

Licensing By-law Review

Consultation Guide



Prepared by:
Public Policy Development Services Branch
Emergency and Protective Services Department
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Introduction

The City of Ottawa has begun a comprehensive review of the Licensing By-law (No. 2002-189, as amended) – and we want your input! The Licensing By-law sets out regulations and requirements for businesses that need a licence to operate in the City. This includes restaurants, pet shops, food trucks, and payday loan establishments, among others. The purpose of licensing is to help ensure public health and safety, protection of property, and consumer protection, among other reasons.

Your feedback and comments will help us:

- Modernize licensing regulations and requirements
- Eliminate duplication and inconsistencies
- Identify opportunities to reduce red-tape
- Identify non-regulatory solutions to better support entrepreneurs

We anticipate submitting recommendations for a new and fully updated Licensing By-law to City Council in 2026.

This document includes a consolidated version of the Licensing By-law for ease of reference. Please use the links on the following page to review key sections of the by-law. This will assist you in responding to the survey questions.

Please note that there are also individual by-law reviews being conducted for the following licensed business categories:

- [Snow Plow Contractors \(review currently underway\)](#)
- [Tobacco Vendors and Vapour Product Retailers \(review currently underway\)](#)
- Food Premises (2025)
- Body-Rub Parlours (2025)

More information on these reviews can be found here: <https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/law-reviews>. Please consider participating in these business specific reviews as well - your feedback is important!



Take the survey

Quick links

This consolidated by-law is provided for reference purposes only. Every effort is made to ensure the accuracy of this information. However, it is not to be used in place of certified copies of actual by-laws. For legal requirements, please refer to the official by-laws of the City of Ottawa.

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BY-LAW NO. 2002 - 189

A by-law of the City of Ottawa respecting the licensing, regulating and governing of certain businesses.

The Council of the City of Ottawa enacts as follows:

DEFINITIONS AND INTERPRETATION

DEFINITIONS

1. In this by-law:

“A-frame sign” means a self-supporting structure shaped like an “A” with one (1) or two (2) sign faces, with a base dimension not exceeding sixty centimetres (60cm) in width or seventy-five centimetres (75cm) in length, and a height not less than fifty centimetres (50cm) or greater than one metre (1m);

(By-law 2005-357)

~~**“accident scene”** means the area where an incident has occurred involving one or more vehicles including but not limited to incidents involving an impact by a vehicle or vehicles with another vehicle, structure, person, object or thing that may result in injury or damages and incidents to which emergency services personnel are required to respond;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

“additional fee” means a fee imposed by the City on a business at any time during the term of the license for costs incurred by the City attributable to the activities of the business;

(By-law 2004-488)

“adult entertainment establishment” means any premises or part thereof where goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations or body rubs are provided and includes adult entertainment parlours and adult entertainment stores and body-rub parlours;

(By-law 2005-414; amended by By-law 2005-415)

“adult entertainment parlour” means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, live entertainment or services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

(By-law 2004-353)

“adult entertainment operator” means a person who alone or with others operates, manages, supervises, runs or controls an adult entertainment parlour;

(By-law 2004-353)

“adult entertainment owner” means a person or persons who has or have the right to possess or occupy an adult entertainment parlour or who actually does possess or occupy an adult entertainment parlour or premises upon which an adult entertainment parlour is located;

(By-law 2004-353)

“adult entertainment performer” means any person other than a licensed adult entertainment owner or adult entertainment operator who provides at or in an adult entertainment parlour live entertainment or services designed to appeal to erotic or sexual appetites or inclinations;

(By-law 2004-353)

“adult entertainment store” means,

- (a) any premises or part thereof in which the principal business carried on is the provision of either or both adult magazines or adult videos, or
- (b) any premises or part thereof in which the provision of adult videos or adult magazines is incidental to the carrying on of a business not referred to in clause (a).

(By-law 2005-414; amended by By-law 2006-81)

“adult magazine” means any magazine the content of which is designed or held out as designed to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject matter distinguished or characterized by the portrayal of one (1) or more persons involved or engaging in specified sexual activities or by an emphasis on the display of human specified body area;

(By-law 2005-414; amended by By-law 2006-81)

“adult video” means any video the content of which is designed or held out as designed to appeal to erotic or sexual appetites or inclinations, through the portrayal or depiction of specified body areas or specified sexual activities and, in the absence of evidence to the contrary, a video classified by the Ontario Film Review Board as “restricted” with the added

information piece “adult sex film” shall be deemed to be an adult video, while a video without such classification and information piece shall be deemed not to be an adult video;

(By-law 2005-414)

“all night dance event” means an event for gain or profit:

- (a) that offers live or pre-recorded music or both
- (b) where any part of the event takes place between the hours of 0300 and 0900, and
- (c) where the principal activities include listening and dancing to music.

(By-law 2002-374)

“amusement place” means a place, building or structure or part thereof to which the public has access where entertainment or amusement facilities are provided and includes:

- (a) premises equipped with five (5) or more arcade machines or video display devices,
- (b) a bowling alley,
- (c) premises, including a proprietary club, with five (5) or more billiard, pool or bagatelle tables,
- (d) a golf driving range,
- (e) a roller skating or ice skating facility, and
- (f) a public hall.

(By-law 2002-373)

“animal” means any member of the animal kingdom, other than human;

(By-law 2003-236)

“art and craft” means handmade goods produced or created from raw or basic materials which are changed into a significantly different shape, design, form or function using a special skill or manual art;

(By-law 2009-151)

“auctioneer” means a person selling, renting or putting up for sale, goods, wares, merchandise or effects or livestock by public auction;

~~“**auto club**” means an organization or entity to which persons pay an annual or monthly fee for the provision of emergency roadside assistance and other auto-related services, including tow services provided by the auto club through a licensed tow service operator or tow truck driver;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

“automotive sales, leasing or rental establishment” means any premises used for carrying on the business of buying, selling, renting or leasing new or used motor vehicles;

(By-law 2002-319; amended By-law 2003-311)

“automobile service station” means any premises where minor or running repairs essential to the actual operation of motor vehicles are offered for gain and may include oil and filter changes; lubrication muffler, brake, battery repairs or replacements; ignition adjustments or similar services but does not include a retail establishment that offers the installation of motor vehicle accessories including but not limited to car alarms and sound systems, global positioning systems or remote control starter provided that the installation is incidental to the retail business;

(By-law 2002-319; repealed and re-enacted by By-law 2006-81)

“bakeshop” means a premises where bread, baked goods, cakes or pies are made, offered for sale or sold;

(By-law 2002-443)

“bedroom” means a room used or designed for use primarily for sleeping;

(By-law 2018-302)

“boarding kennel” means any premises or part thereof where:

- (a) more than three (3) dogs over the age of twenty (20) weeks, or
- (b) more than five (5) cats over the age of twenty (20) weeks, are boarded, raised or trained, for any period of time that includes and overnight stay, for remuneration;

(By-law 2013-107)

“body-rub” includes the kneading, manipulating, rubbing, massaging, touching, or stimulating by any means, of a person’s body or part thereof but does not include medical or therapeutic treatment performed or offered

by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

(By-law 2005-415)

“body-rub parlour” includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed, offered or solicited are for the purposes of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

(By-law 2005-415)

“boulevard” means all the parts of the highway save and except any roadway, shoulder or sidewalk;

(By-law 2008-95)

“building requirements” means the requirements set out in the Building By-law being By-law No. 2005-303 of the City of Ottawa or any successor by-law thereto;

“butcher shop” means a premises where fresh or frozen meat in quantities less than by the quarter carcass, fresh or frozen fish, manufactured meat products or all or any of them are sold, or offered or exposed for sale;

(By-law 2002-443)

“By-law Officer” means a person appointed by Council to enforce the provisions of this by-law and who may be referred to as an Inspector or Officer;

“Canada Day,” means the legal holiday kept and observed as Canada Day throughout Canada under the Holidays Act, R.S.C. 1985 Chap. H-5;

(By-law 2008-96)

“car washing establishment” means any premises which is used for the business of washing or cleaning motor vehicles by mechanical or manual means;

(By-law 2002-319)

“**cat**” means a male or female domesticated cat;

(By-law 2002-107)

“**Chief License Inspector**” means the person in the position of Director, By-law and Regulatory Services, in the Emergency and Protective Services Department of the City of Ottawa, or authorized representatives;

(amended by By-laws 2009-259 and 2023-516)

“**Chief of Police**” means the Chief of Police of the Ottawa Police Service or authorized representative;

(amended by By-law 2003-311)

“**City**” or “**City of Ottawa**” means the municipal corporation known as the City of Ottawa or the geographic area of the City of Ottawa, as the context requires;

“**City Solicitor**” means the City Solicitor of the City of Ottawa, or an authorized representative;

(amended by By-law 2023-516)

“**classic, vintage or specialty vehicle**”;

(By-law 2004-209; repealed by By-law 2016-272)

~~“**collision**” means an incident in which a vehicle has been impacted by or has impacted another vehicle or vehicles, has struck an object or was struck by an object, has turned over resulting in damages, was disabled by fire, or any similar situation;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

~~“**collision reporting centre**” or “**CRC**” means a collision reporting centre designated by the Ottawa Police Service for the reporting of injuries or damages caused by collisions or accidents as required under the Highway Traffic Act;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

“**Consumer Protection Act**” means the *Consumer Protection Act, 2002* R.S.O. 2002, c. 30, Sch. A, as amended, and the regulations passed under it;

(By-law 2021-315)

“**Council**” means the Council of the City of Ottawa;

~~"CVOR" means a Commercial Vehicle Operator's Registration Certificate issued under the Highway Traffic Act;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

"Deputized Officer" means an individual appointed under By-Law No. 2017-180, as amended, to enforce the Traffic and Parking By-law (2017-301, as amended) on private property and the Fire Routes By-law (No. 2003-499, as amended);

(By-law 2011-380; amended by By-law 2023-516)

"designated entertainment area" means the area, approved by the Chief of Police and the Chief License Inspector, where live entertainment or services designed to appeal to erotic or sexual appetites or inclinations may be provided, such area to offer a clear and unobstructed view to entrances, disc jockey area, bar and other public areas;

(By-law 2004-353)

"designated space" means a space established by the Designated Space Programme By-law;

(By-law 2008-95)

"detached dwelling" means a residential use building that contains only one principal dwelling unit or oversize dwelling unit;

(By-law 2018-302)

"dog" means a male or female domesticated dog;

(By-law 2013-107)

~~"dolly" means a wheeled carriage used in towing to support the trailing end of the towed vehicle;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

"driving instructor" means a person who teaches a person to operate a motor vehicle and receives compensation therefor;

"driving school operator" means a person who carries on the business of teaching persons to operate motor vehicles;

~~"drop fee" means any fee or commission paid to the tow service operator or tow truck driver in return for the towing or other conveyance of a motor vehicle to a location, which fee or commission is in addition to the amount~~

~~that the tow service operator or tow truck driver is authorized to charge to the tow customer in accordance with the provisions of this By-law;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

“dwelling unit” means a residential unit that:

- (i) is used or intended for use a residential premises by one household and not more than three roomers or boarders; and
- (ii) contains no more than four bedrooms;

(By-law 2018-302)

“eating establishment” means a premises where meals or meal portions are prepared or sold for human consumption in a form that will permit immediate consumption on the premises or elsewhere and without limiting the generality of the foregoing includes premises serving or selling food to the general public such as restaurants, cafes, cafeterias, dining rooms, lunch counters, catering services and ice cream parlours but does not include a refreshment vehicle;

(amended by By-law 2003-311)

“employee” means any person working in or for the licensed premise whether or not that person receives remuneration for the work;

(By-law 2005-324)

“entertainment” for the purposes of public halls, means a concert, public luncheon, public dinner, show, public sporting event or variety program;

(By-law 2002-373)

“exhibition” means an event:

- (a) that is organized by a promoter,
- (b) that is held indoors or outdoors or both,
- (c) that is held on private or public property,
- (d) that has a theme or general subject,
- (e) that is comprised of five (5) or more participating individuals who are vending on their own behalf,
- (f) at which persons contract for display space from the promoter of the event for the purpose of offering goods for sale by retail for the duration of the exhibition or a segment of the exhibition, and

- (g) that is open to the public by any means, but does not include a flea market;

(By-law 2005-356)

“exotic animal” means an animal that is wild by nature and is not commonly or lawfully kept as a domestic, household pet in Canada and includes prohibited animals;

(By-law 2003-236)

“exotic animal entertainment event” means any exhibit, public show, circus, carnival or other display or act of entertainment using any live exotic animal and includes the use of any such animal in any film or television production;

(By-law 2003-236)

“exotic animal rescue and education establishment” means an establishment which exhibits, displays or houses any live exotic animal for purposes of rescue and education, and which has an exemption under Section 86 of By-law No. 2003-77;

(By-law 2003-236)

“farm produce” means fruits, vegetables, plants, roots, seeds, mushrooms, eggs, meats, poultry, game, honey and maple products, but does not include tobacco or tobacco products;

(By-law 2009-151)

“Fire Chief” means the Chief of the Ottawa Fire Services of the City or authorized subordinates or assistants;

(By-law 2005-325)

~~**“flatbed tow truck”** means a tow truck consisting of a platform body with a winch for loading and that is licensed by the Ministry of Transportation to safely carry a minimum of twenty-five hundred (2,500) kilograms above the registered gross weight of the tow truck and its affixed flatbed;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

“flea market” means a place of business or an event:

- (a) that holds itself out to the public as:
- (i) a flea market, or

- (ii) a sale that is commonly referred to as a garage sale,
 - (b) that is held indoors or outdoors or both,
 - (c) that is organized by an owner, operator or promoter,
 - (d) at which persons contract for display space from the owner, operator or promoter for the purpose of offering goods for sale by retail,
 - (e) that is comprised of five (5) or more participating individuals who are vending on their own behalf, and
 - (f) that is open to the public by any means,
- but does not include an exhibition;

(By-law 2005-356)

“food premises” includes a bakeshop, a butcher shop and an eating establishment;

(By-law 2002-443)

“gas station” means any premises where the primary business is the sale of fuel to passenger vehicles but may also include the sale of other motor vehicle necessities such as motor oil, windshield wiper fluid and antifreeze;

(By-law 2002-319)

“goods” means commodities, merchandise and wares that are offered for sale;

(By-law 2008-95)

~~**“GVWR”** means the maximum total gross vehicle weight rating of the tow truck or motor vehicle used for towing services, as rated by the manufacturer specification stamp on the vehicle, which includes the weight of the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

“hand-powered vehicle” means a vehicle that is propelled by muscular power;

(By-law 2008-95)

“highway” includes the entire right-of-way of a common and public highway, street, avenue, parkway, driveway, square, place, bridge,

viaduct, or trestle, designed and intended for, or used by, the general public for the passage of pedestrians and vehicles;

(By-law 2008-95)

“Highway Traffic Act” or “HTA” means the Highway Traffic Act, R.S.O. 1990, Chap. H.8, as amended, and the regulations passed thereunder;

“household” means a person or a group of people who:

- (i) may or may not be related;
- (ii) live together as a single housekeeping establishment; and
- (iii) exercise a meaningful degree of collective decision-making and responsibility for the management of the interior of the residential unit;

(By-law 2018-302)

“inflatable sign” means a non-rigid, gas or air filled bag or balloon designed or used as an advertising device;

(By-law 2005-357)

“in-home breeding kennel” means any premises or part thereof where:

- (a) more than three (3) and less than eleven (11) dogs over the age of twenty (20) weeks, or
- (b) more than five (5) and less than eleven (11) cats over the age of twenty (20) weeks, or,
- (c) more than three (3) dogs over the age of twenty (20) weeks or more than five (5) cats over the age of twenty (20) weeks, where the primary housing for the dogs or cats is in an accessory building(s) or structure(s) on the property, are owned and being bred and raised;

(By-law 2013-107)

“intersection” means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two (2) or more streets which join one another at an angle, whether or not one (1) street crosses the other;

(By-law 2008-95)

“itinerant seller” means a person who goes from place to place or to a particular place with goods for sale by retail, or who carries and displays samples, patterns or specimens of any goods for the purpose of sale or hire that are delivered in the City afterwards, but does not include a person who sells to wholesale or retail dealers in similar goods;

(By-law 2005-356)

“license” means the actual license issued under this by-law;

“License Committee”

(repealed by By-law 2018-125)

“licensed” means licensed under the provisions of this by-law;

“licensee” means a person licensed under this by-law;

“limousine”;

(By-law 2004-209; repealed by By-law 2016-272)

“limousine service”;

(By-law 2004-209; repealed by By-law 2016-272)

“live entertainment or services designed to appeal to erotic or sexual appetites or inclinations” means:

- (a) services of which a principal feature or characteristic is the nudity or partial nudity of any person. For the purposes of this clause “partial nudity” means less than completely or opaquely covered:
 - (i) human genitals or human pubic region;
 - (ii) human buttocks; or
 - (iii) female breast below a point immediately above the top of the areola;
- (b) services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or any picture, symbol, or representation having like meaning or implication is used in any advertisement;

(By-law 2004-353)

“livestock” means cattle, goats, horses, sheep or swine, or the young thereof;

“locally” or “locally grown” and any substantially similar term means that the goods being advertised or offered for sale originated in Ottawa, the counties of Prescott Russell, Stormont, Dundas and Glengarry, Leeds and Grenville, Lanark, and Renfrew and the origin of such goods has been verified by certification by Savour Ottawa, Farmers’ Markets Ontario or another certifying body acceptable to the Chief License Inspector;

(By-law 2009-151)

“lot line” means the boundary of a lot;

(By-law 2008-96)

“luxury vehicle”;

(By-law 2004-209; repealed by By-law 2016-272)

“manufactured meat products” means food that is the product of a process and that contains meat as an ingredient and includes meat that is processed by salting, pickling, fermenting, canning, drying or smoking or otherwise applying heat or to which edible fats, cereals, seasonings or sugar have been added;

(By-law 2002-443)

“Medical Officer of Health” means the Medical Officer of Health of the City of Ottawa or authorized representative;

(By-law 2002-373)

“mobile canteen” means a vehicle 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, from which food products and beverages that are prepared or cooked elsewhere than in the vehicle are sold for immediate consumption to individuals at their place of employment, or in the case ice cream or frozen flavoured water products also sold in residential areas as long as the vehicle does not remain more than 10 minutes at a particular location.

(By-law 2008-96; re-enacted by By-law 2009-153; amended by By-law 2023-516)

“mobile refreshment cart” means a hand-powered or pedal-powered vehicle from which refreshments may be cooked, carried or offered for sale for consumption to the general public and includes ice cream and frozen milk products;

(By-law 2008-96)

“mobile refreshment vehicle” means a motor vehicle licensed as a motor vehicle pursuant to the Highway Traffic Act R.S.O. 1990, c. H.8, as amended, or a trailer from which refreshments are cooked, carried or offered for sale for consumption to the general public and for the purposes of mobile refreshment vehicle licenses issued prior to January 1, 2008 also includes a motor vehicle that once operated under its own power, any other vehicle, or a train car;

(By-law 2008-96)

“mobile sign” means a sign that is,

- (a) temporary,
- (b) designed for the manual rearrangement of copy on the sign face, and
- (c) part of, or attached to, a readily relocatable wheeled trailer or frame without wheels, for use in another location,

but does not include,

- (d) a portable sign, or
- (e) a sign attached to a vehicle where the principle use of that vehicle is the transportation of people, goods or other materials;

(By-law 2005-357)

“motor vehicle” means a motor vehicle as defined in the Highway Traffic Act, R.S.O. 1990, Chap. H.8, as amended;

(By-law 2002-319)

“motor vehicle mechanic”;

(By-law 2004-209; repealed by By-law 2016-272)

“motor vehicle repair or body shop” means any premises where major repairs, body work or painting of motor vehicles are executed;

(By-law 2002-319)

“MVSA”;

(By-law 2004-209; repealed by By-law 2016-272)

“not-for-profit” for the purposes of this by-law means a non-profit organization including a club, society or association that is organized and operated exclusively for social welfare, civic improvement, recreation or

any other 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;

(By-law 2008-95)

“notice of additional fee” means a written notice from the Chief License Inspector to a licensee advising them of the requirement to pay an additional fee;

(By-law 2004-488)

“Old Municipality” means the old municipalities of the City of Cumberland, the City of Gloucester, the Township of Goulbourn, the City of Kanata, the City of Nepean, the Township of Osgoode, the City of Ottawa, the Township of Rideau, the Village of Rockcliffe Park, the City of Vanier and the Township of West Carleton and “Old Municipalities” has a similar meaning;

“oversize dwelling unit” means a residential unit that:

- (i) is used or intended for use as a residential premises by one household and not more than three roomers or boarders; and
- (ii) contains more than four, but no more than eight bedrooms;

(By-law 2018-302)

“parking enforcement services” means any parking enforcement activity including but not limited to the issuance of tickets, invoices, and payment notices, or authorizing the towing of vehicles through By-Law and Regulatory Services Dispatch, carried on in relation to vehicles parked on private property, but does not include parking enforcement undertaken by the City of Ottawa.

(By-law 2011-380, repealed and replaced by By-law 2021-317)

“parking lot” means land or a structure used for the parking of motor vehicles that is available for public use for compensation;

(By-law 2002-319)

“Payday Loans Act, 2008”, means the *Payday Loans Act, 2008*, S.O. 2008, C.9, as amended, and includes any Regulation passed under it;

(By-law 2019-381)

“payday loan establishment” means a premises where a person or entity is licensed as a lender or a loan broker under the *Payday Loans Act, 2008*;
(By-law 2019-381)

“payday loan establishment manager” means a person who, alone or with others, has the responsibility of supervising and managing a payday loan establishment;

(By-law 2019-381)

“pedal powered vehicle” means a vehicle that is fitted with pedals that are operable at all times to propel the vehicle, and is propelled by muscular power;

(By-law 2008-95)

“pedestrian mall or pedestrian promenade” means a mall or promenade established solely or principally as a pedestrian promenade by a by-law of the City of Ottawa, and includes the Sparks Street Mall;

(By-law 2005-356)

“Permanent Signs on Private Property By-law” means the Permanent Signs on Private Property By-law of the City of Ottawa (By-law No. 2016-326), as amended, or any successor by-law thereto;

(By-law 2021-315)

“person” means a natural person, a partnership, a body corporate and any association, and the heirs, executors, administrators, successors and assigns or other legal representatives thereof to whom the context may apply;

“pet shop” means a shop or place where animals for use as pets are sold or kept for sale;

(By-law 2011-241)

“portable sign” means a rigid, free-standing, moveable sign not fastened by any means to the ground or any structure, and includes an A-frame sign;

(By-law 2005-357)

“premises” means a building or part of a building or a place where a person carries on or engages in any of the trades, callings, businesses or occupations described in Section 9 of this by-law;

(By-law 2002-319)

“pre-packaged foods” means food that is packaged at a premises other than the premises at which it is offered for sale;

(By-law 2002-443)

“private parking enforcement agency” means a person who provides parking enforcement services;

(By-law 2011-380)

“private property” means all property in the City and includes property of the municipal, federal and provincial government, but does not include any of the sidewalks and streets thereof or the Sparks Street Mall;

(By-law 2005-356)

“prohibited animal” means an animal identified on Schedule “B” to By-law No. 2003-77 being a by-law respecting animal care and control;

(By-law 2003-236)

“promoter” means the person who organizes the all night dance event or the exotic animal entertainment event or the exhibition or the flea market, and whose responsibilities may include contracting with entertainers, security firms, owners of premises and advertisers and “promotes” has a similar meaning.

(amended by By-laws 2003-236 & 2005-356)

“proof of insurance” means a certified copy of a policy of insurance or a Certificate of Insurance that shows the proof of liability coverage as required by the applicable Schedule to this By-Law issued by a company authorized to carry on the business of insurance in the Province of Ontario in accordance with the Insurance Act, R.S.O. 1990, Chap. I.8, as amended; such insurance policy shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of cancellation or of a material change that would diminish coverage;

“Property Standards and License Appeals Committee” means the Committee established pursuant to the provisions of this by-law;

(By-law 2018-125)

“property standards requirements” means the property standards requirements set out in the Property Standards By-law No. 2013-416, as amended and the Property Maintenance By-law No. 2005-208 or any by-law enacted in substitution therefor;

(repealed and replaced by By-law 2006-81; amended by By-law 2023-516)

“proprietary club” means all clubs other than those in which the use of any pool, billiard or bagatelle table is only incidental to the main objects of the club;

(By-law 2002-373)

“provide” when used in relation to live entertainment or services designed to appeal to erotic or sexual appetites or inclinations includes to furnish, perform, solicit or give such live entertainment or services and “providing” and “provision” have corresponding meanings;

(By-law 2004-353)

“Provincial Animal Welfare Services Act, 2019” means the Provincial Animal Welfare Services Act, 2019, S.O. 2019, c. 13, as amended, and any regulation passed under it;

(By-law 2023-318)

“Provincial Offences Act” means the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, and the regulations passed under it;

(By-law 2021-315)

“public garage” includes an automotive sales or leasing establishment, an automotive service station, a car washing establishment, a gas station, a motor vehicle repair or body shop and a parking lot;

(By-law 2002-319)

“public hall” means a building or portion thereof including a portable building or tent that is offered or used as a place of public assembly for any meeting or entertainment and includes cloakrooms, washrooms, kitchens and other service rooms used in connection therewith but does not include a theatre licensed under the *Theatres Act*, R.S.O. 1990, Chap. T.6, as amended or a building or portion thereof except a tent used solely for religious purposes, a college, school or university when used for

educational purposes only and a lodge when used for lodge purposes only;

(By-law 2002-373)

“public markets” means the public markets established by the Markets By-law Number 191-95 of the old Corporation of the City of Ottawa”, as amended, and known as By Ward Market and Parkdale Market, or any by-law enacted in substitution therefor;

(By-law 2005-356)

~~**“recovery service”** means a service carried out to relocate or reposition a vehicle that involves the use of a winch or a specialized extraction device and that must be performed to prepare a vehicle for attachment or towing, but does not include the use of a hoisting device, a hook, a dolly, a flat bed, or other standard equipment used in the towing of a vehicle;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

“recreational kennel” means any premises or part thereof where:

- (a) more than three (3) dogs and less than eleven (11) dogs over the age of twenty (20) weeks, or
- (b) more than three (3) dogs over the age of twenty (20) weeks where the primary housing for the dogs is in an accessory building(s) or structure(s) on the property,

are owned and raised for non-commercial recreational purposes, such as dog sledding, but are not bred for sale;

(By-law 2013-107)

“refreshment stand” means a temporary structure from which refreshments are cooked, carried or offered for sale to the general public and includes a stand, table, booth, trailer, tent, kiosk or other similar structure;

(By-law 2008-96)

“refreshments” includes food products and beverages sold for immediate consumption;

(By-law 2008-96)

“rescue organization” means a registered not-for-profit or registered charitable organization whose mandate and practices are predominately

the rescue and placement of cats and dogs, and the facilitation of the spaying and neutering of animals for animal welfare purposes;

(By-law 2016-200)

“residential unit” means a self-contained set of rooms location in a building, designed to be lived in by one or more persons, and which contains sleeping, kitchen and bathroom facilities that are intended for the exclusive use of the residents of the unit, and is not a mobile home or other vehicle;

(By-law 2018-302)

“residential use building” means a building composed solely of residential units, and residential use and residential premises have corresponding meanings;

(By-law 2008-237; repealed and replaced by By-law 2018-302)

“rickshaw” means a vehicle propelled by muscular power, including a pedal-powered vehicle and a cargo power-assisted bicycle, as defined in the City of Ottawa E-cargo Bike By-law No. 2021-290, that is used for hire for the conveyance of persons;

(By-law 2005-119; repealed and replaced by By-law 2021-339)

“rickshaw operator” means a person engaged in operating a rickshaw for or on behalf of another person who is the owner thereof and where an owner personally operates a rickshaw, shall include the owner;

(By-law 2005-119)

“rickshaw owner” means any person owning a rickshaw or having possession or control thereof under an installment purchase agreement or by way of rental;

(By-law 2005-119)

“rooming house” means a residential unit, other than a group home, retirement home or converted retirement home, that:

- (i) is not used or intended for use a residential premises by a household; or
- (ii) is intended for use as a residential premises by a household and more than three roomers or boarders; or
- (iii) contains more than eight bedrooms;

(By-law 2008-237 and repealed and replaced by By-law 2018-302)

“rooming house, converted”

(By-law 2008-237; repealed and replaced by By-law 2018-302)

“rooming house owner” means the person who owns or leases the lands on which the rooming house is located and who manages or receives the rent for the rooming units of the rooming house;

(By-law 2008-237)

“rooming unit” means a room, or a suite of rooms including no more than two bedrooms, that constitutes a separate, independent residential occupancy, but which is not self-contained and which requires access to other parts of the residential unit intended to serve the residents, including shower or bath facilities, eating areas, kitchens or bathrooms;

(By-law 2008-237; repealed and replaced by By-law 2018-302)

~~**“run sheet”** means a daily record of tows and towing services provided by a tow truck driver in a form that is dated and numbered by consecutively numbered bills or invoices;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

“rural area” for the purposes of this by-law means Wards 5-West Carleton March, 19-Orléans South-Navan, 20-Osgoode and 21-Rideau-Jock in the City;

(By-laws 2009-151 & 2009-152; amended by By-law 2023-516)

“rural itinerant seller” means a person who within the rural wards only, goes from place to place or to a particular place with goods for sale by retail, or who carries and displays samples, patterns or specimens of any goods for the purpose of sale or hire that are delivered in the rural area of the City afterwards, but does not include a person who sells to wholesale or retail dealers in similar goods;

(By-law 2009-151)

“rural mobile canteen” means a vehicle 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, from which food products and beverages that are prepared or cooked elsewhere than in the motor vehicle are sold for immediate consumption to individuals at their place of employment or in the case of ice cream and frozen flavoured water products also sold in residential areas, as long as the vehicle does not remain more than 10

minutes at a particular location in the rural area, and is also referred to as a “rural refreshment vehicle” for the purposes of this by-law;

(By-law 2009-152)

“rural refreshment stand” means a temporary structure from which food products or beverages are cooked, carried or offered for sale to the general public and includes a stand, table, booth, trailer, tent or kiosk or other similar structure at a rural special event only, in the rural area;

(By-law 2009-152)

“rural refreshment vehicle” means a hand-powered vehicle, pedal-powered vehicle, motor vehicle or trailer from which refreshments are carried, offered for sale or sold for consumption to the public in a rural area. For the purpose of licenses issued prior to May 14th 2009 also includes a motor vehicle that once operated under its own power, any other vehicle or a train car, in the rural area;

(By-law 2009-152)

“rural special event” means an event that is held outdoors or indoors or both, that is held on private or public property, that has a general theme or subject, that is open to the public by any means, and that has a set duration and may include a demonstration, parade, sports event, festival, carnival, donation station, street dance, residential block party, community event, sidewalk sale and other similar events, in a rural area;

(By-law 2009-152)

“rural wards” for the purposes of this by-law means Ward 5-West Carleton March, Ward 19 - Orléans South-Navan, Ward 20 - Osgoode and Ward 21 - Rideau-Jock in the City;

(By-law 2009-151; amended by By-law 2023-516)

“safety standards certificate” means a safety standards certificate issued pursuant to Sections 100.2 to 100.8 of the Highway Traffic Act;

(amended by By-law 2023-516)

“salvage yard” means an establishment or premises where salvaged articles or things are stored wholly or partly in the open including derelict, discarded, abandoned or inoperable motor vehicles and includes a junk yard, a scrap yard and an automobile wrecking yard;

(By-law 2005-325)

“second-hand goods” means collector cards; coins; printed currency; valuable figurines; jewelry made of precious metal with or without precious or semi-precious stones; compact discs; computers; computer accessories including monitors, printers and fax modems; computer games; computer software including cartridges and discs; computer hardware; videos in both VHS and DVD formats; video games; electronic equipment; radios; television sets; tools; stereos; telephones; medals; musical instruments; photographic equipment; bicycles; sports equipment; leather jackets and watches;

(By-law 2005-324)

“second-hand goods shop” means a building or part of a building, booth, stall or place where second-hand goods are stored, displayed or offered for sale by retail, but does not include a shop where the rental of the goods represents at least seventy percent (70%) of the total gross sales of the shop;

(By-law 2005-324)

“seller” means any person who owns a second-hand good and sells, offers for sale or offers in exchange such second-hand good to a second-hand goods shop;

(By-law 2005-324)

“service animal” means:

- (a) an animal that can be readily identified as one that is being used by the person for reasons relating to the person’s disability, as a result of visual indicators such as the vest or harness worn by the animal; or
- (b) an animal for which the person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
 - i. A member of the College of Audiologists and Speech Language Pathologists of Ontario,
 - ii. A member of the College of Chiropractors of Ontario,
 - iii. A member of the College of Nurses of Ontario,
 - iv. A member of the College of Occupational Therapists of Ontario,

- v. A member of the College of Optometrists of Ontario,
- vi. A member of the College of Physicians and Surgeons of Ontario, vii. A member of the College of Physiotherapists of Ontario,
- vii. A member of the College of Psychologists of Ontario,
- viii. A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario;

(By-law 2018-125)

“shop” means a building or part of a building, booth, stall or place or vehicle where goods are exposed, displayed or offered for sale by retail;

“sidewalk” includes all such parts of a highway as are set aside by the City for the use of pedestrians or used by the general public for the passage of pedestrians, and includes the boulevard and a pedestrian walkway;

(By-law 2008-95)

“sign” means any visual medium used to convey information by way of words, pictures, graphics, emblems or symbols, or any device used for the purpose of providing direction, information, identification, advertisement, business promotion or the promotion of a product, activity, service or idea;

(By-law 2005-357)

“sign face” means the portion of the sign upon, against or through which the message of the sign is displayed, but does not include the sign structure;

(By-law 2005-357)

“sign structure” means a structure that is constructed to support a sign face at ground level;

(By-law 2005-357)

“Smoking and Vaping By-law” means the Smoking and Vaping By-law (No. 2019-241, as amended), of the City of Ottawa;

(By-law 2023-516)

“Snow Plow” means;

- (a) a motor vehicle as defined in the Highway Traffic Act (Ontario) equipped with a snow blower, snow plow or other snow clearing device, and
- (b) a self-propelled vehicle of a design commonly used for snow plowing or snow removal including a tractor while equipped with a snow blower, a snow plow or other snow clearing device, a front-end loader or a backhoe;

(By-law 2002-320)

“Snow Plow Contractor” means a person who is engaged in the business of contracting for the plowing or removal of snow on or from private property by means of a snow plow;

(By-law 2002-320)

“snow plow driveway marker” means a temporary, non-illuminated indicator or guide inserted with a vertical orientation into the ground on private property or a City right of way that serves to mark the edge of a driveway for a licensed snow plow contractor, and which is permitted under and complies with Schedule 4 of this by-law.

(By-law 2018-10)

“Snow Plow Operator” means a person who drives a snow plow;

(By-law 2002-320)

“special event” means an event that is held outdoors or indoors or both, that is held on private or public property, that has a general theme or subject, that is open to the public by any means, and that has a set duration and may include a demonstration, parade, sports event, festival, carnival, donation station, street dance, residential block party, community event, sidewalk sale and other similar events;

(By-law 2008-95)

“specified body area” means any one or more of the following:

- (a) in the case of a female person, her areolae; and
- (b) in the case of all persons, the genitals and anus;

(By-law 2005-414)

“specified sexual activity” means one or more of the following: actual or simulated sexual intercourse, masturbation, ejaculation, sodomy, bestiality, oral sexual intercourse, direct physical stimulation of unclothed genital organs or flagellation or torture in the context of a sexual relationship or activity;

(By-law 2005-414)

“stand” means a table, booth, trailer, tent, kiosk or similar structure;

(By-law 2008-95)

“street” means that part of the highway that is improved, designed or ordinarily used for vehicular traffic;

(By-law 2008-95)

“stretch vehicle”;

(By-law 2004-209; repealed by By-law 2016-272)

“taximeter;

(By-law 2004-209; repealed by By-law 2016-272)

“temporary limousine”;

(By-law 2004-209; repealed by By-law 2016-272)

“temporary sign” means a sign not permanently installed or affixed to any structure or building and includes:

- (a) an inflatable sign,
- (b) a mobile sign, and a
- (c) portable sign;

(By-law 2005-357)

“temporary sign lessor” means a person carrying on the business of leasing temporary signs in the City of Ottawa;

(By-law 2005-357)

“to provide” when used in relation to an adult entertainment store includes to sell, offer to sell or display for sale by retail, or to rent, offer to rent or display for rental, whether or not the cost, fee or other consideration passes at the time of such rental or sale, or is effected through the cost of membership, subscription, admission or any other

manner and “provided”, “providing” and “provision” have corresponding meanings;

(By-law 2005-414)

“tobacco vendor” means the owner or operator of premises wherein tobacco products are sold by retail;

(By-law 2004-494)

~~“**tow customer**” means the owner of a towed motor vehicle, or in the absence of the owner,~~

~~(a) — the agent of the owner of the towed motor vehicle, duly authorized by the owner to exercise control of the towed motor vehicle on the owner's behalf; or~~

~~(b) — any person having lawful custody of a motor vehicle or the legal right to possession thereof;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

~~“**tow service**” means providing or offering the service of a tow truck, for compensation, from a point in the City of Ottawa to any point within or beyond the City of Ottawa, including but not limited to:~~

~~(a) — assisting the owner, operator, driver or passenger of a motor vehicle or trailer to pull, tow, carry, or lift a motor vehicle or trailer; or~~

~~(b) — conveying the owner, operator, driver or passenger of a motor vehicle or trailer in a tow truck;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

~~“**tow service operator**” means the owner or operator of a business providing one or more towing services;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

~~“**tow service plate**” means the numbered metal plate issued by the City of Ottawa to be affixed to the tow truck as required under this by-law;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

~~“**tow truck**” means a motor vehicle, including a flat bed tow truck, that is designed, modified or used for providing tow services including pulling;~~

towing, carrying, lifting of a motor vehicle or trailer that may be damaged, disabled, abandoned, or otherwise;

(By-law 2021-315; to be repealed by By-law 2024-XX)

~~"**tow truck driver**" means an individual who drives a tow truck at any time when the tow truck is providing or available to provide a tow service, including a tow truck operator who drives a tow truck he or she owns;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

"Traffic and Parking By-law" means the City of Ottawa Traffic and Parking By-law No. 2017-301, as amended, or any successor by-law thereto;

(By-law 2021-315)

"trailer" means a wheeled vehicle capable of being towed and not capable of motion under its own power;

(By-law 2008-96)

"transaction record" means any document related to the purchase or taking in exchange of any second-hand good;

(By-law 2005-324)

"unobstructed" means without obstruction by walls, structures curtains or any other screen or enclosure;

(By-law 2004-353)

~~"**vehicle storage facility**" means a yard, lot, building, structure or facility, or a portion thereof, used for the temporary storage of motor vehicles towed from a collision scene or otherwise towed and awaiting repair or demolition or retrieval, and includes storage or impounding that is part of a towing service, but does not include accessory vehicle storage at a public garage;~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

~~"**vehicle storage facility operator**" means an owner or operator of a vehicle storage facility.~~

(By-law 2021-315; to be repealed by By-law 2024-XX)

"vend" or "vends" or "vending" includes the offer to sell, the display for sale and the sale;

(By-law 2008-95)

“**video**” includes cinematographic or motion picture film, videotape, video disc and any other medium from which may be produced visual images that may be viewed as moving pictures;

(By-law 2005-414)

“**video store**” means any premises or part thereof in which videos are provided;

(By-law 2005-414)

“**zoning requirements**” means the zoning requirements set out in a Zoning By-law of an Old Municipality applicable to the geographic area in which the property is located, or any by-law enacted in substitution therefor.

INTERPRETATION

2. (1) This by-law includes the Schedules annexed hereto and the Schedules are hereby declared to form part of this by-law.
- (2) Where the time for doing any act or taking any proceeding expires on a Saturday, Sunday or Public Holiday, the act or proceeding may be done or taken on the next workday.
- (3) Upon the expiration of the time prescribed for the doing of any act or the taking of any proceeding, the Chief License Inspector, the Property Standards and License Appeals Committee, and the Council are divested of all jurisdiction to deal with the application and the times prescribed shall not be enlarged or abridged or attempted to be enlarged or abridged by any of them.

(amended by By-law 2018-125)

- (4) Where notice is sent by registered mail, the date of service on the applicant is the date of the next work-day following the date of mailing.
- (5) Where any expression of time occurs or where any hour or other period of time is stated the time referred to shall be standard time, provided however, if what is known as "daylight saving time" has been generally adopted in the City for any period of the year, under any statute, order-in-council, by-law, resolution or proclamation, whether the same is effective in law or not, such time shall be the time referred to during such period in any reference to time in this by-law.

- (6) It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

ESTABLISHMENT OF PROPERTY STANDARDS AND LICENSE APPEALS COMMITTEE

COMPOSITION

3. The Property Standards and License Appeals Committee shall be composed of five (5) citizen members appointed by City Council.

(repealed and replaced by By-law 2023-516)

COMMITTEE COORDINATOR

4. **repealed**

(amended by By-law 2018-125; repealed by By-law 2023-516)

MEETINGS

5. (1) **repealed**

(amended by By-law 2018-125; repealed by By-law 2023-516)

- (2) **repealed**

(By-law 2023-516)

POWERS

PROPERTY STANDARDS AND LICENSE APPEALS COMMITTEE POWERS

6. (1) The Property Standards and License Appeals Committee is authorized to administer the provisions of this by-law.

(amended by By-law 2018-125)

- (2) The Property Standards and License Appeals Committee is authorized to make the final decision in respect of the revocation or suspension of any license issued or the imposition of conditions on any licensee.

(amended by By-law 2018-125)

- (3) A majority of the three (3) members of the Property Standards and License Appeals Committee constitutes a quorum.

(amended by By-law 2018-125)

- (4) The Property Standards and License Appeals Committee, after a hearing, may revoke any or each of the licenses held by a licensee for cause and without limiting the generality of the foregoing for:
- (a) a breach of the law,
 - (b) anything which may be in any way adverse to the public interest,
 - (c) the belief that the person will not carry on or engage in the business in accordance with the law or with honesty and integrity,
 - (d) any other matter which the Property Standards and License Appeals Committee is authorized by law to consider, or
 - (e) any violation of the provisions of this by-law.

(amended by By-law 2018-125)

- (5) The Property Standards and License Appeals Committee may suspend a license for cause for any period that is less than the unexpired part of the period for which it was issued in lieu of revocation as provided in subsection (4).

(amended by By-law 2018-125)

- (6) The Property Standards and License Appeals Committee may impose conditions as a requirement of obtaining, continuing to hold or renewing the license, including special conditions.

(amended by By-law 2018-125)

CHIEF LICENSE INSPECTOR'S AND BY-LAW OFFICER'S POWERS

7. (1) The Chief License Inspector is authorized to administer the provisions of this by-law on behalf of the City, including enforcement, together with such other By-law Officers as may be necessary.
- (2) In addition to subsection (1), the Chief License Inspector and such other By-law Officers are appointed by by-law of the City as Municipal Law Enforcement Officers pursuant to section 15 of the Police Services Act, R.S.O. 1990, Chap. P.15, as amended.
- (3) The Chief License Inspector may report to the Property Standards and License Appeals Committee any breaches by the licensee of this by-law with a request to consider the status of the license.

(amended by By-law 2018-125)

- (4) The Chief License Inspector may suspend any license in an emergency situation for the time and subject to the conditions set out in Section 44.
- (5) The Chief License Inspector is authorized to rectify minor administrative oversights in respect of a license or license application.

(By-law 2008-306)

INSPECTION POWERS

- 8. (1) The Chief License Inspector is hereby authorized to:
 - (a) inspect:
 - (i) as much of any place or premise as is used for the carrying on of the business,
 - (ii) any books, records or other documents of or relating to any such business, or
 - (iii) each motor vehicle operated, provided or used in the business,
 - (b) require that each motor vehicle operated, provided or used in the business be submitted for inspection, and
 - (c) ensure that each licensee produces his or her motor vehicle for inspection at the time and place designated by the Chief License Inspector.
- (2) In addition to the inspection for motor vehicles referred to in subsection (1), motor vehicles shall be inspected in accordance with the Schedule regulating the business in which motor vehicles are operated, provided or used.
- (3) Upon the demand of the Chief License Inspector, the driver of any class of motor vehicle that is regulated under this by-law shall surrender for reasonable inspection, his or her driver's license issued under section 32 of the said Highway Traffic Act or under the law of another jurisdiction and the permit for the vehicle issued under section 7 of the said Highway Traffic Act or under the law of another jurisdiction.
- (3a) The Chief License Inspector may at any time of the day or night enter into any adult entertainment establishment to determine whether this by-law is being complied with and for this purpose make such examinations, investigations and inquiries as are necessary.

(By-law No. 2004-353; amended by By-law No. 2005-414)

- (3b) The Chief of Police or the Chief License Inspector is hereby authorized to inspect:
- (a) as much of a place or premises as is used for the carrying on of the business of a second-hand goods shop, and
 - (b) any goods, wares, merchandise, articles, books, records or other documents of or relating to the second-hand goods shop.

(By-law 2006-165)

- (4) No person shall obstruct, hinder or otherwise interfere with any of the inspections referred to in this section.

LICENSES**BUSINESS LICENSES**

9. There shall be taken out by:
- (1) every auctioneer,
(By-law 2002-319)
 - (2) every driving instructor and every driving school operator,
(By-law 2002-320)
 - (3) every person who owns or operates a public garage,
(By-law 2002-373)
 - (4) every snow plow contractor;
(By-law 2002-374)
 - (5) every person who owns or operates an amusement place;
(By-law 2002-443)
 - (6) every person who promotes an all night dance event;
(By-law 2003-236)
 - (7) every person who owns or operates a food premises;
(By-law 2003-236)
 - (8) every person who promotes an exotic animal entertainment event;
 - (9) every person who owns and operates an exotic animal rescue and education establishment;
(By-law 2003-236)
 - (10) **repealed**

(By-law 2004-209; repealed by By-law 2016-272)

- (11) every adult entertainment owner and every adult entertainment operator;
(By-law 2004-353)
- (12) every tobacco vendor;
(By-law 2004-494)
- (13) every person who owns or operates a second-hand goods shop;
(By-law 2005-324)
- (14) every person who owns or operates a salvage yard;
(By-law 2005-325)
- (15) every rickshaw owner;
- (16) every rickshaw operator;
(By-law 2005-119)
- (17) every person who promotes an exhibition;
- (18) every person who owns, operates or promotes a flea market;
(By-law 2005-356)
- (19) every temporary sign lessor;
(By-law 2005-357)
- (20) every person who owns or operates an adult entertainment store;
(By-law 2005-414)
- (21) every person who owns or operates a body-rub parlour;
(By-law 2005-415)
- (22) every Itinerant Seller;
(By-law 2008-95)
- (23) every mobile refreshment vehicle operator;
- (24) every mobile canteen operator;
- (25) every mobile refreshment cart operator;
- (26) every refreshment stand operator.
(By-law 2008-96)

- (27) every owner of a rooming house.
(By-law 2008-237)
- (27) every rural itinerant seller;
(By-law 2009-151)
- (28) every rural refreshment vehicle operator;
- (29) every rural mobile canteen operator;
- (30) every rural refreshment stand operator;
(By-law 2009-152)
- (31) every person who owns or operates a pet shop;
(By-law 2011-241)
- (32) every person who owns or operates a private parking enforcement agency; a license authorizing them respectively to carry on business in the City;
(By-law 2011-380)
- (31) every person who owns or operates a boarding kennel;
(By-law 2013-107)
- (32) every person who owns or operates an in-home breeding kennel;
(By-law 2013-107)
- (33) every person who owns or operates a recreational kennel
(By-law 2013-107)
- (34) every person who owns or operates a payday loan establishment
(By-law 2019-381)
- ~~(35) every person who is a tow service operator~~
(By-law 2021-315; to be repealed by By-law 2024-XX)
- ~~(36) every person who is a tow truck driver~~
(By-law 2021-315; to be repealed by By-law 2024-XX)
- ~~(37) every person who is a vehicle storage facility operator~~
(By-law 2021-315; to be repealed by By-law 2024-XX)

a license authorizing them respectively to carry on business in the City.

