

**Municipality of Middlesex Centre
By-Law 2021-041**

Being a by-law to license, regulate and govern Mobile Food Outlets and Produce Stands within the Municipality of Middlesex Centre

WHEREAS Section 5 (3) of The Municipal Act, Chapter, S.O. 2001, c.25 as amended, states that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 128 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (the "Municipal Act, 2001"), provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could become public nuisances;

AND WHEREAS Sections 150 through 153 of the Municipal Act, 2001, S.O. 2001, C.25 authorizes Council to license, regulate and govern businesses and events and that this authority includes but is not limited to: the power to issue licenses, to issue licenses on condition, to revoke licenses, to suspend licenses, to regulate or govern the place used in the carrying on of such businesses, and to prevent the carrying on of such businesses without a license;

AND WHEREAS Section 425 of Municipal Act, 2001, S.O. 2001, c. 25, as amended (the "Municipal Act, 2001"), provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality is guilty of an offence;

AND WHEREAS Section 436 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (the "Municipal Act, 2001"), provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not a by-law of the municipality is being complied with;

AND WHEREAS the Ontario Police Services Act, R.S.O. 1990, C. P15, as amended, provides that Council may appoint Municipal By-Law Enforcement Officers to enforce all municipal by-laws; and

AND WHEREAS Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, provides that except where otherwise provided by law, every person who is convicted of an offence under a municipal by-law is liable to a fine of not more than \$5,000;

AND WHEREAS this By-law is passed for the following purposes:

- (i) Health and Safety - being an activity or undertaking that could result in hazardous conditions, injury or loss.
- (ii) Nuisance Control - being an activity that adversely affects, or could possibly adversely affect, the "quality of life" of any person(s).
- (iii) Consumer Protection - being the prevention of unfair or potentially unfair business practices that could result in loss(es) on the part of the consumer.

AND WHEREAS Council deems it necessary to pass a by-law to regulate and license mobile food outlets and produce stands;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Middlesex Centre enacts as follows:

1. SHORT TITLE

This By-law shall be known as the "Mobile Food Outlets By-law".

2. DEFINITIONS

In this By-law:

- 2.1 "Applicant" means any individual, person or entity that applies for a license for a Mobile Food Outlet or Produce Stand.
- 2.2 "Charitable Organization" means an organization which is created primarily for a charitable object or purpose in Ontario, is operated not for profit, and includes a religious organization or minor sports group.
- 2.3 "Clerk" means the Clerk of The Corporation of the Municipality of Middlesex Centre.
- 2.4 "Council" means a body of representatives responsible for hearing appeals where the Licensing Officer, has denied, revoked, suspended or not renewed a License, or the Applicant objects to the conditions imposed on a License.
- 2.5 "Director" means the Director of Public Works & Engineering, Director of Community Services, or authorized representative;
- 2.6 "Fire Chief" means Fire Chief or Fire Prevention Officer for the Municipality.
- 2.7 "Food Cart" means a cart which is propelled by muscular power and is equipped with cooking or barbeque grills on which to prepare hot food.
- 2.8 "Ice Cream Bicycle" means an insulated container for storing and transporting frozen ice cream, propelled totally by muscular power without motorized assistance and from which ice cream and other frozen confections may be sold.
- 2.9 "License" means a license issued under the provisions of this By-law, which may be subject to conditions.
- 2.10 "Licensee" means any person who is licensed as required by this By-law.
- 2.11 "Licensing Officer" means the Clerk or the By-law Enforcement Officer for the Municipality, or his/her designates.
- 2.12 "Mobile Food Outlet License" means a license to permit the operation of a Mobile Food Outlet in the Municipality of Middlesex Centre.
- 2.13 "Mobile Food Outlet" shall mean a structure, having a maximum width of 3.0 metres and a maximum length of 7.0 metres, designed as an integral part of a self-propelled motor vehicle or as a unit which is towed by a motor vehicle, from which food, refreshments, and/or ice cream are made available to the general public, but excludes a food cart, ice cream bicycle, and produce stands.
- 2.14 "Municipality" means The Corporation of the Municipality of Middlesex Centre.
- 2.15 "Officer" means a By-law Enforcement Officer, Provincial Offences Officer, Police Officer, Medical Officer of Health, Licensing Officer or Public Health Inspector.
- 2.16 "Private Event" means an event for a temporary period of time on private property not accessible to the general public, such as a wedding, stag & doe, or birthday party.
- 2.17 "Produce Stands" means area no larger than 10 ft. by 10 ft. or mobile trailer

that sells, gives, or trades produce.

