

## BY-LAW NO. 16-2016

### A BY-LAW OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO LICENSE, REGULATE AND GOVERN REFRESHMENT VEHICLES IN THE TOWN OF CARLETON PLACE

**WHEREAS** Section 151(1) of the *Municipal Act, 2001* S.O. Chapter 25 grants to municipalities general licensing powers and;

**WHEREAS** Section 27(1) of the said *Municipal Act* authorizes Council to pass by-laws respecting highways if it has jurisdiction over them; and

**WHEREAS** Section 63(1) of the said *Municipal Act* authorizes a Municipality having a by-law to prohibit or regulate the placing, stopping, standing or parking of an object or vehicles on a highway to impound, restrain or immobilize any object or vehicle placed, stopped, standing or parked on a highway in a contravention of the by-law;

**AND WHEREAS** Council deems it appropriate to regulate and licence Refreshment Vehicles for the purpose of Health and Safety, Nuisance Control and Consumer Protection with respect to the inhabitants of the Municipality;

**NOW THEREFORE** the Council of the Corporation of the Town of Carleton Place enacts as follows:

#### 1 **DEFINITIONS:**

The following definitions shall apply for the purposes of this by-law:

- 1.1 “applicant” means the owner of a vehicle or property who applies for a permit or any person authorizes by the owner to apply for a permit on the owner’s behalf, or any person or corporation empowered by the statute to conduct business in the Province of Ontario.
- 1.2 “approved location” shall mean the location(s) specified in the application and for which a licence has been granted.
- 1.3 “chief building official” means the Chief Building Official appointed by Council.
- 1.4 “clerk” shall mean the Clerk or Deputy Clerk of the Town of Carleton Place.
- 1.5 “corporation” shall mean the Corporation of the Town of Carleton Place.
- 1.6 “Council” shall mean the council of the Town of Carleton Place.
- 1.7 “eating establishment” means a building or part of a building where food is offered for sale or sold to the public for consumption and which has seating and eating facilities. Such uses include a restaurant, ice cream parlour, tea or lunchroom, dairy bar and/or a coffee shop.
- 1.8 “licence” shall mean a licence under the provisions of this by-law.
- 1.9 “licensee” means the person to whom the licence has been issued and who assumes the primary responsibility for complying with this by-law.

- 1.10 “located refreshment vehicle” means a vehicle located at an approved location for the purposes of selling food and beverages to the public. A refreshment vehicle must be capable of being readily removed from an approved location within 24 hours of a notice to remove being received. A located refreshment vehicle shall be permitted to locate on private property by the development permit system.
- 1.11 “medical officer of health” shall mean the Medical Officer of Health for Leeds, Grenville and Lanark District Health Unit or his duly authorized delegate.
- 1.12 “mobile canteen” shall mean a motor vehicle equipped for the cartage, storage and preparation of refreshments from which said motor vehicle refreshments are offered for sale for consumption primarily by persons at their place of employment or by persons attending a private function, including auction sales or other special sale where the mobile canteen operator has been invited or authorized by a person holding the sale to dispense refreshments. A mobile canteen shall be included in the definition of “refreshment vehicle”.
- 1.13 “owner” means that registered owner of the land and includes a lessee mortgages in possession, and the person in charge of the property.
- 1.14 “roadworthy” shall mean the vehicle complies with the requirements of *The Highway Traffic Act* and is licensed by the Ministry of Transportation for operation on a public highway. The applicant for a license shall produce such vehicle licence prior to issuance of a licence.
- 1.15 “operate” shall mean the act of selling, offering for sale, or otherwise dispensing of refreshments and “operator” shall have a like meaning.
- 1.16 “refreshment” shall mean all food stuffs or beverages either prepared on site or pre-packaged and intended for consumption by the public. Refreshments shall include, but not limited to, French fries, hamburgers, onion rings, pogos, hotdogs, sausages, sandwiches, popcorn, ice cream, candy, confections and fresh produce.
- 1.17 “refreshment cart” shall mean a mobile vehicle from which refreshments are sold for consumption by the general public. A main body of the refreshment cart shall not exceed the following dimensions: 3 metres in length, 1.5 metre in width and 2.5 metres in height, measured from the ground upward.
- 1.18 “Refreshment Vehicle” shall mean a motor vehicle, trailer or cart equipped for the cartage, storage and preparation of refreshments which is used only for the sale of such refreshments intended for the consumption of the general public. A chip wagon, mobile canteen and refreshment cart shall be included in the definition of a “refreshment vehicle”.

