

The Corporation of the Township of Elizabethtown-Kitley

By-law Number 25-44

Being A By-Law to License and Regulate the Operation of Mobile Food Vehicles in the Township of Elizabethtown-Kitley and to Repeal By-laws No. 12-42

Whereas pursuant to the Municipal Act, Section 151, municipalities may pass by-laws for the licensing, regulating and governing of vehicles from which refreshments are sold for consumption by the public and for revoking any such license;

And Whereas the Corporation of the Township of Elizabethtown-Kitley deems it expedient to pass a by-law for this purpose;

Now Therefore, the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. In this By-law the following definitions shall apply:
 - a. **Motorized Mobile Food Vehicle** shall mean a motor vehicle or a trailer capable of being moved from which food, which has been prepared and cooked on site, is sold.
 - b. **Motorized Ancillary Mobile Food Vehicle** shall mean a motor vehicle from which food, which has been prepared and cooked off site, is sold.
 - c. **Non-Motorized Mobile Food Vehicle** shall mean a vehicle propelled solely by muscular power from which food, which has been prepared and cooked on site, is sold; and shall also include motorcycles.
 - d. **Non-Motorized Ancillary Mobile Food Vehicle** shall mean a vehicle propelled solely by muscular power from which food, which has been prepared off site, is sold; and shall also include motorcycles.
2. No person shall own or operate a refreshment vehicle from which refreshments are sold for consumption by the public unless such person has first obtained a refreshment vehicle license from the Township of Elizabethtown-Kitley covering the said vehicle.
3. The mobile food vehicle license shall be valid as follows:
 - a. For all refreshment vehicles;
 - i. Summer and Fall season, from May 1st to October 31st for the calendar year for which it is issued, unless it is previously revoked.
 - ii. Winter and Spring season, from November 1st to April 30th for the calendar year for which it is issued, unless it is previously revoked.
 - b. When a Winter and Spring season is applied for, immediately following a Summer and Fall licensed season the applicant will receive a discount on the seasonal fee, as set by Council – and subject to change.
 - c. Motorized mobile food vehicles, motorized ancillary mobile food vehicles, non-motorized mobile food vehicle and non-motorized ancillary mobile food vehicle, for specific events or activities, occurring on an annual or semi-annual basis for the dates noted on the license.

By-law 25-44 Being A By-Law to License and Regulate the Operation of Mobile Food Vehicles in the Township of Elizabethtown-Kitley

4. All mobile food vehicles covered under a vehicle license shall be located on property zoned in accordance with the Township's Zoning By-law which permits a takeout restaurant.
5. All mobile food vehicles shall be located based on the following setbacks:
 - a. Side and Rear lot line side back shall be three (3) metres;
 - b. Setbacks from the front lot line shall be determined by the local road authority
6. The following regulations shall apply to all mobile food vehicles as defined in Section 1:
 - a. The vehicle shall be kept at all times in a clean and sanitary condition.
 - b. Any accessory structure to the mobile food vehicle shall be constructed in conformity with the Ontario Building Code, any applicable Township by-laws, and have their location meet setback requirements. The licensee shall contact the Township prior to the installation or placement of any accessory structure or before altering their location plan.
 - c. Any alterations, modifications, or updating to their operation with regards to appliances requires the licensee to contact the Township prior to the change.
 - d. A separate license shall be taken out for each vehicle and shall be prominently displayed therein or thereon.
 - e. The vehicle from which refreshments are sold shall be equipped with a metal refuse container with a self-closing lid, available to the mobile food vehicle's clientele.
 - f. There shall be no sign displayed other than a sign that is fixed to the mobile food vehicle with the exception of one ancillary sign will be permitted on the property.
7. The mobile food vehicle shall be removed from the license site when the license expires and is not renewed.
8. The following additional regulations shall apply to motorized mobile food vehicles:
 - a. A safety skirting, adequate to prevent entry beneath the mobile food vehicle shall be installed to provide a full enclosure between the vehicle and grade level.
9. Any license granted under this By-law may be revoked and cancelled at any time upon the recommendation of the Medical Officer of Health, the Chief Building Official, the Fire Chief or any other officer of the Township of Elizabethtown-Kitley, by reasons of the breach or failure to fulfill any of the provisions of this By-law.
10. No person shall sell or offer for sale, from a mobile food vehicle, on a public highway, street, boulevard or sidewalk within the limits of the Township of Elizabethtown-Kitley. Mobile food vehicles will not be licensed for municipally owned lands where there are established canteens.
11. The mobile food vehicle and all foods sold therefrom shall comply with all health or sanitary regulations applicable thereto and the applicant shall provide


