

CORPORATION OF THE TOWN OF HAWKESBURY

By-law N° 30-2004 (consolidated with By-laws N° 50-2008, 69-2008, 10-2014 & 59-2015)

A by-law for licensing, regulating and governing any businesses and the persons carrying on or engaged in them

WHEREAS pursuant to the Municipal Act, R.S.O. 2001, chapter 150, the council of a municipality may pass a by-law to license, regulate and govern any business wholly or partly carried on within the municipality even if the business is being carried on from a location outside the municipality;

NOW THEREFORE the Corporation of the Town of Hawkesbury enacts as follows:

1. **DEFINITIONS**

For the purpose of this By-law:

- 1.1 **ADULT ENTERTAINMENT PARLOUR** – means an adult entertainment premises as defined in the Municipal Act.
- 1.2 **ADULT ENTERTAINMENT ATTENDANT** - means any person who, within or in respect of any adult entertainment premises, provides services designed to appeal to erotic or sexual appetites or inclinations.
- 1.3 **ADULT ENTERTAINMENT - NOVELTY** - means business or premises where adult books, magazines, pictures, slides, phonographic records, pre-recorded magnetic tapes, discs, and any other reading, viewing or listening material or any other item designed to appeal to erotic or sexual appetites or inclinations are sold or offered for sale, but shall not include any Adult Entertainment Videotape Sales/Rental business.
- 1.4 **ADULT BOOK OR MAGAZINE** - means any book or magazine:
 - 1.4.1 a) of which a principal feature or characteristic is the portrayal or depiction, by means of photographs, drawings or otherwise, of one or more of the specified body areas of any person or persons; and
 - 1.4.2 b) which appeals to or is designed to appeal to erotic or sexual appetites or inclinations.
- 1.5 **ADULT VIDEOTAPE** - means any videotape:
 - 1.5.1 a) of which a principal feature or characteristic is the portrayal or depiction of one or more of the specified body areas of any person or persons; and
 - 1.5.2 b) which appeals to or is designed to appeal to erotic or sexual appetites or inclinations.
- 1.6 **GOODS** - for the purpose of Adult Entertainment, includes but is not limited to books, magazines, pictures, slides, film, phonographic records, pre-recorded magnetic tapes, and any other reading, viewing or listening matter.
- 1.7 **RENT** - for the purpose of Adult Entertainment means the exchange of a sum of money or other financial consideration for the temporary use of goods.
- 1.8 **SALES** - for the purpose of Adult Entertainment means the exchange of a sum of money or other financial consideration for goods.
- 1.9 **SERVICES** - for the purpose of Adult Entertainment, includes but is not limited to activities, facilities, performances, exhibitions, viewings, and encounters but does not include the exhibition of film approved under the Theatres Act.

- 1.10 **SERVICES DESIGNED TO APPEAL TO EROTIC OR SEXUAL APPETITES OR INCLINATIONS** - for the purpose of Adult Entertainment includes:
- 1.10.1 a) services of which the principal feature or characteristic is the nudity or partial nudity of any person
- 1.10.2 b) services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.
- 1.11 **TO PROVIDE** - for the purpose of Adult Entertainment, when used in relation to goods includes to sell, offer to sell, or display for sale by retail or otherwise, such goods, and, "providing" and "provision" shall have corresponding meanings.
- 1.12 **TO PROVIDE** - for the purpose of Adult Entertainment when used in relation to services includes to furnish, perform, solicit, or give such services and "providing" and "provision" shall have corresponding meanings.
- 1.13 **SPECIFIED BODY AREAS** - means:
- 1.13.1 a) in the case of a female person, her breasts; and
- 1.13.2 b) in the case of all persons, the pubic, perineal and perianal areas and the buttocks.
- 1.14 **ALARM INSTALLATION CONTRACTOR** - means a person who installs alarms or other warning or sounding devices which are intended to alert as to an impending danger or risk and shall include but is not limited to fire alarms and burglar alarms.
- 1.15 **ANTENNA INSTALLATION CONTRACTOR** - means a person who installs, erects, constructs, reconstructs, alters or repairs structures used as an antenna. The above shall include but is not limited to satellite dishes and television antennas.
- 1.16 **ANTIQUE SALES** - means a person who sells or offers for sale antique goods, materials, merchandise or items of any kind. Shall not include second hand goods which are not considered to be antique.
- 1.17 **ANTIQUE** - for the purpose of this Section, antique shall mean any good, object, material, merchandise or item of any kind which is of a higher value because of its age, and in the case of vehicles such age shall be 25 years or more.
- 1.18 **APPLIANCE REPAIR** - means a person engaged in the restoring or maintenance of household or domestic appliances to a state of operation or good condition and shall include but is not limited to the replacement or restoration of worn out parts.
- 1.19 **APPLICANT** - means a person who is required to be licensed pursuant to this By-law or who has made application for a licence to the Issuer of Licences and shall include a Licensee.
- 1.20 **APPROPRIATE AUTHORITY HAVING JURISDICTION** - means:
- 1.20.1 a) with regard to Health matters, the Medical Officer of Health, for the Eastern Ontario Health Unit, or his designate(s)
- 1.20.2 b) with regard to building matters, the Chief Building Official for the Town, or his designate(s)
- 1.20.3 c) with regard to Fire safety matters, the Chief Fire Official for the Town, or his designate(s)
- 1.21 **AUCTIONEER** - means a person who conducts a sale by auction.

- 1.22 **AUCTION** - means a public sale to persons in which bids on goods, articles, merchandise, effects, etc. are received by an auctioneer and where each bid offers more than the last previous bid, the article being put up being sold to the highest bidder. Shall not include a mock auction, silent auction or Chinese auction.
- 1.23.1 **MOCK AUCTION** - means an imitated sale by auction of goods, articles, merchandise, effects, etc. to persons.
- 1.23.2 **SILENT AUCTION** - means an auction conducted by means of written bids given on displayed goods wares or merchandise with the final declaration of sale being made to the last individual having submitted a bid on the specified bid sheet for that item.
- 1.23.3 **CHINESE AUCTION** - means an auction conducted by means of predetermining a set price on an item, thence receiving verbal bids on such an item. The final declaration of sale shall be made to the highest bidder who shall then pay the price, based on the difference between the predetermined price and the highest bid.
- 1.24 **AUTOMOBILE BODY REPAIR** - means a business which restores or does maintenance to the exterior of an automobile to restore it to a good condition and shall include but is not limited to the replacement or restoration of worn out parts or the restoration of such parts but does not include the replacement, repair or restoration of any mechanical part of the automobile. Such operation shall include but is not limited to painting, repainting, body filling, or refinishing of an automobile.
- 1.25 **AUTOMOBILE LEASING/RENTAL** - means a business which leases or offers to lease, rents or offers to rent or for remuneration, grants the temporary use of an automobile to any individual, firm or corporation, notwithstanding that the leasing or rental company shall retain the registered ownership of such automobile.
- 1.26 **AUTOMOBILE SALES - DEALERSHIPS** - means a business which sells or offers for sale any automobile by retail where such sale will result in the transfer of ownership from the dealer or a consignee to any other individual, firm or corporation.
- 1.27 **AUTOMOBILE WRECKING YARD/SALVAGE YARD** - means premises including a building and lot, or either in singular, used for the wrecking or partial or total dismantlement of motor vehicles and for the storage and sale or intended sale of scrap material salvage and parts obtained therefrom and intended for reuse but shall not include any other defined automotive use.
- 1.28 **BASIC OF A BUSINESS** - means a business which is not included in any other category such as but not limited to banks, accountants, insurance brokers, travel agencies, automobile dealers, clothing stores, hardware stores, architects, lawyers, private medical establishments, drugstores, etc...
- 1.29 **BED AND BREAKFAST ESTABLISHMENT** - means a detached residence which is owner occupied and operated to provide the travelling public with sleeping accommodation and meals.
- 1.30 **BILLIARD, POOL AND BAGATELLE ESTABLISHMENT** - means a business or premises used by the public that directly or indirectly keeps or operates any billiard, pool or bagatelle table for gain.
- 1.31 **BODY PIERCING PARLOUR** - means a business or premises where parts of a body are punctured by a sharp-pointed instrument for the purpose of making a hole or opening through which an item may be attached to the body but shall not include a premises which only pierces earlobes.
- 1.32 **BOWLING ALLEY** - means a business or premises for use by the public and designed for the rolling or delivering of a ball towards pins.
- 1.33 **BUILDING RENOVATOR** - means a person who alters, repairs or renovates existing buildings or structures.

- 1.34 **BUSINESS** - means a business as defined under subsection 150(6) of the Municipal Act 2001.
- 1.35 **CABIN ESTABLISHMENT** - means a business comprised of four or more cabins arranged singly or in pairs.
- 1.36 **CABIN** - means a one room structure equipped primarily for sleeping.
- 1.37 **CAR WASH** - means a business or premises where automobiles or other vehicles are washed, cleaned or polished for a fee or charge, and shall include a dry mechanical car wash, wet mechanical car wash, stationary mechanical car wash, and manual car wash.
- 1.38 **CAR WASH (MOBILE)** - means a business which is carried on from place to place for the purpose of washing, cleaning or polishing automobiles or other vehicles for a fee or charge.
- 1.39 **CARNIVAL** - means a business operating amusement ride(s) or other device(s) and authorized games of chance intended to entertain or amuse or provide entertainment to the public.
- 1.40 **CASH SECURITY DEPOSIT** - means cash or a certified cheque.
- 1.41 **CATERER** - means a person who prepares and supplies food or meals for social, professional or other similar events.
- 1.42 **CHIEF BUILDING OFFICIAL** - means the person who may, from time to time, be appointed by Council to the position of Chief Building Official in conformity with the provisions of the Building Code Act, R.S.O. 1990, c. B.13, and amendments thereto, or his designate.
- 1.43 **FIRE CHIEF** - means the person who may, from time to time, be appointed by Council to the position of Chief of the Fire Department of the Town or his designate.
- 1.44 **CHIEF OF POLICE** - means the Chief of Police of the Ontario Provincial Police for the detachment of the Town of Hawkesbury or his authorized representative.
- 1.45 **CIGAR, CIGARETTE & TOBACCO SHOP** - means any location, premises or operation where cigars, cigarettes and/or tobacco products are sold or offered for sale by retail.
- 1.46 **CIRCUS** - means a performance exhibiting equestrian, animal, acrobatic and other performances and their equipage and shall include any other similar show.
- 1.47 **CONCERT HALL** - means a premises, building or location used for the purpose of musical entertainment either by voices or sounds or a combination of both.
- 1.48 **COTTAGE ESTABLISHMENT** - means a tourist establishment comprising one or more cottages owned or operated by the same person, persons, firm or company.
- 1.49 **COTTAGE** - means a building to accommodate one or more guests:
- 1.49.1 a) that contains at least two rooms; and
- 1.49.2 b) that may or may not contain facilities for guests to prepare and cook food.
- 1.50 **DELIVERY/COURIER SERVICE** - means a business which is engaged in the carrying and delivery of an item of any kind from one destination to another destination, by any transportation means, but does not include transportation or conveyance of individuals or passengers or the carrying and/or delivery of any item sold by any sender where such delivery is made by the same sender and is a service ancillary to the sale of the items.

- 1.51 **DOOR TO DOOR SALES PERSON** - means a person who goes from place to place with goods, wares, merchandise or any item for sale or who carries and exposes samples, patterns or specimens of any goods, wares, merchandise or any item which is intended to be delivered in the municipality afterwards.
- 1.52 **DOOR TO DOOR SERVICE PERSON** - means a person who goes from place to place selling or offering for sale a service of any kind.
- 1.53 **DRIVING SCHOOL OPERATOR** - means the business of teaching an individual to operate motor vehicles which shall include but is not limited to classroom instruction as well as on-road instruction.
- 1.54 **DRY CLEANER** - means the business of dry cleaning, dry-dyeing, cleaning, pressing and spot or stain removal, or other similar application to clothing or fabric.
- 1.55 **DWELLING UNIT** - means a building or part thereof used as a home, residence or sleeping place of an individual or family either continuously, permanently, temporarily or transiently.
- 1.56 **ELECTRICAL CONTRACTOR** - means a person who:
- 1.56.1 a) is engaged in the business of contracting for the making and repairing an electrical installation or electrical work;
- 1.56.2 b) is either himself a Master Electrician or employs a Master Electrician; or
- 1.56.3 c) in any way solicits, advertises or holds himself out to the public as doing electrical work, or as being an Electrical Contractor.
- 1.57 **ELECTRICAL INSTALLATION** - means a system or part of a system of wiring installed or to be installed in or upon any building or premises from the point or points of delivery of electrical power or energy therein or thereon, up to the point or points where the power or energy can be consumed or used therein or thereon by any electrical equipment and the expressions "work on an electrical installation" or "make an electrical installation" include the installation, maintenance, alteration, extension and repair of the wiring and the connection of wiring with any of the electrical equipment or with any other part of the wiring system.
- 1.58 **ELECTRICAL WORK** - means the work of assembling, connecting, placing, replacing, repairing, installing, maintaining or altering of any electrical installation.
- 1.59 **ESCORT SERVICE** - means a business which provides the services of individuals who will accompany another individual to an event, function or social activity, whether or not such event, function or social activity is private or designed for public attendance.
- 1.60 **ESCORT ATTENDANT** - means a person who accompanies another individual to an event, function or social activity, whether or not such event is private or designed for public attendance.
- 1.61 **FIRE PREVENTION OFFICER** - means the person who is appointed Fire Prevention Officer under the provisions of the Town by-law which governs and regulates the Fire Department of the Town.
- 1.62 **FLEA MARKET** - means a business or premises, whether enclosed by a building or structure or not, in which individual stalls are rented to vendors, other than the owner, for the purpose of individually exposing, offering for sale or selling new or used articles, foodstuffs, fruits, vegetables, services or other goods, wares or merchandise or exposing samples, patterns or specimens of any goods, wares or merchandise to be delivered at a later date.
- 1.63 **FLEA MARKET OWNER/OPERATOR** - means the person who legally owns or the person who operates, any premises as a flea market. An operator shall include but is not limited to a manager, agent, representative or other person not being the owner of the flea market.

- 1.64 **FLEA MARKET VENDOR** - means a person engaged in exposing, selling or offering for sale, any new or used articles, foodstuffs, goods wares or merchandise at a flea market.
- 1.65 **FOOD SHOP** - means all premises where food stuffs intended for human consumption are made for sale, offered for sale, stored or sold. Such premises shall include but is not limited to bakeries, delicatessens, groceries, groceterias, fish shops, butcher shops, convenience stores, etc. but does not include any restaurant, snack bar or any similar operation.
- 1.66 **FUELLING STATION** - means a business where automobiles, recreational vehicles, boats, or any other vehicle or item is supplied with propane, natural gas, diesel, electricity or other fuelling or powering agent of any kind. (Also see Gasoline Station)
- 1.67 **GARAGE - AUTOMOBILE REPAIR** - means a premises where automobiles are mechanically repaired, parts are replaced or worn out parts are restored and replaced and shall include but is not limited to premises where oils and other vehicle fluids and lubricants are drained and/or replaced, tires are replaced, balanced or otherwise repaired, gasoline tanks, radiators or other similar items are replaced or otherwise repaired. Does not include automobile body repair shops.
- 1.68 **GARAGE - AUTOMOBILE REPAIR (MOBILE)** - means a business which features a person or persons who go from place to place for the purpose of performing or carrying out mechanical repairs to automobiles including the replacement or restoration of worn out parts, the draining and/or replacing of oils or other vehicle fluids and lubricants, the replacement of tires, gasoline tanks, radiators or other similar items.
- 1.69 **GAS FITTER** - means a person who is skilled and qualified as a Gas Technician 1, Gas Technician 2, Gas Technician 3, Gas Piping Fitter, Liquid Propane Fitter, Domestic Appliance Technician, Industrial Maintenance Gas Technician, Internal Combustion Alternate Fuel Technician, Oil Burner Technician 1, Oil Burner Technician 2, or Oil Burner Technician 3 or equivalent, as set out by the Ministry of Consumer and Commercial Relations, Technical Standards Division, under the provisions of the Training and Certification Regulation (348/96) under the Energy Act, as amended for the purpose of performing related work.
- 1.70 **GASOLINE STATION** - means a fuelling station where gasoline is kept and stored for sale.
- 1.71 **GENERAL CONTRACTOR** - means a business which engages in the building or constructing or repair of any structure of any kind, in whole or in part. Does not included electrician, electrical contractor, plumbing contractor or other specialized trade.
- 1.72 **HAIRDRESSING ESTABLISHMENT** - means a premises where the business of cutting and/or dressing the hair is carried on; shall include but is not limited to, cutting, trimming, dyeing, bleaching, streaking, frosting, conditioning, and shampooing etc., of the hair and/or shaving or trimming the beard or moustache and/or offering facial or other skin or body treatments, tanning facilities, manicures, pedicures, electrolysis or other similar treatment or service.
- 1.73 **HAIRDRESSING - MOBILE** - means a business which features a person or persons who go from place to place for the purpose of cutting and/or dressing the hair is carried on; shall include but is not limited to, cutting, trimming, dyeing, bleaching, streaking, frosting, conditioning and shampooing etc. of the hair and/or shaving or trimming the beard or moustache.
- 1.74 **HAWKESBURY HYDRO INSPECTOR** - means a person who may be appointed by Hawkesbury Hydro Inc. or his designate.
- 1.75 **HOME OCCUPATION** - means an occupation, trade, business, profession or craft carried on as an accessory use to the use of the dwelling as the private residence of the person carrying on the occupation, trade, business, profession or craft.

- 1.76 **HOTEL** - means a separate building or two or more connected buildings used mainly for the purpose of catering to the needs of the travelling public by the supply of food and also by the furnishing of sleeping accommodation of not less than six bedrooms and distinguished from any other building or connected buildings used mainly for the purpose of supplying food and lodging by the week or otherwise commonly known as boarding houses or of furnishing living quarters for families and having a dining room or restaurant commonly known as "apartment hotels" or "private hotels". Does not include a boarding house, rooming house, bed and breakfast establishment, motel or other similar premises.
- 1.77 **ISSUER OF LICENCES** - means any person so designated by the Town Clerk.
- 1.78 **KENNEL** - means a premises, location, place or confinement where purebred dogs are bred and/or raised and registered in the Register for the Canadian Kennel Club.
- 1.79 **LAUNDROMAT** - means any location or premises where dry cleaning machines, drying machines, washing machines including coin operated dry cleaning machines, drying machines or washing machines or any combination thereof are installed and maintained for use by the public.
- 1.80 **LAUNDRY** - means a location or premises where the washing, drying, etc. of articles or goods is done.
- 1.81 **LAWN MAINTENANCE CONTRACTOR** - means a business which trims, mows, fertilizes, weeds, or otherwise establishes or maintains a lawn or other grassed area or which either, together or in the singular, plants, trims, fertilizes, weeds or otherwise establishes or maintains gardens or other landscaped areas.
- 1.82 **LENDING LIBRARY** - means a location or premises established for the purpose of granting temporary possession of books, magazines or other reading matter on the condition of the return of the same, for the purpose of profit or gain.
- 1.83 **LETTER OF CREDIT** - means an irrevocable Letter of Credit which shall be drawn on a chartered Canadian Bank and deemed to be automatically extended without amendment for one year from the present or any future expiration date thereof, unless (30) thirty days prior to any such date the bank shall notify the Town in writing by registered mail that the bank elects not to consider this Letter of Credit renewed for any such additional period.
- 1.84 **LICENCE** - means a Town of Hawkesbury Business Licence issued pursuant to this By-law.
- 1.85 **LICENSEE** - means anyone who has been issued a licence pursuant to this By-law either in the current calendar year or in a previous calendar year and shall include an Applicant.
- 1.86 **MEDICAL OFFICER OF HEALTH** - means the Medical Officer of Health for the Eastern Ontario Health Unit.
- 1.87 **MENAGERIE** - means a business or premises exhibiting a collection of animals in cages or enclosures.
- 1.88 **MONTH** - means calendar month.
- 1.89 **MOTEL** - means a roadside tourist establishment that provides accommodation to the travelling public. May include but is not limited to motor hotels, cottage establishments, and other similar premises but does not include hotels or bed and breakfast establishments.
- 1.90 **MUNICIPAL LAW ENFORCEMENT OFFICER** - means a person appointed under the authority of the Clerk for the purpose of enforcing Town by-laws.
- 1.91 **MUSIC HALL** - means a business or premises where sounds in melodic or harmonic combination, are produced by voices or instruments or a combination thereof for the entertainment and amusement of the public.

- 1.92 **NON-RESIDENT PHOTOGRAPHER** - means a person who, for gain, uses photographic cameras or other similar devices and who, not being a resident of the municipality, goes from place to place or a particular place, notwithstanding that any product is to be delivered in the municipality afterwards, but does not apply to photographers who take photographs for use in newspapers, magazines or other periodicals or in television broadcasts or to photographers on specific assignment to local industries and does not include a photographer licensed under this By-law.
- 1.93 **PARKING LOT** - means business or premises where vehicles may be parked or stored for a fee or other valuable consideration, but shall not include:
- 1.93.1 a) land or other premises where a business provides space for vehicles of his customers;
- 1.93.2 b) land or other premises where a business provides parking space for vehicles of his employees;
- 1.93.3 c) land or other premises where a landlord provides parking spaces for vehicles of his tenants;
- 1.93.4 d) land or other premises where a parking lot is operated for special events only.
- 1.94 **PAWN BROKER** - means a person who carries on the business of taking by way of pawn or pledge any article as security for the repayment of money lent thereon.
- 1.95 **PAWN SHOP** - means a business or premises where the business of a pawnbroker is carried out.
- 1.96 **PAVING-RESURFACING CONTRACTOR** - means the business of a person who lays a superficial covering of tar, rubber, pavement or other similar product on or over a street, road, driveway or other surface and shall include but is not limited to resurfacing, topcoating or other similar applications to a surface.
- 1.97 **PEDICAB** - means a vehicle propelled by muscular power for hire for the conveyance of passengers. Does not include a taxicab or limousine.
- 1.98 **PET GROOMER** - means the business of a person who grooms, brushes, trims, manicures or otherwise attends to the cosmetic care of animals, particularly dogs.
- 1.99 **PET SHOP** - means a location or premises where animals, fish, or birds for use as pets are sold or kept for sale.
- 1.100 **PHOTOGRAPHER - NON RESIDENT** - see Non-Resident Photographer.
- 1.101 **PHYSICAL FITNESS CLUB** - means a location or premises which offers equipment, training, programs or other facilities or services designed to influence the conditions of a person's body. May also include the operation of a whirlpool but does not include the operation of a swimming pool as defined hereunder.
- 1.102 **PLACE OF AMUSEMENT - ARCADE** - means a business or premises in which are offered facilities for the playing of four or more games for the amusement of the public, which games are not contrary to the Criminal Code of Canada. Shall include but shall not be limited to video games, pinball games, table top hockey games, table top soccer games, electronic games and other similar devices but shall not include billiard tables, pool tables or bagatelle tables or bowling alleys.
- 1.103 **PLACE OF AMUSEMENT - RECREATIONAL CONCESSION** - means a business or premises in which are offered facilities designed for the entertainment of the public and shall include but shall not be limited to miniature golf, automatic batting cages, automatic/electronic golf courses, or other similar devices, premises or facilities. Shall not include Place of Amusement - Arcade, Bowling Alleys, Billiard Tables, Pool Tables or Bagatelle Tables.

