

**CONSOLIDATION**

**BY-LAW NO. 2005-0067**

A By-law to license, regulate, and govern any business carried on within the Town of Halton Hills.

Amended  
by By-law  
2008-0003

**WHEREAS** the Municipal Act, S.O. 2001, c. 25, as amended, authorizes Councils of municipalities, inter alia, to pass by-laws respecting business licensing, and to provide for a system of licences with respect to a business, including any business wholly or partly carried on within the municipality even if the business is being carried on from a location outside the municipality;

**AND WHEREAS** the Municipal Act, S.O. 2001, c.25 as amended, provides that a municipality may prohibit and regulate the use of any land for the storage of used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposition under Section 131 of the Act;

**AND WHEREAS** a public meeting was held on the 21<sup>st</sup> day of February, 2005 in the Town of Halton Hills in accordance with Section 150(4) of the Act;

**NOW THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

**1.0 DEFINITIONS (Amended by By-Law 2008-0003)**

- 1.1 *Accessible to all Persons*** means free from any barrier to Persons with disabilities.
- 1.2 *Accessible Taxicab*** means a Motor Vehicle designed or modified to assist Persons with disabilities in loading and off-loading as approved by the Province.
- 1.3 *Active Repair*** means working towards the completion of restoring a Motor Vehicle to good condition after damage or wear by fixing or replacing parts and may include the time required obtaining parts.
- 1.4 *Adult Entertainment Establishment*** means any Body Rub Parlour or any Adult Entertainment Parlour where Services or Entertainment Appealing to, or Designed to Appeal to, Erotic or Sexual Appetites or Inclinations are provided in the Premises or part thereof.
- 1.5 *Adult Entertainment Owner Operator*** means a Person who alone or with others owns or has a right to possess or occupy, or actually does possess or occupy, manages, supervises, runs or controls Premises in which an Adult Entertainment Establishment business is located and includes their designate or official agent and the lessee of any Premises in which an Adult Entertainment Establishment is located.
- 1.6 *Adult Entertainment Parlour*** shall mean any Premises or part thereof in which there is provided, in pursuance of a trade, calling, business or occupation, Services or Entertainment Appealing to, or designed to Appeal to, Erotic or Sexual Appetites or Inclinations.
- 1.7 *Adult Mini-Theatre*** is an Adult Entertainment Establishment in which live adult entertainment performances, adult motion pictures, videos, tapes, digital video discs, slides or similar electronic or photographic reproductions, the principal feature of which is nudity or partial nudity of any Person, are viewed or shown in a separate viewing area with a seating capacity of one to twenty seats.

Amended  
by By-law  
2008-0054

**1.8     *Amusement and Recreational Premises*** means Premises which include but are not limited to an amusement arcade, including coin or token operated games, a paintball, laser tag, or billiard establishment, a bowling centre or a cinema, golf courses and country clubs, mini-golf, or a driving range, a Race Track Operation (Horses and Dogs), a Motorized Vehicle Raceway, amusement rides, or a Public Hall, but does not include an Adult Mini-Theatre..

**1.9     *Appealing to, or Designed to Appeal to, Erotic or Sexual Appetites or Inclinations***, when used to describe Services or Entertainment, shall mean:

**1.9.1**             Services or Entertainment of which a principal feature or characteristic is the nudity or partial nudity or any Person; or

**1.9.2**             Services or Entertainment in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word, picture, symbol, or representation having like meaning or implication is used in any advertisement.

Amended  
by By-law  
2008-0003

**1.10    *Auction*** means a public sale of goods, articles, merchandise, and wares where an auctioneer calls out and receives bids and the article is sold to the highest bidder, but does not include a Silent Auction, or sale conducted by a receiver, liquidator, trustee, court, bailiff, executor, or sheriff under any general or special Act.

Amended  
by By-law  
2008-0003

**1.11    *Auto Body Repair*** means to restore the external and structural part of a Motor Vehicle used for carrying passengers or cargo to a good or sound condition after damage or decay and includes applying an external paint finish.