LICENSES REQUIRED

10. No person shall carry on or engage in a business referred to in Section 9 until he or she has procured a license so to do.

APPLICATIONS AND ISSUANCE

APPLICATION FOR A LICENSE

11. (1) The following types of applications for the issuance of a license may be made:

- (a) an original license, and
- (b) the renewal of a license.

(2) On the application for an original license or the renewal of a license respecting any of the businesses set out in Section 7, the applicant shall:

- (a) complete the prescribed forms,
- (b) furnish to the City such information as the City may direct to be furnished,
- (c) if a corporation, file copies of the letters of incorporation or other incorporating documents, duly certified by the proper government official or department, together with an annual return which contains a list of all shareholders of the corporation,
- (d) if a partnership, provide the names and addresses of each member of the partnership as well as the name under which they carry on or intend to carry on business,
- (e) file the completed application with payment in full of the processing fee, the late fee, if applicable, any outstanding additional fees, if applicable and the license fee as set out in Section 15, all in accordance with the City of Ottawa Policies and Procedures for Cash Handling issued by the City Treasurer.

(amended By-laws 2003-311 and 2004-488)

(3) With respect to the payment required by clause (e) of subsection (2),

(amended By-law 2004-491)

- (a) the processing fee payment and the late fee are non-refundable in whole or in part, and
- (b) the license fee payment shall,

- (i) if the license is granted, be applied toward the payment of the license fee for the license period in respect of which the license is issued, and
 - (ii) if the license is not granted, returned to the applicant in accordance with subsection (3) of Section 21.
- (4) Despite subsection (2), the licensee shall, on the renewal of the license,
 - (a) apply,
 - (i) on or before the expiry date set out on the license,
 - (ii) up to and including the fifteenth day after the said expiry date,
 - (b) file, where applicable, any or all of the following:
 - (i) proof of insurance,
 - (ii) a safety standards certificate, except in the case of a new vehicle obtained directly from a motor vehicle agency within three (3) months from the effective date of the motor vehicle registration, or
 - (iii) leasing agreement for the motor vehicle, and
 - (c) exhibit, where applicable, Ontario Motor Vehicle Registration Permits for the license period for which the renewal is applied for, issued pursuant to the Highway Traffic Act.
- (5) In the event of a licensee not renewing the license on or before its expiration, the licensee may renew the license by making application therefor as hereinbefore provided up to and including the fifteenth day after the expiration of the license and shall pay at the time of issuance of the license the license fee and the late fee set out in Section 15.

(amended by By-law 2023-516)

- (6) In the event of a licensee not renewing the license on or before the fifteenth day after its expiration, the licensee ceases to be a licensee and shall apply for an original license and shall pay at the time of issuance of the license the license fee and the late fee set out in Section 15.
- (7) Despite subsection (2), the Chief License Inspector may waive one or all of the requirements listed in paragraphs (c), (d), (e) or (f) of subsection (2)

where the Chief License Inspector determines that the requirements of these paragraphs do not apply.

(By-law 2003-311)

- (8) Despite clause 11(3)(b)(ii), a refund of the license fee shall not apply where the applicant has outstanding additional fees which exceed the license fee.

(By-law 2004-488)

- (9) Despite clause 11(3)(b)(ii), where the outstanding additional fee is less than the license fee, the applicant shall receive only a refund of the difference between the license fee and the outstanding additional fee.

(By-law 2004-488)

INVESTIGATIONS FOR ISSUANCE OF LICENSE

12. (1) The Chief License Inspector shall, upon receipt of an application referred to in Section 11, make or cause to be made all investigations required by law or by the City relative to such application.
- (2) Despite subsection (1), the Chief License Inspector may renew the license upon being satisfied that, where applicable,
- (a) the Chief of Police has reported in writing as to the good character of the applicant, said report to be within one (1) month of the date of application, and
 - (b) there is no report in writing on file to the effect that the licensee has failed to comply with any provision of this by-law or, where applicable, a condition on which the license was issued imposed by the Property Standards and License Appeals Committee for the period for which the license was granted.

(amended by By-law 2018-125)

CONDITIONS FOR ISSUANCE OF LICENSE

13. (1) An applicant for an original license, or the renewal of a license, is, subject to the provisions of this by-law, entitled to be issued the license, except where:
- (a) the applicant has not,
 - (i) completed the prescribed application forms,

- (ii) delivered with the application payment in full of the processing fee, the late fee, if applicable, and the license fee as set out in Section 15 to be paid in respect of such license, or
 - (iii) complied with the license requirements set out in this by-law for the applicable business,
- (b) 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 business in accordance with the law and with integrity and honesty,
- (c) there are reasonable grounds for belief that the carrying on of the business by the applicant has resulted, or will result, in a breach of this by-law or any other law,
- (amended by By-law 2004-488)**
- (d) there are reasonable grounds for belief that the carrying on of the business may be adverse to the public interest, or
- (amended by By-law 2004-488)**
- (e) any additional fee imposed on the applicant remains unpaid after the due date on the notice of additional fee is sent to the applicant.
- (added by By-law 2004-488)**
- (2) Where two or more persons carry on or engage in partnership in any of the businesses set out in Section 9, the license shall be issued in the name of one partner only, but when the application for license is made, the name and address of each member of the partnership shall be set out therein as well as the name under which they carry on or intend to carry on business.

NOTICE OF ISSUANCE OF LICENSE

14. If the investigations referred to in Section 12 and the provisions of Section 13 are complied with and the issuance of the license has been approved, the Chief License Inspector may issue the license personally or send it by ordinary mail to the applicant at the address shown on the application.

FEES

15. (1) The fees shall be as set out in Schedule "A" to this by-law.
- (2) The license fee shall be the amount set out in Column 2 of Schedule "A" opposite the description of the license set out in Column 1 of Schedule "A".

- (3) Where an original application for a license is filed after the expiry of the first six months of the license period, the applicant shall pay at the time of issuance of the license one-half of the license fee set out in Schedule "A".
- (4) Where a licensee fails to comply with this by-law or fails to produce the vehicle for a scheduled inspection, and the Chief License Inspector re-schedules the inspection, the licensee shall pay the re-inspection fee set out in Schedule "A".

ADDITIONAL FEE

- 15A. (1) Despite any provision of this by-law, the Chief License Inspector may impose an additional fee, as set out in Schedule "A" to this by-law, on a licensee by way of a notice of additional fee at any time during the term of the license for costs incurred by the municipality attributable to the activities of the business.

(By-law 2004-488)

- (2) The notice of additional fee shall,
 - (a) be sent to the licensee by registered mail or served personally at the address last on file with the Chief License Inspector; and
 - (b) provide the licensee with sixty (60) days from the date the notice of additional fee is received by the licensee to pay the outstanding amount.

(By-law 2004-488)

LICENSE PERIOD

16. Every license issued by the Chief License Inspector shall, unless it is expressed to be for a shorter or longer period of time, be for one (1) year and shall expire in each year on the date set out in Column 3 of Schedule "A" opposite the description of the license set out in Column 1 of Schedule "A".

16A. Despite Section 16, the Chief License Inspector is delegated the authority to:

- (1) approve and extend the timelines for license renewals, beyond the timelines provided in Schedule "A", under one or more of the following conditions:
 - (a) a State of Emergency has been called either at the federal, provincial or municipal level;

- (b) City of Ottawa client service counters have been closed for in excess of five (5) business days; or,
 - (c) any other circumstances deemed appropriate by the Chief License Inspector that would impact the ability for licensees to renew licenses or for staff to process renewals, that are beyond the control of licensees or staff and, where requested, licensees may be required to provide proof to the satisfaction of the Chief License Inspector.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

(By-law 2020-88)

LICENSE CERTIFICATE

17. (1) The License Certificate may be the invoice and shall be numbered and include:
- (a) the name of the licensee,
 - (b) the business of the licensee,
 - (c) the address of the business,
 - (d) the category of the business license,
 - (e) the date of issuance of the license,
 - (f) the date of expiration of the license,
 - (g) the make, model, serial number and motor vehicle registration number issued under the Highway Traffic Act, if applicable,
 - (h) the word “transfer” and the number of the original license, if applicable.
- (2) Where an original license has been lost or destroyed, the Chief License Inspector, upon receipt of an affidavit to that effect, furnished by the original holder thereof or by some person having personal knowledge of the loss or destruction of the license, may issue a duplicate license to the licensee upon payment of the fee set out in Section 15.

ISSUANCE OF LICENSE

18. Upon issuance of a license, the Chief License Inspector shall furnish to the licensee the license certificate or validation sticker and such other items as set out in this by-law for the applicable business.

INSURANCE

19. (1) Every proof of insurance required pursuant to the provisions of this by-law shall be kept in force by the licensee for the period for which the license is in effect inclusive of any renewal thereof.
- (2) No licensee who is required to file proof of insurance with the Chief License Inspector shall fail to maintain in force and to renew the same in a timely manner and to pay the premium due thereon.
- (3) The Chief License Inspector shall, upon receipt of notice that a policy of insurance is to expire on a stated date, notify the licensee that unless further proof of insurance is filed on or before that day, his or her license will be suspended coincidentally with the expiration of the policy of insurance.
- (4) If a licensee fails to file proof of insurance as required by subsection (3), the Chief License Inspector shall forthwith transmit a report to the Property Standards and License Appeals Committee and the Property Standards and License Appeals Committee may consider the status of the license in accordance with the provisions of this by-law.

(amended by By-law 2018-125)

- (5) When a licensee decides to suspend business operations and not to keep the insurance required pursuant to the provisions of this by-law in force, the licensee may arrange to deliver his or her license to the Chief License Inspector for safekeeping until he or she decides to carry on the business operation and refile the proof of insurance required pursuant to the provisions of this by-law.
- (6) When a licensee has delivered his or her license pursuant to subsection (5), subsection (4) does not apply and the Chief License Inspector is not required to transmit the report to the Property Standards and License Appeals Committee pertaining to the consideration of the status of the license.

(amended by 2018-125)

- (7) No person who has delivered his or her license pursuant to subsection (5) shall carry on the business for which the license was issued without refiling proof of insurance with the Chief License Inspector.

TRANSFERS

20. (1) When a person applies for a transfer of a license, the person to whom the license is to be transferred shall comply with the provisions of this by-law as if he or she was an original applicant.
- (2) When the person to whom the license is to be transferred has furnished satisfactory proof to the Chief License Inspector that he or she meets the requirements of this by-law and that such transfer is not prohibited by any other provision of this by-law, the Chief License Inspector shall issue a license to the transferee upon receipt of the transfer fee set out in Section 15, which license certificate shall comply with the provisions of Section 17.
- (3) Where the licensee dies during the currency of the license, the license may be transferred and the provisions of subsections (1) and (2) apply.
- (4) Where two or more persons carry on or engage in partnership in any of the businesses set out in Section 9, the license shall be issued in the name of one partner only, but when the application for license is made the name and address of each member of the partnership shall be set out therein as well as the name under which they carry on or intend to carry on business.
- (5) The licensee or another member of the partnership may apply in writing to the Chief License Inspector to change the named licensee to another member of the partnership, and provide proof of the members of the partnership; and the application shall be a transfer and the provisions of subsections (1) and (2) apply but the Chief License Inspector does not have to be furnished with satisfactory proof that the premises meet the requirements of the by-law.
- (6) When a licensee proposes to move or relocate his or her premises, the licensee shall apply for a transfer of the license from one premises to the other premises, and the Chief License Inspector, upon being furnished with satisfactory proof that the premises meet the requirements of this by-law and that such transfer is not prohibited by any other provision of this by-law, shall transfer the license upon receipt of the transfer fee set out in Section 15.

(7) Every person who replaces the motor vehicle for which the license was issued shall apply for a transfer of the license from the one (1) motor vehicle to the replacement motor vehicle and shall, where applicable:

- (a) file,
 - (i) proof of insurance, and
 - (ii) a safety standards certificate, and
- (b) exhibit the Ontario Motor Vehicle Registration Permit for the replacement vehicle,

and the Chief License Inspector, upon being furnished with satisfactory proof that the motor vehicle meets the requirements of this by-law shall transfer the license upon receipt of the transfer fee set out in Section 15.

(8) Every person who purchases a business from a licensee shall apply for a transfer of the license in accordance with the provisions of subsections (1) and (2).

(9) In the event of an applicant for a transfer being refused by the Chief License Inspector, the Chief License Inspector shall give the applicant notice of his or her refusal in writing, said notice to be served personally or by registered mail to the applicant at the address shown on the application.

(10) An applicant in receipt of a notice given pursuant to subsection (9), may apply in writing to the Property Standards and License Appeals Committee for a review of the refusal of the Chief License Inspector to issue the transfer applied for by filing with the Chief License Inspector his or her application for a review and the provisions of Section 21 apply in like manner.

(amended by By-law 2018-125)

REFUSAL, REVOCATION AND SUSPENSION OF A LICENSE

REFUSAL OF ISSUANCE OF LICENSE

21. (1) The Chief License Inspector shall refuse to issue to the applicant the license applied for if the conditions for issuance in Section 13 have not been met.
- (2) The Chief License Inspector shall give the applicant notice of the refusal to issue the license applied for in writing, said notice to be served personally or by registered mail to the applicant at the address shown on the application.

- (3) The Chief License Inspector shall return the license fee paid at the time of the application in respect of such license after the expiration of fourteen (14) days of having served the notice provided that an application for review of the refusal to issue the license has not been filed.

APPLICATION FOR REVIEW OF REFUSAL TO ISSUE

22. An applicant in receipt of a notice of refusal given pursuant to Section 21 may, within fourteen (14) days of having been served the notice, apply in writing for a review of the refusal to issue the license applied for by filing the request for a review with the Chief License Inspector, and the provisions of Sections 24 to 28 shall apply.

REPORT FOR REVIEW OF STATUS OF LICENSEE

23. The Chief License Inspector may report to the Property Standards and License Appeals Committee any breaches by the licensee of this by-law with a request to consider the status of the license.

(amended by By-law 2018-125)

DATE OF REVIEW HEARING

24. The Chief License Inspector,
- (a) upon receipt of the application referred to in Section 22, or
 - (b) upon reporting to the Property Standards and License Appeals Committee as set out in Section 23,

shall determine a date with the Committee Coordinator of the Property Standards and License Appeals Committee for the review hearing by the Property Standards and License Appeals Committee which shall be at least fourteen (14) days from receipt of appeal hearing request.

(amended by By-law 2018-125 and By-law 2023-516)

NOTICE OF REVIEW HEARING

25. Upon determination of the review hearing date, the Chief License Inspector shall give notice in writing to the applicant or licensee, said notice to:
- (a) include a statement,
 - (i) as to the time, date, place and purpose of the review hearing, and
 - (ii) that, if the applicant does not attend the review hearing, the Property Standards and License Appeals Committee may

proceed in the absence of the applicant or licensee and the applicant or licensee will not be entitled to any further notice,

(amended by By-law 2018-125)

- (b) be served personally or by registered mail to the applicant or licensee at the address last on file with the Chief License Inspector, and
- (c) where the good character, propriety of conduct or competence of a licensee is an issue, contain reasonable information of any allegations with respect thereto.

HEARING

26. (1) The Property Standards and License Appeals Committee shall hold the review hearing at the time, place and date set out in the notice referred to in Section 25.

(amended by By-law 2018-125)

- (2) The applicant or licensee may be represented at the review hearing by counsel, and the applicant or licensee or the counsel shall have the right to adduce evidence, submit argument in support of the application for a license or the status quo of the license and cross-examine witnesses adverse in interest.
- (3) The City shall be represented at the review hearing by either the Chief License Inspector or the City Solicitor, who is entitled to adduce evidence and submit arguments in reply to evidence and argument on behalf of the applicant or licensee.
- (4) At the review hearing, the onus shall be upon the applicant or licensee to show cause why,
 - (a) the license applied for should be granted,
 - (b) the license should not be suspended or revoked, or
 - (c) conditions should not be imposed on the license.
- (5) All review hearings shall be public hearings unless the applicant or licensee requests that the hearing be held in camera and the Property Standards and License Appeals Committee may approve the request by a simple

majority in accordance with the Statutory Powers Procedure Act, R.S.O. 1990, Chap. S.22, as amended.

(amended by By-law 2018-125)

- (6) The Property Standards and License Appeals Committee's decision shall be final and binding.

(amended by By-law 2018-125)

PROPERTY STANDARDS AND LICENSE APPEALS COMMITTEE DECISION

27. The Property Standards and License Appeals Committee shall give its decision in writing to the Chief License Inspector within seven (7) business days of the date of the completion of the review hearing.

(amended by By-law 2018-125 and By-law 2023-516)

WAIVER OF HEARING

28. Despite any of the provisions of this by-law, any proceedings may be disposed of by a decision of the Property Standards and License Appeals Committee given,

- (a) without a hearing, or
- (b) without compliance with any other requirements of the Statutory Powers Procedure Act, R.S.O. 1990, Chap. S.22, as amended, or of this by-law incorporating such requirements,

where the licensee has waived such hearing or compliance.

(amended by By-law 2018-125)

IMPLEMENTATION OF PROPERTY STANDARDS AND LICENSE APPEALS COMMITTEE DECISION

29. (1) The Chief License Inspector shall notify the applicant or licensee of the decision by serving a copy personally or by registered mail to:
- (a) the applicant or licensee at the address shown on the application, or last on file with the Chief License Inspector, or
 - (b) the counsel or agent of the applicant or licensee, if any, at the address as stated to the Property Standards and License Appeals Committee.

(amended by By-law 2018-125)

- (2) If the decision rendered is to grant the applicant the license applied for, the license shall be issued.
- (3) If the decision is to suspend or revoke the license, the licensee shall within twenty-four (24) hours of service of notice by registered mail, or immediately if the notice is personally served, return the license to the Chief License Inspector, and the Chief License Inspector shall have access to any premises or other property of the licensee for the purpose of receiving or taking the same.
- (4) If the decision is to impose conditions on the license, the licensee shall within twenty-four (24) hours of service of notice by registered mail, or immediately if the notice is personally served, advise the Chief License Inspector as to his or her acceptance of the conditions.

NOTIFICATION OF CHANGES

NOTIFICATION ON HAPPENING OF CERTAIN EVENTS

30. (1) Every licensee shall notify or cause to be notified the Chief License Inspector in writing within seven (7) days of the happening of the following events:
- (a) any change in the licensee's address or telephone number,
 - (b) sale, transfer or termination of the business,
 - (c) retirement,
 - (d) in the situation where the licensee provided the name and address of his or her business affiliate or employer, any change in the named business affiliate or employer, or
 - (e) any change of address, telephone number or Ontario License Plate Number of a motor vehicle that is registered with the Ontario Ministry of Transportation and any change of motor vehicle ownership and appropriate insurance endorsement.
- (2) In the case of the death of the licensee, the person administering the estate should notify or cause to be notified the Chief License Inspector in writing.

GENERAL REGULATIONS

LICENSE AVAILABILITY

31. (1) Subject to subsection (3), every person obtaining a license under this by-law shall carry the said license upon his or her person.

- (2) Every licensee shall, when so requested by the Chief License Inspector, produce the license for inspection.
- (3) Every person obtaining a license under this by-law where the same applies to premises shall ensure that his or her license is posted up in some prominent position on the premises, so as to be visible to the public.

FALSE OR INCORRECT INFORMATION

32. No person shall give false or incorrect information for the purposes of obtaining a license.

SUBJECT TO LAWS

33. All licenses are subject to all applicable Acts, regulations and by-laws.

PROPERTY OF THE CITY

34. (1) No person shall enjoy a vested right in the continuance of a license and upon the issue, cancellation or suspension thereof, the value of a license shall be the property of the City.
- (2) Every decal furnished pursuant to this by-law shall be and remain the property of the City and shall be returned to the City or removed whenever required to do so by the Chief License Inspector.

DUTY TO COMPLY

35. Every person applying for or holding a license under this by-law shall, in such application or in carrying on or engaging in the business in respect of which the license is issued, observe, comply with and be governed by this by-law.

NO DISCRIMINATION

36. No person licensed under this by-law shall, because of race, colour or creed, discriminate against any member of the public in the carrying on of the business in respect of which the license is issued.

GUIDE DOGS

37. No person licensed under this by-law shall refuse to permit a service animal to enter and remain on his or her premises, or to enter and remain in his or her motor vehicle during the carrying on of the business in respect of which the license is issued.

(repealed and replaced by By-law 2018-125)

EMPLOYEES ACTS

38. Every licensee shall be responsible for the act or acts of any of his or her employees or any person associated with the licensee in the carrying on of any of the businesses authorized by his or her license in the same manner and to the same extent as though such act or acts were done by the licensee.

CONDITIONAL LICENSES

39. (1) Every licensee shall comply with every condition imposed upon the license.
- (2) Every licensee who fails to comply with subsection (1) is guilty of an offence.

OFFENCES AND PENALTIES

OFFENCES

40. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.

(repealed and replaced by By-law 2021-315; amended by By-law 2023-516)

FINES

41. (1) Every person who is convicted of an offence under this by-law is liable to a fine of not more than twenty-five thousand (\$25,000.00) dollars as provided for in the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.

(amended by By-law 2023-516)

(2) Where a corporation is convicted of an offence under this by-law, the maximum penalty that may be imposed on the corporation is fifty thousand (\$50,000) dollars and not as provided by subsection (1) in accordance with the Municipal Act.

41A. (1) Despite subsection (1) of Section 41, every owner or operator of an adult entertainment establishment who contravenes this by-law and every director of a corporation that owns and operates an adult entertainment establishment who concurs in the contravention by the corporation is guilty of an offence and on conviction is liable to a fine of not more than twenty-five thousand dollars (\$25,000.00) or imprisonment for a term not exceeding one year or both as provided for in the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.

(By-law 2005-414)

(2) Despite subsection (2) of Section 41, where a corporation that owns or operates an adult entertainment establishment is convicted an offence under this by-law, the maximum penalty that may be imposed on the corporation is fifty thousand dollars (\$50,000.00) and not as provided in subsection (1) in accordance with the provisions of the Municipal Act, 2001.

(By-law 2005-414)**PROHIBITION ORDER**

42. When a person has been convicted of an offence under this by-law,
- (a) the Ontario Court of Justice or
 - (b) any court of competent jurisdiction thereafter

may, in addition to any other penalty imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.

LICENSE SUSPENSION OR REVOCATION

43. In addition to any other penalty, a license issued under the authority of this by-law may be suspended or revoked upon such grounds and in accordance with such procedural provisions as are set out in this by-law.
44. (1) With respect to the temporary suspension of a license, summary suspensions may be for a minimum period of twenty-four (24) hours and for a maximum period of fourteen (14) days; if the violation has been corrected after the twenty-four (24) hour period, the license may be reinstated.
- (2) Summary suspensions may be initiated by the Chief License Inspector or By-law Officer in any situation that has resulted or may reasonably be expected to result in an emergency situation and without limiting the generality of the foregoing, these situations may include:
- (a) where the licensee has breached any law,
 - (b) where the licensee has done anything that is in any way adverse to the public interest,
 - (c) where a motor vehicle is deemed to be mechanically unsafe, including but not limited to body damage with sharp edges, holes in the floor boards, unserviceable tires, doors not closing properly, wire protruding from the seat or any other mechanical defect that would render the motor vehicle unsafe,

- (d) where a cheque is returned marked “NSF” for the payment of a license fee and in such cases, the license shall be suspended until the license fee is paid,
- (e) where there is misuse of a license by a licensee taking a license decal from one vehicle and affixing it to another vehicle which is not approved for licensing purposes,
- (f) where an inspection has been performed on a motor vehicle for transfer of a license and the licensee fails to effect the transfer, the license shall be suspended should the operator carry on business with the replacement vehicle,
- (g) where a leasing agreement has expired and the lessee has failed to renew it, the license may be suspended if the lessor continues to work while the licensing agreement is expired, or
- (h) where a licensee’s liability insurance has expired and he or she continues to carry on business for which the license was issued, the license shall be suspended.

(amended by By-law 2003-311)

- (3) Prior to suspending a licence, the Chief Licence Inspector shall provide the licensee with the reasons for the suspension either orally or in writing and an opportunity to respond to them.
- (4) The Chief License Inspector will be advised immediately of all summary suspensions.
- (5) The Property Standards and License Appeals Committee will be advised on a quarterly basis of all suspension actions initiated summarily.

(amended by By-law 2018-125)

- (6) The suspension of a licence pursuant to this section is lifted after the expiration of two (2) weeks from the date of suspension or after the first meeting of the Property Standards and License Appeals Committee after the suspension, whichever occurs first.

(amended by By-law 2018-125)

45. Where a license has been suspended or revoked, no person shall refuse to deliver the license to the Chief License Inspector or shall in any way prevent or hinder the Chief License Inspector from receiving or taking the same.

46. No licensee shall operate or carry on the business for which the license was issued while the license is under suspension.

REPEAL OF OLD MUNICIPALITIES' BY-LAWS

REPEAL – PARTS OF OLD GLOUCESTER BY-LAW NO. 170-2000

47. By-law No. 170-2000 of the old Corporation of the City of Gloucester entitled “Being a by-law of The Corporation of the City of Gloucester to provide for licensing, regulating and governing certain trades, callings, businesses, occupations or Home Occupations”, as amended, is amended:

- (a) by repealing the definitions “Auctioneer”, “Driving School Instructor”, and “Driving School” where they occur in Section 1;
 - (b) by repealing items “AUCTIONEER A-4”, and “DRIVING SCHOOL AND DRIVING INSTRUCTOR’S LICENCE A-8” where they occur in Schedule ‘A’;
 - (c) by repealing Schedule A-4 “AUCTIONEERS” and Schedule A-8 “DRIVING SCHOOL AND DRIVING INSTRUCTOR’S LICENCE ”;
 - (d) by repealing the items “Auctioneer \$245.00” and “Driving Instructor \$70.00”, and “Driving School \$100.00” where they occur in Schedule “C”;
 - (e) by repealing the definitions “Carwash”, “Motor Vehicle” and “Public Garage” where they occur in Section 1;
 - (f) by repealing items “CAR WASH A-6” and ‘PUBLIC GARAGE A-19” where they occur in Schedule “A”;
 - (g) by repealing Schedule A-6 “CAR WASH” and Schedule A-19 “PUBLIC GARAGE”;
 - (h) by repealing the items “CAR WASH \$115.00” and “PUBLIC GARAGE \$115.00” where they occur in Schedule “C”;
- ((e)-(h) By-law No. 2002-319)**
- (i) by repealing the definitions “AMUSEMENT ARCADE”, “BILLIARDS”, “PLACE OF AMUSEMENT” and “PUBLIC HALL” where they occur in Section 1;
 - (j) by repealing items “AMUSEMENT ARCADE A-3”, “BILLIARDS A-5” and “PLACE OF AMUSEMENT A-16” where they occur in Schedule “A”;

- (k) by repealing Schedule A-3 "AMUSEMENT ARCADE", Schedule A-5 "BILLIARDS" and Schedule A-16 "PLACE OF AMUSEMENT";
- (l) by repealing the items "Amusement Arcade \$600.00" , "Billiards \$70.00/table" and "Place of Amusement" where they occur in Schedule "C";

((i)-(l)By-lay No. 2002-373)

- (m) by repealing the definitions "eating establishment", "food premises", "food shop" and "meat vendor" where they occur in Section 1;
- (n) by repealing items "FOOD PREMISES A-9" and "MEAT VENDOR A-13" where they occur in Schedule "A";
- (o) by repealing Schedule A-9 "FOOD PREMISES" and Schedule A-13 "MEAT VENDOR";
- (p) by repealing items "Food Premises \$85.00" and "Meat Vendor \$70.00" where they occur in Schedule "C";

((m)-(p) By-law No. 2002-443)

- (q) by repealing the definition "EXOTIC ANIMAL EXHIBITION where it occurs in Section 1;
- (r) by repealing items "EXOTIC ANIMAL EXHIBITION A-28" where it occurs in Schedule "A";
- (s) by repealing Schedule A-28 "EXOTIC ANIMAL EXHIBITION";

((q)-(s) By-law 2003-236)

- (t) by repealing the definition of "Adult Entertainment Parlour" where it occurs in Section 1;
- (u) by repealing the item "ADULT ENTERTAINMENT PARLOUR A-1" where it occurs in Schedule "A";
- (v) by repealing Schedule A-1 "ADULT ENTERTAINMENT PARLOURS";
- (w) by repealing the item "ADULT ENTERTAINMENT PARLOUR \$600.00" where it occurs in Schedule "C", Schedule of Fees;

((t)-(w) By-law 2004-353)

- (x) by repealing the definition “tobacco vendor” where they occur in Section 1;
- (y) by repealing the item “TOBACCO VENDOR A-24” where it occurs in Schedule “A”;
- (z) by repealing Schedule A-24 “TOBACCO VENDOR LICENCE”;
- (aa) by repealing the item “Tobacco Vendor \$124.00” where it occurs in Schedule “C”;

((x)-(aa) By-law 2004-494)

- (ab) by repealing the definition “SALVAGE YARD” where it occurs in Section 1;
- (ac) by repealing the item “SALVAGE YARD A-23” where it occurs in Schedule “A”;
- (ad) by repealing Schedule A-23 “SALVAGE YARD”;
- (ae) by repealing the item “SALVAGE YARD \$100.00 where it occurs in Schedule “C”;

((ab)-(ae) By-law 2005-325)

- (af) by repealing the definition “RETAIL EXHIBITION SHOWS”;
- (ag) by repealing item “RETAIL EXHIBITION SHOWS A-21” where it occurs in Schedule “A”;
- (ah) by repealing Schedule A-21 “RETAIL EXHIBITION SHOWS”;
- (ai) by repealing item “RETAIL EXHIBITION SHOWS” where it occurs in Schedule “C” entitled “SCHEDULE OF FEES”;

((af)-(ai) By-law 2005-356)

- (aj) by repealing the definitions “Portable Sign” and Portable Sign Lessor”;
- (ak) by repealing the Item “PORTABLE SIGN LESSOR A-18” where it occurs in Schedule A;
- (al) by repealing Schedule “A-18”, PORTABLE SIGN LESSOR;
- (am) by repealing the item “Portable Sign Lessor \$300.00” where it occurs in Schedule “C”, Schedule of Fees;

((aj)-(am) By-law 2005-357)

- (an) by repealing the definitions “Adult Video Store” and “Goods” where they occurs in Section 1;
- (ao) by repealing the item “ADULT VIDEO STORE A-2” where it occurs in Schedule “A”;
- (ap) by repealing Schedule “A-2” entitled “ADULT VIDEO STORE”;
- (aq) by repealing the item “ADULT VIDEO STORE \$300.00” where it occurs in Schedule “C”, Schedule of Fees;

((an)-(aq) By-law 2005-414)

- (ar) by repealing “Schedule “A-22” Salesman (Municipal Vendors)”,
- (as) by repealing the definitions “Salesman (Municipal Vendors), “Municipal Vendor” and “Salesman”,
- (at) by repealing the item “Salesman” where it appears in Schedule A.

((ar)-(at) By-law 2008-95)

- (au) by repealing “Schedule “A-20 REFRESHMENT VEHICLE””,
- (av) by repealing the definitions “Mobile Canteen”, “Refreshment Cart” and “Refreshment Vehicle”,
- (aw) by repealing the item “REFRESHMENT VEHICLE” where it occurs in Schedule A,
- (ax) by repealing the item “REFRESHMENT VEHICLE”, where it occurs in Schedule “C” entitled SCHEDULE OF FEES.

((au)-(ax) By-law 2008-96)

- (ay) by repealing the definition “Pet Shop” where it occurs in Section 1,
- (az) by repealing item “Pet Shops A-15” where it occurs in Schedule “A”,
- (ba) by repealing Schedule “A-15”, and
- (bb) by repealing the item “Pet Shop \$90.00” where it occurs in Schedule “C”.

((ay)-(bb) By-law 2011-241)

REPEAL OF OLD GOULBOURN’S LICENSING BY-LAWS

(amended by By-law 2005-356)

48. By-law No. 76-49 of the old Corporation of the Township of Goulbourn entitled “Being a by-law to licence, regulate and govern auctioneers in the Township of

Goulbourn in the Regional Municipality of Ottawa-Carleton, under the provisions of the Municipal Act, R.S.O. 1970, Chapter 284, Section 381 – (1) paragraph 7” is repealed.

48A. By-law No. 60-82 of the old Corporation of the Township of Goulbourn entitled “Being a By-law to define areas in the Township of Goulbourn in which adult entertainment parlours may not operate and to license, regulate and limit the number of adult entertainment parlours elsewhere in the Township of Goulbourn”, as amended, is repealed.

(By-law 2004-353)

48B. By-law No. 100-90 of the old Corporation of the Township of Goulbourn entitled “Being a by-law of the Corporation of the Township of Goulbourn to establish, maintain and operate markets and for regulating such markets and any other markets located within municipality”, as amended, is repealed.

(By-law 2005-356)

48C. By-law 56-86 of the Corporation of the old Township of Goulbourn entitled “Being a by-law relating to the licensing, regulating and governing the keepers of shops or places where animals or birds for use as pets are sold or kept for sale pursuant to the provisions of the Ontario Municipal Act R.S.O. 1980, Chapter 302, Section 224, paragraph 1 and amendments thereto” is repealed.

(By-law 2011-241)

REPEAL – PARTS OF OLD KANATA’S BY-LAW NO. 139-00

49. By-law No. 139-00 of the old Corporation of the City of Kanata entitled “Being a by-law of The Corporation of the City of Kanata to provide for licensing, regulating and governing certain trades, callings, businesses or occupations”, as amended, is amended:

- (a) by repealing the definition “Auctioneer” where it occurs in Section 1;
- (b) by repealing the item “3 Auctioneer” where it occurs in the Index to Licenses;
- (c) by repealing item “Auctioneer” where it occurs in Schedule ‘A’ entitled “LICENCE FEES”;
- (d) by repealing Schedule 3 entitled “AUCTIONEER”;
- (e) by repealing the definition “Amusement Video Arcade” where it appears in Section 1;

(f) by repealing item 2 “Amusement Video Arcade” where it occurs in the INDEX TO LICENSES; (g) by repealing the item “Amusement Video Arcade” where it occurs in Schedule “A” entitled “LICENSE FEES”;

(h) by repealing Schedule 2 entitled “AMUSEMENT VIDEO ARCADE”.

((e)-(h) By-law No. 2002-373)

(i) by repealing the item “1B Adult Entertainment Parlour - Entertainment Category” where it occurs in the Index to Licenses;

(j) by repealing the item “Adult Entertainment Parlour - Services” where it occurs in Schedule “A” entitled “LICENCE FEES”;

(k) by repealing Schedule 1B entitled “ADULT ENTERTAINMENT PARLOURS - SERVICES CATEGORY”;

((i)-(k) By-law No. 2004-353)

(l) by repealing the definition “Tobacco Vendor” where it occurs in Section 1;

(m) by repealing item “8 Tobacco Vendor” where it occurs in the INDEX TO LICENSES;

(n) by repealing the item “Tobacco Vendor” where it occurs in Schedule “A” entitled “LICENCE FEES”;

(o) by repealing Schedule 8 entitled “TOBACCO VENDOR”;

((l)-(o) By-law No. 2004-494)

(p) by repealing the definition “Transient Trader” where it occurs in Section 1;

(q) by repealing the item “Transient Trader” where it occurs in the “INDEX TO LICENSES”;

(r) by repealing the item “Transient Trader” where it occurs in Schedule “A” entitled “LICENCE FEES”;

(s) by repealing Schedule 9, “TRANSIENT TRADER”;

((p)-(s) By-law No. 2005-327)

(t) by repealing the definitions “Exhibition”, “Festival Exhibition”, “Hobby Exhibition”, “Retail Exhibition”, where they occur therein;

- (u) by repealing item “4 Exhibition” where it occurs in the Index to Licenses where they occur therein;
- (v) by repealing item “Exhibition” where it occurs in Schedule “A” entitled “LICENCE FEES”;
- (w) by repealing Schedule 4 entitled “Exhibition” where it occurs therein;

((t)-(w) By-law No. 2005-356)

- (x) by repealing the definition “Adult Entertainment Parlour” where it occurs in Section 1;
- (y) by repealing item “1-A - Adult entertainment Parlour - Goods Category” where it occurs in the Index to Licenses;
- (z) by repealing the item “Adult Entertainment Parlour - Goods” where it occurs in Schedule “A” entitled “LICENCE FEES”;
- (aa) by repealing Schedule 1A entitled “ADULT ENTERTAINMENT PARLOUR - GOODS CATEGORY”.

((x)-(aa) By-law No. 2005-414)

- (ab) by repealing “Schedule 7A Salesperson”,
- (ac) by repealing the definition “Salesperson”,
- (ad) by repealing the items “Salesperson”, and applicable fees and expiry dates where they appear in Schedule “A”,
- (af) by repealing the item 7A, “Salesperson” in the INDEX TO LICENSES.

((ab)-(af) By-law No. 2008-095)

- (ag) by repealing “Schedule 5 FOOD SERVICES VEHICLE”,
- (ah) by repealing the definitions “Chip wagon”, “Food Services Vehicle”, “Ice Cream Vehicle”, “Mobile Canteen”, “Refreshment Vehicle”,
- (ai) by repealing the items “ Food Services Vehicle, Chip Wagon, Mobile Canteen, Refreshment Vehicle and the applicable fees and expiry dates where they appear in Schedule “A”.
- (aj) by repealing item 5 “Food Services Vehicle” where it occurs in the INDEX TO LICENSES.

((ag)-(aj) By-law No. 2008-096)

REPEAL – PARTS OF OLD NEPEAN’S BY-LAW NO. 135-2000

50. By-law No. 135-2000 of the old Corporation of the City of Nepean entitled “Being a by-law of The Corporation of the City of Nepean to provide for licensing, regulating and governing certain trades, callings, businesses or occupations”, as amended, is amended:

- (a) by repealing the definitions “Auctioneer”, “Driving School”, “Driving School Instructor”, and “Driving School Operator” where they occur in Section 1;
- (b) by repealing the items “4 Auctioneer” and “6 Driving School” where they occur in the Index to Licenses;
- (c) by repealing items “Auctioneer” and “Driving School” where they occur in Schedule ‘A’ entitled “FEES FOR LICENSES”;
- (d) by repealing Schedule 4 entitled “AUCTIONEER” and Schedule 6 entitled “DRIVING SCHOOLS AND DRIVING INSTRUCTORS”;
- (e) by repealing the definitions “Automotive Rental/Leasing Establishment”, “Automotive Sales Dealership”, “Automotive Service Station”, “Automotive Services Premise”, “Car Washing Establishment”, “Motor Vehicle Repair Shop” and “Outdoor Vehicle or Merchandise Sales” where they occur in Section 1;
- (f) by repealing the items “5 Automotive Services Premise” and “19 Outdoor Vehicle or Merchandise Sales” where they occur in the Index to Licenses;
- (g) by repealing the items “Automotive Services Premise” and “Outdoor Vehicle or Merchandise Sales” where they occur in Schedule “A” entitled “FEES FOR LICENSES”;
- (h) by repealing Schedule 5 entitled “AUTOMOTIVE SERVICES PREMISE” and Schedule 19 entitled “OUTDOOR VEHICLE OR MERCHANDISE SALES”;

((e)-(h) By-law 2002-319)

- (i) by repealing the definitions “Amusement Place” and “Public Hall” where they occur in Section 1;
- (j) by repealing item “3 Amusement Place” where it occurs in the INDEX TO LICENSES;

(k) by repealing the item "Amusement Place" where it occurs in Schedule "A" entitled FEES FOR LICENSES";

(l) by repealing Schedule 3 entitled "Amusement Place";

(By-law 2002-373)

(m) by repealing the definitions "bake shop", "eating establishment", "food premises" and "food shop" where they occur in Section 1;

(n) by repealing item "7 Food Premises" where it occurs in the INDEX TO LICENSES;

(o) by repealing the item "Food Premises" where it occurs in Schedule "A" entitled 'FEES FOR LICENSES';

(p) by repealing Schedule 7 entitled "FOOD PREMISES".

((m)-(p) By-law No. 2002-443)

(q) by repealing the item "Adult Entertainment Parlour - Services" in Schedule "A" entitled "FEES FOR LICENSES";

(r) by repealing subsections 2(a) and 4(a) of Schedule 1 entitled "ADULT ENTERTAINMENT PARLOUR";

((q)-(r) By-law 2004-353)

(s) by repealing the definition "Tobacco Vendor" where it occurs in Section 1;

(t) by repealing the item "17 Tobacco" where it occurs in the INDEX TO LICENSES;

(u) by repealing the item "Tobacco Vendor" where it occurs in Schedule "A" entitled "FEES FOR LICENSES";

(v) by repealing Schedule 17 entitled "TOBACCO VENDOR";

((s)-(v) By-law 2004-494)

(w) by repealing the definition "Salvage Yard" where it occurs in Section 1;

(x) by repealing the item "16 Salvage Yard" where it occurs in the Index to Licenses;

(y) by repealing the item "Salvage Yard" where it occurs in Schedule 'A' entitled "FEES FOR LICENSES";

(z) by repealing Schedule 16 entitled "SALVAGE YARD";

((w)-(z) By-law 2005-325)

- (aa) by repealing the definition “Transient Trader” where it occurs in Section 1;
- (ab) by repealing the item “18 Transient Trader” where it occurs in the Index to Licenses;
- (ac) by repealing the item “Transient Trader” where it occurs in Schedule “A” entitled “FEES FOR LICENSES”;
- (ad) by repealing Schedule 18 entitled “TRANSIENT TRADER”;

((aa)-(ad) By-law 2005-327)

- (ae) by repealing the definitions “Festival Exhibition”, “Hobby Exhibition”, “Retail Exhibition” where they occur therein;
- (af) by repealing the items “2 Amusement Exhibition” and “14 Retail Exhibition” in the Index to Licenses where they occur therein;
- (ag) by repealing items “Amusement Exhibition” and “Retail Exhibitions” where they occur in Schedule “A” entitled “FEES FOR LICENSES”;
- (ah) by repealing Schedule 2 entitled “Amusement Exhibition”, and Schedule 14 entitled “Retail Exhibition” where they occur therein;

((ae)-(ah) By-law 2005-356)

- (ai) by repealing the definitions “Mobile sign” and “Mobile Sign Lessor”;
- (aj) by repealing Item “13 Mobile Sign Lessor” where it occurs in the Index to Licenses;
- (ak) by repealing the item “Mobile Sign Lessor” where it occurs in Schedule A entitled “FEES FOR LICENCES”;
- (al) by repealing Schedule 13, entitled “MOBILE SIGN LESSOR”;

((ai)-(al) By-law 2005-357)

- (am) by repealing the definition “Adult Entertainment Parlour” where it occurs in Section 1;
- (an) by repealing Item “Adult Entertainment Parlour” where it occurs in the Index to Licenses;
- (ao) by repealing the item “Adult Entertainment Parlour - Goods” where it occurs in Schedule “A” entitled “FEES FOR LICENCES”;

- (ap) by repealing Schedule 1 entitled “ADULT ENTERTAINMENT PARLOUR”.

((am)-(ap) By-law 2005-414)

- (aq) by repealing “Schedule 15 Salesperson” and “Schedule 15C Salesperson - Flower Vendor”,
- (ar) by repealing the definitions “Salesperson” and “Salesperson - Flower Vendor”,
- (as) by repealing the items 15, Salesperson and 15C Salesperson - Flower Vendor from the INDEX TO LICENSES;
- (at) by repealing the items “Salesperson and Salesperson - Flower Vendor from Schedule “A” FEES FOR LICENSES.

((aq)-(at) By-law 2008-95)

- (au) by repealing “Schedule 8 Food Services Vehicle”,
- (av) by repealing the definitions “Food Services Vehicle”, “Ice cream Vehicle”, “Mobile Canteen”,
- (aw) by repealing the items “Food Services Vehicle”, “Chip Wagon \$100/ event 0 to 4 days, \$1100/annual, 31st day of December of year of issue”, “Mobile Canteen, \$50/day, \$300/annual, 31st day of December of the year of issue”, “Refreshment Vehicle \$25/day, \$100/annual, 31st day of December of the year of issue” where they occur in Schedule “A”.

((au)-(aw) By-law 2008-96)

- (ax) by repealing item “21 Pet Shops” where it occurs in the Index to Licenses,
- (ay) by repealing item “Pet Shops” where it occurs in Schedule “A” entitled “FEES FOR LICENSES”, and
- (az) by repealing Schedule 21 entitled “Pet Shops”.

((ax)-(az) By-law 2011-241)

REPEAL – PARTS OF OLD OTTAWA’S BY-LAW NUMBER L6-2000

51. By-law Number L6-2000 of the old Corporation of the City of Ottawa entitled “A by-law of the Corporation of the City of Ottawa respecting licenses”, as amended, is amended:

- (a) by repealing paragraphs (11), (31) and (32) of Section 1;

- (b) by repealing paragraphs (7), (13) and (14) of Section 2;
- (c) by striking out the items “Auctioneer”, “Driving Instructor” and “Driving School Operator” in Schedule No. 1;
- (d) by repealing Schedule No. 2 Relating to Auctioneers and Schedule No. 11 Relating to Driving School Operators and Driving Instructors; and
- (e) by repealing clause (b) of subsection (2) of Section 16 of Schedule No. 19 Relating to Brokers, Drivers and Owners of Taxicabs;
- (f) by striking out the expression “, and” where it occurs in clause (a) of subsection (2) of Section 16 of Schedule No. 19 and substitute therefore the punctuation “.”;
- (g) by repealing paragraphs (12), (18), (64) and (74) of Section 1;
- (h) by repealing paragraph (21) of Section 2;
- (i) by striking out the item “Public Garage” in Schedule No. 1;
- (j) by repealing Schedule No. 18-A Relating to Public Garages;

((g)-(j) By-law 2002-319)

- (k) by repealing paragraphs (90), (91) and (92) of Section 1;
- (l) by repealing paragraph (29) of Section 2;
- (m) by striking out the term “Snow Plow Contractor” in Schedule No. 1;
- (n) by repealing Schedule No. 30 Relating to Snow Plow Contractors.

((k)-(n) By-law 2002-320)

- (o) by repealing paragraphs (8), (75) and (89) of Section 1;
- (p) by repealing paragraphs (6), (10), (11), (22) and (34) of Section 2;
- (q) by striking out the items “Amusement Place”, “Billiard Tables, Pool Tables”, “Bowling Alleys”, “Public Halls” and “Skateboarding Facility” in Schedule No. 1;
- (r) by repealing Schedule No. 1A Relating to Amusement Places, Schedule No. 6 Relating to Billiard Tables, Pool Tables and Bowling Alleys, Schedule No. 18B Relating to Public Halls and Schedule No. 24 relating to Skateboarding Facilities; ((o)-(r) By-law No. 2002-373)

- (s) by repealing paragraphs (13), (17) and (107) of Section 1;
- (t) by repealing paragraphs (8), (12), (17) and (35) of Section 2;
- (u) by striking out the items “Bakeshops”, “Butchers” and “Victualling House” in Schedule No. 1;
- (v) by repealing Schedule No. 3 Relating to Bakeshops, Schedule No. 8 Relating to Butcher Stores, Horsemeat and Fish Stores and Schedule No. 22 Relating to Victualling Houses.

