

## **The Corporation of the Township of Douro-Dummer**

### **By-law Number 2025-XX**

#### **Being a By-law to License, Regulate and Govern Mobile Canteens Within the Township of Douro-Dummer and Repeal By-law 2016-45**

**Whereas** Section 5 of the Municipal Act 2001, as amended, specifies that a Municipal Council shall exercise its powers by By-Law;

**And Whereas** Sections 8 and 9 of the Municipal Act 2001, as amended, provide that a Municipality has the capacity, rights, powers, and privileges of a natural person for the purposes of exercising its authority under the Municipal Act or any other Act;

**And Whereas** And Whereas Section 11(2) of the Municipal Act, 2001, as amended, sets out the spheres of jurisdiction in which a municipality may pass by-laws;

**And Whereas** Section 150 of the Municipal Act 2001, as amended, permits the Municipality to license and regulate any business wholly or partly carried out within the Municipality;

**And Whereas** Section 434.1 (1) of the Municipal Act, without limiting Sections 9, 10, and 11, a Municipality may require a person, subject to such conditions as the Municipality considers appropriate, to pay an administrative penalty if the Municipality is satisfied that the person has failed to comply with a By-Law of the Municipality passed under this Act;

**Now Therefore** the Council of the Corporation of the Township of Douro-Dummer enacts as follows:

#### **Section 1: Statement of Intent**

##### **1.1 Mobile Canteens to ensure: Public Health, Safety, and Nuisance Control through Operational Standards**

- i) The health of the public in relation to food preparation and food service by stipulating conditions of operation of refreshment vehicles;
- ii) The safety of the public in relation to fire prevention and property damage by requiring adherence to aspects of fire safety and protection and through the requirement of liability insurance;
- iii) The control of noise and nuisance through the limiting of permitted areas of operation and requirements for litter control.

#### **Section 2: Definitions**

##### **2.1 For the purpose of this By-Law:**

- **"Applicant"** shall mean any individual, firm, society, association, partnership, or corporation who is applying for a Mobile Canteen Licence;
- **"By-Law Enforcement Officer"** shall mean the person appointed by the Township of Douro-Dummer for the purpose of enforcing By-Laws;
- **"Clerk"** shall mean the Clerk of the Township of Douro-Dummer or the designate;
- **"Council"** shall mean the Council of the Corporation of the Township of Douro-Dummer;

- **"Chief Building Official"** shall mean the Chief Building Official or their designate;
- **"Fire Chief"** shall mean the Fire Chief or their designate;
- **"Food Tent"** shall mean a tent that is temporarily erected during a special event for the sole purpose of protecting food from dirt, dust, or insects;
- **"Health Unit"** shall mean the Peterborough Public Health;
- **"Licence"** shall mean the applicant who is granted the Licence;
- **"Mobile Canteen"** shall mean any trailer, food tent, or vehicle which sells refreshments including but not limited to french fries, bbq, sandwiches, ice cream products, hot dogs, sausages, and confections for consumption by the public, but does not include a catering vehicle;
- **"Municipality"** shall mean the Corporation of the Township of Douro-Dummer;
- **"Offence"** means an offence under an Act of the Legislature or under a regulation or by-law made under the authority of an Act of the Legislature
- **"Person"** shall mean any individual, firm, society, association, partnership, or corporation;
- **"Set Fine"** means the amount of fine set by the Chief Justice of the Ontario Court of Justice for an offence for the purpose of proceedings commenced under Part I or II.
- **"Special Events"** shall mean an event authorized by Council or through established By-laws that is temporary in nature and shall include, but not be limited to, community festivals, religious and educational events and fairs;
- **"T.S.S.A."** shall mean the Technical Standards and Safety Authority;
- **"Waste"** includes food, disposable eating utensils, paper, wood, cardboard, plastic, glass, or metal products used in the preparation, serving, or consumption of food or beverages offered for sale from a Mobile Canteen.