- 1.104 **PLACE OF AMUSEMENT - RENTAL CONCESSION** - means a business or premises in which are offered facilities for the renting of or temporary use of equipment, items or other equipment designed for the entertainment of the public. Shall include but shall not be limited to recreational concessions offering roller blades, roller skates, recreational watercraft, snow vehicles, snow boards, skis or other similar devices, bicycles, tricycles or other similar vehicles, etc.
- 1.105 **PLUMBING CONTRACTOR** - means a business which:
- 1.105.1 a) is contracting for the making and repairing a plumbing installation or plumbing work;
- 1.105.2 b) the principal of which is either himself a Master Plumber or employs a Master Plumber; or
- 1.105.3 c) in any way solicits, advertises or holds itself out to the public as doing plumbing work, or as being a Plumbing Contractor.
- 1.106 **PLUMBING INSTALLATION** - means a system or part of a system of plumbing installed or to be installed in or upon any building or premises. The expressions "work on a plumbing installation" or "make a plumbing installation" include the installation, maintenance, alteration, extension and repair of the plumbing and the connection of plumbing with any of the plumbing equipment or with any other part of the plumbing system.
- 1.107 **PLUMBING WORK** - means the work of assembling, connecting, placing, replacing, repairing, installing, maintaining or altering of any plumbing installation.
- 1.108 **PREMISES** - means land, including any and all buildings or other structures thereon and includes any vehicle or conveyance used in the operation of the business.
- 1.109 **PUBLIC HALL (COMMERCIAL)** - means a premises or building including a portable building or tent, not being a school, municipal or religious premises or building, which is offered for use or used as a place of public assembly, but does not include a theatre within the meaning of the Theatres Act. A public hall shall include but shall not be limited to the following uses/activities: musical entertainment (music/concert), trade show, auction (excluding the auctioneer which requires a licence), catering (for an event in a public hall). Notwithstanding the above, an adult entertainment event is not a permitted use included in a public hall type of activity.
- 1.110 **RECREATIONAL VEHICLE LEASING/WATERCRAFT LEASING** - means a business which leases or offers to lease, or for any remuneration grants to anyone, any recreational vehicle, recreational watercraft or other similar vehicle for any duration of time, the use of such vehicle where such vehicle remains the property of or registered to the ownership of the lessor. Shall include but is not limited to motor homes, house trailers, camper trailers, jet skis, boats, snow vehicles, etc.
- 1.111 **RECREATIONAL VEHICLE REPAIR/WATERCRAFT REPAIR** – means a business which repairs, restores or does maintenance to the exterior or interior of a recreational vehicle or watercraft to restore it to a good condition.
- 1.112 **RECREATIONAL VEHICLE SALES/WATERCRAFT SALES** - means a business which sells or offers for sale any recreational vehicle or watercraft by retail where such sale will result in the transfer of ownership from the dealer or a consignee to any other individual, firm or corporation.
- 1.113 **REFRESHMENT VEHICLE (MOTORIZED)** - means any vehicle from which food stuffs and/or refreshments are sold or offered for sale for consumption by the public. Shall include but is not limited to catering trucks.
- 1.114 **REFRESHMENT VEHICLE (NON-MOTORIZED)** - means any vehicle from which food stuffs and/or refreshments are sold or offered for sale for consumption by the public. Shall include but is not limited to push carts, wheeled vehicles, etc.

- 1.115 **RESTAURANT** - means any establishment having ten or more seats where refreshments and/or food is prepared, served and/or offered for sale to the public for consumption. Shall include but is not limited to grills, tearooms, dining rooms, and other similar places.
- 1.116 **RESTAURANT - DRIVE THRU EXTENSION** - means premises where refreshments and/or food is prepared, served and sold or offered for sale to the public for consumption by way of drive-in or drive thru services only and such operation shall not provide any seating of any kind.
- 1.117 **RESURFACING CONTRACTOR** - (see PAVING-RESURFACING CONTRACTOR)
- 1.118 **ROLLER RINK** - means a location or premises designed for the use by the public of roller skates or roller blades, usually on a smooth surfaced floor.
- 1.119 **SALES BOOTH/LOCATION - NON-RESIDENT - TEMPORARY** - means a person, who for a limited period of time, and not being a resident of the Town of Hawkesbury, sells or offers for sale goods, wares, merchandise or items but does not include a temporary sales booth, location or premises selling or offering for sale second hand goods or antique items.
- 1.120 **SALVAGE YARD** - means a location or premises used for the storage or maintenance of waste or salvaged goods, materials or items.
- 1.121 **SANDBLASTER** - means a business which for gain, uses chemicals or pressurized air, water, steam, sand or other abrasives to clean or restore the exteriors of buildings or other structures.
- 1.122 **SECOND HAND SALES** - means a business which sells or offers for sale second hand or used goods, materials, merchandise or items of any kind. Shall not include antique items.
- 1.123 **SHEET METAL WORKER** - means a business which:
- 1.123.1 a) manufactures, fabricates, assembles, handles, erects, installs, dismantles, reconditions, adjusts, alters, repairs or services all ferrous and non ferrous sheet metal work of No. 10 U.S. Gauge or of any equivalent or lighter gauge and all other materials used in lieu thereof; and
- 1.123.2 b) has on staff a person or persons who read and understand shop and field sketches used in fabrication and erection, including those taken from original architectural and engineering drawings or sketches.
- 1.124 **SHOE REPAIR/SHINE SHOP** - means any location or premises where shoes, boots and other footwear are repaired or restored by manual, mechanical or other means, or where shoes, boots or other footwear are shined by manual, mechanical or other means, for gain.
- 1.125 **SIGN INSTALLER** - means a business which installs signs which shall include but is not limited to billboards, banners, canopies, or other advertising devices whether on public or private property.
- 1.126 **SIGN LESSOR** - means a business which leases or otherwise provides signs which shall include but is not limited to billboards, banners, canopies or other advertising devices to another person on a temporary basis, and where the ownership of such sign remains with the lessor.
- 1.127 **SMALL ENGINE REPAIR** - means a business which restores or does maintenance to the engine, motor or operational parts of a tool, implement, piece of equipment or other similar item to return it to a good condition and shall include but is not limited to the replacement or restoration of worn out parts.

- 1.128 **SNACK BAR** - means an eating establishment having less than ten seats where food and/or refreshments are prepared for, served or offered for sale to the public for consumption. Shall include but is not limited to concession stands, ice cream parlours, grills and other similar places or premises.
- 1.129 **SNOW REMOVAL CONTRACTOR** - means a business which plows, shovels or removes snow by any means for gain or remuneration.
- 1.130 **SOLICITOR** – means the Solicitor for the Town of Hawkesbury.
- 1.131 **SPECIAL EVENT - COMMERCIAL/ENTERTAINMENT** - means an event staged and managed by a marketing or management company or other business entity for profit or gain and includes events at which commercial vendors will operate their respective business or advertise.
- 1.132 **SPECIAL SALE** - means any sale or intended sale by retail described or advertised by the use of any of the following words or expressions or any enlargement, contraction or combination thereof:
- | | | |
|-------------|----------------|--------------|
| BANKRUPT | MOVING OUT | FIRE |
| INSOLVENT | SELLING OUT | SMOKE |
| TRUSTEE | LEASE EXPIRING | WATER DAMAGE |
| RECEIVER | CLOSING OUT | CREDITOR |
| LIQUIDATION | DISCONTINUING | FORCED |
- or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in any manner that is not in the ordinary course of business.
- 1.133 **SUITE** - means a single room or series of rooms of complimentary use operated under a single tenancy and includes but shall not be limited to dwelling units and rooming houses.
- 1.134 **SWIMMING POOL** - means a premises or location kept as a public swimming pool and operated for gain.
- 1.135 **TATTOO PARLOUR** - means a business or premises where the skin of an individual is marked by puncturing it and inserting a pigment or pigments to make permanent marks or designs.
- 1.136 **THEATRE** - means a business or premises in which standard film is used to exhibit moving pictures and which may be used to exhibit shows and theatrical performances to be viewed by the public and shall also include any premises in which moving pictures are exhibited and viewed by the public from vehicles and commonly known as a drive-in theatre.
- 1.137 **TRADE SHOW** - means a business which co-ordinates a show or similar exhibition of five or more vendors or businesses exhibiting, offering for sale, selling or otherwise displaying for delivery at a later date, goods, wares, merchandise, items, or services of a similar nature and where the vendors or businesses will be organized at a specific location for a period not to exceed fourteen consecutive days.
- 1.138 **TREE CUTTING CONTRACTOR** - means a business which is operated by persons who trim, cut or remove by any means trees, shrubs, sapling or other similar outdoor vegetation.
- 1.139 **U.L.C.** - means Underwriters Laboratories of Canada.
- 1.140 **UNRELATED** - means not directly related by blood or marriage.
- 1.141 **VEHICLE** - includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car.

1.142 **ZONING ADMINISTRATOR** - means a person who may be appointed from time to time by Council to the position of Zoning Administrator.

2. **GENERAL PROVISIONS - BUSINESS LICENSING**

- 2.1 No person shall carry on, conduct, operate, maintain, keep or engage in any business within the Town without first having obtained a licence to do so from the Issuer of Licences.
- 2.1.1 No person shall carry on, conduct, operate, maintain, keep, or engage in any business set forth in this By-law unless he first obtains a Town of Hawkesbury licence to do so from the Issuer of Licences.

APPLICATION FOR NEW LICENCE

- 2.2 Any person required to obtain a licence pursuant to this By-law shall apply in writing on the appropriate application form as provided by the Issuer of Licences and shall deposit, at the time of application, with the Issuer of Licences, all required Business Licence Fees as set out in Table 1 to this by-law for each business category as well as any required approvals, inspections or documentation required by this by-law or as deemed necessary by the Issuer of Licences.
- 2.3 The Issuer of Licences shall not issue a licence until:
- 2.3.1 a) all required certificates of approval and inspection report have been provided by the applicant;
- 2.3.2 b) required application and required documentation has been provided;
- 2.4 There shall be a separate application for each premises to be used for the business to be carried on.
- 2.5 There shall be only one application per place of business.
- 2.6 The applicant shall comply with any and all requirements set out in this By-law as well as any other provisions which may govern the business, place or premises used in the carrying on of the business and/or the persons carrying on the business or engaged in it and to which the application pertains.
- 2.7 The Issuer of Licences, upon receipt of the application for a licence may make, cause to be made, or request, any additional documents, investigations or inspections to be made in respect of such application for a licence as the Issuer of Licences deems appropriate or in the interest of the general public, and any costs incurred for such inspection or obtaining of documents shall borne by the applicant.
- 2.8 The applicant shall be responsible for arranging all necessary inspections and obtaining all reports, documents and approvals set out in Table 1 to this by-law, as outlined in the application form and as deemed necessary by the Issuer of Licences.
- 2.9 Upon receipt of a completed application for a licence and the appropriate fees for a licence have been paid, the Issuer of Licences may prior to the issuance of any such licence:
- 2.9.1 a) make any inquiries to any municipal official or employee who has carried out inspections relative to the business under application;
- 2.9.2 b) receive reports from such municipal officials and employees as may be deemed necessary;
- 2.9.3 c) inquire into all relevant matters in order to ascertain if the applicant is entitled to a licence under the provisions of this By-law;
- 2.9.4 d) upon being satisfied that the applicant is entitled to obtain a licence under the provisions of this By-law, the Issuer of Licences shall prepare and issue a licence to the applicant.

2.10 Unless otherwise provided in Table 1 to this By-law every licence shall expire on the 31st day of December in the year it was issued.

~~2.10.1 The fees payable for new established businesses applying for a business licence during their first year of business are as follows:~~

~~from January 1 to March 31 100% of the applicable fee~~
~~from July 1 to September 30 50% of the applicable fee~~

Section 2.10.1 is
deleted as per
By-law N° 18-2005
adopted on
March 21, 2005

APPLICATION FOR RENEWAL LICENCE

2.11 Any person required to renew a licence previously granted under this By-law, shall submit to the Issuer of Licences, an application form for renewal of the licence as provided by the Issuer of Licences. Every applicant shall arrange all inspections and obtain certificates of approval and documentation as required by this by-law or as deemed necessary by the Issuer of Licences.

2.12 The Issuer of Licences shall not issue a licence until all required certificates of approvals and inspection reports have been obtained by the applicant, required documentation has been provided and business licence fees have been paid in full to the Town of Hawkesbury. When required as a condition of licensing, all realty taxes shall be paid in full to the Town of Hawkesbury before any licence may be issued by the Issuer of Licences.

2.13 Where the Issuer of Licences receives an application for renewal of a licence previously granted under this By-law and the appropriate fees have been paid, he shall, prior to the issuance of any such licence:

2.13.1 a) ensure that all inspection reports, certificates of approval and documents as may be required have been obtained.

2.13.2 b) make inquiries into all relevant matters in order to ascertain if the applicant is entitled to obtain a renewed licence under the provisions of this By-law.

2.13.3 c) inquire into any and all relevant changes in circumstances since the previous licence was issued to the applicant.

2.13.4 d) make any inquiries to any municipal official or employee who has carried out inspections or investigations relative to the business which is the subject of the application.

2.13.5 e) receive reports from such municipal officials and employees as may be deemed necessary.

2.14 Where the issuer of Licences is satisfied that the applicant is entitled to obtain a licence under the provisions of this By-law, the Issuer of Licences shall prepare and issue a licence to the said applicant.

FORM OF LICENCE

2.15 Every licence shall show :

2.15.1 a) the operating name of the business or person to whom the licence is issued

2.15.2 b) the operating address of the premises or location for which the licence is issued

2.15.3 c) the category or type of licence granted

2.15.4 d) the date of issue

2.15.5 e) the date of expiration, and

2.15.6 f) shall be signed by the Issuer of Licences or his designate

2.16 Licences shall not be transferable.

DUPLICATE LICENCES

2.17 In the event that a licence issued under this By-law is lost or destroyed, the Issuer of Licences upon satisfactory proof of such loss or destruction, and upon payment of a replacement fee of FIVE DOLLARS (\$5.00) shall issue a duplicate of the original licence, upon which shall be stamped or marked the word "DUPLICATE".

CHANGE OF NAME

2.18 Where ownership of a business is not changed or affected but only the operating name of a business changes, the licensee shall immediately notify the Issuer of Licences and upon payment of a fee in the amount of FIVE DOLLARS (\$5.00) and being satisfied that there have been no other changes in the circumstances of the licensed business, the Issuer of Licences may issue a replacement of the original licence. The licensee shall return and surrender his licence in order to affect such a change.

CHANGE OF OWNERSHIP

2.19 Every licensee shall, upon change of ownership of the licensed business return and surrender his current licence to the Issuer of Licences. The new owner shall make a fresh application for a new licence as set out in this By-law.

CHANGE OF PREMISES OR LOCATION

2.20 Where a currently licensed business changes location or premises, such new location or premises shall not be deemed to be licensed. The applicant shall immediately apply for a new licence under the provisions of this By-law and shall surrender to the Issuer of Licences the licence issued in respect of his previous location or premises.

LICENCES PERSONAL

2.21 No licence holder shall enjoy a vested or property right in any licence or the continuance of any licence and such licence and such rights shall remain the property of the Town.

NUISANCE ABATEMENT

2.22 Everyone required to be licensed under this By-law, in addition to any other provisions or requirements expressed elsewhere in the By-law, shall comply with the following requirements:

2.22.1 a) at all times maintain and keep safe and clean and in good condition and repair any object, amusement, vehicle, place or premises for which the licence is issued;

2.22.2 b) shall not breach or violate or cause, suffer, or permit any breach or violation of any by-law of the Corporation or of any Local Board, thereof, or of any statute, Order-in-Council, or Regulation of the Legislature of the Province of Ontario or the Parliament of Canada or of any Agency, Board or Commission thereof, in, upon, or in connection with the business or premises for, or in relation to which such licence was issued;

2.22.3 c) shall not cause, suffer or commit any nuisance to arise in, on, or in connection with the object, amusement, vehicle, place or premises for which the licence was issued;

- 2.22.4 d) shall not cause, suffer or permit any shouting, noise or other disturbance on, in or in connection with the object, amusement, vehicle, place or premises for which the licence was issued, which is unnecessary, unreasonable or contrary to any municipal by-law prohibiting the same; and if any such shouting, noise or other disturbance occurs, the licensee shall immediately take steps to cause the same to be abated;
- 2.22.5 e) shall not cause, suffer, or permit any obstruction on any highway, lane or public place in front of or adjoining the place or premises for which the licence was issued;
- 2.22.6 f) shall not cause, suffer or permit any profane, offensive or abusive language or disorderly conduct in, on, or in connection with any vehicle, place or premises for which the licence was issued;
- 2.23 Every business which is licensed under this By-law is responsible for the due performance and observance of all the provisions of this By-law and for its employees and all other persons in or upon its premises.

INSPECTION

- 2.24 The Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer or other duly appointed individual may at all reasonable times, inspect or cause to be inspected the premises, facilities, equipment, vehicles, and other property used or kept for hire in connection with the carrying on of a business which is licensed or which is required to be licensed pursuant to this By-law.
- 2.25 The Issuer of Licences may waive the requirement for any inspection, approval or documentation as may otherwise be required pursuant to this By-law where such inspection, approval or documentation is not applicable to the carrying on of the business which is licensed or required to be licensed under this By-law.

POSTING OF LICENCE

- 2.26 A licence issued hereunder shall be posted on the premises or that part thereof to which the licence pertains in a position such that it may be readily visible and seen by persons entering the premises. Licences shall be prominently and conspicuously posted on the licensed premises at all times.
- 2.27 Where a licence is issued to a person who goes place to place or a particular place with goods, wares, or merchandise for sale, the licensee shall keep the licence with him at all times while carrying out his business and shall exhibit it to any municipal law enforcement officer, peace officer, police officer or other duly appointed person who so requests.
- 2.28 Where a photo identification card is issued to a person licensed under the provisions of this By-law, the licensee shall keep the photo identification card with him at all times while carrying on his business and shall exhibit it to any municipal law enforcement officer, peace officer, police officer or other duly appointed person who so requests.

REFUSAL TO GRANT A LICENCE

- 2.29 The Issuer of Licences may refuse to grant or issue a licence to any applicant who:
 - 2.29.1 a) has past breaches of this By-law, or any predecessors thereof and the Issuer of Licences determines that it is not in the public's interest to grant such a licence to the applicant, or
 - 2.29.2 b) has failed to comply with the requirements of this By-law or other applicable by-laws of the Town or of any Local Board thereof, or of any Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board of Commission thereof, in, upon or in connection with the applied for licensed activity of the business or premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the licensed activity, or

- 2.29.3 c) has outstanding realty taxes owing to the Town of Hawkesbury, or
- 2.29.4 d) owns real property which is leased to a tenant with outstanding realty taxes owing to the Town, or

SUSPENSION/REVOICATION

- 2.30 The Issuer of Licences may suspend or revoke a licence issued to any licensee who:
 - 2.30.1 a) has past breaches of this By-law, or
 - 2.30.2 b) has failed to comply with the requirements of this By-law or other applicable by-laws of the Town or of any Local Board thereof, or of any Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board of Commission thereof, in, upon or in connection with the applied for licensed activity of the business or premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the licensed activity, or
 - 2.30.3 c) has outstanding realty taxes owing to the Town of Hawkesbury, or
 - 2.30.4 d) owns real property which is leased to a tenant with outstanding realty taxes owing to the Town, or
- 2.31 No person shall operate any business or premises contrary to any licence suspension or terms and conditions thereto or where such licence has been revoked.

NOTICE AND APPEAL

- 2.32 Where the Issuer of Licences refuses to issue, suspends, or revokes a licence the said Issuer of Licences shall notify the applicant in writing of such decision and the said notice shall set out the grounds upon which the issue of the said licence is refused and shall state that the Applicant or Licensee may appeal such decision by filing an appeal with the Clerk of the municipality within fifteen (15) days as set out in this By-law.
- 2.33 Where the Issuer of Licences refuses to grant a licence, suspends or revokes a licence under this By-law the Applicant or Licensee may appeal this decision to the Council of the Corporation by filing with the Clerk an appeal, in writing, of the said decision within (15) fifteen days of being notified of the decision of the Issuer of Licences.
- 2.34 Upon receipt of an appeal from the applicant the Clerk and Council shall follow the procedure set out in this By-law.
- 2.35 The Council of the Corporation may, after the appropriate hearing is conducted grant a licence, refuse to grant a licence, revoke a licence or suspend a licence and may make any suspension of licence subject to such terms or conditions as Council may prescribe and a decision made pursuant to the exercise of these powers is final and binding upon the applicant or any licensee.
- 2.36 Council, in considering whether or not to grant a licence, refuse to grant a licence, or to revoke or suspend a licence shall have regard to the following:
 - 2.36.1 a) whether or not the Applicant or Licensee and the premises, facilities, equipment, vehicles and other personal property used or kept for hire in connection with the carrying on of a business which is licensed or which is required to be licensed, pursuant to this By-law, complies with all requirements hereof.
 - 2.36.2 b) whether or not the Applicant or Licensee has failed to promptly remedy any reasonable concern with regard to those matters set out in this By-law or has committed past breaches of this By-law or any predecessor thereof.

