activity is set back from the highway so as not to create a traffic hazard.

- (8) Every licensee shall ensure that any grease or water used in the business is disposed of in a manner that complies with all municipal, provincial and federal statutes, laws, by-laws and regulations.
- (9) No person shall fail to relocate the rural refreshment vehicle, rural mobile canteen, or rural refreshment stand, immediately upon being so directed by the Chief License Inspector or a Peace Officer.
- (10) Every licensee shall ensure that he or she conforms, where applicable, to:
 - (a) the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended;
 - (b) By-law No. 2003-530, being a by-law of the City of Ottawa regulating traffic and parking on highways, as amended; and
 - (c) By-law No. 2005-358, being a by-law respecting vendors on highways, as amended.
- (11) No person shall cook food products in a rural refreshment vehicle, rural mobile canteen, or a rural refreshment stand unless:
 - (a) the vehicle or stand and equipment are approved by the Medical Officer of Health; and
 - (b) the Chief License Inspector is notified, in writing, that food is being cooked or prepared in the rural refreshment vehicle, rural mobile canteen, or rural refreshment stand.
- (12) No person operating as a rural refreshment vehicle or a rural mobile canteen shall vend from a rural refreshment vehicle, or a rural mobile canteen in any area designated as a “residential area” in the applicable Zoning By-law except on a construction site during periods of construction, but this does not include a single site for the construction of housing in an already established neighbourhood.
- (13) Despite subsection (12), the vending of only ice cream and frozen flavoured water products by a rural refreshment vehicle operator, or as a rural mobile canteen shall be permitted within a “residential area”.
- (14) Any holder of a rural refreshment vehicle or rural mobile canteen license may remain up to thirty (30) minutes at a location on a street, subject to By-law No. 2003-530 entitled, "A by-law of the City of Ottawa regulating traffic and parking on highways", as amended, at a construction site or place of employment provided that the majority of the licensee active vending time in any one (1) day is spent on private property and that there are no food

premises that sell the same or similar food products within one hundred and fifty (150) metres of said vending location.

- (15) No person shall fail to submit for inspection any equipment or vehicle upon being so directed by the Chief License Inspector.

REQUIREMENT FOR GARBAGE OR LITTER CONTROL

18. (1) Every licensee shall ensure that a sufficient number of trash receptacles are placed outside the rural refreshment vehicle, rural mobile canteen, and rural refreshment stand at suitable locations to keep up with the amount of trash generated by the vending operation.
- (2) Every licensee shall ensure that the trash created by the vending activity is disposed of in accordance with applicable waste by-laws, Acts and Regulations, and as required to prevent trash overflow.
- (3) Every licensee shall ensure that the trash resulting from his or her vending activity is collected and removed from the vending activity ceases for the day.
- (4) For the purposes of this Section, the placing of the trash in a sidewalk refuse container provided by the City is not sufficient to constitute removal.
- (5) Every licensee shall ensure that the garbage receptacle placed outside the vehicle is removed from vending area and that the trash is disposed of in a proper manner when the business closes at the end of the day.

REPRESENTATION

19. (1) No person shall publish or cause to be published any representation that the person is licensed under this by-law if they are not so licensed.
- (2) No person to whom a license has been issued to under this by-law shall alter, erase or modify or permit the alteration erasure or modification of that license or any part thereof, unless approved by the Chief License Inspector of the City, or an authorized designate, who has initialized the change.

(amended by By-law 2023-516)