((s)-(v) By-law 2002-443)

- (w) by repealing paragraphs (1), (2), (3), (4) and (54) of Section 1;
- (x) by repealing paragraphs (3) and (4) of Section 2;
- (y) by striking out the item “Adult Entertainment Parlour” in Schedule No.1 entitled “Fee Structure”;
- (z) by repealing Schedule No. 27 Relating to Adult Entertainment Parlours;

((w)-(z) By-law 2004-353)

- (aa) by repealing paragraph (33) of Section 2;
- (ab) by striking out the item “Tobacco, Cigars and Cigarettes” in Schedule No. 1;
- (ac) by repealing Schedule No. 26 Relating to Retail Sale of Tobacco, Cigars or Cigarettes;

((aa)-(ac) By-law 2004-494)

- (ad) by repealing paragraphs (80), (81) and (82) in Section 1;
- (ae) by repealing paragraphs (25) and (26) in Section 2;
- (af) by amending Section 35, clause (g) to add the words “licensed under By-law No. 2002-189 of the City of Ottawa”;
- (ag) by striking out the items “Rickshaw Owner” and “Rickshaw Operator” in Schedule No. 1;
- (ah) by repealing Schedule No. 28 Relating to Rickshaws;

((ad)-(ah) By-law 2005-119)

- (ai) by repealing paragraph (85);
- (aj) by repealing paragraph (28) in Section 2;

- (ak) by striking out the item “Salvage Yard” in Schedule No. 1;
 - (al) by repealing Schedule No. 23A Relating to Salvage Yards;
- ((ai)-(al) By-law 2005-325)**
- (am) by repealing paragraph (104) of Section 1;
 - (an) by repealing Section 4;
 - (ao) by striking out the item “Transient Trader” where it occurs in Schedule No. 1;
 - (ap) by repealing Schedule 20-A entitled “Relating to Transient Traders”;
- ((am)-(ap) By-law 2005-327)**
- (aq) by repealing paragraphs (39) and (79) of Section 1;
 - (ar) by repealing paragraph (16) of Section 2;
 - (as) by repealing item “Exhibitions”, where it occurs in Schedule No. 1 entitled “Fee Structure”;
 - (at) by repealing Schedule No. 14 “Relating to Exhibitions”;
- ((aq)-(at) By-law 2005-356)**
- (au) by repealing paragraphs (5), (6), (7), (93), (94), (103) and (108) of Section 1;
 - (av) by repealing paragraph (5) of Section 2;
 - (aw) by striking out the item “Adult Entertainment Store” in Schedule No. 1;
 - (ax) by repealing Schedule No. 29 “Relating to Adult Entertainment Stores”.
- ((au)-(ax) By-law 2005-414)**
- (ay) by repealing paragraphs (14) and (15);
 - (az) by repealing paragraph (9);
 - (ba) by striking out the item “Body-rub Parlour” where it occurs in Schedule No. 1 entitled “Fee Structure”;
 - (bb) by repealing Schedule No. 5 entitled “Relating to Body-rub Parlours”;
- ((ay)-(bb) By-law 2005-415)**

- (bc) by repealing “Schedule No. 17 - Relating to Itinerant Sellers”,
- (bd) by repealing the definition “Itinerant Seller”,
- (be) by repealing the item “Itinerant Seller” in SCHEDULE No. 1, FEE STRUCTURE.

((bc)-(be) By-law 2008-95)

- (bf) by repealing “Schedule No. 20 - Relating to Refreshment Vehicles”,
- (bg) by repealing the definitions “Refreshment vehicle”, “Vend”/“Vends”/“Vending”,
- (bh) by repealing the items “ Refreshment Vehicle Without Fire Inspection”, “Refreshment Vehicle With Fire Inspection” and “Canada Day” of Schedule No. 1 FEE STRUCTURE.

((bf)-(bg) By-law 2008-96)

- (bi) by repealing Schedule No. 31 Relating to Rooming Houses;

(By-law 2008-237)

- (bi) by repealing paragraph (66) of Section 1,
- (bj) by repealing paragraph (19) of Section 2,
- (bk) by repealing the item “Pet Shop” where it occurs in Schedule No. 1,
- (bl) by repealing Schedule No. 17B Relating to Pet Shops.

((bi)-(bl) By-law 2011-241)

REPEAL – PARTS OF OLD VANIER’S BY-LAW NO. 29-00

52. By-law No. 29-00 of the old Corporation of the City of Vanier entitled “Being a by-law of the Corporation of the City of Vanier for licensing, regulating, governing any trade, business or occupation or the person carrying on or engaged in it”, as amended, is amended:

- (a) by repealing items “5 Driving School 20” where it occurs in the INDEX TO LICENCES;
- (b) by repealing the item “Driving School” where it occurs in Schedule 1 entitled “ANNUAL FEES FOR LICENCES”;
- (c) by repealing Schedule 5 entitled “DRIVING SCHOOL”.
- (d) by repealing item “3 Automotive Services 16” where it occurs in the INDEX TO LICENSES;

- (e) by repealing the item “Automotive Services” where it occurs in Schedule 1 entitled “ANNUAL FEES FOR LICENCES”;
- (f) by repealing Schedule 3 entitled “AUTOMOTIVE SERVICES”;
- (g) by repealing the item “15 Place of Entertainment” where it occurs in the INDEX TO LICENCES.
- (h) by repealing the item “Place of Entertainment” where it occurs in Schedule 1 entitled “ANNUAL FEES FOR LICENCES”;
- (i) by repealing Schedule 15 entitled “PLACE OF AMUSEMENT”;

((g)-(i) By-law 2002-373)

- (j) by repealing item “6 Food Premises” where it occurs in the INDEX TO LICENCES;
- (k) by repealing the item “Food Premises” where it occurs in Schedule 1 entitled “ANNUAL FEES FOR LICENCES”;
- (l) by repealing Schedule 6 entitled “FOOD PREMISES”.

((j)-(l) By-law 2002-443)

- (m) by repealing item “2 Adult Entertainment Parlour” where it occurs in the INDEX TO LICENCES;
- (n) by repealing the item “Adult Entertainment Parlour” where it occurs in Schedule 1 entitled “ANNUAL FEES FOR LICENCES”;
- (o) by repealing Schedule 2 entitled “ADULT ENTERTAINMENT PARLOUR”;

((m)-(o) By-law No. 2004-353)

- (p) by repealing item “19 Tobacco Sale” where it occurs in the INDEX TO LICENCES;
- (q) by repealing the item “Tobacco Sale” where it occurs in Schedule 1 entitled “ANNUAL FEES FOR LICENCES”;
- (r) by repealing Schedule 19 entitled “TOBACCO SALE”.

((p)-(r) By-law No. 2004-494)

- (v) by repealing Item 4 “Body-Rub Parlour” where it occurs in the INDEX TO LICENCES;

(w) by repealing the item “Body-Rub Parlour” where it occurs in Schedule 1 entitled “ANNUAL FEES FOR LICENCES”;

(x) by repealing Schedule 4 entitled “BODY RUB PARLOUR”;

((v)-(x) By-law No. 2005-415)

(y) by repealing “Schedule 10 Itinerant Salesperson”,

(z) by repealing “Itinerant Salesperson” in Schedule 1, entitled ANNUAL FEES FOR LICENSES.

((y)-(z) By-law No. 2008-95)

(aa) by repealing “Schedule 21, Mobile Canteens” and Schedule 25 , Special Event”,

(ab) by repealing “Mobile Canteen, and “Special Event” where they appear in Schedule 1, ANNUAL FEES FOR LICENSES.

((aa)-(ab) By-law No. 2008-96)

(ac) by repealing item “14 Pet Shop” where it occurs in the Index to Licenses,

(ad) by repealing item “Pet Shop” where it occurs in Schedule 1 entitled “ANNUAL FEES FOR LICENSES”, and

(ae) by repealing Schedule 14 entitled “Pet Shop”.

((ac)-(ae) By-law No. 2011-241)

REPEAL – OLD WEST CARLETON’S BY-LAW NO. 66 OF 2000

53. By-law No. 66 of 2000 of the Corporation of the Township of West Carleton entitled “Being a by-law to license auctioneers for sales in the Township of West Carleton” is repealed.

REPEAL – PARTS OF OLD CUMBERLAND’S BY-LAW NO. 20-85 (By-law 2002-319)

53A. By-law No. 20-85 of the old Corporation of the City of Cumberland entitled “A By-law to provide for licensing, regulating and governing certain trades, callings, businesses and occupations”, as amended, is amended:

(a) by repealing item 10 where it occurs in Schedule “A” entitled “Master List of Trades, Callings, Businesses and Occupations”;

(b) by repealing Schedule “A” 10 -Urban entitled “Public Garage” and Schedule “A” 10 – Rural entitled “ Public Garage”;

- (c) by repealing item 10 “Public Garage License” where it occurs in Schedule “B” entitled “Fees Applicable to the Licenses”; *(By-law No. 2002-319)
- (d) by repealing item 1 “Amusement Place License” and item 3 “Billiard License” where they occur in Schedule “A” entitled “Master List of Trades, Callings, Businesses and Occupations”;
- (e) by repealing Schedule “A”1 entitled “Amusement Places” and Schedule “A” 3 entitled “Billiard”;
- (f) by repealing item 1 “Amusement Place License” and item 3 “Billiard License” where they occur in Schedule “B” entitled “Fees Applicable to Licenses”;

((d)-(f) By-law No. 2002-373)

- (g) by repealing item 2 “Bake Shop License” and item 7 “Eating Establishment License” where they occur in Schedule “A” entitled “Master List of Trades, Callings, Businesses and Occupations”;
- (h) by repealing Schedule “A” 2 entitled “Bake Shop” and Schedule “A” 7 entitled “Eating Establishment”;
- (i) by repealing item 2 “Bake Shop License” and item 7 “Eating Establishment License” where they occur in Schedule “B” entitled “Fees Applicable to Licenses”.

((g)-(i) By-law No. 2002-443)

- (j) by repealing Item 16 “Adult Entertainment Parlour” where they occur in Schedule “A” entitled “Master List of Trades, Callings, businesses and Occupations”;
- (k) by repealing Schedule “A” 16 entitled “Adult Entertainment Parlours”;
- (l) by repealing Item 16 “Adult Entertainment Parlour” where it occurs in Schedule “B” entitled “Fees Applicable to Licenses”;

((j)-(l) By-law No. 2004-353)

- (m) by repealing item 15 “Tobacco Vendor Licence” where it occurs in Schedule “A” entitled “Master List of Trades, Callings, Businesses and Occupations”;

- (n) by repealing Schedule "A" entitled "Tobacco Vendor Licence";
- (o) by repealing item 15 "Tobacco Vendor Licence" where it occurs in Schedule "B" entitled "Fees Applicable to the Licenses".

((m)-(o) By-law No. 2004-494)

- (p) by repealing item 12 "Salvage License" where it occurs in Schedule "A" entitled "Master List of Trades, Callings, Businesses and Occupations";
- (q) by repealing Schedule "A" 12 entitled "Salvage License";
- (r) by repealing item 12 "Salvage License" where it occurs in Schedule "B" entitled "Fees Applicable to Licenses";

((p)-(r) By-law No. 2005-325)

- (s) by repealing item 8(a) Retail Exhibition License of Schedule "A" entitled "Master List of Trades, Callings, Businesses and Occupations";
- (t) by repealing item 8(a) Retail Exhibition License of Schedule "B" entitled "Business License Fees";
- (u) by repealing Section 4 RETAIL EXHIBITION SHOW in Schedule A-8;

((s)-(u) By-law 2005-356)

- (s) by repealing item "Salespersons License" where it occurs in Schedule "A" entitled "Master List of Trades, Callings, Businesses and Occupations";
- (t) by repealing item "8. Salespersons License" where it occurs in Schedule "B" entitled "Fees Applicable to the Licenses";
- (u) by repealing SCHEDULE "A 8" entitled Salesperson.

((s)-(u) By-law 2009-151)

- (s) by repealing item 9 where it occurs in Schedule "A" entitled "Master List of Trades, Callings, Businesses and Occupations",
- (t) by repealing Schedule "A"9 entitled "Pet Shops", and
- (u) by repealing item 9 "Pet Shops License" where it occurs in Schedule "B" entitled "Fees Applicable to the Licenses".

((s)-(u) By-law 2011-241)

REPEAL OF SECOND-HAND GOODS BY-LAWS**(By-law 2005-324)**

- 53B. (1) The following by-laws of the old municipalities are repealed:
- (a) By-law Number 100-98 of the old Corporation of the City of Ottawa entitled “A by-law of The Corporation of the City of Ottawa respecting second-hand goods shops”, as amended;
 - (b) By-law Number 100-98 of the old Corporation of the City of Cumberland entitled “Being a by-law of the Corporation of the Township of Cumberland to license and regulate second-hand goods shops”, as amended;
 - (c) By-law No. 100-98 of the old Corporation of the City of Gloucester entitled “A by-law to provide for licensing, regulating and governing second-hand goods shops”, as amended;
 - (d) By-law Number 100-98 of the old Corporation of the City of Kanata entitled “Being a By-law of The Corporation of the City of Kanata to license and regulate Second-Hand Good Shops”, as amended;
 - (e) By-law No. 100-98 of the old Corporation of the City of Nepean entitled “Being a by-law of The Corporation of the City of Nepean to license and regulate second-hand good shops”, as amended;
 - (f) By-law Number 100-1998 of the old Corporation of the Township of Osgoode entitled “A by-law of The Corporation of the Township of Osgoode respecting second-hand goods shops”, as amended; and
 - (g) By-law Number 100-98 of the old Corporation of the City of Vanier entitled “A by-law of The Corporation of the City of Vanier respecting second-hand goods shops”, as amended.
- (2) By-law No. 65 of 2000 of the old Corporation of the Township of West Carleton entitled “Being a by-law to license, regulate and govern salvage shops, salvage yards, second-hand goods shops and dealers in second-hand goods, and for revoking any such license”, as amended, is amended by:
- (a) striking out the expression “, second-hand goods shops and dealers in second-hand goods” where it occurs in the title and the preamble to the by-law;

- (b) striking out the definition “Second Hand Goods” where it occurs in Section 1;
 - (c) striking out the expression “or second hand goods shop” where it occurs in Section 2; and
 - (d) striking out the expression “second-hand goods,” where it occurs in Section 6.
- (3) By-law No. 74-50 of the old Corporation of the Township of Goulbourn entitled “Being a by-law for licensing, regulating and governing salvage shops, salvage yards, second-hand goods shops and dealers in second-hand goods”, as amended, is amended by:
- (a) striking out the expression “, second-hand goods shops and dealers in second-hand goods” where it occurs in the title and preamble to the by-law;
 - (b) striking out the expression “second-hand goods shop, or deal in second-hand goods” where it occurs in Section 1;
 - (c) repealing clause (e) of Section 2;
 - (d) adding the word “or” after the word “salvage yard” where it occurs in Section 9; and
 - (e) striking out the expression “, second-hand goods shop or second-hand dealer” where it occurs in Section 9.
- (4) By-law No. 84-2000 of the old Corporation of the Township of Osgoode entitled “Being a by-law respecting salvage yards, wrecking yards and dealers in secondhand goods”, as amended, is amended by:
- (a) striking out the expression “dealers in second-hand goods” where it occurs in the title and preamble to the by-law;
 - (b) striking out the definition “dealer in secondhand goods” in Section 1; and
 - (c) striking out the expression “, salvage yard or carry on business as dealers in secondhand goods” where it occurs in Section 2 and clause (e) of Section 4 and substituting the expression “or salvage yard” therefor.

53C. The following by-laws of the old municipalities are repealed:

- (a) By-law No. 84-2000 of the old Corporation of the Township of Osgoode entitled “Being a by-law respecting salvage yards, wrecking yards and dealers in secondhand goods”, as amended;
- (b) By-law No. 74-50 of the old Corporation of the Township of Goulbourn entitled “Being a by-law for licensing, regulating and governing salvage shops, salvage yards, second-hand goods shops and dealers in second-hand goods”, as amended;
- (c) By-law No. 65 of 2000 of the old Corporation of the Township of West Carleton entitled “Being a by-law to license, regulate and govern salvage shops, salvage yards, second-hand goods shops and dealers in second-hand goods, and for revoking any such license”, as amended.

(By-law 2005-325)

TRANSITION

54. (1) Subject to subsection (3), all licenses issued pursuant to the by-laws, or portions referred to in Sections 47 to 53 shall be deemed to be issued under this by-law and shall remain in full force and effect until the expiry date as set out in Section 16 and without limiting the generality of the foregoing,
- (a) the license period for auctioneer licenses issued pursuant to By-law Number L6-2000 of the old Corporation of the City of Ottawa is extended and the licenses remain in full force and effect until April 30, 2003,
 - (b) the license period for auctioneer licenses issued pursuant to By-law No. 170-2000 of the old Corporation of the City of Gloucester, By-law No. 76- 49 of the old Corporation of the Township of Goulbourn, By-law No. 139- 00 of the old Corporation of the City of Kanata, By-law No. 135-2000 of the old Corporation of the City of Nepean, and By-law No. 66 of 2000 of the Corporation of the Township of West Carleton is extended and the licenses remain in full force and effect until April 30, 2003,
 - (c) the license period for driving instructor and driving school operator licenses issued pursuant to By-law No. 170-2000 of the old Corporation of the City of Gloucester and By-law No. 29-00 of the

old Corporation of the City of Vanier is extended and the licenses remain in full force and effect until June 30, 2003, and

- (d) the license period for driving instructor and driving school operator licenses issued pursuant to By-law No. 135-2000 of the old Corporation of the City of Nepean and By-law Number L6-2000 of the old Corporation of the City of Ottawa is extended and the licenses remain in full force and effect until June 30, 2003,
- (e) the license period for public garage licenses and car wash licenses issued pursuant to By-law No. 170-2000 of the old Corporation of the City of Gloucester is extended and the licenses remain in full force and effect until April 30, 2003,
- (f) the license period for automotive service premise licences and outdoor vehicle or merchandise sales licenses issued pursuant to By-law No. 135-2000 of the old Corporation of the City of Nepean is extended and the licenses remain in full force and effect until April 30, 2003,
- (g) the license period for public garage licenses issued pursuant to By-law No. L6-2000 of the old Corporation of the City of Ottawa is extended and the licenses remain in full force and effect until April 30, 2003,
- (h) the license period for automotive services licenses issued pursuant to Bylaw No. 39-00 of the old Corporation of the City of Vanier is extended and remains in full force and effect until April 30, 2003,
- (i) the license period for public garage licences issued prior to April 30, 2002 pursuant to By-law No. 20-85 of the old Corporation of the City of Cumberland is extended and the licenses remain in full force and effect until April 30, 2003,
- (j) for those public garage licenses issued after April 30, 2002, pursuant to By-law No. 20-85 of the old Corporation of the City of Cumberland, the license shall expire on April 30, 2003,

((e)-(j) By-law 2002-19)

- (k) the license period for amusement arcade, billiards and place of amusement licenses issued pursuant to By-law No. 170-2000 of the old Corporation of the City of Gloucester is extended and the licenses remain in full force and effect until March 31, 2003,

- (l) the license period for amusement video arcade licenses issued pursuant to By-law No. 139-00 of the old Corporation of the City of Kanata is extended and the licenses remain in full force and effect until March 31, 2003,
- (m) the license period for amusement place licenses issued pursuant to By-law No. 135-00 of the old Corporation of the City of Nepean is extended and the licenses remain in full force and effect until March 31, 2003,
- (n) the license period for amusement place, billiard table, pool table, bowling alley, public hall and skateboard facility licenses issued pursuant to Bylaw Number L6-2000 of the old Corporation of the City of Ottawa is extended and the licenses remain in full force and effect until March 31, 2003,
- (o) the license period for place of entertainment licenses issued pursuant to By-law No. 39-00 of the old Corporation of the City of Vanier is extended and the licenses remain in full force and effect until March 31, 2003,
- (p) the license period for amusement place and billiard licenses issued after March 31, 2001 and prior to March 31, 2002 pursuant to By-law No. 20- 85 of the old Corporation of the City of Cumberland is extended and remain in full force and effect until March 31, 2003, and
- (q) the licenses for amusement place and billiards issued after March 31, 2002 pursuant to By-law 20-85 of the old Corporation of the City of Cumberland shall expire on March 31, 2003.

((k)-(q) By-law No. 2002-373)

- (r) the license period for food premises and meat vendor licenses issued pursuant to By-law No. 170 of 2000 of the old Corporation of the City of Gloucester is extended and the licenses remain in full force and effect until March 31, 2003,
- (s) the license period for food premises licenses issued pursuant to the provisions of By-law No. 135-2000 of the old Corporation of the City of Nepean is extended and the licenses remain in full force and effect until March 31, 2003,

- (t) the license period for food premises licenses issued pursuant to the provisions of By-law No. 29-00 of the old Corporation of the City of Vanier is extended and the licenses remain in full force and effect until March 31, 2003,
- (u) the license period in 2003 for renewals of food premises licenses for bakeshops pursuant to By-law Number L6-2000 in the old Corporation of the City of Ottawa shall be for the period July 1, 2003 to March 31, 2004 and the license fee shall be prorated to March 31, 2004,

(amended by By-law 2003-311)

- (v) the license period for bake shop and eating establishment licenses issued after March 31, 2001 and prior to March 31, 2002 pursuant to By-law No. 20-85 of the old Corporation of the City of Cumberland is extended and the licenses remain in full force and effect until March 31, 2003,
- (w) the license period for bake shop and eating establishment licenses issued after March 31, 2002 pursuant to By-law No. 20-85 of the old Corporation of the City of Cumberland shall expire on March 31, 2003.

((r)-(w) By-law No. 2002-443)

- (x) the license period for adult entertainment parlour licenses issued pursuant to By-law Number L6-2000 of the old Corporation of the City of Ottawa is extended and shall remain in full force and effect until January 31, 2005,
- (y) the license period for adult entertainment parlour licenses issued pursuant to By-law No. 170-2000 of the old Corporation of the City of Gloucester, By-law No. 135-2000 of the old Corporation of the City of Nepean, By-law No. 139-00 of the old Corporation of the City of Kanata and By-law No. 29-00 of the old Corporation of the City of Vanier are extended and shall remain in full force and effect until January 31, 2005,
- (z) the license period for adult entertainment parlour licenses issued pursuant to by-law No. 60-82 is extended and shall remain in full force and effect until January 31, 2005,

((x)-(z) By-law No. 2004-353)

- (aa) The license period for second-hand goods shops licenses issued pursuant to By-law Number 100 of 1998 of the old Corporation of the City of Gloucester, By-law No. 74-50 of the old Corporation of the Township of Goulbourn and By-law No. 65 of 2000 of the old Township of West Carleton are extended and the license remain in full force and effect until March 31, 2006.

(By-law 2005-324)

- (ab) the license period for salvage yard licenses issued pursuant to By-law Number L6-2000 of the old Corporation of the City of Ottawa is extended and the licenses remain in full force and effect until December 31, 2006.
- (ac) the license periods for new salvage yard licenses issued after December 31, 2004 and prior to March 31, 2005 and the license period for renewal of existing salvage yard licensed issued after Dec 31, 2004 and prior to December 31, 2005 pursuant to By-law No. 20-85 of the old Corporation of the City of Cumberland are extended and the licenses issued during that period remain in full force and effect until December 31, 2006.

((ab)-(ac) By-law No. 2005-325)

- (ad) the license period for Retail Exhibition Show licenses issued pursuant to By-law No. 170 of 2000 of the old Corporation of the City of Gloucester, where the license is issued for a specific period of time and the event extends into September, 2005, is extended and the licenses remain in full force and effect until the termination of the event for which license is issued,
- (ae) the license period for markets popularly referred to as Flea Market licenses issued pursuant to By-law No. 100-90 of the old Corporation of the Township of Goulbourn, where the license is issued for a specific period of time and the license period extends into September, 2005, is extended and the licenses remain in full force and effect until the termination of the event for which license is issued,
- (af) the license period for Exhibition licenses issued pursuant to By-law No. 139-00 of the old Corporation of the City of Kanata, where the license is issued for a specified period of time and the event

extends into September, 2005, is extended and the licenses remain in full force and effect until the termination of the event for which license is issued,

- (ag) the license period for Amusement Exhibition and Retail Exhibition licenses issued pursuant to By-law No. 135-2000 of the old Corporation of the City of Nepean, where the license is issued for a specific period of time and the event extends into September, 2005, is extended and the licenses remain in full force and effect until the termination of the event for which license is issued,
- (ah) the license period for Exhibition licenses issued pursuant to By-law Number L6-2000 of the old Corporation of the City of Ottawa, where the license is issued for a specific period of time and the event extends into September, 2005, is extended and the licenses remain in full force and effect until the termination of the event for which license is issued,
- (ai) the license period for Exhibition licenses issued pursuant to By-law No. 20-85 of the old Corporation of the City of Cumberland, where the license is issued for a specific period of time and the event extends into September, 2005, is extended and the licenses remain in full force and effect until the termination of the event for which license is issued,

((ad)-(ai) By-law 2005-356)

- (aj) the license period for adult entertainment store license issued pursuant to By-law Number L6-2000 of the old Corporation of the City of Ottawa is extended and the licenses remain in full force and effect until December 31, 2005.

(By-law 2005-414)

- (ak) the license period for body-rub parlours issued pursuant to By-law No. 29-00 of the old Corporation of the City of Vanier is extended and the licenses remain in full force and effect until March 31, 2006.

(By-law 2005-415)

- (al) The license period for "Salesman (Municipal Vendors)" issued pursuant to By-law No. 170-2000 of the old Corporation of the City

of Gloucester shall be extended and remain in full force and effect until May 14, 2008;

- (am) The license period for “Salesperson” issued pursuant to By-law No. 139-00 of the old Corporation of the City of Kanata shall be extended and remain in full force and effect until May 14, 2008;
- (an) The license period for “Salesperson” issued pursuant to By-law No. 132-2000 of the old Corporation of the City of Nepean shall be extended and remain in full force and effect until May 14, 2008;
- (ao) The license period for “Itinerant Sellers” issued pursuant to By-law L6-2000 of the old Corporation of the City of Ottawa shall be extended and remain in full force and effect until May 14, 2008;
- (ap) The license period for “Itinerant Salesperson” issued pursuant to By-law No. 29-00 of the old Corporation of the City of Vanier shall remain in full force and effect until May 14, 2008.

((al)-(ap) By-law 2008-95)

- (aq) The license period for “Refreshment Vehicles” issued pursuant to By-law No. 170-2000 of the old Corporation of the City of Gloucester shall be extended and remain in full force and effect until May 14, 2008.
- (ar) The license period for “Food Services Vehicles” issued pursuant to By-law No. 139-00 of the old Corporation of the City of Kanata shall be extended and remain in full force and effect until May 14, 2008.
- (as) The license period for “Food Services Vehicles” issued pursuant to By-law No. 132-2000 of the old Corporation of the City of Nepean shall be extended and remain in full force and effect until May 14, 2008.
- (at) The license period for “Refreshment Vehicles” issued pursuant to By-law L6-2000 of the old Corporation of the City of Ottawa shall be extended and remain in full force and effect until May 14, 2008.
- (au) The license period for “Owners and Operators of Mobile Canteens” issued pursuant to By-law No. 29-00 of the old Corporation of the City of Vanier shall remain in full force and effect until May 14, 2008.

((aq)-(au) By-law 2008-96)

- (av) The license period for “Rooming House” issued pursuant to By-law L6-2000 of the old Corporation of the City of Ottawa shall be extended and remain in full force and effect until April 30, 2009.

(By-law 2008-237)

- (av) The license period for annual “Salespersons” licenses issued pursuant to By-law No. 20-85 of the old Corporation of the City of Cumberland entitled “A By-law to provide for the licensing, regulating and governing certain trades, callings, businesses and occupations”, as amended, shall expire May 14, 2009.

(By-law 2009-151)

- (av) The license period for pet shop licenses issued pursuant to By-law No. 20-85 of the old Corporation of the City of Cumberland and to By-law No. 135-2000 of the old Corporation of the City of Nepean are extended and the licenses remain in full force and effect until December 31, 2011.

(By-law 2011-241)

unless for some other reason than the repeal of these by-laws they are forfeited or revoked.

- (2) The repeal of the by-laws, or portions referred to in Sections 46 to 52 and Section 53A and Section 53B and Section 53C shall not affect any offence committed against the provisions of the by-law or any penalty incurred in respect thereof or any investigative proceedings thereunder.

(By-law 2002-319; amended by By-laws 2005-324 and 2005-325)

- (3) A driving school operator whose license has been deemed to be issued under subsection (1) has until the 30th day of September, 2002 to comply with the insurance requirements in Schedule No. 2 and re-file proof of insurance.

EFFECTIVE DATE

EFFECTIVE DATE

55. (1) This by-law shall come into force and take effect on the 1st day of July, 2002.
- (2) Despite subsection (1), for the purposes of applying for an original license for auctioneer licenses for the license period of July 1, 2002 to April 30,

2003, the applicant may apply in June 2002 and the application may be processed as if this by-law was in effect.

- (3) Despite subsection (1), for the purposes of applying for an original license for driving instructor and driving school operator licenses for the license period of July 1, 2002 to June 30, 2003, the applicant may apply in June 2002 and the application may be processed as if this by-law was in effect.

SHORT TITLE

SHORT TITLE

56. This by-law may be referred to as the "Licensing By-law".

ENACTED AND PASSED this 8th day of May, 2002.

CITY CLERK

MAYOR

SCHEDULE "A"**Relating to Fees****(last amended by By-law No. 2024-24)**

TYPES OF APPLICATIONS	2024 FEES \$
Application processing fee for original license	58.00
Application processing fee for renewal of license	58.00
Late fee	58.00
Re-inspection fee for vehicles	55.00
Duplicate License Certificate	20.00

TYPES OF LICENSES	2024 LICENSE FEES \$	EXPIRY DATE
Adult Entertainment Parlour Owner	7,581.00	January 31
Adult Entertainment Parlour Operator	1,435.00	January 31
Adult Entertainment Store License "A"	735.00	December 31
Adult Entertainment Store License "B"	71.00	December 31
All Night Dance Event	332.00	Termination of the event
Amusement Places	203.00	March 31
Auctioneer License "A" (Annual)	495.00	April 30

TYPES OF LICENSES	2024 LICENSE FEES \$	EXPIRY DATE
Auctioneer License "B" (Per event)	167.00	Termination of the event
Body Rub Parlour	1,433.00	March 31
Driving School License "A" (Owner/Operator)	486.00	June 30
Driving School License "B" (Instructor)	175.00	June 30
Initial Driving School Vehicle Inspection	56.00	
Exhibitions License "A"	297.00 plus an additional \$56.00 per day after the 1 st day	Termination of license period
Exotic Animal Entertainment Event	297.00	Termination of the event
Exotic Animal Rescue and Education Establishments	150.00	December 31
Flea Market License "A" (Day)	297.00	Termination of the event
Flea Market License "C" (Annual)	2,179.00	December 31
Food Premises	221.00	March 31
Group Home (Old Nepean and Old Gloucester)	142.00	April 30
Group Home (Old Cumberland) New License	132.00	April 30

TYPES OF LICENSES	2024 LICENSE FEES \$	EXPIRY DATE
Group Home (Old Cumberland) Renewal	38.00	April 30
Itinerant Seller (Urban) License "A" Annual	562.00	May 14
Itinerant Seller (Urban) License "B" Six Months	355.00	May 14 or November 14
Itinerant Seller (Urban) License "C" Monthly	313.00	The 15 th of one month to the 14 th of the following month
Itinerant Seller (Urban) License "D" Special Event (1-21 days)	282.00	Termination of the event
Itinerant Seller (Urban) License "E" Special Event (1-4 days)	183.00	Termination of the event
Itinerant Seller (Urban) License "F" Sidewalk Annual	563.00	May 14
Itinerant Seller (Urban) License "G" Sidewalk Six-Months	355.00	May 14 or November 14
Itinerant Seller (Urban) License "H" Sidewalk Monthly	313.00	The 15 th of one month to the 14 th of the following month
Itinerant Seller (Urban) License "I" Canada Day	188.00	July 1
Itinerant Seller (Rural) License "A" (Annual)	396.00	May 14
Itinerant Seller (Rural) License "B" (8 months)	262.00	Last day of the 8 th consecutive month

TYPES OF LICENSES	2024 LICENSE FEES \$	EXPIRY DATE
Itinerant Seller (Urban) License "C" (Special event: 1-30 days)	131.00	Termination of the event
Boarding Kennel	121.00	April 30
In-Home Breeding Kennel	88.00	April 30
Recreational Kennel	88.00	April 30
Mobile Canteen (Urban) License "A" Annual	774.00	May 14
Mobile Canteen (Urban) License "B" Six Months	563.00	May 14 or November 14
Mobile Canteen (Urban) License "C" Monthly	279.00	From 15 th of one month to 14 th of the following month
Mobile Canteen (Urban) License "D" Special Event (1-21 Days)	246.00	Termination of the event
Mobile Canteen (Urban) License "E" Special event per day (1-4 Days)	203.00	Termination of the event
Mobile Refreshment Cart (Urban) License "A" Annual	628.00	May 14
Mobile Refreshment Cart (Urban) License "B" Six Months	419.00	May 14 or November 14
Mobile Refreshment Cart (Urban) License "C" Monthly	279.00	From 15 th of one month to 14 th of the following month
Mobile Refreshment Cart (Urban) License "D" Special event (1-21 days)	246.00	Termination of the event

TYPES OF LICENSES	2024 LICENSE FEES \$	EXPIRY DATE
Mobile Refreshment Cart (Urban) License "E" Special event per day (1-4 Days)	203.00	Termination of the event
Mobile Refreshment Cart (Urban) License "F" Sidewalk Annual	628.00	May 14
Mobile Refreshment Cart (Urban) License "G" Sidewalk Six-Months	419.00	May 14 or November 14
Mobile Refreshment Cart (Urban) License "H" Sidewalk Monthly	279.00	From 15 th of one month to 14 th of the following month
Mobile Refreshment Cart (Urban) License "I" Canada Day	188.00	July 1
Mobile Refreshment Vehicle (Urban) License "A" Annual	3,590.00	May 14
Mobile Refreshment Vehicle (Urban) License "B" Six Months	2,320.00	May 14 or November 14
Mobile Refreshment Vehicle (Urban) License "C" Monthly	355.00	From 15 th of one month to 14 th of the following month
Mobile Refreshment Vehicle (Urban) License "D" Special Event (1-21 Days)	282.00	Termination of the event
Mobile Refreshment Vehicle (Urban) License "E" Special Event per day (1-4 Days)	203.00	Termination of the event
Mobile Refreshment Vehicle (Urban) License "F" Roadway Annual	3,590.00	May 14

TYPES OF LICENSES	2024 LICENSE FEES \$	EXPIRY DATE
Mobile Refreshment Vehicle (Urban) License "G" Roadway Six months	2,320.00	May 14 or November 14
Mobile Refreshment Vehicle (Urban) License "H" Roadway Monthly	355.00	From 15 th of one month to 14 th of the following month
Mobile Refreshment Vehicle (Urban) License "I" Canada Day	187.00	July 1
Mobile Refreshment Vehicles (Rural) License "A" Annual	527.00	May 15
Mobile Refreshment Vehicles (Rural) License "B" 8 Months	330.00	Last day of the 8 th consecutive month
Mobile Refreshment Vehicles (Rural) License "C" Special event	131.00	Termination of the event
Payday Loan Establishment	586.00	September 30
Payday Loan Establishment Poster or Replacement	20.00	
Pet Shop	124.00	December 31
Private Parking Enforcement Agency	356.00	January 31
Public Garage	221.00	April 30
Refreshment Stand (Urban) License "A" Annual	842.00	May 14
Refreshment Stand (Urban) License "B" Six-Months	563.00	May 14 or November 14

TYPES OF LICENSES	2024 LICENSE FEES \$	EXPIRY DATE
Refreshment Stand (Urban) License "C" Monthly	279.00	From 15 th of one month to 14 th of the following month
Refreshment Stand (Urban) License "D" Special event (1-21 Days)	246.00	Termination of the event
Refreshment Stand (Urban) License "E" Special event per day (1-4 Days)	183.00	Termination of the event
Rickshaw owner	103.00	March 31
Rickshaw operator	54.00	March 31
Rooming House Owner (4-10 rooming units)	209.00	April 30
Rooming House Owner (11-20 rooming units)	278.00	April 30
Rooming House Owner (21-30 rooming units)	355.00	April 30
Rooming House Owner (31-40 rooming units)	419.00	April 30
Rooming House Owner (41-50 rooming units)	495.00	April 30
Rooming House Owner (51-60 rooming units)	563.00	April 30
Rooming House Owner (Over 60 rooming units)	593.00	April 30
Salvage Yards owner or operator	183.00	December 31

TYPES OF LICENSES	2024 LICENSE FEES \$	EXPIRY DATE
Second Hand Good Shops	183.00	March 31
Snow Plow Contractor	305.00	October 31
Each additional Snow Plow Contractor vehicle plate	38.00	October 31
Temporary Sign Lessor	435.00	December 31
Tobacco Vendors	930.00	November 30
Tow Service Operator	1,333.00	January 31
Tow Truck in Fleet	564.00 per vehicle	January 31
Tow Truck Driver	461.00	January 31
Replacement Tow Service Plate	30.00	January 31
Replacement Plate Renewal Sticker	20.00	January 31
Vehicle Storage Facility Operator	1,333.00	January 31

SCHEDULE NO. 1
Relating to Auctioneers

LICENSE REQUIRED

1. (1) A person selling, or putting up for sale, goods, wares, merchandise or effects or livestock by public auction shall obtain a license so to do.
- (2) The following licenses may be issued:
 - (a) a License "A" to an auctioneer for a license period of one (1) year, and
 - (b) a License "B" to an auctioneer for a specific license period based on the number of days of the public auction.

CONDITIONS FOR ISSUANCE OF AUCTIONEER'S LICENSE

2. No applicant for an Auctioneer's License shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age
(amended by By-law 2023-516)
 - (b) **(repealed by By-law 2003-311)**

REGULATIONS

3. No auctioneer shall conduct or permit to be conducted in his or her premises any mock auction, or knowingly or willingly permit to be made any misrepresentations as to the quality, or value of any goods, wares, merchandise or effects which may be offered for sale by him or her.
- 3A. No auctioneer shall conduct an auction in a place, building, structure or tent that is not in compliance with the zoning, building and property standards requirements of the City.
(By-law 2003-311)
4. Every person who exercises the business of an auctioneer shall at the place of each auction, prominently display his or her name and business address, and shall in all public advertisements of any nature used in the course of the business include his or her name and business address in such advertisement.

5. No auctioneer shall,
- (a) do any act that is calculated to or which may reasonably have the effects of confusing a purchaser as to the amount he or she pays for any article or articles,
 - (b) avail himself or herself of the services of or act in concert with persons known in the trade as "beaters", "boosters" or "shills" for the purpose of raising or stimulating bids,
 - (c) sell or put up for sale by auction any goods, wares, merchandise or effects on a reserve bid basis without first having announced clearly to those in attendance at the auction the fact of such reserve bid, or
 - (d) advertise for sale prior to the auction any goods or merchandise which are not available for sale at the time, date and place of the auction.
6. Every licensee shall ensure that all stationery, forms, bills, invoices, statements and any other printed or written advertising material including any published advertisement in a newspaper used in the course of business, bears his or her name, and business address.

TRANSACTION RECORDS

7. (1) Every auctioneer shall keep proper books of account of the business transacted by him or her as an auctioneer, which books shall include:
- (a) the names and addresses of the owners of the goods, wares or merchandise to be sold, and the description of same,
 - (b) the price for which the same may be sold,
 - (c) the names and addresses of the persons purchasing such goods, wares and merchandise, or any portion thereof.
- (2) Every auctioneer shall forthwith, after the sale of the goods, wares or merchandise, or any portion thereof, account for the proceeds and pay the same to the person or persons entitled to such proceeds, less his or her legal commissions and charges; and shall in case no sale is made of such goods, on payment of his or her proper costs and charges, return such goods to the person or persons entitled to receive the same on property demand being made therefore, provided that this section shall not in any way affect or invalidate the claim of any auctioneer for goods warehoused with him or her, and on which he or she shall have made advances.

TRANSFERS

8. An auctioneer's license shall not be transferable except where the license is held by a partnership or duly incorporated company, for and on behalf of an individual, and it is deemed necessary by such partnership or company to dispense with the services of the individual in question and to nominate some other person in his or her place and stead, in accordance with the provisions of Section 20 of the general provisions.

EXEMPTIONS

9. This by-law does not apply to a sheriff or bailiff offering for sale goods or chattels seized under an execution or distrained for rent.

10. This by-law does not apply to a person licensed to engage in the business of operating community sales of livestock under the Livestock and Community Sales Act R.S.O. 1990, Chap. L.22.

SCHEDULE NO. 2

Relating to Driving School Operators and Driving Instructors

LICENSES REQUIRED

1. The following types of licenses may be issued:
 - (a) License "A" to a Driving School Operator,
 - (b) License "B" to a Driving Instructor.

CONDITIONS FOR ISSUANCE OF A DRIVING SCHOOL OPERATOR'S LICENSE

2. (1) No applicant for a Driving School Operator's License "A" shall be issued a license unless:
 - (a) the applicant is engaged in the business of a driving school operator,
 - (b) the applicant is at least eighteen (18) years of age,
 - (c) the premises from which it is proposed to carry on the business,
 - (i) are located in Ontario, and
 - (ii) comply with the zoning, building and property standards requirements of the City if situated within the City,
 - (d) the applicant has filed proof of insurance for each of the motor vehicles to be used in the business in accordance with the requirements of Section 9 hereof,
 - (e) the applicant has filed a declaration stating the make, model serial number and Ontario registration permit number issued pursuant to the Highway Traffic Act for each of the motor vehicles to be used in the business,
 - (f) the applicant has filed a safety standards certificate for each of the motor vehicles to be used in the business, except in the case of a new motor vehicle obtained directly from a motor vehicle agency within six (6) months from the effective date of the motor vehicle registration,
 - (g) the motor vehicles to be used in the business have been inspected by the Chief License Inspector and comply with Section 7 hereof, and the applicant has paid the inspection fee, as applicable,
 - (h) the applicant has filed a declaration stating the name and address of each driving instructor who is teaching in the business,

- (i) each driving instructor listed in the declaration referred to in paragraph (h) holds a valid Driving Instructor's License "B" of the City, and
- (j) the Chief of Police has reported in writing as to the good character of the applicant.

CONDITIONS FOR ISSUANCE OF A DRIVER INSTRUCTOR'S LICENSE

- (2) No applicant for a Driving Instructor's License "B" shall be issued a license unless:
 - (a) the applicant is the holder of a current driving instructor's license issued pursuant to the Highway Traffic Act, and
 - (b) the Chief of Police has reported in writing as to the good character of the applicant.

GENERAL CONDITIONS FOR ISSUANCE OF A LICENSE

- 3. Upon application in accordance with the provisions of this by-law, a person may be the holder of a License "A" and a License "B".
- 4. A separate driving school operator's license shall be obtained for each separate business address.

ISSUANCE OF LICENSE

- 5. Upon issuance of a Driving School Operator's License "A", the Chief License Inspector shall furnish to the licensee, in addition to the license, one (1) decal bearing the letter "D" for each of the motor vehicles to be used in the business, except where a decal has already been furnished for any of the said motor vehicles.

DISPLAY OF DECAL

- 6. Every licensed driving school operator shall ensure that the decal furnished pursuant to Section 5 is properly affixed to the upper right corner of the rear window of the driving instruction motor vehicle for which it has been issued within twenty-four (24) hours of it being furnished by the Chief License Inspector so as to be clearly visible from outside of the vehicle during the currency of the license.

(amended by By-laws 2003-311 & 2004-491)

VEHICLE STANDARDS

- 7. Every driving school operator shall ensure that every motor vehicle used in his or her business is:

- (a) equipped with a dual control braking system in good working order placed in a position for ready use by the instructor seated beside the student driver,
- (b) maintained in good repair so that it is mechanically safe,
- (c) maintained so that it does not have body damage with sharp edges, holes in floorboards, unserviceable tires, doors not closing properly, wire protruding from the seat, or any other mechanical defect that would render the motor vehicle unsafe,
- (d) ensure that the motor vehicle is maintained,
 - (i) in a clean condition as to its exterior, and
 - (ii) in a clean and dry condition as to its interior,
- (e) ensure that the interior of the motor vehicle is free of articles left by passengers,
- (f) equipped with snow tires or all-season radial tires from November 1 to March 31, and
- (g) equipped with a plastic roof sign that shall,
 - (i) have the name of the driving school on the front and back of the sign,
 - (ii) be at least twenty (20) centimetres high by sixty-five (65) centimetres wide,
 - (iii) be lighted, and
 - (iv) be securely affixed to the roof of the motor vehicle, except that the roof sign may be removed when the vehicle is not being used for the purposes of driving instruction in his or her business.

8. No driving instructor shall use a motor vehicle that does not comply with Section 7 for teaching a person to operate a motor vehicle.

INSURANCE

9. Every driving school operator shall file with the Chief License Inspector proof of insurance for motor vehicle liability, endorsed to include Ontario Policy Change Form (OPCF) 6D for "Driver Training School" operations, in the amount of not less than Two Million (\$2,000,000.00) Dollars inclusive per occurrence for bodily injuries, property damage and accident benefits, and including damage occasioned by any accident

arising out of the operation of any motor vehicle to be used in the business in respect of which a license is applied for; such insurance policy shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of cancellation or of a material change that would diminish coverage.

GENERAL REGULATIONS

10. No driving school operator shall permit or allow any motor vehicle to be used in his or her business that is not listed in the declaration filed with the Chief License Inspector pursuant to paragraph (e) of subsection (1) of Section 2 hereof or added to the declaration pursuant to Section 12 hereof.

11. No driving instructor shall use any motor vehicle that is not listed in the declaration filed by the driving school operator with whom he or she is affiliated pursuant to paragraph (e) of subsection (1) of Section 2 hereof or added to the declaration pursuant to Section 12 hereof for teaching a person to operate a motor vehicle.

12. (1) Where a licensed driving school operator requests to add a motor vehicle to the declaration filed pursuant to paragraph (e) of subsection (1) of Section 2 hereof, the motor vehicle shall first be inspected by the Chief License Inspector and shall comply with Section 7 hereof, and the operator shall pay the inspection fee, as applicable.

(2) Where a motor vehicle has been inspected by the Chief License Inspector and found to comply with Section 7 hereof pursuant to subsection (1), the Chief License Inspector shall furnish one (1) decal for the motor vehicle to be affixed to the motor vehicle in the manner prescribed by Section 6 hereof.

(amended by By-law 2004-491)

13. No licensee shall take a license decal from one vehicle and affix it to another vehicle that is not approved for licensing purposes.

14. No driving school operator shall permit or allow any person other than a driving instructor licensed pursuant to this by-law to do any driving instruction in the City

15. Every driving school operator shall advise the Chief License Inspector of all changes in his or her staff or affiliates of licensed instructors within seven (7) days of the occurrence of such change.

16. No licensee shall instruct or cause instruction to be given to any student driver unless the student driver is the holder of a valid driver's license or temporary instruction permit issued pursuant to the said Highway Traffic Act.

17. A student driver may request that he or she be accompanied by one (1) person other than the driving school instructor and the driving school instructor shall ensure that the request is complied with and the other person shall be seated in the back seat of the motor vehicle.

TRANSFER OF LICENSE

18. No driving school instructor's license shall be transferable.

EXEMPTION

19. This Schedule does not apply to persons who own or operate a private vocational school that offers training in the operation of transport trucks and their driving instructors.

PROHIBITED AREAS

(Sections 20 & 21 added by By-law 2007-120; amended by By-law 2011-73 & By-law 2022-269)

20. No licensee shall offer or provide or permit the offering or provision of driving instruction within the areas:

- (a) bounded on the south by the north side of Montreal Road, on the east by the west side of Shefford Road, on the north by the Rockcliffe Parkway and on the west by the east side of Blair Road more particularly described in Appendix "A" and hereinafter referred to as "Area A"; or,
- (b) bounded on the south by the north side of Kitchener Avenue, on the east by the west side of Albion Road, on the north by the south side of Walkley Road and on the west by the east side of Bank Street more particularly described in Appendix "B" and hereinafter referred to as "Area B".
- (c) bounded on the south by the south side of Erin Crescent, on the east by the west side of Uplands Drive, on the north by the north side of Bennett Street more particularly described in Appendix "C" and hereinafter referred to as "Area C".

(By-law 2022-269)

21. Section 20 shall not apply to:

- (a) a licensee engaged in picking up or dropping off a student driver in Area A or Area B or Area C; and,

(amended by By-law 2022-269)

- (b) an official of the Ministry of Transportation when conducting the driving exam in a driving school vehicle.

(Appendices A, B, and C to Schedule 2 available upon request)

SCHEDULE NO. 3
Relating to Public Garages
(added by By-law 2002-319)

LICENSE REQUIRED

1. A separate license shall be obtained in respect of each premises to be operated pursuant to this by-law.

(amended by By-law 2003-311)

2. Every person required to obtain a license shall indicate on the license application whether an automotive sales or leasing establishment, an automotive service station, a car washing establishment, a gas station, a motor vehicle repair or body shop or a parking lot are operating on the premise.