- 2.36.3 c) whether or not the Applicant or Licensee has failed to comply with any requirements of any other applicable by-law of the Town or any Local Board thereof or of any statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board or Commission thereof, in, upon or in connection with the licensed activity or the premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the licensed activity.
- 2.36.4 d) whether or not the Applicant or Licensee has any outstanding fines imposed under the Provincial Offences Act for the contravention of any provision of this By-law.
- 2.36.5 e) whether the applicant owns real property which is leased to a tenant has any outstanding realty taxes owing to the Town in respect of the business or premises in question.
- 2.37 Council shall comply with the following procedure in determining whether a licence, to grant a licence, renew a licence, revoke or suspend any licence under this By-law:
- 2.37.1 a) the Clerk shall place the matter on the agenda of Council's next meeting to fix a date and time for such matter to be considered by Council and shall mail a Notice of Hearing to the Licensee (at his last address as shown in the records of the Issuer of Licences or the current year's Assessment Roll) and to any other person who has applied to be heard.
- 2.37.2 b) such Notice shall be mailed at least (15) fifteen days prior to the date and time fixed for the hearing.
- 2.37.3 c) at the hearing Council shall receive a report, either verbally, or in writing, from the Issuer of Licences and from such other officers or employees of the Corporation who may be involved in the matter being considered by Council.
- 2.37.4 d) Upon the hearing the Council shall consider such material and evidence as may be relevant and hear such evidence or reports as to Council as may seem just and relevant.
- 2.37.5 e) Council may, in its sole discretion, afford any other person who applies to be heard and who appears to have an interest in the matters under discussion, an opportunity to present material and evidence relevant to the issue and may examine any person presenting evidence or a report to Council.
- 2.37.6 f) for the purposes of this Section a quorum of Council shall be a majority of the members of Council and a decision by the majority of members present shall be the decision of Council.
- 2.37.7 g) Council may, after having heard all of the evidence and submissions made to it by the Applicant/Licensee, and the Issuer of Licences retire and resume deliberations as a Committee of the Whole, to reach its decision.
- 2.37.8 h) the decision made by Council sitting as the Committee of the Whole shall be confirmed in open Council by Resolution immediately following the meeting of the Committee of the Whole and a certified copy of such Resolution shall be mailed to the Licensee, to any person who has appeared before Council and requested that a copy of the Resolution be provided to them.
- 2.38 The decision of Council shall be subject to such terms as Council may impose and shall be final.
- 2.39 No person shall operate or continue to conduct a business after the licence for it has been revoke.

CHARITABLE ORGANIZATIONS

- 2.40 Any charitable organization conducting special events in any category set out in this by-law for the sole purpose of raising funds for their organization shall not be required to obtain a licence provided that all the proceeds derived from the conduct of their event are used for charitable or religious purposes in Ontario and provided also that the fund raising is done by the charitable organization and not a third party. Charitable organizations must meet the same requirements for eligibility as set out in the Lottery Licensing Policy Manual provided by the Alcohol and Gaming Commission of Ontario and the Customs Excise and Income Tax Act of Canada. In the event that a charitable organization does not meet the requirements, the event may be held but the organization will be required to apply for a licence under the provisions of this by-law.

When a charitable organization operates a business on a permanent basis it shall be required to obtain a licence at no cost.

ENFORCEMENT

- 2.41 The provisions of this by-law shall be enforced by a Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer, or other duly appointed individual.

REGISTER

- 2.42 The Issuer of Licences shall keep a licence register in which shall be recorded the full operating name and address of each licensee, the address of the place or premises in which the licensee carries on, conducts, operates, maintains, keeps, or engages in the business, trade, occupation or calling, object or amusement for which the licence was issued, the number of the licence and any plates issued, the date of issue, the amount of the licence fee paid, the date of expiry of the licence, the type of licence issued, and any other particulars or observations pertaining to the same which are useful or necessary.

INSURANCE

- 2.43 Proof of the insurance coverage as required under this By-law shall be provided at the time of application in a form acceptable to the Town.

LICENCE FEES AND INSPECTIONS

- 2.44 Table 1 hereunder sets out those inspections, approvals and documentation required to accompany any application, the licence fee and the expiry date for all business licences covered under the provisions of this By-law. The licence fee shall be the highest of all cumulative classifications that applies to one place of business.

Failure to pay the annual licence fee on due date and applicable administrative fee 30 days after due date shall be considered the closing of the business. Therefore, the person shall apply for a new licence and pay the application fee. (Added by By-law N° 10-2014)

ADMINISTRATIVE FEE

- 2.45 Every licensee who fails to pay the renewal fee within the delay is liable to pay the Town an administrative fee of 30% of the licence fees prescribed in Table 1. (Added by By-law N° 69-2008)

3. **ADULT ENTERTAINMENT - NOVELTY**

Authority: Municipal Act, R.S.O. 2001

- 3.1 No person shall operate or maintain the business of an Adult Entertainment Novelty premises or location within the Town without first having obtained a licence to do so.
- 3.2 No person shall permit any individual under the age of 18 years to be present in any Adult Entertainment Novelty premises or location.
- 3.3 Every business licensed under this Section shall ensure that no pictures, bulletins, notices or other advertisement for any adult entertainment novelty item or product is placed in such a way within the premises or on such premises or about the premises where the business is carried on and located to as to be visible to the general public who have not entered such premises.
- 3.4 No person shall place or cause to be placed any pictures, bulletins, notices or other advertisement of any Adult Entertainment Novelty Item in such a way within the premises or about the premises where the business is carried on and located so as to be visible to the general public who have not entered such premises.

4. **ADULT ENTERTAINMENT PARLOUR**

Authority: Municipal Act, R.S.O. 2001

- 4.1 No person shall operate or maintain the business of an Adult Entertainment Parlour within the Town without first having obtained a licence to do so.
- 4.2 For the Purpose of this Section:
- 4.2.1 "Shareholder" and any words referring to a person holding shares includes all persons having a beneficial interest of any kind in the shares of a corporation.
- 4.3 The application shall show the full name, date of birth, and mailing address of the applicant.
- 4.4 If the applicant is a corporation, the applicant shall file with the Issuer of Licences at the time of application the legal name, date of birth and most recent residential and mailing address of every officer, director or shareholder of the corporation and shall also provide the most recent mailing address of the corporation. The applicant shall be responsible for maintaining up-to-date and current all the said information with the Issuer of Licences at all times.
- 4.5 If the applicant is a partnership, the applicant shall file with the application the legal name, date of birth and most recent residential and mailing address of every partner and shall also provide the most recent mailing address of the partnership. The applicant shall be responsible for maintaining up-to-date and current all the said information with the Issuer of Licences at all times.
- 4.6 Everyone to whom this Section applies shall notify the Issuer of Licences immediately of any change in any of the information required to be filed with the Issuer of Licences.
- 4.7 In the event of a sale, lease, or disposal in any other manner of the licensed premises, the new party obtaining possession of the premises and intending to use the same for the purpose of an adult entertainment parlour, shall apply as a new business in accordance with Section 2.2.
- 4.8 Every person carrying on the business of an adult entertainment parlour shall prominently display at each entrance to the premises sufficient signage reading:
- "ADULT ENTERTAINMENT PARLOUR"
- 4.9 No person shall permit any person under the age of eighteen years to be or act as an Adult Entertainment Attendant.
- 4.10 Every operator shall maintain and deliver to the Issuer of Licences at the commencement of every calendar week, or as otherwise required by the Issuer of Licences, a list of all attendants who will be providing services as an Adult Entertainment Attendant at the said premises during that calendar week and shall further maintain a list of all attendants who have provided services as an Adult Entertainment Attendant at the said premises at any time within the preceding twelve months. Every operator shall provide such list to the Issuer of Licences upon request. Every list of adult entertainment attendants shall identify the professional or stage name under which the adult entertainment attendant performed or is performing, their legal name, residential address and mailing address.
- 4.11 No person shall knowingly permit any Adult Entertainment Attendant, while providing services as an Adult Entertainment Attendant within the Adult Entertainment Parlour, to touch or be touched by, or have any physical contact with, any other person in any manner whatsoever, involving any part of any person's body.

- 4.12 No person shall allow any service to be provided by any Adult Entertainment Attendant within any area whatsoever which is not open to all customers and shall ensure that any services provided by an Adult Entertainment Attendant are within view of the main stage area and without obstruction of walls, curtains, or other enclosures, devices or objects whatsoever.
- 4.13 No person shall place or cause to be placed any pictures, bulletins, notices or other advertisement of any Adult Entertainment Attendants in such a way within the premises or on the premises so as to be visible to members of the general public who have not entered such premises.
- 4.14 Every person who contravenes the provisions of this by-law which apply to Adult Entertainment Parlour, and every director or officer of a corporation who concurs in the contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$25,000.00 or to imprisonment for a term not exceeding one year, or to both.

5. **ALARM INSTALLATION CONTRACTOR**

Authority: Municipal Act, R.S.O. 2001

- 5.1 No person shall operate or maintain the business of Alarm Installation Contractor within the Town without first having obtained a licence to do so.
- 5.2 No person shall perform any work in relation to alarms without first having obtained all necessary permits.
- 5.3 Any person who performs tests, inspections and maintenance of fire alarms and any person who repairs, replaces or alters components of a fire alarm system within the municipality must be certified in conformance with the article 1.1.5.3. of the Ontario Fire Code.

6. **ANTENNA INSTALLATION CONTRACTOR**

Authority: Municipal Act, R.S.O. 2001

- 6.1 No person shall operate or maintain the business of Antenna Installation Contractor within the Town without first having obtained a licence to do so.
- 6.2 No person shall perform any work in relation to Antenna Installations without first having obtained all necessary permits.

7. **ANTIQUÉ SALES**

Authority: Municipal Act, R.S.O. 2001

- 7.1 No person shall operate or maintain the business of antique sales from a permanent location within the Town without first having obtained a licence to do so.
- 7.2 Every proprietor or operator of any premises or permanent location which is operated or maintained for the purpose of antique sales business shall:
- 7.2.1 a) at all times keep any antique goods, wares or merchandise to be sold, offered for sale or displayed within a building and none of the antique goods, wares or merchandise shall be offered for sale, sold or displayed except within such building;
- 7.2.2 b) ensure that all antique goods, wares and merchandise sold or offered for sale are displayed and kept in a neat, tidy, sanitary and safe manner;
- 7.2.3 c) at any time, allow the licensed premises to be inspected by anyone appointed by the Town for that purpose and shall ensure that any reasonable changes in regard to the operation or conduct of the business are carried out as required by the inspector promptly;
- 7.2.4 d) maintain a record of all goods, wares, merchandise or articles purchased or taken in exchange or otherwise obtained, either at the licensee's place of business or elsewhere. The entry shall be made at the time of purchase or acquisition including a full description of the goods, wares, merchandise or articles including the make, model and serial number where applicable, the price paid therefor, and the name, address and description of the person from whom the purchase or acquisition was made, sufficient to identify such persons;
- 7.2.5 e) comply with the provisions of the Town Noise Control By-law;
- 7.2.6 f) provide a copy of any record referred to in Section 7.2.4 to a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual upon demand and deliver a copy of monthly records to the Issuer of Licences at the end of each calendar month. Such record shall be open to inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at all times during business hours and may be removed at any time by such officer to the office of the Issuer of Licences or to Police Headquarters for inspection there, or for use in the Courts, if necessary;
- 7.2.7 g) retain possession of the goods and articles referred to in section 7.3.4 during thirty days following their acquisition on the premises to which the licence is issued and be keep in a separate location from previously purchased goods and articles;
- 7.2.8 h) where he has reasonable cause to believe or suspect that any goods, wares, merchandise or other article offered for sale or trade has been stolen or otherwise unlawfully obtained, he shall forthwith report the matter to Hawkesbury Police Service and the Issuer of Licences.
- 7.3 No proprietor or operator of premises operated for the purpose of Antique Sales shall:
- 7.3.1 a) burn or cause or suffer to be burned any type or kind of combustible material or matter except only material or matter used for heating fuel and burned in a heating unit installed for that purpose, or as otherwise permitted by the Hawkesbury Fire Department in accordance with the by-laws of the Town;
- 7.3.2 b) conduct such business in such a manner as to be a public or private nuisance;

- 7.3.3 c) directly or indirectly purchase from, exchange with, or receive from or in pledge from any minor, under the age of eighteen years, without written authority from a parent or guardian of such minor, any goods, wares or articles;
- 7.3.4 d) alter, repair, dispose of or in any way part with any goods, wares or articles purchased or taken in exchange until after the expiration of thirty days, from the date of acquisition thereof.

8. **APPLIANCE REPAIR**

Authority: Municipal Act, R.S.O. 2001

- 8.1 No person shall operate or maintain the business of Appliance Repair within the Town without first having obtained a licence to do so.
- 8.2 No person shall store any new or used appliance or any part thereof outside of the premises from which the Appliance Repair business is conducted.

9. **AUCTIONEER**

Authority: Municipal Act, R.S.O. 2001

- 9.1 No person shall sell or put up for sale goods, wares, merchandise or effects by public auction within the Town without first having obtained a licence to do so.
- 9.2 Upon receipt of the application the Issuer of Licences shall make inquiries to the Chief of Police, regarding the application and the Chief of Police shall respond to such inquiries.
- 9.3 Where all other conditions have been met and approvals obtained, the applicant shall be issued a licence.
- 9.4 The auctioneer shall, at all auctions, prominently display his licence issued pursuant to this By-law, and shall in all public advertisements, include his municipal licence number.
- 9.5 An auctioneer shall not:
- 9.5.1 a) permit any disorder in his auction room or premises;
- 9.5.2 b) be involved directly or indirectly in any mock auction;
- 9.5.3 c) make or permit to be made any misrepresentation as to the nature, content, quantity or value of any goods, wares, merchandise or effects which may be offered for sale by him;
- 9.5.4 d) give away articles or sell them for nominal amounts for the purpose of stimulating bidding;
- 9.5.5 e) do anything for the purpose of confusing a purchaser as to the amount he pays for any article(s);
- 9.5.6 f) by deceit, falsehood, or other fraudulent means stimulate or raise bids or cause to be stimulated or raised bids affecting the selling price of any item offered for sale to the public at a public auction;
- 9.5.7 g) sell or put up for sale by auction any goods, wares, merchandise or effects held on a reserve bid basis without first announcing to those in attendance at the auction the fact that such item is offered subject to a reserve bid.
- 9.6 Every auctioneer shall advise the Issuer of Licences at least seven (7) days in advance, of the time, date and location of every auction.
- 9.7 Nothing herein contained shall apply to a Sheriff's or Bailiff's Sale.
- 9.8 Every auctioneer shall keep proper books of account of the business transacted by him as an auctioneer which books shall give the names and addresses of the owners of the goods, wares, merchandise or effects to be sold, the description of same, the price for which the same may be sold, the names and addresses of the persons purchasing such goods, wares, merchandise or effects or any portion thereof, the price for which the same was sold and the auctioneer shall forthwith, after the sale of same, or any portion thereof, account for the proceeds and pay the same to the person(s) entitled to such proceeds, less the auctioneer's legal and proper commissions and charges; and he shall, in case no sale is made of such goods, on payment of his proper costs and charges, return such goods to the person(s) entitled to receive such goods on proper demand being made for such goods.
- 9.9 Nothing in this Section shall in any way affect or invalidate the claim of any auctioneer for goods warehoused with him, and which he has advanced money on the anticipated sale thereof.

9.10 Service clubs and registered charitable organizations conducting Silent Auctions and Chinese Auctions, and as approved by the Issuer of Licenses shall be exempt from the provisions of Section 11.

10. **AUTOMOBILE BODY REPAIR**

Authority: Municipal Act, R.S.O. 2001

- 10.1 No person shall operate or maintain the business of Automobile Body Repair within the Town without first having obtained a licence to do so.
- 10.2 Every proprietor or operator of an Automobile Body Repair shall comply with the Town Noise Control By-law.
- 10.3 Every premises shall be adequately ventilated in accordance with the provisions of the Ontario Fire Code.
- 10.4 No person shall:
- 10.4.1 a) permit licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;
- 10.4.2 b) park or store any motor vehicle on any sidewalk, boulevard, highway or road;
- 10.4.3 c) permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle while stationary, unless an adequate installation is provided to ensure exhausting of carbon monoxide fumes outdoors;
- 10.4.4 d) remove or cause to be removed any snow from the premises which is deposited on any public sidewalk, street or roadway.
- 10.5 Every person shall:
- 10.5.1 a) keep the premises free from rubbish and in a clean and neat condition;
- 10.5.2 b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of their business.
- 10.6 The use of two (2) tow trucks may be included in the licence if they are operated and owned or leased on a long term lease by the same owner of the business.

11. **AUTOMOBILE LEASING/RENTAL**

Authority: Municipal Act, R.S.O. 2001

- 11.1 No person shall operate or maintain the business of Automobile Leasing or Automobile Rental within the Town without first having obtained a licence to do so.
- 11.2 The licensee shall keep a record of the make, model, vehicle identification number and licence plate number of each automobile leased or rented.
- 11.3 The licensee shall obtain from every person leasing or renting any automobile, prior to removing any automobile from the premises, identification indicating his legal name, current address and valid Ontario Driver's Licence number.
- 11.4 All automobiles which are leased shall be regularly inspected by a qualified mechanic and certified if previously owned. The licensee shall keep a proper record of all inspection made in compliance with this section.
- 11.5 The licensee shall, at the request of the Issuer of Licences or any Municipal Law Enforcement Officer, submit any automobile available for lease or rent, to a qualified mechanic for inspection and certification and produce such proof of inspection and certification to the Issuer of Licences or Municipal Law Enforcement Officer.
- 11.6 No person shall lease any automobile or permit any automobile to leave the premises of the licensee unless such automobile is duly insured with liability insurance of no less than \$1,000,000.
- 11.7 No person shall:
- 11.7.1 a) permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;
- 11.7.2 b) park or store any motor vehicle on any sidewalk, boulevard, highway or road;
- 11.7.3 c) permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle, unless adequate ventilation is provided to ensure exhausting of carbon monoxide fumes outdoors;
- 11.7.4 d) remove or cause to be removed any snow from the premises which is deposited on any public sidewalk, street or roadway.
- 11.8 Every person shall:
- 11.8.1 a) keep the premises free from rubbish and in a clean and neat condition;
- 11.8.2 b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of the business.

12. **AUTOMOBILE SALES**

Authority: Municipal Act, R.S.O. 2001

12.1 No person shall own or operate or maintain the business of Automobile Sales within the Town without first having obtained a licence to do so.

12.2 A separate licence shall be required in respect of each premises used by any person from which the retail sale of vehicles shall be conducted.

12.3 No person shall:

12.3.1 a) permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;

12.3.2 b) park or store any motor vehicle on any sidewalk, boulevard, highway or road;

12.3.3 c) permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle, unless adequate ventilation is provided to ensure exhausting of carbon monoxide fumes outdoors;

12.3.4 d) remove or cause to be removed any snow from the premises which is deposited on any public sidewalk, street or roadway.

12.4 Every person shall:

12.4.1 a) keep the premises free from rubbish and in a clean and neat condition;

12.4.2 b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of the business.

13. **AUTOMOBILE WRECKING YARD**

Authority: Municipal Act, R.S.O. 2001

13.1 No person shall operate or maintain the business of Automobile Wrecking within the Town without first having obtained a licence to do so.

13.2 Every proprietor or operator of any automobile wrecking yard shall:

13.2.1 a) at all times keep any automobile or part of an automobile or any other goods stored or to be stored in a safe manner;

13.2.2 b) maintain a record of all goods purchased or taken in exchange or otherwise obtained, either at the licensee's place of business or elsewhere. Such entry to be made at the time of purchase or acquisition including a full description thereof, the make, model and serial number or vehicle identification number, where applicable, the price paid therefor, and the name, address and description of the persons from whom the purchase or acquisition was made which is sufficient to identify such persons.

13.2.3 c) comply with the provisions of the Town Noise Control By-law;

13.2.4 d) provide a copy of any record referred to in Section 13.2.2 to a Law Enforcement Officer upon demand and shall deliver a copy of monthly records to the Issuer of Licences at the end of each calendar month. Such record shall be open to inspection by Law Enforcement Officer at all times during business hours and may be removed at any time by such officer to the office of the Issuer of Licences or to Police Headquarters for inspection there, or for use in Court proceedings, if required;

13.2.5 e) where he has reasonable cause to believe or suspect that any automobile, part of an automobile, metal, goods or article stored or offered for sale or trade has been stolen or otherwise unlawfully obtained, he shall forthwith report the matter to the Hawkesbury Police Service and the Issuer of Licences;

13.2.6 f) during the period of thirty days referred to in Section 13.3.4 the goods or articles so obtained shall remain on the licensed premises and shall be kept in a separate location from other automobiles, parts of automobiles, metals, goods or articles.

13.3 No proprietor or operator of any wrecking yard shall:

13.3.1 a) burn or allow the burning of any kind or type of combustible material or matter except material or matter used for heating fuel and burned in a heating unit installed for that purpose, or as otherwise permitted by the Hawkesbury Fire Department in accordance with the by-laws of the Town;

13.3.2 b) conduct such business in such a manner as to be a public or private nuisance;

13.3.3 c) directly or indirectly do business with any minor, without written authority from a parent or guardian;

13.3.4 d) alter, repair, dispose of or in any way part with any automobile, part of an automobile, metals, goods or articles purchased or taken in exchange until after the expiration of thirty days, from the date of acquisition thereof.

13.4 No person shall:

13.4.1 a) permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;

- 13.4.2 b) park or store any motor vehicle on any sidewalk, boulevard, highway or road;
- 13.4.3 c) permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle, unless adequate ventilation is provided to ensure exhausting of carbon monoxide fumes outdoors;
- 13.4.4 d) remove or cause to be removed any snow from the premises which is deposited on any public sidewalk, street or roadway.

13.5 Every person shall:

- 13.5.1 a) keep the premises free from rubbish and in a clean and neat condition;
- 13.5.2 b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of the business.