## **2 GENERAL PROVISIONS**

- 2.1 Every licensee shall ensure that an adequate number of containers for recyclable materials and waste receptacles with self-closing lids are provided in accessible locations in the vicinity of the refreshment vehicle.
- 2.2 Every licensee shall ensure that the waste receptacles are emptied at least once a day.

- 2.3 Every licensee shall ensure that the grounds in the vicinity of the refreshment vehicle for a distance of 30 metres are kept clean of all waste.
- 2.4 Every licensee shall ensure that the refreshment vehicle, all accessories and equipment shall be kept in good repair and at all times and in a clean and sanitary condition.
- 2.5 Every licensee shall ensure that:
  - 2.5.1 no person other than a bona fide employee of the licensee shall operate the refreshment vehicle, and
  - 2.5.2 any employee (operator) shall be adequately trained in the safe operation of the refreshment vehicle and equipment, and
  - 2.5.3 all employee are familiar with the contents of this by-law, and
  - 2.5.4 any operator or employee under his control, management or supervision does not breach any of the provision of this by-law.
- 2.6 Every licensee shall ensure that all conditions expressed by the Fire Company, the By-law Department, the Health Unit, the Building Department, or the Planning Department forming part of any approval shall be adhered to at all times.
- 2.7 No person shall operate a refreshment vehicle within the limits of the Town of Carleton Place unless and until the operator has obtained a separate licence for each refreshment vehicle, as issued under the provisions of this by-law. The applicant for every licence shall be a minimum of eighteen (18) years of age.
- 2.8 The annual licence fee for each refreshment vehicle shall be as listed in Schedule "A" of this by-law.
- 2.9 The term of each licence shall be from the first day of January to the thirty-first day of December in each year, and no licence shall be issued except on payment of the full amount of the prescribed fee.
- 2.10 A licence shall not be transferred from one vehicle to another nor from one operator to another.
- 2.11 An annual renewal licence may be issued to the previous holder of a licence for a previously approved location provided all other application requirements, including the payment of the prescribed fee, permission of the landowner, proof of valid vehicle licence and compliance approval from the medical officer of health, fire chief and building inspector, are submitted on an annual basis. A completed application form and fee shall be submitted to the Clerk by January 15<sup>th</sup>.
- 2.12 No person shall operate a refreshment vehicle without having, at all times, in the vehicle licensed by the Corporation, the individual licence granted for that specific vehicle and shall present such licence on demand for inspection by any law or By-law Enforcement Officer of the Corporation.

- 2.13 The operator of a refreshment vehicle shall accept liability for all or any claims for injury or damage to any person or property caused or created by the operation of the refreshment vehicle.
- 2.14 Exemptions from location provisions of this by-law may be granted for refreshment vehicles to be operated on parks or other lands in the control of the Corporation for specific special events, but only during the times and at the locations designated by Council in writing. Exemptions may also be granted by Council for events and other locations.
- 2.15 No person shall operate a refreshment vehicle closer than 30 metres to an eating establishment that is paying a property tax to the Town of Carleton Place. Should the owner of a refreshment vehicle wish to locate the said vehicle closer than 30 metres to an eating establishment, written acknowledgement from the affected eating establishment owner shall be filed with the application. A sample letter is attached as Schedule "B.2".