By-law 25-44 Being A By-Law to License and Regulate the Operation of Mobile Food Vehicles in the Township of Elizabethtown-Kitley


- proof that the vehicle to be licensed has been inspected by the Health Unit (Medical Officer of Health) and approved prior to the issuance of a refreshment vehicle license.
12. The applicant shall provide proof that the vehicle to be licensed has been inspected by and approved by the Township Fire Department in accordance with Appendix B attached hereto.
 13. The license fees for mobile food vehicles shall be set annually as per the Township's Consolidated Schedule of Fees.
 14. An Application for refreshment vehicle license shall be:
 - a. Completed on the application attached hereto as Appendix A.
 - b. Submitted to the Township Clerk's Department including the applicable license fee.
 15. Upon review of the complete application by the Township and approval by the Health Unit, Fire Department and any other regulatory agencies, a permit will be issued.
 16. A license shall not be assignable or transferable and shall be applicable only to those locations applied for and approved for a Motorized Mobile Food Vehicle, Non-motorized Mobile Food Vehicle and Non-Motorized Ancillary Mobile Food Vehicle.
 17. Any person who contravenes any provisions of this By-law shall be guilty of an offence and upon conviction liable to a fine to be enforceable under the provisions of the Provincial Offences Act.
 18. By-law 12-42 is hereby repealed in its entirety.
 19. This By-law shall come into force and take effect on the date of passing thereof.

Read a First and Second time this 15th day of September.

Read a Third time and finally Passed this 15th day of September.

As Deemed Passed on 18th day of Sept. 2025


Mayor


Clerk (Deputy)



Appendix A
By-law 25-44

Refreshment Vehicle License Application

Township of Elizabethtown-Kitley
6544 New Dublin Road, Addison ON K0E 1A0
Phone: (613) 345-7480 x 234
Email: deputyclerk@ektwp.ca

Office Use Only			
Date Received:		Roll Number:	
Address:			
Fee:		Cheque <input type="checkbox"/>	Cash <input type="checkbox"/> Debit <input type="checkbox"/>

Applicant Contact Information

1. Applicant Name: _____
2. Operating Name: _____
3. Mailing Address: _____
4. Phone Number: _____
5. Email Address: _____

Site Location for Refreshment Vehicle

6. Civic Address: _____

Property Owner Contact Information and Authorization

7. Owner Name: _____
8. Mailing Address: _____
9. Phone Number: _____
10. Email Address: _____

Refreshment Vehicle License Application

I _____, hereby authorize _____
to locate their refreshment vehicle on my property located under Section 6 of this
application. I understand that Township Staff will conduct site inspections at this
location without prior notification.

Owner Signature

Date

Vehicle Information

11. Name of the Vehicle: _____

12. Owner of the Vehicle: _____

13. Description of Vehicle: _____

14. License Plate: _____

15. Make: _____ Model: _____

16. VIN #: _____

17. The products to be sold from this vehicle at this location are described as:

Refreshment Vehicle License Application

18. Appliances:

Manufacturer	Type	Model Number	Input (BTUH)

Other Required Information

18. Letters of Compliance:

This information is required to be submitted with this application.

Agency/Approval	Status	Letter Attached
South East Health Unit	<input type="checkbox"/> Approved <input type="checkbox"/> Conditional	<input type="checkbox"/> Yes <input type="checkbox"/> No
EKTWP Fire Department	<input type="checkbox"/> Approved <input type="checkbox"/> Conditional	<input type="checkbox"/> Yes <input type="checkbox"/> No
Certified Propane Fitter (TSSA)	<input type="checkbox"/> Approved <input type="checkbox"/> Conditional	<input type="checkbox"/> Yes <input type="checkbox"/> No
Landowner Authorization	<input type="checkbox"/> Attached	<input type="checkbox"/> Yes <input type="checkbox"/> No

Refreshment Vehicle License Application

19. Fees

Fees will be set annually as per the Township's Consolidated Schedule of Fees.