14. **BED AND BREAKFAST ESTABLISHMENT**

Authority: Municipal Act, R.S.O. 2001

- 14.1 No person shall operate or maintain the business of a Bed and Breakfast Establishment within the Town without first obtaining a licence to do so.
- 14.2 No person shall post any sign contrary to the provisions of any municipal by-law.
- 14.3 No person shall, in relation to the operation of a bed and breakfast establishment, park or permit to be parked any vehicle contrary to any municipal by-law.
- 14.4 Every person shall ensure that each room is provided with clean linens, including towels, any other customary toilet supplies for each registered guests.
- 14.5 Every person shall keep a register of all patrons showing their name, address, the vehicle make and licence plate number including Province or State from which such plate was issued, the date of admission and departure and shall provide such register upon request of the Issuer of Licences, to a Municipal Law Enforcement Officer.
- 14.6 Every person shall at the time of application, provide to the Issuer of Licences, a list detailing the number of rooms and facilities offered by the establishment.

15. **BILLIARD, POOL or BAGATELLE ESTABLISHMENTS**

Authority: Municipal Act, R.S.O. 2001

- 15.1 No person shall operate or maintain the business of a Billiard, Pool or Bagatelle Establishment within the Town or keep or have or possess on his premises any billiard, pool or bagatelle table for gain within the Town without first having obtained a licence to do so.
- 15.2 The licensee shall maintain, keep and operate, at all times, the premises licensed hereunder in an orderly and proper manner.
- 15.3 The licensee shall ensure that within the licensed premises there are no payoffs, betting or offering of any article or thing as prize in contravention of the Criminal Code.
- 15.4 The Chief of Police or other Law Enforcement Officer may, at any time, enter upon business premises in which they have reason to believe there is kept any billiard, pool or bagatelle table contrary to the provision herein and may, at any time, enter upon premises licensed for billiard, pool or bagatelle tables when they have reason to believe that anyone on the premises may be gambling, aiding or abetting gambling therein.

16. **BODY PIERCING PARLOUR**

Authority: Municipal Act, R.S.O. 2001

- 16.1 No person shall operate or maintain a Body Piercing Parlour within the Town without first obtaining a licence to do so.
- 16.2 No person shall dispose of any needle or other similar piercing instrument, item or tool in an unsafe manner.
- 16.3 No person shall provide services of body piercing to any person who is known or suspected of suffering from a contagious disease.

17. **BOWLING ALLEYS**

Authority: Municipal Act, R.S.O. 2001

- 17.1 No person shall operate or maintain a Bowling Alley within the Town without first having obtained a licence to do so.
- 17.2 The licence shall reflect a maximum occupant load allowed which shall be determined by the Town's Chief Fire Official.
- 17.3 Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.
- 17.4 Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the premises licensed as a bowling alley.
- 17.5 The licensee shall maintain, keep and operate at all times the premises licensed hereunder, in an orderly and proper manner.

18. **CAR WASH**

Authority: Municipal Act, R.S.O. 2001

- 18.1 No person shall operate or maintain a Car Wash within the Town without first obtaining a licence to do so.
- 18.2 This Section shall not apply to a bay contained within any premises where car washing is performed as a courtesy operation to any other primary purpose of such premises.
- 18.3 No licensee shall permit the engine of a motor vehicle to run in any building, unless adequate ventilation is provided to ensure exhausting of any carbon monoxide fumes outdoors.
- 18.4 No licensee under this Section shall use or permit to be used, any portion of the premises for washing of motor vehicles unless:
- 18.4.1 a) the point at which cars leave the car wash building is a minimum of 6 metres from the street line of the street which the cars will enter when leaving the premises;
 - 18.4.2 b) vehicle waiting spaces are in accordance with the Town Zoning By-law;
 - 18.4.3 c) not more than two waiting lines lead to each washing bay;
 - 18.4.4 d) the motor vehicles in the waiting line are prevented by a physical barrier from having access to gasoline pumps and other service facilities;
 - 18.4.5 e) the waiting line is unobstructed at any time by parked cars;
 - 18.4.6 f) all driveways to the washing bay is a minimum of 3 metres in width;
 - 18.4.7 g) one-way driveways are clearly designated by a sign at the street line;
 - 18.4.8 h) during hours of business, adequate illumination is provided to the service bays, such lighting is so arranged as to deflect light into the service bays and away from adjoining properties or streets;
 - 18.4.9 i) no vehicle left for washing is kept, on a temporary basis on private property.
 - 18.4.10 j) all car wash shall have a water meter.

19. **CAR WASH - MOBILE**

Authority: Municipal Act, R.S.O. 2001

19.1 No person shall operate or maintain the business of a Mobile Car Wash within the Town without first obtaining a licence to do so.

19.2 No person shall wash any vehicle on any Town street or boulevard.

19.3 No person shall park any vehicle being washed or utilized in the operation of the car wash contrary to any Town by-law.

20. **CARNIVAL**

Authority: Municipal Act, R.S.O. 2001

- 20.1 No person shall operate or maintain the business of a Carnival, the operation of any merry-go-round, carousel, switchback railway, or other ride or game of amusement associated with such operation within the Town without first having obtained a licence to do so.
- 20.2 No person having control or charge of such an operation shall commence to assemble or erect any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus, or mechanical device or ride or any other structure or erection until a licence has been obtained.
- 20.3 Every person to whom this Section applies shall provide the name and address of the person having control and charge of the operation of the business.
- 20.4 Every person making application shall provide proof of liability insurance in the minimum amount of \$1,000,000 and in a form acceptable to the Town. Such insurance shall provide that the insurer shall notify the Town in writing of any change in the policy including notice of the expiration or cancellation thereof 30 days prior to any such change. Where the operation of such carnival will take place on any Town owned property, liability insurance shall also include and name The Corporation of the Town of Hawkesbury as co-insured; when the insurance policy expires so does the licence.
- 20.5 On the licensed property the electrical system, equipment, fuses and switches shall be inaccessible to the public and cables in the ground in areas used by the public shall be placed in trenches or suitably protected as required by the Electrical Safety Authority.
- 20.6 All electrical systems shall be operated and maintained in a safe and proper manner.
- 20.7 Where rides are provided, a certificate of mechanical fitness of each ride by the Technical Standards Setting Authority shall be filed by the operators of the carnival business with the Licence Issuing Officer of the Town.

21. **CATERER**

Authority: Municipal Act, R.S.O. 2001

- 21.1 No person shall operate or maintain the business of Caterer within the Town without first obtaining a licence to do so.
- 21.2 No person shall operate or provide any service as a caterer in any unsanitary condition or in any premises which, because of the situation, construction or condition thereof, exposes any food to the risk of contamination.
- 21.3 Every person shall ensure that suitable sanitary conveniences are provided for every premises where a caterer prepares or serves food and shall ensure that such premises are:
- 21.3.1 a) kept in a clean and efficient order;
 - 21.3.2 b) suitable for any area where food is prepared, stored or served so as to prevent any offensive odours from penetrating into such areas or rooms;
 - 21.3.3 c) adequately sufficiently lighted and ventilated.
 - 21.3.4 d) shall meet all conditions required by the Eastern Ontario Health Unit.
- 21.4 No person shall use any room used for the preparation, keeping or storage of any food, as a place for sleeping.
- 21.5 Every person operating as a caterer shall take necessary precautions to prevent the infestation by rodents, insects and other vermin of any premises used by him in the preparation, keeping or storage of food.
- 21.6 Every person who engages in the preparation or handling of food in relation to the services provided by a caterer licensed or required to be licensed under this section shall, while so engaged, take all such steps as may be necessary to protect the foodstuffs being prepared, stored or handled from the risk of contamination.
- 21.7 Every person shall ensure that food which is susceptible to spoilage and the action of toxin producing organisms shall be kept under refrigeration in accordance with the norms of the Eastern Ontario Health Unit.
- 21.8 No person shall permit any dog, cat or other animal to be in or on any premises or place where food is being prepared.
- 21.9 Every person shall ensure that refuse containers are emptied at least once every 24 hour period and that the contents of such containers are transferred to approved holding receptacles for pick-up by the municipal garbage disposal service.

22. **CIGAR, CIGARETTE & TOBACCO SALES**

Authority: Municipal Act, R.S.O. 2001

- 22.1 No person operate or maintain a business which sells, offers for sale or permits to be sold cigars, cigarettes or tobacco or any other tobacco product within the Town without having first obtained a licence to do so.
- 22.2 No person shall sell cigars, cigarettes or tobacco by means of an automatic vending machine.
- 22.3 No person shall either directly or indirectly sell, or give or furnish to a person under nineteen years of age, cigars, cigarettes and/or tobacco in any form as set out in the Tobacco Control Act, S.O. 1994, c. 10.
- 22.4 A licence shall not be required by a hotel establishment [Municipal Act, R.S.O. 1990, c. M.45, as amended].

23. **CIRCUSES & SIMILAR SHOWS**

Authority: Municipal Act, R.S.O. 2001

- 23.1 No person shall operate or maintain the business of a Circus or similar show within the Town without first having obtained a licence to do so.
- 23.2 No person owning, operating or having control or charge of a circus, travelling show or other similar show shall locate within the Town or commence to assemble or erect within the Town, any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus or mechanical device or ride or other structure or erection, and no licensee of premises within the Town who has rented or leased such premises or authorized the same to be used by a circus or similar show, shall permit or allow such circus or show to assemble or erect on such premises, any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus or mechanical device or ride or any other structure or erection until a licence has been obtained for the operation and conduct of such circus, travelling or similar show.
- 23.3 Every person making application for the operation of a circus, travelling or similar show, to be operated within a Town building or on Town premises, shall provide, proof of liability insurance, in an amount not less than \$1,000,000 and in a form acceptable to the Town. Such insurance shall provide that the insurer shall notify the Town in writing of any change in the policy including notice of expiration or cancellation thereof 30 days prior to any such change. Where the operation of such circus will take place on any Town owned property, liability insurance shall also include and name The Corporation of the Town of Hawkesbury as an additional insured.
- 23.4 The electrical systems, equipment, fuses and switches shall be inaccessible to the public and cables in the ground in areas used by the public shall be placed in trenches or suitably protected as required by the Electrical Safety Authority.
- 23.5 All electrical systems shall be operated and maintained in a safe and proper manner.
- 23.6 Where rides are provided, a certificate of mechanical fitness for each ride issued by the Technical Standards Setting Authority shall be provided by the operator of the circus to the Licence Issuing Officer at the time of application for a licence.

24. **CLOTHING AND OTHER USED GOODS DONATION BINS**

Authority: Municipal Act, 2001, S.O. 2001

24.1 For the purposes of this Section, the following words shall have the following meanings:

“non-profit organization” means a corporation without share capital, or an organization, whether or not incorporated, that exists solely for the relief of poverty, the advancement of education, the advancement of religion, or other charitable purpose in the province of Ontario, where no part of the profits earned by the organization or corporation are payable to or otherwise available for the benefit of any owner, member, director or shareholder thereof, except where the shareholder is also a non-profit or bona-fide charitable organizations;

“donation bins” means any receptacle used, or intended to be used, in whole or in part, for the purpose of collecting clothing or other used goods donated by the public;

“private property” means any property not owned by the Town, the Province or the Federal Government.

24.2 No person shall be authorized to install a clothing and other used goods donation bins within the Town without first having obtained a licence to do so.

24.3 The applicant, further to the information required in Subsection 2.3.2, shall submit with the application, the following:

- a) A written letter of consent from each private property owner providing express permission for the placement of the donation bins on the private property;
- b) A site plan or sketch showing the proposed location of the donation bin on the private property;
- c) The current zoning for the proposed location of the donation bin;
- d) A written description and photo (sketch) of the proposed donation bin;
- e) Proof of corporate status, including for every bona-fide charitable organization and non-profit organization, the applicable registration number; and
- f) A list containing the locations of all donation bins of the Applicant/Licensee within the Town.

24.4 No person shall place any donation bin on a property zoned residential.

24.5 No person shall place any donation bin on a private property without having the authorization of the owner.

24.6 No private property owner or occupier shall permit any donation bin to be left on the private property they own or occupy without a valid licence issued by the Issuer of Licences.

24.7 Every licensee shall be permitted up to two (2) donation bins per location and a maximum of ten (10) donation bins per licence.

24.8 In no event shall any licensee be permitted to obtain more than one licence under this By-law. For the purpose of this By-law, where the licensee is a corporation, the word “licensee” shall include all affiliates of the corporation, as the term “affiliates” is defined in the *Business Corporations Act*.

24.9 Every licensee shall ensure the following information is displayed on each donation bin in lettering no smaller than 100 mm x 75 mm, which lettering must be of a contrasting colour to the background of the information:

- i) Name, address and telephone number of the licensee and the operator (shall be current and valid information);
- ii) Type of organization, if the licensee or the operator is a bona-fide charitable organization or non-profit organization;

- iii) Registration number, if the licensee or the operator is a bona-fide charitable organization or a non-profit organization;
 - iv) Schedule of times for pick-up of donated clothing or goods;
 - v) Location of any alternative clothing donation bins of the same licensee;
 - vi) The applicable confirmation of licence issued by the Issuer of Licences, which must be displayed in a prominent location.
- 24.10 All donation bins shall be of metal construction with a self-closing deposit door/hatch. Any other point of entry into the donation bin must be locked at all times when the donation bin is unattended.
- 24.11 Every licensee shall ensure the donation bin is clean, in good repair, and free of graffiti, and shall ensure that all areas immediately adjacent to the donation bin are clean and free of litter and other debris and in full compliance with other municipal by-laws of the Town.
- 24.12 It shall be the responsibility of the licensee to dispose at its own expenses clothing, used goods and any other material that are left at the donation bin and are considered not suitable for human use.
- 24.13 Licensee are required to notify the Town forthwith of any changes to the information filed.
- 24.14 Donation bins shall not be place in any location where they may create a visual obstruction for vehicular or pedestrian traffic.
- 24.15 Donation bins shall not be placed within three (3) meters of an access to or egress from any property, and no closer than six (6) meters from any lot line fronting any roadway.
- 24.16 Donation bins shall not be closer than fifteen (15) meters from any lot line abutting any residential property.
- 24.17 Donation bins shall not be place on or within one (1) meter from any fire access route, or in any location where the donation bin may obstruct a fire hydrant or fire department connection, or in such close proximity to a building that the donation bin may create a fire hazard.
- 24.18 Servicing of donation bins or pick-up of donated goods must be conducted between 7:00 a.m. and 9:00 p.m.
- 24.19 Any donation bin not registered to a licensee under this By-law, or otherwise found to be in contravention of this By-law shall be subject to immediate removal and impounding by the Town. All costs incurred in the removal and/or impounding of the donation bin shall be the sole responsibility of the licensee, the operator of the donation bin, or both.
- 24.20 Any donation bin impounded and stored including its content for a period of more than thirty (30) days may be disposed of in a manner as may be determined by the Town. In no event shall the Town be held liable or in any way responsible for any loss, damage, or cost incurred by the licensee, operator or any third party due to said removal and/or disposal.
- 24.21 Charitable and non-profit organizations shall be required to apply for and obtain a licence pursuant to this By-law; however no application fees, licence fee and renewal fees will be charged for licences issued to same.

25. **DELIVERY/COURIER SERVICE**

Authority: Municipal Act, R.S.O. 2001

- 25.1 No person shall operate or maintain the business of a Delivery Service or Courier Service within the Town without first obtaining a licence to do so.
- 25.2 No person shall deliver any alcoholic beverage or product to any person under the age of 19 years of age. Where the person receiving any alcoholic beverage or product appears to be under the age of nineteen years of age, the person making the delivery of alcoholic beverage or product shall not make the delivery until satisfied, by the production of photographic identification, that the person to whom he is delivering the beverage or product is at least nineteen years of age.
- 25.3 No person shall deliver any cigarette or tobacco product to any person under nineteen years of age. Where the person receiving any cigarette or tobacco is believed to be under nineteen years of age, the person making the delivery of cigarette or tobacco product shall not deliver such product until satisfied by the production of photographic identification that the person to whom he is delivering the product is at least nineteen years of age.

26. **DOOR TO DOOR SALES AND SERVICE PERSON**

Authority: Municipal Act, R.S.O. 2001

- 26.1 No person shall operate or conduct business as a Door to Door Salesperson or Serviceperson within the Town without first obtaining a licence to do so.
- 26.2 No person shall engage in, or carry on his business by going from door-to-door within any residential zone of the Town before 9:00 a.m. any day or after 9:00 p.m. any day.
- 26.2.1 No person shall engage in, or carry business by going door to door within the Town without first obtaining a photo ID from the office of the By law officer.
- 26.3 Notwithstanding the provisions of Section 26.2, a person shall be permitted to engage in, or carry on his respective trade, calling, business or occupation by passing door-to-door at any time of any day but only to premises carrying out an actual commercial use within a commercial zone, as defined within the Town Zoning By-law No 84-94, as amended.
- 26.4 For the purpose of Section 26.3:
- 26.4.1 "actual commercial use" means - a premises carrying on business for profit and open to the public for the purpose of retail sales, including the sale of food and alcohol, however does not include residential premises, non-profit operations, offices and services facilities within a commercial zone.

27. **DRIVING SCHOOL OPERATOR**

Authority: Municipal Act, R.S.O. 2001

27.1 No person shall operate or maintain the business of Driving School Operator within the Town without first having obtained a licence to do so.

27.2 Every driving school operator shall:

27.2.1 a) be of the full age of 18 years;

27.2.2 b) be fluent in reading and writing the French and English languages;

27.2.3 c) provide the Issuer of Licences with his mailing and operating address and within (14) fourteen days of any change in his mailing or operating address, advise the office of the Issuer of Licences of the change and furnish the particulars of his new address;

27.2.4 d) before taking out a licence, advise the Issuer of Licences of all vehicles to be used in the business, identifying the same by vehicle make, model and Licence Plate number. Any change or addition of such vehicles shall be reported, as soon as it occurs, to the Issuer of Licences and the Driving School Operator shall provide the make, model and Licence Plate number of any and all vehicles affected. If the Operator ceases to use any such vehicle, the plate issued by the Town shall be immediately returned to the Issuer of Licences. Where vehicles are added to the operation, plates shall be issued by the Issuer of Licences and placed by the Operator on the vehicle as outlined in Section 27.3.6;

27.2.5 e) provide in every vehicle used in the business a frame or other device for displaying the licence and photograph of the driving instructor to the interior of the vehicle;

27.2.6 f) keep a permanent record of the name and address of each student, the date of commencement and date of completion of instruction, the date, time and name of instructor of each lesson, the number of the student's Ontario Motor Vehicle Operator's Licence or Ontario Motor Vehicle Temporary Instruction Permit and the expiry date of such Motor Vehicle Operator's Licence or Motor Vehicle Temporary Instruction Permit;

27.2.7 g) allow the Issuer of Licences or other person(s) so authorized by Council to have access to all premises, vehicles, equipment, books and records used in the business and submit any vehicle for inspection at such time and place as may be designated by the Issuer of Licences, at the owner's expense;

27.2.8 h) ensure that all vehicles used in the business are maintained in a safe and roadworthy condition, at the time of application or addition or change of vehicles provide proof of certification by a licensed automobile mechanic for each vehicle to be used, except where the additional or replacement vehicle is new.

27.2.9 i) notify the Issuer of Licences, in writing, of the name and address of each driving instructor employed by him and the date of commencement of such employment and of the name and address of any driving instructor ceasing to be employed by such Driving School Operator, the date that such driving instructor ceased to be employed, not later than (14) fourteen days after commencement or ceasing of the employment;

27.2.10 j) furnish to the Issuer of Licences a written Statement of Rates and Charges for all services provided by the school, which statement shall be in a form approved by the Issuer of Licences and ensure that no other rates or charges are demanded or received by the school or any of its instructors;

- 27.2.11 k) before entering into agreement for driving instruction with any person, or giving instruction, furnish to such person a written statement of all rates and charges as filed with the Issuer of Licences;
- 27.2.12 l) adhere to the rates and charges published in the statement referred to in clause (j), Section 27.2.10 and give (14) fourteen days advance notice to the Issuer of Licences of any new Rates and Charges which he proposes to establish in lieu of the existing Rates;
- 27.2.13 m) in respect of each driving school vehicle procure a public liability insurance in the minimum amount of \$1,000,000 endorsed to the effect that the municipality shall be given at minimum (30) thirty days notice in writing of any change in the insurance coverage including notice of any cancellation, expiration or change and provide a copy of such policy to the Issuer of Licences at the time of application.

27.3 No driving school operator shall:

- 27.3.1 a) cause or permit instruction to be given in any vehicle which has not, in addition to the standard controls and brakes used by the driver, extra braking equipment in good working condition placed in a position for ready use by the instructor or operator seated beside the driver;
- 27.3.2 b) cause or permit instruction to be given to, or an agreement to be entered into with, any student driver who fails to produce a current Ontario Motor Vehicle Operator's Licence or a current Ontario Motor Vehicle Operator's Temporary Instruction Permit;
- 27.3.3 c) cause or permit driving instruction to be given upon any street or area in the Town of Hawkesbury, from time to time, as maybe designated by resolution of Council;
- 27.3.4 d) cause or permit driving instruction to be given to any student, during the first hour of practical training, on any primary traffic artery, main highway, route or heavily travelled thoroughfare;
- 27.3.5 e) advertise driving school service or instruction unless he operates from the address so licensed and advertised;
- 27.3.6 f) use or permit to be used in his business, any vehicle unless the same has securely affixed to the back, thereof, and in a visible and prominent position, as recommended by the Issuer of Licences, a plate issued by the Issuer of Licences bearing an identifying number and indicating that such a vehicle is used in a business licensed for the current year by the Issuer of Licences;
- 27.3.7 g) use or permit to be used in his business, any vehicle that has not been certified and approved and recorded by the Issuer of Licences, or a vehicle which is in any way unsafe or not roadworthy;
- 27.3.8 k) employ an Instructor not licensed under the provisions of this By-law;
- 27.3.9 l) use or permit to be used in his business any vehicle unless the same bears:
 - 27.3.9.1 i) a valid Province of Ontario licence plate
 - 27.3.9.2 ii) a sign(s) of such nature, size and location on the vehicle as to be readily legible at a distance of 15 metres from the front and rear of the vehicle; which sign shall bear the driving school name, address and telephone number and which sign shall not obstruct the clear view of the plate referred to in Section 27.3.6
 - 27.3.9.3 iii) any other number, sign, card or plate required by the Issuer of Licences.