**1.12    *Bed and Breakfast*** means an establishment, or a single detached dwelling, with one to three guest-rooms without cooking facilities therein, operated to provide the traveling public temporary accommodation and a breakfast meal.

**1.13    *Beauty Treatment*** means the use of cosmetics, facials, waxing, manicuring, hairdressing, or other Personal Care Services to enhance personal appearance but does not include services provided by surgeons, optometrists, dentists, or the like licensed or registered by the Province of Ontario.

**1.14    *Body Rub*** shall mean the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a Person’s body or part thereof but does not include:

**1.14.1**             medical or therapeutic treatment given by a Person duly qualified, licensed, or registered to do so under the laws of the Province of Ontario; or

**1.14.2**             alternative health care services, such as shiatsu and reflexology, given by a Person duly qualified to provide such services through completion of formal courses and education and training in the provision of such service offered by an organization or institution that has the qualifications to provide such services.

**1.15    *Body Rub Parlour*** shall mean any Premises or part thereof where a Body Rub is performed, offered or solicited in pursuance of a trade, calling, business, or occupation, but shall not include:

**1.15.1**             any Premises or part thereof where Body Rubs are performed for the purpose of medical or therapeutic treatment and are performed by Persons duly qualified, licensed, or registered to do so under the laws of the Province of Ontario; or

**1.15.2** any Premises or part thereof where Body Rubs are performed for the purpose of alternative health care services such as shiatsu and reflexology, and are performed by Persons duly qualified to provide such services through completion of formal courses and training in the provisions of such service offered by an organization or institution that has the qualifications to provide such services.

Amended  
by By-law  
2008-0003

**1.16** ***Canine Boarding and Breeding Establishment*** means any building or structure where dogs are kept, harboured, bred, raised, sheltered, cared for, boarded or trained for profit or offered for sale but shall not include:

**1.16.1** a veterinary hospital under the care of a licensed veterinarian;

**1.16.2** a public pound or animal shelter used by the Town for impounding dogs; and

**1.16.3** any Premises licensed under any Provincial or Federal Statute that permits the keeping of dogs under certain conditions.

**1.17** ***Council*** means the Council of the Town of Halton Hills.

**1.18** ***Drain Contracting Company*** means a Person who undertakes or is engaged in the business of drainage work including the installing, replacing, repairing or maintenance of drains, drainage systems and sewage disposal systems, who solicits and advertises such work to the public, and who either is himself a Drain Layer or employs a Drain Layer.

**1.19** ***Drain Layer*** means a Person who is skilled in the planning, superintending, installing, replacing and maintenance of drainage work including the laying of pipe into trenches to form sanitary sewers, storm sewers, storm drainage management systems, private sewers and water supply systems, the repair and replacement of drains, and the removal of obstructions from drains, and who is familiar with the laws, rules, and regulations governing same.

**1.20** ***Driving School Operator*** means a Person who has possession or control of Motor Vehicles for the purpose of teaching an individual, through on-road instruction, to operate a Motor Vehicle.

**1.21** ***Entertainer*** means a Person other than a licensed Adult Entertainment Owner Operator who provides Services or Entertainment Appealing to, or designed to Appeal to, Erotic or Sexual Appetites or Inclinations.

Amended  
by By-law  
2008-0003

**1.22** ***Film and Motion Picture Production*** means commercial or trade film production shoots, including feature films, documentaries, and commercials but does not include news reporting, non-profit productions, team photos, weddings or student productions.

Amended  
by By-law  
2008-0003

**1.23** ***Food and Accommodation Services*** means the retail sale of food, the preparation of food for sale or for immediate consumption by the public and accommodation services, and includes businesses such as a Restaurant, workplace or school cafeteria, Traveller's Accommodation, catering food service, Mobile Food Service, Portable Food Service, or Refreshment Cycle/Ice Cream Cart.

**1.24** ***General Trade*** means a Person who is skilled in any trade involving building, constructing or renovating any building or structure of any kind, and includes but is not limited to poured concrete, framing, masonry, roofing, siding, glass and glazing, finish carpentry, paint, wall, flooring, building finishing, foundation, exterior building renovations, landscape construction, pool installation, and driveway paving work.