CONDITIONS FOR ISSUANCE OF A PUBLIC GARAGE LICENSE

3. No applicant for a Public Garage license shall be issued a license unless:

- (a) the applicant is at least eighteen (18) years of age,
- (b) the public garage complies with the zoning, building, sewer and property standards requirements of the City,
- (c) the Fire Chief has reported in writing that the premises are suitable for the purpose of a public garage and comply with the fire regulations,
- (d) in the case of an automotive service center, a car washing establishment or a motor vehicle repair or body shop, a certificate of approval issued pursuant to the Environmental Protection Act is provided in respect of any plant, structure, equipment, apparatus or mechanism to be used in the operation of such an establishment where the obtaining of such a certificate is required by the provisions of the Act, and
- (e) the applicant has paid the fees set out in Schedule "A" of this by-law.

(amended by By-law 2003-311 and By-law 2023-516)

3A. Despite Section 3, the Chief License Inspector may waive any or all of the requirements listed in paragraphs (b), (c) or (d) of Section 3 where the Chief License Inspector determines that any or all of the requirements of these paragraphs do not apply.

(By-law 2003-311)

INSURANCE

4. Every licensee shall file with the Chief License Inspector proof of insurance of Comprehensive/General Liability insurance coverage subject to a limit of not less than One Million dollars (\$1,000,000.00) per occurrence for bodily injury, death and damage to property arising out of the operation of the public garage.

LICENSE EXPIRY DATE

5. Every public garage license shall expire on April 30 of each year.

GENERAL REGULATIONS

6. Every licensee shall post the license in a prominent location on the licensed premises so as to be clearly visible to the public.

7. No person licensed under this schedule shall use or permit the land of the public garage to be used, except in an enclosed building, for:

- (a) the purpose of storing motor vehicles which are in a state of disrepair for a period in excess of 30 days, except where he or she is required to retain the motor vehicle for a longer period by law, or
- (b) vulcanizing tires or tubes.

8. No licensee shall permit the engine of a motor vehicle in any building to run, whether on a frame or in a motor vehicle while stationary, unless adequate ventilation is provided to ensure dilution of any carbon monoxide fumes.

9. No licensee shall store, permit to be stored, park or permit to be stored or parked at the public garage any trailer used for human habitation while so stored or parked;

10. No licensee shall permit lighting at the public garage;

- (a) to reflect on to residential property,
- (b) to interfere or distract the driver of a motor vehicle on a street, or
- (c) to appear to be the headlamps of an oncoming vehicle.

11. Every licensee shall, where snow storage is not prohibited, restrict the height of snow within the perimeter of the premises to a maximum height of three (3) metres save and except in an area which is within eight (8) metres of the street allowance in which case the height of the snow shall not exceed one (1) metre;

12. No licensee shall permit snow or ice originating from the licensed premises to be deposited on any abutting street or sidewalk;

13. Every licensee shall keep the premises in a clean and neat condition, free from debris, snow, ice, dirt rubbish or other foreign substances derived from the licensed premises or resulting from the use of the licensed premises;

14. Every licensee shall ensure that the outdoor storage of material or waste be properly screened so as to not likely disturb the neighbourhood.

15. Every licensee shall ensure that grease, fuel or other fuels derived from the operation of the licensed premises are not permitted to drain into storm sewer catch basin.

16. No licensee shall permit any portable sign to be located on the premises without a license to do so issued by the City;

(amended by By-law No. 2003-311 and By-law No. 2023-516)

17. No licensee shall permit any refreshment vehicle to be stored or parked on the licensed premises for the purpose of serving refreshment therefrom, unless the owner or operator of the refreshment vehicle has complied with all applicable by-laws of the City.

18. Every licensee shall ensure that any sidewalk or road allowance upon which the premises abut remain free and clear from all dirt and other foreign substance resulting from the use or occupation of the premises.

ADDITIONAL REQUIREMENTS FOR A PARKING LOT

19. Every licensee of a parking lot shall:

- (a) report to the Police Service, of any motor vehicle, which he or she may have reason to suspect is either stolen or abandoned,
- (b) display, in a conspicuous place at or upon the premises, a sign or signs of a design which is not misleading, and bearing,
 - (i) in letters and figures of uniform size, but not less than 6 cm in height, the various rates or charges for parking or storing of vehicles and the amount of any deposit required on entering the lot, and
 - (ii) in readily legible letters, the hours during which the premises are open for business, the business name, address and phone number;

- (c) ensure that the sign is placed at every entrance so that it is visible to any person driving a motor vehicle prior to entering the lot with the motor vehicle,
- (d) except in the case of a metered or automatically controlled parking station or parking lot, ensure that a competent attendant is on duty at all times during the business hours indicated on the sign hereinbefore mentioned, and
- (e) when no parking spaces are available, ensure that a suitable sign is prominently displayed at each entrance announcing that fact.

(amended by By-law 2003-311)

EXEMPTION

20. (1) This by-law shall not apply to a parking lot operated by a charitable organization provided that all compensation received from the parking lot is intended to go to the charitable organization and the charitable organization has a Revenue Canada number.

(By-law 2006-81)

- (2) This by-law shall not apply to a parking lot operated by a not-for-profit organization provided that all compensation received from the parking lot goes to the not-for-profit organization and the not-for-profit organization is operated solely for the cultural or religious goals, civic improvement, recreation, amateur sport or similar community enhancement initiatives.

(By-law 2006-81)

~~REQUIREMENTS FOR THE STORAGE OF TOWED VEHICLES~~

- ~~21. (1) No licensee shall demand, request, or receive a drop fee from a tow service operator or tow truck driver as part of their public garage service.~~
- ~~(2) Every licensee shall allow the owner of a motor vehicle or a person authorized to act on their behalf access to the towed vehicle during regular business hours for the purpose of removing any personal property it contains at no additional cost or fee.~~
- ~~(3) Every licensee that charges for the storage of a motor vehicle shall:~~
- ~~(a) file a schedule of rates for such storage with the Chief License Inspector;~~

- ~~(b) provide a copy of the schedule of rates filed under this Section to the owner of a motor vehicle or a person authorized to act on their behalf upon request; and~~
- ~~(c) obtain written authorization from the owner of the motor vehicle or a person authorized to act on their behalf before providing or charging for such vehicle storage.~~
- ~~(4) No licensee that charges for the storage of a motor vehicle shall:
 - ~~(a) change the schedule of rates filed under this Section unless the licensee gives 15 days written notice of such changes to the Chief License Inspector;~~
 - ~~(b) demand, request or accept payment for the storage of a motor vehicle other than in accordance with the schedule of rates filed under this Section; and~~
 - ~~(c) charge more than the amount of sixty dollars (\$60) per day for the storage of a motor vehicle.~~~~

(By-law 2021-316; to be repealed by By-law 2024-XX)

SCHEDULE NO. 4**Relating to Snow Plow Contractors**

(added by By-law 2002-320; repealed and replaced by By-law 2023-516)

LICENSE REQUIRED

1. Every snow plow contractor shall obtain a snow plow contractor's license.

EXEMPTIONS

2. This schedule does not apply to :
 - (a) persons engaged in the business of clearing snow with a hand-held snow shovel or with manually pushed snow-blowing equipment, and
 - (b) bona fide farmers whose primary business is not as a snow plow contractor while engaged in clearing snow within their community.

CONDITIONS FOR ISSUANCE OR RENEWAL OF A SNOW PLOW CONTRACTOR LICENSE

3. No snow plow contractor's license shall be issued or renewed unless the applicant:
 - (a) is at least eighteen (18) years of age,
 - (b) has provided an address within the National Capital Region accessible from the street to which the public has reasonable access to make inquiries in person about the business,
 - (c) has filed proof of insurance for each snow plow to be used in the business in accordance with the requirements of Sections 5 and 6,
 - (d) has registered each snow plow used in the business by filing a list indicating for each snow plow, the make, model, year and the Motor Vehicle Plate Number or, where a Motor Vehicle Plate is not issued pursuant to the Highway Traffic Act (Ontario), the Vehicle Identification Number, and
 - (e) has filed proof of good repair for each snow plow used in the business.

ISSUANCE OF LICENSE

4. Upon issuance of a snow plow contractor's license, the Chief License Inspector shall: furnish one (1) plate bearing an identifying number for each of the snow plows listed in clause 3(d).

INSURANCE

5. With respect to every vehicle required to be licensed under the Highway Traffic Act (Ontario), every snow plow contractor shall file proof of Motor Vehicle Liability insurance coverage subject to a limit of not less than One Million Dollars (\$1,000,000.00); such insurance coverage shall be inclusive per occurrence for bodily injury, death, accident benefits and including damage to property occasioned by any accident arising out of the plowing operation of any licensed motor vehicle to be used in the business in respect of which a license is applied for.

6. With respect to vehicles and equipment not required to be licensed under the Highway Traffic Act (Ontario), every snow plow contractor shall file proof of Comprehensive/Commercial General Liability insurance coverage subject to a limit of not less than One Million Dollars (\$1,000,000.00); such insurance coverage shall be inclusive per occurrence for bodily injury, death, accident benefits and including damage to property occasioned by any accident arising out of the plowing operation of any unlicensed vehicle and equipment to be used in the business in respect of which a license is applied for.

SIGNAGE STANDARDS

7. Every snow plow shall have attached to or painted on both sides a sign clearly showing the name and telephone number of the business in letters and figures not less than eight centimetres (8 cm) in height.

PRODUCTION OF LICENSE

8. Every snow plow operator shall surrender his or her driver's license issued under the Highway Traffic Act (Ontario) or under the law of another jurisdiction and permit for the vehicle issued under the Highway Traffic Act (Ontario) or under the law of another jurisdiction for inspection when requested by any license inspector, municipal law enforcement officer or police officer.

REGISTRATION OF SNOW PLOWS

9. (1) Every licensee may register additional snow plows or remove a snow plow from the register referred to in clause 3(d) by complying with the

requirements set out in clauses 3(c), 3(d) and 3(e) for issuance or renewal.

- (2) Every licensee shall ensure that every snow plow used in the business is registered with the Chief License Inspector pursuant to clause 3(d) or subsection 9(1).
- (3) The Chief License Inspector shall furnish one (1) plate for each of the snow plows added to the register pursuant to subsection 9(1).
- (4) Every licensee who removes a snow plow from the register pursuant to subsection 9(1) shall return the plate furnished by the Chief License Inspector.

TRANSACTION RECORDS

10. (1) Every licensee shall ensure that a record is made in a ledger book with the entries transcribed in ink in a clear and legible manner, or in a recording system approved by the Chief License Inspector, indicating:
 - (a) the municipal address of every site for which a snow plowing or snow removal contract has been entered into,
 - (b) the name and address of the person who entered into the snow plowing or snow removal contract referred to in clause 10(1)(a),
 - (c) the day, month, year and time of every snow plowing or snow removal activity,
 - (d) the snow plow operator performing the snow plowing or snow removal activity, and
 - (e) the plate number of the snow plow used in performing the snow plowing or snow removal activity.
- (2) Every licensee shall ensure that the records referred to in subsection 10(1) are retained for a period of ninety (90) days.
- (3) Every licensee shall ensure that, when requested by the Chief License Inspector at any time during business hours, the records referred to in subsection 10 (1) are produced for inspection and that the Chief License Inspector is permitted to remove any transaction record from the premises for the purpose of photocopying or for use in any court or other proceedings.

GENERAL REGULATIONS

11. No licensee shall permit or allow any snow plow that is not registered with the Chief License Inspector to be used in his or her business.

12. No licensee shall use any snow plow that is not registered with the Chief License Inspector in the snow plow contractor's business.

13. Every licensee shall ensure that the plate furnished pursuant to Section 4 or clause 9(3) is securely attached to the rear of the snow plow so as to be clearly visible to the public during the currency of the license.

(amended by By-laws 2003-311 & 2004-491)

14. Every licensee shall ensure that:

- (a) the information on the sign referred to in Section 7 is clearly visible to the public at all times, and
- (b) the information on the plate referred to in Section 4 or subsection 9(3) is clearly visible to the public at all times.

(amended by By-laws 2003-311 & 2004-491)

15. (1) No licensee shall throw, push, plow, dump or otherwise deposit snow or ice on a street.

(2) Every licensee shall ensure that his or her snow plow operator does not throw, push, dump or otherwise deposit snow or ice on a street.

16. Every licensee shall return the plate furnished by the Chief License Inspector for each snow plow that is no longer in service or used in the licensee's business.

CONDITIONS FOR INSTALLATION OF DRIVEWAY MARKERS

17. No snow plow contractor shall place or permit to be placed a snow plow driveway marker on a property unless the following requirements are met:

- (a) Placement of snow plow driveway markers shall occur no earlier than October 20 and removal shall occur no later than April 30.
- (b) Snow plow driveway markers shall not be placed between a sidewalk and the travelled portion of the street.
- (c) Snow plow driveway markers including parts used to support snow plow driveway markers shall not be composed of materials other

than (i) wood; (ii) plastic; (iii) fiberglass, or (iv) a combination of the above materials.

- (d) Where there is a sidewalk, snow plow driveway markers shall be placed a minimum of 0.61 metres (2 feet) from the sidewalk.
- (e) Where there is no sidewalk, snow plow driveway markers shall be placed a minimum of 1.22 metres (4 feet) from the travelled portion of the street.
- (f) The maximum height of a snow plow driveway marker shall not exceed 1.22 metres (4 feet) when measured from the ground.
- (g) The maximum width of a snow plow driveway marker shall not exceed 10.1 centimetres (4 inches).
- (h) Subject to subsection (j), a maximum of two snow plow driveway markers are permitted on a driveway with one on either side of the driveway.
- (i) Subject to subsection (j), snow plow driveway markers shall contain no advertising or other information save and except for the logo and/or telephone number of a snow plow contractor.
- (j) Despite subsections (h) and (i), two additional snow plow driveway markers are permitted on private property provided that the two additional snow plow driveway markers do not contain any advertising or other information, including the logo or phone number of snow plow contractor.

SCHEDULE NO. 5
Relating to Amusement Places
(added by By-law 2002-373)

LICENSE REQUIRED

1. A separate license shall be obtained in respect of each premises operating as an amusement place.
2. No person shall own or operate an amusement place without first obtaining an amusement place license.

CONDITIONS FOR ISSUANCE OF AN AMUSEMENT PLACE LICENSE

3. No applicant for an amusement place license shall be issued a license unless:
 - (a) the applicant is eighteen (18) years of age or older,

(amended by By-law 2004-491)
 - (b) the applicant is the owner of the premises or provides a copy of the rental agreement for use of the premises,
 - (c) the Fire Chief has reported, in writing, that the premises complies with fire regulations,
 - (d) the Medical Officer of Health has reported, in writing, that the premises in connection with which the license is sought is suitable for the purpose of an amusement place,
 - (e) the Chief of Police has reported, in writing, as to the good character of the applicant,
 - (f) the premises from which it is proposed to carry on the amusement place complies with the zoning, building and property standards requirements of the City,
 - (g) the applicant has obtained insurance in accordance with Section 4 of this Schedule,
 - (h) the applicant has indicated on the application the type of amusement place and the number of devices, tables or alleys to be provided on the premises, and
 - (i) the applicant has paid the fees set out in Schedule "A" of this by-law.

3A. Despite Section 3, the Chief License Inspector may waive any or all of the requirements listed in paragraphs (b), (c), (d) or (e) of Section 3 where the Chief License Inspector determines that any or all of the requirements of these paragraphs do not apply.

(By-law No. 2003-311)

INSURANCE

4. (1) Prior to the issuance of the license, the licensee shall file with the Chief License Inspector proof of insurance of Commercial General Liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property.
- (2) If applicable to the licensed activity, such insurance shall be endorsed to include Liquor Licence Act Liability or Host Liquor Liability insurance.

GENERAL REGULATIONS

5. Every licensee shall post the license in a prominent location on the licensed premises so as to be clearly visible to the public.
6. No licensee shall permit an all night dance event to take place in the premises unless the promoter of the all night dance event has obtained an all night dance event license.
7. Every licensee shall ensure that:
- (a) orderly conduct is maintained in the amusement place,
 - (b) the operation of the amusement place is conducted in a manner that is not in any way adverse to the public interest,
 - (c) the licensed premises is kept free of any fire or other hazard,
 - (d) the washroom facilities in the licensed premises are kept in a proper sanitary condition to the satisfaction of the Medical Officer of Health, and
 - (e) the licensed premises are supervised directly during all hours of operation by an attendant who is eighteen (18) years of age or older.

LICENSE EXPIRY DATE

8. Every place of amusement license shall expire on March 31 of each year.

TRANSFERS

9. No amusement place license shall be transferable.

SCHEDULE NO. 6
Relating to All Night Dance Events
(added by By-law 2002-374)

LICENSE REQUIRED

1. A separate license shall be obtained for each all night dance event.

LICENSE EXPIRY

2. Every all night dance event license is valid only for the date and time of the all night dance event indicated on the license application.

CONDITIONS FOR ISSUANCE OF AN ALL NIGHT DANCE EVENT LICENSE

3. No applicant for an all night dance event license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age,
 - (b) the applicant is the promoter of the event,
 - (c) the applicant submits a detailed plan of the event that includes the information outlined in Appendix "A" at least 28 days before the all night dance event is scheduled to occur,
 - (d) the Fire Chief has reported in writing that the premises complies with all applicable fire regulations,
 - (e) the Chief Medical Officer of Health has reported in writing that the premises complies with all applicable public health regulations and that there are no objections to the detailed plan,
 - (f) the Chief of Police has reported in writing as to the good character of the applicant and that there are no objections to the detailed plan,
 - (g) the premises from which it is proposed to carry on the late night dance event complies with the zoning, building and property standards requirements of the City,
 - (h) the applicant has agreed to obtain insurance and provide an indemnification as required by Section 10 of this Schedule, and

(amended by By-law 2004-491)
 - (i) the applicant has paid the fees outlined in Schedule "A" of this by-law.

4. If the applicant is not the owner of the premises, he or she shall provide written evidence to the satisfaction of the Chief License Inspector that the owner of the premises is aware of and agrees with the use of the premises for the all night dance event.

GENERAL REGULATIONS

5. Every licensee shall post the license in a prominent location on the licensed premises so as to be clearly visible to the public.

6. No person shall hold an all night dance event in a building or place without first obtaining a license to do so.

7. Despite Section 6, no person shall hold an all night dance event in a building that is not licensed as an amusement place.

8. Every licensee shall:

(a) ensure that patrons of the all night dance event comply with the applicable noise by-laws,

(b) ensure that food preparation on the premises complies with Ontario Regulation 493/17 of the Health Protection and Promotion Act R.S.O. 1990, Chap. H7, as amended or any successor thereto,

(amended by By-law No. 2023-516)

(c) keep the licensed premises free from any fire or other hazard,

(d) ensure that the capacity of the room is not exceeded,

(e) ensure that the number of tickets sold for the all night dance event does not exceed the capacity of the premises and the number of tickets indicated in the application form,

(f) ensure that tickets for the all night dance event clearly indicate that the event is:

(i) restricted to people 16 years of age or older if alcohol is not served, or

(ii) restricted to people 19 years of age or older if alcohol is served,

(g) ensure that the all night dance event complies with the Smoking and Vaping By-law,

(amended by By-law No. 2023-516)

- (h) ensure that no person under 16 years of age is allowed entry,
- (i) ensure that all exits are free and remain free of any obstruction,
- (j) ensure that all washroom facilities are maintained and operational,
- (k) ensure that free, cold, potable water under suitable pressure is available at all times to all sinks and sanitary devices in the premises,
- (l) ensure that patrons have access at all times to all sinks and sanitary devices in the premises,
- (m) ensure that all security and medical personnel are easily identifiable,
- (n) upon being so ordered by Police, Fire or Health, immediately terminate the event if there is non-compliance with any applicable regulations,
- (o) ensure that all security personnel can communicate directly with the licensee at all times during the all night dance event, and
- (p) ensure that the premises is kept suitably illuminated and ventilated in accordance with the detailed plan.

9. No person shall sell tickets to or advertise an all night dance event unless an all night dance event license has been issued.

INSURANCE

10. (1) Prior to the issuance of the license, the licensee shall file with the Chief License Inspector proof of insurance of Commercial General Liability or Special Events Liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property.
- (2) If applicable to the licensed activity, such insurance shall be endorsed to include Liquor Licence Act Liability or Host Liability insurance.
- (3) The applicant shall indemnify and save harmless the City of Ottawa from any and all claims, demands, causes of action, losses, costs or damages that the City of Ottawa may suffer, incur or be liable for, resulting from the performance of the applicant as set out in the by-law whether with or without negligence on the part of the licensee, the licensee's employees, directors and agents.

(added by By-law 2004-491)

TRANSFERS

11. No all night dance event license shall be transferable.

APPENDIX "A"**INFORMATION TO BE INCLUDED IN THE DETAILED PLAN FOR AN ALL NIGHT DANCE EVENT LICENSE**

1. Date of the all night dance event (the "event").
2. Location of the event.
3. The name, address and phone number of the promoter.
4. The name, address and phone number of the registered owner of the premises.
5. If the promoter or registered owner is a corporate entity, the names, addresses and phone numbers of the directors.
6. Times of commencement and termination of the event.
7. Number of tickets to be issued for the event.
8. Capacity of the premises.
9. Expected attendance at the event.
10. A plan indicating the location and particulars of the entrances, exits, washrooms, lighting, ventilation and sound systems, DJ booth, stage and room dividers.
11. A first aid logistical plan including:
 - (a) the number of medical personnel on hand during the event,
 - (b) the type of medical equipment available during the event,
 - (c) provision of a cooling down space where patrons can rest from dancing, lights, heat and music, and
 - (d) the certification held by the medical personnel.
12. A security plan including:
 - (a) the name and address of the security firm hired for the event,
 - (b) the number of security personnel to be on duty during the event,
 - (c) the certification of the security personnel, and
 - (d) the methods of communication to be used between the security personnel and the promoter before, during and after the event.

13. If pyrotechnics are to be used at the event, a detailed description of its use and an outline of precautions being undertaken with respect to fire prevention and public safety.

(ss. 11, 12, 13 added by By-law 2003-311)

SCHEDULE NO. 7
Relating to Food Premises
(Added by By-law No. 2002-443)

LICENSE REQUIRED

1. A separate license shall be obtained in respect of each premises operating as a food premises.
2. No person shall own or operate a food premises without first obtaining a food premises license.

EXEMPTIONS

3. This by-law shall not apply to a food premises where only pre-packaged foods, frozen drinks or hot beverages are sold or offered or exposed for sale.

(amended by By-law 2003-311)

- 3A. A food premises licence shall not be required for eating establishments operated by charitable or not-for-profit organizations that provide meals for the homeless or for eating establishments in facilities providing residential care services that include meals.

(By-law 2006-81)

CONDITIONS FOR ISSUANCE OF A FOOD PREMISES LICENSE

4. No applicant for a food premises license shall be issued a license unless:
 - (a) the applicant is eighteen (18) years of age or older,
 - (b) the Fire Chief has reported, in writing, that the premises complies with fire regulations,
 - (c) the Medical Officer of Health has reported, in writing, that the premises in connection with which the license is sought is suitable for the purpose of a food premises,
 - (d) the premises from which it is proposed to operate the food premises complies with the zoning, building, and property standards requirements of the City,
 - (e) the applicant has obtained insurance in accordance with Section 5 of this Schedule,

(amended by By-law 2004-491)

- (f) the applicant has indicated on the application the type of food premises, and
- (g) the applicant has paid the fees set out in Schedule “A” of this by-law.

4A. Despite Section 4, the Chief License Inspector may waive any or all of the requirements listed in paragraphs (b), (c) or (d) of Section 4 where the Chief License Inspector determines that any or all of the requirements of these paragraphs do not apply.

(By-law 2003-311)

INSURANCE

- 5. (1) Prior to the issuance of the license, the licensee shall file with the Chief License Inspector proof of insurance of Commercial General Liability coverage subject to limits of not less than One Million Dollars (\$1,000,000.00) inclusive per occurrence for bodily injury, death and damage to property.
- (2) If applicable to the licensed activity, such insurance shall be endorsed to include Liquor Licence Act Liability or Host Liquor Liability insurance.

GENERAL REGULATIONS

6. Every licensee shall post the license in a prominent location on the licensed premises so as to be clearly visible to the public.

7. Every licensee shall ensure that the operation of the food premises complies at all times with Ontario Regulation 493/17 of the *Health Protection and Promotion Act*, R.S.O. 1990, Chap. H.7, as amended or any successor thereto.

(amended by By-law 2023-516)

- 8. Every licensee shall ensure that:
 - (a) washroom facilities are kept in proper sanitary and working condition to the satisfaction of the Medical Officer of Health, and
 - (b) the operation of the food premises is conducted in a manner that is not in any way adverse to the public interest.
- 9. Every licensee shall ensure that public waste receptacles
 - (a) are provided in sufficient numbers to receive the waste generated by the food premises operation,

- (b) are located near the public entrances and exits outside the premises to the satisfaction of the Chief License Inspector and do not conflict with any by-law of the City,
- (c) do not obstruct or interfere with pedestrian or vehicular traffic,
- (d) do not interfere with street or sidewalk maintenance,
- (e) do not exceed a volume capacity of 100 litres,
- (f) are emptied of waste as often as necessary,
- (g) are kept clean and odourless,
- (h) are water impermeable, and
- (i) are kept covered at all times.

LICENSE EXPIRY DATE

10. Every food premises license shall expire on March 31.

SCHEDULE NO. 8
Relating to Exotic Animal Entertainment Events
(added by By-law 2003-236)

LICENSE REQUIRED

1. A separate license shall be obtained for each exotic animal entertainment event for each location at which such event occurs.

LICENSE EXPIRY

2. Every exotic animal entertainment event license is valid only for,
 - (a) the date or consecutive dates,
 - (b) the time or times of the exotic animal entertainment event indicated on the license application, and
 - (c) one building or place only.

CONDITIONS FOR ISSUANCE OF AN EXOTIC ANIMAL ENTERTAINMENT EVENT LICENSE

3. No applicant for an exotic animal entertainment event license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age,
 - (b) the applicant is the promoter of the event,
 - (c) the applicant submits a detailed plan of the event that includes the information outlined in Appendix "A" at least twenty-eight (28) days before the exotic animal entertainment event is scheduled to occur,
 - (d) the Fire Chief has reported in writing that the premises complies with all applicable fire regulations and that there are no objections to the detailed plan,
 - (e) the Medical Officer of Health has reported in writing that the premises complies with all applicable public health regulations and that there are no objections to the detailed plan,
 - (f) the premises from which it is proposed to carry on the exotic animal entertainment event complies with the zoning, building and property standards requirements of the City,
 - (g) the applicant has agreed to obtain insurance as required by Section 9 of this Schedule,

- (h) the applicant agrees, in writing, to accept full responsibility for any exotic animal that escapes from custody and agrees to take the necessary action to contain the animal and to ensure public safety, and
- (i) the applicant has paid the fees outlined in Schedule “A” of this by-law.

4. If the applicant is not the owner of the premises, he or she shall provide written evidence to the satisfaction of the Chief License Inspector that the owner of the premises is aware of and agrees with the use of the premises for the exotic animal entertainment event.

GENERAL REGULATIONS

5. Every licensee shall post the license in a prominent location on the licensed premises so as to be clearly visible to the public.

6. No person shall hold an exotic animal entertainment event in a building or place without first obtaining a license to do so.

7. Every licensee shall ensure that:

- (a) the exhibitor or the owner of the exotic animals in the exotic animal entertainment event is a member of, or accredited by either Canada’s Accredited Zoos and Aquariums (CAZA), or the Association of Zoos and Aquariums (AZA), or is otherwise licensed by an appropriate authority, as applicable,

(amended by By-law 2023-516)

- (b) within seven (7) days prior to the event, the exotic animals involved in the event have been inspected by an animal welfare inspector appointed under the Provincial Animal Welfare Services Act, 2019, or any successor thereto, and that it meets the requirements of the inspector and the Act,

(repealed and replaced by By-law 2023-318)

- (c) the exhibitor or the owner of the exotic animals involved in the event only exhibits or uses such exotic animals in a premises that has protective devices which are adequate to prevent such exotic animals from escaping or injuring the public,
- (d) the exhibitor provides such exotic animals with a species-appropriate living environment while in the City,

- (e) the licensed premises is kept free from any fire or other hazard,
- (f) the capacity of the premises is not exceeded,
- (g) the number of tickets sold for the exotic animal entertainment event does not exceed the capacity of the premises and the number of tickets indicated in the application form,
- (h) the exotic animal entertainment event complies with the Smoking and Vaping By-law,

(amended by By-law 2023-516)

- (i) all exits are free and remain free of any obstruction,
- (j) all security and medical personnel are easily identifiable,
- (k) all security personnel can communicate directly with the licensee at all times during the exotic animal entertainment event,
- (l) ensure that the premises is kept suitably illuminated and ventilated in accordance with the detailed plan,
- (m) upon being so ordered by Police, Fire or Health, the event is immediately terminated if there is non-compliance with any applicable regulations.

8. No person shall sell tickets to an exotic animal entertainment event unless an exotic animal entertainment event license has been issued.

INSURANCE

9. Prior to the issuance of the license, the licensee shall file with the Chief License Inspector proof of Commercial General Liability or Special Events Liability insurance coverage subject to limits of not less than Five Million Dollars (\$5,000,000.00) inclusive per occurrence for bodily injury, death and damage to property. Such insurance shall be in the name of the applicant and shall name the City of Ottawa as an additional insured with respect to the licensed event.

INDEMNIFICATION

10. The applicant shall indemnify and save harmless the City of Ottawa from any and all claims, demands, cause of action, loss costs or damages that the City of Ottawa may suffer, incur or be liable for resulting from the performance of the applicant as set out in the by-law whether with or without negligence on the part of the applicant, the applicant's employees, directors and agents.

TRANSFERS

11. No exotic animal entertainment event license shall be transferable.

EXEMPTIONS

12. A license for an exotic animal entertainment event shall not be required for the following:

- (a) petting-zoos, agricultural shows or exhibits, pet shows, and other like shows provided that the animals used in the event are not exotic animals;
- (b) public shows involving exotic animals provided that the shows are for educational purposes and the promoter:
 - (i) is also the exhibitor and the owner of the exotic animals,
 - (ii) has a permanent facility for the exotic animals within the City which meets Fire, Health and Zoning requirements,
 - (iii) has an exemption under Section 86 of By-law No. 2003-77 respecting animal care and control in respect of the animals identified in Schedule "B", and
 - (iv) obtains an exotic animal rescue and education establishment license;
- (c) an exotic animal entertainment event involving only exotic animals from an establishment licensed as an exotic animal rescue and education establishment under Schedule No. 9 to this by-law.

APPENDIX "A"**INFORMATION TO BE INCLUDED IN THE DETAILED PLAN FOR AN EXOTIC ANIMAL ENTERTAINMENT EVENT LICENSE**

1. Date(s) of the exotic animal entertainment event (the "event") provided that, where the event occurs on more than one date, the dates are consecutive.
2. Location of the event.
3. The name, address and phone number of the promoter.
4. The name, address and phone number of the registered owner of the premises.
5. If the promoter or registered owner is a corporate entity, the names, addresses and phone numbers of the directors or officers.
6. Times of commencement and termination of the event.
7. Number of tickets to be issued for the event.
8. Capacity of the premises.
9. Expected attendance at the event.
10. A first aid logistical plan including:
 - (a) the number of medical personnel on hand during the event,
 - (b) the type of medical equipment available during the event, and
 - (c) the certification held by the medical personnel
11. A security plan including:
 - (a) the name and address of the security firm hired for the event,
 - (b) the number of security personnel to be on duty during the event,
 - (c) the certification of the security personnel, and
 - (d) the methods of communication to be used between the security personnel and the promoter before, during and after the event.
12. An inventory of exotic animals, which will be used in the event including, for each exotic animal, the following information:
 - (a) species,
 - (b) description,

- (c) age,
 - (d) gender,
 - (e) name,
 - (f) its weight in kilograms, and
 - (g) a description of the performance or act in which the exotic animal is involved.
13. A Veterinary Health Certificate for each exotic animal in the event where each Certificate has been issued on the basis of a physical examination of the exotic animal conducted by a duly licensed veterinarian within the last twelve (12) months of the date of the event and certifying the good health of the exotic animal and the absence of any zoonotic diseases, including but not limited to tuberculosis, in addition to the name and address of the consulting veterinarian.
14. An Emergency Plan including:
- (a) a description of the distance between the exotic animal acts and the spectators,
 - (b) a protocol for controlling and containing any exotic animal,
 - (c) crowd control measures, and
 - (d) an evacuation plan,
in the event that any exotic animal involved in the event becomes a threat to public safety either through access to the public from its containment area or by being at large on the premises; and,
 - (e) the location and particulars of the entrances, exits, lighting, ventilation and area where the exhibit or performance is to take place.
15. An Animal Containment and Accommodation Plan, which is appropriate to the species involved and includes:
- (a) the location of the housing of the exotic animals involved;
 - (b) a description of the housing, cleaning procedures and general care of the exotic animals involved.

SCHEDULE NO. 9**Relating to Exotic Animal Rescue & Education Establishments****(added by By-law 2003-236)****LICENSE REQUIRED**

1. A separate license shall be obtained for each exotic animal rescue & education establishment.

LICENSE EXPIRY

2. Every exotic animal rescue & education establishment license is valid only until December 31 of each year.

CONDITIONS FOR ISSUANCE OF AN EXOTIC ANIMAL RESCUE & EDUCATION ESTABLISHMENT LICENSE

3. No applicant for an exotic animal rescue & education establishment license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age,
 - (b) the applicant is the owner and operator of the establishment and the exotic animals therein,
 - (c) the applicant has a permanent facility for the exotic animals within the City which meets Fire, Health and Zoning requirements,
 - (d) the applicant has an exemption under Section 86 of By-law No. 2003-77 respecting animal care and control in respect of the exotic animals identified in Schedule "B" to that by-law,
 - (e) the applicant submits a detailed plan that includes the information outlined in Appendix "A",
 - (f) the applicant has agreed to obtain insurance as required by Section 9 of this Schedule,
 - (g) the applicant agrees, in writing, to accept full responsibility for any exotic animal that escapes from custody and agrees to take the necessary action to contain the exotic animal and to ensure public safety, and
 - (h) the applicant has paid the fees outlined in Schedule "A" of this by-law.

GENERAL REGULATIONS

4. Every licensee shall:
 - (a) post the license in a prominent location on the licensed premises so as to be clearly visible to the public,
 - (b) carry the license when the exotic animals are being displayed or are involved in educational activities off the premises, and
 - (c) produce the license upon the request of the Chief License Inspector.

5. No person shall carry on an exotic animal rescue & education establishment in a building or place without first obtaining a license to do so.

6. Every licensee shall permit the Chief License Inspector or the Medical Officer of Health, at any reasonable time, to inspect the establishment or the location at which educational activities are held, as well as relevant records, including but, not limited to the inventory of exotic animals.

7. No licensee shall sell, give, trade or otherwise provide any exotic animal to any person unless:
 - (a) for purposes of adoption or foster care under the auspices of the licensee, or
 - (b) to a zoo or professional breeder for breeding and display purposes.

8. Every licensee shall ensure that:
 - (a) he/she is a member of, or accredited by either Canada's Accredited Zoos and Aquariums (CAZA), or the Association of Zoos and Aquariums (AZA), or is otherwise licensed by an appropriate authority, as applicable,

(amended by By-law 2023-516)
 - (b) the exotic animals involved in the establishment are inspected annually by an animal welfare inspector appointed under the Provincial Animal Welfare Services Act, 2019, or any successor thereto, and that the requirements of the inspector and the Act are met,

(repealed and replaced by By-law 2023-318)
 - (c) the exotic animals are provided with a species-appropriate living environment, including but, not limited to sufficient space,

- (d) the exotic animals are kept in sanitary and clean quarters which are appropriately bedded, ventilated and lit, maintained at an appropriate temperature and readily sanitized,
- (e) the exotic animals are adequately and appropriately fed and watered,
- (f) no exotic animal is displayed in direct sunlight or areas where drafts may occur,
- (g) the exotic animals are exhibited only in a premises that has protective or containment devices which are adequate to prevent such exotic animals from escaping or injuring the public,
- (h) at all times, the establishment as a whole is maintained in a sanitary, well-ventilated, clean condition and free from offensive odours,
- (i) all exits are free and remain free of any obstruction,
- (j) upon being so ordered by Police, Fire or Health, the educational activity is immediately terminated if there is non-compliance with any applicable regulations.

INSURANCE

9. Prior to the issuance of the license, the licensee shall file with the Chief License Inspector proof of Commercial General Liability or Special Events Liability insurance coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property. Such insurance shall be in the name of the applicant and shall name the City of Ottawa as an additional insured with respect to the licensed establishment.

INDEMNIFICATION

10. The applicant shall indemnify and save harmless the City of Ottawa from any and all claims, demands, cause of action, loss costs or damages that the City of Ottawa may suffer, incur or be liable for resulting from the performance of the applicant as set out in the by-law whether with or without negligence on the part of the applicant, the applicant's employees, directors and agents.

TRANSFERS

11. No exotic animal rescue & education establishment license shall be transferable.

EXEMPTIONS

12. A license for an exotic animal rescue & education establishment shall not be required for petting-zoos, agricultural shows or exhibits, pet shows, and other like shows provided that the animals used in the event are not exotic animals.

APPENDIX "A"**INFORMATION TO BE INCLUDED IN THE DETAILED PLAN FOR AN EXOTIC ANIMAL RESCUE & EDUCATION ESTABLISHMENT LICENSE**

1. The name, address and phone number of the owner/operator.
2. The name, address and phone number of the registered owner of the premises.
3. If the owner/operator or registered owner is a corporate entity, the names, addresses and phone numbers of the directors.
4. An inventory of exotic animals, which are housed in the establishment or will be used in educational activities including, for each exotic animal, the following information:
 - (a) species,
 - (b) description (including length in meters in the case of reptiles),
 - (c) age,
 - (d) gender,
 - (e) name,
 - (f) whether or not the exotic animal is used in educational activities taking place outside of the establishment.
5. A General Veterinary Health Certificate for the exotic animals involved in the establishment or educational activities or both, where the Certificate has been issued on the basis of a general examination of the exotic animals conducted annually, at a minimum, by a duly licensed veterinarian and certifying the good health of the exotic animals, the absence of any zoonotic diseases, and providing proof of vaccination against such diseases, as applicable, in addition to providing the name and address of the consulting veterinarian.
6. An Animal Containment and Accommodation Plan, which is appropriate to the species involved and includes:
 - (a) the location of the housing of the exotic animals involved, and
 - (b) a description of the housing, cleaning procedures and general care of the exotic animals involved, in the establishment.
7. A Transport Plan describing the manner in which the exotic animals will be transported outside of the establishment to another venue, including:

- (a) an indication of the number of exotic animals usually transported and the number of handlers usually accompanying the animals,
 - (b) a description of the containers used and how they are secured, and
 - (c) a description of how the exotic animals are displayed and/or stored while at the other venue.
8. An Emergency Plan including:
- (a) a protocol for controlling and containing any exotic animal,
 - (b) crowd control measures, and
 - (c) an evacuation plan,

in the event that any exotic animal involved in the establishment or educational activity becomes a threat to public safety either through access to the public from its containment area or by being at large on the premises.

SCHEDULE NO. 10

Relating to Limousine Service

(added by By-law 2004-209; repealed by By-law 2016-272)

SCHEDULE NO. 11
Relating to Adult Entertainment Parlours
(Added by By-law 2004-353)

LICENSES REQUIRED

1. The following types of licenses may be issued:
 - (a) adult entertainment owner;
 - (b) adult entertainment operator;
2. A separate adult entertainment owner's license shall be obtained in respect of each adult entertainment parlour.
3. A separate adult entertainment operator's license shall be obtained in respect of each person operating an adult entertainment parlour.

CONDITIONS FOR ISSUANCE OR RENEWAL OF AN ADULT ENTERTAINMENT OWNER'S LICENSE

4. (1) No license or renewal of license shall be issued to an owner of an adult entertainment parlour unless:
 - (a) the applicant is eighteen (18) years of age or older;
 - (b) the applicant appears in person;
 - (c) the applicant provides proof of age and identification satisfactory to the Chief License Inspector;
 - (d) the applicant has provided the original documents from the issuing agency outlining the results of investigations related to the applicant for a Police Records Check for the Service with the Vulnerable Sector, dated less than 30 days prior to the date of the application for a license;
 - (e) a detailed floor plan, drawn to scale, of the adult entertainment parlour has been approved by the Chief License Inspector and the Chief of Police and the details on such floor plan shall include but are not limited to the following:
 - (i) the designated entertainment area; and
 - (ii) location of seating areas, offices, cloak rooms, disc jockey area, kitchen facilities, bar area, dressing rooms, washrooms, storage areas and exits;

- (f) the premises complies with the zoning, building and property standards requirements of the City;
 - (g) the Fire Chief has reported in writing that the premises complies with fire regulations;
 - (h) the Medical Officer of Health has reported in writing that the premises in connection with which the license is sought is suitable for the purpose of the license application and is in a sanitary condition;
 - (i) the applicant has submitted proof of insurance in accordance with the requirements of Section 26 of this Schedule;
 - (j) the adult entertainment parlour is located in an area referred to in Section 8; and
 - (k) the applicant has paid the fees described in Schedule "A" to this by-law.
- (2) Where the owner is a corporation, the applicant shall file:
- (a) a copy of its letters of incorporation or other incorporating document duly certified by the proper government official or department;
 - (b) a list of all officers, directors and shareholders and the address of their ordinary residence;
 - (c) a declaration that the persons named therein are the only shareholders of the corporation;
 - (d) the name or names under which it carries on or intends to carry on business; and
 - (e) the mailing address for the corporation.
- (3) Where the owner is a partnership, the applicant shall file a declaration in writing signed by all members of the partnership which states:
- (a) the full name of each partner and the address of his ordinary residence;
 - (b) the name or names under which they intend to carry on business;
 - (c) that the persons named therein are the only members of the partnership; and

- (d) the mailing address of the partnership.

CONDITIONS FOR ISSUANCE OR RENEWAL OF AN ADULT ENTERTAINMENT OPERATOR'S LICENSE

- 5. No license or renewal of license shall be issued to the operator of an adult entertainment parlour unless:
 - (a) the applicant is eighteen (18) years of age or older;
 - (b) the applicant appears in person;
 - (c) the applicant has provided the original documents from the issuing agency outlining the results of investigations related to the applicant for a Police Records Check for the Service with the Vulnerable Sector, dated less than 30 days prior to the date of the application for a license;
 - (d) the applicant provides proof of age and identification satisfactory to the Chief License Inspector;
 - (e) the applicant has provided the name of the owner of the adult entertainment parlour in which the applicant intends to operate; and
 - (f) the applicant has filed two (2) passport-type photographs of the applicant's face five centimetres (5cm) by five centimetres (5cm) in size;
 - (g) the applicant has paid the fees described in Schedule "A" to this by-law.

ISSUANCE OF LICENSE

- 6.
 - (1) The Chief License Inspector shall furnish a license to each licensed adult entertainment owner.
 - (2) The Chief License Inspector shall furnish to each licensed adult entertainment operator a license containing a photograph of the face of the adult entertainment operator and his or her name, license number and the expiry date of the license.
 - (3) Every licensed adult entertainment operator shall produce his or her license for inspection when so requested by the Chief License Inspector or Chief of Police.

NUMBER OF LICENSES

7. The number of adult entertainment owner's licenses shall be restricted in accordance with the location requirements of this Schedule.

LOCATION RESTRICTIONS

8. Adult entertainment parlours may only be operated in the following locations:

- (a) the premises known municipally as 27 York Street;
- (b) the premises known municipally as 126 York Street;
- (c) the premises known municipally as 340 Queen Street;
- (d) the premises known municipally as 1560 Triolet Street;
- (e) the premises known municipally as 6501 Russell Road;
- (f) the premises known municipally as 1989 Merivale Road;
- ~~(g) the premises known municipally as 230 Herzberg Road;~~

(repealed by By-law 2007-222)

- (h) the premises known municipally as 175 Montreal Road;
- (i) the premises known municipally as 5023 Bank Street;
- (j) in the shaded areas shown on Appendix A to this Schedule, provided that the adult entertainment parlour is located a minimum of one thousand metres (1000m) from an existing adult entertainment parlour and a minimum of five hundred metres (500m) from any church, school, day care, public library, community centre or public park.

(Appendix A available upon request)

REGULATIONS

9. No adult entertainment owner shall permit any person other than a licensed adult entertainment operator to operate such adult entertainment parlour.

10. The adult entertainment owner shall post the license in a prominent location on the licensed premises so as to be clearly visible to the public.

11. No adult entertainment operator not being the owner of an adult entertainment parlour shall operate the said adult entertainment parlour unless the

owner of the said adult entertainment parlour is duly licensed as an adult entertainment owner.

12. No adult entertainment owner or adult entertainment operator shall open the adult entertainment parlour for business or permit the same to be open or remain open for business or permit any services to be provided in the said adult entertainment parlour at any times from the hours of 0200 hours and 1100 hours of the same day.

13. No adult entertainment owner or adult entertainment operator shall permit the door or doors or other principal means of access into the adult entertainment parlour to be kept locked during the hours of business of the adult entertainment parlour.

14. The adult entertainment owner or an adult entertainment operator shall be in attendance during all hours of business of the adult entertainment parlour.

15. The adult entertainment owner shall ensure that an adult entertainment operator shall be in attendance during all hours of business of the adult entertainment parlour when the owner is not in attendance.

16. No adult entertainment owner or adult entertainment operator shall permit any person under the age of eighteen (18) years to enter or remain in the adult entertainment parlour.

17. No adult entertainment owner or adult entertainment operator shall permit any person who appears to be intoxicated by alcohol or a drug to enter or remain in the adult entertainment parlour.

18. No adult entertainment owner or adult entertainment operator shall place or permit to be placed any sign, or any other advertising device on any premises occupied by an adult entertainment parlour save and except a sign or other advertising device containing the words "Adult Entertainment Parlour" and the name under which the business is operated provided such name does not include any of the following words:

"nude", "naked", "topless", "bottomless", "sexy" or any other word or any pictures, symbol or representation having like meaning or implication.

19. (1) No adult entertainment owner or adult entertainment operator shall permit services to be provided in any area of the premises other than the designated entertainment area shown on the approved floor plan.

(2) No adult entertainment owner shall change or cause a change to be made in the adult entertainment parlour without first submitting a revised floor plan containing the information described in clause (e) of subsection 4(1)

of this Schedule and obtaining the approval of the Chief License Inspector and the Chief of Police.

20. No adult entertainment owner or adult entertainment operator shall permit any adult entertainment performer providing live entertainment or services designed to appeal to erotic or sexual appetites or inclinations to touch or be touched by or have physical contact with any other person in any manner whatsoever involving any part of that person's body.

21. (1) No adult entertainment owner or adult entertainment operator shall use or permit to be used any camera or other photographic or recording device in, upon or at an adult entertainment parlour by any person other than a peace officer, Medical Officer of Health, a public health inspector acting under the direction of the Medical Officer of Health or a By-law Officer.

(2) Subsection (1) shall not apply to cameras used for security purposes.

22. No adult entertainment owner or adult entertainment operator shall permit live entertainment or services designed to appeal to erotic or sexual appetites or inclinations to be visible from outside the premises in which the adult entertainment parlour is located.

23. Every adult entertainment owner and every adult entertainment operator shall, in the operation of an adult entertainment parlour, comply with and ensure compliance with the following requirements:

- (a) the premises shall be equipped with adequate light and ventilation;
- (b) the premises and all equipment and fixtures therein shall be regularly washed and kept in a sanitary condition;
- (c) the premises shall be equipped with an effective utility sink;
- (d) adequate toilet and washroom accommodation shall be provided and there shall be separate washrooms for males and females;
- (e) washrooms shall be equipped with:
 - (i) an adequate supply of hot and cold water;
 - (ii) an adequate supply of liquid soap in a suitable container or dispenser;
 - (iii) hot air dryers or individual towels in a suitable container or dispenser; and

- (iv) a suitable receptacle for used towels and waste material;
and
 - (f) no washroom, toilet, sink or basin used for domestic purposes shall be used in connection with an adult entertainment parlour.
- 24. (1) The adult entertainment owner or an adult entertainment operator shall post the following notices in an area accessible to the patrons and employees, in the adult entertainment performers' dressing rooms, at all public entrances and in the washrooms
 - (a) a notice to advise that physical contact is prohibited which notice shall include the telephone numbers of the Ottawa Police Service and By-law Services of the City of Ottawa; and
 - (b) a notice that sexually transmitted infections can be transmitted through unprotected physical contact.
- (2) The adult entertainment owner or an adult entertainment operator shall post copies of the approved floor plan at all public entrances and in the adult entertainment performers' dressing rooms.
- 25. (1) The adult entertainment owner shall maintain an annual registry for the period January 1 to December 31 of each year containing the names, addresses and phone numbers of every adult entertainment operator, adult entertainment performer and employee of the adult entertainment parlour.
- (2) The adult entertainment owner shall produce the registry for inspection upon request of a By-law Officer or Chief of Police.
- (3) The adult entertainment owner shall keep the registry current at all times and retain all information for a period of one year after the end of the calendar year for which it was maintained.