28. **DRY CLEANER**

Authority: Municipal Act, R.S.O. 2001

- 28.1 No person shall operate or maintain the business of a Dry Cleaner within the Town without first having obtained a licence to do so.
- 28.2 Every licensee shall, at all times, maintain and conduct his business in a sanitary manner as prescribed by the Eastern Ontario Health Unit.
- 28.3 Every licensee shall cause the premises, in respect of which such licence is issued, together with any offices, appurtenances, and any vehicles, wagons or trucks used in connection therewith, to be kept in a clean and sanitary condition and as prescribed by the Eastern Ontario Health Unit.
- 28.4 The licensee shall not allow any workroom used for the carrying on of business to be used for sleeping.
- 28.5 Every person engaged in the business of Dry Cleaner while in such premises shall keep himself and his wearing apparel in a clean and sanitary condition.
- 28.6 No owner or operator of a dry cleaning establishment shall permit:
- 28.6.1 a) the use of solvents that are flammable and emit offensive or unpleasant odours;
- 28.6.2 b) any activity which may cause noise or vibrations which can be heard or can reverberate outside the licensed premises.

29. **ELECTRICAL CONTRACTOR**

Authority: Municipal Act, R.S.O. 2001

- 29.1 No person shall operate or maintain the business of Electrical Contractor within the Town without first having obtained a licence to do so.
- 29.2 No person shall be licensed as an Electrical Contractor who is under the age of 18 years.
- 29.3 Every Electrical Contractor shall be a Master Electrician or shall employ a Master Electrician on any site where the business is carried on.
- 29.4 No person shall perform or permit to be performed any electrical work that is not under the direct personal supervision of a Master Electrician.
- 29.5 Every Electrical Contractor shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the electrical contractor and all employees. Such policy shall be endorsed to the effect that the municipality shall be given a minimum (30) thirty days notice in writing of any change in the insurance coverage including notice of cancellation, expiration or change, and provided a copy of such policy to the Issuer of Licences at the time of application.
- 29.6 Every Electrical Contractor shall, upon application, provide details of his place of business and within fourteen (14) days of any change of address, notify the Issuer of Licences of his new address.
- 29.7 Failure to maintain public liability insurance acceptable to the Issuer of Licences shall render the Electrical Contractor's licence null and void.
- 29.8 Every Electrical Contractor shall, upon application, provide in writing, the names and addresses of all Master Electricians employed by him to perform work in the Town.
- 29.9 Every Electrical Contractor shall, within fourteen (14) days of any change in the Master Electrician employed by him to perform work within the Town, provide to the Issuer of Licences, the name and address of the new Master Electrician and shall ensure that such Master Electrician has obtained the appropriate Provincial licence.

30. **ESCORT ATTENDANT**

Authority: Municipal Act, R.S.O. 2001

- 30.1 No person shall operate or carry on business or offer services as an Escort Attendant within the Town without first having obtained a licence to do so.
- 30.2 No person shall provide services for any escort service unless such business is licensed under the provisions of this By-law.
- 30.3 No person under the age of eighteen may be or act as an Escort Attendant or provide services as an Escort Attendant.
- 30.4 No escort attendant shall, while providing services as an escort attendant, provide any services as an adult entertainment attendant.
- 30.5 Every escort attendant shall, upon application for a licence, provide all professional names used by such attendant as well as identification detailing the attendant's birth date, legal name and most recent residential and mailing address.
- 30.6 Every attendant shall carry with him/her at all times, and produce upon demand to any law enforcement officer or other duly appointed individual, his/her photographic identification card issued by the Issuer of Licences.

31. **ESCORT SERVICE**

Authority: Municipal Act, R.S.O. 2001

- 31.1 No person shall operate or maintain the business of an Escort Service within the Town without first having obtained a licence to do so.
- 31.2 If the applicant is an individual, the applicant shall file with the Issuer of Licences at the time of application, his/her full name, birth date, and more recent residential and mailing address.
- 31.3 If the applicant is a corporation, the applicant shall file with the Issuer of Licences at the time of application the legal name and date of birth of every officer, director and shareholder of the corporation and shall also provide the most recent mailing address of the applicant, who shall be responsible for maintaining a current list of shareholders with the Issuer of Licences at all times.
- 31.4 For the purpose of this Section "Shareholder" and any words referring to the holding of shares includes all persons having a beneficial interest in any kind in the shares of the Corporation.
- 31.5 If the applicant is a partnership, the applicant shall file with the application the full name, date of birth and most recent address of every partner and that of the partnership. The applicant and the licensee shall be responsible for maintaining current this information with the Issuer of Licences. The applicant shall be responsible for maintaining current and up-to-date all the said information.
- 31.6 The licensee shall not permit any person under the age of eighteen years to act as an Escort Attendant for such escort service.
- 31.7 Every licensee shall provide upon request to the Issuer of Licences or other duly appointed individual, a list of all escort attendants currently providing services for the said service or having provided services as an escort attendant for the escort service any time within the preceding twelve months, the professional name under which they performed such services or are performing, their legal name, residential and mailing address.
- 31.8 No person shall permit any person to provide services as an Escort Attendant unless such person is licensed to do so under the provisions of this By-law.
- 31.9 No person shall knowingly permit any escort attendant, while providing services as an escort attendant for an escort service, to provide services as an Adult Entertainment Attendant.

32. **FLEA MARKET - LOCATION/PREMISES**

Authority: Municipal Act, R.S.O. 2001

- 32.1 No person shall operate or maintain a premises as a Flea Market within the Town without first having obtained a licence to do so.
- 32.2 Every premises shall be constructed and established in such manner as to provide a specified area for each vendor.
- 32.3 Every stall shall be numbered in such manner as to display the number to the general public.
- 32.4 Garbage and waste shall be removed from the premises at least once weekly or as often as is necessary to maintain the premises in a sanitary condition.

33. **FLEA MARKET - OWNER/OPERATOR**

Authority: Municipal Act, R.S.O. 2001

- 33.1 No person shall operate or carry on business of a Flea Market within the Town without first having obtained a licence to do so.
- 33.2 No person shall allow on any Flea Market premises any exit, corridor or public corridor to be blocked, impeded or otherwise obstructed in any way.
- 33.3 Every owner or operator of a Flea Market shall:
- 33.3.1 a) upon request, provide the Issuer of Licence with an accurate site plan of the premises, operated as a flea market, including all outdoor areas. Such site plan shall identify each stall by number;
- 33.3.2 b) upon leasing, renting or otherwise providing a stall to a vendor or other person, enter into an agreement which set out the terms, conditions, rules and regulations governing operation within the flea market and such agreement shall contain the legal name of the vendor, his most recent address, the registered name of the business, the operating name of the business, the Provincial Vendor's Permit Number, and shall be signed and dated by both parties;
- 33.3.3 c) maintain and upon request, provide to the Issuer of Licence a duplicate copy of the Agreement above referred to;
- 33.3.4 d) maintain a book to be known as a "register" which shall be a comprehensive record of the Registered name and Operating name of each person or business operating within the flea market, the owner/principal of such business, address, phone number, date of birth, and if available, driver's licence number, vehicle licence number and make of vehicle.
- 33.4 The owner or operator shall make such entries to the registrar at the time of rental or immediately thereafter.
- 33.5 Such register shall be kept and all records preserved for a period of at least two years from the date of the Agreement is terminated.
- 33.6 The register shall be provided to any Municipal Law Enforcement Officer at any reasonable time for inspection.
- 33.7 The owner or operator shall provide for each Flea Market premises or location, on the first day of each month, a list of all vendors having entered into agreement with such owner or operator to conduct business at or within the Flea Market for the next immediate month. Such list shall identify the registered business name, operating name and owner's name of each business having entered into such agreement.

34. **FLEA MARKET - VENDOR**

Authority: Municipal Act, R.S.O. 2001

- 34.1 No person shall operate or carry on business as a Flea Market Vendor within the Town without first having obtained a licence to do so.
- 34.2 No vendor shall operate within any exit, corridor or public corridor and shall not, in any way, impede the ingress or egress of the flea market or any stall.
- 34.3 The vendor licensed under the provisions of this section shall also comply with any other specific conditions which may be set out herein for the operation of a specific class of business at a permanent location.

35. **FOOD SHOP**

Authority: Municipal Act, R.S.O. 2001

- 35.1 No person shall operate or maintain the business of Food Shop within the Town without first having obtained a licence to do so.
- 35.2 No person shall operate or maintain any food shop in any unsanitary condition, or in any premises the use of which, because of the location, design or condition thereof, exposes any food to the risk of contamination.
- 35.3 Suitable sanitary conveniences shall be provided for every food shop and every sanitary convenience situated in or upon any such premises:
- 35.3.1 a) shall be kept in a clean and efficient condition;
- 35.3.2 b) shall be located so that no offensive odours therefrom can penetrate into any room where food is prepared, kept, stored or offered for sale;
- 35.3.3 c) shall be adequately and sufficiently lighted and ventilated;
- 35.3.4 d) shall meet all conditions required by the Eastern Ontario Health Unit.
- 35.4 Except as required in humidity controlled or temperature controlled chambers, suitable and sufficient means of ventilation shall be provided and maintained in every food room.
- 35.5 Every person licensed hereunder shall provide a proper environment for the storage and preparation of fresh meat and fish and shall keep such premises in a clean and proper condition, and in compliance with all requirements of the Eastern Ontario Health Unit.
- 35.6 No person licensed hereunder shall purchase, use, sell, offer for sale or have in his possession any meat unless such meat has been inspected and bears on the carcass, the inspection legend of the Department of Agriculture, or of Agriculture Canada.
- 35.7 Fresh meat and fish offered for sale shall be clearly identified.
- 35.8 No person shall use a room which is used to store or prepare food as a place for sleeping.
- 35.9 Every person operating a food shop shall take necessary precaution to prevent the infestation of the premises by rodents, insects and other vermin.
- 35.10 Every person who engages in the handling of food shall, while so engaged, take all such steps as may be reasonably necessary to protect the foodstuffs from contamination and shall cause such foodstuffs to be so placed as to prevent the risk of contamination from such sources.
- 35.11 No refuse or garbage, whether solid or liquid shall be deposited or permitted to remain and accumulate in any food area. Food which is susceptible to spoilage and the action of toxin producing organisms shall be kept under refrigeration in accordance with the conditions of the Eastern Ontario Health Unit.
- 35.12 No dogs, cats or other animals shall be allowed on or in any premises or place where food is kept, stored, cooked, prepared or served.
- 35.13 Notwithstanding Section 35.12, no person licensed hereunder shall, in respect of any blind person being guided or led by a dog:
- 35.13.1 a) refuse to serve such person;
- 35.13.2 b) refuse to permit such person to enter with such dog onto or upon any place or premises to which this licence relates;

- 35.13.3 c) refuse to permit such person and such dog to remain in or upon such place or premises by reason only of the presence of the said dog.
- 35.14 The premises shall be equipped with suitable outdoor garbage disposal containers with proper covers for retaining and keeping all garbage and waste in a sanitary condition. The licensee shall ensure that all such outdoor garbage disposal containers are emptied at least once every 48 hours.
- 35.15 The premises shall be equipped with proper cans with covers for retaining and keeping all garbage and waste in a sanitary condition and the licensee shall ensure that all such refuse is removed from the premises at least once in every 24 hour period.
- 35.16 This Section shall not apply to premises which contain only automatic dispensers for bottled or canned beverages and/or automatic dispensers for pre-packaged confectionery items.

36. **GARAGE - AUTOMOBILE REPAIR**

Authority: Municipal Act, R.S.O. 2001

36.1 No person shall operate or maintain the business of a Garage - Automobile Repair within the Town without first having obtained a licence to do so.

36.2 No person shall:

36.2.1 a) permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;

36.2.2 b) park or store any motor vehicle on any sidewalk, boulevard, highway or road;

36.2.3 c) permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle, unless an adequate installation is provided to ensure exhausting of carbon monoxide fumes outdoors;

36.2.4 d) remove or cause to be removed any snow from the premises to any public sidewalk, street or roadway.

36.3 Every person shall:

36.3.1 a) keep the premises free from rubbish and in a clean and neat condition;

36.3.2 b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of the business;

36.3.3 c) either by himself or through one or more of his employees, during business hours specified maintain a constant and vigilant supervision of every motor vehicle parked or stored at or upon the licensed premises; provided that this provision shall not apply in the case of any licensed premises where each motor vehicle can be parked or stored, and locked by the owner, or operator thereof, in a location from which such motor vehicle can be removed without obstruction from other parked or stored vehicles;

36.3.4 d) ensure that any person engaged in the driving, operating or moving of motor vehicles parked or stored at or upon the licensed premises, is the holder of a valid Province of Ontario Motor Vehicle Operator's licence;

36.3.5 e) display in a conspicuous place at or upon the licensed premises a sign or signs bearing, in readily legible letters, the hours during which the licensed premises are open for business and clearly identifying the business name and address, as well as the name, address and telephone number of an authorized contact person;

36.4 The use of two (2) tow trucks may be included in the licence if they are operated and owned by the owner of the business.

37. **GARAGE - AUTOMOBILE REPAIR - MOBILE**

Authority: Municipal Act, R.S.O. 2001

37.1 No person shall operate or maintain the business of a Mobile Garage - Automobile Repair within the Town without first having obtained a licence to do so.

37.2 No person shall:

37.2.1 a) park or store any vehicle on any highway, road, boulevard or other Town property;

37.2.2 b) permit the engine of a motor vehicle to run in any building whether on a frame or on a motor vehicle, while stationary, unless adequate installation is provided to ensure exhausting of any carbon monoxide fumes outdoors;

37.2.3 c) perform any spray painting or automobile body repairs;

37.2.4 d) dispose of any gasoline, oil or other lubricants in or within collection system services of the Town of Hawkesbury for household residential garbage or other private disposal company;

37.2.5 e) conduct the business or perform any repair on any highway, road, boulevard or other Town property.

37.3 Every person shall:

37.3.1 a) keep any sidewalk or street upon abutting any premises from which such work is being conducted free from any dirt or other foreign substance derived from such premises or resulting from the operation of their business;

37.3.2 b) provide a written receipt to every customer which shall clearly identify the business name and address, as well as the name, address and telephone number of an authorized contact person.

37.4 The use of two (2) tow trucks may be included in the licence if they are operated and owned by the same owner of the business.

38. **GASOLINE STATION/FUELLING STATION**

Authority: Municipal Act, R.S.O. 2001

38.1 No person shall operate or maintain the business of Gasoline Station or Fuelling Station within the Town without first having obtained a licence to do so.

38.2 No person shall:

38.2.1 a) permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;

38.2.2 b) park or store any motor vehicle on any sidewalk, boulevard, highway or road;

38.2.3 c) permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle, unless adequate installation is provided to exhausting carbon monoxide fumes outdoors;

38.2.4 d) remove or cause to be removed any snow from the premises which is deposited on any public sidewalk, street or roadway.

38.3 Every person shall:

38.3.1 a) keep the premises free from rubbish and in a clean and neat condition;

38.3.2 b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the use thereof;

38.3.3 c) display in a conspicuous place at or upon the licensed premises a sign or signs bearing, in readily legible letters, the hours during which the licensed premises are open for business and clearly identifying the business name and address, as well as the name, address and telephone number of an authorized contact person.

38.4 The use of two (2) tow trucks may be included in the licence if they are operated and owned by the same owner of the business.

39. **GENERAL CONTRACTOR**

Authority: Municipal Act, R.S.O. 2001

- 39.1 No person shall operate or maintain a business as General Contractor within the Town without first having obtained a licence to do so.
- 39.2 No person shall perform any work as a general contractor without first having obtained the necessary permits.
- 39.3 No person shall employ any other person required to be licensed under the provisions of this Section unless such person is licensed to do so.
- 39.4 Every General Contractor shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the general contractor and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.
- 39.5 When the insurance policy expires the licence becomes null and void.
- 39.6 Every General Contractor shall, upon application, provide the required information regarding its place of business and within fourteen (14) days of any change of address, shall notify the Issuer of Licences of his new address.

40. **HAIRDRESSING ESTABLISHMENT**

Authority: Municipal Act, R.S.O. 2001

- 40.1 No person shall operate or maintain the business of a Hairdressing Establishment within the Town without first obtaining a licence to do so.
- 40.2 No licensee shall employ a person in the licensed premises unless such person is:
- 40.2.1 a) a holder of a current Certificate of Qualification as a Hairdresser, issued pursuant to regulations made under the Apprenticeship and Tradesmen's Qualification Act., or any successor legislation, or;
- 40.2.2 b) registered with the Director of Apprenticeship as an Apprentice Hairdresser under such Act.
- 40.3 No person licensed to operate or maintain a hairdressing establishment shall actively engage in the trade of hairdressing unless he/she is the holder of a current Certificate of Qualification under the said Act or is registered with the Director of Apprenticeship Act.
- 40.4 The licensee shall maintain with the Issuer of Licences a current list of employees and proof of their credentials as required under Section 40.2.1 and 40.2.2.
- 40.5 No person performing the functions of a hairdresser shall be suffering from any form of contagious disease while actively engaged in such trade.
- 40.6 No person is required to serve anyone who is known or reasonably suspected of suffering from a contagious disease or of being infested with vermin.
- 40.7 No room in any premises licensed under this Section in which hairdressing is carried on may be used as living, eating, food preparing, bathing or sleeping quarters.

41. **HAIRDRESSING - MOBILE**

Authority: Municipal Act, R.S.O. 2001

- 41.1 No person shall operate or maintain a mobile hairdressing business within the Town without first obtaining a licence to do so.
- 41.2 No licensee shall employ a person in the licensed premises unless such person is:
- 41.2.1 a) the holder of a current Certificate of Qualification as a Hairdresser, issued pursuant to Regulations made under the Apprenticeship and Tradesmen's Qualification Act; or, any successor legislation, or,
- 41.2.2 b) registered with the Director of Apprenticeship as an Apprentice Hairdresser under such Act.
- 41.3 No person licensed to operate or maintain the business of a mobile hairdresser shall actively engage in the trade of hairdresser unless he/she is the holder of a current Certificate of Qualification under the said Act or is registered with the Director of Apprenticeship Act.
- 41.4 The licensee shall provide to the Issuer of Licences at the time of application and maintain with the Issuer of Licences at all times a current list of employees and proof of their credentials.
- 41.5 No person shall perform services as a hairdresser who suffers from a contagious disease while actively engaged in such performance.
- 41.6 No person is required to serve anyone who is known or reasonably suspected of suffering from a contagious disease or of being infested with vermin.

42. **KENNEL**

Authority: Municipal Act, R.S.O. 2001

- 42.1 No person shall operate or maintain a Kennel within the Town without first obtaining a licence to do so.
- 42.2 Every person shall, upon application to operate or maintain a Kennel, provide a Certificate of Registration with the Canadian Kennel Club Incorporated signed by the keeper of the Register or a certified extract from such Register showing that all dogs kept within such kennel are so registered.

43. **LAUNDROMAT**

Authority: Municipal Act, R.S.O. 2001

- 43.1 No person shall operate or maintain a Laundromat within the Town without first having obtained a licence to do so.
- 43.2 Every person to whom this Section applies shall keep his premises and any appurtenances or equipment thereto in a clean and sanitary condition as required by the Eastern Ontario Health Unit and shall not allow any of the rooms used in connection with the said licence to be used as sleeping quarters.
- 43.3 All refuse containers in or about the premises shall be of a non-flammable material or as approved by the Chief Fire Official.
- 43.4 Every premises or location where coin operated machines are kept for the use of the general public shall post in a conspicuous place a sign legibly printed, stating the name, address and telephone number of the person responsible for the operation of the premises.

44. **LAUNDRY**

Authority: Municipal Act, R.S.O. 2001

- 44.1 No person shall operate or maintain a Laundry within the Town without first having obtained a licence to do so.
- 44.2 Every person shall be required to obtain a separate licence for each premises or location owned or operated by him where laundry work is done, received to be done or returned after being done.
- 44.3 Every person to whom this Section applies shall keep the premises, offices and appurtenances thereto, as well as any wagons, carts and other vehicles used in the collecting or delivering of laundry work in a clean and sanitary condition as required by the Eastern Ontario Health Unit and shall not allow any workrooms used for the carrying on of such laundry business to be used as sleeping quarters.
- 44.4 All refuse containers shall be of a non-flammable material or as approved by the Chief Fire Official.
- 44.5 All branch offices, and other places where laundry work is collected, received from or delivered to must have posted a sign containing the name and address of the laundry controlling or owning such branch office or for whom the laundry work is received, plainly affixed in a prominent place. The name and address shall be legibly printed and no laundry work shall be collected at, received from or delivered to the public from any premises unless such sign is affixed.

45. **LAWN MAINTENANCE CONTRACTOR**

Authority: Municipal Act, R.S.O. 2001

- 45.1 No person shall operate or maintain a business as a Lawn Maintenance Contractor within the Town without first obtaining a licence to do so.
- 45.2 Every Lawn Maintenance Contractor shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said contractor and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy including notice of expiration or cancellation thereof 30 days prior to any such change and a copy of such policy shall be deposited with the Issuer of Licences at the time of application and shall be to the satisfaction of the Town.
- 45.3 If for any reason such liability insurance is cancelled or for any other reason does not remain in effect, the licence shall become void.

46. **LENDING LIBRARY**

Authority: Municipal Act, R.S.O. 2001

- 46.1 No person shall operate or maintain a Lending Library within the Town without first having obtained a licence to do so.
- 46.2 Every person shall be required to obtain a licence for each premises operated by him.
- 46.3 Section 46.1 shall not apply to the lending or circulation of books, magazines, periodicals or other printed works by any religious body or incorporated educational institution.
- 46.4 Every licensee shall keep a record of individuals to whom books, magazines, periodicals or other printed matter are loaned, the date such materials were borrowed, the fee charged in each case, and the required date of return.
- 46.5 Every licensee shall post in a conspicuous place on the premises a list of fees applicable to the borrowing and lending of books, magazines, periodicals or other written material.