- 2.18 “Proof of Insurance” means a certified copy of a policy of insurance or a certificate of insurance 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, c.I.8, as amended, that shows proof of liability coverage as required by this By-law or the applicable schedule to this By-law.
- 2.19 “Special Event” means an event for a temporary period of time by non-profit community associations, charitable organizations, service clubs, private event, non-profit organization or a Municipally sponsored event.
- 2.20 “Waste” includes food, disposable eating utensils, paper, wooden, cardboard, plastic, glass or metal products used in the preparation, serving or consumption of the food or beverages offered for sale from a Mobile Food Outlet.
- 2.21 “Zoning By-law” means the Municipality of Middlesex Centre Comprehensive Zoning By-law as amended and currently in effect.

3. REQUIREMENTS FOR LICENSE

- 3.1 No person shall operate any Mobile Food Outlet within the Municipality unless he/she has obtained a license in accordance with the requirements of this By-law.
- 3.2 No person shall operate any food cart or ice cream bicycle within the Municipality.
- 3.3 No license issued under the provisions of this By-law shall be transferred or sold.
- 3.4 A person who operates a Mobile Food Outlet and shall comply with the regulations set out in this by-law. Failure to comply with the regulations is an offence.
- 3.5 Every person shall conspicuously display a license issued pursuant to this By-law.

4. PRODUCE STANDS

- 4.1 Produce stands shall only be located in zones where permitted in the zoning by-law.
- 4.2 Except for areas zoned Agricultural in the Zoning By-law, no person shall operate a produce stand without a license.
- 4.3 Produce stand license applications must be accompanied by a site plan drawing. No license shall be granted until the site plan has been approved by the Municipality. The site shall include:
- 4.3.1 proposed location of the produce stand on the property, including set back from property line and the road allowance;
- 4.3.2 confirmation that the produce stand meets the required setbacks specified in the Zoning By-law.
- 4.3.3 the location and number of available parking spaces, with a minimum of two spaces per every ten square metres of display area;
- 4.3.4 access to the property from the highway or roadway;
- 4.3.5 location of signage advertising the produce stand;

- 4.4 No person shall operate a produce stand without written permission from the property owner.
- 4.5 No person shall operate a produce stand on any municipal property, which shall, for the purposes of this By-law, include road allowances, municipal parks, municipal parking lots and municipal recreation facilities unless permission has been granted by the Director. Where permission has been granted on municipal property, a license shall not be required.
- 4.6 Every applicant for a produce stand license, shall pay the approved fee set forth in the Fees & Charges By-law, as amended.
- 4.7 Every person shall conspicuously display a produce stand license issued pursuant to this By-law.
- 4.8 No person shall operate a produce stand other than approved location on license.

5. SPECIAL EVENTS WITH MOBILE FOOD OUTLET

- 5.1 Mobile Food Outlets will be permitted to attend events that are deemed a Special Events within the Municipality.
- 5.2 Mobile Food Outlets attending Special Events must apply for a license to Operate.
- 5.3 No person shall operate a Mobile Food Outlet at a Special Event without a license.
- 5.4 No person shall fail to display a Mobile Food Outlet license issued pursuant to this By-law.
- 5.5 Every applicant attending a Special Event with a Mobile Food Outlet, shall pay the approved fee set forth in the Fees & Charges By-law, as amended.
- 5.6 Sections 6.8, 6.12 and 6.13 of this by-law do not apply to a Special Event.

6. GENERAL REQUIREMENTS

- 6.1 Every person licensed under this By-law shall comply with all municipal, provincial and federal laws.
- 6.2 Every licensee shall ensure that, at all times of its operation, the Mobile Food Outlet is accessible for an inspection by an officer and the Municipality's Fire Prevention staff. Fire Prevention staff require at a minimum that;
 - 6.2.1 exhaust and suppression systems for grease-laden vapor meet the Fire Code/NFPA 96/Can-ULC as applicable, along with cleaning, maintenance and certification.
 - 6.2.2 a "K" class, wet chemical extinguisher is provided and accompanied by a single 2A:10 BC for other combustibles in the space.
 - 6.2.3 general fire safety practices are observed, including exits made accessible, combustibles minimized, prevention of littering in the area.
 - 6.2.4 the installation, use and storage of all types of fuels within and outside the mobile unit comply with TSSA and manufacturers installation standards and have an install certificate.
- 6.3 No person shall offer for sale or sell from a Mobile Food Outlet, any goods, wares, merchandise or other item other than refreshments, foods and confections from a Mobile Food Outlet.

