

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.