INSURANCE

- 26. (1) Prior to the issuance of the license, the adult entertainment owner shall file with the Chief License Inspector proof of insurance of Commercial General Liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive for bodily injury, death and damage to property.
- (2) If applicable to the licensed activity, such insurance shall be endorsed to include Liquor Licence Act Liability or Host Liability insurance.

TRANSFERABILITY OF LICENSE

27. The license issued to an adult entertainment owner or an adult entertainment operator is not transferable.

SCHEDULE NO. 12
Relating to Tobacco Vendors
(added by By-law 2004-494)

LICENSE REQUIRED

1. A separate license shall be obtained in respect of each premises that sells tobacco products by retail.
2. No person shall own or operate a premises that sells tobacco products by retail without first obtaining a tobacco vendor license.
3. In a building where more than one (1) premises for the retail sale of tobacco products exists at the same time, a location description shall be sufficient to distinguish each shop from any other within the same building.

CONDITIONS FOR ISSUANCE

4. No applicant for a license shall be issued a license unless,
 - (a) the applicant is eighteen (18) years of age or older,
 - (b) the applicant has paid the fees outlined in Schedule "A" to this by-law,
 - (c) the premises of the applicant is confirmed by a By-law Officer to be a premises that is not prohibited from selling or offering for sale tobacco products pursuant to the Smoke-Free Ontario Act, 2017, S.O. 2017, c. 26, Sched. 3, as amended.

((c) amended by By-law 2023-516)

5. Despite Section 4, no license will be issued to an applicant if the intended premises for the sale or distribution of tobacco products by retail is an outdoor property, a facility, a building or a property leased or owned by the City of Ottawa.

REGULATIONS

6. Every licensee shall post the license in a prominent location on the licensed premises so as to be clearly visible to the public.
7. Every licensee shall ensure that the person in charge of the licensee's premises complies at all times with the Smoke-Free Ontario Act, 2017, S.O. 2017, c. 26, Sched. 3.

(amended by By-law 2023-516)

SCHEDULE NO. 13
Relating to Rickshaws
(added by By-law 2005-119)

DEFINITIONS

1. In this Schedule:

“highway” includes the entire right of way of a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, trestle, designed and intended for, or used by, the general public for the passage of vehicles;

“private property” means all property in the City and includes property of the municipal, federal and provincial government;

“sidewalk” includes all such parts of a highway as are set aside by the City for the use of pedestrians or used by the general public for the passage of pedestrians, and includes the boulevard;

“stall holder” means a person who has entered into a contract for a Market stand with the City and to whom the Markets Manager has assigned a stand, or who has been issued a daily permit by the City and to whom the Markets Manager has assigned a stand;

“stand” means the area of the public markets assigned to a stall holder;

“stand contract” means the contract between the stall holder and the City with respect to a stand,

“street” means that part of the highway that is improved, designed or ordinarily used for vehicular traffic.

LICENSES REQUIRED

2. The following types of licenses may be issued:

- (a) rickshaw operator
- (b) rickshaw owner.

CONDITIONS FOR ISSUANCE OF A RICKSHAW OWNER LICENSE

3. No applicant for a rickshaw owner’s license shall be issued a license unless:

- (a) the applicant is at least eighteen (18) years of age,

- (b) the rickshaw to be used by the applicant has complied with the standards prescribed by Section 6 hereof, and
- (c) the applicant provides proof of insurance in accordance with Section 7 hereof.

4. Every person who owns a rickshaw shall obtain a separate license for each rickshaw to be operated pursuant to this by-law.

CONDITIONS FOR ISSUANCE OF A RICKSHAW OPERATOR LICENSE

5. No applicant for a rickshaw operator's license shall be issued a license unless:

- (a) the applicant is the holder of a current driver's license, and
- (b) the applicant has provided the name and address of the rickshaw owner who will be the business affiliate or employer of the applicant.

VEHICLE STANDARDS

6. Every rickshaw shall:

- (a) be structured so as to be safe and stable with or without passengers;
- (b) have affixed on the rear of the vehicle a slow moving vehicle sign that is the same as the signs set out in the Highway Traffic Act;
- (c) carry at the rear two red reflectors, one of which shall be affixed as nearly as possible to the extreme left side and one as nearly as possible to the extreme right side of the vehicle;
- (d) be in a clean and sanitary condition; and
- (e) be in a state of good repair and appearance.

INSURANCE

7. (1) Every rickshaw owner shall proof of insurance of Comprehensive General Liability insurance subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, personal injury, death and damage to property including loss of use thereof.
- (2) The insurance required by subsection (1) shall be in the name of the rickshaw owner and the owner's operators, employees and volunteers.

ISSUANCE OF LICENSE

8. Upon issuance of a rickshaw owner's license, the Chief License Inspector shall furnish to the licensee, in addition to the license, one (1) plate for each vehicle bearing an identifying number, the words "Rickshaw" and "Ottawa".

DISPLAY OF PLATE

9. Every owner or operator shall ensure that the plate furnished pursuant to Section 8 is securely affixed to the rear of the rickshaw so as to be clearly visible to the public during the currency of the license.

10. Every licensee who operates a rickshaw under the authority of a license shall ensure that the plate affixed to the vehicle corresponds to the license issued by the Chief License Inspector.

11. Every owner or operator of a rickshaw shall produce his or her license for inspection when requested by the Chief License Inspector, any By-law Officer or peace officer.

TRANSFERS OF LICENSE

12. No rickshaw operator's license shall be transferred.

LOCATION REGULATIONS

13. No owner or operator shall allow his or her rickshaw to be placed or left on or at the By Ward Market except in a stand for which the owner has entered into a stand contract with the City.

14. No owner or operator shall allow his or her rickshaw to be placed or left on or at the By Ward Market after the licensee's stand contract has been suspended or terminated.

15. Every person who operates his or her rickshaw on or at the By Ward Market under the authority of a stand contract shall produce a copy of the stand contract for inspection when requested by the Chief License Inspector, any By-law Officer or peace officer.

16. No owner or operator shall operate his or her rickshaw on private property without the consent of the owner.

TIME REGULATIONS

17. No owner or operator shall allow his or her rickshaw to be operated on any City street at any time when no parking or not stopping restrictions between the hours of 3:00 p.m. and 6:00 p.m. are in place.

GENERAL REGULATIONS

18. Every owner or operator shall keep his or her rickshaw at all times in a clean and sanitary condition and in a state of good repair and appearance.

19. Every owner or operator shall ensure that:

- (a) he or she conforms, where applicable, with the Highway Traffic Act;
- (b) he or she conforms with By-law No. 2003-530, the Traffic and Parking By-law, as amended;
- (c) he or she conforms with all rules and regulations established by the City as represented by OC Transpo;
- (d) he or she does not interfere with the normal movement of pedestrian traffic in the City;

(amended by By-law No. 2023-516)

- (e) he or she does not interfere with the normal movement of vehicular traffic in the City;

(amended by By-law No. 2023-516)

- (f) he or she complies with, where applicable, the City of Ottawa E-cargo Bike By-law No. 2021-290.

((f) added by By-law 2021-339; to be repealed on March 1, 2026)

20. No owner or operator shall allow his or her rickshaw to be left unattended.

21. No licensee shall operate his or her rickshaw in a reckless or erratic manner.

PROCESSING FEE EXEMPTION

22. (1) Applicants for a rickshaw operator license shall be exempt from the requirement to pay a processing fee.

- (2) An applicant for a rickshaw owner license shall pay only one processing fee regardless of the number of rickshaw owner licenses he or she is applying for.

SCHEDULE NO. 14
Relating to Second-Hand Goods Shops
(added by By-law 2005-324)

INTERPRETATION

1. In this schedule “taking in exchange” is deemed to include “receiving in pledge”.

LICENSE REQUIRED

2. A separate license shall be obtained in respect of each second-hand goods shop in which a person who owns or operates a second-hand goods shop carries on his or her business.

3. No person shall own or operate a second-hand goods shop without first obtaining a second-hand goods shop license.

EXEMPTIONS

4. Despite any other provision of this by-law, no license shall be required,

- (a) by persons engaged in the sale of second-hand goods for patriotic or charitable purposes, or
- (b) by vendors engaged in the sale of second-hand goods at a flea market.

5. Despite any other provision of this by-law, no license shall be required by an individual, a tenant association, or a community association that holds a sale of personal household effects that are owned by the individual or persons who are members of the association provided that,

- (a) the sale is for a period no longer than two (2) days, and
- (b) no more than two (2) sales are held by that individual or association in a single calendar year.

CONDITIONS FOR ISSUANCE

6. No applicant for a license shall be issued a license unless,

- (a) the applicant is eighteen (18) years of age or older,
- (b) the applicant has paid the fees outlined in Schedule “A” to this by-law, and
- (c) the premises complies with the zoning, building and property standards requirements of the City,

RESPONSIBILITY OF LICENSEES

7. Every licensee shall post the license in a prominent location on the licensed premises so as to be clearly visible to the public.
8. Every licensee shall ensure that his or her employees understand and comply with the provisions of this by-law.
9. Every licensee shall be responsible for the act or acts of any employees in the carrying on of the business of the second-hand goods shop in the same manner and to the same extent as though such act or acts were done by the licensee.

ACQUISITION OF SECOND-HAND GOODS

10. Every licensee shall ensure that no second-hand good is directly or indirectly purchased from, or exchanged with:
 - (a) any person under the age of eighteen (18) years, or
 - (b) any person appearing to be under the influence of alcohol or drugs.
11. Every licensee shall ensure that no second-hand good is purchased or taken in exchange without receiving from the seller the identification prescribed in Section 12 of this Schedule.
12. Every licensee shall ensure that the seller presents two (2) pieces of identification, one (1) of which shall be one (1) of the following types of identification provided that it is integrated with a photograph of the seller:
 - (a) a valid driver's licence,
 - (b) a passport issued by the government of origin,
 - (c) a B.Y.I.D. (Bring Your Identification) Card issued by the Liquor Control Board of Ontario,
 - (d) a Certificate of Indian Status issued by the Government of Canada,
 - (e) a Certificate of Canadian Citizenship issued by the Government of Canada, or
 - (f) a Conditions Release Card issued by Correctional Services of Canada.

TRANSACTION RECORDS

13. (1) Every licensee shall ensure that, before purchasing or taking in exchange any second-hand good, a record is made in a ledger book in chronological order with the entries transcribed in ink in a clear and legible manner or in a recording system approved by the Chief of Police of,

(a) the day, month, year and time of the transaction,

((b) and (c) repealed By-law 2008-53)

(d) a detailed description of each second-hand good that shall be reasonably sufficient to identify it, including make, model, serial numbers, marking and titles, where applicable,

(e) the purchase price of each second-hand good or a description of the item exchanged for it, and

(f) the initials of the employee conducting the transaction on behalf of the licensee.

(2) Despite clause 13(1)(d), for the purpose of identifying coins, the license shall ensure that a record is made of the exact number of coins received, and the dates and description of each coin or of the ten (10) most valuable coins if more than ten (10) coins are received.

(3) Despite clause 13(1)(d), for the purpose of identifying collector cards, the licensee shall ensure that a record is made of the exact number of cards received, and the dates and description of the subject of each card or of the ten (10) most valuable cards if more than ten (10) cards are received.

14. Where a second-hand good has been purchased or taken in exchange from a person carrying on business at a garage sale or an auction,

(a) the provisions of Section 11 and 12 and clause 13(1)(b) do not apply, and

(b) the licensee shall ensure that the name and address of the business, or the name of the person holding the auction or the address of the garage sale are entered into the ledger book or recording system referred to in Section 13.

15. Every licensee shall ensure that the Chief of Police is immediately notified of the removal or defacement of or apparent tampering with serial numbers, identification numbers or model numbers of any second-hand good presented for purchase or to be taken in exchange, and of the particulars of any second-hand good which the licensee of his or her employee has reasonable cause to suspect has been stolen or otherwise unlawfully obtained by the seller.

16. Every licensee shall ensure that, when requested by the Chief of Police at any time during business hours, any second-hand good or transaction record is produced for inspection and that the Chief of Police is permitted to remove any

transaction record from the premises for the purpose of photocopying or for use in any court or other proceedings.

RETENTION PERIODS

17. Every licensee shall ensure that no second-hand good purchased or taken in exchange is sold, exchanged, altered, melted, repaired, disposed of, or in any way parted with until after the expiration of thirty (30) days from the date of obtaining exclusive ownership of the said good, and during the said period the good so obtained shall be kept apart from goods previously purchased or taken in exchange, and shall be subject to an inspection at any time during business hours by the Chief of Police, who may be accompanied by such other person or persons as may be necessary for the identification of goods reported or suspected of having been stolen.

18. Despite Section 17, for the purpose of completing an investigation, the Chief of Police may request that a second-hand good suspected of having been stolen be retained for an additional period of time beyond the thirty (30) days and, when so requested, the licensee shall ensure that the said good is not sold, exchanged, altered, melted, repaired, disposed of or in any way parted with until after the expiration of the additional period of time, but in any event the additional period of time shall not exceed fourteen (14) days.

(amended by By-law 2006-165)

19. Despite Section 17, a licensee may dispose of any good purchased or taken in exchange before the expiration of thirty (30) days from the date of obtaining exclusive ownership of the said good provided that the Chief of Police has authorized in writing the release of such good.

TRANSFERS

20. No second-hand goods license shall be transferable.

SCHEDULE NO. 15
Relating to Salvage Yards
(added by By-law 2005-325)

INTERPRETATION

1. In this Schedule, “taking in exchange” is deemed to include “receiving in pledge”.

LICENSE REQUIRED

2. A separate license shall be obtained in respect of each salvage yard in which a person who owns or operates a salvage yard carries on his or her business.

3. No person shall own or operate a salvage yard without first obtaining a salvage yard license.

CONDITIONS FOR ISSUANCE

4. No applicant for a license shall be issued a license unless,
- (a) the applicant is eighteen (18) years of age or older,
 - (b) the applicant has paid the fees outlined in Schedule “A” to this by-law,
 - (c) the applicant has filed with the Chief License Inspector proof of insurance in accordance with Section 8 of this Schedule,
 - (d) the premises complies with the zoning, building and property standards requirements of the City, and
 - (e) the Fire Chief has reported, in writing, that the premises is suitable for the purpose of a salvage yard and complies with the fire regulations.

RESPONSIBILITY OF LICENSEES

5. Every licensee shall post the license in a prominent location on the licensed premises so as to be clearly visible to the public.

6. Every licensee shall,
- (a) keep the salvage yard in a clean and neat condition; and
 - (b) keep the salvage goods within a fenced or adequately buffered or screened area of the premises.

7. No licensee shall directly or indirectly purchase from or take in exchange any vehicle:

- (a) from any minor appearing to be under the age of eighteen (18) years, or

- (b) from any person appearing to be under the influence of alcohol or drugs.

8. Every licensee shall provide and maintain Comprehensive General Liability insurance coverage subject to a limit of not less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury, death and damage to property arising out of the operation of the salvage yard.

TRANSACTION RECORDS

9. (1) Every licensee shall ensure that, before purchasing or taking in exchange any vehicle seven (7) model years old or less, a record of the transaction is documented in a clear and legible manner and contains the following information:

- (a) the day, month, year and time of the transaction;

((b) repealed by By-law 2008-53)

- (c) a detailed description of the vehicle and the manufacturer's vehicle identification number referred to as the V.I.N.;
- (d) the purchase price of the vehicle or a description of the item exchanged for it; and
- (e) the initials of the person conducting the transaction on behalf of the licensee.

(2) Every licensee shall produce the record of transaction as described in subsection (1) for inspection when so requested by the Chief of Police.

10. Every licensee, or any person acting as an agent for the licensee, shall make all reasonable efforts to obtain the name, address and description of any person offering a vehicle which the licensee has cause to suspect has been stolen or otherwise unlawfully obtained, and to notify the Chief of Police immediately of the facts including the removal or defacement of or apparent tampering with the manufacturer's vehicle identification number.

RETENTION PERIODS

11. No licensee shall alter, dismantle, repair, dispose of or in any way part with any vehicle seven (7) model years old or less purchased or taken in exchange by him or her until after the expiration of seven (7) days from the date of obtaining the said vehicle, and during the said period the vehicle so obtained shall be subject to an inspection at any time during business hours by the Chief of Police.

12. Despite Section 11, a licensee may dispose of any vehicle seven (7) model years old or less purchased or taken in exchange before the expiration of seven (7) days from the date of obtaining the said vehicle provided that the Chief of Police has authorized in writing the release of the vehicle.

TRANSFERS

13. No salvage yard license shall be transferable.

SCHEDULE NO. 16
Relating to Exhibitions
(added by By-law 2005-356)

LICENSES REQUIRED

1. (1) The following licenses may be issued pursuant to this schedule:
 - (a) a License "A" to a person who promotes the holding of an exhibition for one (1) day,
 - (b) a License "B" to a person who promotes the holding of an exhibition for more than one (1) consecutive days.
- (2) A separate license shall be obtained for each exhibition for each location at which such event occurs.
- (3) An individual participating in the exhibition may require a license pursuant to other provisions of this by-law.

EXEMPTIONS

2. (1) Subsection (1) of Section 1 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 and includes the Kars Fair;
 - (d) the Ottawa Valley Farm Show;
 - (e) Coin, Stamp, Card and Comic Book trade shows;

(amended by By-law 2006-81)

- (f) the Central Canada Exhibition;
- (g) exhibitions that primarily promotes original arts and crafts creations by Canadian artists;
- (h) exhibitions raising funds for a charitable organization provided that the organization has a Revenue Canada number and the profits go to the charitable organization represented;
- (i) exhibitions raising funds for not-for-profit organizations that operate solely for cultural or religious goals, civic improvement, recreation,

amateur sport or similar community enhancement initiatives but not for profit provided that the profits go to the not-for-profit organization represented;

- (j) an event that takes place indoors at a shopping mall.
- (2) An exhibition license shall not be required if every person who is vending at the exhibition is the holder of an itinerant seller's license that is valid for the duration of the exhibition and was issued by the City.
- (3) No itinerant seller's license or fee shall be required by an itinerant seller who vends at an exhibition for which the promoter or organizer of such exhibition has obtained a license.
- (4) An exhibition license shall not be required if the event has been licensed under this by-law as a Flea Market.

CONDITIONS FOR ISSUANCE

- 3. (1) No applicant for an exhibition license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age,
 - (b) the applicant has furnished details of the exhibition including the type of the exhibition, its location, dates and duration,
 - (c) where the applicant proposes to hold the exhibition on private property, the applicant has filed a copy of the written leasing agreement for the occupation of the exhibition premises by the applicant for the duration of the exhibition,
 - (d) where the applicant proposes to hold the exhibition on a pedestrian mall, pedestrian promenade or highway the applicant has filed a copy of the written leasing agreement for the occupation of the pedestrian mall or pedestrian promenade or is the holder of a special event permit issued pursuant to the Special Events By-law No. 2001 - 260, whichever is applicable,
 - (e) the applicant agrees to maintain a record of the vendors, their names, addresses and phone numbers, together with details as to the type of items they sell,
 - (f) the applicant has filed a site plan for the outdoor portion and a floor plan for the indoor portion of the event showing where vendors will be located;

- (g) the applicant has at least five (5) participating individuals who are vending goods on their own behalf and not on behalf of the promoter of the event,
- (h) the Fire Chief has reported, in writing, that the premises in connection with which the license is sought is suitable for the proposed exhibition and complies with all applicable fire regulations,
- (i) the Medical Officer of Health has reported, in writing, that the premises in connection with which the license is sought is suitable for the proposed exhibition and complies with all applicable health regulations,
- (j) the General Manager, Planning, Real Estate and Economic Development Department has reported, in writing, that the vending activity will not take place where the zoning permits residential land use and the location of the exhibition will not lead to a deficiency in required parking and proper vehicle circulation,

(amended by By-law 2023-516)

- (k) the Chief Building Official has reported, in writing, that the premises meets the requirements of the City;

(amended by By-law 2023-516)

- (l) the applicant has insurance in accordance with the requirements of Section 7 hereof; and

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

- (2) In addition to the provisions of subsection (1), no applicant for an exhibition license where a portion of the event is to be held outdoors, shall be issued a license unless and until the applicant has filed written correspondence from the local Community Association and Business Improvement Area, where those exist, which provides the Community Association and Business Improvement Area position on the proposed exhibition.

- 4. Despite Section 3, 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.

LICENSE ISSUANCE

- 5. The Chief License Inspector shall indicate on the license furnished to the licensee,

- (a) the type of exhibition, and
- (b) the location, time, date and duration for which the license is valid

LICENSE VALIDITY

6. The license issued pursuant to this schedule shall be valid:
- (a) for the specific exhibition only,
 - (b) for one location on which the exhibition is to be held, and
 - (c) for the period stated as the duration of the exhibition.

INSURANCE

7. (1) Every applicant for an exhibition license shall file with the Chief License Inspector proof of insurance of Commercial General Liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) Dollars inclusive per occurrence for bodily injury, death and damage to property.
- (2) The proof of insurance shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of any cancellation or of a material change that would diminish coverage.

TRANSFERS OF LICENSE

8. The licenses issued pursuant to this schedule are not transferable from person to person or premises to premises.

RENEWAL OF LICENSE

9. The licenses issued pursuant to this schedule are not renewable.

GENERAL REGULATIONS

10. Every licensee shall:
- (a) ensure that orderly conduct is maintained on the exhibition premises, and, at his or her own expense, keep sufficient staff for that purpose;
 - (b) keep sufficient staff present at the entrances to the exhibition premises in order to ensure that queues which form for the purposes of gaining entrance to the premise do not obstruct sidewalks or highways;
 - (c) be responsible for the conduct of the exhibitors at the exhibition,
 - (d) co-operate with the Chief License Inspector to ensure that all required inspections, including building, fire and health inspections, are conducted as required;

- (e) maintain up-to-date documents and plans that accurately record a complete list of the participants, their designated location on the premises and the types of items sold;
- (f) keep a copy of the documents referred to in clauses (c) and (d) of subsection 3(1) at the exhibition;
- (g) keep the records referred to in clauses (e) and (f) for a period of one (1) year after the termination of the event;
- (h) produce those documents referred to in clauses (e) and (f) when so directed by a By-law Officer or the Chief of Police;
- (i) co-operate with various inspection agencies;
- (j) require that all vendors display at their booth in a conspicuous location a sign indicating the vendors name, business address and phone number; conditions of sales, and whether the items displayed are new or used;
- (k) take prompt measures to reduce or eliminate nuisances when so requested by a By-law Officer;
- (l) provide trash receptacles in sufficient numbers and at suitable locations to keep up with the amount of trash generated by the event; and
- (m) empty the trash receptacles every night and as often as required to prevent overflow.

SCHEDULE NO. 17
Relating to Flea Markets
(added by By-law 2005-356)

LICENSES REQUIRED

1. (1) The following licenses may be issued pursuant to this schedule:
 - (a) a License "A" to a person who owns, operates or promotes the holding of a flea market for one (1) day,
 - (b) a License "B" to a person who owns, operates or promotes the holding of a flea market for more than one (1) consecutive days,
 - (c) a License "C" to a person who owns, operates or promotes the holding of a flea market or flea markets at a particular place between January 1 and December 31 of the same year,
- (2) A separate License "A" or License "B" shall be obtained for each flea market for each location at which such event occurs.
- (3) An individual participating in the flea market may require a license pursuant to other provisions of this by-law.

EXEMPTIONS

2. (1) Subsection (1) of Section 1 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 and includes the Kars Fair;
 - (d) the Ottawa Valley Farm Show;
 - (e) Coin, Stamp, Card and Comic Book trade shows;

(amended by By-law 2006-81)

 - (f) the Central Canada Exhibition;
 - (g) flea markets that primarily promotes original arts and crafts creations by Canadian artists;

- (h) flea markets raising funds for a charitable organization provided that the organization has a Revenue Canada number and the profits go to the charitable organization represented;
 - (i) flea markets raising funds for not-for-profit organizations that operate solely for cultural or religious goals, civic improvement, recreation, sport or similar community enhancement initiatives but not for profit provided that the profits go to the not-for-profit organization represented;
 - (j) an event that takes place indoors at a shopping mall.
- (2) A flea market license shall not be required if every person who is vending at the flea market is the holder of an itinerant seller's license that is valid for the duration of the flea market and was issued by the City.
 - (3) No itinerant sellers license or fee shall be required by an itinerant seller who vends at a flea market for which the owner or operator or promoter of such flea market has obtained a license.
 - (4) A flea market license shall not be required if the event has been licensed under this by-law as an exhibition.

CONDITIONS FOR ISSUANCE

- 3. (1) No applicant for a flea market license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age,
 - (b) the applicant has furnished details of the flea market including its location, dates and duration,
 - (c) where the applicant proposes to hold the flea market on private property, the applicant has filed a copy of the written leasing agreement for the occupation of the flea market premises by the applicant for the duration of the flea market,
 - (d) where the applicant proposes to hold the flea market on a pedestrian mall, pedestrian promenade or highway the applicant has filed a copy of the written leasing agreement for the occupation of the pedestrian mall or pedestrian promenade or is the holder of a special event permit issued pursuant to the Special Events By-law No. 2001-260, whichever is applicable,
 - (e) the applicant agrees to maintain a record of the vendors, their names, addresses and phone numbers, together with details as to the type of items they sell,

- (f) the applicant has filed a site plan for the outdoor portion and a floor plan for the indoor portion of the event showing where vendors will be located;
- (g) the applicant has at least five (5) participating individuals who act on their own behalf and not on behalf of the owner, operator or promoter of the event,
- (h) the Fire Chief has reported, in writing, that the premises in connection with which the license is sought is suitable for the proposed flea market and complies with all applicable fire regulations,
- (i) the Medical Officer of Health has reported, in writing, that the premises in connection with which the license is sought is suitable for the proposed flea market and complies with all applicable health regulations,
- (j) the General Manager, Planning, Real Estate and Economic Development Department has reported, in writing, that the vending activity will not take place where the zoning permits residential land use and the location of the flea market will not lead to a deficiency in required parking and proper vehicle circulation,

(amended by By-law 2023-516)

- (k) the Chief Building Official has reported, in writing, that the premises from which it is proposed to carry on the flea market complies with building requirements of the City;

(amended by By-law 2023-516)

- (l) the applicant has insurance in accordance with the requirements of Section 7 hereof, and
 - (m) the applicant has paid the fees set out in Schedule "A".
- (2) In addition to the provisions of subsection (1), no applicant for a flea market license where a portion of the event is to be held outdoors, shall be issued a license unless and until the applicant has filed written correspondence from the local Community Association and Business Improvement Area, where those exist, which provides the Community Association and Business Improvement Area position on the proposed flea market.

4. Despite Section 3, 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.

LICENSE ISSUANCE

5. The Chief License Inspector shall indicate on the license furnished to the licensee, the type of license and the location, time, date and duration for which the license is valid.

LICENSE VALIDITY

6. The license issued pursuant to this schedule shall be valid:
- (a) for the specific flea market only,
 - (b) for one location on which the flea market is to be held, and
 - (c) for the specific license period that the license is issued for.

INSURANCE

7. (1) Every applicant for an flea market license shall file with the Chief License Inspector proof of insurance of Commercial General Liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) Dollars inclusive per occurrence for bodily injury, death and damage to property.
- (2) The proof of insurance shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of any cancellation or of a material change that would diminish coverage.

TRANSFERS OF LICENSE

8. The licenses issued pursuant to this schedule are not transferable from person to person or premises to premises.

RENEWAL OF LICENSE

9. The licenses issued pursuant to this schedule are not renewable.

GENERAL REGULATIONS

10. Every licensee shall:
- (a) ensure that orderly conduct is maintained on the flea market premises, and, at his or her own expense, keep sufficient staff for that purpose;
 - (b) keep sufficient staff present at the entrances to the flea market premises in order to ensure that queues which form for the purposes of gaining entrance to the premises do not obstruct sidewalks or highways;

- (c) be responsible for the conduct of the vendors at the flea market;
- (d) co-operate with the Chief License Inspector to ensure that all required inspections, including building, fire and health inspections, are conducted as required;
- (e) maintain up-to-date documents and plans that accurately record a complete list of the participants, their designated location on the premises and the types of items sold;
- (f) keep a copy of the documents referred to in clauses (c) and (d) of subsection 3(1) at the flea market;
- (g) keep the records referred to in clauses (e) and (f) for a period of one (1) year after the termination of the event;
- (h) produce those documents referred to in clauses (e) and (f) when so directed by a By-law Officer or Chief of Police;
- (i) co-operate with various inspection agencies;
- (j) require that all vendors display at their booth in a conspicuous location a sign indicating the vendors name, business address and phone number; conditions of sales, and whether the items displayed are new or used;
- (k) take prompt measures to reduce or eliminate nuisances when so requested by a By-law Officer;
- (l) provide trash receptacles in sufficient numbers and at suitable locations to keep up with the amount of trash generated by the event; and
- (m) empty the trash receptacles every night and as often as required to prevent overflow.

SCHEDULE NO. 18
Relating to Temporary Sign Lessors
(added by By-law 2005-357)

LICENSE REQUIRED

1. No person shall carry on business as a temporary sign lessor unless he or she has obtained a temporary sign lessor licence.

CONDITIONS FOR ISSUANCE

2. No applicant for a temporary sign lessor license shall be issued a license unless,
- (a) the applicant is eighteen (18) years of age or older,
 - (b) the applicant has paid the fees outlined on Schedule "A", and
 - (c) the applicant has filed proof of insurance in accordance with the provisions of Section 3 of this Schedule.

INSURANCE

3. Every applicant for a temporary sign lessor license shall file proof of insurance of Comprehensive General Liability insurance subject to limits of not less than One Million Dollars (\$1,000,000.00) inclusive per occurrence for bodily injury, personal injury, death and damage to property including loss of use thereof.

REGULATIONS

4. The licensee shall include his or her name, or the name of the company under which he or she carries on business as a temporary sign lessor, and telephone number on each temporary sign or its supporting structure in a clearly visible location.
5. No licensee shall place a temporary sign that does not have information required by Section 4 included on the sign at any location in the City.
6. Every licensee shall ensure that he or she complies at all times with the requirements of By-law No. 2004-239, the Temporary Signs on Private Property By-law, as amended, or any successor by-law thereto.

SCHEDULE NO. 19
Relating to Adult Entertainment Stores
(added by By-law 2005-414)

LICENSES REQUIRED

1. The following types of licenses may be issued:
 - (a) a License "A" to the owner or operator of an adult entertainment store in which the principal business carried on is the provision of either or both adult magazines or adult videos, or
 - (b) a License "B" to the owner or operator of an adult entertainment store in which the provision of either or both adult videos or adult magazines is incidental to the carrying on of a business not referred to in paragraph (a).

CONDITIONS FOR ISSUANCE OF A LICENSE

2. No applicant for an adult entertainment store license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age, and
 - (b) the premises comply with the zoning, building and property standards requirements of the City.
3. A separate license shall be obtained in respect of each adult entertainment store.

REGULATIONS APPLICABLE TO ADULT ENTERTAINMENT STORES - LICENSE "A"

4. No holder of a License "A" shall fail to:
 - (a) maintain on the premises, during all business hours, a current list of all adult videos available on the premises, and make such list available for inspection when so requested by the Chief License Inspector or the Chief of Police,
 - (b) post and keep posted at every entrance to the adult entertainment store signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen (18) years is permitted to enter or remain in such store or any part thereof,

- (c) ensure that no person under the age of eighteen (18) years is employed to working the adult entertainment store,
- (d) ensure that no person under the age of eighteen (18) years is permitted to enter or remain in the adult entertainment store,
- (e) ensure that no adult magazine or adult video is provided to any person under the age of eighteen (18) years,
- (f) ensure that the exterior signs or advertisements for the adult entertainment store do not use text or pictorial representations of any specified body area or specified sexual activity,
- (g) ensure that no adult magazine, adult video, adult video container or any other printed material or visual image which reveals a specified body area or a specified sexual activity is displayed so that it may be viewed by any member of the public from outside the premises, and
- (h) ensure that no adult videos are played or previewed for public view within the adult entertainment store.

**REGULATIONS APPLICABLE TO ADULT ENTERTAINMENT STORES - LICENSE
“B”**

5. No holder of a License “B” shall fail to:
- (a) maintain on the premises, during all business hours, a current list of all adult videos available on the premises, and make such list available for inspection when so requested by the Chief License Inspector or the Chief of Police,
 - (b) designate an area of the store as an adult video area, being an identifiable portion of the premises, in which adult videos are provided or displayed,
 - (c) post and keep posted at every approach and entrance to the designated adult video area, signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen (18) years is permitted to enter or remain in the adult video area,
 - (d) ensure that no adult magazine, adult video, adult video container or any other printed material or visual image which reveals a specified

body area or a specified sexual activity, is displayed outside of the designated adult video area,

- (e) ensure that no adult magazine, adult video, adult video container or any other printed material or visual image which reveals a specified body area or a specified sexual activity, is displayed in such a way that it may be viewed from outside of the designated adult video area,
- (f) ensure that no adult magazine is displayed at a height of less than 1.5 metres,
- (g) ensure that no person under the age of eighteen (18) years is permitted to enter or remain in the designated adult video area,
- (h) ensure that no adult video is provided to any person under the age of eighteen (18) years, and
- (i) ensure that no adult videos are played or previewed for public view within the adult entertainment store.

EXCEPTION

6. The provisions of Section 5 do not apply to an adult entertainment store where the provision of either or both adult magazines and adult videos is incidental to the carrying on of the business provided that the owner or operator of the adult entertainment store:

- (a) stores all the adult videos behind the counter or other area not accessible to customers of the store,
- (b) ensures that no adult video, adult video container or any other printed material or visual image which reveals a specified body area or a specified sexual activity, is displayed where it can be seen by customers of the store,
- (c) ensures that no adult magazine is displayed at a height of less than 1.5 metres,
- (d) maintains on the premises, during all business hours, a current list of all adult videos available on the premises, and make such list available for inspection when so requested by the Chief License Inspector or the Chief of Police,

- (e) makes the listing, referred to in paragraph (d) hereof, available to any person who is eighteen (18) years of age or older upon request,
- (f) ensure that no adult video is provided to any person under the age of eighteen (18) years, and
- (g) ensure that no adult videos are played or previewed for public view within the adult entertainment store.

SCHEDULE NO. 20
Relating to Body-rub Parlours
(added by By-law 2005-415)

LICENSES REQUIRED

1. A separate license shall be obtained in respect of each premises operating as a body-rub parlour.
2. No person shall own or operate a body-rub parlour premises without first obtaining a body-rub parlour license.

CONDITIONS FOR ISSUANCE OR RENEWAL OF A BODY-RUB PARLOUR LICENSE

3. No applicant for a body-rub parlour license shall be issued a license unless:
 - (a) the applicant is eighteen (18) years of age or older;
 - (b) the applicant appears in person;
 - (c) the applicant provides proof of age and identification satisfactory to the Chief License Inspector;
 - (d) the applicant has provided the original documents from the issuing agency outlining the results of investigations related to the applicant for a Police Records Check for the Service with the Vulnerable Sector, dated less than 30 days prior to the date of the application for a license;
 - (e) the premises complies with the zoning, building and property standards requirements of the City;
 - (f) the Fire Chief has reported in writing that the premises complies with fire regulations;
 - (g) the Medical Officer of Health has reported in writing that the premises in connection with which the license is sought is suitable for the purpose of the license application and is in a sanitary condition;
 - (h) the applicant has submitted proof of insurance in accordance with the requirements of Section 13 of this Schedule;
 - (i) the applicant has paid the fees described in Schedule "A" to this by-law.

GENERAL REGULATIONS

4. No licensee shall fail to ensure that:
 - (a) the body-rub parlour is,
 - (i) well lighted and that the lighting is at an intensity of fifty (50) footcandles measured at a distance of seventy-six centimetres (76 cm) from the floor level,
 - (ii) adequately ventilated,
 - (iii) adequately heated,
 - (iv) clean , and
 - (v) supplied with hot and cold running water;
 - (b) all bathing devices, including steam baths, are properly cleaned before they are offered for use to a patron;
 - (c) all robes, towels, blankets and linens furnished for the use of patrons are freshly laundered before being offered for use to a patron;
 - (d) clean uniforms or garments are worn by employees while working on a patron;
 - (e) the sleeves of uniforms or garments as referred to in subsection (d) do not reach below the elbow;
 - (f) the skin of the hands of an employee is clean and in a healthy condition and the nails are kept short and clean;
 - (g) the hands of an employee are washed thoroughly before performing a body-rub on a patron;
 - (h) the furniture and equipment are maintained in a safe and sanitary condition;
 - (i) the body-rub parlour is supervised at all times when open for business; and
 - (j) no cubicle, room, booth or area used for a body-rub is to be fitted with a door capable of being locked.
5. No licensee shall fail to post the license in a prominent location on the licensed premises so as to be clearly visible to the public.

6. No licensee shall refuse to produce his or her license for inspection when so requested by the Chief License Inspector or Chief of Police.

7. No licensee or body-rub parlour operator shall permit any person under the age of eighteen (18) years to enter or remain in the body-rub parlour.

7A. No licensee shall fail to post a notice, in a prominent location in the licensed premises so as to be clearly visible to the public, that no person under the age of eighteen years is permitted to enter or remain on the premises.

(By-law 2007-248)

8. No licensee shall permit any person under the age of eighteen (18) years to be employed in a body-rub parlour.

9. No licensee shall permit any person who appears to be intoxicated by alcohol or a drug to enter or remain in the body-rub parlour.

10. No licensee shall:

- (a) publish or distribute or cause to be distributed, any advertising matter or business identification card that describes or depicts any portion of the human body that would reasonably suggest to prospective patrons that any service is available other than a body-rub;
- (b) erect or post or cause to be erected or posted a sign, advertising or advertising device that describes or depicts any portion of the human body that would reasonably suggest to prospective patrons that any service is available other than a body-rub; and
- (c) fail to include the license number of the body rub parlour license issued by the Chief License Inspector on all advertising.

((c) added by By-law 2007-248)

11. No person shall operate a body-rub parlour in any area of the City zoned for residential or institutional purposes in the applicable zoning by-law.

INSURANCE

12. Prior to the issuance of the license, the applicant shall file with the Chief License Inspector proof of insurance of Commercial General Liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property.

TRANSFERABILITY OF LICENSE

13. The body-rub parlour license is not transferable.

NUMBER OF LICENSES

(Sections 14 to 17 added by By-law 2007-248)

14. The number of body-rub parlour licenses shall be restricted to thirty-two (32).

LOCATION RESTRICTIONS

15. A body-rub parlour shall not be located within 1000 metres of an existing licensed body-rub parlour and shall not be located within 1000 metres of a school, place of worship, daycare, public library, community centre, public park or a property zoned residential.

16. Despite Section 15, a body-rub parlour may be operated in the following locations:

- (a) the premises known municipally as 1792 Bank Street;
- (b) the premises known municipally as 256 Bank Street;
- (c) the premises known municipally as 1757 Bank Street;
- (d) the premises known municipally as 195 Bank Street;
- ~~(e) the premises known municipally as 386 Bank Street;~~

(deleted by By-law 2009-203)

- (f) the premises known municipally as 155 Bank Street;
- (g) the premises known municipally as 14 Bentley Avenue;
- (h) the premises known municipally as 170 Booth Street;
- (i) the premises known municipally as 3049 Carling Avenue;
- (j) the premises known municipally as 2525 Carling Avenue;
- (k) the premises known municipally as 174 Colonnade Avenue South;
- ~~(l) the premises known municipally as 1145 Cyrville Road;~~

(deleted by By-law 2009-203)

- (m) the premises known municipally as 344 Donald Street;
- (n) the premises known municipally as 350 Donald Street;
- (o) the premises known municipally as 96 George Street;

- (p) the premises known municipally as 508 Gladstone Avenue;
- ~~(q) the premises known municipally as 176 Gloucester Street;~~
(deleted by By-law 2009-203)
- (r) the premises known municipally as 405 McArthur Road;
- (s) the premises known municipally as 868 Merivale Road;
- ~~(t) the premises known municipally as 1916 Merivale Road;~~
(deleted by By-law 2008-143)
- (u) the premises known municipally as 175 Montreal Road;
- ~~(v) the premises known municipally as 84 O'Connor Street;~~
(deleted by By-law 2009-203)
- (w) the premises known municipally as 287 Palace Street;
- (w) the premises known municipally as 2201 Riverside Drive;
- ~~(x) the premises known municipally as 323 Somerset Street West;~~
(deleted by By-law 2009-203)
- (y) the premises known municipally as 371 Somerset Street West;
- ~~(z) the premises known municipally as 373 St. Laurent Boulevard;~~
(deleted by By-law 2009-203)
- (aa) the premises known municipally as 2285 St. Laurent Boulevard
- (ab) the premises known municipally as 1725 St. Laurent Boulevard;
- (ac) the premises known municipally as 380 Terminal Avenue;
- (ad) the premises known municipally as 1367 Wellington Street;
- (ae) the premises known municipally as 969 Wellington Street;

17. Despite Section 15 and subject to Section 16, no body-rub parlours shall be permitted,

- (a) in the area bounded on the north by Scott Street, on the east by the CPR rail corridor, on the south by Highway 417 and on the west by Holland Avenue known as the Hintonburg community; and
- (b) in the area bounded on the south by Scott Street, on the west by Parkdale Avenue, on the north by the Ottawa River and on the east by the CPR rail corridor known as the Laroche Park community.

SCHEDULE NO. 21
Relating to Itinerant Sellers
(added by By-law 2008-95)

LICENSES REQUIRED

1. (1) The following licenses may be issued to an itinerant seller pursuant to this Schedule:
 - (a) a License "A," an annual license to a person operating as an itinerant seller on private property or at special events from May 15th to May 14th of the following year;
 - (b) a License "B," a six-month license to a person operating as an itinerant seller on private property or at special events from May 15th to November 14th of the same year or November 15th to May 14th of the following year;
 - (c) a License "C," a monthly license to a person operating as an itinerant seller on private property or at special events from the fifteenth (15th) of one month until the fourteenth (14th) of the following month;
 - (d) a License "D," a special event license to a person operating as an itinerant seller at a special event for one (1) to twenty-one (21) consecutive days and includes a flower vendor;
 - (e) a License "E," a special event license to a person operating as an itinerant seller at a special event for one (1) to four (4) consecutive days and includes a flower vendor;
 - (f) a License "F," a sidewalk annual license to a person operating as an itinerant seller pursuant to the Designated Space Programme By-law on the sidewalk in the former City of Ottawa or at special events from May 15th to May 14th of the following year;
 - (g) a License "G," a sidewalk six-month license to a person operating as an itinerant seller pursuant to the Designated Space Programme By-law on the sidewalk in the former City of Ottawa or at special events from May 15th to November 14th or from November 15th to May 14th of the following year;
 - (h) a License "H," a sidewalk monthly license to a person operating as an itinerant seller pursuant to the Designated Space Programme

By-law on the sidewalk in the former City of Ottawa or at special events from the 15th of one month until the 14th of the following month;

- (i) a License “I, “ a Canada Day license to a person operating as an itinerant seller and also selling bottled and canned beverages on Canada Day (July 1st) within the removal zone as indicated in the Designated Space Programme By-law;
- (2) Every person or business that operates as an itinerant seller shall obtain a license.
- (3) Every person or business that operates as an itinerant seller shall obtain a separate license for each person who is selling.
- (4) No “F”, “G” or “H” class license shall be issued to applicants who do not have a designated space permit issued pursuant to the Designated Space Programme By-law.
- (5) Every itinerant seller shall require a Canada Day license to operate within the removal zone as identified in the Designated Space Programme on July 1st.
- (6) Every itinerant seller may vend from his or her person, from a hand-powered vehicle, a pedal-powered vehicle, a motor vehicle and only in the case of a special event a stand will be permitted.

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, provided that the organization has a Revenue Canada number,

- (f) Despite subsection (e) individual itinerant sellers 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,
 - (g) an event that takes place indoors at a shopping mall, and
 - (h) original arts and crafts creations by Canadian artists.
- (2) No holder of a Class “A”, “B”, “C”, “F”, “G” or “H” license issued under this Schedule shall be permitted to vend at a special event unless the licensee:
- (a) has notified the Chief License Inspector in writing of:
 - (i) his or her intention to vend at the special event,
 - (ii) the description of the special event including its location, duration and hours of operation,
 - (iii) the name and phone number of the promoter,
 - (b) has written proof that he or she is permitted to operate at the special event,
 - (c) if applicable, he or she operates from a hand-powered or pedal-powered vehicle or motor vehicle, or stand identified under his or her license, and
 - (d) has obtained a license that is valid at the time of and for the duration of the special event.
- (3) The provisions of this by-law do not apply to a person who sells to wholesale or retail dealers in similar goods, wares or merchandise.
- (4) Despite any of the provisions of this by-law, an itinerant seller's license or related fee shall not be required by:
- (a) a tenant association or community association that holds a sale of personal household effects where
 - (i) the personal household effects are owned by persons who are members of the association,

- (ii) the sale is for a period no longer than two (2) days, and
 - (iii) no more than two (2) sales are held by that association in a single calendar year,
 - (b) an itinerant seller who vends at an exhibition for which the promoter or organizer of such exhibition has obtained a License under this by-law,
 - (c) a vendor of items that are being sold for charitable purposes and community betterment.
- (5) The provisions of this by-law do not apply to a person who sells official programs for special outdoor events, in the vicinity of the events, for the period of one (1) hour prior to the event, during the event and one (1) hour after the activity, and this event is not to be construed as itinerant vending.
- (6) Despite subsection (1), every itinerant seller must comply with all municipal, provincial and federal acts, regulations and by-laws.
- (7) The provisions of this Schedule do not apply in the rural wards:
- (a) Ward 5 - West Carleton March,
 - (b) Ward 19 - Orléans South-Navan,
 - (c) Ward 20 - Osgoode,
 - (d) Ward 21 – Rideau-Jock.

((b) and (d) amended by By-law 2023-516)

CONDITIONS FOR ISSUANCE

3. (1) No applicant for an itinerant seller's license shall be issued a license unless the applicant:
- (a) is at least eighteen (18) years of age,
 - (b) where applicable, is the holder of a current motor vehicle permit issued pursuant to the Highway Traffic Act, R.S.O. 1990, Chap. H.8, as amended, for the motor vehicle being used for the business,
 - (c) has filed proof of insurance in accordance with the requirements of Section 8,

- (d) in the case of an applicant who proposes to vend at a special event, has furnished details as to the special event including its location and duration and has met complied with the provisions of this by-law,
 - (e) in the case of an applicant who proposes to hold a special event, has furnished details as to the special event and has complied with the provisions of this by-law,
 - (f) where applicable has complied with the standards and dimensions prescribed for the hand-powered vehicle or pedal-powered vehicle to be used by the applicant for vending, and
 - (g) has presented the hand-powered vehicle, pedal-powered vehicle, motor vehicle or stand, as applicable, for inspection by the Chief License Inspector and received approval in writing.
- (2) The location from which the applicant proposes to vend as an itinerant seller shall comply with the applicable zoning by-law and shall not contravene zoning use or lead to a deficiency in required parking and proper vehicular circulation.
 - (3) The Chief License Inspector is authorized to require that each hand-powered vehicle, pedal-powered vehicle, motor vehicle or stand to be used by the licensee for vending under a license be submitted for inspection prior to the issuance of the license.
 - (4) 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 these requirements do not apply to the licensee's business.