## **Add General Provisions**

### **Section 3: Operating Location Requirements**

- 3.1 No person shall operate a Mobile Canteen on private property within the Municipality without first having obtained a Licence to do so.
- 3.2 No person shall operate a Mobile Canteen on any Municipal-owned property without first obtaining a Licence to do so.
- 3.3 A Mobile Canteen Licence is required for mobile canteen at a Special Event.
- 3.4 No person shall operate a Mobile Canteen except on land zoned for such use as defined in the Township of Douro-Dummer Zoning By-Law.
- 3.5 No more than one (1) Mobile Canteen shall operate at an approved Municipal Location unless approved by Council.
- 3.6 Approved Municipal locations for operation of a Mobile Canteen shall be designated by Council and subject to periodic review.

#### **Section 4: Licensing Regulations**

- 4.1 A license shall be taken out by every person who engages in the business of conducting a mobile canteen.
- 4.2 Any person obtaining a mobile canteen license shall be subject to the following regulations and conditions:
- (a) The licensee shall keep their mobile canteen and equipment in the place where food is prepared in a clean, sanitary and satisfactory condition and shall comply with the regulations of the Public Health Act and regulations made thereunder respecting eating establishments and should always permit the Medical Officer of Health to inspect the vehicle. An annual inspection from the Peterborough Public Health, or responsible Health Unit confirming that the mobile canteen meets the requirements of the Health Protection and Promotion Act, that there are appropriate waste disposal facilities, and that any other pertinent laws and Regulations have been met.
  - (b) Where applicable, a mobile canteen shall comply with the requirements of the Fire Code under the *Fire Protection and Prevention Act, 1997*, and the applicable standards for propane storage, handling, and utilization under the *Energy Act*, as well as any related regulations affecting such vehicles. A Semi-Annual Inspection and Report for gas and/or propane installations, completed by a Technical Standards and Safety Authority (TSSA) licensed contractor, is required where applicable.
  - (c) The Licensee shall ensure that no modifications are made to the mobile canteen, or equipment placed therein, without the prior approval of the Fire Chief and Chief Building Official as required.
  - (d) A license shall be issued with respect to one vehicle and shall be at all times affixed to the vehicle operated in a prominent position. One license does not cover more than one (1) mobile canteen, as per Section 3.1 of this By-law.
  - (e) Prior to beginning operation of a mobile canteen, a licensee shall file with the Clerk, proof of insurance for public liability in the amount of not less than \$2,000.000 (Two Million Dollars) inclusive of bodily injuries, property damage and accident benefits and including property damage occasioned by any accident arising out of the operation of the mobile canteen in respect of which a license is obtained with the Municipality named as insured;
  - (f) The proof of insurance shall include a provision therein or an endorsement thereof that the licensing officer will be given at least ten (10) days' notice in writing of any cancellation, expiration or variation in the policy;
  - (g) A mobile canteen operator, prior to the issuance of a mobile canteen license, shall provide an indemnification to the Corporation of the Township of Douro-Dummer whereby the mobile canteen operator agrees to indemnify and hold harmless the Corporation of the Township of Douro-Dummer, its agents, servants, employees and officials from any claims, actions or suits which might be brought against the said mobile canteen operator and the Corporation of the Township of Douro-Dummer arising out of the said operation of the mobile canteen in any manner whatsoever or any error, negligence or omission of the mobile canteen operator, their agents, servants or employees;

- (h) A licensee shall not operate, or permit to be operated, a mobile canteen on any prohibited area designated by the Corporation of the Township of Douro-Dummer;
- (i) No mobile canteen shall be parked in any park or on Township property unless prior permission is received by the Corporation of the Township of Douro-Dummer;
- (j) Every owner of a mobile canteen shall ensure that the garbage or litter resulting from their vending activity is collected for recycling and disposal and shall provide receptacles for such purpose. In addition, any owner of a mobile canteen shall ensure that such garbage and litter is removed from the area of operation;
- (k) Any advertising shall not be placed on any Municipal, County or Provincial highway without receiving prior approval from the appropriate governing body;
- (l) No mobile canteen shall be operated between the hours of 11:00 P.M. and 7:00 A.M. except for special events;
- (m) Upon the expiry of the license, the mobile canteens shall be removed from the site;
- (n) No license shall be transferable to another zoned property without the written consent of the Corporation of the Township of Douro-Dummer.
- (i) All tents/air supported structures shall comply with the Ontario Fire Code and the Ontario Building Code.