- 6.4 No person operating a Mobile Food Outlet shall be under the influence, or consume, or have in his/her possession, any alcohol or drugs other than any drugs prescribed by a duly qualified medical practitioner which do not and may not impair his ability to operate the vehicle/stand while in charge of the same.
- 6.5 No person shall sell any food from a Mobile Food Outlet unless the food is wrapped and sold in individual, single-serving packages or disposable containers, and serviettes are provided for customers.
- 6.6 No person shall operate a Mobile Food Outlet between the hours of 11:00 p.m. and 7:00 a.m. on any day.
- 6.7 **Any person operating a Mobile Food Outlet shall:**
- 6.7.1 provide a waste receptacle of an adequate size to contain all waste generated from the operation of the Mobile Food Outlet.
- 6.7.2 ensure that all litter is removed 30 meters from exterior of the Mobile Food Outlet.
- 6.7.3 ensure that all waste generated by the Mobile Food Outlet is placed in such receptacle before leaving the area.
- 6.7.4 remove such receptacle and its contents before leaving the area at the end of any day of operation.
- 6.7.5 ensure that no waste generated by Mobile Food Outlet or contained in its waste receptacle is deposited in any Municipality-owned waste containers.
- 6.7.6 ensure that the license to operate is clearly displayed on the Mobile Food Outlet
- 6.8 Mobile Food Outlets may be permitted to operate only in the Village Commercial (C1) or Highway Commercial (C2) Zone, as defined in the Municipality's Zoning By-law.
- 6.9 No person shall operate a mobile food outlet other than approved location on license.
- 6.10 No person shall operate a Mobile Food Outlet on any municipal property, which shall, for the purposes of this By-law, include road allowances, municipal parks, municipal parking lots and municipal recreation facilities except for a temporary period as permitted by the Director.
- 6.11 No person shall operate a Mobile Food Outlet within 8 metres of any vehicular entrance to the property or in any location which would obstruct the flow of vehicles.
- 6.12 No person shall operate a Mobile Food Outlet within 150 metres of any dine-in or take-out restaurant.
- 6.13 No person shall operate a Mobile Food Outlet within 150 metres of any other Mobile Food Outlet.
- 6.14 Every person applying for a license for a Mobile Food Outlet who intends to operate from a property other than property that person is the registered owner of, shall submit with his/her application a letter of permission with respect to the proposed Mobile Food Outlet from the registered property owner or his/her authorized agent.

7. APPLICATION AND LICENSE FEE

- 7.1 Every owner of a Mobile Food Outlet shall apply for a license, as required by this By-law, and shall file with the Licensing Officer a completed application in the form prescribed by the Licensing Officer and any other information or documentation requested by the Licensing Officer, and shall pay the approved fee set forth in Fees & Charges By-law, as amended.
- 7.2 Acceptance of the license fee does not constitute approval of the application or oblige the Municipality to issue a license.
- 7.3 No fee pursuant to Section 7.1 shall be pro-rated for a portion of the year.
- 7.4 **Every Application for a License shall include the following:**
 - 7.4.1 Proof of Middlesex-London District Health Unit approval;
 - 7.4.2 Proof of Technical Standards & Safety Authority Field Approval for all equipment and appliances that are not approved by the Canadian Standard Association or the Underwriter Laboratories of Canada;
 - 7.4.3 Proof of propane inspection by a certified gas fitter (if applicable);
 - 7.4.4 Copy of the approval from the Fire Chief;
 - 7.4.5 Copy of the Applicant's driver's licence;
 - 7.4.6 Copy of the ownership for the Mobile Food Outlet;
 - 7.4.7 Copy of a menu for food, refreshments, and confections served;
 - 7.4.8 Photo of the Mobile Food Outlet;
 - 7.4.9 Must comply with section 9.1 to 9.5 of this by-law and provide the required documents for Insurance.
 - 7.4.10 Plan for the containment and disposal of grey water, grease and garbage in a sanitary manner satisfactory to the Licensing Officer;
 - 7.4.11 Written permission from the owner of private property, acknowledging that the Mobile Food Outlet is permitted to park on the property.
 - 7.4.12 Approval from the Ministry of Transportation where the site is located adjacent to a provincial highway.
 - 7.4.13 Site plan drawing showing proposed location of unit on the property with
 - 7.4.13.1 set back from property line and the road allowance;
 - 7.4.13.2 the number of proposed parking spaces;
 - 7.4.13.3 the access to the property from the highway;
 - 7.4.13.4 the location of the washroom facilities;
- 7.5 Before a license under this by-law is issued by the Municipality, the applicant shall meet with the By-law Enforcement Officer and/or Planner to review the intended site.
- 7.6 Every fee paid under Section 7 is refundable if the license applied for is not issued by the Licensing Officer.
- 7.7 Every application and subsequent renewal application for a license under this By-law shall provide the particulars as to the location of the Mobile Food Outlet, together with such other information as may be required to determine whether the proposed use will be in compliance with all applicable by-laws