### **3. PRESCRIBED FORMS**

- 3.1 The forms prescribed for use as application for licence, for licences and for notices of contravention shall be as set out in Schedule "B" attached to and forming part of this by-law.

### **4 APPLICATION**

- 4.1 To obtain a permit, an applicant shall file an application in writing on the forms prescribed by and available from the Clerk and/or By-law Department, and shall supply any other information relating to that application as required by the Town of Carleton Place.
- 4.2 Every application for refreshment vehicle licences shall:
- 4.2.1 identify and describe in detail the products to be sold;
  - 4.2.2 be accompanied by the required application fee as calculated in accordance with Schedule "A";
  - 4.2.3 include a description of the vehicle and where applicable provide a photocopy of the current motor vehicle registration document;
  - 4.2.4 include a current certificate of compliance with "The Food Premises Regulation" as written under the Act from the medical officer of health;
  - 4.2.5 include certificates of compliance from the following Town of Carleton Place authorities:
    - 4.2.5.1 the Fire Company
    - 4.2.5.2 the By-law Department
  - 4.2.6 be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the connection of all water, sewer, gas, electric, telephone or other utilities and services that are proposed, if applicable;
  - 4.2.7 include a statement of indemnification to the Town of Carleton Place as described in Section 7 hereof;

- 4.2.8 provide proof of insurance as described in Section 6 hereof;
- 4.2.9 be signed by the applicant who shall certify as to the truth of the contents of the application.

## **5 FEES**

- 5.1 A Licence and Application fee shall be charged on an annual basis in accordance with this by-law in order to recover the cost of the administration and enforcement of the said licence. The purpose of a licence charge under this by-law shall be to ensure consumer protection, the public health and safety and consumer control.
- 5.2 The required fees shall be calculated in accordance with Schedule "A" for the licence proposed and the applicant shall pay such fees.
- 5.3 No application shall be reviewed unless the required application fees have been paid in full.
- 5.4 No licence shall be issued unless the required licence fees have been paid in full.
- 5.5 The first year licence fee for an approved applicant may be prorated for the number of months left in the year of the first application (see Schedule "A" for fees).

## **6 INSURANCE**

- 6.1 No person shall be granted or hold a licence for a refreshment vehicle unless he/she establishes and maintain in effect proof of financial responsibilities covering each vehicle. Such proof shall be made by delivering to the Town of Carleton Place an original or a copy of a current valid insurance (as photocopied by the Clerk) which includes the following:
  - 6.1.1 a description of the coverage, policy number, effective date, expiry date, limits of liability and details of the vehicle covered;
  - 6.1.2 an amount of insurance not less than one million dollars (\$1,000,000.00), exclusive of interest and costs for each vehicle to include:
    - 6.1.2.1 loss or damage resulting from illness, injury or death of one or more persons from any food, product, goods or any act or omission by the operator or owner of a refreshment vehicle, and
    - 6.1.2.2 loss or damage resulting from bodily injury to or death of one or more persons, or from loss or damage to property resulting from any one accident; and
  - 6.1.3 an endorsement included in the insurance policy that provides for the Town of Carleton Place to receive at least fifteen (15) days' written notice of the policy being cancelled or expiring, or any changes to the terms and conditions of the policy.

## **7 INDEMNIFICATION**

- 7.1 No person shall be granted or hold a licence for the operation of a refreshment vehicle unless he or she has in writing agreed to indemnify and hold harmless the Town of Carleton Place, its agents, servants, employees and officials for any claims, actions or suits which might be brought against the said person and the Town of Carleton Place arising out of the operation of the refreshment vehicle in any manner whatsoever, or any error, negligence, or omission of the person, his or her agents, servants or employees. A sample indemnification form is attached hereto as Schedule "D".

## **8 REVISIONS TO LICENCE**

- 8.1 After the issuance of a licence under this by-law, notice of any material change to a plan, specification, document or other information on the basis of which the licence was issued, must be given in writing to the Town of Carleton Place together with the details of the change.
- 8.2 No modification(s) to any refreshment vehicle shall be carried out without the express written authorization of the Clerk as authorized by Council.