20. Zoning Compliance

A detailed locational plan is required to accompany all applications. The plan must show:

- The dimensions and boundaries of the parcel of land where the refreshment vehicle is to be located;
- Where the refreshment vehicle is to be located on the parcel of land showing all setbacks of the refreshment vehicle from the lot lines, any buildings or structures, including the overhang, parking lots or any roads;
- The size and location of all existing structures on the parcel of land;
- All existing parking and loading areas on the site as well as all driveways and entrances;
- Abutting land uses.

Please contact the Planning Department if you have any questions. The location of the vehicle must be in compliance with the Township's Zoning By-Law.

22. Additional Information for Consideration

Refreshment Vehicle License Application

23. Declaration

I, _____, swear that the information given in this application and any supporting documents is true and complete and I understand that false statements could result in the license being revoked at any time.

I understand that the personal information contained on this form is collected under the authority of the Municipal Act 2001 and Township of Elizabethtown-Kitley By-Law 25-43 and will be used to determine eligibility for a license.

Applicant Signature

Date

Applicant Signature

Date

Note: Prior to the issuance of a license the licensee shall provide the following

1. Payment of Fee
2. A letter or certificate of approval from the Health Unit (Medical Officer of Health)
3. A letter or certificate of approval from the Township's Fire Department
4. A letter or certificate of approval from Certified Propane Fitter (TSSA)
5. Completion of Owner's Authorization section on page 2 of application

A minimum of three full business days will be required to complete and prepare your license for pick up, once a complete application is received – Please plan accordingly – no one is permitted to operate a refreshment vehicle within the Township unless a license has been issued – no exceptions.



Appendix B By-law 25-44

Fire Department Requirements for Mobile Food Vehicles

Township of Elizabethtown-Kitley
6544 New Dublin Road, Addison ON K0E 1A0
Phone: (613) 345-7480 x 234 / (613) 498-2460
Email: deputyclerk@ektwp.ca / deputychief@ektwp.ca

The Installation and Safety Requirements to Operate a Mobile Food Vehicle in Elizabethtown-Kitley (Reference By-Law 25 – 44)

Compliance Criteria

The Elizabethtown-Kitley Fire Department inspects all mobile food vehicles applying to operate and obtain a license in the Township **following NFPA 96 best practices**.

The following are requirements needed in order to obtain Fire Department Compliance.

1. **Vehicle Location:** Located not closer than 3 meters (10') from any structure. Including structure overhang (roof), overhead electrical power distribution line, telephone, cable or fibre optics.
2. **Electrical Power:** Power supply cords, temporary or hard wired shall be installed as per Ontario Electrical Code requirements. Hard wired installations must be inspected by The Electrical Safety Authority (E.S.A.) and a copy of compliance submitted to the Fire Department.
3. **Temporary Extension Cords:** Cords and their connections shall be approved by Canadian Standards Association (C.S.A.), or Underwriter Laboratories of Canada (U.L.C.). Where vehicle traffic may come in contact with above grade portable extension cords, they must be protected from damage by suitable approved means. Where portable extension cords are used they must be checked regularly for cuts and abrasions, and must not come in contact with water. (ie. surface water)
4. **Portable Extinguishers:** Every mobile food vehicle must contain a minimum of one U.L.C., 20 rated A.B.C., type fire extinguisher as well as one 6lb type K fire extinguisher. The extinguishers must be located where they are easily seen and accessible at all times with out exposing the operator to undue risk. Every extinguisher must bear the operating instructions and have a tag securely attached showing the maintenance (or recharge date), the servicing agency and signature of the person who performed the service. The date of inspection must be for the current calendar year.
5. **Propane Installation:** All propane or Natural Gas installations must be conducted and certified by a licensed Propane/Gas servicing technician or agency. A completed signed copy of the Inspection Certificate (FS-056-06), required by Technical Standards and Safety Authority (T.S.S.A.) must be submitted to the Fire Department. Gas storage bottles (propane tanks) shall be stored in compliance with the Ontario Propane Code and upon some installations; protection may have to be provided to reduce damage or collision to the cylinders. (As approved)
6. **Portable Generators:** Generators used for electrical power shall be operated outside the vehicles interior. A portable generator and its fuel, may be stored in a metal compartment on the vehicle, however, it must be separated and airtight from the interior of the vehicle.