and regulations.

- 7.8 Upon receipt of each application completed in accordance with the requirements of this By-law, the Licensing Officer shall request comments or reports or make such other inquiries and obtain and review such other information and documents relevant to the application as the Licensing Officer considers necessary for the proper processing of the application.

8. COMMENCEMENT, EXPIRY AND RENEWAL

- 8.1 An annual license issued under the provisions of this By-law shall be for the current year and shall expire on the 31st day of December following the year of issue, or until said license is revoked or suspended.
- 8.2 A license for a Special Event shall expire on the date specified on the license.
- 8.3 Every person applying for an annual license under this By-law shall make application for the renewal of such license prior to the expiration of the said license and in any event no later than two weeks prior to the expiry date.
- 8.4 No renewal application shall result in the issuance of a license until the renewal has been approved.

9. INSURANCE

Commercial General Liability

- 9.1 The Applicant and Licensee shall, at their expense obtain and keep in force during the term of the Agreement, Commercial General Liability Insurance satisfactory to the Municipality and underwritten by an insurer licensed to conduct business in the Province of Ontario. The policy shall provide coverage for Bodily Injury, Property Damage and Personal Injury and shall include but not be limited to:
- 9.1.1 A limit of liability of not less than \$ 1,000,000 /occurrence with an aggregate of not less than \$ 2,000,000.
- 9.1.2 Add the Municipality as an additional insured with respect to the operations of the Named Insured.
- 9.1.3 The policy shall contain a provision for cross liability and severability of interest in respect of the Named Insured.
- 9.1.4 Non-owned automobile coverage with a limit not less than \$2,000,000 and shall include contractual non-owned coverage (SEF 96); Coverage to include damage caused by operating or moving vehicles.
- 9.1.5 Products and completed operations coverage.
- 9.1.6 Broad Form Property Damage.
- 9.1.7 Contractual Liability.
- 9.1.8 The policy shall provide 30 days' prior notice of cancellation to the Municipality.

Automobile Insurance

- 9.2 Standard Form Automobile Liability Insurance that complies with all requirements of the current legislation of the Province of Ontario, having an inclusive limit of not less than \$2,000,000 per occurrence for Third Party Liability, in respect of the use or operation of vehicles owned, operated or leased by the Contractor.

Indemnification

- 9.3 The Applicant and Licensee shall indemnify and save harmless the Municipality its elected officials, officers, employees and agents from and against any and all claims, actions, causes of action, applications, suits, regulatory prosecutions, losses, costs demands, expenses, taxes, penalties, fines, liabilities, judgments, damages (including, without limitation court costs and reasonable legal fees) which may arise either directly or indirectly by reason of the License of the Mobile Food Outlet, or taking any other action or obligation that may be associated with the License and any matters associated with the Mobile Food Truck of every nature and kind whatsoever and/or directly or indirectly related to the Mobile Food Truck including but not limited to bodily injury, sickness, disease, death, property damage, destruction of property, loss of revenue, business losses, and/or Licensee's not complying with all laws and regulations including but not limited to the Workplace Safety and Insurance Act,. This indemnity shall be in addition to and not in lieu of any insurance to be provided by the Licensee in accordance with the terms and conditions of the License. This clause shall survive the termination of the License.
- 9.5 Every person shall have the proof of insurance with them while operating a Mobile Food Outlet.