47. **MECHANICAL CONTRACTOR GAS FITTER**

Authority: Municipal Act, R.S.O. 2001

- 47.1 No person shall operate as a Mechanical Contractor providing services as a gasfitter without first having obtained a licence to do so.
- 47.2 No person shall operate as a Mechanical Contractor providing services as a sheet metal worker without first having obtained a licence to do so.
- 47.3 No person shall carry out or perform any work as a gasfitter or sheet metal worker under a Mechanical Contractor without first having obtained all necessary permits.
- 47.4 No person shall provide services as a gasfitter unless qualified and holder of a current certificate with respect to his particular category of expertise issued by the Ministry of Consumer and Commercial Relations, Technical Standards Branch or its successors.
- 47.5 No person shall provide services as a sheet metal worker unless such person is qualified as a sheet metal worker and holds a current certificate with respect to his qualification issued by the Ministry of Education and Training, Training Division or its successors.
- 47.6 Every person applying for a Mechanical Contractor's licence shall at the time of application provide copies of current gasfitters certificates for each person performing gasfitter services for the business.
- 47.7 Every person applying for a Mechanical Contractor's licence shall provide at the time of application copies of current sheet metal worker's certificates for each person performing sheet metal worker services for the business.
- 47.8 The Mechanical Contractor shall ensure that no person performs services as a gasfitter or sheet metal worker for the Mechanical Contractor unless copies of the current certificates of qualification for the gasfitter or sheet metal worker have been provided to the Issuer of Licences.

48. **MENAGERIES**

Authority: Municipal Act, R.S.O. 2001

- 48.1 No person shall operate or maintain a Menagerie within the Town without first having obtained a licence to do so.
- 48.2 Every applicant shall provide and maintain a current record of all animals which are kept in such menagerie.
- 48.3 The applicant shall provide at the time of application and maintain with the Issuer of Licences at all times, the name and address of the person having control and charge of the menagerie.
- 48.4 Every menagerie shall maintain and keep all animals within the menagerie in a clean, well-bedded, and healthy manner and shall ensure that the animals are treated in a humane manner at all times.
- 48.5 Every licensee shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the general contractor and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.
- 48.6 The price of admission if any shall be posted in a conspicuous and prominent location outside the entrance.

49. **MOTEL**

Authority: Municipal Act, R.S.O. 2001

- 49.1 No person shall operate or maintain a Motel within the Town without first having obtained a licence to do so.
- 49.2 Every applicant shall at the time of application, provide to the Issuer of Licences, a list detailing the number of rooms and facilities offered by the establishment.
- 49.3 Every person shall keep a register of all patrons showing their name, address, the vehicle make and licence plate number including Province or State from which such plate was issued, the date of registration and departure.
- 49.4 Every person shall provide at all times, a reasonable supply of clean linen and towels for each registered individual, and other customary toilet supplies.

50. **MUSIC/CONCERT HALL**

Authority: Municipal Act, R.S.O. 2001

- 50.1 No person shall operate or maintain a Music Hall or Concert Hall within the Town without first obtaining a licence to do so.
- 50.2 Every licensee of a music hall or concert hall which is located so as to cause the forming of queues of persons waiting to gain entrance to such music hall or concert hall, shall have a uniformed attendant present, whenever any such queue is formed, to regulate such queue and prevent undue obstruction of a highway by persons in such queue.
- 50.3 Every licensee shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said licensee and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.
- 50.4 All criteria as set out under Section 62., Public Halls (Commercial), of this By-law shall be complied with at all times.

51. **NON RESIDENT PHOTOGRAPHER**

Authority: Municipal Act, R.S.O. 2001

- 51.1 No person, who is not a resident of the Town shall operate or maintain the business of Photographer within the Town without first obtaining a licence to do so.
- 51.2 This Section shall not apply to photographers who take photographs for use in newspapers, magazines or other periodicals or in television broadcasts or to photographers on private assignments to local industries.
- 51.3 Every photographer shall indicate, at the time of application, the location and conditions under which such non-resident photographer shall operate.

52. **PARKING LOT**

Authority: Municipal Act, R.S.O. 2001

52.1 No person shall operate or maintain a premises or location as a parking lot within the Town without first having obtained a licence to do so.

52.1.1 a) the location and dimensions of the lands in respect to which he seeks such licence.

52.1.2 b) the maximum number of motor vehicles which can be parked or stored at or upon such premises at any one time.

52.1.3 c) the hours during which such premises shall be open for business.

52.1.4 d) the location of each proposed entrance to and exit from such premises.

52.1.5 e) the rates or charges for parking or storing motor vehicles.

52.2 Each person, firm or corporation licensed to operate a parking lot shall:

52.2.1 a) if engaged in driving, operating or moving motor vehicles parked or stored on the licensed premises be the holder of a valid Province of Ontario Motor Vehicle Operator's Licence and shall not employ or permit any person or employee to drive or operate motor vehicles on the premises unless the holder of such an Operator's Licence;

52.2.2 b) display in a conspicuous place at or upon the licensed premises a sign bearing, in readily legible letters, the rates or charges for parking or storing motor vehicles, the hours during which the premises are open for business, together with the business' name and address, and the name, address and telephone number of an authorized contact person;

52.2.3 c) keep the licensed premises free from rubbish and in a clean and neat condition and keep any sidewalk or street upon which such premises abuts free from any dirt or any other foreign substance derived from the operation thereof;

52.2.4 d) at the time of accepting each motor vehicle for the purpose of parking or storing the same, give or cause to be given to the person who brings in the motor vehicle, a numbered receipt bearing on the same side as the number:

52.2.4.1 i) a clear statement of the extent of the responsibility accepted by the licensee in respect to loss of, or damage to, such motor vehicle and the contents thereof while parked or stored in the care and custody of the licensee;

52.2.4.2 ii) the licensee's business name, the location of licensed premises and business hours.

52.2.5 g) whenever any motor vehicle remains continuously without lawful excuse at or upon the licensed premises for more than 4 continuous hours, report to the Issuer of Licences, the make and provincial licence plate number of such vehicle.

52.3 No owner or operator of an enclosed parking station or parking lot shall permit the engine of a motor vehicle to run, while stationary, unless adequate ventilation is provided to ensure exhausting of any carbon monoxide fumes outdoors. No person licensed under this Section shall store, park or allow to be stored or parked, any trailer used for human habitation while so parked or stored.

52.4 No person licensed under this Section shall remove or cause to be removed any snow from his parking station or parking lot premises to any sidewalk or roadway upon which such premises abuts.

53. **PAVING/RESURFACING CONTRACTOR**

Authority: Municipal Act, R.S.O. 2001

- 53.1 No person shall operate or maintain a business of Paving or Resurfacing Contractor within the Town without first obtaining a licence to do so.
- 53.2 Every Paving/Resurfacing Contractor shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said contractor and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.
- 53.3 If for any reason such liability insurance is cancelled or for any other reason does not remain in effect, the licence shall become void on the final date for which the insurance was valid
- 53.4 Every person shall take reasonable precautions so as to ensure that any product or substance being used in the paving or resurfacing of any surface is confined to that property or surface for which the contract applies.

54. **PAWN SHOP**

Authority: Pawnbroker's Act, R.S.O. 1990, c. P.6

- 54.1 No person shall operate or maintain the business of a Pawnbroker within the Town without first having obtained a licence to do so.
- 54.2 Every pawnbroker shall provide to the Issuer of Licences at the time of application, security in the form of a Letter of Credit in a form acceptable to the Town or cash security deposit in the amount of \$1,000. for the due observance of the provisions of the Pawnbroker's Act, R.S.O. 1990, c. P.6. Such Letter of Credit or cash security deposit shall be in effect for the duration of the licence.
- 54.3 Every licensee shall comply at all times with all provisions of the Pawnbroker's Act, R.S.O. 1990, c. P.6.

55. **PEDICAB**

Authority: Municipal Act, R.S.O. 2001

- 55.1 No person shall operate or maintain a pedicab within the Town without first obtaining a licence to do so.
- 55.2 No person, while operating a pedicab, shall obstruct motor vehicle traffic.
- 55.3 No person shall operate a pedicab unless such person is physically capable of doing so.
- 55.4 Every person operating a pedicab shall comply with all provisions of the Highway Traffic Act as may be applicable.
- 55.5 No person shall operate a pedicab on the Town of Hawkesbury bike path within any Town park, walking path within any Town park or on any sidewalk.
- 55.6 No person shall operate a pedicab within any Town park or on any Town parkland.
- 55.7 No person shall discharge any passenger in such a way as to create a hazard, danger or any risk to the passenger.

56. **PET GROOMER**

Authority: Municipal Act, R.S.O. 2001

- 56.1 No person shall operate or maintain a business as a Pet Groomer within the Town without first obtaining a licence to do so.
- 56.2 No person shall allow any pet being accommodated in respect of the pet groomer services, to be kept in any outdoor run, compound or other area.
- 56.3 Every Pet Groomer shall ensure that while such pet is in his possession, the pet is kept in a sanitary, well ventilated and clean location.

57. **PET SHOP**

Authority: Municipal Act, R.S.O. 2001

- 57.1 No person shall operate or maintain a Pet Shop within the Town without first having obtained a licence to do so.
- 57.2 A separate licence shall be taken out for every pet shop location.
- 57.3 The pet shop shall be maintained at all times in a sanitary, well ventilated and clean condition and shall be free from offensive odours.
- 57.4 Every animal and bird shall be kept in sanitary, well-bedded, well lighted clean quarters at a temperature appropriate for the health requirements of the type or species of animal or bird kept therein.
- 57.5 Where quarters used for the housing of any animal or bird form part of or are physically attached to a building used for human habitation or to which the public has access, the pet shop quarters shall have a concrete or other impermeable floor with a drain opening constructed as a plumbing fixture. Such floor shall be cleaned and washed a minimum of once a day or as deemed necessary to keep the floor clean.
- 57.6 Every cage or container used for keeping or housing any animal or bird shall:
- 57.6.1 a) be of adequate size to permit any such animal or bird to stand normally to its full height, to turn around and to lie down in a fully extended position;
- 57.6.2 b) a cage or other container used to keep or house only birds shall have a removable metal or other impermeable floor which shall be cleaned daily;
- 57.6.3 c) every bird cage shall be of sufficient size and dimensions to enable all birds to have sufficient perch space to permit full extension of their wings in every direction;
- 57.6.4 d) all other cages or containers shall have a floor of either solid or wire mesh construction or any combination thereof provided that:
- 57.6.4.1 i) all spaces in the wire mesh shall be smaller than the pads of the paws of any animal confined therein;
- 57.6.4.2 ii) any such wire mesh shall be of a thickness designed to adequately prevent injury to any such animal.
- 57.6.5 e) such floor shall be of sufficient strength to support the weight of any animal confined therein;
- 57.6.6 f) be equipped with receptacles for food and water so mounted or situated that they cannot be easily overturned or contaminated.
- 57.6.7 g) ensure that all cages or containers are cleaned on a daily basis.
- 57.7 Water shall be provided daily to every animal or bird in sufficient quantity to maintain at all times a drinkable supply.
- 57.8 Animals and birds shall be fed periodically each day in accordance with the particular food requirements of each animal or bird.
- 57.9 All cages, tanks, containers or other enclosures in which animals or birds are kept shall be located so as to provide maximum comfort to satisfy the known and established needs for the particular species so housed and shall be provided with safeguards to prevent extreme environmental changes and to prevent undue direct physical contact with the general public.
- 57.10 The licensee shall ensure that all persons responsible for the care, feeding or cleaning of birds and animals are adequately instructed and supervised in the handling and care of all such animals and birds.

57.11 No licensee shall:

- 57.11.1 a) keep, sell, offer for sale, exchange or other remuneration or consideration any exotic pets.
- 57.11.2 b) keep his stock of animals or birds in overcrowded quarters;
- 57.11.3 c) sell any diseased animal or bird. The following shall be deemed an unfit for sale or release:
 - 57.11.3.1 i) an animal that displays signs of disease such as distemper, hepatitis, leptospirosis rabies or other infective diseases;
 - 57.11.3.2 ii) an animals that shows signs of nutritional deficiencies including deficiencies including rickets or emancipation;
 - 57.11.3.3 iii) an animal that shows signs of parasitism severe enough to influence the general health of the animal;
 - 57.11.3.4 iv) an animal that shows fractures or congenital abnormalities affecting the general health of the animal.

57.12 Every licensee shall ensure that any animal or bird that displays signs of sickness or disease is examined and properly treated within 4 hours of signs of onset of the illness, by a veterinarian or other qualified person experienced in the care and treatment of the species concerned and that such animal or bird is kept in a quarantine area, separate from all other birds and animals until such illness is cured or its status is otherwise resolved.

57.13 No licensee shall sell, permit to be sold or offer for sale, or give away, any mammal before it has reached the normal weaning age, based on generally known requirements of that particular species.

58. **PHYSICAL FITNESS CLUB**

Authority: Municipal Act, R.S.O. 2001

- 58.1 No person shall operate or maintain the business of a Physical Fitness Club within the Town without first obtaining a licence to do so.
- 58.2 The licensee shall provide, maintain and operate a swimming pool in conjunction with the Physical Fitness Club such swimming pool to be licensed in accordance with the provisions of this By-law.
- 58.3 The licensee shall provide proper sanitary facilities in a location adjacent to dressing rooms or shower/bath rooms.

59. **PLACE OF AMUSEMENT - ARCADE**

Authority: Municipal Act, R.S.O. 2001

- 59.1 No person shall operate or maintain a Place of Amusement – Arcade as a business within the Town without first having obtained a licence to do so.
- 59.2 The licence shall provide and display the maximum occupant load which has been determined by the Chief Fire Official.
- 59.3 Every person who holds a current licence shall display in a prominent place at the entrance and inside the place of amusement the maximum occupant load authorized under this licence.
- 59.4 The number of persons permitted on the premises, at any time, shall not be greater than the occupant load based on a maximum of 4 persons per amusement device.
- 59.5 Every licensee shall:
- 59.5.1 a) ensure that an attendant who is of the age of at least eighteen years is present at all times when the premises are open to the public to supervise the use of the premises;
- 59.5.2 b) ensure that within the licensed premises there are no pay-offs, betting or the offering of any article or thing as prizes in contravention of the Criminal Code.
- 59.6 Operate or locate any arcade or game establishment except as permitted by Zoning By-law 84-94, as amended.
- 59.7 Operate any video lottery terminal or similar device within a Place of Amusement - Arcade.
- 59.8 Offer for sale any lottery ticket including Break-Open or Nevada Tickets within any Place of Amusement - Arcade.

60. **PLACE OF AMUSEMENT – RECREATIONAL CONCESSION**

Authority: Municipal Act, R.S.O. 2001

- 60.1 No person shall operate or maintain a Place of Amusement - Recreational Concession within the Town without first obtaining a licence to do so.
- 60.2 The licence shall provide and display the maximum occupant load which has been determined by the Chief Fire Official.
- 60.3 The licensee shall display in a prominent place at the entrance and inside the place of amusement the maximum occupant load authorized under the licence.
- 60.4 The number of persons permitted on the premises, at any time, shall not be greater than the occupant load based on a maximum of 4 persons per amusement device.

61. **PLACE OF AMUSEMENT - RENTAL CONCESSION**

Authority: Municipal Act, R.S.O. 2001

- 61.1 No person shall rent a Place of Amusement - Rental Concession within the Town without first obtaining a licence to do so.

62. **PLUMBING CONTRACTOR**

Authority: Municipal Act, R.S.O. 2001

- 62.1 No person shall operate or maintain the business of Plumbing Contractor within the Town without first having obtained a licence to do so.
- 62.2 No person shall be licensed as a Plumbing Contractor unless he is of the full age of 18 years.
- 62.3 Every Plumbing Contractor shall be or have in his employ at all times while performing work within the Town, a Master Plumber.
- 62.4 No person shall perform or permit to be performed any plumbing work that is not under the direct personal supervision of a Master Plumber.
- 62.5 Every Plumbing Contractor shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the plumbing contractor and all employees. Such policy shall be endorsed to the effect that the municipality shall be given a minimum (30) thirty days notice in writing of any change in the insurance coverage including notice of cancellation, expiration or change, and provide a copy of such policy to the Issuer of Licences at the time of application.
- 62.6 Every Plumbing Contractor shall, upon application, provide details of his place of business and within fourteen (14) days of any change of address, notify the Issuer of Licences of his new address.
- 62.7 Every Plumbing Contractor shall, upon application, provide in writing, the names and addresses of all Master Plumber employed by him to perform work in the Town.
- 62.8 Every Plumbing Contractor shall, within fourteen (14) days of any change of Master Plumber(s) employed by him to perform work within the Town, provide to the Issuer of Licences, the name and address of a new Master Plumber and shall ensure that such Master Plumber has obtained the appropriate Provincial licence.

63. **PUBLIC HALLS - COMMERCIAL**

Authority: Municipal Act, R.S.O. 2001

- 63.1 No person shall operate or maintain a Public Hall - Commercial or allow any building or part thereof to be used as a Public Hall - Commercial within the Town unless the premises are licensed under this by-law.
- 63.2 No licence shall be required for any religious organization in respect of a hall used for entertainment given or held by it, but every such hall shall in all other respects comply with this By-law.
- 63.3 Every application for a public hall licence shall be accompanied by a plan of the proposed seating arrangement, as may be required by the Town.
- 63.4 The Chief of Police, the Zoning Administrator, the Chief Fire Official or any assistant to the Fire Marshal or any other municipal employee so authorized by Council, may enter any public hall at all reasonable times in order to inspect such public hall and to enforce the provisions of this By-law.
- 63.5 The Chief Fire Official or any assistant to the Fire Marshal may, at any time, order the evacuation of a public hall when the occupants are, in his opinion, endangered by a hazardous condition, and may enter any public hall at all reasonable times in order to inspect such public hall and to enforce the provisions of this By-law.
- 63.6 The licensee of a public hall shall not permit a greater number of occupants than the stated maximum capacity shown on the licence.
- 63.7 The licence of every public hall shall display in a prominent place in the entrance way to the public hall and inside the wall adjacent to the entrance way placards displaying the maximum occupant load, as determined by the Town.
- 63.8 A Notice stating the location of the nearest telephone, the telephone number of the Fire Department and the location of the nearest fire alarm box or fire hall, shall also be posted prominently.
- 63.9 No person shall permit or allow hay, straw, shavings or similar combustible materials other than that required for feeding or bedding animals to be kept on a daily basis in a public hall.
- 63.10 The licensee of a public hall shall ensure that:
- 63.10.1 a) all exits from the hall are ready for immediate use before admitting members of the public herein;
- 63.10.2 b) all obstructions, including accumulations of ice and snow, shall be removed from all exit ways and fire escapes prior to admitting members of the public to the licensed premises.
- 63.11 Rugs, carpets or other floor coverings shall be secured and maintained so that they will not ruck, or so that they will not in any way interfere with delay or impede egress from the premises in emergencies.
- 63.12 Mats located at the entrance of the public hall shall be flush with the floor or have chamfered or bevelled edges.
- 63.13 No obstruction shall be permitted in or adjacent to the path of exit travel.
- 63.14 Curtains or drapes shall not be hung over any exit door.
- 63.15 False doors, windows, or any type of decoration which give the appearance of a door or exit where no door or exit exists shall not be permitted except that this shall not prohibit the use of doors or windows forming part of stage props.
- 63.16 No mirrors shall be placed in or adjacent to any exit in such a manner as to confuse the direction of exit.

- 63.17 The Chief Fire Official may prohibit smoking in a public hall or any part thereof and "NO SMOKING" signs shall be posted in the licensed premises or portion thereof where smoking is prohibited.
- 63.18 Every public hall shall be kept clean and clear of rubbish.
- 63.19 Metal containers with self-closing covers shall be provided and conveniently located for the deposit of used paper towels and rubbish and the contents of every such container shall be emptied and disposed of immediately following the use of the hall.
- 63.20 Every year before using the heating equipment, every public hall owner shall cause the furnace or stove, the pipes therefrom and the chimney to be examined, cleaned and put in a proper state of operation.
- 63.21 Tents used as places of public assembly shall meet all the requirements of this By-law.
- 63.22 A tent used as a public hall shall not be erected closer than 10 feet to other structures on the same property.
- 63.23 Tents and other structures may be used as licensed premises so long as space on the same property shall be sufficiently to provide an area for use as a secure area in the event of an emergency egress.
- 63.24 Tents, tarpaulins and decorative materials used in connection with such structures shall conform to the requirements for resistance to fire in NFPA 701-1969 "Standard Methods of Fire Tests for Flame Resistant Textiles and Films" or U.L.C. S109-1969 "Standard for Flame Tests of Flame-Resistant Fabrics and Films".
- 63.25 Combustible materials and vegetation that will support fire shall be cleared from the area enclosed by a tent and located at least 10 feet away of such structure.
- 63.26 The electrical system in a tent shall be maintained and operated in a safe manner and subject to inspection by the Town at any time.
- 63.27 Portable electrical systems shall be inspected by the Electrical Safety Authority and any defects shall be corrected before the tent is occupied by the public.
- 63.28 The electrical system, equipment, fuses and switches shall be inaccessible to the public and cables on the ground in areas used by the public shall be placed in trenches or protected as required by the Electrical Safety Authority.
- 63.29 No person shall, in a tent used for assembly purposes, permit or have hay, straw, shavings or similar combustible materials other than that required for fodder and bedding for animals on a daily basis although sawdust and shavings may be used if kept damp.
- 63.30 No person shall smoke or have open flame devices in a tent while it is occupied by the public.
- 63.31 The licensee or other person designated in writing by him shall:
- 63.31.1 a) ensure that ushers and other staff have received instruction in the use of the fire fighting equipment provided in a public hall;
 - 63.31.2 b) prepare a fire safety plan for the public hall which shall include the procedures for sounding the fire alarm, notifying the Fire Department, the evacuation of the occupants and confining, controlling and extinguishing the fire;
 - 63.31.3 c) provide instruction to the staff outlining their responsibilities under the fire safety plan.

- 63.32 Every licensee shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said licensee and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.
- 63.33 Where a public hall licensee is convicted of an offence under this By-law, the licence shall be suspended forthwith and shall not be reinstated until the Chief Fire Official and the Chief of Police certify, in writing, that the conditions resulting in the charge and conviction have been remedied and that the hall and its proposed operation comply with this By-law.

64. **RECREATIONAL VEHICLE LEASING/WATERCRAFT LEASING**

Authority: Municipal Act, R.S.O. 2001

64.1 No person shall operate or maintain a Recreational Vehicle Leasing or Watercraft Leasing business within the Town without first having obtained a licence to do so.

64.2 No person shall:

64.2.1 a) permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;

64.2.2 b) park or store any such vehicle on any sidewalk, boulevard, highway or road;

64.2.3 c) permit the engine of any such vehicle to run in any building whether on a frame or in a vehicle while stationary, unless adequate ventilation is provided to exhausting dilution of carbon monoxide fumes outdoors;

64.2.4 d) remove or cause to be removed any snow from the premises which is deposited on any public sidewalk, street or roadway.