CONDITIONS FOR RENEWAL OF LICENSE

- 4. (1) The licensee shall ensure that prior to the expiration of the license, his or her hand-powered vehicle, or pedal-powered vehicle, or motor vehicle, or stand, and vending equipment, as the case may be, is submitted for inspection, by the Chief License Inspector as if the applicant were filing an original application.
- (2) The licensee must also comply with the applicable requirements of Section 3.

REFUSAL OF LICENSE

- 5. In addition to Section 21 of By-law No. 2002-189, the Chief License Inspector may refuse to issue or renew an itinerant seller license if,

- (a) an inspection or inspections reveal that the site conditions are deemed unsuitable for the business;
- (b) an inspection or inspections reveal that the vehicle or equipment used for vending does not meet the regulations of this licensing schedule; or
- (c) the location from which the applicant proposes to operate 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.

ISSUANCE OF LICENSE

6. (1) The Chief License Inspector shall, upon issuing a license, furnish to the licensee who operates a hand-powered vehicle, a pedal-powered vehicle or motor vehicle, one (1) plate or decal bearing an identifying number, the category for which the license was issued, the words "Itinerant Seller" and "Ottawa", and a serial number to be encoded on the hand-powered vehicle or other vehicle if the vehicle does not have one.
- (2) Despite subsection 6 (1), the Chief License Inspector shall not furnish a plate or decal if the vendor is carrying the articles on his or her person or the vendor is not selling from a vehicle, in such a case the license certificate shall be displayed.
- (2) Despite subsection 6(1), the Chief License Inspector shall not furnish a plate for "D", "E" or "I".
- (4) Every licensee using a hand-powered vehicle, a pedal-powered vehicle or a motor vehicle shall ensure that the decal furnished pursuant to subsection 6 (1) is properly affixed to the upper right corner of the plate, and that the plate is attached by bolts to the right rear of the vehicle for which it has been issued so as to be clearly visible to the public during the currency of the license.
- (5) Every licensee shall ensure that the license certificate issued by the Chief License Inspector is posted on or in the vehicle and visible to the public.
- (6) Every licensee who vends under the authority of a license shall ensure that he or she has the license certificate in his or her possession.

- (7) Every person who vends under the authority of a license shall ensure that the license certificate corresponds with the plate or decal furnished by the Chief License Inspector pursuant to subsection 6 (1).
- (8) Every licensee shall produce the license certificate for inspection when so requested by a By-law Officer or Peace Officer.
- (9) Every licensee who ceases to operate as an itinerant seller permanently shall return the plate to the Chief License Inspector within fifteen (15) business days.

APPROVALS REQUIRED TO VEND FROM A PARTICULAR LOCATION

7. (1) The issuance of a license to operate as an itinerant seller 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 as an itinerant seller within the City does not constitute the granting of authority to vend on private property.
- (3) No person shall vend on private property without the written consent of the owner or occupant of such property.
- (4) No person shall vend on private property of the City without first obtaining written permission from the City.
- (5) 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.
- (6) Every person who vends on private property with the consent of the owner or occupant of such property shall:
 - (a) ensure that he or she has the consent in his or her possession, and that the consent includes the name and telephone number of the property owner, the duration of the permission and other conditions if applicable and,
 - (b) when so requested by the Chief License Inspector, or a Peace Officer, produce the consent for inspection.
- (7) No person shall vend on the street or sidewalk without a valid permit, or authorization, to do so issued pursuant to the Designated Spaces Programme By-law.
- (8) Licensed itinerant sellers 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 of the City of Ottawa to regulate special events on City streets”, as amended, may vend within the special event area.

- (9) No person shall vend on the Sparks Street Mall without first obtaining the written consent of the Sparks Street Mall Management Board and a license under this Schedule.
- (10) No person shall locate or operate as an itinerant seller:
 - (a) within forty-six (46) meters of a place of business selling the same or similar products,
 - (b) in a residential zone as specified by the applicable Zoning by-law,
 - (c) within nine (9) metres of an intersection,
 - (d) within ten (10) metres of a bus stop,
 - (e) within twenty (20) metres of a vendor who holds an encroachment permit pursuant to By-law No. 2003-446 entitled “A by-law of the City of Ottawa to regulate encroachments on City highways”, as amended, or a designated space permit pursuant to the Designated Space Programme By-law,
 - (f) within three (3) metres of another vendor,
 - (g) within six (6) metres of a pedestrian mall or promenade, or
 - (h) within (91) metres of the public markets.
- (11) Despite subsection (10) (b), (e), and (f) vendors participating in a special event held pursuant to the said By-law No. 2001-260 are exempt.
- (12) The location regulations in this Schedule shall not apply to any vending location established pursuant to the Designated Space Programme By-law.
- (13) Every person who vends shall ensure that:
 - (a) he or she does not vend within forty-six (46) metres of premises known municipally as,
 - (i) 240 Sparks Street Mall, 240 and 250 Sparks Street and 235 Queen Street,

- (ii) L'Esplanade Laurier, 300 Laurier Avenue West, West Tower, 171-181 Bank Street, L'Esplanade Laurier Shopping Mall and 136-140 O'Connor Street, East Tower, and
- (iii) Place Bell Mall, 160 Elgin Street.

INSURANCE

8. (1) Every person who operates as an Itinerant Seller shall file with the Chief License Inspector proof of Commercial General Liability insurance subject to limits of not less than \$1,000,000 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 vehicle for which a license has been applied for or obtained.
- (2) Such insurance shall be in the name of the applicant 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 TRANSFERS

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 10 (1) and (2), a license "F", "G" or "H" may be transferable to a parent, spouse, brother, sister, son or daughter of the original permit holder for a designated space provided that the permit has

been transferred to said person pursuant to the Designated Space Programme By-law.

LOCATION TRANSFERS

11. Despite Section 10, location transfers may be permitted with the approval of the Chief License Inspector.

VEHICLE AND EQUIPMENT STANDARDS

12. (1) Every hand-powered or pedal-powered vehicle shall be purpose built and suitably designed for the licensed business and shall not include a table with castors.
- (2) No person who vends shall use,
- (a) a gasoline-powered generator,
 - (b) a propane-powered generator,
 - (c) a diesel-powered generator, or
 - (d) a natural gas-powered generator,
- in conjunction with the vending activity.
- (3) Every licensee shall keep his or her hand-powered vehicle, pedal-powered vehicle or motor vehicle or stand at all times in a clean and sanitary condition and in a state of good repair and appearance.
- (4) Every licensee shall use a hand-powered vehicle, pedal-powered vehicle, or motor vehicle that is capable of immediate relocation by the user.
- (5) Every licensee shall have attached to or painted on both sides of the exterior body of every licensed motor vehicle, hand-powered or pedal-powered vehicles in a clearly visible position, a sign showing his or her trade name and business address legibly printed in letters and figures not less than seven (7) centimetres in height.
- (6) No person shall use a hand-powered vehicle, pedal-powered vehicle or motor vehicle for vending that is not,
- (a) structured so as to be safe and stable with or without goods, wares or merchandise therein, or
 - (b) capable of easy relocation by the user.

HAND-POWERED VEHICLE STANDARDS

13. (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 goods, wares or merchandise therein.
- (2) The hand-powered vehicle may have a canopy 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 14 provided that:
- (a) the extension of the canopy is at the 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 into the street.
- (4) Despite subsection (3), where the canopy is an umbrella it may extend beyond the dimensions of the hand-powered vehicle prescribed by Section 14 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 hand-powered vehicle.

- (5) The maximum height of the display 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.
- (6) 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 VEHICLES

14. (1) No licensee shall use a hand-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) The provisions of subsection (1) do not apply to prevent a person from using a hand-powered vehicle for vending on private property so long as it is on private property and approved by the Chief License Inspector.

DIMENSIONS OF PEDAL-POWERED VEHICLES

15. (1) No licensee shall use 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.

GENERAL REGULATIONS

16. (1) No licensee and 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 itinerant seller license;
 - (b) 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 special event; and
 - (c) a copy of the permission from the owner or occupant of the property including the name and telephone number of the property owner or occupant, indicating that the licensee is authorized to vend on the property and any conditions related to the permission if any.
- (2) No licensee shall fail to submit the hand-powered vehicle, pedal-powered vehicle, or motor vehicle for inspection if requested to do so by a By-law Officer or a Peace Officer.
- (3) Every person who vends under the authority of a license shall ensure that he or she has the license certificate in his or her possession.

- (4) 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 Section 6.
- (5) A person who operates a business, whether a single enterprise, partnership or corporation, shall obtain a license for each individual who vends goods, wears or merchandise for that business.
- (6) The license issued under Section 6 may be in the name of the business or the individual who is doing the actual vending to the public.
- (7) In any prosecution, the onus of proof that he or she does not require a license shall be upon the person so prosecuted.
- (8) 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.
- (9) Every licensee participating in an event that takes place on private property or public property must provide the Chief License Inspector with a letter from the promoter of the event or the property owner or occupant of the location of the event stating that the licensee has permission to vend at the event.
- (10) No licensee may change his or her location during the currency of the license without prior approval from the Chief License Inspector.
- (11) Every licensee shall ensure that:
 - (a) he or she conforms, where applicable, in all respects with,
 - (i) the Highway Traffic Act, R.S.O. 1990, Chap. H.8, as amended,
 - (ii) the Traffic and Parking By-law (No. 2017-301) entitled "A by-law of City of Ottawa regulating traffic and parking on highways", as amended, or any Act or by-law enacted in substitution therefor, and

(amended by By-law 2023-516)
 - (iii) he or she does not interfere with the normal movement of pedestrian or vehicular traffic or the maintenance of the sidewalks or streets in the City.

- (12) Despite any other provision of this by-law, when a person who operates a business has a license issued in the name of the business he or she shall ensure that the person who vends under the authority of the license has possession of the license certificate during the vending activity.
- (13) Despite any other provision of this by-law, every person who vends merchandise for a person who operates a business shall produce the license certificate for inspection if requested by any By-law Officer or Peace Officer.
- (14) No person who vends on the sidewalk, street or private property shall place any article around the hand-powered vehicle.
- (15) Every person licensed as an itinerant seller who vends from door to door within the City shall restrict such sales to occur between the hours of 9:00 o'clock in the forenoon (9:00 a.m.) and 9:00 o'clock in the afternoon (9:00 p.m.) during the days of Monday to Saturday inclusive.
- (16) Every licensee who vends on a sidewalk or street shall restrict such sales to occur between 6:00 o'clock in the forenoon (6:00 a.m.) and 11:00 o'clock in the afternoon (11:00 p.m.) of the same day.
- (17) Every licensee shall ensure that his or her hand-powered vehicle or other vehicle or any article used in the business is removed from the sidewalk or street from the hours of 11:00 o'clock in the afternoon (11:00 p.m.) of one day to 6:00 o'clock in the forenoon (6:00 a.m.) of the next following day.
- (18) No person who vends shall leave the hand-powered vehicle or anything on the highway after the vending activity has ceased, or after eleven o'clock in the afternoon (11:00 p.m.) whichever occurs first.
- (19) No licensee shall leave his or her hand-powered vehicle unattended on the sidewalk for a period of time in excess of thirty (30) minutes between 6:00 o'clock in the forenoon (6:00 a.m.) and 11:00 o'clock in the afternoon (11:00 p.m.) of the same day.
- (20) No licensee shall vend before 12:30 o'clock in the afternoon (12:30 p.m.) on November 11 (Remembrance Day):
 - (a) on Rideau Street or Wellington Street between Sussex Drive and Metcalfe Street, or
 - (b) on Elgin Street between Wellington Street and Queen Street.

- (21) No licensee or a person who vends shall fail to ensure that the garbage or litter resulting from his or her vending activity is collected and removed from the vending area immediately after the vending activity has ceased.
- (22) For the purposes of Section 21 the placing of the garbage or litter in a sidewalk refuse container provided by the City is not sufficient to constitute removal.
- (23) No person licensed to vend on any sidewalk in the City shall vend within three (3) metres of any other itinerant seller or refreshment vehicle on July 1st (Canada Day).
- (24) No person who vends on a sidewalk shall occupy or locate or utilize an area that exceeds three (3) metres in length by one (1) metre in width, by two point five (2.5) metres in height
- (25) No person shall vend with or from a vehicle, other than a hand-powered vehicle, on a boulevard that has been improved with asphalt, decorative bricks, concrete or other fabricated substances.
- (26) No person who vends shall locate a vending activity or equipment or thing on any portion of a sidewalk that,
 - (a) abuts a pedestrian mall or a pedestrian promenade, or
 - (b) is located within six (6) metres on either side of the area referred to in paragraph (a).
- (29) For the purposes of subsection (26), the measurement shall be taken from the extension of the general building lines across the sidewalk to the curb for the determination of,
 - (a) the area of the abutting sidewalk, and
 - (b) the commencement of the six (6) metres.
- (30) No licensee shall vend on the north side of Wellington Street and Rideau Street between MacKenzie Avenue and Bank Street.
 - (a) No licensee shall vend on Rideau Street between Sussex Drive and the east side of King Edward Avenue.
 - (b) No person shall vend on the sidewalk or property located in Confederation Square at the south side of Wellington Street and the bisection of Elgin Street on which the National War Memorial is sited.

- (31) Every licensee shall ensure that he or she conforms with By-law No. 2005-358, entitled "A by-law of the City of Ottawa respecting vendors on highways", as amended.
- (32) Every street vendor, as defined in the said By-law No. 2005-358, as amended, shall ensure that he or she conforms with the said by-law.

REPRESENTATION

- 17. (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 to the alteration erasure or modification of that license or any part thereof, unless approved by the Manager of Licensing or her designate who has initialized the change.

SCHEDULE NO. 22**Relating to Mobile Refreshment Vehicles****(added by By-law 2008-96)****LICENSE REQUIRED**

1. (1) The following licenses may be issued pursuant to this Schedule:
 - (a) a License "A," an annual license to a person operating a mobile refreshment vehicle from a particular location on private property or at special events from May 15th to May 14th of the following year;
 - (b) a License "B," a six month license to a person operating a mobile refreshment vehicle from a particular location on private property or at special events from May 15th to November 14th of the same year or from November 15th to May 14th of the following year.
 - (c) a License "C," a monthly license to a person operating a mobile refreshment vehicle on private property or at special events from the fifteenth (15th) of one month to the fourteenth (14th) of the following month.
 - (d) a License "D," a special event license to a person operating a mobile refreshment vehicle at a special event with a duration of one (1) to twenty-one (21) consecutive days.
 - (e) a License "E," a special event per day license to a person operating a mobile refreshment vehicle at a special event with a duration of one (1) to four (4) consecutive days.
 - (f) a License "F," a roadway annual license to a person operating a mobile refreshment vehicle, licensed as a motor vehicle pursuant to the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, and not a trailer, in a designated space pursuant to By-law No. 2007-478, entitled "A by-law of the City of Ottawa respecting designated spaces and to repeal By-law Number 300-96 of the old City of Ottawa" on the roadway in the former City of Ottawa or at special events from May 15th to May 14th of the following year.
 - (g) a License "G," a roadway six month license to a person operating a mobile refreshment vehicle, licensed as a motor vehicle pursuant to the Highway Traffic Act, R.S.O. 1990, c. H.8, as

amended, and not a trailer, in a designated space pursuant to said By-law No. 2007-478 on the roadway in the former City of Ottawa or at special events from May 15th to November 14th of the same year, or from November 15th to May 14th of the following year.

- (h) a License “H,” a roadway monthly license to a person operating a mobile refreshment vehicle, licensed as a motor vehicle pursuant to the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, and not a trailer, in a designated space pursuant to said By-law No. 2007-478 on the roadway in the former City of Ottawa or at special events from the 15th of one month until the 14th of the following month.
- (i) a License “I,” Canada Day License to a person selling refreshments from a mobile refreshment vehicle on Canada Day (July 1st) in the removal zone as indicated in the said By-law No. 2007-478.

- (2) Every person who operates a mobile refreshment vehicle shall obtain a license.
- (3) Every person who operates mobile refreshment vehicles shall obtain a separate license for each mobile refreshment vehicle.
- (4) No “F”, “G” or “H” class licenses shall be issued to applicants who do not hold a designated space permit issued pursuant to the said By-law No. 2007-478.
- (5) Every mobile refreshment vehicle operator shall require a Canada Day license to operate within the removal zone as indicated in the said By-law No. 2007-478.
- (6) Despite subsections 1(1), (a), (b), (c), (d) and (e) mobile refreshment vehicles licensed prior to January 1, 2008 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 mobile refreshment vehicle.

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) despite subsection (e), individual mobile refreshment vehicle 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", "C", "F", "G" or "H", issued under this Schedule shall be permitted to vend at a special event unless the licensee:
- (a) has notified the Chief License Inspector of:
 - (i) his or her intention to vend at the special event,
 - (ii) the description of the special event including its location, duration and hours of operation,
 - (iii) the name and telephone number of the promoter,
 - (b) has written proof that he or she is permitted to operate at the special event,
 - (c) operates from the mobile refreshment vehicle identified under his or her license, and
 - (d) has a valid license at the time of and for the duration of the special event.

- (3) Despite subsection (1), the operator of a mobile refreshment vehicle must comply with all municipal, provincial and federal Acts, regulations and by-laws.
- (4) The provisions of this schedule do not apply in the rural wards:
 - (a) Ward 5 - West Carleton March,
 - (b) Ward 19 - Orléans South-Navan,
 - (c) Ward 20 - Osgoode,
 - (d) Ward 21 – Rideau-Jock.

((b) and (d) amended by By-law No. 2023-516)

CONDITIONS FOR ISSUANCE

- 3. (1) No applicant for a refreshment vehicle 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 refreshment vehicle operation,
 - (c) the applicant has provided the following information related to the mobile refreshment vehicle:
 - (i) a recent colour photograph of the mobile refreshment vehicle to be used in the business,
 - (ii) the maximum height, length, width and depth of the mobile refreshment vehicle,
 - (iii) the type of heating and cooking equipment used,
 - (iv) other equipment to be used in the business, and
 - (v) the make, model, style and serial number of the mobile refreshment vehicle,
 - (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 mobile 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 Ontario Regulation 493/17 enacted thereunder,
(amended by By-law 2023-516)
- (g) the Medical Officer of Health has reported in writing that the mobile refreshment vehicle is suitable for the purpose of the license application and is in a sanitary condition,
- (h) the Chief License Inspector has reported in writing, that the mobile refreshment vehicle and its equipment are suitable for the vending operation noted in the application,
- (i) where an applicant is applying for a class “D” or “E” license, the applicant has furnished details to the Chief License Inspector outlined in subsection 2 (2),
- (j) if applying to sell on private property, the applicant has filed written proof with the Chief License Inspector that the owner or occupant 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,
- (k) the location from which the applicant proposes to operate the mobile 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,
- (l) 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,
- (m) the applicant has paid the fees set out in Schedule “A”, and
- (n) the mobile refreshment vehicle complies with the requirements of the Fire Code and the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended.

((n) added by By-law 2009-153)

CONDITIONS FOR RENEWAL OF LICENSE

4. (1) The Chief License Inspector may require the licensee to submit his or her mobile refreshment vehicle 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 is authorized to require that a mobile 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 operator of a trailer operating as a mobile refreshment vehicle may be required to prove that the trailer is capable of being towed by a motor vehicle immediately upon request.
- (4) Despite subsection 4 (2) and (3), mobile refreshment vehicles licensed prior to January 1, 2008 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 mobile refreshment 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 of these clauses do not apply.
- (6) The licensee shall ensure that prior to the expiration of the license, his or her mobile refreshment vehicle and vending equipment are submitted for inspection, where applicable, to,
 - (a) the Medical Officer of Health, and
 - (b) the Chief License Inspectoras if the applicant was filing an original application.
- (7) The licensee must also comply with the applicable requirements of Section 3.

REFUSAL OF LICENSE

5. (1) In addition to Section 21 of By-law No. 2002-189, the Chief License Inspector may refuse to issue a mobile refreshment vehicle license or may refuse to renew a license 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 mobile refreshment vehicle or equipment used for vending do not meet the regulations of this licensing schedule,
 - (c) the Medical Officer of Health has reported in writing that the mobile refreshment vehicle or vending equipment is not suitable for the purpose of the license application and is not in a sanitary condition,
 - (d) the location from which the applicant proposes to operate the 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 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, or
 - (g) the Chief License Inspector has reported in writing that the refreshment vehicle or vending equipment is unsuitable for the purpose of the license application and is in an unsafe condition.
- (2) Despite subsection (1) (f), mobile refreshment vehicles licensed prior to January 1, 2008 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 mobile refreshment vehicle.

ISSUANCE OF LICENSE

6. (1) The Chief License Inspector shall furnish a plate or decal bearing an identifying number that may be differentiated from other classes by colour.
- (2) Despite subsection 6 (1), the Chief License Inspector shall not furnish a plate or decal for a mobile refreshment vehicle license “D”, “E” or “I”.
- (3) Every licensee operating a mobile refreshment vehicle shall ensure that the decal furnished pursuant to Section 6 is properly affixed to the upper

right corner of the plate and that the plate is attached to the right rear of the mobile 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 certificate issued by the Chief License Inspector is posted on or in the mobile refreshment vehicle and visible to the public;
- (5) Every person who vends under the authority of a license shall ensure that he or she has the license certificate in his or her possession.
- (6) Every person who vends under the authority of a license shall ensure that the license certificate corresponds with the plate or decal furnished by the Chief License Inspector pursuant to subsection 6 (1).
- (7) Every licensee shall produce the license certificate for inspection when so requested by a By-law Officer or Peace Officer.
- (8) Every licensee who ceases to operate a mobile refreshment business permanently shall return the plate to the Chief License Inspector within fifteen (15) business days.

APPROVALS REQUIRED TO VEND FROM A PARTICULAR LOCATION

7. (1) The issuance of a license to operate a mobile refreshment vehicle 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 mobile refreshment vehicle 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 mobile refreshment vehicle operators who hold a permit issued under the said By-law No. 2007-478 or who are exempted from holding a permit under the said By-law No. 2007-478 may vend on City highways within the removal zones.
- (6) Licensed mobile refreshment vehicle 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 of the

City of Ottawa to regulate special events on City streets”, as amended, may vend within the special event area.

- (7) No person shall vend on private property without the written consent of the owner or occupant of such property.
- (8) No person shall vend from a mobile refreshment vehicle on the street or sidewalk without a valid permit to do so issued pursuant to the said By-law No. 2007-478 or authorized to do so pursuant to the said By-law No. 2007-478.
- (9) No person shall vend from a mobile refreshment vehicle on the Sparks Street Mall without first obtaining the written consent of the Sparks Street Mall Management Board and a license under this Schedule.
- (10) No person shall locate or operate a refreshment vehicle:
 - (a) within forty-six (46) metres of a Food Premises,
 - (b) in a residential zone as specified by the applicable Zoning by-law,
 - (c) within nine (9) metres of an intersection,
 - (d) within ten (10) metres of a bus stop,
 - (e) within twenty (20) metres of a vendor who holds an encroachment permit pursuant to By-law No. 2003-446, entitled “A by-law of the City of Ottawa to regulate encroachments on City highways”, as amended, or a designated space permit pursuant to the said By-law No. 2007-478,
 - (f) within three (3) metres of another vendor,
 - (g) within six (6) metres of a pedestrian mall or promenade; or
 - (h) within ninety-one (91) metres of the public markets.
- (11) Despite subsection (10) (b), (d), (e), and (f) vendors participating in a special event held pursuant to the By-law No. 2001-260, entitled “A by-law to regulate special events on City streets” are exempt.
- (12) Despite subsection (10) (a), a licensee may operate less than forty-six (46) metres from a food premises provided that the licensee obtains a written letter from the affected food premises stating that there is no objection to the operation of the mobile refreshment vehicle at the intended location and any applicable conditions. A copy of this letter shall be provided to the Chief License Inspector at the time of application and

annually upon renewal. The wording of the letter shall be to the Chief License Inspector's satisfaction.

- (13) The distance from a food premises is measured to the **structure** for a stand-alone food premises and to the building for a food premises in a shopping plaza, shopping centre or similar shopping area.

(amended by By-law 2009-153)

- (14) The location regulations in this Schedule shall not apply to any vending location established pursuant to the said By-law No. 2007-478.

INSURANCE

8. (1) Every owner or operator of a mobile refreshment vehicle shall file with the Chief License Inspector 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 mobile refreshment vehicle or trailer for which a license has been applied for or obtained.
- (2) Such insurance shall be in the name of the applicant 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 applicant 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 applicant of his or her obligations under the license whether with or without negligence on the part of the applicant, the applicant'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), a license “F”, “G” or “H” shall be transferable to a parent, spouse, brother, sister, son or daughter of the original permit holder for a designated space provided that the permit has been transferred to said person pursuant to the said By-law No. 2007-478

LOCATION TRANSFER

11. Despite Section 10, location transfers shall be permitted upon approval of the Chief License Inspector.

MOBILE REFRESHMENT VEHICLE AND EQUIPMENT STANDARDS

12. (1) Mobile refreshment vehicles shall be purpose-built and suitably designed for the licensed business.
- (2) Every licensee shall at all times keep his or her mobile refreshment vehicle in a clean and sanitary condition and in a state of good repair and appearance.
- (3) Every licensee shall use a mobile refreshment vehicle that is licensed as a motor vehicle pursuant to the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, and capable of immediate relocation by the operator upon being directed so to do.
- (4) Despite subsection (3), a trailer shall be permitted, however a motor vehicle capable of towing the trailer must remain accessible at all times.
- (5) Despite subsections (3) and (4), mobile refreshment vehicles licensed prior to January 1, 2008 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 vehicle.
- (6) No person who vends 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.

- (7) Every licensee operating a mobile refreshment vehicle shall have attached or painted on two sides of the exterior body of the mobile refreshment vehicle, in a clearly visible position, a sign showing his or her trade name, legibly printed in letters and figures not less than seven (7) centimetres in height.
- (8) Every licensee using a mobile refreshment vehicle with a food heating capability, food cooking capability or electric heater shall ensure that his or her mobile refreshment vehicle 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.
- (9) No licensee shall construct a structure or cause a structure to be constructed around or adjacent to a mobile refreshment vehicle so as to make the vehicle or trailer immobile.
- (10) Despite subsection 12 (9), mobile refreshment vehicles licensed prior to January 1, 2008 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 vehicle and any structures existing prior to January 1, 2008 shall be permitted.
- (11) No licensee shall operate from a mobile refreshment vehicle with visible rust.
- (12) Where reports have been received from the Medical Officer of Health in respect of the mobile refreshment vehicle, and the Chief License Inspector has issued the license based on the reports, the licensee shall ensure that no modifications are made to the mobile refreshment vehicle, or equipment related to the mobile refreshment vehicle operation, without the prior approval of the Chief License Inspector.
- (13) Every refreshment vehicle 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, and

- (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.
- (c) no part of the canopy shall extend into the street.

DIMENSIONS OF A MOBILE REFRESHMENT VEHICLE

13. No person shall use a mobile refreshment vehicle 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.

GENERAL REGULATIONS

- 14. (1) No licensee shall carry, sell, offer or expose for sale any food product that is prohibited by the Medical Officer of Health.
- (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 mobile refreshment vehicle license;
 - (b) 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 special event;
 - (c) a copy of the permission from the occupant or 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; and
 - (d) 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.
- (3) No licensee shall fail to submit the mobile refreshment vehicle or any equipment for an inspection if requested to do so by a By-law Officer or a Peace Officer.
- (4) Every licensee shall relocate the mobile refreshment vehicle immediately upon being so directed by the Chief License Inspector 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) No licensee shall fail to ensure that the licensed business 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, entitled "A by-law of the City of Ottawa to designate Fire Routes", as amended,
 - (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) No licensee shall change his or her particular vending location during the currency of the license without prior approval of the Chief License Inspector.
- (9) No licensee shall allow modifications to the equipment without the prior approval of the Chief License Inspector.
- (10) 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.
- (11) 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, entitled "A by-law of the City of Ottawa regulating traffic and parking on highways", as amended, and
 - (c) By-law No. 2005-358, entitled "A by-law respecting vendors on highways", as amended.
- (12) No person who vends with or from a mobile refreshment vehicle on the highway shall place or locate any carton, box or other article, other than a garbage receptacle, outside of the refreshment vehicle.

- (13) Every licensee who vends on the street shall restrict such sales to occur between 5:30 o'clock in the forenoon (5:30 a.m.) and eleven o'clock in the afternoon (11:00 p.m.) of the same day.
- (14) Every licensee shall ensure that his or her mobile refreshment vehicle or any article used in the business is removed from the highway from the hours of eleven o'clock in the afternoon (11:00 p.m.) of one day to 5:30 o'clock in the forenoon (5:30 a.m.) of the next following day.
- (15) No person who vends shall leave the vehicle or anything on the highway after the vending activity has ceased, or after eleven o'clock in the afternoon (11:00 p.m.), whichever occurs first.
- (16) No licensee shall leave his or her vehicle unattended on the highway for a period of time in excess thirty (30) minutes between 5:30 o'clock in the forenoon (5:30 a.m.) and eleven o'clock in the afternoon (11:00 p.m.) of the same day.
- (17) Despite subsections (15) and (16), no licensee shall vend:
 - (a) on Rideau Street or Wellington Street between Sussex Drive and Metcalfe Street, or;
 - (b) on Elgin Street between Wellington Street and Queen Street, before 12:30 o'clock in the afternoon (12:30 p.m.) on November 11 (Remembrance Day).
- (18) No licensee shall vend on the north side of Wellington Street and Rideau Street between MacKenzie Avenue and Bank Street.
- (19) No licensee shall vend on Rideau Street between Sussex Drive and the east side of King Edward Avenue.
- (20) No licensee shall vend on the sidewalk or property located in Confederation Square at the south side of Wellington Street and the bisection of Elgin Street on which the National War Memorial is sited.
- (21) Every licensee shall ensure that he or she conforms with the said By-law No. 2005-358, as amended.
- (22) Every street vendor, as defined in the said By-law No. 2005-358, shall ensure that he or she conforms with the said By-law No. 2005-358, as amended.

REQUIREMENT FOR GARBAGE OR LITTER CONTROL

15. (1) Every licensee shall ensure that a sufficient number of trash receptacles are placed outside the mobile refreshment vehicle 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 shall be disposed of as required to prevent overflow.
- (3) Every licensee shall ensure that the trash resulting from his or her vending activity is collected and removed from the vending area when leaving 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

16. (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 Manager of Licensing or designate who has initialized the change.

SCHEDULE NO. 23
Relating to Mobile Canteens
(Added by By-law 2008-96)

LICENSE REQUIRED

1. (1) The following mobile canteen licenses may be issued pursuant to this Schedule:
 - (a) a License "A," an annual license to a person operating a mobile canteen on private property or at special events from May 15th until May 14th of the following year.
 - (b) a License "B," a six month license to a person operating a mobile canteen on private property or at special events from May 15th to November 14th of the same year or from November 15th to May 14th of the following year.
 - (c) a License "C," a monthly license to a person operating a mobile canteen on private property or at special events from the fifteenth (15th) of one month until the fourteenth (14th) of the following month.
 - (d) a License "D," a special event license to a person operating a mobile canteen on private property or at special events from one (1) to twenty-one (21) consecutive days.
 - (e) a License "E," a special event per day license to a person operating a mobile canteen on private property or at a special event from one (1) to four (4) consecutive days.
- (2) Every person who operates a mobile canteen shall obtain a license.
- (3) Every person who operates mobile canteens shall obtain a separate license for each mobile canteen.

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) Despite subsection (e) individual mobile canteen 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 vend at a special event unless the licensee:
- (a) has notified the Chief License Inspector of:
 - (i) his or her intention to vend at the special event;
 - (ii) the description of the special event including its location, duration and hours of operation;
 - (iii) the name and phone number of the promoter;
 - (b) has written proof that he or she is permitted to operate at the special event;
 - (c) operates from the mobile canteen identified under his or her license; and
 - (d) has a valid license at the time of and for the duration of the special event.
- (3) Despite Section 2 of this by-law, the operator of the mobile canteen must comply with all other municipal, provincial and federal acts, regulations and by-laws.
- (4) The provisions of this Schedule do not apply in the rural wards:
- (a) Ward 5 – West Carleton March
 - (b) Ward 19 – Orléans South-Navan
 - (c) Ward 20 – Osgoode

- (d) Ward 21 – Rideau-Jock.

((b) and (d) amended by By-law 2023-516)

CONDITIONS FOR ISSUANCE

3. (1) No applicant for a mobile canteen 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 mobile canteen operation;
 - (c) the applicant has provided the following details of the mobile canteen to be used in the business:
 - (i) a recent colour photograph of the mobile canteen to be used in the business,
 - (ii) the maximum height, length, width and depth of the mobile canteen;
 - (iii) the type of heating equipment used,
 - (iv) other equipment to be used in the business,
 - (v) the make, model, style and vehicle information number of the mobile canteen;
 - (a) 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 mobile canteen,
 - (b) the applicant has filed proof of insurance in accordance with the requirements of Section 8,
 - (c) the applicant has met all requirements of the Health Protection and Promotion Act, R.S.O. 1990, c. H7, as amended, and of Ontario Regulation 493/17 enacted thereunder,

(amended by By-law 2023-516)
 - (d) the Medical Officer of Health has reported in writing that the mobile canteen is suitable for the purpose of the license application and is in a sanitary condition,

- (e) the Chief License Inspector has reported in writing that the mobile canteen and its equipment are suitable for the vending operation noted in the application,
- (f) where an applicant is applying for a class “D” or “E” license, the applicant has furnished details to the Chief License Inspector outlined in subsection 2 (2),
- (g) 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 it to be driven on any highway,
- (h) the applicant has paid the fees set out in Schedule “A”, and
- (i) the mobile canteen complies with the requirements of the Fire Code and the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended.

((I) added by By-law 2009-153)

CONDITIONS FOR RENEWAL OF LICENSE

4. (1) The Chief License Inspector may require the licensee to submit his or her mobile canteen 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 waive any or all of the requirements listed in Section 3 where the Chief License Inspector determines that any or all of the requirements of these clauses do not apply.
- (3) The licensee shall ensure that prior to the expiration of the license, his or her mobile canteen 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.
- (4) The licensee must also comply with the applicable requirements of Section 3.

REFUSAL OF LICENSE

5. In addition to Section 21 of By-law No. 2002-189 the Chief License Inspector may refuse to issue a mobile canteen license or may refuse to renew a license if,

- (a) an inspection reveals that the site conditions are deemed inappropriate or unsuitable for the business,
- (b) an inspection or inspections reveal that the vehicle or equipment used for vending do not meet the regulations of this licensing schedule,
- (c) the Medical Officer of Health has not reported in writing that the mobile canteen or its equipment is or are suitable for the activity and is in a sanitary condition,
- (d) a 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, and
- (e) the Chief License Inspector has reported in writing, where applicable that the mobile canteen 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 and it may be differentiated from other classes by colour.
- (2) Despite subsection (1) the Chief License Inspector shall not furnish a plate or decal for a mobile canteen license "D" or "E".
- (3) Every licensee using a mobile canteen shall ensure that the decal furnished pursuant to Section 6 is properly affixed to the upper right corner of the plate and that the plate is attached to the right rear of the mobile canteen 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 certificate issued by the Chief License Inspector is posted on or in the mobile canteen and visible to the public.
- (5) Every person who vends under the authority of a license shall ensure that he or she has the license certificate 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 Section 6.
- (7) Every licensee shall produce the license certificate for inspection when so requested by a By-law Officer or a Peace Officer.
- (8) Every licensee who ceases to operate the mobile canteen permanently shall return the plate to the Chief License Inspector within fifteen (15) business days.

APPROVALS REQUIRED TO VEND FROM A PARTICULAR LOCATION

- 7. (1) The issuance of a license to operate a mobile canteen 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 mobile canteen does not constitute the granting of authority to vend on private property.
- (3) No person shall vend on private property without the written consent of the owner or occupant of such property.
- (4) The onus of obtaining the necessary approval to vend at a location on private property from the owner of such property is solely on the licensee.
- (5) No person shall vend on private property of the City without first obtaining written permission from the City.
- (6) Licensed mobile canteen 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 of the City of Ottawa to regulate special events on City streets", as amended, may vend within the special event area.
- (7) No person shall locate or operate a mobile canteen:
 - (a) within forty-six (46) metres of a Food Premises;
 - (c) in a residential zone as specified by the applicable Zoning by-law;
 - (d) within nine (9) metres of an intersection;
 - (e) within ten (10) metres of a bus stop;
 - (f) within twenty (20) metres of a vendor who holds an encroachment permit pursuant to By-law No. 2003-446 entitled "A by-law of the City of Ottawa to regulate encroachments on Highways", as amended, or a designated space permit pursuant to By-law No.

2007-478, entitled “A by-law of the City of Ottawa respecting designated spaces and to repeal By-law Number 300-96 of the old City of Ottawa”;

- (g) within three (3) metres of another vendor;
 - (h) within six (6) metres of a pedestrian mall or promenade; or
 - (i) within ninety-one (91) metres of the public markets.
- (9) The distance from a food premises is measured to the structure for a stand-alone food premises and to the building for a food premises in a shopping plaza, shopping centre or similar shopping area.

(amended by By-law 2009-153)

- (9) Every person who vends on private property with the consent of the owner or occupant of such property shall:
- (a) ensure that he or she has the consent in his or her possession, and
 - (b) when so requested by the Chief License Inspector, or a Peace Officer, produce the consent for inspection.

INSURANCE

8. (1) Every owner or operator of a mobile canteen shall file with the Chief License Inspector 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 mobile canteen for which a license has been applied for or obtained.
- (2) Such insurance shall be in the name of the applicant 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 applicant 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 applicant of his or her obligations under the license whether with or without negligence on the part of the applicant, the applicant's employees, directors, contractors and agents.

LICENSE TRANSFER

10. (1) No license issued pursuant to this schedule shall be transferred 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.

MOBILE CANTEEN AND EQUIPMENT STANDARDS

11. (1) Mobile canteens shall be purpose built and suitably designed for the business.
- (2) Every licensee shall at all times keep his or her mobile canteen in a clean and sanitary condition and in a state of good repair and appearance.
- (3) Every licensee shall use a mobile canteen that is capable of relocation by the operator immediately upon being directed so to do.
- (4) No person who vends 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 using a mobile canteen with a food heating capability or electric heater shall ensure that his or her mobile canteen 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.
- (6) Every licensee shall use a mobile canteen that has been licensed as a motor vehicle pursuant the Highway Traffic Act, R.S.O. 1990, C. H.8, as amended.
- (7) Where reports have been received from the Medical Officer of Health in respect of the mobile canteen, and the Chief License Inspector has issued the license based on the reports, the licensee shall ensure that no modifications are made to the mobile canteen, or equipment related to the

mobile canteen operation, without the prior approval of the Chief License Inspector.

- (8) No person shall use a 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.

GENERAL REGULATIONS

12. (1) No licensee shall carry, sell, offer or expose for sale any food product that is prohibited by the Medical Officer of Health.
- (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 mobile canteen license;
 - (b) 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 special event;
 - (c) a copy of the permission of the owner of the property including the name and telephone number of the property owner or occupant, indicating that the licensee is authorized to vend on the property and any conditions related to the permission if any;
 - (d) 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.
- (4) No licensee shall fail to submit the mobile canteen 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) No licensee shall fail to ensure that the licensed business 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, entitled "A by-law of the City of Ottawa to designate Fire Routes", as amended;
 - (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) No licensee shall allow modifications to the equipment without the prior approval of the Chief License Inspector.
- (9) 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.
- (10) Every licensee shall ensure that he or she conforms, where applicable, to
- (a) the Highway Traffic Act, R.S.O. 1990, Chap. H.8, as amended,
 - (b) By-law No. 2003-530 entitled "A by-law of the City of Ottawa regulating traffic and parking on highways", as amended,
 - (c) By-law No. 2005-358, entitled "A by-law respecting vendors on highways", as amended.
- (11) No person shall vend on the sidewalk or property located in Confederation Square at the south side of Wellington Street and the bisection of Elgin Street on which the National War Memorial is sited.
- (12) No person shall vend:
- (a) on Rideau Street or Wellington Street between Sussex Drive and Metcalfe Street, or
 - (b) on Elgin Street between Wellington Street and Queen Street, before 12:30 o'clock in the afternoon (12:30 p.m.) on November 11 (Remembrance Day).
- (13) No person shall cook food products in a "Mobile Canteen".
- (14) Every licensee shall ensure that his or her mobile canteen is a fit motor vehicle under the said Highway Traffic Act.

- (15) No person who vends with or from a mobile canteen shall place or locate any carton, box or other article, other than a garbage receptacle, outside of the vehicle.
- (16) No holder of a “Mobile Canteen” License shall vend with or from a 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.
- (17) Any holder of a “Mobile Canteen” license may remain up to thirty (30) minutes at a location on a street, subject to the said By-law No. 2003-530, 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 within forty-six (46) metres of said vending location.
- (17) No person shall vend on the north side of Wellington Street and Rideau Street between MacKenzie Avenue and Bank Street.
- (18) No person shall vend on Rideau Street between Sussex Drive and the east side of King Edward Avenue.
- (19) Every street vendor, as defined in the said By-law No. 2005-358, as amended, shall ensure that he or she conforms with the said By-law No. 2005-358.

REQUIREMENT FOR GARBAGE OR LITTER CONTROL

- 13. (1) Every licensee shall ensure that a sufficient number of trash receptacles are placed outside the mobile canteen 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 shall be disposed of as required to prevent overflow.
- (3) Every licensee shall ensure that the garbage or litter resulting from his or her vending activity is collected and removed from the vending area when leaving for the day.
- (4) For the purposes of this Section, the placing of the garbage or litter in a sidewalk refuse container provided by the City is not sufficient to constitute removal.

- (5) Every licensee shall ensure that he or she conforms with the said By-law No. 2005-358, as amended.
- (6) Every licensee shall ensure that the garbage receptacle placed outside the vehicle is removed from vending area and that the garbage is disposed of in a proper manner when the business closes at the end of the day.

REPRESENTATION

14. (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 Manager of Licensing or a designate who has initialized the change.

SCHEDULE NO. 24
Relating to Mobile Refreshment Carts
(Added by By-law 2008-96)

LICENSES REQUIRED:

1. (1) The following mobile refreshment cart licenses may be issued pursuant to this Schedule:
 - (a) a License "A," an annual license to a person operating a mobile refreshment cart on private property from a particular location or at special events from May 15th to May 14th of the following year.
 - (b) a License "B," a six-month license to a person operating a mobile refreshment cart on private property from a particular location or at special events from May 15th to November 14th of the same year or November 15th to May 14th of the following year.
 - (c) a License "C," a monthly license to a person operating a mobile refreshment cart on private property from a particular location or at special events from the fifteenth (15th) of one month to the fourteenth (14th) of the following month.
 - (d) a License "D," a special event license to a person operating a mobile refreshment cart at a special event for the duration of the event from one (1) to twenty-one (21) consecutive days.
 - (e) a License "E," a special event per day license to a person operating a mobile refreshment cart at a special event for the duration of the event from one (1) to four (4) consecutive days.
 - (f) a License "F," a sidewalk annual license to a person operating a mobile refreshment cart in a designated space pursuant to By-law No. 2007-478, entitled "A by-law of the City of Ottawa respecting designated spaces and to repeal By-law Number 300-96 of the old City of Ottawa" on the sidewalk in the former City of Ottawa or at special events from May 15 to May 14 of the following year.
 - (g) a License "G," a sidewalk six months license to a person operating a mobile refreshment cart in a designated space pursuant to the said By-law No. 2007-478 on the sidewalk in the former City of Ottawa or at special events May 15 to November 14 or from November 15 to May 14 of the following year.

- (h) a License “H,” a sidewalk monthly license to a person operating a mobile refreshment cart in a designated space pursuant to the said By-law No. 2007-478 on the sidewalk in the former City of Ottawa or at special events from the 15th of one month until the 14th of the following month.
 - (i) a License “I,” a Canada Day mobile refreshment cart license to a person selling refreshments from a mobile refreshment cart including ice cream and frozen milk products or beverages in the removal zone pursuant to the said By-law No. 2007-478 on Canada Day (July 1st).
- (2) Every person who owns or operates a mobile refreshment cart shall obtain a license.
 - (3) Every person who operates a mobile refreshment cart shall obtain a separate license for each mobile refreshment cart.
 - (4) No “F”, “G” or “H” class licenses shall be issued to applicants who do not have a designated space permit issued pursuant to the said By-law No. 2007-478.
 - (5) Every mobile refreshment cart operator shall require a Canada Day license to operate within the removal zone as identified in the said By-law No. 2007-478.

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, the Central Canada Exhibition,
 - (d) 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) Despite subsection (e) individual mobile refreshment cart 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”, “C”, “F”, “G” or “H” license issued under this Schedule shall be permitted to vend at a special event unless the licensee:
 - (a) has notified the Chief License Inspector of:
 - (i) his or her intention to vend at the special event;
 - (ii) the description of the special event including its location, duration and hours of operation;
 - (iii) the name and telephone number of the promoter;
 - (b) has written proof that he or she is permitted to operate at the special event.
 - (c) operates from the mobile refreshment cart identified under his or her license; and
 - (d) has a license that is valid at the time of and for the duration of the special event.
- (3) Despite subsection (1), the operator of a mobile refreshment cart must comply with all municipal, provincial and federal acts, regulations and by-laws.
- (4) The provisions of this schedule do not apply in the rural wards:
 - (a) Ward 5 – West Carleton March
 - (b) Ward 19 – Orléans South-Navan
 - (c) Ward 20 – Osgoode
 - (d) Ward 21 – Rideau-Jock.

((b) and (d) amended by By-law 2023-516)

CONDITIONS FOR ISSUANCE

- 3. (1) No applicant for a mobile refreshment cart license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age,

- (b) the applicant has indicated the category of mobile refreshment cart license requested,
- (c) the applicant has provided details of the mobile refreshment cart to be used in the business including:
 - (i) a recent photograph of the mobile refreshment cart to be used in the business,
 - (ii) the maximum height, length, width and depth of the mobile refreshment cart,
 - (iii) where applicable the type of heating and cooking equipment used,
 - (iv) other equipment to be used in the businesses, and,
 - (v) the make, model, style, and serial number of the mobile refreshment cart where available,
- (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 mobile refreshment cart.
- (e) the applicant has filed proof of insurance in accordance with the requirements 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 Ontario Regulation 493/17 enacted thereunder,

(amended by By-law 2023-516)

- (g) the Medical Officer of Health has reported in writing that the mobile refreshment cart is suitable for the purpose of the license application and is in a sanitary condition,
- (h) the Chief License Inspector has reported in writing, that the mobile refreshment cart and its equipment are suitable for the vending operation noted in the application,
- (i) where an applicant is applying for a class “D” or “E” license, the applicant has furnished details to the Chief License Inspector outlined in subsection 2 (2).

- (j) if applying to vend on private property the applicant has filed written proof with the Chief License Inspector that the owner or occupant of the property has granted permission to the applicant for use of the property for the vending business indicated on the application,
- (j) the location from which the applicant proposes to operate the mobile refreshment cart 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,
- (k) if applying for a class “F”, “G” or “H” license to vend from the sidewalk the applicant shall present his or her valid Designated Space Permit issued pursuant to the said By-law No. 2007-478,
- (l) the applicant has paid the fees set out in Schedule “A”, and
- (m)** the mobile refreshment cart complies with the requirements of the Fire Code and Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended.

((m) added by By-law 2009-153)

CONDITIONS FOR RENEWAL OF LICENSE

4. (1) The Chief License Inspector may require the licensee to submit his or her mobile refreshment cart 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 waive any or all of the requirements listed in Section 3 where the Chief License Inspector determines that any or all of the requirements of these clauses do not apply.
- (3) The licensee shall ensure that prior to the expiration of the license, his or her mobile refreshment cart 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.
- (4) The licensee must also comply with the applicable requirements of Section 3.