## **9 REGULATIONS**

- 9.1 (Located) Refreshment Vehicle:

- 9.1.1 (located) Refreshment vehicles shall be permitted to locate only on approved property locations as shown on Schedule "C" attached hereto. All other locations require approval by Council.

Every application to request a location not shown on Schedule "C" shall include a site plan drawn to scale showing the proposed vehicle location, adjacent structures, entrance and exit from adjacent street(s), proposed additions to the vehicle, signs, required parked spaces, the location and proposed hook-up of all utilities and set back distances from the street, all as required by the provision of this by-law.

- 9.1.2 The Refreshment Vehicle shall be located at least three (3) metres from the front line of the property on which it is located.
- 9.1.3 The site for a Refreshment Vehicle shall provide a minimum of four automobile parking spaces for the exclusive use of the Refreshment Vehicles' patrons.
- 9.1.4 All structures or additions to the Refreshment Vehicle site, including signs and structures designed to protect the public from the elements while being served at the servicing window, are subject to approval of the Chief Building Official and shall be shown on the approved plan required pursuant to Section 9.1.1. Such structures or additions shall be designated and constructed in a neat and workmanlike fashion such that they do not detract from the general appearance of the site nor inhibit the ability to move the vehicle or short notice. The maximum area of all additions, in total, shall not exceed one third (1/3) of the area occupied by the Refreshment Vehicle itself.

- 9.1.5 Every Refreshment Vehicle shall be capable of being moved and driven or towed on a highway upon 24 hours' notice by a police officer and/or the by-law enforcement officer. Permanent electrical or other utility hook-ups are prohibited. To provide for the operation of exhaust fans, approved lighting and other electrical power requirements, a Refreshment Vehicle may be connected to an approved power source provided such connection is made by means of a connection which can be readily and safely disconnected without the use of tools. Such connection must not inhibit the capability of the Refreshment Vehicle to be mobile on short notice or to otherwise cause the Refreshment Vehicle to be recognized as a permanent structure.
- 9.1.6 No sign or advertising device may be displayed, except in accordance with the Sign By-law.
- 9.1.7 Where there is a potential for the production of grease-laden vapours and smoke, the installation of equipment for the removal of smoke and grease-laden vapours shall be installed to meet the requirements of NFPA 96 "Standards for the Installation of Equipment for the Removal of Smoke and Grease-laden Vapours".
- 9.1.8 Where electrical facilities are provided, a certificate of inspection certifying compliance to the requirements of Hydro One is required.
- 9.1.9 All plumbing facilities shall comply with the requirements of Part 7 of *The Ontario Building Code*. The operator or attendant of each vehicle shall have access to toilet and washing facilities during hours of operation to the satisfaction of the Chief Building Official.
- 9.2.1 Site Specific Refreshment Vehicles Licences – Riverside Park Only  
Two site specific mobile Refreshment Vehicle licences for Riverside Park only shall be available each year on a first come first served basis. No operator may obtain more than one specific licence for Riverside Park.
- 9.2.2 That a letter of approval from the Manager of Recreation and Culture for a site specific location be submitted prior to the issuance of a licence. The letter shall state terms and conditions as deemed appropriate by the Manager of Recreation and Culture.

### **9.3 Refreshment Vehicle (Mobile Canteen) Provisions**

- 9.3.1 The operator of a mobile canteen shall conduct business while parked other than on a public highway, street, road, land, park, boulevard or other public land, provided that when special exemption to do so has been granted in writing by Council, business may be conducted when parked on a street where construction work is being carried out or when parked on a park or other lands in the control of the Corporation. A mobile canteen may stay on any one private property no longer than 30 minutes.

