



THE CORPORATION OF THE MUNICIPALITY OF RED LAKE

BY-LAW No. 26-2021

BEING A BY-LAW TO AMEND BY-LAW 1783-13, A BY-LAW TO REGULATE AND GOVERN CERTAIN BUSINESSES AND EVENTS IN THE MUNICIPALITY OF RED LAKE

WHEREAS the Council of The Corporation of the Municipality of Red Lake approved By-Law No. 1783-13 on October 6th, 2009; and

WHEREAS it is deem necessary to amend By-Law No. 1783-13;

NOW THEREFORE the Council of The Corporation of the Municipality of Red Lake hereby **ENACTS AS FOLLOWS:**

1. Deletion of:

- (i) Schedule "A"
- (ii) Schedule "B"
- (iii) Schedule "G"

2. Addition of:

- (i) Schedule "A"

Said replacement is attached hereto as Appendix "A" and inscribed with the words "Revised April 2021" and forms a part of this By-Law.

- (ii) Schedule "B"

Said replacement is attached hereto as Appendix "B" and inscribed with the words "Revised April 2021" and forms a part of this By-Law.

- (iii) Schedule "G"


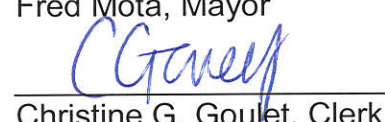
Schedule "G" attached hereto as Appendix "C" forms a part of this By-Law.

- (iv) 11.6 Notwithstanding section 11.1, a Special Event Licence or Mobile Food Service Licence shall be in effect for the term set out on the licence, as per the corresponding Schedule.


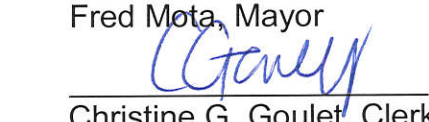
3. **THAT** By-Law No. 1783-13 is hereby amended.

4. **THAT** By-Law No. 27-2016 is hereby repealed.

READ a FIRST and SECOND TIME this 19th day of April, 2021.


Fred Mota, Mayor

Christine G. Goulet, Clerk

READ a THIRD TIME and FINALLY PASSED this 19th day of April, 2021.


Fred Mota, Mayor

Christine G. Goulet, Clerk

Schedule “A”
To By-Law No. 1783-13

Types of Licences

| Schedule | Business |
|----------|-----------------------|
| “C” | Home-Based Business |
| “D” | Itinerant Salesperson |
| “E” | Special Event |
| “G” | Mobile Food Services |

Schedule "B"
To By-Law No. 1783-13

Required Inspections
Initial Applications and Renewals

| Schedule | Business | Application | Renewal |
|----------|-----------------------|--|---------|
| "C" | Home-Based Business | By-Law, Zoning, Fire, Building | By-Law |
| "D" | Itinerant Salesperson | By-Law, Zoning, Fire, Building | By-Law |
| "E" | Special Event | By-Law, Zoning, Fire, Building | By-Law |
| "G" | Mobile Food Services | By-Law, Zoning, Fire, Building, NWHU | By-Law |

Schedule "G"
To By-Law No. 1783-13

Mobile Food Services

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1. Interpretation

1.1 In addition to the terms defined in Section 1 of this By-Law, the following term shall have the corresponding meaning:

- (i) Mobile Food Service means a structure or vehicle from which food and beverages are sold for consumption by the public and includes.
 - i. *Type One* - Food Trucks/ Ice Cream Truck
 - ii. *Type Two* – Mobile Carts (may include but not limited to: hot dog cart, push carts)

2. Application Requirements

2.1 Upon application for a Mobile Food Services Licence the following shall be submitted:

- (i) Site Plan showing location of Mobile Food Service.
- (ii) Identified Parking;
- (iii) Permission from property owner acknowledging the intended use of the property, if required;
- (iv) Certificate from Northwestern Health Unit;
- (v) Propane inspection by a certified gas fitter, if required;
- (vi) Plan for containment and disposal of grey water, grease and garbage; and
- (vii) Proof of insurance.

3. Zoning and Occupancy Requirements

3.1 A Mobile Food Services Licence shall only be issued if the application is in compliance with the Municipality of Red Lake Zoning By-Law.

4. License Term

4.1 A Mobile Food Service Licence shall only be valid between January 1st and December 31st of the same calendar year.

5. Conditions

- 5.1 A mobile food service shall be stored on land owned, leased or rented by the operator for storage of the mobile food service in compliance with the Zoning By-Law.
- 5.2 Mobile Food Services are not permitted on Municipal property, including but not limited to, highways, sidewalks, vacant lots or public parks, unless permission is granted by the Municipality.
- 5.3 The By-Law Enforcement Officer shall issue the licence subject to any conditions requested by the Chief Building Official, the Fire Chief, the Northwestern Health Unit, the Planning Administrator or their designate.
- 5.4 The By-Law Enforcement Officer may at any time review a licence and may, rather than refuse or revoke the licence, attach to the licence conditions. Where conditions to a licence are attached under this section, failure to comply with the conditions shall result in automatic suspension of the licence.

Mobile Food Services
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6. Grounds Maintenance

- 6.1 It is an offence for the owner or the operator of the mobile food service to fail to maintain the grounds of the business, including: keeping all grass and hedges cut and trimmed; keeping the grounds clean and free of debris; keeping all mobile food services, furnishings and equipment in good repair and in a clean and sanitary condition.

7. Nuisance Prevention

- 7.1 It is an offence for the owner or operator of a mobile food service to fail to take all necessary steps to prevent nuisance by way of noise, debris, parking, trespassing, attraction of wildlife, etc. on or around highways and properties adjacent to the business.
- 7.2 No mobile food service shall be powered by a generator, except on a temporary basis and approved by the By-Law Enforcement Officer.

8. Exemptions

- 8.1 A licence shall be required for a mobile food service during a special event that is licensed by the Municipality of Red Lake but the fee shall be waived for the duration of the event.
- 8.2 Mobile Food Services permanently located on a commercial property prior to the passing of this by-law shall be exempt from the provisions of this by-law.

9. Onus of Proof of Qualification for Exemption

- 9.1 Any mobile food service owner who claims an exemption under item 8 of this Schedule must provide to the By-Law Enforcement Officer, upon request, the appropriate evidence in support of the claim for the exemption. In a prosecution for breach of this By-Law, the onus of proving an exemption from requirement for a Mobile Food Service Licence is upon the person claiming the exemption.

10. Circulation Requirements

- 10.1 For the purpose of this By-Law, applications may be circulated to the Chief Building Official, Planning Administrator, Fire Chief, Northwestern Health Unit, and the Clerk.