## **Section 5: Number and Classes of License required Application Documentation**

- 5.1 Licensees will be issued on a first come, first served basis. Applications will not be accepted before the beginning of the calendar year.
- 5.2 The Corporation of Douro-Dummer may authorize the issuance of additional Mobile Canteen licenses for special events subject to any regulations or rules Council deems appropriate.

## **Section 6: Required Application Documentation**

- 6.1 Every applicant shall submit the following for a Mobile Canteen Licence:

- Completed application form;
- Signed indemnification agreement;
- Proof of approval from Peterborough Public Health;
- Property owner consent (if applicable);
- Approval letter from the Chief Building Official;
- Approval letter from the Fire Chief;
- Proof of TSSA compliance;
- Approval from the appropriate Road authority regarding traffic flow and parking required by Clerk.

- 6.2 A Mobile Canteen Licence may be suspended or revoked for non-compliance.

## **Section 7: Enforcement and Penalty**

7.1 The Clerk or their designate is responsible for issuing the Mobile Canteen Licence.

7.2 No person shall provide false information or obstruct an officer in the enforcement of this By-Law.

7.3 Any person who violates any provision of this By-Law is guilty of an offence and shall be subject to penalties prescribed by the Provincial Offences Act.

7.4 Each day that an offence continues constitutes a separate offence.

7.5 Set fines may be applied for non-compliance, and unpaid penalties may be added to property taxes.

7.6 Unless otherwise stated or required by law, anyone convicted of violating this by-law may be fined up to \$5,000 per offense, excluding costs, at the discretion of the Judge or Justice of the Peace.

## **Section 8: Schedules**

8.1 The following schedules attached hereto form an integral part of this By-law:

- **Schedule "A"** – Fee Structure for Mobile Canteen Licences
- **Schedule "B"** – Application for a Mobile Canteen Licence
- **Schedule "C"** – List of Materials Required with Mobile Canteen Application
- **Schedule "D"** – Special Events Mobile Canteen Application Form
- **Schedule "E"** – Set Fines Schedule
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## **Section 9: Set Fine Schedule**

9.1 Every person who contravenes a provision of this By-law identified in Schedule "E" – Set Fines is guilty of an offence and upon conviction is liable to a set fine as listed, pursuant to the Provincial Offences Act, R.S.O. 1990, c. P.33.

9.2 The short form wording and set fine amounts set out in Schedule "E" shall not become effective until approved by the Regional Senior Justice of the Ontario Court of Justice.

## **Section 10: Repeal**

10.1 That By-Laws 2016-45 and any amendments governing Mobile Canteens within the Township of Douro-Dummer are hereby repealed.

## **Section 11: Effective Date**

11.1 That this by-law shall come into full force and effect immediately upon the passing thereof.

Passed in Open Council this 6th day of May 2025.

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Mayor, Heather Watson

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Clerk, Martina Chait-Hartwig

Schedule "A"  
By-law No. 2025-xx

Category	Fee	Description
Chip Trucks & Fast Food Vehicles	\$400.00	Licence fee for operating mobile fast food trucks.
Hot Dog and Ice Cream Carts	\$250.00	Licence fee for operating stationary carts.
Ice Cream Trucks	\$300.00	Licence fee for operating mobile ice cream Trucks.
Special Event Licence (Per Day)	\$100.00	For participation at small-scale private or community events (e.g., markets, charity BBQs, local sports events).
Parade, Festival, Public Entertainment Licence (Per Day)	\$400.00	For participation in large, public events like parades, festivals, concerts, fairs, or large-scale entertainment events.

Important Notes:

- **Special Event Licence** applies to smaller gatherings typically under 500 attendees.
- **Parade, Festival, Public Entertainment Licence** applies to major public events generally attracting 500+ attendees or requiring significant public resources (e.g., road closures, police presence).
- Fees are **per vendor, per day** unless otherwise noted.