## 9.4 Refreshment Vehicle (Cart) Provisions

9.4.1 No person shall vend from a refreshment cart or carts except in accordance with the following provisions:

### 9.4.1.1 General Provisions for Refreshment Carts:

- a) Every licensee who vends shall ensure that all articles, whether on display or not on display, except for a garbage receptacle and a small condiment tray are contained within the cart. The garbage receptacle and a small condiment tray shall be located no further than 1.5 metres from the cart.
- b) No person shall vend from a Refreshment Vehicle (cart) or from a stand upon any highway including a boulevard, sidewalk or street, or any part thereof.
- c) Every licensee shall keep his or her refreshment cart at all times in a clean and sanitary condition and in a state of good repair and appearance.
- d) Every refreshment cart equipped with a food heating capability shall be adequately equipped with a fire extinguisher having an A.B.C. rating.
- e) No person licensed pursuant to this by-law shall carry, sell, offer or expose for sale any or all of the food products which are prohibited from time to time by the medical officer of health.
- f) The licensee shall ensure that any person vending with or from his or her refreshment cart has visible to the public and attached to the refreshment cart the license issued in the Town.

The holder of a licence in a category set out in Section I shall not use the licence for the purpose of any other category unless specifically permitted herein.

Every person to whom this by-law relates shall be governed by *The Public Health Act*, R.S.O. 1990, Chap. P.10, as amended, or *The Health Protection and Promotion Act*, R.S.O. 1990, Chap. H.7, as amended, and regulations enacted thereunder.

No person shall use:

- i) an external gasoline-powered generator
- ii) an external propane-powered generator, or
- iii) an external diesel-powered generator in conjunction with a refreshment cart.



#### 9.4.1.2 Collection and Removal of Garbage from a Refreshment Cart:

- a) No person who vends with or from a refreshment cart shall place or locate any carton, box or other article, other than a garbage receptacle and a small condiment tray, outside of the refreshment cart. The garbage receptacle and a small condiment tray shall be located no further than 1.5 metres from the cart.
- b) No person shall vend with or from a refreshment cart without first placing a garbage receptacle outside of the refreshment vehicle.
- c) Every person who vends with or from a refreshment cart shall ensure that the garbage receptacle placed outside the cart is taken away with the vehicle and that the garbage is disposed of in a proper and sanitary manner.
- d) Every person who vends shall ensure that the garbage or litter resulting from his or her vending activity is collected and removed from the vending area within a distance of 30 metres of the refreshment cart.
- e) The placing of the garbage or litter in a sidewalk refuse container provided by the Corporation is not sufficient to constitute removal.

#### 9.4.1.3 Location and Time Regulations

- a) Refreshment Vehicles (cart) may be located in areas within the community designated as commercial in accordance with this by-law and the Town's Development Permit By-law. Applicants require written approval from the owner of commercial properties.
- b) No person shall vend from a refreshment cart on a public sidewalk. Further, the refreshment cart, if located on private property, shall not be located any closer than 1.2 metres to a sidewalk.

No person who vends shall place or locate himself or herself or anything on a street so as to be within nine (9m) metres from the nearest street intersection.

No person shall vend on any municipal property unless authorized to do so in writing by Council, except as provided for in Section 9.2.1.

Sales to occur between 6:00 o'clock in the forenoon (6:00 a.m.) and 11:00 o'clock in the afternoon (11:00 p.m.) of the same day.