REFUSAL OF LICENSE

5. In addition to Section 21 of By-law No. 2002-189, the Chief License Inspector may refuse to issue a mobile refreshment cart license or may refuse to renew a license if,
- (a) an inspection or inspections reveal that the site conditions are deemed unsuitable for the business;
 - (b) an inspection or inspections reveal that the mobile refreshment cart or equipment used for vending do not meet the regulations of this licensing schedule;
 - (c) the Medical Officer of Health has reported in writing that the mobile refreshment cart or vending equipment is not suitable for the purpose of the license application and is not in sanitary condition;
 - (d) the location from which the applicant proposes to operate the mobile refreshment cart 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, S.O. 2000, c.16. as amended with respect to the mobile refreshment cart, does not meet the provisions of this by-law, and
 - (f) the Chief License Inspector has reported in writing that the mobile refreshment cart 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 upon issuing a license shall furnish a plate or decal bearing an identifying number that may be differentiated from other classes by colour.
- (2) Despite subsection 6 (1), the Chief License Inspector shall not furnish a plate or decal for a mobile refreshment cart license “D”, “E” or “I”.
- (3) Every licensee operating a mobile refreshment cart shall ensure that the decal furnished pursuant to Section 6 is properly affixed to the upper right corner of the plate and that the plate is attached to the right rear of the mobile

refreshment cart 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 certificate issued by the Chief License Inspector is posted on the mobile refreshment cart and visible to the public.
- (5) Every person who vends under the authority of a license shall ensure that he or she has the license certificate in his or her possession.
- (6) Every person who vends under the authority of a license shall ensure that the license certificate corresponds with the plate or decal furnished by the Chief License Inspector pursuant to subsection 6 (1).
- (7) Every licensee shall produce the license certificate for inspection when so requested by a By-law Officer or Peace Officer.
- (8) Every licensee who ceases to operate a mobile refreshment cart permanently shall return the plate to the Chief License Inspector within fifteen (15) business days.

APPROVALS REQUIRED TO VEND FROM A PARTICULAR LOCATION

7. (1) The issuance of a license to operate a mobile refreshment cart 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 mobile refreshment cart 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 written permission from the City.
- (5) No person shall vend on private property without the consent of the owner or occupant of such property.
- (6) Licensed mobile refreshment cart 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 of the City of Ottawa to regulate special events on City streets", as amended, may vend within the special event area.

- (7) No person shall vend from a mobile refreshment cart on the street or sidewalk without a valid permit to do so issued pursuant to the said By-law No. 2007-478, or authorized to do so pursuant to the said By-law 2007-478.
- (8) The Chief License Inspector may require that a licensee relocate his or her mobile refreshment cart by presenting a written notice indicating the reason for the request for relocation and indicating when the relocation must be completed.
- (9) No licensee shall locate or operate a mobile refreshment cart:
- (a) within forty-six (46) metres of a Food Premises;
 - (b) in a residential zone as specified by the applicable Zoning by-law.
 - (c) within nine (9) metres of an intersection;
 - (d) within ten (10) metres of a bus stop;
 - (e) within twenty (20) metres of a vendor who holds an encroachment permit pursuant to By-law No. 2003-446 entitled "A by-law of the City of Ottawa to regulate encroachments on City Highways", as amended, or a designated space permit pursuant to the said By-law No. 2007-478;
 - (f) within three (3) metres of another vendor;
 - (g) within six (6) metres of a pedestrian mall or promenade; or
 - (h) within ninety-one (91) metres of the public markets.
- (10) Subsections 9 (b), (e), and (f) do not apply to vendors participating in a special event held pursuant to the said By-law No. 2001-260, as amended.
- (11) The distance from a food premises is measured to the structure for a stand-alone food premises and to the building for a food premises in a shopping plaza, shopping centre or similar shopping area.

(amended by By-law 2009-153)

- (12) Despite subsection 9 (a) a licensee may operate less than forty-six (46) metres from a Food Premises provided that the licensee obtains a written letter from the affected Food Premises stating that there is no objection to the operation of the mobile refreshment cart at the intended location and any applicable conditions. A copy of this letter shall be provided to the Chief License Inspector at the time of application and annually upon renewal. The wording of the letter shall be to the Chief License Inspector's satisfaction.

- (13) No licensee who vends shall locate a vending activity or anything on any portion of a sidewalk that, is located within six (6) metres on either side of the area referred to subsection (9).
- (14) For the purposes of subsection (15), the measurement shall be taken from the extension of the general building lines across the sidewalk to the curb for the determination of,
 - (a) the area of the abutting sidewalk, and
 - (b) the commencement of the six (6) metres.
- (15) The location regulations in this Schedule shall not apply to any vending location established pursuant to the said By-law No. 2007-478.

INSURANCE

- 8. (1) Every owner or operator of a mobile refreshment cart shall file with the Chief License Inspector proof of Commercial General Liability insurance subject to limits of not less than \$1,000,000.00 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 mobile refreshment cart for which a license has been applied for or obtained.
- (2) Such insurance shall be in the name of the applicant 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 applicant 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 applicant of his or her obligations under the license whether with or without negligence on the part of the applicant, the applicant'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 Section 8 (1) and (2) a license “F”, “G” or “H” shall be transferable to a parent, spouse, brother, sister, son or daughter of the original permit holder for a designated space provided that the permit has been transferred to said person pursuant to the said By-law No. 2007-478.

LOCATION TRANSFER

11. Despite Section 10 location transfers shall be permitted upon approval of the Chief License Inspector.

MOBILE REFRESHMENT CART AND EQUIPMENT STANDARDS

- 12. (1) Mobile refreshment carts shall be purpose-built and suitably designed for the business and shall not include a table with casters.
- (2) Every licensee shall keep his or her mobile refreshment cart at all times in a clean and sanitary condition and in a state of good repair and appearance.
- (3) Every licensee shall use a mobile refreshment cart that is capable of immediate relocation by the user.
- (4) No person who vends shall use,
 - (a) a gasoline-powered generator,
 - (b) a propane-powered generator,
 - (c) a diesel-powered generator, or
 - (d) a natural gas-powered generator,
 in conjunction with the vending activity.
- (5) Every licensee operating a mobile refreshment cart shall have attached or painted on two sides of the exterior body of the mobile refreshment cart, in a clearly visible position, a sign showing his or her trade name legibly printed in letters and figures not less than seven (7) centimetres (cm) in height.
- (6) Every licensee using a mobile refreshment cart with a food heating capability or electric heater shall ensure that his or her mobile refreshment cart 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.

- (7) Where reports have been received from the Medical Officer of Health in respect of the mobile refreshment cart, and the Chief License Inspector has issued the license based on the reports, the licensee shall ensure that no modifications are made to the mobile refreshment cart, or equipment related to the mobile refreshment cart operation, without the prior approval of the Chief License Inspector.

MOBILE REFRESHMENT CART STANDARDS

13. (1) Every mobile refreshment cart 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 mobile refreshment cart 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 mobile refreshment cart prescribed by Section 14 provided that:
- (a) the extension of the canopy is at the height of not less than two point two (2.20) metres measured from the ground, and
 - (b) the extension of the canopy does not extend beyond the dimensions of the mobile refreshment cart by more than sixty-five (65) centimetres on any one (1) side.
 - (c) no part of the canopy shall extend into the street.
- (4) Despite subsection (3), where the canopy is an umbrella it may extend beyond the dimensions of the mobile refreshment cart prescribed by Section 14 and 15 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 mobile refreshment cart.
- (5) The maximum height of the display on or in the mobile refreshment cart shall not exceed a height of one point four (1.4) metres as measured from the ground to the top of the display.
- (6) No person shall vend with or from a mobile refreshment cart that does not comply with the provisions of this section.
- (7) No person who vends shall use,
- (a) a gasoline-powered generator,
 - (b) a propane-powered generator,
 - (c) a diesel-powered generator, or
 - (d) a natural gas-powered generator,
- in conjunction with the vending activity.

DIMENSIONS OF HAND-POWERED VEHICLE

14. (1) No person shall use a hand-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) Despite subsection (1) a licensee may make a request in writing to the Chief License Inspector to increase the size of their mobile refreshment cart on the sidewalks of the City, as long as the size increase does not exceed the aforementioned dimensions by more than 10%.
- (3) Subject to subsection (1), the provisions do not apply to prevent a person from using a hand-powered vehicle for vending on private property so long as it is on private property.
- (4) No person shall use a hand-powered vehicle for vending 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.

DIMENSIONS OF PEDAL-POWERED VEHICLE

15. (1) No person shall use 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) Subject to subsection (1), the provisions do not apply to prevent a person from using a pedal-powered vehicle for vending on private property so long as it is on private property.
- (3) No person shall use a pedal-powered vehicle for vending 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

16. (1) No licensee shall carry, sell, offer or expose for sale any food product that is prohibited by the Medical Officer of Health.
- (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 and 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 mobile refreshment cart license;
 - (b) 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 special event;
 - (c) a copy of the permission from the property owner 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) 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.
- (4) No licensee shall fail to submit the mobile refreshment cart for inspection if requested to do so by a By-law Officer or a Peace Officer.

- (5) No licensee shall fail to relocate the mobile refreshment cart if requested to do so by a By-law Officer or a Peace Officer.
- (6) No licensee shall fail to take prompt measures to reduce or eliminate nuisances created by the business when so directed by a By-law Officer or a Peace Officer.
- (7) No licensee shall fail to ensure that the licensed business 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, entitled "A by-law of the City of Ottawa to designate Fire Routes", as amended;
 - (c) interfere with highway maintenance or highway signage; and
 - (d) interfere with required parking spaces, private approaches, accesses or egresses to buildings or premises.
- (8) 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.
- (9) No licensee shall change his or her particular vending location during the currency of the license without the prior approval of the Chief License Inspector.
- (10) No licensee shall allow modifications to the mobile refreshment cart or equipment used in the licensed business without the prior approval of the Chief License Inspector.
- (11) 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.
- (12) Every licensee shall ensure that he or she conforms, where applicable, to
 - (a) the Highway Traffic Act, R.S.O. 1990, Chap. H.8, as amended,
 - (b) By-law No. 2003-530, entitled "A by-law of the City of Ottawa regulating traffic and parking on highways", as amended,
 - (c) By-law No. 2005-358, entitled "A by-law respecting vendors on highways", as amended

- (13) No person who vends with or from a mobile refreshment cart on the highway shall place or locate any carton, box or other article, other than a garbage receptacle, outside of the mobile refreshment cart.
- (14) Every licensee who vends on the street shall restrict such sales to occur between 5:30 o'clock in the forenoon (5:30 a.m.) and eleven o'clock in the afternoon (11:00 p.m.) of the same day.
- (15) Every licensee shall ensure that his or her mobile refreshment cart or any article used in the business is removed from the highway between the hours of eleven in the afternoon (11:00 p.m.) of one day to 5:30 o'clock in the forenoon (5:30 a.m.) of the following day.
- (16) No person who vends shall leave the mobile refreshment cart or anything on the highway after the vending activity has ceased, or after eleven in the afternoon whichever occurs first.
- (17) No licensee shall leave his or her mobile refreshment cart unattended on the highway for a period of time in excess thirty (30) minutes between 5:30 o'clock in the forenoon (5:30 a.m.) and eleven o'clock in the afternoon (11:00 p.m.) of the same day.
- (18) No person shall vend before 12:30 in the afternoon (12:30 p.m.) on November 11 (Remembrance Day):
 - (a) on Rideau Street or Wellington Street between Sussex Drive and Metcalfe Street, or
 - (b) on Elgin Street between Wellington Street and Queen Street.
- (19) No licensee who vends on a sidewalk with or from a mobile refreshment cart shall occupy or locate or utilize an area that exceeds three (3) metres in length, by one (1) metre in width, by two point five (2.5) metres in height.
- (20) Despite subsection (20), a space that is 10% larger than those dimensions may be permitted upon the approval of the Chief License Inspector.
- (21) No licensee who is vending on a sidewalk from or with a mobile refreshment cart shall occupy or utilize an area that exceeds three (3) metres in length, by one (1) metre in width, by two point five (2.5) metres in height.
- (22) No licensee shall vend with or from a mobile refreshment cart, other than a hand-powered vehicle, on a boulevard that has been improved with asphalt, decorative bricks, concrete or other fabricated substances.

- (23) No licensee shall vend on the north side of Wellington Street and Rideau Street between MacKenzie Avenue and Bank Street.
- (24) No licensee shall vend on Rideau Street between Sussex Drive and the east side of King Edward Avenue.
- (25) No licensee shall vend on the sidewalk or property located in Confederation Square at the south side of Wellington Street and the bisection of Elgin Street on which the National War Memorial is sited.
- (26) Every licensee shall ensure that he or she conforms with the said By-law No. 2005-358.
- (27) Every street vendor, as defined in the said By-law No. 2005-358, as amended, shall ensure that he or she conforms with the said By-law No. 2005-358.

REQUIREMENT FOR GARBAGE OR LITTER CONTROL

- 17. (1) Every licensee shall ensure that a sufficient number of trash receptacles are placed outside the mobile refreshment cart 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 shall be disposed of as required to prevent overflow, when the mobile refreshment cart business is in operation.
- (3) Every licensee shall ensure that the trash resulting from his or her vending activity is collected and removed from the vending area when the person ceases the vending activity for the day and leaves the vending area.
- (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 trash receptacle placed outside the mobile refreshment cart is removed from vending area and that the garbage is disposed of in a proper manner when the business closes at the end of the day.

REPRESENTATION

- 18. (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 Manager of Licensing or designate who has initialized the change.

SCHEDULE NO. 25
Relating to Refreshment Stands
(Added by By-law 2008-96)

LICENSE REQUIRED:

1. (1) The following refreshment stand licenses may be issued pursuant to this Schedule:
 - (a) a License "A," an annual license to a person operating a refreshment stand at special events on private or public property from May 15th to May 14th of the following year.
 - (b) a License "B," a six-month license to a person operating a refreshment stand at special events on private or public property from May 15th to November 14th of the same year or November 15th to May 14th of the following year.
 - (c) a License "C," a monthly license to a person operating a refreshment stand at special events on private or public property from the 15th of one month until the 14th of the following month.
 - (d) a License "D," a special event license to a person operating a refreshment stand at special events on private or public property from one (1) to twenty-one (21) consecutive days.
 - (e) a License "E," a special event per day license to a person operating a refreshment stand at special events on private or public property from one (1) to four (4) consecutive days.
- (2) Every person who operates a refreshment stand shall obtain a license.
- (3) Every person who operates refreshment stands shall obtain a separate license for each refreshment stand.

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 trailer licensed under Schedule 22 “Relating to Mobile Refreshment Vehicles” in this by-law;
 - (g) despite subsection (e), individual refreshment stand 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) Despite subsection (1), the operator of a refreshment stand must comply with all municipal, provincial and federal acts, regulations and by-laws.
- (3) The provisions of this schedule do not apply in the rural wards:
- (a) Ward 5 – West Carleton March
 - (b) Ward 19 – Orléans South-Navan
 - (c) Ward 20 – Osgoode
 - (d) Ward 21 – Rideau-Jock.

(amended by By-law 2023-516)

CONDITIONS FOR ISSUANCE

3. (1) No applicant for a 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 the type of refreshment stand license requested,
 - (c) the applicant has provided details of the refreshment stand to be used in the business including:
 - (i) a recent photograph of the refreshment stand to be used in the business,
 - (ii) the type of heating and cooking equipment used,

- (iii) other equipment to be used in the business,
- (iv) the make, model, style and serial number of the refreshment stand where available.
- (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 refreshment stand,
- (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. H7, as amended, and of Ontario Regulation 493/17 enacted thereunder,
(amended by By-law 2023-516)
- (g) the Medical Officer of Health has reported in writing that the refreshment stand is suitable for the purpose of the license application and is in a sanitary condition,
- (h) the Chief License Inspector has reported in writing, that the refreshment stand and its equipment are suitable for the vending operation noted in the application,
- (i) the location from which the applicant proposes to operate the refreshment stand complies with the applicable zoning by-law and does not contravene zoning use or lead to a deficiency in required parking and proper vehicular circulation,
- (j) the applicant has furnished details as to the special event, including its location, dates and duration, hours of operation and the promoter's contact information,
- (k) the applicant has filed written proof that the owner of the property on which the vending will occur has granted permission to the applicant for use of the property for the vending business indicated on the application at the special event,
- (l) the applicant has paid the fees set out in Schedule "A", and
- (m) the refreshment stand complies with the Fire Code and the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended.

((m) added by By-law 2009-153)

CONDITIONS FOR RENEWAL OF LICENSE

4. (1) The Chief License Inspector may require that the licensee submit his or her 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 waive any or all of the requirements listed in Section 3 where the Chief License Inspector determines that any or all of the requirements of these clauses do not apply.
- (3) The licensee shall ensure that prior to the expiration of the license, his or her refreshment stand and vending equipment is submitted for inspection, where applicable, to,
 - (a) the Medical Officer of Health, and
 - (b) the Chief License Inspectoras if the applicant was filing an original application.
- (4) The licensee must also comply with the applicable requirements of Section 3.

REFUSAL OF LICENSE

5. In addition to Section 21 of By-law No. 2002-189, the Chief License Inspector may refuse to issue a refreshment stand license or may refuse to renew a license if,
 - (a) an inspection reveals that the site conditions are deemed inappropriate or unsuitable for the business;
 - (b) an inspection or inspections reveal that the refreshment stand or equipment used for vending do not meet the regulations of this licensing schedule;
 - (c) the Medical Officer of Health has reported in writing that the refreshment stand or vending equipment is not suitable for the purpose of the license application and is not in a sanitary condition;
 - (d) the location from which the applicant proposes to operate the refreshment stand 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 stand, does not meet the provisions of this by-law; or

- (f) the Chief License Inspector has reported in writing that, where applicable, the refreshment stand or vending equipment is unsuitable for the purpose of the license application and is in an unsafe condition.

ISSUANCE OF LICENSE

- 6. (1) Every licensee shall ensure that the license certificate issued by the Chief License Inspector is posted on or in the refreshment stand and is visible to the public.
- (2) Every person who vends under the authority of a license shall ensure that he or she has the license in his or her possession.
- (3) Every licensee who vends under the authority of a license shall ensure that the license certificate corresponds with the refreshment stand for which it was issued.
- (4) Every licensee shall produce the license certificate for inspection when so requested by a By-law Officer or Peace Officer.

APPROVALS REQUIRED TO VEND FROM A PARTICULAR LOCATION

- 7. (1) The issuance of a license to operate a 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 refreshment stand does not constitute the granting of authority to vend on private property.
- (3) No person shall vend on private property without the consent of the owner or occupant of such property.
- (4) Every person who vends on private property with the consent of the owner or occupant of such property shall:
 - (a) ensure that he or she has the consent in his or her possession, and that the consent includes the name and telephone number of the property owner, the duration of the permission and other conditions if applicable, and
 - (b) when so requested by the Chief License Inspector or a Peace Officer produce the consent for inspection.

- (5) Licensed 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 may vend within the special event area.
- (6) 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.
- (7) No person shall vend on private property of the City without first obtaining written permission from the City.
- (8) No person shall locate or operate a refreshment stand:
 - (a) within forty-six (46) metres of a Food Premises, if the Food Premises is open for business during the special event.
 - (b) in a residential zone as specified by the applicable Zoning by-law,
 - (c) within 9 metres of an intersection;
 - (d) within 10 metres of a bus stop;
 - (e) within twenty (20) metres of a vendor who holds an encroachment permit pursuant to By-law No. 2003-446, entitled "A by-law of the City of Ottawa regulating encroachments on City Highways", as amended, or a designated space permit pursuant to By-law No. 2007-478, entitled "A by-law of the City of Ottawa respecting designated spaces and to repeal By-law Number 300-96 of the old City of Ottawa";
 - (f) within three (3) metres of another vendor;
 - (g) within six (6) metres of a pedestrian mall or promenade; or
 - (h) within (91) metres of the public markets.
- (9) Despite subsection 8 (b), (e), and (f) vendors participating in a special event held pursuant to By-law No.2001-260, entitled "A by-law of the City of Ottawa to regulate special events on City streets" are exempt.
- (10) No person shall vend from a refreshment stand on the Sparks Street Mall without first obtaining the written consent of the Sparks Street Mall Management Board and a license under this Schedule.
- (11) The location regulations contained in this Schedule shall not apply to any vending location established pursuant to the said By-law No 2007-478.

INSURANCE

8. (1) Every owner or operator of a refreshment stand shall file with the Chief License Inspector proof of Commercial General Liability insurance subject to limits of not less than \$1,000,000.00 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 refreshment stand for which a license has been applied for or obtained
- (2) Such insurance shall be in the name of the applicant 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 applicant 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 applicant of his or her obligations under the license whether with or without negligence on the part of the applicant, the applicant's employees, directors, contractors and agents.

LICENSE TRANSFER

10. (1) No license issued pursuant to this Schedule shall be transferred 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.

REFRESHMENT STAND AND EQUIPMENT STANDARDS

11. (1) Every licensee shall ensure that the refreshment stand is safe and stable with or without refreshments therein.
- (2) Every licensee shall keep his or her refreshment stand at all times in a clean and sanitary condition and in a state of good repair and appearance.
- (3) No person who vends 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.
- (4) Every licensee using a refreshment stand shall have attached or painted on two sides of the exterior body of the refreshment stand, in a clearly visible position a sign showing his or her trade name legibly printed in letters and figures not less than seven (7) centimetres in height.
 - (5) Every licensee using a refreshment stand with a food heating capability or electric heater shall ensure that his or her 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.
 - (6) Where reports have been received from the Medical Officer of Health in respect of the 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 refreshment stand, or equipment related to the refreshment stand operation, without the prior approval of the Chief License Inspector.

GENERAL REGULATIONS

- 12. (1) No licensee shall carry, sell, offer or expose for sale any food product that is prohibited by the Medical Officer of Health.
- (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 stand license,
 - (b) 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 special event,
 - (c) a copy of the permission from the property owner 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) 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.
- (4) No licensee shall fail to submit the refreshment stand for inspection if requested to do so by a By-law Officer or a Peace Officer.
 - (5) Every licensee shall cooperate by submitting for inspection and relocating if requested to do so by a By-law Officer or a Peace Officer.
 - (6) 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) No licensee shall fail to ensure that the licensed business 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, entitled "A by-law of the City of Ottawa to designate Fire Routes", as amended;
 - (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) No licensee shall change his or her particular vending location during the currency of the license without the approval of the Chief License Inspector.
 - (9) No licensee shall allow modifications to the equipment without the prior approval of the Chief License Inspector.
 - (10) 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.
 - (11) Every licensee shall ensure that he or she conforms, where applicable, to
 - (a) the Highway Traffic Act, R.S.O. 1990, Chap. H.8, as amended,
 - (b) By-law No. 2003-530, entitled "A by-law of the City of Ottawa regulating traffic and parking on highways", as amended,

- (c) By-law No. 2005-358, entitled “A by-law of the City of Ottawa respecting vendors on highways”, as amended.
- (12) No licensee shall vend on the sidewalk or property located in Confederation Square at the south side of Wellington Street and the bisection of Elgin Street on which the National War Memorial is sited.
- (13) Every licensee shall ensure that he or she conforms with the said By-law No. 2005-358, as amended.
- (14) Every street vendor, as defined in the said By-law No. 2005-358, as amended, shall ensure that he or she conforms to the said By-law No. 2005-358.

REQUIREMENT FOR GARBAGE OR LITTER CONTROL

- 13. (1) Every licensee shall ensure that a sufficient number of trash receptacles are placed outside the 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 shall be disposed of as required to prevent overflow, when the refreshment stand business is in operation.
- (3) Every licensee shall ensure that the garbage or litter resulting from his or her vending activity is collected and removed from the vending area when the person ceases the vending activity for the day and leaves the vending area.
- (4) For the purposes of this Section, the placing of the garbage or litter in a sidewalk refuse container provided by the City is not sufficient to constitute removal.

REPRESENTATION

- 14. (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 Manager of Licensing or designate who has initialized the change.

SCHEDULE NO. 26
Relating to Rooming Houses
(Added by By-law 2008-237)

LICENSE REQUIRED

1. Every owner of a rooming house shall obtain a license for each rooming house by municipal address, save and except rooming houses in which the interior functions as one rooming house but the exterior has separate municipal addresses, in which case only one license is required.

CONDITIONS FOR ISSUANCE OF A ROOMING HOUSE LICENSE

2. No applicant for a rooming house owner license shall be issued a license unless:
- (a) the applicant is at least eighteen (18) years of age;
 - (b) the premises comply with zoning, building and property standards requirements of the City;
 - (c) the applicant has provided a report from the Chief Building Official confirming there are no outstanding orders related to the building;
 - (d) the Fire Chief has reported in writing that the premises are suitable for the purpose of the license application and comply with all applicable fire regulations;
 - (e) the Medical Officer of Health has reported in writing that the premises are suitable for the purpose of the license application, comply with all applicable health regulations and are in a sanitary condition;
 - (f) the applicant has provided the original documents dated less than ninety (90) days prior to the date of the application for a license, from the appropriate agency outlining the results of investigations related to the applicant for a Police Records Check for the Service with the Vulnerable Sectors;
 - (g) the applicant has provided proof of insurance as required by Section 12 of this Schedule;
 - (h) the applicant has provided the indemnification required by Section 13 of this Schedule;
 - (i) the applicant has provided the name and telephone number of the agent of the rooming house owner;

(j) the applicant has paid the fees outlined in Schedule “A” of this by-law.

3. The Chief License Inspector may impose such additional conditions with respect to the issuance of a rooming house license, as he or she deems necessary to ensure public safety.

4. Subject to Sections 13 and 21 of By-law No. 2002-189, if, in the opinion of the Chief License Inspector following a review of relevant investigations and/or inspections, the applicant’s actions are adverse to the public interest or to public safety, the Chief License Inspector may refuse issuance of the license.

CONDITIONS FOR RENEWAL OF A ROOMING HOUSE LICENSE

5. No rooming house owner license shall be renewed unless:

- (a) the premises comply with the property standards requirements of the City;
- (b) if deemed necessary by the Chief License Inspector, the Fire Chief has reported in writing that the premises are suitable for the purpose of the license application and comply with all applicable fire regulations;
- (c) if deemed necessary by the Chief License Inspector, the Medical Officer of Health has reported in writing that the premises are suitable for the purpose of the license application, comply with all applicable health regulations and are in a sanitary condition;
- (d) the applicant has provided proof of insurance as required by Section 12 of this Schedule;
- (e) the applicant has provided the indemnification required by Section 13 of this Schedule;
- (f) the applicant has provided the name and telephone number of the agent of the rooming house owner;
- (g) the applicant has paid the fees outlined in Schedule “A” of this by-law.

ISSUANCE OR RENEWAL OF A ROOMING HOUSE LICENSE

6. The Chief License Inspector may impose such additional conditions with respect to the renewal of a rooming house license, as he or she deems necessary to ensure public safety.

7. Subject to Sections 13 and 21 of By-law No. 2002-189, if, in the opinion of the Chief License Inspector following a review of relevant investigations and/or

inspections, the licensee's actions are adverse to the public interest or to public safety, the Chief License Inspector may refuse renewal of the license.

8. In addition to the requirements of By-law No. 2002-189, the Chief License Inspector shall indicate on the license certificate, upon issuing or renewing the rooming house license, the following:

- (a) the municipal address of the rooming house;
- (b) the name and telephone number of the rooming house owner and of an agent of the rooming house owner to whom matters respecting the rooming house may be directly addressed; and,
- (c) the number of units in the rooming house

GENERAL REGULATIONS

9. No licensee shall fail to post the license in a prominent location on the licensed premises so as to be clearly visible to the tenants and the public visiting the rooming house.

10. No person shall own or operate a rooming house without first obtaining a license to do so.

11. No licensee or agent of the licensee shall fail to ensure that:

- (a) the licensee or his/her agent responds, within forty-eight (48) hours, to inquiries or service requests made by tenants, City representatives or the public;
- (b) a record of all tenants is maintained, including identification information, emergency contacts, in accordance with relevant privacy legislation and for use only by the licensee or agent of the licensee;
- (c) the door of each individual rooming unit has a functional view finder on the door;
- (d) every new tenant is provided with relevant printed information including the rights and responsibilities of tenants under the Residential Tenancies Act, 2006;
- (e) every tenant is provided with a secure location or manner in which to receive personal mail; and,
- (f) an emergency evacuation plan is posted on each floor of the rooming house and is visible to all tenants and visiting public.

INSURANCE

12. Prior to the issuance of the rooming house owner license, the licensee shall file with the Chief License Inspector proof of Commercial General Liability insurance coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property, including loss of use thereof. The proof of insurance shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of any cancellation or of a material change that would diminish coverage.

INDEMNIFICATION

13. Every licensee agrees to indemnify and save harmless the City of Ottawa, its employees and agents from any and all claims, demands, causes or action costs or damages howsoever caused that the City may suffer, incur or be liable for resulting from the issuance of a License under this by-law or from the performance or non-performance of the respective licensee under this by-law whether or not such performance or non-performance arises with or without negligence on the part of the licensee, its employees, directors or agents.

(repealed and replaced by By-law 2018-302)

TRANSFERS

14. No rooming house owner license shall be transferable.

SCHEDULE NO. 27
Relating to Rural Itinerant Sellers
(Added by By-law 2009-151)

LICENSES AVAILABLE

1. The following licenses may be issued pursuant to this by-law:
 - (a) a License "A", an annual license to a rural itinerant seller vending on private property or at one or more rural special events in the rural wards;
 - (b) a License "B", an eight month license valid for eight consecutive months to a rural itinerant seller vending on private property or at rural special events in the rural wards;
 - (c) a License "C," a rural special event license to a rural itinerant seller vending at one or more rural special events in the rural wards expiring thirty (30) days after its issuance.

LICENSES REQUIRED

2. Every person who operates as a rural itinerant seller shall obtain a license.
3. A person who operates as a rural itinerant seller for a licensed rural itinerant seller shall obtain a separate rural itinerant seller license.
4. Every licensed rural itinerant seller may vend goods from:
 - (a) his or her person,
 - (b) a hand-powered vehicle,
 - (c) a pedal-powered vehicle,
 - (d) a motor vehicle, or
 - (e) from a stand when vending at a rural special event.

EXEMPTIONS

5. (1) Despite Sections 2 and 3, no rural itinerant seller license shall be required by a person operating as a rural itinerant seller at:
 - (a) a farmers' market and events that are sponsored by or for the benefit of farmers' markets,
 - (b) a public market managed by the City,

- (c) an agricultural fair or agricultural events that are sponsored by or for the benefit of an agricultural fair,
 - (d) any rural property where permission is granted by the property owner and where the person sells only locally grown farm produce and such vending is limited to the rural Wards as prescribed in this by-law,
 - (e) the Central Canada Exhibition,
 - (f) a fundraising event for a charitable or not-for-profit organization that support cultural or religious goals, social welfare, civic improvement, recreation, amateur sport or any other similar community enhancement initiative 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, and provided that the organization has a Revenue Canada number, and
 - (g) an event that takes place indoors at a shopping mall.
- (2) Despite Sections 2 and 3, no rural itinerant seller license shall be required by a person selling his or her own original art and craft creations in any rural wards.
- (3) Despite paragraph (f) of subsection 5(1), a rural itinerant seller participating at a fundraising event shall require a license if he or she does not remit all profits, raised by the itinerant vending activity, to the charity or not-for-profit organization for which the event is being held.
6. No holder of a valid license "A" or "B" issued pursuant to this by-law shall be permitted to vend at a rural special event unless the licensee:
- (a) has notified the Chief License Inspector in writing 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 phone number of the event promoter;
 - (b) has written proof that he or she is permitted to operate at the rural special event, from the event organizer;

- (c) if applicable, he or she operates from a hand-powered or pedal-powered vehicle or motor vehicle, or stand identified under his or her license; and
- (d) is the holder of license that is valid at the time of and for the duration of the rural special event.

7. The provisions of this by-law do not apply to a person who sells to wholesale or retail dealers in similar goods.

8. Despite any of the provisions of this by-law, a rural itinerant seller's license shall not be required by:

- (a) a tenant association or community association that holds a sale of personal household effects where:
 - (i) the personal household effects are owned by persons who are members of the association,
 - (ii) the sale is for a period no longer than two (2) days, and
 - (iii) no more than two (2) sales are held by that association in a single calendar year,
- (b) a rural itinerant seller who vends at an exhibition for which the promoter or organizer of such exhibition has obtained an Exhibition License under this by-law,
- (c) a rural itinerant seller who vends at a flea market for which the promoter or organizer of such flea market has obtained a Flea Market license under this by-law, or
- (d) a vendor of items that are being sold for charitable purposes and community betterment provided that the rural itinerant seller remits all revenues to the charitable cause.

9. The provisions of this by-law do not apply to a person who sells official programs for a special outdoor event provided the activity takes place on the property where the event is held,

- (a) within the hour prior to the event,
- (b) during the event, and
- (c) within one hour after the event.

10. Despite subsection 5(1), every rural itinerant seller must comply with all other municipal, provincial and federal by-laws, Acts and regulations.

11. The provisions of this Schedule apply only to the rural wards.

CONDITIONS FOR ISSUANCE

12. (1) No applicant for a rural itinerant seller's license shall be issued a license unless:
- (a) the applicant is at least eighteen (18) years of age,
 - (b) where a the motor vehicle is used for the business, the applicant is the holder of a current motor vehicle permit issued pursuant to the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended,
 - (c) the applicant has filed proof of insurance in accordance with the requirements of Section 16,
 - (d) the applicant who proposes to vend at a rural special event has furnished details as to the rural special event including its location and duration and complies with the provisions of this by-law,
 - (e) the applicant who proposes to hold a rural special event has furnished details of the rural special event including its location and duration and complies with the provisions of this by-law,
 - (f) the applicant provides proof that all vehicles used in the business comply with the standards and dimensions prescribed in this by-law,
 - (g) where applicable, the applicant has presented the hand-powered vehicle, pedal-powered vehicle, motor vehicle or stand, for inspection by the Chief License Inspector and received approval in writing,
 - (h) the General Manager, Planning, Real Estate and Economic Development of the City has reported in writing, that the location from which the applicant intends to vend complies with applicable zoning by-laws and does not contribute to a deficiency in required parking spaces or obstruct proper vehicular circulation,
- (amended by By-law 2023-516)**
- (i) the applicant has paid the fees prescribed in Schedule "A", and
 - (j) if applying to sell on private property, the applicant has filed written proof with the Chief License Inspector that the owner or occupant of the property has granted permission to the applicant for the use of the property for:
 - (a) the vending business indicated on the application,

- (b) the duration and conditions of permission, and
 - (c) the name and telephone number of the owner or occupant of the property.
- (2) The Chief License Inspector may waive any or all of the requirements listed in subsection (1), where the Chief License Inspector determines that any or all of these requirements do not apply to the licensee's business.
- (3) Despite paragraph (h) of subsection 12(1), the Chief License Inspector may approve a location suitable for the sale of farm produce, provided that:
- (a) the farm produce is locally grown,
 - (b) the location does not obstruct pedestrian or vehicular traffic,
 - (c) there are no safety concerns,
 - (d) the Ward Councillor has been notified, and
 - (e) the Traffic and Parking Operations Branch has been notified.

CONDITIONS FOR RENEWAL OF LICENSE

13. (1) The holder of a "A" or "B" licensee shall within thirty (30) days of the expiration of the license submit for inspection by the Chief License Inspector, his or her:
- (a) hand-powered vehicle,
 - (b) pedal-powered vehicle,
 - (c) motor vehicle,
 - (d) stand, and
 - (e) vending equipment,
- as the case may be.
- (2) The licensee must also comply with the applicable requirements pursuant to Section 12.

REFUSAL OF LICENSE

14. In addition to the provisions of Section 21 of the by-law, the Chief License Inspector may refuse to issue or renew a rural itinerant seller license if,
- (a) an inspection or investigation reveals that the site conditions are deemed unsuitable for the business;

- (b) an inspection or investigation reveals that the vehicle or equipment used for vending does not comply with the provisions of this by-law; or
- (c) the location from which the applicant proposes to operate contravenes applicable zoning by-laws or any other by-law.

ISSUANCE OF LICENSE

15. (1) The Chief License Inspector shall, upon issuance, furnish to the successful applicant:
 - (a) a license certificate bearing the following information:
 - (i) the name of the licensee;
 - (ii) the period for which the License is valid; and
 - (iii) the type of License;
 - (b) if a vehicle is used in the business, a plate or decal bearing:
 - (i) an identification number;
 - (ii) the category for which the license was issued;
 - (iii) the words "Rural Itinerant Seller"; and
 - (iv) the word "Ottawa".
- (2) Despite subsection 15(1), the Chief License Inspector shall not furnish a plate or decal if:
 - (a) the licensee carries the articles on his or her person, or
 - (b) the license issued is a License "C".

APPROVALS REQUIRED TO VEND FROM A PARTICULAR LOCATION

16. (1) The issuance of a license to operate as a rural itinerant seller does not authorize the licensee:
 - (a) to vend on or from a highway or sidewalk;
 - (b) to vend on private property without the written consent of the owner or occupant of such property.
- (2) 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.
- (3) Despite subsection 16(1), a licensed rural itinerant seller may vend at a rural special event on a highway provided:

- (a) the event is approved pursuant to By-law No. 2001-260, entitled “A by-law of the City of Ottawa to regulate rural special events on City streets”, as amended;
- (b) the licensee has obtained written authorization from the event organizer to operate at the rural special event; and
- (c) the licensee is able to produce upon being requested to do so by a By-law Officer:
 - (i) the written authorization prescribed in paragraph (j) of subsection 12(1), and
 - (ii) a valid license of the appropriate category.

LOCATION RESTRICTIONS

17. No person shall locate or operate as a rural itinerant seller:
- (a) within six hundred (600) meters of a place of business selling the same or similar products,
 - (b) in an area in contravention of the applicable Zoning By-law,
 - (c) within nine (9) metres of an intersection,
 - (d) within ten (10) metres of a bus stop, and
 - (e) within two hundred (200) metres of another rural itinerant vendor.

INSURANCE AND INDEMNIFICATION

18. (1) Every person who operates as a rural itinerant seller shall file with the Chief License Inspector proof of Commercial General Liability insurance subject to limits of not less than \$1,000,000 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 vehicle for which a license has been applied for or obtained.
- (2) Such insurance shall be in the name of the applicant 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.
19. 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 TRANSFERS

20. No license issued pursuant to this Schedule shall be transferred from person to person in any manner including leasing agreement and assignment.

LOCATION TRANSFERS

21. Despite Section 20, a transfer from one location to another suitable location may be approved by the Chief License Inspector provided the location complies with all applicable regulations.

VEHICLE AND EQUIPMENT STANDARDS

22. (1) Every hand-powered or pedal-powered vehicle shall be purpose built and suitable for the rural itinerant seller business.
- (2) No person operating as a rural itinerant seller 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 rural itinerant seller activity.
- (3) Every licensee shall maintain his or her hand-powered vehicle, pedal-powered vehicle, motor vehicle or stand in a clean and sanitary condition and in a state of good repair and appearance.
- (4) Every licensee shall ensure that any hand-powered vehicle, pedal-powered vehicle, or motor vehicle used in the licensed business has attached to or painted on both sides of its exterior body so as to be clearly visible the businesses trade name and address legibly printed in letters and figures not less than seven (7) centimetres in height.
- (5) No person shall operate a hand-powered vehicle, pedal-powered vehicle or motor vehicle in connection with the licensed business that is not:
- (a) structured so as to be safe and stable with or without goods therein, and
 - (b) capable of immediate relocation by the user.

HAND-POWERED VEHICLE STANDARDS

23. (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) meters 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 goods therein.
- (2) The hand-powered vehicle may be equipped with a canopy 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 in Section 24 provided that:
- (a) the extension of the canopy is at the 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 into the street.
- (4) Despite subsection (3), where the canopy is an umbrella it may extend beyond the dimensions of the hand-powered vehicle prescribed by Section 24 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 hand-powered vehicle.

- (5) The maximum height of the display 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.
- (6) No person shall as part of a rural itinerant seller business vend with or from a hand-powered vehicle that does not comply with the provisions of this Schedule.

DIMENSIONS OF HAND-POWERED VEHICLES

24. (1) No licensee shall use a hand-powered vehicle that exceeds:
- (a) three (3) metres in length,
 - (b) one (1) metre in width, and
 - (c) two point five (2.5) metres in height.
- (2) The provisions of subsection (1) do not apply to a licensee operating on private property provided that the hand-powered vehicle is approved by the Chief License Inspector.

DIMENSIONS OF PEDAL-POWERED VEHICLES

25. No licensee shall use a pedal-powered vehicle that exceeds:
- (a) three (3) metres in length,
 - (b) one (1) metre in width, and
 - (c) two point five (2.5) metres in height.

GENERAL REGULATIONS

26. Every licensee using a hand-powered vehicle, a pedal-powered vehicle or a motor vehicle shall ensure that the decal furnished pursuant to subsection 15(1)(b) is:

- (a) properly affixed to the upper right corner of the plate, and
- (b) that the plate is attached by bolts to the right rear of the vehicle for which it has been issued

so as to be clearly visible to the public during the currency of the license.

27. Every licensee shall ensure that the license certificate issued by the Chief License Inspector pursuant to subsection 15(1) is, at all times during the operation of the licensed business,

- (a) posted on or in the vehicle and visible to the public; or
- (b) on his or her person.

28. Every person who vends under the authority of a license shall ensure that the license certificate corresponds with the plate or decal furnished by the Chief License Inspector pursuant to subsection 15 (1).
29. Every licensee shall produce the license certificate for inspection when so requested by a By-law Officer or Peace Officer.
30. Every licensee who permanently ceases to operate as a rural itinerant seller shall return the plate to the Chief License Inspector within seven (7) business days of the cessation of operations.
31. No person shall vend on private property of the City without first obtaining written permission from the City.
32. Every person who vends on private property with the consent of the owner or occupant of such property shall:
- (a) ensure that he or she has the consent (pursuant to section 16) in his or her possession, and that the consent includes the name and telephone number of the property owner, the duration of the permission and other conditions if applicable, and
 - (b) when so requested by the Chief License Inspector, or a Peace Officer, produce the consent for inspection.
33. No licensee or 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 itinerant seller license;
 - (b) if vending at a rural special event, a copy of the permission from the promoter of the rural special event including the name and telephone number of the promoter, indicating that the licensee is authorized to vend during the rural special event; and
 - (c) if vending on private property, a copy of the permission from the owner or occupant of the property including the name and telephone number of the property owner or occupant, indicating that the licensee is authorized to vend on the property and any conditions related to the permission if any.
34. No licensee shall fail to submit the hand-powered vehicle, pedal-powered vehicle, or motor vehicle for inspection if requested to do so by a By-law Officer or a Peace Officer.

35. Every person who vends under the authority of a license shall ensure that he or she has the original license certificate in his or her possession.
36. 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 Section 6.
37. A person who operates a rural itinerant seller business, whether a single enterprise, partnership or corporation, shall obtain a license for each individual who vends goods for that business.
38. The license issued under Section 6 may be in the name of the business or the individual who is doing the actual vending to the public.
39. In any prosecution, the onus of proof that he or she does not require a license shall be upon the person so prosecuted.
40. 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.
41. Every licensee who relocates his or her rural itinerant seller business during the currency of the license shall obtain prior approval from the Chief License Inspector.
42. Every licensee shall:
- (a) comply with the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended,
 - (b) the Traffic and Parking By-law (No. 2017-301), entitled “A by-law of City of Ottawa regulating traffic and parking on highways”, as amended, or any by-law enacted in substitution therefor, and
(amended by By-law 2023-516)
 - (c) ensure he or she does not interfere with the normal movement of pedestrian or vehicular traffic or the maintenance of the sidewalks or streets in the City.
43. Despite any other provision of this by-law, every person who vends goods for a person who operates a rural itinerant seller’s business shall produce the license certificate of the appropriate category for inspection if requested by any By-law Officer or Peace Officer.
44. No rural itinerant seller shall conduct door to door sales within the rural wards of the City between 9:00 p.m. of one day and 9:00 a.m. of the following day from Monday to Saturday inclusive.

45. Every licensee shall ensure that the garbage or litter resulting from his or her vending activity is collected and removed from the vending area immediately after the vending activity has ceased.

46. For the purposes of Section 45 the placing of the garbage or litter in a sidewalk refuse container provided by the City is not sufficient to constitute removal.

REPRESENTATION

47. 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.

48. No licensee shall alter, erase or modify or permit to 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 No. 2023-516)

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)

SCHEDULE NO. 29
Relating to Pet Shops
(Added By-law 2011-241)

LICENSES REQUIRED

1. (1) Every owner or operator of a pet shop shall obtain a pet shop license.
- (2) A separate license shall be obtained for each premises operating as a pet shop.

EXEMPTIONS

2. This schedule does not apply to:
 - (a) an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the Veterinarians Act, R.S.O. 1990, Chapter V.3, as amended; and,
 - (b) the local animal shelter operated by the Ottawa Humane Society.

CONDITIONS FOR ISSUANCE

3. (1) The applicant shall be the owner or operator of the pet shop.
 - (2) No person other than the owner or operator of a pet shop shall apply for a pet shop license.
 - (3) No applicant for a pet shop license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age;
 - (b) the premises comply with the zoning, building and property standards requirements of the City;
 - (c) the Fire Chief has reported in writing that the premises complies with all applicable fire regulations;
 - (d) an animal welfare inspector appointed under the Provincial Animal Welfare Services Act, 2019, or any successor thereto, has reported in writing that the premises, and the animals housed or displayed on the premises, have been inspected and meet the requirements of the Act;
- (repealed and replaced by By-law 2023-318)**
- (e) the applicant has agreed to indemnify and save harmless the City of Ottawa as required by Section 7 of this Schedule;

- (f) the applicant has filed proof of insurance as required by Section 8 of this Schedule; and,
- (g) the applicant has paid the applicable fee set out in Schedule “A”.

4. The Chief License Inspector may impose such additional conditions with respect to the issuance of a pet shop license, as he or she deems necessary to ensure the health, safety and well being of the public.

CONDITIONS FOR RENEWAL

5. No pet shop license shall be renewed unless:

- (a) if deemed necessary by the Chief License Inspector, the Fire Chief has reported in writing that the premises are suitable for the purpose of the license application and comply with all applicable fire regulations;
- (b) if deemed necessary by the Chief License Inspector, an animal welfare inspector appointed under the Provincial Animal Welfare Services Act, 2019, or any successor thereto, has reported in writing that the premises, and the animals housed or displayed on the premises, have been inspected and meet the requirements of the Act;

(repealed and replaced by By-law 2023-318)

- (c) the applicant has agreed to indemnify and save harmless the City of Ottawa as required by Section 7 of this Schedule;
- (d) the applicant has provided proof of insurance as required by Section 8 of this Schedule; and,
- (e) the applicant has paid the applicable fee outlined in Schedule “A” of this by-law.

6. The Chief License Inspector may impose such additional conditions with respect to the renewal of a pet shop license, as he or she deems necessary to ensure the health, safety and well being of the public.

INDEMNIFICATION

7. The licensee shall indemnify and save harmless the City of Ottawa from and against any and all claims, 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 licensee, the licensee's employees, directors, contractors and agents.

INSURANCE

8. (1) The licensee shall provide and maintain Commercial General Liability Insurance coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property, including loss of use thereof.
- (2) Such insurance policy shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of any cancellation or of a material change that would diminish coverage.
- (3) A Certificate of Insurance evidencing the above insurance coverage(s) shall be provided to the Chief License Inspector prior to the issuance of a pet shop license.

TRANSFERS OF LICENSE

9. The pet shop licenses issued pursuant to this Schedule are not transferable.

POSTING OF LICENSE

10. No licensee shall fail to post the pet shop license in a prominent location on the licensed premises so as to be clearly visible to the public.

RECORDS

11. (1) No licensee shall fail to ensure that a record is made in a clear and legible manner of each shipment of animals purchased or otherwise obtained.
- (2) No licensee shall fail to ensure that each entry for the record is made at the time each animal or batch of animals, as appropriate, that comes into the licensee's possession, including:
 - (a) the date of purchase;
 - (b) the name, address and contact information for the individual or business from which it was purchased or otherwise obtained; and,
 - (c) a full description of the animal, as appropriate, including:
 - (i) sex, colouring and identifying marking; and,
 - (ii) any tattoo or microchip number.

- (3) No licensee shall fail to ensure that the records are available for inspection by the Chief License Inspector during business hours.
- (4) No licensee shall fail to retain the records for a period of not less than twelve (12) months.
- (5) Subsections (1) and (2) does not apply to an animal owned by and sold for a municipal animal shelter, registered humane society, registered society for the prevention of cruelty to animals, or rescue organization).