**Schedule "B"**  
**By-law 2025-XX**  
**Application for a Mobile Canteen Licence**

**Section 1 – Applicant Information**

Business Name (if applicable): \_\_\_\_\_

Name of Applicant(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/Town: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Section 2 – Property Owner Information**

(If different from applicant)

Name of Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/Town: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Email Address:**

\_\_\_\_\_

**Section 3 – Operation Details**

Location of Canteen Operation: \_\_\_\_\_

Date(s) or Period of Operation:

From: \_\_\_\_\_ To: \_\_\_\_\_

Hours of Operation:

From: \_\_\_\_\_ AM / PM To: \_\_\_\_\_ AM / PM

**Section 4 – Acknowledgement**

I/We hereby acknowledge that, if a licence is granted:

1. The recipient of this licence does not acquire a proprietary or vested interest in the location.
2. The permit may be revoked at any time by the Township Clerk, upon notice to the canteen operator.
3. The operator shall assume all liability arising from the operation of the canteen at the stated location.
4. Operation is subject to compliance with all applicable municipal, provincial, and federal laws.

Signature of Applicant(s): \_\_\_\_\_

Date: \_\_\_\_\_

**Section 5 – Indemnification Agreement**

To: The Corporation of the Township of Douro-Dummer

I/We,

\_\_\_\_\_  
(Full Name(s) and Business Name if applicable)  
of

\_\_\_\_\_  
(Full Mailing Address)

hereby agree to indemnify and hold harmless the Township of Douro-Dummer, its officers, employees, agents, and officials from any claims, actions, damages, suits, or losses (including legal costs) arising in any manner from the operation of the Mobile Canteen described in this application.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Applicant(s): \_\_\_\_\_

**For Office Use Only**

☐ Application Approved      ☐ Application Denied

Clerk’s Name: \_\_\_\_\_

Signature: \_\_\_\_\_      Date: \_\_\_\_\_



## **Schedule "C"**

### **By-law 2025-XX**

#### **List of Materials required with Mobile Canteen Application**

List of Materials required with Mobile Canteen Application - Failure to supply such will result in the application being denied.

- Proof of inspection by Peterborough Public Health.
- Proof of Liability Insurance coverage – minimum \$2,000,000.00 – including a provision that the Clerk will be given at least ten (10) days notice in writing of any cancellation and or expiration of the policy.
- Indemnification for the Township of Douro-Dummer (see application form)
- If the Mobile canteen is to be located on property other than that owned by the operator of the Mobile Canteen, written authorization from the owner allowing such units to be placed on the property.
- Letter of approval from the appropriate road authority.
- Fire Department to inspect and/or ask to provide documentation for the following:
  - Commercial cooking operations as per NFPA 96 to current standard as referenced in the current Ontario Fire Code.
  - New installation or first-time mobile canteen is located in the Municipality, a suppression system balloon test is required to be witnessed by Fire Department.
  - Posting of emergency procedures, including the 911 number for the location of the mobile canteen (or closest 911 number if one has not already been assigned to the property).
  - Fire Extinguisher
  - ABC or other specific fire extinguisher for other site-specific hazards
  - Class K for suppression system support
- Copy of TSSA inspection form, attached
- Copy of electrical Inspection

#### **Fire Department Approval Date:**

Name and Title (please print):

Signature:

#### **By-law Officer Approval Date:**

Name and Title (please print):

Signature:

- A site plan, showing the proposed location of the mobile canteen in relation to the following:
  - All adjacent buildings
  - All property Lines
  - All roads/streets/highways
  - Distance to nearest eating establishment within the Township (must be more than 100 metres)
- All other information as deemed to be necessary by any Officer of the Corporation of the Township of Douro-Dummer.