## **10 VIOLATION/REVOCAION OF LICENCE**

- 10.1 If after an inspection of an operation, an agent for the Town is satisfied that the operation does not conform to the standards of this by-law or any by-law governing the operation of a business within the Town of Carleton Place, a notice of by-law violation shall be sent to the licensee by personal service upon or sent by prepaid registered mail to the licensee, stating the particulars of the non-conformity, and may at the same time provide to the owner of the property with a copy of such notice. A sample notice of violation is attached hereto as Schedule "B.3".
- 10.2 The licensee shall have 24 hours from the date of receipt of the notice to rectify the stated violation or face the revocation of the licence.
- 10.3 Where a licence is revoked, the refreshment vehicle shall be removed from its location within 24 hours of the date of revocation.
- 10.4 Failure to remove the refreshment vehicle within the time period specified will allow the Town of Carleton Place to remove the vehicle at the operator's expense.
- 10.5 Where the Town removes the refreshment vehicle, it shall be entitled to recover the expense incurred from the owner of the vehicle before it releases custody of the vehicle to the owner.
- 10.6 Where a licence has been revoked, the licensee shall have the right to reapply for a new licence, and therefore, shall submit a new application together with the required application fee for the new licence, and if the application is approved, the operator shall pay such licence fee as is required.
- 10.7 In addition to any measures that are available to the Town in this Section, the Town shall have the right to seek to impose a penalty as provided for in Section II.

## **11 ENFORCEMENT**

- 11.1 Any person who contravenes any of the provision of this by-law and the procedures with respect thereto is guilty of an offence and the enforcement and the penalty imposed thereunder shall be subject to the provisions of *The Provincial Offences Act*, R.S.O. 1990, Chapter P.53 and any amendments thereto, and the penalty for the commission of any such offence shall be as provided for in the said *Provincial Offences Act*.
- 11.2 This by-law shall be enforced by the Municipal By-law Enforcement Officer and/or by an Officer of the Ontario Provincial Police.

## **12 SEVERABILITY**

- 12.1 Should any section, subsection, clause or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the part so declared to be invalid.

**13 REPEAL**

13.1 By-law 57-2013 and amendments thereto are hereby repealed in their entirety.

**14 SHORT TITLE**

14.1 This by-law may be cited as The Refreshment Vehicle By-law.

**15 EFFECTIVE DATE**

15.1 This by-law shall come into force and take effect upon the date of final approval of the Regional Judge regarding set fines. Licences granted and issued in accordance with By-law No. 57-2013 may remain in effect until December 31, 2016.

READ A FIRST TIME, SECOND TIME, THIRD TIME AND FINALLY PASSED THIS  
12<sup>TH</sup> DAY OF APRIL 2016.

\_\_\_\_\_  
Louis Antonakos, Mayor

\_\_\_\_\_  
D.H. Rogers, Clerk

## SCHEDULE “A” TO BY-LAW 16-2016

### RESPECTING CLASSES OF LICENCES AND THE FEES PAYABLE THEREFORE

#### APPLICATION FEES

Non-refundable application fee for all first time applicants	\$100.00
Non-refundable application fee for renewal of existing licence	\$ 25.00
Located Refreshment Vehicle Application and Amendment Fee	\$250.00

**Note:** *This fee is intended to partially recover the cost of inspections and review by various Town Departments that are required to comment on the application for licence.*

#### LICENCE FEES

Upon approval of the application and to obtain the following class of licence the following fee is payable:

ANNUAL LICENCE FOR:	FEES PAYABLE IN 2016	FEES PAYABLE IN 2017	FEES PAYABLE IN 2018
Mobile Refreshment Vehicles	\$515.00	\$520.00	\$525.00
Mobile Refreshment Vehicles – Riverside Park	\$578.00	\$580.00	\$585.00
Located Refreshment Vehicles	\$515.00	\$520.00	\$528.00
Refreshment Vehicles (Mobile Canteens)	\$515.00	\$520.00	\$525.00
Refreshment Vehicles (Cart)	\$275.00	\$280.00	\$285.00

**NOTE :** In accordance with Section 5 the fee payable in the first year of application shall be calculated and prorated for the number of months that are left to the end of the year in which the first application is made.

Application for licence in subsequent years from previous licensees shall be deemed to be for the whole year and the fee payable in all cases shall be the annual licence fee.

