

Part 15**REFRESHMENT VEHICLES****15.1 Definitions**

In this Part:

Refreshment vehicle - defined

"refreshment vehicle" shall mean any vehicle from which refreshments are sold for consumption by the public and includes, without limiting the generality of the foregoing, carts, wagons, trailers and trucks, irrespective of the type of motive power employed to move the refreshment vehicle from one point to another.

Waste - defined

"waste" includes food, disposable eating utensils, paper, wood, cardboard, plastic, glass or metal products used in the preparation, serving or consumption of the food or beverages offered for sale from a refreshment vehicle.

15.2 License- categories - refreshment vehicles

The following categories of refreshment vehicle are hereby established:

Category 1 shall include a hand cart or peddled vehicle from which food products are sold from one location on a daily, weekly or annual basis, and where the food products are prepared or cooked on the vehicle or elsewhere.

Category 2 shall include a hand cart or peddled vehicle from which food products are sold and that is moved from one location to another location upon the completion of each sale, and where the food products are prepared or cooked on the vehicle or elsewhere.

Category 3 shall include a vehicle or trailer from which food products are sold from any one location for more than 15 days, not necessarily consecutive, in total in one calendar year, and where the food products are prepared elsewhere.

Category 4 shall include a vehicle or trailer from which food products are sold from various locations but not more than a total of 15 days, not necessarily consecutive, from any one location in one calendar year, and where the food products are prepared elsewhere.

Category 5 shall include a vehicle or trailer from which food products are sold from any one location for more than 15 days, not necessarily consecutive, in total in one calendar year, and where the food products are prepared on the vehicle or trailer.

Category 6 shall include a vehicle or trailer from which sales are conducted from various locations but not more than a total of 15 days, not necessarily consecutive, from any one location in one calendar year and the food products are prepared on the vehicle or trailer.

15.3 Operation - without valid license - prohibited

No person shall, in the Town, operate a refreshment vehicle without holding a current valid license issued under the provisions of this by-law.

15.4 Operator - responsibility - matters - prohibited

No person shall:

(a) operate a refreshment vehicle on a site located on municipal property without first obtaining the written permission of the respective superintendent or manager of the municipal property;

(b) fail to produce for inspection a written permission obtained as required in (a) of this section when asked to do so by any by-law enforcement officer, police officer or other person enforcing this by-law;

(c) operate a refreshment vehicle within the 200 Block of Scott Street on any day between the hours of 1:00 a.m. and 7:00 a.m.

(d) operate a refreshment vehicle without the vehicle having the name of the licensee displayed on each side thereof in letters at least 10 centimetres (4 inches) in height;

(e) fail to affix a refreshment vehicle license plate issued under the provisions of this Part of this by-law in a conspicuous place on a refreshment vehicle for which it was issued;

(f) fail to display the Refreshment Vehicle License number in figures at least 15 centimetres (6inches) high on a refreshment vehicle;

(g) allow waste to accumulate at the site from which the refreshment vehicle is operating during the hours of operation of the said refreshment vehicle.

(h) operate a refreshment vehicle which uses propane fuel for the preparation and/or heating of food products without an annual safety certification of such propane components of the vehicle by a certified and registered gas fitter in accordance with the guidelines of the Technical Standards and Safety Authority.

14.5 Refreshment Vehicle License - separate - each vehicle

Each refreshment vehicle shall have a separate license pertaining specifically to that refreshment vehicle.

14.6 Certificate - issued - plate - affixed to vehicle

The Refreshment Vehicle License consists of a paper certificate of license and a license plate. The license plate shall be affixed to the refreshment vehicle in a conspicuous place.

14.7 License number - affixed to vehicle - size requirement

In addition to the requirements of section 14.6 of this Part of this by-law, the license number shall be affixed to the refreshment vehicle in figures at least 15 centimetres (6 inches) high.

14.8 Health considerations - licensee - responsibility

Every person to whom a Refreshment Vehicle License is issued under the provisions of this by-law shall, at all times in respect of the premises or the vehicle for which the license has been issued hereunder:

(a) keep the same, together with all utensils and equipment therein, in a clean and sanitary condition to the satisfaction of the Medical Officer of Health;

(b) when requested by the Medical Officer of Health to do so, procure and produce to him a certificate of an approved qualified physician, certifying the good health of any person employed in or occupying the said premises or vehicle, that said person is free from infection or communicable disease; and after a request referred to above, no person in respect of whom such request has been made shall be employed in, be in or occupy the said premises or vehicle without a certificate of the Medical Officer of Health that all requirements have been met.

Part 15**SECOND-HAND DEALER – SHOP, PAWN SHOP, SALVAGE YARD****15.1 Definitions**

In this Part:

Salvage yard - defined

"salvage yard" includes but is not limited to a place where motor vehicles are wrecked or disassembled and resold; a place where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted and a place where used lumber and used building materials are stored for sale or resale.

Second-hand dealer - defined

"second-hand dealer" includes a person who goes from house-to-house or along highways for the purpose of collecting, purchasing or obtaining second-hand goods and includes a pawnbroker as defined in the *Pawnbrokers Act*.

Second-hand goods - defined

"second-hand goods" includes but is not limited to waste paper, rags, bones, bottles, bicycles, motorcycles, automobile tires, appliances, furniture, clothing, books, jewellery, photographic equipment, computers, electronic equipment, old metal and other scrap material and salvage.

Second-hand shop or store - defined

"second-hand shop or store" includes any premises carrying on the business of purchasing, selling, collecting, exchanging or otherwise dealing in second-hand goods and includes a pawn shop.

15.2 Operation - without valid license - prohibited

No person shall, in the Town:

- (a) operate any salvage yard for the purchase, sale or exchange of salvage or second-hand goods; or
- (b) operate any shop, including a pawn shop, or store for the purchase, sale or exchange of second-hand goods; or
- (c) except those required to be licensed under sections 15.2 (a) and 15.2 (b) of this Part of this bylaw, carry on the business of purchasing, selling, collecting, exchanging or otherwise dealing in second-hand goods, without holding a current valid license for such premises or business issued under the provisions of this by-law.

15.3 Partnerships - licensing - application - requirements

Where a license is applied for under this Part of this by-law by a partnership, the name and address of each member of the partnership shall be given on the application and entered on the license.

15.4 Class - limitation - goods - upon application