64.3 Every person shall:

64.3.1 a) keep the premises free from rubbish and in a clean and neat condition;

64.3.2 b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of the business.

65. **RECREATIONAL VEHICLE REPAIRS/WATERCRAFT REPAIR**

(CLASSIFICATION II)

Authority: Municipal Act, R.S.O. 2001

65.1 No person shall operate or maintain a Recreational Vehicle Repair or Watercraft Repair business within the Town without first having obtained a licence to do so.

65.2 No person shall:

65.2.1 a) permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;

65.2.2 b) park or store any motor vehicle on any sidewalk, boulevard, highway or road;

65.2.3 c) permit the engine of any such vehicle to run in any building whether on a frame or in a vehicle while stationary, unless adequate ventilation is provided to exhausting dilution of carbon monoxide fumes outdoors;

65.2.4 d) remove or cause to be removed any snow from the premises which is deposited on any public sidewalk, street or roadway.

65.3 Every person shall:

65.3.1 a) keep the premises free from rubbish and in a clean and neat condition;

65.3.2 b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of the business.

66. **RECREATIONAL VEHICLE SALES/WATERCRAFT SALES**

Authority: Municipal Act, R.S.O. 2001

66.1 No person shall operate or maintain a Recreational Vehicle Sales or Watercraft Sales business within the Town without first having obtained a licence to do so.

66.2 No person shall:

66.2.1 a) permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;

66.2.2 b) park or store any motor vehicle on any sidewalk, boulevard, highway or road;

66.2.3 c) permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;

66.2.4 d) remove or cause to be removed any snow from the premises which is deposited on any public sidewalk, street or roadway.

66.3 Every person shall:

66.3.1 a) keep the premises free from rubbish and in a clean and neat condition;

66.3.2 b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of the business.

67. **REFRESHMENT VEHICLE - MOTORIZED**

Authority: Municipal Act, R.S.O. 1990, 2001

67.1 No person shall operate or maintain a motorized refreshment vehicle within the Town without first having obtained a licence to do so.

67.2 Every licensee shall:

67.2.1 a) ensure that every refreshment vehicle is equipped with a metal refuse container with a self closing lid, and such container shall be kept in a clean and sanitary condition and emptied at least once daily; or

67.2.1.1 i) a disposable litter container which shall be replaced at least once daily; and

67.2.1.2 ii) such containers shall be used for the disposal of all refuse;

67.2.2 b) ensure that while the vehicle is stopped every refuse container is located in such a position on the vehicle so as to be easily accessible by persons making purchases;

67.2.3 c) ensure that the vehicle and all parts and equipment for use in the dispensing of refreshments are maintained in a clean and sanitary condition and at all times in good repair;

67.2.4 d) ensure that hard ice cream and related products are maintained in a hard condition in the vehicle at all times;

67.2.5 e) ensure that no thawed or partially thawed products are refrozen, stored or sold from the vehicle;

67.2.6 f) ensure that soft ice cream and related products are stored in a refrigerated cabinet suitable for the storage of soft ice cream and related products, as approved by the Medical Officer of Health;

67.2.7 g) ensure that all dispensing equipment is of a sanitary design and cleaned on a daily basis or more often as required by the conditions under which the business is operated;

67.2.8 h) ensure that all foodstuffs are wrapped or sold in individual packages;

67.2.9 i) ensure that adequate refrigeration, as approved by the Medical Officer of Health, is provided for perishable foodstuffs which shall be kept refrigerated;

67.2.10 j) ensure that the date of expiration is clearly and legibly marked on or affixed to the wrapper of all sandwiches or pre-packaged food stuffs sold from the vehicle;

67.2.11 k) ensure that beverages, which shall include but shall not be limited to, milk, juices, and soft drinks are only sold in individual disposable containers;

67.2.12 l) ensure that where a vehicle is powered by propane, the vehicle is inspected and certified at the time of application and on an annual basis by an authorized inspector and such certification is filed with the Issuer of Licences annually and at the time of application, or as may be required;

67.2.13 m) ensure that where the vehicle or its equipment is powered by propane, or as otherwise may be required by the Chief Fire Official or the Issuer of Licences, a minimum five pound ABC dry chemical fire extinguisher shall be mounted on the vehicle and the operator of such vehicle shall be knowledgeable in the proper use of such fire extinguisher;

- 67.2.14 n) ensure that vehicles from which hot, prepared foods are sold are equipped so as to maintain such foods so heated at a temperature required by the Medical Officer of Health;
 - 67.2.15 o) ensure that no LPG (liquefied petroleum gas) LNG (liquefied natural gas) or any combustible fuelled appliance is operated within 10 feet of any building, structure, door, window, opening, alcove or alleyway;
 - 67.2.16 p) ensure that the vehicle is in good state of repair and is free from holes, crevices or cracks and the body surface is readily washable and is kept clean and in good condition;
 - 67.2.17 q) ensure that only single service condiments, milk, cream and sugar are dispensed;
 - 67.2.18 r) ensure that only single service disposable cups, plates, forks, spoons, knives and containers are used and serviettes shall be provided from a dispenser.
- 67.3 Every person selling or handling refreshments and foodstuffs shall be clean and neat in appearance and shall keep their hands clean at all times.
- 67.4 No person employed by any licensee shall be suffering from any form of contagious disease while actively engaged in such trade.
- 67.5 No licensee shall permit any individual other than a bona fide employee to operate the refreshment vehicle business.
- 67.6 Every vehicle shall have its business name posted or painted, in a contrasting colour, on both side panels, in clearly visible letters.
- 67.7 Every owner shall take out a separate licence for each refreshment vehicle owned or operated by him and the plate issued by the Town for such plate shall be securely affixed to the rear of the vehicle and be visible at all times.
- 67.8 Every licensee shall, at his own expense, whenever required to do so by the Issuer of Licences, bring such vehicle to a person designated by the Issuer of Licences for inspection.
- 67.9 Motorized refreshment vehicles may operate on adequately zoned private property. with the express written permission of the owner of the property or his authorized agent.
- 67.10 Motorized refreshment vehicles operating in a residential zone shall not sell refreshments nor stand at a distance of less than 50 feet from any intersection or within 100 feet of any school grounds or public park.
- 67.11 No motorized vehicle shall park in any permitted zone for longer than a 15 minute period and may not obstruct traffic in any way on any street.
- 67.12 All refreshment vehicle owners shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said owner and all persons employed by him, acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application. Where the refreshment vehicle has been granted permission to operate on Town property, the policy shall also contain an endorsement identifying "The Corporation of the Town of Hawkesbury as an additional insured".
- 67.13 Every licensee shall ensure that each operator or employee is made familiar with the contents of this Section and shall not permit any operator under his control, management, supervision or direction to breach any of the provisions of this Section.

67.14 No person shall operate a refreshment vehicle and sell refreshments from any highway or boulevard within the Town of Hawkesbury.

68. **REFRESHMENT VEHICLE - NON-MOTORIZED**

Authority: Municipal Act, R.S.O. 2001

68.1 No person shall operate or maintain a non-motorized refreshment vehicle within the Town without first having obtained a licence to do so.

68.2 Every licensee shall:

68.2.1 a) ensure that every licensed vehicle is equipped with a metal refuse container with a self closing lid, and such container shall be kept in a clean and sanitary condition and emptied at least once daily; or

68.2.1.1 i) a disposable litter container which shall be replaced at least once daily; and

68.2.1.2 ii) such containers shall be used for the disposal of all refuse.

68.2.2 b) ensure that, while the vehicle is stopped, every refuse container is located in such a position on the vehicle so as to be easily accessible by persons making purchases while the vehicle is stopped;

68.2.3 c) ensure that the vehicle and all parts and equipment for use in the dispensing of refreshments are maintained in a clean and sanitary condition and at all times in good repair;

68.2.4 d) ensure that hard ice cream and related products are maintained in a hard condition in the vehicle at all times;

68.2.5 e) ensure that no thawed or partially thawed products are refrozen, stored or sold from the vehicle;

68.2.6 f) ensure that soft ice cream and related products are stored in a refrigerated cabinet suitable for the storage of soft ice cream and related products, as approved by the Medical Officer of Health;

68.2.7 g) ensure that all dispensing equipment is of a sanitary design and cleaned on a daily basis or more often as required by the conditions under which the business is operated;

68.2.8 h) ensure that all foodstuffs are wrapped or sold in individual packages;

68.2.9 i) ensure that adequate refrigeration, as approved by the Medical Officer of Health, is provided for perishable foodstuffs which shall be kept so refrigerated;

68.2.10 j) ensure that the date of expiration is clearly and legibly marked on or affixed to the wrapper of all sandwiches or pre-packaged food stuffs sold from the vehicle;

68.2.11 k) ensure that beverages, which shall include but shall not be limited to, milk, juices, and soft drinks are only sold in individual disposable containers;

68.2.12 l) ensure that where a vehicle's equipment is powered by propane, the vehicle is inspected and certified at the time of application and on an annual basis by an authorized inspector and such certification is filed with the Issuer of Licences annually, or at the time of application, or as may be required;

68.2.13 m) ensure that where the vehicle's equipment is powered by propane, or as otherwise may be required by the Chief Fire Official or the Issuer of Licences, a minimum five pound ABC dry chemical fire extinguisher shall be mounted on the vehicle and the operator of such vehicle shall be knowledgeable in the proper use of such fire extinguisher;

- 68.2.14 n) ensure that vehicles from which hot, prepared foods are sold are so equipped as to maintain such foods so heated at a temperature required by the Medical Officer of Health;
 - 68.2.15 o) ensure that no LPG (liquefied petroleum gas), LNG (liquefied natural gas) or any combustible fuelled appliance is operated within 10 feet of any building, structure, door, window, opening, alcove or alleyway;
 - 68.2.16 p) ensure that the vehicle is in a good state of repair free from holes, crevices or cracks and the body surface and is readily washable and is kept clean and in good condition;
 - 68.2.17 q) ensure that only single service condiments, milk, cream and sugar are used;
 - 68.2.18 r) ensure that only single service disposable cups, plates, forks, spoons, knives and containers are used and serviettes shall be provided from a dispenser.
- 68.3 All persons selling or handling refreshments and foodstuffs shall be clean and neat in appearance and shall keep their hands clean at all times.
- 68.4 No person employed by any licensee shall be suffering from any form of contagious disease while actively engaged in such trade.
- 68.5 No licensee shall permit any individual other than a bona fide employee to operate the refreshment vehicle.
- 68.6 Every vehicle shall have its business name posted or painted, in a contrasting colour, on both side panels, in clearly visible letters.
- 68.7 Every owner shall take out a separate licence for each refreshment vehicle owned or operated by him and the plate issued by the Town in respect of such plate shall be securely affixed to the rear of the vehicle and be visible at all times.
- 68.8 Every licensee shall at his own expense, whenever required to do so by the Issuer of Licences, bring such vehicle to a person designated by the Issuer of Licences for inspection.
- 68.9 Non-motorized refreshment vehicles may operate on adequately zoned private property with the express written permission of the owner of the property or his authorized agent.
- 68.10 Every Town of Hawkesbury licence number issued for a motorized refreshment vehicle will be prefixed with the letters: "NM"
- 68.11 Non-motorized refreshment vehicles operating in a residential zone shall not sell refreshments nor stand at a distance of less than 50 feet from any intersection or within 100 feet of any school grounds or public park.
- 68.12 No non-motorized vehicle shall park in any permitted zone for longer than a 15 minute period and may not obstruct traffic in any way on any street.
- 68.13 All refreshment vehicle owners shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said owner and all persons employed by him, acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application. Where the refreshment vehicle has been granted permission to operate on Town property, the policy shall also contain an endorsement identifying "The Corporation of the Town of Hawkesbury as an additional insured".

68.14 Every licensee shall ensure that each operator or employee is made familiar with the contents of this Section and shall not permit any operator under his control, management, supervision or direction to breach any of the provisions of this Section.

68.15 No person shall operate a refreshment vehicle and sell refreshments from any highway or boulevard within the Town of Hawkesbury.

69. **RESTAURANTS**

Authority: Municipal Act, R.S.O. 2001

- 69.1 No person shall operate or maintain a restaurant within the Town without first having obtained a licence to do so.
- 69.2 If premises are divided into areas in which persons are served with food or other refreshments, the said areas shall not be enclosed on more than three sides and no curtain, screen or other obstruction shall be used on the fourth side.
- 69.3 Rooms where foodstuffs are kept, stored, cooked or prepared, shall have walls and floors so constructed as to prevent the infestation by insects, rodents and other vermin and shall be kept clean and in good repair.
- 69.4 No dogs, cats or other animals shall be allowed on the premises where food is kept, stored, cooked, prepared or served.
- 69.5 Notwithstanding Section 69.4, no person licensed hereunder shall, in respect of any blind person being guided or led by a dog:
- 69.5.1 a) refuse to serve such person,
- 69.5.2 b) refuse to permit such person to enter with such dog into or upon any place or premises to which this licence applies;
- 69.5.3 c) refuse to permit such person and such dog to remain in or upon such place or premises, by reason only of the presence of the said dog.
- 69.6 All premises shall be kept in a clean and sanitary condition.
- 69.7 All premises shall be sufficiently and properly lighted and ventilated.
- 69.8 No room shall be used for sleeping.
- 69.9 Every person who engages in the handling of food shall, while so engaged, take all such steps as may be necessary to protect the foodstuffs from contamination and shall cause such foodstuffs to be so placed as to prevent the risk thereof.
- 69.10 No refuse or garbage shall be deposited or permitted to remain and accumulate in any food area.
- 69.11 Food which is susceptible to spoilage or the action of toxin producing organisms shall be kept under refrigeration in accordance with the requirements of the Eastern Ontario Health Unit.
- 69.12 All premises shall provide in places where foodstuff is stored, kept, prepared, cooked or served to customers, full protection from dust, dirt, flies, and vermin, placed in glass cases, wire screens or other such methods as may be satisfactory and necessary.
- 69.13 Garbage and waste shall be removed from the premises as often as is necessary to maintain the premises in a sanitary condition and in any event as least twice weekly.
- 69.14 Garbage receptacles in a room or place where food is prepared, handled, processed, displayed, sold, offered for sale, served or stored shall be:
- 69.14.1 a) cleaned and sanitized after each use;
- 69.14.2 b) removed from the room when full;

- 69.14.3 c) except where daily collection service is provided, placed in a separate room, place, area or bin, so constructed and maintained as approved by the Town and the Eastern Ontario Health Unit where required.
- 69.15 Liquid waste from the operation of the premises shall be disposed of in a sanitary manner.
- 69.16 Kitchens and other food preparation areas shall be equipped with proper facilities for washing and sterilizing eating and cooking utensils.
- 69.17 Knives, forks, spoons, dishes and other tableware shall be thoroughly sterilized with steam or boiling water after each use.
- 69.18 Adequate sanitary toilet facilities shall be provided as required by the Eastern Ontario Health Unit and such facilities shall be maintained in a clean and sanitary condition at all times.
- 69.19 The licensee shall not employ or permit anyone suffering from any form of contagious disease to be engaged in the business activity.
- 69.20 Every person employed in such premises licensed under this Section shall keep himself and his wearing apparel in a clean and sanitary condition.
- 69.21 The premises shall comply with the Ontario Fire Code.
- 69.22 The licensee shall not produce, reproduce or amplify nor allow anyone to produce, reproduce or amplify any sound contrary in contravention of the noise control by-law for the Town.
- 69.23 No outdoor patio shall be established within a parking space or area intended for the parking of vehicles.
- 69.24 No person shall operate any amusement device or game within any outdoor patio area.
- 69.25 No person shall allow the consumption of alcoholic beverages within any outdoor patio area unless such area is licensed under the provisions of the Liquor Licensing Act.
- 69.26 No person shall operate a motorized refreshment vehicle as an extension of a restaurant operation.

70. **ROLLER SKATING RINK**

Authority: Municipal Act, R.S.O. 2001

- 70.1 No person shall operate or maintain a roller skating rink within the Town without first having obtained a licence to do so.
- 70.2 Reasonable safety precautions shall be taken to protect patrons from harm.
- 70.3 The licence occupancy load notice shall reflect a maximum occupant load determined by the Chief Fire Official.
- 70.4 Every person who holds a current licence shall display in a prominent place, at the entrance and inside the licensed premises, the maximum occupant load as authorized by the Issuer of Licences.
- 70.5 Every person who holds a licence shall not permit a number of persons greater than authorized by the licence to enter or be on the licensed premises.
- 70.6 Licensed premises shall comply with the criteria set out in Section 63, Public Halls - Commercial, of this By-law.
- 70.7 The licensee shall maintain and operate at all times the licensed premises in an orderly manner.
- 70.8 Every licensee shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said licensee and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.

71. **SANDBLASTER**

Authority: Municipal Act, R.S.O. 2001

- 71.1 No person shall operate or maintain or engage in the business, trade, or occupation of sandblaster within the Town without first having obtained a licence to do so.
- 71.2 No person shall perform any work without first having obtained the necessary permits to do so.

72. **SECOND HAND SALES**

Authority - Municipal Act, R.S.O. 2001

72.1 No person shall operate or maintain the business of second hand sales from a permanent location within the Town without first having obtained a licence to do so.

72.2 Every proprietor or operator shall:

72.2.1 a) at all times keep any second hand goods, wares or merchandise to be sold or offered for sale within a building and none of the goods, wares or merchandise shall be offered for sale or sold except within such building;

72.2.2 b) ensure that the premises and the wares and merchandise offered for sale are displayed and kept in a neat, tidy and sanitary manner;

72.2.3 c) at any time, allow the licensed premises to be inspected by a person appointed by the Town for that purpose and the licensee shall ensure that any reasonable changes in regard to the operation or conduct of the business are carried out as required by the inspector promptly;

72.2.4 d) maintain a record of all goods, wares, merchandise or articles purchased or taken in exchange or otherwise obtained, either at the licensee's place of business or elsewhere. The entry shall be made at the time of purchase or acquisition including a full description of the goods, wares, merchandise or articles including the make, model and serial number, where applicable, the price paid therefor, and the name, address and description of the person from whom the purchase or acquisition was made sufficient to identify such persons;

72.2.5 e) operate the licensed premises only between the hours of six o'clock in the forenoon and seven o'clock in the afternoon, subject to the applicable provisions of the Retail Business Holidays Act or other applicable legislation;

72.2.6 f) comply with the provisions of the Noise Control By-law of the Town;

72.2.7 g) provide a copy of any record referred to in Section 72.2.4 to a Municipal Law Enforcement Officer or Police Officer and deliver a copy of monthly records to the Issuer of Licences at the end of each calendar month. Such record shall be open to inspection at all times during business hours and may be removed at any time by such officer to the office of the Issuer of Licences or to Police Headquarters for inspection there, or for use in the Courts, if necessary;

72.2.8 h) where he has reasonable cause to believe or suspect that any goods, wares, merchandise or other article offered for sale or trade has been stolen or otherwise unlawfully obtained, he shall forthwith report the matter to Hawkesbury Police Service and the Issuer of Licences.

72.2.9 i) during the period of thirty days referred to in Section 72.3.4, the goods, wares, merchandise or articles so obtained shall remain on the licensed premises and shall be kept in a separate location from other purchased goods or articles;

72.3 No proprietor or operator of premises operated for the purpose of Second Hand Sales shall:

72.3.1 a) burn or allow the burning of any kind or type of combustible material or matter except only material or matter used for heating fuel and burned in a heating unit installed for that purpose, or as otherwise permitted by the Hawkesbury Fire Department in accordance with the by-laws of the Town;

72.3.2 b) conduct such business in such a manner as to be a public or private nuisance;

- 72.3.3 c) directly or indirectly do business with any minor, without written authority from a parent or guardian, any goods or articles;
- 72.3.4 d) alter, repair, dispose of or in any way part with any goods or articles purchased or taken in exchange until after the expiration of thirty days, from the date of purchase or such exchange.

73. **SHEET METAL CONTRACTOR**

Authority: Municipal Act, R.S.O. 2001

- 73.1 No person shall operate as a sheet metal worker within the Town without first having obtained a licence to do so.
- 73.2 No person shall allow any sheet metal work to be carried out by any person who is not qualified to do so.
- 73.3 Every licensee shall ensure that all permits are obtained as may be required.
- 73.4 Every licensee shall ensure that all inspections are obtained as may be required.

74. **SHOE REPAIR/SHINE SHOP**

Authority: Municipal Act, R.S.O. 2001

- 74.1 No person shall operate or maintain a business of shoe repairs or shoe shining within the Town without first having obtained a licence to do so.
- 74.2 Every licensee shall ensure that where shoes or other footwear are left at the licensed premises for repair, a numbered receipt is attached with the shoes or footwear and a duplicate numbered receipt is given to the customer for reclaiming purposes.
- 74.3 Every licensee shall display a sign, plainly affixed in a prominent place, containing the registered name and operating name of the business.
- 74.4 Every licensee shall ensure that where shoes or other footwear are left at the licensed premises to be shined, a numbered receipt is attached with the shoes and a duplicate numbered receipt is given to the customer for reclaiming purposes.

75. **SIGN INSTALLER**

Authority: Municipal Act, R.S.O. 2001

- 75.1 No person shall operate or maintain the business of Sign Installer within the Town without first having obtained a licence to do so.
- 75.2 No person shall install or otherwise place or permit to be installed or permit to otherwise be placed any sign on municipal property contrary to the provisions of any Town by-law.
- 75.3 No person shall install or otherwise place or permit to be installed or permit to otherwise be placed any sign on private property contrary to the provisions of any Town by-law.

76. **SIGN LESSOR**

Authority: Municipal Act, R.S.O. 2001

- 76.1 No person shall operate or maintain the business of Sign Lessor within the Town without first having obtained a licence to do so.
- 76.2 No person shall install or otherwise place or permit to be installed or permit to otherwise be placed any sign on municipal property contrary to the provisions of any Town by-law.
- 76.3 No person shall install or otherwise place or permit to be installed or permit to otherwise be placed any sign on private property contrary to the provisions of any Town by-law.

77. **SMALL ENGINE REPAIR**

Authority: Municipal Act, R.S.O. 2001

77.1 No person shall operate or maintain the business of Small Engine Repair within the Town without first having obtained a licence to do so.