10. INSPECTION & ENFORCEMENT

- 10.1 Any person to whom a license has been issued pursuant to this By-law shall permit any Officer, at any reasonable time, to inspect the Mobile Food Outlet for which the license was issued as well as the equipment and other personal property used or kept for hire in connection with the carrying on of the licensed business.
- 10.2 No person shall hinder or otherwise obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this by-law
- 10.3 No person shall provide false information or give a false statement to an officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this by-law.
- 10.4 Every person shall comply with any Order or Notice issued under the authority of this bylaw.

11. ORDER OF REFUSAL, REVOCATION AND SUSPENSION

- 11.1 Any person who is licensed as required by this By-law shall at all times comply with the by-laws of the Municipality and any contravention of any by-law or any other law may be grounds for the refusal, suspension or revocation of the license.
- 11.2 A license may be refused, suspended or revoked by the Licensing Officer if any of the provisions of this By-law are contravened, or such refusal, suspension or revocation may be in the public interest.
- 11.3 Upon suspension or revocation of a license issued under this By-law, the licensee shall return to the Licensing Officer all licenses issued by the Municipality, and an Officer shall have access to any premises, vehicles or other property of the licensee for the purpose of receiving or taking the license, and no person shall refuse to deliver the license to the Licensing Officer or shall in any way prevent or hinder the Licensing Officer from receiving or taking same.
- 11.4 An Order shall be final and binding, if not appealed within 15 days of being sent to the last known address; and
- 11.5 A request to appeal the order shall be made in writing, be accompanied by

the applicable fee as specified in the current Fees & Charges By-law and be delivered by registered mail to the Clerk, within 15 days of the Order being sent.

12. NOTICE AND APPEAL

- 12.1 Appeal of a decision of a license being refused, suspended or revoked by the Licensing Officer may be made to Council within ten (10) business days of the written decision provided by municipal staff. The appeal must be made in writing and shall include the appeal fee specified in the Fees & Charges By-law. The appeal shall be addressed to the Licensing Officer of the Municipality. Council shall consider the appeal, which will be accompanied by a report from the Licensing Officer at a regular scheduled meeting of Council.
- 12.2 When an appeal date has been fixed and the applicant or licensee has been given notice and does not attend at the place and at the time appointed for the hearing, the license is deemed to be refused, suspended or revoked as of the date of the hearing, and no further notice shall be given to the applicant or licensee. The decision of Council in this regard shall be final.
- 12.3 Any notice or order required to be given by the Licensing Officer to an applicant or a licensee shall be sufficiently served if delivered sent by registered mail, addressed to the person to whom service is required to be made, according to the application for the license or license records.
- 12.4 Any notice required to be given by an applicant for a license, or by a licensee to the Municipality, shall be sufficiently served if delivered personally to the Licensing Officer by email or sent by registered mail, addressed to the Municipality.
- 12.5 When service is made through registered mail, the service shall be deemed to have been made on the seventh (7) day after the day of mailing.
- 12.6 When service is made by personal delivery, it shall be deemed to have been received on the day that it was delivered.

13. PENALTY

- 13.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence and liable upon conviction to a penalty as prescribed under the Provincial Offences Act or as set out in Schedule A "Set Fines" to this By-law.
- 13.2 Every person who contravenes any provision of this By-law is guilty of an offence under the provisions of the Provincial Offences Act, R.S.O 1990, c P.33, as amended, and is liable on conviction to a penalty not exceeding \$5,000, exclusive of costs, subject to the provisions of the Act.
- 13.3 Every Person who contravenes any of the provisions of this By-law is guilty of an offence and, pursuant to Section 429 of the Municipal Act, 2001, c. 25, as amended all contraventions of this By-law are designated as continuing offences.

14. WORD USAGE

- 14.1 As used in this By-law, words used in the present tense include the future; words used in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.

15. SEVERABILITY

- 15.1 The headings and subheadings used in this By-law shall not form part of the

By-law, but shall be deemed to be inserted for convenience of reference only.

- 15.2 In the event that any provision or part of this By-Law is found to be invalid or unenforceable for any reason whatsoever, then the particular provision or part thereof shall be deemed to be severed from the remainder of the By-Law and all other provisions or parts thereof shall remain in full force and shall be valid and enforceable to the fullest extent permitted by law.