**SCHEDULE “B” TO BY-LAW 16-2016**

**RESPECTING FORMS**

Application for Refreshment Vehicle Licence..... Schedule B.1  
Acknowledgement letter from adjacent restaurant owner ..... Schedule B.2

**SCHEDULE "B-1"**

**APPLICATION FOR REFRESHMENT VEHICLE LICENCE \*\***

**IN ACCORDANCE WITH BY-LAW NO. 16-2016**

**PART A**

1. Name of Applicant/Firm

\_\_\_\_\_

2. Address of Applicant/Firm

\_\_\_\_\_

3. Telephone No. \_\_\_\_\_

Fax No. \_\_\_\_\_

4. Type of Vehicle Licence Requested for:

\_\_\_\_\_

Refreshment Vehicle (Mobile)

\_\_\_\_\_

Refreshment Vehicle (Mobile - Riverside Park)

\_\_\_\_\_

Refreshment Vehicle (Located) \*

\_\_\_\_\_

Refreshment Vehicle (Cart)

\_\_\_\_\_

Refreshment Vehicle (Mobile Canteen)

**\* Note:** Refreshment Vehicles (Located) require a letter granting the property owner's permission as well as approval by site plan control from Council.

5. Vehicle Licence Number

\_\_\_\_\_

6. Description of Items to be Sold

\_\_\_\_\_

## **PART B**

### **The Carleton Place By-law Department**

The Refreshment Vehicle conforms to the requirements of By-law No. 16-2016.

\_\_\_\_\_  
**By-law Officer**

## **PART C**

### **Ocean Wave Fire Company**

The Refreshment Vehicle conforms to the Requirement of the Ontario Fire Code.

\_\_\_\_\_  
**O.W.F.C.**

## **PART D**

### **CLERK'S DEPARTMENT**

_____	Completed Application
_____	Site Plan Approval
_____	Leeds, Grenville & Lanark District Health Unit
_____	Insurance
_____	Indemnification Form
_____	Owner of Property Letter of Permission

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**APPLICANT**

The Application has submitted the above noted information.

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**CLERK**

\*\* Personal information contained on this form, collected pursuant to *The Municipal Act*, will be used for the purpose of that Act. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under that Act.

**SCHEDULE "B.2"**

**SAMPLE LETTER OF ACKNOWLEDGEMENT FROM  
ADJACENT RESTAURANT OWNER(S)**

January 19, 2007

Mr. D.H. Rogers  
Clerk  
Town of Carleton Place  
175 Bridge Street  
Carleton Place, ON  
K7C 2V8

Dear Mr. Rogers:

