

	Report Title	Ice Cream Refreshment Vehicles
	Report No.	CLK 19-13
	Author	Donna Wilson, Town Clerk
	Meeting Type	Council Meeting
	Council Date	April 23, 2019
	Attachments	By-Law 4269 To amend By-Law to include Ice Cream Refreshment Vehicles Excerpt from MTO website

RECOMMENDATION

THAT Report CL 19-13, Ice Cream Refreshment Vehicles, be received as information.

BACKGROUND

At the Council meeting of April 8, 2018 Council requested clarification regarding restricting the hours of operation for an Ice Cream Bicycle and the process required to allow this type of business to operate at a community event.

DISCUSSION

Staff reviewed the current Business Licence By-Law 3666 regarding refreshment type operations taking part in special events. Within the qualified section **7.0 Food Vending**, section 7.5 already exists which states:

“The operation of a refreshment vehicle or refreshment stand may be permitted without obtaining a licence in a municipal park or facility under the control of the Parks and Recreation Department during a special event/tournament for which a Parks & Recreation Services Rental Agreement or Special Events Planner has been obtained by a non-profit community association or charitable organization.”

This would allow Ice Cream Trucks or Bicycles to participate at community events.

The proposed changes to the by-law to address the hours of operation are to remove any reference to hours of operation from the by-law and to refer to the laws in place under the Highway Traffic Act (HTA) which requires that Cyclists must have proper lights, reflective materials and reflectors on their bicycles (and that includes e-bikes) and motor-assisted bicycle (mopeds).. Section 62(17) of the Highway Traffic Act states:

HTA s62(17):

When on a highway at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 150 metres or less, every motor-assisted bicycle and bicycle (other than a unicycle) shall carry a lighted lamp displaying a white or amber light on its front and a lighted lamp displaying a red light or a reflector on its rear, and in addition white reflective material shall be placed on its front forks, and red reflective material covering a surface of not less than 250 millimetres in length and 25 millimetres in width shall be placed on its rear.

- Set fine for improper bicycle lighting or improper lighting is \$110 (includes victim fine surcharge and court fees.)

The changes proposed to the draft By-Law 4269 to address this issue are as follows:

“All persons shall operate or permit the operation of an ice cream truck or bicycle in accordance with the Highway Traffic Act (HTA) and cycling guidelines set out by the Ministry of Transportation.”

The Excerpts from the MTO website will be provided to individuals receiving a license to operate an Ice Cream Vehicle within the Town of Tillsonburg for their reference to the laws.

FINANCIAL IMPACT/FUNDING SOURCE

The Town will receive licencing fees for any business who applies to operate an Ice Cream Vehicle within the Town of Tillsonburg.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Economic Sustainability

- ☒ Support new and existing businesses and provide a variety of employment opportunities
- ☒ Provide diverse retail services in the downtown core



Report Approval Details

Document Title:	CLK 19-13 Amend Business Licence By-Law - Ice Cream vehicles.docx
Attachments:	- CLK 19-13 Excerpt MTO website - Bicycle.docx - By-Law 4269 amend 3666 Licence Ice Cream vehicle.docx
Final Approval Date:	Apr 10, 2019

This report and all of its attachments were approved and signed as outlined below:



David Calder - Apr 10, 2019 - 3:40 PM

