

## **Frequently Asked Questions**

### **Refreshment Vehicle By-Law**

#### **Why is a licence required?**

The *Municipal Act, 2001* provides licensing authority to municipalities for the purpose of consumer protection and to promote the health and safety of the public. Many municipalities choose to licence refreshment vehicles as a method of ensuring safety for the public, both in terms of food safety and handling, and safety in the operation of vehicles and equipment.

The Town of St. Marys passed By-Law 92-2022 on October 11, 2022, to regulate the operation of refreshment vehicles in the Town of St. Marys.

#### **Who is required to apply for a licence?**

Anyone who wishes to offer food or beverage to the **public** from a refreshment vehicle must apply for a licence. The application is to be completed by the owner of the refreshment vehicle.

#### **What is considered a refreshment vehicle?**

A refreshment vehicle is any vehicle whether motorized or not from which food or beverage are offered for consumption by the public and may include a motor vehicle, motor assisted bicycle, trailer, bicycle, tricycle, or any other vehicle drawn, propelled or driven by any kind of power including muscular power.

#### **How to apply for a licence?**

Applications can be submitted online at [townofstmarys.com/applications](http://townofstmarys.com/applications) or in person at the Clerks Office located at 175 Queen Street East, St. Marys. The office is located on the lower level of Town Hall (entrance off Church Street).

Applications must be submitted 1 month prior to the event to ensure the licence is available before the event.

#### **What is required when applying for a licence?**

Attached within the FAQs in Schedule A is a checklist of the required documents to submit with an application. These documents can be uploaded through the online form, or copies are able to be submitted to the Clerks Office located at 175 Queen Street East, St. Marys.

#### **How long is a licence valid?**

The Town of St. Marys is offering licences on either a daily or annual basis. When applying for an annual licence the expiry of that licence will be December 31 of the year in which it was applied for.

## What are the costs for applying for a licence?

The fees for refreshment vehicles are as follows:

Annual Fee (refreshment vehicles that are motorized and/or have food cooking/preparation facilities)	\$360 per year
Annual Fee (refreshment vehicles that are non-motorized and sell prepackaged or iced products)	\$180 per year
Daily Fee for all refreshment vehicles	\$80 per day

## Are there exemptions to the fees?

### Existing Food/Beverage Establishments:

- A refreshment vehicle owned by an existing food/beverage establishment in the Town of St. Marys is required to obtain a licence, **but the licence fees are exempt.**

### Service Clubs and Charities:

- For public events that are organized by service clubs and charities, the refreshment vehicles are required to obtain a licence, **but the licence fees are exempt.**

### Private Event on Private Property (not open to the general public):

- **Licence and fees are not required** for a refreshment vehicle that attends a private event on private property where refreshments are not available to the public. Permits from other authorities may be required (ie. Public Health, Fire Department etc.).

## Can I park a refreshment vehicle on Town property?

The Town may issue two licences to permit the parking of a refreshment vehicle on public property in the downtown core. One location is defined as being the parking space immediately beside the Town parking lot on Water Street North, south of Trout Creek. The second parking spot will be at the discretion of the Town based on the application received.

Refreshment vehicles are also permitted at Town parks and facilities if invited by the Town, or if the licence permits the location.

## What if the refreshment vehicle is parked on private property? Is a licence still required?

Refreshment vehicles that are requesting to be on private property but open to the public are required to complete the application for a licence as well as to pay the associated fee. The zoning for the property must meet the requirements of industrial, commercial or institutional or the zoning permits “Eating establishment (take out)”, “caterer’s establishment”, “Banquet hall” and/or “Hotel”.

For refreshment vehicles that are on private property and are not open to the general public, there is no need to apply for a licence. However, the refreshment vehicle will still require an inspection from Huron Perth Public Health, the Fire Department and the Town’s Chief Building Official.

**Do I have access to municipal services when parked on public property?**

All refreshment vehicles must be fully self-sufficient and have capacity for grey water storage. They are not permitted to connect to Town services like water, hydro or sewer. The Town's Wastewater Treatment Plant does provide for disposal of black and grey water tanks.

**What is needed when planning a charity event?**

For service clubs or charitable organizations hosting an event with refreshment vehicles, the owner of the vehicle will still be required to apply for a licence through the Town. However, the fee for the refreshment vehicle licence is waived.

**Can the refreshment vehicle have loud speakers?**

All refreshment vehicles are required to operate in compliance with the Town's Noise By-law. No refreshment vehicle should have any sounding device, loud speakers, amplifier or other hailing devices for attracting attention.

**How long can I park the refreshment vehicle downtown?**

Refreshment vehicles are exempt from the daytime parking time limits (3 hours) set out in the Traffic and Parking By-law. Refreshment vehicles are not permitted to park overnight on public property. The exception is that they may park overnight if they are part of a multi-day event and have received approval from the Town to do so.

**I am planning on attending various events or festivals in St. Marys. Do I need to submit an application for each event?**

Refreshment vehicle owners are only required to submit one application per year. This application will include all documents listed on Schedule A within the FAQs. These documents are valid for the remainder of that calendar year.

For refreshment vehicles that hold a valid annual permit, a request for an additional location will need to be submitted to the Clerks office 1 month prior to the event. This will provide time for review of the new location and if approved, issuing an additional licence.

Refreshment vehicles that have been previously approved for a daily licence will be required to submit formal correspondence requesting an additional daily licence and the location of which they are applying for. Should the request be approved, the daily fee of \$80 will be required prior to issuing the licence, until such a time the annual fee is paid in full.

Any change in location will require approval from the Chief Building Official to ensure compliance with the Town's By-laws and Building code.

## **Schedule A**

### Application Checklist

- Inspection report from Huron Perth Public Health completed no more than three months prior to the date of application
- 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
- Proof that the refreshment vehicle complies with propane, handling and storage provision of the *Technical Standards and Safety Act, 2000, S.O 2000, c. 16*, as amended, and any regulations thereunder
- Proof that the refreshment vehicle has received a satisfactory inspection of its fire suppression system and fire extinguishers from the St. Marys Fire Department. The fire suppression system and fire extinguishers are required to be reinspected if the refreshment vehicle is on operation for greater than six months of the year.
- Documentation from the Fire Chief or designate confirming that the refreshment vehicle and all buildings, structures, and facilities, or the plan for the same, are in compliance with applicable fire safety regulations
- Documentation from the Town's Chief Building Official confirming that all buildings, structures and facilities, on site, or the plans for the same, are or will be in compliance with the requirements of the Town's Zoning By-law, Property Standards By-law and the Building Code
- Proof of a valid Province of Ontario driver's licence
- Copy of the ownership for the refreshment vehicle
- Proof of General Liability Insurance
- Proof of Automotive Liability Insurance
- Dimensions of the refreshment vehicle
- Plan for the containment and disposal of grey water, grease and garbage in a sanitary manner satisfactory to the Town
- Evidence that the refreshment vehicle does not require the use of municipal services
- Description of food menu
- Photograph of the refreshment vehicle
- Written permission from the property owner of private property, if applicable
- General sketch or plan outlining the location of all roads and streets and their names, all buildings, the building dimensions and their proximity to other buildings and property lines