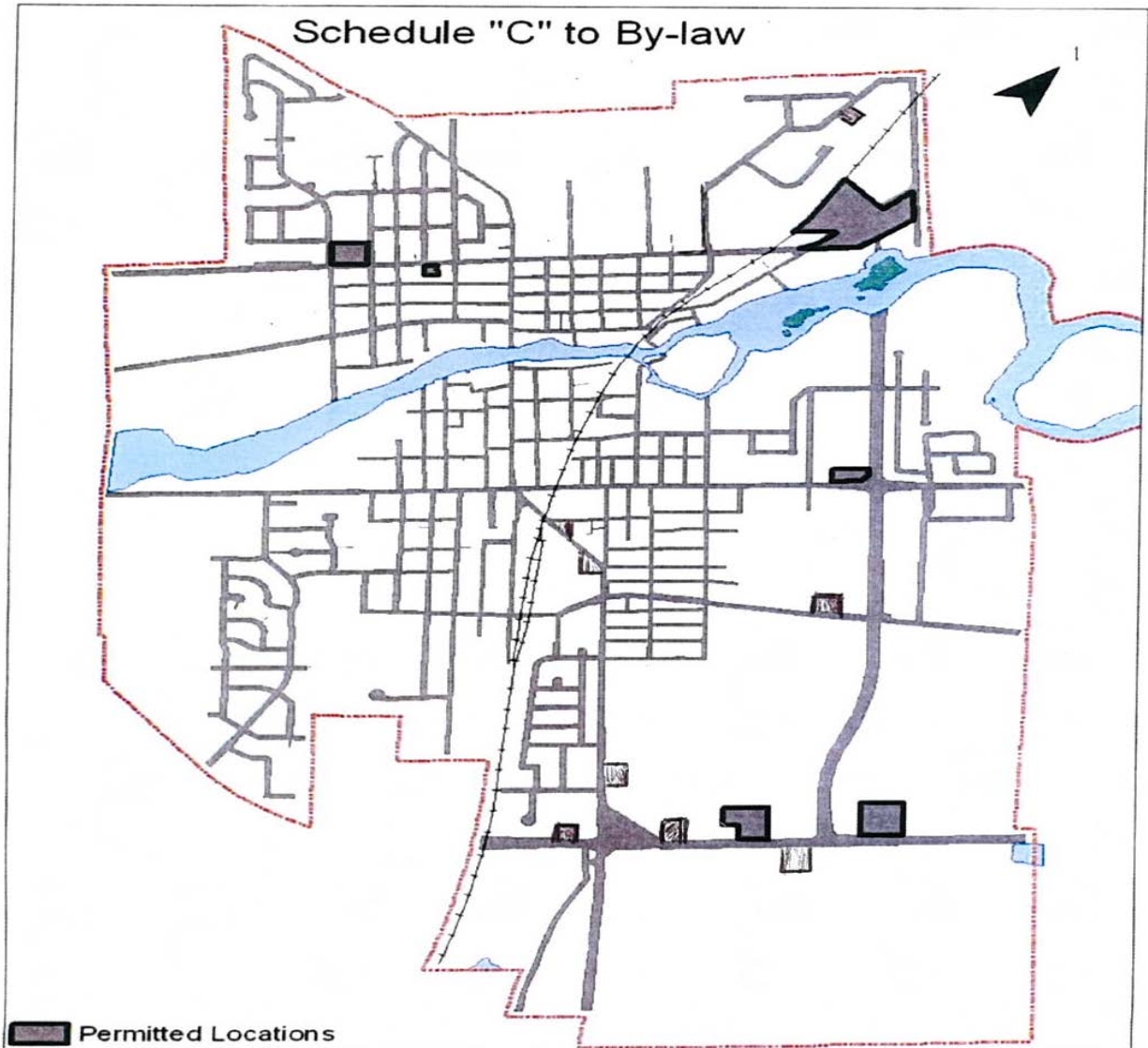
**Re: Letter of Acknowledgement of Refreshment Vehicle  
Location – Section 2 (15) of By-law No. 16-2016 of  
The Town of Carleton Place**

In reference to the above noted Section of By-law No. 16-2016, I acknowledge the desire of \_\_\_\_\_ to locate a refreshment vehicle within the 30-metre distance requirement of my eating establishment, and hereby inform the Town of Carleton Place that I have no objection to the said refreshment vehicle locating within the 30-metre distance requirement.

Yours truly,

J. Smith  
Smiths's Restaurant





**Permitted Locations:**

- 49 Moore Street
- 163 Townline West
- 80 Townline West
- 315 Townline West
- 318 Townline West
- 124 Moore Street
- 10488 Highway No. 7
- 10446 Highway No. 7
- 10560 Highway No. 7
- 10451 Highway No. 7
- 320 Coleman
- 309 Lake Avenue East
- 255 Franktown Road
- 185 Industrial Avenue
- 485 McNeely Avenue

## **SCHEDULE “D” TO BY-LAW NO. 16-2016**

### **INDEMNIFICATION**

In accordance with Section 7 of By-law No. 16-2016, I hereby agree to indemnify and hold harmless the Town of Carleton Place, its agents, servants, employees and officials from any claim, actions or suits which might be brought against the Town of Carleton Place arising out of the operation of my refreshment vehicle in any matter whatsoever, or any error or omission.

Further; I hereby acknowledge that the Town of Carleton Place will receive in writing (at least 15 days prior notice) of any cancellation or expiration, or any changes to the terms and conditions of any insurance policy regarding a licensed vehicle.

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Owner/Agent