(By-law 2016-200)

- 12. (1) In the case of cats and dogs, no licensee shall fail to provide the purchaser with a written record of sale including:
 - (a) a description of any tattoo;
 - (b) a record of all vaccinations;
 - (c) a record of de-worming;
 - (d) a record of all veterinary or other health related treatments, if any;
 - (e) a current certificate indicating proof and date of inoculation and de-worming and;.
 - (f) a current certificate indicating the cat's or dog's:
 - (i) breed, date of birth, gender, markings;
 - (ii) the name, address, phone and facsimile numbers, and website, as applicable, of the veterinary hospital of clinic which vaccinated and de-wormed the cat or dog;
 - (iii) the date and type of vaccinations;
 - (iv) the date and type of de-worming medication;
 - (v) information about each of the male parent and the female parent of the cat or dog, including breed, approximate height (in case of dogs), approximate weight;
 - (vi) litter size; and,
 - (vii) a statement certifying that the cat of dog originates from a duly inspected source, pursuant to Section 22.
- (2) Paragraph (e) of subsection (1) shall not apply to a cat or dog owned by and sold for municipal animal shelter, registered humane society,

registered society for the prevention of cruelty to animals, or rescue organization).

(By-law 2016-200)

GENERAL REGULATIONS

13. No licensee shall fail to:
- (a) ensure that knowledgeable and experienced staff are in charge of and responsible for the care and safekeeping of the animals;
 - (b) ensure that all persons responsible for the care, feeding or cleaning of the animals are adequately instructed and supervised in the handling and care of all such animals; and,
 - (c) maintain and make readily available to personnel at all times written animal care procedures including methods of handling the animals, sickness, injury or death of an animal and contact information for a veterinarian of record.
14. No licensee shall fail to ensure that:
- (a) any animal indicating symptoms or signs of sickness, disease or injury is isolated, examined and appropriately treated within twenty-four (24) hours of the onset of the symptoms or signs of illness or disease by a qualified veterinarian or, where one is not available, by a qualified, trained staff person under the supervision of a qualified veterinarian; and,
 - (b) the animal referred to in clause (a) is kept in a quarantine area, separate from all other animals until such illness or disease is diagnosed, treated, and cured or, if not treatable, until the animal is euthanized by a qualified veterinarian or under the supervision of a qualified veterinarian.
15. No licensee shall fail to ensure that every animal is kept in a condition appropriate to the particular species which is hygienic and conducive to the maintenance of its well-being and to the prevention of disease and injury in accordance with *Ontario Regulation 444/19, Standards of Care and Administrative Requirements* made under the Provincial Animal Welfare Services Act, 2019.

(repealed and replaced by By-law 2023-318)

16. No licensee shall fail to ensure that all animal waste materials and dead animals are disposed of in a manner that will not create a public nuisance or health hazard and in accordance with all applicable laws.
17. No licensee shall fail to ensure that the pet shop is:
- (a) maintained in a clean and sanitary condition;
 - (b) well-ventilated and lighted; and,
 - (c) free of offensive odours.
18. No licensee shall fail to ensure that:
- (a) the stock of animals is kept in cages that are:
 - (i) sanitary;
 - (ii) well-bedded;
 - (iii) well-ventilated; and,
 - (iv) well-lighted;
 - (b) every animal is maintained in a location that is of a temperature suitable for the health requirements of the type of species of animals housed therein;
 - (c) every cage, tank, container or other enclosure is of adequate size to permit the animal confined therein to stand normally to its full height, to extend its legs and body to their full natural extent, to turn around, and to lie down in a fully extended position;
 - (d) every cage, tank, container or other enclosure has a floor of either solid or wire mesh construction, where the wire mesh is easily cleaned and is comfortable for the animals, provided that:
 - (i) the spaces between the wire mesh are smaller than the pads of the feet of the animals confined therein;
 - (ii) the wire is of sufficient thickness and design to prevent injury to the animals confined therein; and,
 - (iii) such floor shall be of sufficient strength to support the weight of the animal;
 - (e) every cage, tank, container or other enclosure is equipped with receptacles made of non-porous, easily cleaned material for food

and water, mounted or situated so that they cannot be easily overturned or contaminated;

- (f) every cage, tank, container or other enclosure in which an animal is housed on the premises is:
 - (i) located in such a way as to provide maximum comfort to satisfy the known and established needs for the particular species so housed;
 - (ii) provided with safeguards to prevent extreme environmental changes and to prevent direct physical contact with such animals by the general public;
 - (iii) in good working condition; and,
 - (iv) not dangerous to the animal's health or well-being; and,
- (g) each cage containing birds shall:
 - (i) be of sufficient size and dimension to, at a minimum, enable all birds to have sufficient perch space to permit full extension of their wings in every direction and perching material of different sizes and textures to prevent foot damage;
 - (ii) contain at least two (2) perches;
 - (iii) have a removable and impermeable bottom; and,
 - (iv) house such birds in accordance with "Recommended stocking densities for birds kept in a pet retail environment" (May 2007), or any successor document thereto, as provided

19. No licensee shall fail to ensure that every animal is supplied with:

- (a) food of a type and in amounts nutritionally adequate and appropriate for the requirements of each type or species of animal; and,
- (b) adequate amounts of fresh water in the appropriate quantity and frequency to maintain a potable supply available to such animal.

20. No licensee shall:

- (a) confine or display animals of different species which are incompatible in the same cage;

- (b) knowingly sell any diseased animal without making satisfactory provision for veterinary treatment of the animal;
 - (c) sell or give away any dog, cat or rabbit under the age of eight (8) weeks or, in the case of an animal of another species, before it is weaned;
 - (d) display any animal unless:
 - (i) such animal is adequately protected from drafts, direct rays of the sun, excessive heat or cold, and the general public; and,
 - (ii) ample space is provided; and,
 - (e) keep the stock of animals in crowded quarters or cages.
21. No licensee shall sell or keep any animal prohibited under By-law No. 2003-77 entitled "A by-law of the City of Ottawa respecting animal care and control", as amended.
22. (1) No licensee shall sell or keep or offer for sale any cat or any dog from a source that is not:
- (a) a municipal animal shelter;
 - (b) a registered humane society;
 - (c) a registered society for the prevention of cruelty to animals; or,
 - (d) a rescue organization.
- (2) Despite subsection (1), no licensee operating a pet shop identified in Appendix A shall sell or keep or offer for sale any cat or any dog from a source that is not:
- (a) one of those identified in subsection (1) or,
 - (b) an establishment that has been inspected no less than once every twelve (12) months by an animal welfare inspector appointed under the Provincial Animal Welfare Services Act, 2019, or under any successor thereto, or the Animal Welfare and Safety Act, chapter B-3.1 of the Province of Quebec, as amended or under any successor thereto, where the inspector has reported in writing that the premises, and the animals therein, meet the requirements of the relevant Act, and that there are no convictions or outstanding

Orders against the owner or operator of the establishment under the relevant Act.

(By-law 2016-200; (b) repealed and replaced by By-law 2023-318)

23. No licensee shall fail to provide to the purchaser of a cat or dog, a period of two (2) business days during which the live cat or live dog may be returned to the pet shop for a refund.

(By-law 2016-200)

Appendix A**(By-law 2016-200)**

Little Critters, Billings Bridge Plaza, 2277 Riverside Dr East, Unit 148, Ottawa

Pet World, St. Laurent Shopping Centre, 1200 St.Laurent Boulevard, Unit 539, Ottawa

Pet World, Bayshore Shopping Centre, 100 Bayshore Drive, Ottawa

SCHEDULE NO. 30**Relating to Private Parking Enforcement Agencies****(Added by By-law 2011-380)****LICENSE REQUIRED**

1. In this Schedule,
 - (a) “owner”, when used in relation to property, means,
 - (i) the registered owner of the property;
 - (ii) the registered owner of a condominium unit whose consent shall extend only to the control of the unit of which he or she is owner and any parking spaces allotted to him or her by the condominium corporation or reserved for his or her exclusive use in the declaration or description of the property;
 - (iii) the spouse of a person described in subparagraph (i) or (ii), hereof;
 - (iv) where the property is included in a description registered under The Condominium Act, S.O. 1998, c. 19, as amended, the board of directors of the condominium corporation; and
 - (v) a person authorized in writing by the property owner as defined in subparagraph (i), (ii), (iii) or (iv) hereof to act on the owner's behalf for requesting the provision of parking enforcement services;
 - (b) “occupier” means,
 - (i) the tenant of the property or part thereof whose consent shall extend only to the control of the land of which he or she is tenant and any parking spaces allotted to him or her under his or her lease or tenancy agreement;
 - (ii) the spouse of a tenant; and,
 - (iii) a person authorized in writing by an occupant as defined in subparagraph (i) or (ii) hereof to act on the occupier's behalf for requesting the provision of parking enforcement services.
2. Every person who owns or operates a private parking enforcement agency shall obtain a private parking enforcement agency license.

3. A license issued under this Schedule is not transferable.
4. No person shall provide or perform parking enforcement services, or cause any parking enforcement activities to be provided or performed, without first having obtained a valid license issued under this Schedule.

EXEMPTIONS

5. The parking enforcement services of the following are not subject to this Schedule:
 - (a) an educational or health institution or agency having a parking ticket revenue sharing agreement in place with the City of Ottawa pursuant to subsection 21(1), Schedule "B", of the Delegation of Authority By-law 2011-28, as amended, and,
 - (b) Carleton University and Algonquin College of Applied Arts and Sciences, with respect to parking enforcement services on their own property.

CONDITIONS FOR ISSUANCE & RENEWAL

6. (1) No license shall be issued or renewed unless the applicant:
 - (a) is at least eighteen (18) years of age;
 - (b) has provided to the Chief License Inspector an address within the City of Ottawa or other contact information to which the public has reasonable access to make inquiries in person about the business;
 - (c) has provided to the Chief License Inspector a list containing the address of each property for which parking enforcement services are provided;
 - (d) has provided the proof of insurance as required under this Schedule; and,
 - (e) has provided the Chief License Inspector proof that the owner or occupier of the property on which private parking enforcement services are to be provided consents to the provision of such services on the property.

(amended by By-law 2021-317)

- (2) The Chief License Inspector may impose such additional conditions for the issuance, renewal or holding of a license under this Schedule as she or he deems necessary to ensure public safety or consumer protection.

- (3) Subject to Sections 13 and 21 of this By-law, being By-law No. 2002-189 as amended, if, in the opinion of the Chief License Inspector following a review of the relevant investigations or inspections, the private parking enforcement agency's actions are deemed to be adverse to the public interest or to public safety, the Chief License Inspector may refuse to renew the license.
- (4) No private parking enforcement agency licensed under this Schedule is eligible for a tow service operator license or a tow truck driver license under this By-law.

(By-law 2021-317)

(Subsection (4) to be repealed and replaced with the following):

- (4) *No tow operator or tow truck driver, as defined by the Towing and Storage Safety Enforcement Act, 2021, S.O. c.26, Sched. 3 (as amended), is eligible for a Private Parking Enforcement Agency license under this By-law.*

(By-law 2024-XX)

PROVISION OF PARKING ENFORCEMENT SERVICES

7. No licensee shall fail to ensure that only Deputized Officers provide parking enforcement services.

CONTROL OVER PARKING ENFORCEMENT SERVICES

8. No person licensed under this Schedule who is an individual person shall fail to maintain control over the management and operations of the agency and shall not delegate this responsibility.
9. No person licensed under this Schedule who is a corporation shall fail to designate one of its officers or employees as designated manager to be responsible for maintaining control over the management and operations of the agency on behalf of the corporation, and such officer or employee shall not delegate this responsibility.
10. No licensee shall fail to provide the Chief License Inspector with the name and address of the current designated manager pursuant to Section 9 on the form provided by the Chief License Inspector for that purpose.

LIST OF PROPERTIES TO BE PROVIDED

11. (1) No licensee shall fail to provide the Chief License Inspector with an updated list of properties required under paragraph (c) of subsection 6(1) within 10 (ten) days of any alteration or amendment of the list.
- (2) No licensee shall provide or allow to be provided any parking enforcement services at any property that is not listed on the list required to be filed under paragraph (c) of subsection 6(1).

REGULATION REGARDING ISSUANCE OF TICKETS OR OTHER DOCUMENTS

12. (1) No person shall issue, or cause to be issued, any document, ticket, notice, invoice, request, or demand of any kind, for payment in relation to motor vehicles parked on private property without the consent of the owner or occupier of the property other than a parking infraction notice under Part II of the Provincial Offences Act, as amended.
- (2) For the purposes of subsection (1), the issuance of any document, ticket, notice or invoice, request, or demand of any kind, for payment includes:
 - (a) to personally hand it to the motor vehicle owner or driver; and,
 - (b) to leave it on the motor vehicle with the intention that the motor vehicle owner shall recover it.

PROHIBITION REGARDING REMOVAL OF MOTOR VEHICLES

13. (1) No person shall remove or cause to be removed any motor vehicle parked on private property without the consent of the owner or occupier of the property.
- (2) Despite subsection (1), a Deputized Officer providing parking enforcement services for a private parking enforcement agency licensed under this Schedule may arrange for the towing of a vehicle that is illegally parked on private property if all of the following conditions are met:
 - (a) the owner or occupier of the private property on which the illegally parked vehicle is located must provide consent prior to having the vehicle towed from the private property;
 - (b) the tow may occur only upon issuance of a minimum of three (3) Parking Infraction Notices (PIN) for the same vehicle on the same property for three (3) separate violations which are non-continuous in nature;

- (c) the Deputized Officer must issue a City of Ottawa parking infraction notice (PIN) in respect of the illegally parked vehicle; and
 - (d) the Deputized Officer must arrange the tow through By-law and Regulatory Services (BLRS) Dispatch in accordance with the protocol set out and communicated by the Chief License Inspector.
- (3) With the exception of Deputized Officers initiating the towing of vehicles pursuant to subsection (2), when consent of the owner or occupier is obtained, only a police officer, police cadet, municipal law enforcement officer or officer appointed for carrying out the provisions of subsection 170(15) of the Highway Traffic Act may cause a motor vehicle to be moved or taken to and placed or stored in a suitable place, and all costs and charges for the removal, care and storage of the motor vehicle, if any, are a lien upon the motor vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act.

(repealed and replaced by By-law 2021-317)

INDEMNIFICATION & INSURANCE REQUIRED

14. (1) The licensee shall indemnify and save harmless the City of Ottawa, its employees and agents from any and all claims, demands, causes or action costs or damages howsoever caused that the City may suffer, incur or be liable for resulting from the issuance of a license under this Schedule or from the performance or non-performance of the private parking enforcement agency under this by-law whether or not such performance or non-performance arises with or without negligence on the part of the agency, its employees, directors or agents.
- (2) Prior to the issuance or renewal of a license under this Schedule, the private parking enforcement agency shall file with the Chief License Inspector proof of insurance of Commercial General Liability coverage subject to limits not less than Two Million Dollars (\$2,000,000) inclusive per occurrence for bodily injury, death and damage to property, including loss of use thereof.
- (3) The insurance coverage required by subsection (2) shall include the City of Ottawa as additional insured and shall include a provision whereby the City of Ottawa will be provided with 30 (thirty) days prior notice of any cancellation or variation to the policy.

REPRESENTATION

15. No person shall publish or cause to be published any representation that the person is licensed under this Schedule if they are not so licensed.

COST-RECOVERY FOR ELIGIBLE LICENSEES

16. (1) The General Manager of Emergency and Protective Services and the Chief License Inspector individually are authorized to approve, execute, amend or extend agreements respecting cost-recovery with private parking enforcement agencies under the following conditions:
- (a) the private parking enforcement agency is duly licensed under this Schedule;
 - (b) the private parking enforcement agency has paid the applicable licensing fee set out in Schedule "A";
 - (c) the private parking enforcement agency uses, at its own costs, hand-held ticketing devices and associated hardware and software approved by the Chief License Inspector for the purposes of issuing Parking Infraction Notices, unless otherwise provided in the agreement;
 - (d) a minimum of 2,600 Parking Infraction Notices are issued annually by the private parking enforcement agency for each year that the agreement is in effect;
 - (e) the agreement is structured so that the private parking enforcement agency recovers from the City, on each paid Parking Infraction Notice, the following amount in relation to the offence for which the Parking Infraction was issued:
 - (i) fifty per cent (50%) of the amount paid of the early payment amount or other fine that has been imposed, up to a maximum amount equal to 50% of the early payment amount, for the offence of unauthorized parking on private property pursuant to s. 112 of the Traffic and Parking By-law (By-law No. 2003-530, as amended), or any successor by-law,
 - (ii) fifty per cent (50%) of the amount paid of the fine that has been imposed, up to a maximum of \$33.50, for the offence of stopping or parking a motor vehicle on a designated fire

route when stopping or parking is prohibited by an authorized sign, pursuant to s. 5(1) of the Fire Routes By-law (By-law 2003-499, as amended), or any successor by-law; and

(iii) fifty per cent (50%) of the amount paid of the fine that has been imposed, up to a maximum of \$50.00, for the offence of parking, without displaying a valid disability parking permit, a motor vehicle in a public parking area in a parking space reserved for physically disabled persons and identified by authorized signs, pursuant to s. 126(1) of the Traffic and Parking By-law (By-law No. 2003-530, as amended), or any successor by-law, and,

(f) the agreement is in a form satisfactory to the City Clerk and Solicitor.

(2) The General Manager of Emergency and Protective Services and the Chief License Inspector individually are authorized to amend the number of Parking Infraction Notices set out in subsection (1), paragraph (d), where the General Manager or Chief License Inspector deem it to be appropriate provided that all other requirements of subsection (1) are met.

(amended by By-law 2021-317)

(3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the Community and Protective Services Committee of the City at least once each calendar year.

EXEMPTION – LICENSE FEE

17. Despite any other requirement of this By-law, a private parking enforcement agency that does not enter into a cost-recovery agreement with the City pursuant to Section 16 is not required to pay a license fee under Schedule “A” for a private parking enforcement agency license.

SCHEDULE NO. 31
Relating to Boarding Kennels
(Added by By-law 2013-107)

LICENSES REQUIRED

1. (1) Every owner or operator of a boarding kennel shall obtain a boarding kennel license.
- (2) A separate license shall be obtained for each premises at which a boarding kennel is being operated.

EXEMPTIONS

2. This schedule does not apply to:
 - (a) an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the Veterinarians Act, R.S.O. 1990, Chapter V.3, as amended,
 - (b) premises that are registered with the City as premises where dogs or cats are receiving temporary foster care, and
 - (c) the local animal shelter operated by the Ottawa Humane Society.

CONDITIONS FOR ISSUANCE

3. (1) No individual other than the owner or operator of a boarding kennel shall apply for a boarding kennel license.
- (2) No applicant for a boarding kennel license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age;
 - (b) the applicant submits to the Chief License Inspector a detailed plan that includes the following information:
 - i. the maximum number of dogs or cats that may be boarded, raised or trained in the boarding kennel,
 - ii. procedures as to how sickness, disease or injuries to a dog or cat will be handled at the boarding kennel,
 - iii. name and telephone number of emergency veterinarian on call, and,
 - iv. procedures established for an emergency evacuation;

- (c) the premises comply with the zoning, building and property standards requirements of the City;
- (d) if deemed necessary by the Fire Chief, the Fire Chief has reported in writing that the premises complies with all applicable fire regulations;
- (e) an animal welfare inspector appointed under the Provincial Animal Welfare Services Act, 2019, or any successor thereto, has reported in writing that the premises, and the animals housed on the premises, have been inspected and meet the requirements of the Act and any Regulations thereunder;

(repealed and replaced by By-law 2023-318)

- (f) the applicant has agreed to indemnify and save harmless the City of Ottawa as required by Section 7 of this Schedule;
 - (g) the applicant has filed proof of insurance as required by Section 8 of this Schedule; and,
 - (h) the applicant has paid the fee set out in Schedule "A".
- (3) Despite Section 3(1), the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton may renew said license under this by-law but is not required to apply for a license under this Schedule as a new applicant.
- (4) Despite the expiry date of April 30 set out in Schedule "A", the license of the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton is extended until May 30, 2013.

4. The Chief License Inspector may impose such additional conditions with respect to the issuance of a boarding kennel license, as he or she deems necessary to ensure the health, safety and well being of the public.

CONDITIONS FOR RENEWAL

5. No boarding kennel license shall be renewed unless:
- (a) if deemed necessary by the Chief License Inspector, the Fire Chief has reported in writing that the premises are suitable for the purpose of the license application and comply with all applicable fire regulations;

- (b) if deemed necessary by the Chief License Inspector, an animal welfare inspector appointed under the Provincial Animal Welfare Services Act, 2019, as amended, or any successor thereto, has reported in writing that the premises, and the animals housed on the premises, have been inspected and meet the requirements of the Act and any Regulations thereunder;

(repealed and replaced by By-law 2023-318)

- (c) the applicant has agreed to indemnify and save harmless the City of Ottawa as required by Section 7 of this Schedule;
- (d) the applicant has provided proof of insurance as required by Section 8 of this Schedule; and,
- (e) the applicant has paid the fees outlined in Schedule "A" of this by-law.

6. The Chief License Inspector may impose such additional conditions with respect to the renewal of a boarding kennel license, as he or she deems necessary to ensure the health, safety and well being of the public.

INDEMNIFICATION

7. The licensee shall indemnify and save harmless the City of Ottawa from and against any and all claims, 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 the licensee's obligations under the license whether with or without negligence on the part of licensee, or the licensee's employees, directors contractors and agents.

INSURANCE

- 8. (1) Every applicant for a boarding kennel license shall file with the Chief License Inspector proof of insurance of Commercial General Liability insurance coverage subject to limits of not less than Two Million (\$2,000,000.00) Dollars inclusive per occurrence for bodily injury, death and damage to property, including loss of use thereof.
- (2) The proof of insurance shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of any cancellation or of a material change.

TRANSFERS OF LICENSE

9. The boarding kennel licenses issued pursuant to this Schedule are not transferable.

POSTING OF LICENSE

10. No licensee shall fail to post the boarding kennel license in a prominent location on the licensed premises so as to be clearly visible to the public.

POSTING OF EMERGENCY EVACUATION PLAN

11. No licensee shall fail to post the emergency evacuation plan referred to in Section 3(2)(b)iv. in a prominent location on the licensed premises so as to be clearly visible to staff and to the public.

RECORDS

12. (1) No licensee shall fail to ensure that a record is made in a clear and legible manner and contains the following information at a minimum:
- (a) the name of every owner of a dog or cat left at the boarding kennel, including an emergency contact number,
 - (b) the name, breed and description of every dog or cat left at the boarding kennel,
 - (c) verification of rabies immunization, and,
 - (d) the dates of arrival and departure of every dog or cat.
- (2) No licensee shall fail to ensure that the records are available upon request for inspection by the Chief License Inspector.

GENERAL REGULATIONS**Care of Dogs and Cats**

13. (1) No licensee shall fail to ensure that:
- (a) knowledgeable and experienced staff are in charge of and responsible for the care and safeguarding of the dogs or cats, and
 - (b) all persons responsible for the care, feeding or cleaning of the dogs or cats are adequately instructed and supervised in the handling and care of the dogs or cats.
- (2) No licensee shall fail to maintain and make readily available to boarding kennel staff at all times written dog or cat care procedures providing:

- (a) methods of handling the dogs or cats generally and in the event of escape,
 - (b) methods for handling sickness, injury or death of a dog or cat,
 - (c) methods for handling situations in which a dog or cat has bitten a person or another dog or cat, and,
 - (d) contact information for a veterinarian, for the Ottawa Humane Society and for City of Ottawa By-law & Regulatory Services.
- (3) No licensee shall fail to ensure that any dog or cat indicating symptoms of serious illness or serious injury requiring veterinary attention is:
- (a) isolated, if appropriate,
 - (b) examined by a veterinarian within a reasonable period of time from the onset of the symptoms of illness or injury, or as authorized by the owner or emergency contact on behalf of the owner,
 - (c) treated in accordance with the veterinarian's directives, as appropriate, and,
 - (d) kept in an isolated area separate from all other dogs or cats, if appropriate, until such illness or injury is cured or the risk of contagion is eliminated.

14. No licensee shall fail to ensure that all dog and cat waste materials and dead dogs and cats are disposed of in a manner that will not create a public nuisance or health hazard and in accordance with all applicable laws.

Facility Requirements

15. (1) No licensee shall fail to ensure that the boarding kennel is:
- (a) maintained in a clean and sanitary condition,
 - (b) well-ventilated and well-lit, and,
 - (c) maintained at a temperature suitable for the welfare and comfort of each dog or cat therein based on its breed, age and health status.
- (2) No licensee shall fail to ensure that every doorway, window or outside opening provides an effective barrier against the escape of a dog or cat.
- (3) No licensee shall fail to ensure that:

- (a) an exercise area, whether indoor or outdoor, is provided so as to enable each dog or cat to exercise freely and easily in a manner that will prevent injury to the dog or cat, and,
 - (b) where dog or cat runs are provided, each run shall:
 - (i) have a minimum floor area that is appropriate for the breed and size of the dog or cat,
 - (ii) be maintained in such a manner to keep the dog or cat securely enclosed, and
 - (iii) be free from debris.
- (4) No licensee shall fail to ensure that the surface of every outdoor yard and run is:
- (a) covered in concrete, asphalt, fine gravel or other material or grass which can be easily cleaned or raked, and
 - (b) cleaned at least once daily.

16. No licensee shall fail to ensure that all areas in which dogs or cats are kept are enclosed, such as by fencing, in such a way as to ensure that all dogs or cats are confined to the property.

Housing of Dogs and Cats

17. No licensee shall fail to ensure that every indoor cage or pen used for the keeping or housing of dogs or cats:

- (a) is of an adequate size to permit the dog or cat confined therein to:
 - (i) stand normally to its full height;
 - (ii) extend its legs and body to their full natural extent;
 - (iii) turn around easily;
 - (iv) move about easily for the purpose of posture adjustments; and,
 - (v) lie down in a fully extended position,
- (b) has a floor soundly constructed of hard, durable material which is impervious to water, or which is disposable and replaceable,
- (c) is equipped with receptacles for food and water, mounted or situated such that they cannot be easily overturned or contaminated,

- (d) is in good working condition,
- (e) is not dangerous to the health or well-being of the dog or cat, and,
- (f) is maintained in a clean and sanitary condition at all times with all waste material removed at least twice daily.

18. No licensee shall fail to ensure that dogs or cats confined in cages or runs are exercised appropriately based on their breed and size.

19. No licensee shall fail to ensure that every dog or cat is supplied on a daily basis with:

- (a) food that is nutritionally adequate for the dog or cat, and,
- (b) adequate amounts of fresh potable water available at all times.

20. No licensee shall fail to comply with all other applicable federal or provincial laws and regulations, and municipal by-laws.

SCHEDULE NO. 32
Relating to In-Home Breeding Kennels
(Added by By-law 2013-107)

LICENSES REQUIRED

1. (1) Every owner or operator of an in-home breeding kennel shall obtain an in-home breeding kennel license.
- (2) A separate license shall be obtained for each premise at which an in-home breeding kennel is being operated.
- (3) Applicants for a new or renewed in-home breeding kennel license shall be exempt from the requirement to pay the processing fee prescribed in Schedule "A" of the By-law.

EXEMPTIONS

2. This schedule does not apply to:
 - (a) an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the Veterinarians Act, R.S.O. 1990, Chapter V.3, as amended,
 - (b) premises that are registered with the City as premises where dogs or cats are receiving temporary foster care, and
 - (c) the local animal shelter operated by the Ottawa Humane Society.

CONDITIONS FOR ISSUANCE

3. (1) No individual other than the owner or operator of an in-home breeding kennel shall apply for an in-home breeding kennel license.
- (2) No applicant for an in-home breeding kennel license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age,
 - (b) the premises comply with the zoning, building and property standards requirements of the City;
 - (c) the number of dogs or cats over the age of twenty (20) weeks being kept for breeding, showing or other purposes does not exceed ten (10);

- (d) there are no convictions or outstanding Orders against the applicant issued under the Provincial Animal Welfare Services Act, 2019;

(repealed and replaced by By-law 2023-318)

- (e) the applicant complies with the *Code of Practice for Canadian Kennel Operations* (dogs) or the *Code of Practice for Canadian Cattery Operations* (cats) established by the Canadian Veterinary Medical Association or any successor document thereto;
 - (f) the applicant obtains, free of charge, a license for each dog or cat, and the dogs or cats are identified with the municipal tag or a microchip or a legible tattoo at no later than ten (10) weeks of age; and,
 - (g) the applicant has paid the fee set out in Schedule "A".
- (3) Despite clause (c) of subsection (2):
- (a) the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton is exempted from the limit of ten (10) dogs or cats over the age of twenty (20) weeks until April 1, 2018, provided that there has been no change in location of the premises and that the holder of the valid license complies with all of the other requirements of the by-law;
 - (b) the limit of ten (10) dogs or cats over the age of twenty (20) weeks does not include:
 - (i) up to three (3) dogs or five (5) cats kept on the premises that are retired from breeding and that are sterilized, unless there is a legitimate medical reason preventing sterilization; and,
 - (ii) either, but not both, of
 1. a dog or cat temporarily housed in the kennel for breeding purposes; or,
 2. a dog or cat that has been rescued and is temporarily in the care of the in-home breeding kennel.
- (4) Clause (c) of subsection (2) and subsection (3) respecting the limit on the number of dogs or cats that may be kept shall not apply to the holder of an in-home breeding kennel license where the primary housing for the dogs

or cats is in an accessory building(s) or structure(s) on the property provided that all other requirements of this by-law are met.

- (5) Despite Section 3(1), the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton may renew said license under this by-law but is not required to apply for a license under this Schedule as a new applicant.
- (6) Despite the expiry date of April 30 set out in Schedule "A", the license of the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton is extended until May 30, 2013.

4. The Chief License Inspector may impose such additional conditions with respect to the issuance of an in-home breeding kennel license, as he or she deems necessary to ensure the health, safety and well being of the public.

CONDITIONS FOR RENEWAL

- 5. No in-home breeding kennel license shall be renewed unless:
 - (a) if deemed necessary by the Chief License Inspector, a property standards inspection is conducted and the premises comply with property standards requirements of the City,
 - (b) subject to subsections 3(3) and (4), the number of dogs or cats over the age of twenty (20) weeks being kept for breeding, showing or other purposes does not exceed ten (10),
 - (c) there are no convictions or outstanding Orders against the applicant issued under the Provincial Animal Welfare Services Act, 2019,

(repealed and replaced by By-law 2023-318)

 - (d) the applicant complies with the *Code of Practice for Canadian Kennel Operations* (dogs) or the *Code of Practice for Canadian Cattery Operations* (cats) established by the Canadian Veterinary Medical Association or any successor document thereto,
 - (e) the applicant renews the existing or obtains a new license, free of charge, for each dog or cat accordingly, and the dogs or cats are identified with the municipal tag or a microchip or a legible tattoo at no later than ten (10) weeks of age, and,
 - (f) the applicant has paid the fee set out in Schedule "A".

6. The Chief License Inspector may impose such additional conditions with respect to the renewal of an in-home breeding kennel license, as he or she deems necessary to ensure the health, safety and well being of the public.

TRANSFERS OF LICENSE

7. The in-home breeding kennel licenses issued pursuant to this Schedule are not transferable.

AVAILABILITY OF LICENSE

8. No licensee shall fail to make available for viewing by clients the in-home breeding kennel license.

RECORDS

9. (1) No licensee shall fail to ensure that records are maintained showing the number of dogs or cats being kept in the in-home breeding kennel, and the gender and birth date of each dog or cat.
- (2) No licensee shall fail to ensure that the records are available upon request for inspection by the Chief License Inspector.

GENERAL REGULATIONS

Breeding, Selling and Transferring

10. No licensee shall cause or permit a female dog or a female cat to:
- (a) be mated if she is less than one (1) year of age, and,
 - (b) give birth to more than six (6) litters in its lifetime.
11. No licensee shall transfer a dog or cat to its purchaser before the dog or cat is seven (7) weeks of age.

Care of Dogs and Cats

12. No licensee shall fail to ensure that any dog or cat indicating symptoms of serious illness or serious injury is:
- (a) examined by a veterinarian within a reasonable period of time of the onset of the symptoms of the illness or the injury, and,
 - (b) depending on the condition, treated in accordance with the veterinarian's directives, as appropriate.

13. No licensee shall fail to ensure that all dog or cat waste materials and dead dogs and cats are disposed of in a manner that will not create a public nuisance or health hazard and in accordance with all applicable laws.

Facility Requirements

14. (1) No licensee shall fail to ensure that the in-home breeding kennel is:
- (a) maintained in a clean and sanitary condition,
 - (b) well-ventilated and well-lit, and,
 - (c) maintained at a temperature suitable for the welfare and comfort of each dog or cat therein based on its breed, age and health status.
- (2) No licensee shall fail to ensure that:
- (a) an exercise area, whether indoor or outdoor, is provided so as to enable each dog or cat to exercise freely and easily in a manner that will prevent injury to the dog or cat, and,
 - (b) where dog or cat runs are provided, each run shall:
 - (i) have a minimum floor area that is appropriate for the breed and size of the dog or cat,
 - (ii) be maintained in such a manner to keep the dog or cat securely enclosed, and
 - (iii) be free from debris.
- (3) No licensee shall fail to ensure that the surface of every outdoor yard and run is:
- (a) covered in concrete, asphalt, fine gravel or other material or grass which can be easily cleaned or raked, and
 - (b) cleaned at least once daily.
15. No licensee shall fail to ensure that all areas in which dogs or cats are kept are enclosed, such as by fencing, in such a way as to ensure that all dogs or cats are confined to the property.

Housing of Dogs or Cats

16. No licensee shall fail to ensure that every crate, cage or pen used for the keeping or housing of dogs or cats:
- (a) is of an adequate size to permit the dog or cat confined therein to:

- (i) stand normally to its full height;
 - (ii) extend its legs and body to their full natural extent;
 - (iii) turn around easily;
 - (iv) move about easily for the purpose of posture adjustments;
and,
 - (v) lie down in a fully extended position,
- (b) has a floor soundly constructed of hard, durable material which is impervious to water, or which is disposable and replaceable,
 - (c) is equipped with receptacles for food and water, mounted or situated such that they cannot be easily overturned or contaminated,
 - (d) is in good working condition,
 - (e) is not dangerous to the health or well-being of the dog or cat, and,
 - (f) is maintained in a clean and sanitary condition at all times with all waste material removed at least twice daily.

17. No licensee shall fail to ensure that dogs or cats confined in cages or runs are exercised appropriately based on their breed and size.

18. No licensee shall fail to ensure that every dog and cat is supplied on a daily basis with:

- (a) food that is nutritionally adequate for the dog or cat, and,
- (b) adequate amounts of fresh potable water available at all times.

19. No licensee shall fail to comply with all other applicable federal or provincial laws and regulations, and municipal by-laws.

SCHEDULE NO. 33
Relating to Recreational Kennels
(Added by By-law 2013-107)

LICENSES REQUIRED

1. (1) Every owner or operator of a recreational kennel shall obtain a recreational kennel license.
- (2) A separate license shall be obtained for each premise at which a recreational kennel is being operated.
- (3) Applicants for a new or renewed recreational kennel license shall be exempt from the requirement to pay the processing fee prescribed in Schedule "A" of the By-law.

EXEMPTIONS

2. This schedule does not apply to:
 - (a) an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the Veterinarians Act, R.S.O. 1990, Chapter V.3, as amended,
 - (b) premises that are registered with the City as premises where dogs or cats are receiving temporary foster care, and
 - (c) the local animal shelter operated by the Ottawa Humane Society.

CONDITIONS FOR ISSUANCE

3. (1) No individual other than the owner or operator of a recreational kennel shall apply for a recreational kennel license.
- (2) No applicant for a recreational kennel license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age;
 - (b) the premises comply with the zoning, building and property standards requirements of the City;
 - (c) the number of dogs over the age of twenty (20) weeks being kept for recreational purposes does not exceed ten (10);
 - (d) there are no convictions or outstanding Orders against the applicant issued under the Provincial Animal Welfare Services Act, 2019;

(repealed and replaced by By-law 2023-318)

- (e) the applicant complies with the *Code of Practice for Canadian Kennel Operations* established by the Canadian Veterinary Medical Association or any successor document thereto;
 - (f) the applicant obtains, free of charge, a license for each dog, and the dogs are identified with the municipal tag or a microchip or a legible tattoo at no later than ten (10) weeks of age; and,
 - (g) the applicant has paid the fee set out in Schedule “A”.
- (3) Despite clause (c) of subsection (2):
- (a) the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton is exempted from the limit of ten (10) dogs or cats over the age of twenty (20) weeks until April 1, 2018, provided that there has been no change in location of the premises and that the holder of the valid license complies with all of the other requirements of the by-law; and,
 - (b) the limit of ten (10) dogs over the age of twenty (20) weeks does not include:
 - (i) up to three (3) dogs kept on the premises that are retired from recreational activities; and,
 - (ii) a dog that has been rescued and is temporarily in the care of the recreational kennel.
- (4) Clause (c) of subsection (2) and subsection (3) respecting the limit on the number of dogs that may be kept shall not apply to the holder of a recreational kennel license where the primary housing for the dogs is in an accessory building(s) or structure(s) on the property provided that all other requirements of this by-law are met.
- (5) Despite Section 3(1), the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton may renew said license under this by-law but is not required to apply for a license under this Schedule as a new applicant.
- (6) Despite the expiry date of April 30 set out in Schedule “A”, the license of the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton is extended until May 30, 2013.

4. The Chief License Inspector may impose such additional conditions with respect to the issuance of a recreational kennel license, as he or she deems necessary to ensure the health, safety and well being of the public.

CONDITIONS FOR RENEWAL

5. No recreational kennel license shall be renewed unless:
- (a) if deemed necessary by the Chief License Inspector, a property standards inspection is conducted and the premises comply with property standards requirements of the City;
 - (b) subject to subsections 3(3) and (4), the number of dogs over the age of twenty (20) weeks being kept for recreational purposes does not exceed ten (10);
 - (c) there are no convictions or outstanding Orders against the applicant issued under the Provincial Animal Welfare Services Act, 2019;
 - (d) the applicant complies with the *Code of Practice for Canadian Kennel Operations* established by the Canadian Veterinary Medical Association or any successor document thereto;
 - (e) the applicant renews the existing or obtains a new license, free of charge, for each dog accordingly, and the dogs are identified with the municipal tag or a microchip or a legible tattoo at no later than ten (10) weeks of age; and,
 - (f) the applicant has paid the fee set out in Schedule "A".

6. The Chief License Inspector may impose such additional conditions with respect to the renewal of a recreational kennel license, as he or she deems necessary to ensure the health, safety and well being of the public.

TRANSFERS OF LICENSE

7. The recreational kennel licenses issued pursuant to this Schedule are not transferable.

RECORDS

8. (1) No licensee shall fail to ensure that records are maintained showing the number of dogs being kept in the recreational kennel, and the gender and birth date of each dog.

- (2) No licensee shall fail to ensure that the records are available upon request for inspection by the Chief License Inspector.

GENERAL REGULATIONS

Breeding

9. No licensee shall cause or permit a female dog to:
 - (a) be mated if she is less than one (1) year of age, and,
 - (b) give birth to more than six (6) litters in its lifetime.
10. No licensee shall sell a dog bred at the recreational kennel.

Care of Dogs

11. No licensee shall fail to ensure that any dog indicating symptoms of serious illness or serious injury is:
 - (a) examined by a veterinarian within a reasonable period of time of the onset of the symptoms of the illness or the injury, and,
 - (b) depending on the condition, treated in accordance with the veterinarian's directives, as appropriate.
12. No licensee shall fail to ensure that all dog waste materials and dead dogs are disposed of in a manner that will not create a public nuisance or health hazard and in accordance with all applicable laws.

Facility Requirements

13. (1) No licensee shall fail to ensure that the recreational kennel is:
 - (a) maintained in a clean and sanitary condition,
 - (b) well-ventilated and well-lit, and,
 - (c) maintained at a temperature suitable for the welfare and comfort of each dog therein based on its breed, age and health status.
- (2) No licensee shall fail to ensure that:
 - (a) an exercise area, whether indoor or outdoor, is provided so as to enable each dog to exercise freely and easily in a manner that will prevent injury to the dog, and,
 - (b) where dog or cat runs are provided, each run shall:
 - (i) have a minimum floor area that is appropriate for the breed and size of the dog,

- (ii) be maintained in such a manner to keep the dog securely enclosed, and
 - (iii) be free from debris.
- (3) No licensee shall fail to ensure that the surface of every outdoor yard and run is:
 - (a) covered in concrete, asphalt, fine gravel or other material or grass which can be easily cleaned or raked, and
 - (b) cleaned at least once daily.

14. No licensee shall fail to ensure that all areas in which dogs are kept are enclosed, such as by fencing, in such a way as to ensure that all dogs are confined to the property.

Housing of Dogs

15. No licensee shall fail to ensure that every crate, cage or pen used for the keeping or housing of dogs:

- (a) is of an adequate size to permit the dog confined therein to:
 - (i) stand normally to its full height;
 - (ii) extend its legs and body to their full natural extent;
 - (iii) turn around easily;
 - (iv) move about easily for the purpose of posture adjustments; and,
 - (v) lie down in a fully extended position,
- (b) has a floor soundly constructed of hard, durable material which is impervious to water, or which is disposable and replaceable,
- (c) is equipped with receptacles for food and water, mounted or situated such that they cannot be easily overturned or contaminated,
- (d) is in good working condition,
- (e) is not dangerous to the health or well-being of the dog, and,
- (f) is maintained in a clean and sanitary condition at all times with all waste material removed at least twice daily.

16. No licensee shall fail to ensure that dogs confined in cages or runs are exercised appropriately based on their breed and size.
17. No licensee shall fail to ensure that every dog is supplied on a daily basis with:
 - (a) food that is nutritionally adequate for the dog, and,
 - (b) adequate amounts of fresh potable water available at all times.
18. No licensee shall fail to comply with all other applicable federal or provincial laws and regulations, and municipal by-laws.

SCHEDULE NO. 34**Relating to Payday Loan Establishments****(Added by By-law 2019-381)****LICENSES REQUIRED**

1. (1) Every owner or operator of a payday loan establishment shall obtain a payday loan establishment license.
- (2) A separate payday loan establishment license shall be obtained for each premises operating as a payday loan establishment.

CONDITIONS OF ISSUANCE

2. No applicant for a payday loan establishment license shall be issued a license unless:
 - (a) the applicant is the owner or operator of the payday loan establishment and is at least eighteen (18) years of age;
 - (b) the applicant has provided the business address of premises together with the address of any other businesses related to the operation;
 - (c) the applicant has provided proof to the Chief License Inspector that the applicant is the holder of a current and valid lender or loan broker license duly issued under the *Payday Loans Act, 2008*, including the applicable license number;
 - (d) the applicant has provided the original documents, dated less than 60 days prior to the date of the application for a license, and annually thereafter, from the appropriate agency outlining acceptable results of investigations for a Criminal Records Check in relation to:
 - i. the applicant, and,
 - ii. the payday loans establishment manager, if he or she is a different person from the applicant;
 - (e) the premises in which the business operates complies with the zoning, building, property standards and signage by-law requirements of the City of Ottawa;

- (f) the applicant has agreed to indemnify and save harmless the City of Ottawa as required by Section 11 of this Schedule;
- (g) the applicant has provided proof of insurance as required by Section 12 of this Schedule; and
- (h) the applicant has paid the licensing and other applicable fees outlined in Schedule "A" of this by-law.

CONDITIONS FOR RENEWAL

3. No payday loan establishment license shall be renewed unless:
- (a) the applicant has provided proof to the Chief License Inspector that the applicant is the holder of a current and valid lender or loan broker duly issued under the *Payday Loans Act, 2008*;
 - (b) the premises in which the business operates complies with the property standards and signage requirements of the City of Ottawa;
 - (c) the applicant has agreed to indemnify and save harmless the City of Ottawa as required by Section 11 of this Schedule;
 - (d) the applicant has provided proof of insurance as required by Section 12 of this Schedule;
 - (e) the applicant has provided the original documents, dated less than 60 days prior to the date of the application for a renewal, and annually thereafter, from the appropriate agency outlining acceptable results of investigations for a Criminal Records Check in relation to:
 - i. the applicant, and,
 - ii. the payday loans establishment manager, if he or she is a different person from the applicant; and,
 - (f) the applicant has paid the renewal and other applicable fees outlined in Schedule "A" of this by-law.

ADDITIONAL CONDITIONS

4. The Chief License Inspector may impose such additional conditions with respect to the issuance or the renewal of a payday loan establishment license under this Schedule as he or she deems necessary to ensure public safety and consumer protection.

GENERAL REGULATIONS

5. No person shall operate a payday loan establishment without first obtaining a license to do so under this by-law.
6. No licensee shall fail to post a license validly issued under this Schedule in a prominent location on the premises of the payday loan establishment so as to be clearly visible to the customers visiting the payday loan establishment.
7.
 - (1) No licensee shall fail to comply with the requirements of the *Payday Loans Act, 2008*.
 - (2) Every licensee shall ensure that every individual employed or contracted to provide services or assist in the provision of services offered in the payday loan establishment complies with the requirements of the *Payday Loans Act, 2008*.
 - (3) Every individual employed or contracted to provide services or assist in the provision of services offered in the payday loan establishment shall comply with the requirements of the *Payday Loans Act, 2008*.
8.
 - (1) Every licensee shall inform the Chief License Inspector immediately, in writing, if the licensee's license under the *Payday Loans Act, 2008*, is suspended, ceases to be valid, is revoked or expires.
 - (2) If a licensee's license under the *Payday Loans Act, 2008*, is suspended, ceases to be valid, is revoked or expires, the license under this schedule is suspended for the entirety of the period that the license under the *Payday Loans Act, 2008* is suspended, ceases to be valid, is revoked or expires.
9. Every licensee shall operate only at the location authorized by the license issued under the *Payday Loans Act, 2008*.

DISPLAY OF REQUIRED INFORMATION

10.
 - (1) No licensee or agent of the licensee shall fail to ensure that every payday loan establishment displays, in each payday loan establishment, the following information on a poster supplied by the Chief License Inspector that is in both English and in French with:
 - (a) the website contact information of the Province of Ontario's Consumer Protection Ontario page entitled "Payday loan: your rights" or alternative website, as determined by the Chief License Inspector;

- (b) the website contact information for the Government of Canada's Financial Consumer Agency of Canada page entitled "Payday loans" or alternative website, as determined by the Chief License Inspector;
 - (c) the contact information for credit counselling agencies, including their respective telephone number and email address, as approved by the Chief Licensing Inspector; and,
 - (d) any other information required by the Chief License Inspector.
- (2) No licensee or agent of the licensee shall fail to ensure that the information required in subsection (1) is posted in a prominent location within the payday loan establishment and is clearly and easily visible to customers visiting the establishment.
 - (3) The Chief License Inspector may require the licensee or agent of the licensee to replace the poster referred to in subsection (1), from time to time, as required.

INDEMNIFICATION

11. The licensee shall indemnify and save harmless the City of Ottawa from any and all claims, demands, causes of action, losses, costs or damages that the City of Ottawa may suffer, incur, or be liable for resulting from the performance or non-performance by the applicant or licensee of the requirements and obligations under this by-law, whether with or without negligence on the part of the applicant or licensee, their employees, directors and agents.

INSURANCE

- 12.
- (1) Every applicant for a payday loan establishment license shall file with the Chief License Inspector proof of insurance of Commercial General Liability insurance coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property, including loss of use thereof.
 - (2) The insurance required in subsection (1) shall be in the name of the applicant or licensee, as the case may be, and shall name the City of Ottawa as an additional insured.
 - (3) The proof of insurance required in subsection (1) shall contain an endorsement to provide the Chief License Inspector with thirty (30)

days' prior written notice of any cancellation or of a material change.

TRANSFERS

13. A payday loan establishment license pursuant to this Schedule is not transferrable.

REQUIREMENT FOR PROVINCIAL LICENSE

14. Nothing in this Schedule or By-law should be construed as derogating from the obligation of a payday loan lender or loan broker, as defined by the *Payday Loans Act, 2008*, from obtaining the required license from the Province of Ontario under that Act or to comply with its requirements.

SCHEDULE NO. 35

**Relating to Tow Service Operators, Tow Truck Drivers and Vehicle Storage
Facility Operators**

(added by By-law 2021-315; to be repealed by By-law 2024-XX)