Appropriate Fee Received	Date Approved/Denied	Date of Expiry	Approved by	Signature

**Schedule "D"**  
**By-law 2025-XX**  
**Special Events Mobile Canteen Application Form**

**Section 1 – Applicant Information**

Business Name (if applicable):  
\_\_\_\_\_

Name of Applicant(s):  
\_\_\_\_\_

Mailing Address:  
\_\_\_\_\_

City/Town: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Section 2 – Event Details**

Name of Special Event:  
\_\_\_\_\_

Event Location (Exact Address or Description): \_\_\_\_\_

Dates of Operation:  
From: \_\_\_\_\_ To: \_\_\_\_\_

Hours of Operation:  
From: \_\_\_\_\_ AM / PM To: \_\_\_\_\_ AM / PM

**Section 3 – Mobile Canteen Information**

Type of Canteen (Check One):

- ☐ Special Events Only (\$100.00/day)
- ☐ Parade/Festival/Public Entertainment (\$400.00/day)

Plate or Trailer Number (if applicable):  
\_\_\_\_\_

Type of Food/Refreshments Offered:  
\_\_\_\_\_

**Section 4 – Required Documentation Checklist**

Attach the following to this application. Incomplete applications will not be accepted.

- ✓ Proof of inspection by Peterborough Public Health
- ✓ Indemnification Agreement (see Section 6)
- ✓ Property Owner Authorization (if not on municipal land)
- ✓ Fire Department Approval or Required Fire Code Documentation
- ✓ TSSA Compliance Certificate

- ✓ Site Plan showing:
  - Nearby buildings, roads, and property lines
  - Proximity to other food establishments (must be >100m)
- ✓ Letter of Approval from the Chief Building Official
- ✓ Public Works approval for traffic flow/parking (if required)

**Section 5 – Acknowledgement**

I/We hereby acknowledge that:

1. A Mobile Canteen Licence may be revoked at any time by the Township.
2. Operation is subject to compliance with all municipal, provincial, and federal regulations.
3. I/We have read and agree to all terms of By-law XX-2025.
4. The information provided is accurate and complete.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

**Section 6 – Indemnification Agreement**

To: The Corporation of the Township of Douro-Dummer

I/We, \_\_\_\_\_  
(Full Name(s) and Business Name if applicable)  
of \_\_\_\_\_  
(Address)

hereby agree to indemnify and hold harmless the Township of Douro-Dummer, its officers, employees, and agents from any claims, actions, or suits arising from the operation of the Mobile Canteen described in this application.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Applicant: \_\_\_\_\_

**For Office Use Only**

☐ Application Approved      ☐ Application Denied

Clerk’s Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Schedule "E"**  
**By-law 2025-XX**  
**Set Fines**

<b>Item</b>	<b>Short Form Wording</b>	<b>Provision Contravened</b>	<b>Set Fine</b>
1	Operate mobile canteen without a licence	Section 3.1, 3.2, 4.1	\$400.00
2	Operate mobile canteen outside permitted zoning	Section 3.4	\$300.00
3	Operate mobile canteen outside approved Municipal location	Section 3.5, 3.6	\$300.00
4	Fail to maintain mobile canteen in clean and sanitary condition	Section 4.2(a)	\$200.00
5	Fail to provide valid public health inspection report	Section 4.2(a)	\$250.00
6	Fail to comply with Fire Code, propane or TSSA safety requirements	Section 4.2(b)	\$350.00
7	Modify canteen or equipment without approval	Section 4.2(c)	\$250.00
8	Fail to affix licence to mobile canteen	Section 4.2(d)	\$150.00
9	Operate mobile canteen without valid insurance	Section 4.2(e)	\$300.00
10	Fail to provide notice of insurance cancellation	Section 4.2(f)	\$200.00
11	Operate in prohibited area without permission	Section 4.2(h), 4.2(i)	\$300.00
12	Fail to provide garbage/litter receptacles	Section 4.2(j)	\$200.00
13	Fail to remove garbage/litter from area of operation	Section 4.2(j)	\$200.00
14	Place advertising without appropriate authority	Section 4.2(k)	\$150.00
15	Operate canteen between 11:00 p.m. and 7:00 a.m. without event approval	Section 4.2(l)	\$250.00
16	Fail to remove canteen upon licence expiry	Section 4.2(m)	\$150.00
17	Provide false information or obstruct enforcement officer	Section 7.2	\$500.00

**Note:** The penalty provisions for the offences indicated above are as per **Section 7.3 of By-law 2025-XX**.