



**Meeting Date:** April 28, 2021

**Submitted by:** Arnie Marsman, Director, Building Services/Chief Building Official

**Report No:** BLD-04-2021

**Subject:** Proposed Mobile Food Outlet By-law

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**Recommendation:**

THAT Middlesex Centre Council approve a Mobile Food Outlet By-Law; AND THAT the Municipality's Fees and Charges By-Law be amended to include the fees relating to this by-law.

**Purpose:**

To provide council with a by-law to regulate and licence mobile food outlets and produce stands and to establish fees to cover staff costs in enforcing the requirements of this by-law.

**Background:**

Over the past few years a number of mobile food outlets have been established seasonally throughout the municipality. These outlets have been established without inspections and are not held to standards which would be appropriate for this type of business. Standards such as fire prevention, health unit clearance, zoning, parking, garbage collection, and separation from restaurants are not currently being applied to these businesses. These standards would be included in the proposed by-law and would form part of a licencing system for mobile food outlets.

**Analysis:**

Passing of a Mobile Food Outlet & Produces Stands By-law will protect the health and safety of the residents of the municipality as well as protect existing restaurants from competition created by mobile food outlets being established in their close proximity. A copy of the draft by-law is attached to this report

Staff has reviewed the proposed by-law with the Ilderton Agricultural Society (IAS). The IAS has advised that they have no concerns with the wording of the proposed by-law,

however have asked for a reduced or waived licencing fee. Staff recommends a set fee apply to all applicants, however council can consider a reduced fee for Mobile Food Outlets operated by a non-profit community association, charitable organization, service club, non-profit organization or a Municipally sponsored event if it chooses.

In addition to food outlets, this by-law is proposed to regulate produce stands which are established outside of agricultural areas. Recently, staff have responded to complaints of produce stands established in settlement areas outside of agricultural zones. Staff recommends that these be licenced in order to ensure these are located on properly zoned properties and that matters such as access and size be regulated.

Agricultural properties are permitted to establish produce stands to sell goods generated on that property. These are not intended to be regulated through this by-law.

Staff is recommending the following fees be included in the municipality's Fees and Charges By-law for enforcing this by-law:

6.1 Mobile Food Outlet Licence (per calendar year): \$250

6.2 Mobile Food Outlet Special Event Licence: \$100 per vehicle

6.3 Produce Stand Licence: \$100 per calendar year

6.4 Appeal of Refused, Suspended or Revoked Licence: \$250

**Financial Implications:**

Fees generated to cover staff time in issuing licences and inspecting.

**Strategic Plan:**

This matter aligns with following strategic priorities:

- Responsive Municipal Government

**Attachments:**

Appendix: Proposed licencing by-law with associated set fines for enforcement.