77.2 No person shall:

77.2.1 a) permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;

77.2.2 b) park or store any motor vehicle, or part of any motor vehicle on any sidewalk, boulevard, highway or road;

77.2.3 c) permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle while stationary, unless an adequate installation is provided to ensure exhausting of carbon monoxide fumes outdoors;

77.2.4 d) remove or cause to be removed any snow from the premises which is deposited on any public sidewalk, street or roadway.

77.3 Every person shall:

77.3.1 a) keep the premises free from rubbish and in a clean and neat condition;

77.3.2 b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of the business.

78. **SNACK BAR**

Authority: Municipal Act, R.S.O. 2001

- 78.1 No person shall operate or maintain a Snack Bar or Concession within the Town without first having obtained a licence to do so.
- 78.2 If premises are divided into areas in which persons are served with food or other refreshments, the said areas shall not be enclosed on more than three sides and no curtain, screen or other obstruction shall be used on the fourth side.
- 78.3 Rooms where foodstuffs are kept, stored, cooked or prepared, shall have walls and floors so constructed as to prevent the infestation by insects, rodents and other vermin and shall be kept clean and in good repair.
- 78.4 No dogs, cats or other animals shall be allowed on the premises or place where food is kept, stored, cooked, prepared or served.
- 78.5 Notwithstanding Section 78.4, no person licensed hereunder shall, in respect of any blind person being guided or led by a dog:
- 78.5.1 a) refuse to serve such person,
- 78.5.2 b) refuse to permit such person to enter with such dog into or upon any place or premises to which this licence applies,
- 78.5.3 c) refuse to permit such person and such dog to remain in or upon such place or premises, by reason only of the presence of the said dog.
- 78.6 All premises shall be kept in a clean and sanitary condition.
- 78.7 All premises shall be sufficiently and properly lighted and ventilated.
- 78.8 No room shall be used for sleeping.
- 78.9 Every person who engages in the handling of food shall, while so engaged, take such reasonable steps, as may be necessary, to protect the foodstuffs from contamination and shall cause such foodstuffs to be so placed as to prevent the risk of contamination.
- 78.10 No refuse, or garbage whether solid or liquid shall be deposited or permitted to accumulate and remain in any premises.
- 78.11 Food which is susceptible to spoilage or the action of toxin producing organisms shall be kept under refrigeration in accordance with the requirements of the Eastern Ontario Health Unit.
- 78.12 All premises shall provide in places where foodstuffs are stored, kept, prepared, cooked or served to customers, protection from dust, dirt, flies, and vermin, placed in glass cases, wire screens or other such methods as may be satisfactory and necessary.
- 78.13 Garbage and waste shall be removed from the premises as often as is necessary to maintain the premises in a sanitary condition and in any event at least twice weekly.
- 78.14 Garbage receptacles in a room or place where food is prepared, handled, processed, displayed, sold, offered for sale, served or stored shall be:
- 78.14.1 a) cleaned and sanitized after each use;
- 78.14.2 b) removed from the room when full.
- 78.14.3 c) except where daily collection service is provided, placed in a separate room, place, areas or bin, so constructed and maintained as approved by the Town and the Eastern Ontario Health Unit where required.

- 78.15 Liquid waste from the operation of the premises shall be disposed of in a sanitary manner.
- 78.16 Kitchens and other food preparation areas shall be equipped with ample facilities for washing and sterilizing eating and cooking utensils.
- 78.17 Knives, forks, spoons, dishes and other tableware shall be thoroughly sterilized with steam or boiling water after each using.
- 78.18 Adequate sanitary toilet facilities shall be provided as required by the Eastern Ontario Health Unit and such facilities shall be maintained in a clean and sanitary condition at all times.
- 78.19 The licensee shall not employ or permit anyone to be engaged in this business activity suffering from any form of contagious disease.
- 78.20 Every person employed in such premises licensed under this Section shall keep himself and his wearing apparel in a clean and sanitary condition.
- 78.21 The licensee shall not produce, reproduce or amplify nor allow anyone to produce, reproduce or amplify any sound contrary in contravention of the noise control by-law for the Town.
- 78.22 No outdoor patio shall be established within a parking space or area intended for the parking of vehicles.
- 78.23 No person shall operate any amusement device or game within any outdoor patio area.
- 78.24 No person shall allow the consumption of alcoholic beverages within any outdoor patio area unless such area is licensed under the provisions of the Liquor Licensing Act.
- 78.25 No person shall operate or maintain any motorized Refreshment Vehicle as an extension to a Snack Bar or Concession operation or establishment.
- 78.26 Every licensee shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said licensee and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.

79. **SNOW REMOVAL CONTRACTOR**

Authority: Municipal Act, R.S.O. 2001

- 79.1 No person shall operate or maintain a business as a Snow Removal Contractor within the Town without first having obtained a licence to do so.
- 79.2 No person shall deposit snow on any Town property contrary to the provisions of any Town by-law.
- 79.3 No person shall deposit snow on any highway or Town street.

80. **SPECIAL EVENT COMMERCIAL/ENTERTAINMENT**

Authority: Municipal Act, R.S.O. 2001

- 80.1 No person shall operate or maintain a Special Event (commercial/entertainment) within the Town without first having obtained a licence to do so.
- 80.2 No person shall operate a special event business in any Town park or on any Town property without permission from the Town.
- 80.3 No person shall erect any tent in respect of any special event without first having obtained all necessary permits from the Town and where applicable the Province of Ontario.
- 80.4 No person shall allow any animals to be in any park in conjunction with any special event under this section unless permission has first been obtained from the Town.
- 80.5 No person shall permit any vendor who is not licensed either under the provisions of this section or independently to be in any Town park or on any Town property in conjunction with any special event under this section.
- 80.6 Every person shall ensure that adequate emergency access ways are established and maintained at all times during the special event in accordance with the requirements of the Hawkesbury Fire Department.
- 80.7 Every person shall provide to the Issuer of Licences at the time of application for a licence a list of all vendors and such list shall include the registered name, operating name, a contact name, current mailing address and telephone number.
- 80.8 Every person shall ensure that no vendor is permitted to operate at a Trade Show unless such vendor is identified on the listing as provided to the Issuer of Licences at the time of application or as otherwise approved by the Issuer of Licences.

81. **SPECIAL SALE**

Authority: Municipal Act, R.S.O. 2001

- 81.1 No person shall sell or advertise for sale in any way, any goods, wares or merchandise by way of special sale within the Town without first having obtained a licence to do so.
- 81.2 Where the applicant is not the owner of the goods, the application for business licence shall be accompanied by a statutory declaration of the owner of the goods verifying the details of the said application.
- 81.3 The applicant shall, produce such books, records, or other documents as the Issuer of Licences shall deem necessary to corroborate any of the statements contained in the application.
- 81.4 No person shall add to or replenish the goods described in the application or substitute any goods thereof.
- 81.5 The Issuer of Licences may refuse to issue a licence or may revoke any licence already issued for a special sale if:
- 81.5.1 a) any information set forth in the application or statutory declaration of the owner or applicant is revealed to be false;
- 81.5.2 b) the licensee attempts to add to or replenish the goods described in the application or substitute any goods thereof;
- 81.5.3 c) the sale is advertised or conducted in a manner other than that described in the application or in any manner calculated to mislead or deceive the public.
- 81.6 No licence shall be valid for a period longer than 30 days.
- 81.7 Notwithstanding the provisions of Section 81.6 the licensee may apply for a licence for an additional 30 day period to permit the sale of any remaining goods described in the original application.
- 81.8 No notice of special sale shall be advertised without including in its text the number of the licence which has been previously issued by the Issuer of Licences for one particular sale.

82. **SWIMMING POOL**

Authority: Municipal Act, R.S.O. 2001

- 82.1 No person shall operate or maintain a public swimming pool within the Town without first having obtained a licence to do so.
- 82.2 No person shall be licensed to operate or maintain a public swimming pool unless it complies with the following requirements:
- 82.3 Every swimming pool shall be equipped with filtration, re-circulation, and continuous chlorination equipment in compliance with the requirements of the Eastern Ontario Health Unit.
- 82.4 The floor of every area adjacent to the pool, the dressing rooms and shower/bath rooms shall be constructed of impervious material
- 82.5 Where the pool is an indoor pool, the room containing the pool shall be ventilated as required by the Eastern Ontario Health Unit.
- 82.6 Adequate shower facilities for the effective cleansing of all bathers shall be provided.
- 82.7 Adequate sanitary facilities shall be provided in a location adjacent to dressing rooms or shower/bath rooms.
- 82.8 A source of drinking water for patrons shall consist of one or more drinking fountains of a design approved by the Medical Officer of Health.
- 82.9 Duckboards or cocoa matting shall not be used in any shower, dressing room or swimming pool room.
- 82.10 When the pool is open to the public the pool water shall be free from algae growths and kept clean in accordance with standards set by the Eastern Ontario Health Unit.
- 82.11 The licensee shall not permit any person to use the pool unless such person shall have first effectively used the shower facilities.
- 82.12 A properly qualified swimming supervisor and a trained pool operator shall be in attendance at the pool while it is open to the public.
- 82.13 The licensee shall not allow or admit and patron who appears to suffer or shows symptoms of any communicable disease unless such patron has obtained permission to use the premises from a medical doctor.
- 82.14 The owner or operator of a public swimming pool or public bath premises shall be responsible for keep order in the premises at all times.
- 82.15 Every licensee shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said licensee and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.

83. **TATTOO PARLOUR**

Authority: Municipal Act, R.S.O. 2001

- 83.1 No person shall operate or maintain the business of a Tattoo Parlour within the Town without first having obtained a licence to do so.
- 83.2 No person shall dispose of any needle or other similar piercing instrument, item or tool in an unsafe manner.
- 83.3 No person shall provide tattoo services to any person who is known to suffer from a contagious disease.

84. **TEMPORARY SALES BOOTH/LOCATION**

Authority: Municipal Act, R.S.O. 2001

- 84.1 No person shall operate or maintain a temporary sales booth or location for the purpose of selling or offering for sale goods, wares, merchandise, services or other items, not being goods, wares, merchandise or items of a second hand or antique nature as defined within this by-law, within the Town without first having obtained a licence to do so.
- 84.2 No person shall operate or maintain a temporary sales booth or location on any Town property without first having obtained permission to do so.
- 84.3 No person shall operate or maintain a temporary sales booth or location on any Town boulevard.
- 84.4 No person shall park or permit to be parked any vehicle in respect of any temporary sales booth or location contrary to any Town by-law.

85. **THEATRE**

Authority: Municipal Act, R.S.O. 2001

- 85.1 No person shall operate or maintain a theatre or moving picture show within the Town without first having obtained a licence to do so.
- 85.2 Every licensee shall ensure that the forming of queues for the purpose of gaining entrance to the theatre or moving picture show do not obstruct any sidewalk or highway and that a uniformed attendant is present whenever a queue is formed for the purpose of regulating such queue.
- 85.3 All theatres and moving picture shows shall at all times conform to the requirements of the Ontario Fire Code, as well as all requirements and regulations of the Theatres Act, R.S.O. 1990, T.6.

86. **TOURIST CAMP** (including campgrounds)
Authority: Municipal Act, R.S.O. 2001
- 86.1 No person shall operate or maintain a trailer or tourist camp within the Town without first having obtained a licence to do so.
- 86.2 Where the trailer or tourist camp is designed to accommodate two or more trailers, a complete plan of such camp shall be submitted with the application to the Town showing location and dimensions of all campsites, roadways, footpaths, hydro supply, buildings, sewage disposal facilities, drainage culverts etc.
- 86.3 Where camps are designed to accommodate more than two trailers it shall be the responsibility of the licensee to ensure that the requirements as set out hereunder are met and complied with at all times.
- 86.4 Every camp shall be located on a well drained site properly graded to ensure rapid drainage and freedom from stagnant pools of water.
- 86.5 Every camp shall comply with all provisions set out in Zoning By-law No. 84-94, as amended.
- 86.6 Each roadway within the camp shall have a minimum clear width of 5 feet for traffic.
- 86.7 All roadway surfaces within the campground shall be constructed so as to prevent vehicles from becoming mired and shall be treated to prevent dust from being generated by the vehicles travelling on them or by the wind.
- 86.8 The speed limit of vehicles within the confines of the camp shall be a maximum of 5 kilometres per hour and an adequate number of signs shall be posted within the camp indicating the maximum speed.
- 86.9 "STOP" or "YIELD" signs shall be posted at all roadway intersections to show which vehicles have the right-of-way.
- 86.10 Pedestrian walkways which cross a roadway shall be clearly marked with a sign(s) to show that the pedestrian has the right-of-way.
- 86.11 Where sites are not serviced with individual sewer hook-ups, the camp shall be provided with washroom facilities housed in permanent structures. Such facilities shall provide wash basins, flush toilets, urinals and showers which shall meet the requirements of the Eastern Ontario Health Unit and/or the Ministry of the Environment and all such washroom facilities shall have an adequate supply of hot and cold running water for the needs of the camp patrons and guests.
- 86.12 Any tap which supplies non-potable or untreated water shall be clearly marked as such.
- 86.13 Where washroom facilities for men and women are in the same building, such facilities shall be separated by a solid sound proof wall. If such facilities are in separate buildings, such buildings shall be a minimum of 30 feet apart.
- 86.14 Washrooms shall have privacy partitions at the entrance for the purpose of preventing people who may be standing or passing by outside from seeing inside.
- 86.15 Every flush toilet must be enclosed in a private stall with a door that can be latched from the inside.
- 86.16 Showers and dressing areas shall be situated in private stalls with doors that can be latched from the inside.
- 86.17 Sewage disposal facilities shall meet the requirements of the Eastern Ontario Health Unit and/or Ministry of the Environment and/or the Town of Hawkesbury.

- 86.18 Every camp shall, as part of its sewage disposal system, provide facilities into which the contents of camp vehicle holding tanks may be discharged. Each facility for discharge of waste shall have a pipe or inlet set in the centre of a concrete pad being not less than 5 feet x 5 feet, the surface of which shall be sloped to the centre to ensure that any spillage will flow to the inlet. A tap and pressure hose shall be provided for the washing down of the facility which shall also be disinfected at designated intervals.
- 86.19 Every camp shall have at least one drinking fountain and one cold water tap from which water can be drawn.
- 86.20 Every service building shall be a permanent structure meeting the requirements of the Ontario Building Code. Service buildings shall be adequately lighted and heated at all times and shall be maintained in a clean and sanitary condition and properly ventilated.
- 86.21 Fire extinguishing equipment shall be provided and maintained within the camp as required by the Chief Fire Official.
- 86.22 No open fire shall be permitted at any place that would endanger life or property. No fire shall be left unattended at any place or at any time.
- 86.23 Every mobile home shall be equipped with its own fire extinguisher.
- 86.24 Every camp shall have a sturdy receptacle at each trailer site to be used for the temporary storage of garbage and trash. Such receptacles shall be made of a material which cannot be penetrated by rodents, and which are non-porous, non-absorbent and capable of being washed and disinfected. Such receptacles shall also be equipped with fly-tight covers and lids.
- 86.25 The licensee shall ensure that all garbage/trash receptacles are emptied when such receptacles become full or in any event at intervals not less than once every 48 hours.
- 86.26 Every trailer site shall be provided with an electrical outlet supplying at least 110 volts.
- 86.27 The licensee shall ensure that a responsible adult, who is familiar with the camp is on duty at all times when the camp is open for business.
- 86.28 The licensee shall ensure that an occupancy register is maintained. Such register shall contain a record of all owners and occupants of the camp vehicles/trailers located within the camp. The register shall contain also:
- 86.28.1 a) the name and address of each occupant;
- 86.28.2 b) the make, model, year, licence number including Province or State, of every vehicle;
- 86.28.3 c) the arrival and departure date of each camping vehicle/trailer;
- 86.28.4 d) identification number of the campsite(s) occupied by each registered guest.
- 86.29 The operator shall maintain all grounds, service buildings, and facilities in a tidy, clean and sanitary condition at all times.
- 86.30 The licensee shall be responsible for establishing periods of quiet hours that will serve the majority of occupants of the camp, with a Notice of such "Quiet Hours" being posted in a conspicuous place within the camp office. The licensee shall use his best efforts to ensure that such Quiet Hours are observed by all occupants of the camp.
- 86.31 No owner or person in charge of any dog, cat or other pet shall permit it to run at large, or create any nuisance within the limits of the camp and shall ensure that any excrement left by any animal under his/her control is immediately removed and

disposed of in a sanitary manner.

86.32 Every licensee shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the licensee and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 30 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.

87. **TRADE SHOW**

Authority: Municipal Act, R.S.O. 2001

- 87.1 No person shall operate or maintain the business of a Trade Show within the Town without first having obtained a licence to do so.
- 87.2 Every person shall provide to the Issuer of Licences at the time of application a list of all vendors to be on the licensed premise and such list shall include the business name of the vendor, the vendor's own name, a contact name, mailing address and telephone number.
- 87.3 Every person shall ensure that no vendor is permitted to operate at a Trade Show unless such vendor is identified on the listing as provided to the Issuer of Licences at the time of application.
- 87.4 Every person shall ensure that no vendor operates within any exit, corridor or public access way and shall not, in any way, impede the ingress or egress of the flea market or any stall.
- 87.5 Every operator shall ensure that any vehicle operated in relation to any Trade Show is not left parked, standing or otherwise stopped contrary to any Town by-law.
- 87.6 No person shall operate a menagerie in conjunction with any Trade Show unless such menagerie is licensed under the provisions of this By-law.

88. **TREE CUTTING CONTRACTOR**

Authority: Municipal Act, R.S.O. 2001

- 88.1 No person shall operate or maintain the business of Tree Cutting Contractor within the Town without first having obtained a licence to do so.
- 88.2 No person shall cut any tree contrary to the provisions of any by-law of the Town of Hawkesbury.

89. **VIDEOTAPE SALES/RENTAL**

Authority: Municipal Act, R.S.O. 2001

- 89.1 No person shall operate or maintain the business of Videotape Sales or Videotape Rentals within the Town without first having obtained a licence to do so.
- 89.2 Where premises are licensed and where adult videotapes are sold or rented or offered for sale or rent, the licensee shall ensure that such adult videotapes are contained within a separately enclosed area of the premises. Such area shall be so designed as not to be in view to any member of the public unless the person is within the enclosed area and shall be signed in such a manner as to alert any person entering such area to the fact that the area is reserved exclusively for adult videotapes.
- 89.3 No licensee shall permit any person under the age of 18 years to be present in or enter into any area which has been enclosed for the purpose of Adult Videotape Sales or Rental.
- 89.4 No person shall place or cause to be placed any pictures, bulletins, notices or other advertisement of any Adult Entertainment Videotape in such a way within the premises or on the premises so as to be visible to members of the general public who have not entered the reserved area of such premises.
- 89.5 No person shall sell, offer for sale, rent or offer for rent any Adult Entertainment Videotape which is prohibited for distribution or redistribution by any Provincial or Federal Statute.

90. **OFFENCES AND FINES**

- 90.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence.
- 90.2 Every person who is convicted of an offence is liable to a fine as provided for in the Set fine schedule.
- 90.3 This section does not apply to Adult Entertainment Parlour section offences.

91. **BY-LAW IN FORCE**

91.1 This by-law shall come into force and take effect upon its final passing and thereupon shall repeal By-law N° 16-98 and their related fees.

**READ A FIRST, SECOND AND ADOPTED UPON THIRD READING
THIS 31st DAY OF May 2004.**

Clerk

Mayor

TABLE 1 to By-law N° 30-2004
All licences listed hereunder will expire December 31st of the year in which it is issued,
unless otherwise stated.

| LICENCE CLASSIFICATION | LICENCE CATEGORY | REQUIRED INSPECTIONS | LICENCE FEE |
|-------------------------------|---|--|---|
| I - BASIC | BASIC (required for all retail businesses and services not requiring a specified classification of licence) | Zoning (and if applicable, Building and/or Fire inspections) | \$105.00 (2014) \$110.00 (2015) \$115.00 (2016) \$120.00 (2017 and subsequent years) |
| | APPLICATION FEE | | \$100.00 + Licence fee* |
| II – EXCEPTIONS | Door to Door Sales Person and Service Person (WE DO PHOTO I.D.) | 2 pieces of Identification | \$315.00 (2014) \$330.00 (2015) \$345.00 (2016) \$360.00 (2017 and subsequent years) |
| | Trade Show | Zoning, Parks and Recreation if operated on parkland. Building and Fire if operated within any building / structure. List of all vendors including names, addresses and product/service. | \$315.00 per event (2014) \$330.00 per event (2015) \$345.00 per event (2016) \$360.00 per event (2017 and subsequent years) |
| | Carnivals | Zoning, Parks & Recreation if operating within park or City owned facility. Fire if operated within a building/ structure. List of all employees including names, addresses. Police Criminal Record Check | \$630.00 per event (2014) \$660.00 per event (2015) \$690.00 per event (2016) \$720.00 per event (2017 and subsequent years) |
| | Circuses (Animals or non animals) | Zoning, Parks & Recreation if operated within park or City owned facility. Fire if operated within a building/ structure. List of all employees including names, addresses. Police Criminal Record Check. Accreditation from proper authorities. | \$630.00 per event (2014) \$660.00 per event (2015) \$690.00 per event (2016) \$720.00 per event (2017 and subsequent years) |
| | Adult Entertainment | Zoning, Fire, List of Shareholders | \$1,050.00 (2014) \$1,100.00 (2015) |

| | | | |
|-------------------------------|-------------------------|---|---|
| | | (names, addresses, birthdate, mailing address) | \$1,150.00 (2016) \$1,200.00 (2017 and subsequent years) |
| | Pawnshop | Zoning Security - \$1,000.00 | \$1,050.00 (2014) \$1,100.00 (2015) \$1,150.00 (2016) \$1,200.00 (2017 and subsequent years) |
| | APPLICATION FEE | | \$100.00 + Licence fee |
| LICENCE CLASSIFICATION | LICENCE CATEGORY | REQUIRED INSPECTIONS | LICENCE FEE |
| | Special sale | Zoning, Building and Fire if operated within any building / structure | \$1,000.00 for a 30 day period; \$1,000.00 for a 30 day period renewal. |

Amended by By-laws N° 50-2008 & 10-2014

* The licence fee for the licence classification "Basic" for the first year shall be \$10.00 per month from the opening date to December 31st inclusively for a maximum of the annual licence fee for the current year.