16. CONFLICT WITH OTHER LEGISLATION

- 16.1 In the event of any conflict between any provisions of this By-law and any other by-law heretofore passed, the provisions of this By-law shall prevail.
- 16.2 Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of the *Health Protection and Promotion Act*, as amended, and any regulation thereto in force from time to time or the obligation to obtain any license, permit, authority or approval required by any public authority or body.

17. EFFECTIVE DATE

- 17.1 This By-law shall come into force and take effect on the day of passing hereof.

PASSED AND ENACTED this 28th day of April, 2021.

Aina DeViet, Mayor

James Hutson, Municipal Clerk

**MUNICIPALITY OF MIDDLESEX CENTRE
APPLICATION FOR MOBILE FOOD OUTLET LICENSE
BY-LAW NUMBER _____**

APPLICANTS INFORMATION

Applicants Name			
Mailing Address			
		Postal Code	
Telephone		Fax / Email	

Name of Business	
Type of Business	
List of Food Items Sold	
Proposed Location Municipal Address	
Legal Description	

CHECK LIST FOR SUBMISSION WITH APPLICATION:

Please use the following checklist to ensure that all required documentation is attached:

Middlesex-London District Health Unit Approval (Section 7.4.1)	
TSSA Approval (Section 7.4.2)	
Propane Inspection (Section 7.4.3)	
Fire Approval (Section 6.2 & 7.4.4)	
Applicants Drivers Licence (Section 7.4.5) Vehicle Ownership (Section 7.4.6) Food Items for Sale (Section 7.4.7) Photo of Mobile Food Outlet (Section 7.4.8)	
General Liability Insurance & Vehicle Insurance (Section 7.4.9)	
Plan for Disposal of Grey Water, Grease and Garbage (Section 7.4.10)	
Authorization From Property Owner (Section 7.4.11) Ministry of Transportation Approval (Section 7.4.12)	
Site Plan Drawing – setbacks, parking, access to property, washroom facilities (Section 7.4.13.1 to 7.4.13.4)	

The undersigned hereby releases the Corporation of the Municipality of Middlesex Centre from any or all claims for damages which may arise in the carrying on of business within the Municipality under which the undersigned is licensed by the Municipality to do so.

I certify that the information contained herein is true and correct.

Date: _____ Signature: _____

Please contact the Municipality of Middlesex Centre and Middlesex-London Health Unit to arrange a time to inspect the Mobile Food Outlet. If the Mobile Food Outlet passes inspections, the By-law Enforcement Officer will notify the Clerk.

Middlesex Centre (Office Use Only)

Approval Signature		Date
Deposit & Fee Received Date		
Deposit Released Date		
Distribution	Applicant ____ File ____ Road Supervisor _____	

SCHEDULE "A"
TO BY-LAW NO. 2021-041
MUNICIPALITY OF MIDDLESEX CENTRE
SET FINE SCHEDULE
PART 1 – PROVINCIAL OFFENCES ACT

Item	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Operate mobile food outlet without licence	Section 3.1	\$300.00
2	Operate food cart in Municipality	Section 3.2	\$300.00
3	Operate ice cream bicycle in Municipality	Section 3.2	\$300.00
4	Fail to display licence	Section 3.5	\$150.00
5	Operate produce stand without licence	Section 4.2	\$300.00
6	Operate produce stand on municipal property without permission	Section 4.5	\$300.00
7	Fail to display produce stand licence	Section 4.7	\$150.00
8	Operate produce stand other than approved location on licence	Section 4.8	\$150.00
9	Operate mobile food outlet at special event without licence	Section 5.3	\$300.00
10	Sell/offer for sale prohibited items from Mobile Food Outlet	Section 6.3	\$150.00
11	Operate mobile food outlet between 11 p.m. and 7 a.m.	Section 6.6	\$150.00
12	Fail to provide waste receptacle	Section 6.7.1	\$105.00
13	Fail to remove waste receptacle at end of day	Section 6.7.4	\$105.00
14	Operate mobile food outlet other than approved location on licence	Section 6.9	\$150.00
15	Operate mobile food outlet on municipal property without permission	Section 6.10	\$300.00
16	Fail to have proof of insurance	Section 9.5	\$150.00
17	Obstruct/ hinder officer	Section 10.2	\$500.00
18	Provide false information/statement	Section 10.3	\$500.00
19	Fail to comply with an order	Section 10.4	\$500.00

Note: The general penalty provision for the offences listed above is section 13 of bylaw _____, a certified copy of which has been filed.