- 1.25 General Trade Contracting Company** means a Person who undertakes or is engaged in the business of contracting General Trade work and who solicits and advertises such work to the public, except a trade, business, or occupation otherwise required to be licensed under this by-law and also except homebuilders who are insured under the Ontario Home Warranty Program.
- 1.26 Ground Passenger Transportation Service** means the conveyance of passengers or property by means of a taxicab or Limousine but does not include buses, tow trucks, or any other Motor Vehicle used for hire for the conveyance of passengers or property.
- 1.27 Heating Ventilation Air Conditioning Contracting Company** means a Person who undertakes or is engaged in the contracting of heating, ventilation, and air conditioning work including the installing, repairing, and maintaining of warm air, hot water or steam heating equipment of any kind, who solicits and advertises such work to the public, and who either is himself a Master HVAC Installer or employs a Master HVAC Installer.
- 1.28 Highway** means a highway as defined in the Municipal Act, and includes a King's Highway as defined in the Highway Traffic Act, or a road, street, bridge or highway laid out but not assumed for public use or established by by-law, whether built by a private Person or corporate body.
- 1.29 Hotel** means any Premises in which at least four (4) rooms are provided for payment for overnight accommodation to the travelling public and includes a motel, but does not include a Bed and Breakfast establishment.
- 1.30 Indoor Mall Trade Show** means a Temporary Event Sale held in the common areas of an enclosed shopping mall.
- 1.31 Indoor Mall Vendor** means a Person who sells products and/or services directly to consumers from a common area of an enclosed shopping mall.
- 1.32 Issuer of Licences** includes the Town Clerk and any Person designated by the Town Clerk.
- 1.33 Journeyman Plumber** means a Person who has been issued a certificate of qualification by the Province of Ontario, and who having served an apprenticeship is qualified to work in the plumbing trade under the direction of another more qualified Person.
- 1.34 Licensee** means the holder of a Licence.
- 1.35 Limousine** means a luxury Motor Vehicle used for hire for the conveyance of passengers that is not equipped with a Taxicab Meter for the collection of fares.
- 1.36 Limousine Owner** means a Person who owns a Limousine(s) or has possession or control of a Limousine(s) and offers such Motor Vehicle(s) for hire.
- 1.37 Master HVAC Installer** means a Person who is skilled in the planning, superintending and installation of warm air, steam and hot water heating systems, air conditioning and ventilation systems, and equipment used in connection therewith, who engages in such work, and who is familiar with the laws, rules, and regulations governing same.
- 1.38 Master Plumber** means a Person who is skilled in the planning, superintending, and installing of plumbing, who engages in such work, and who is familiar with the laws, rules, and regulations governing same.

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

- 1.39 Medical Certificate** means a certificate prepared by a duly qualified medical practitioner licensed under the Regulated Health Professions Act, 1991 attesting as to whether or not a Person is physically fit, free of communicable disease, and able to operate a Motor Vehicle.
- 1.40 Mobile Food Service** means a Motor Vehicle that moves from place to place and from which food or refreshments are sold or offered for sale to the public.
- 1.41 Mock Auction** means the auctioning of goods wherein the auctioneer leads Persons in attendance at an Auction to believe that a potential purchaser has made a bid on an item, which bid has not been made.
- 1.42 Motor Vehicle** means a Motor Vehicle as defined under the Highway Traffic Act.
- 1.43 Motorized Vehicle Raceway** means any Premises where motorcycles, dirt bikes, go-carts, or other Motor Vehicles are operated for the holding of races on a defined prepared course open to the public and/or for profit but does not include a Premises on which the Owner operates only his own Motor Vehicles for personal use.
- 1.44 Municipal Law Enforcement Officer** means an employee of the Town so appointed by Council and under the authority of the Police Services Act for the purpose of enforcing Town by-laws.
- 1.45 Newspaper Distribution Box** includes any coin-operated or other box or stand that holds newspapers, periodicals, or other printed material for access by the general public.
- 1.46 Non-store Direct Selling** means the sale of goods at an Auction, Temporary Event Sale, Indoor Mall Trade Show, from a Newspaper Distribution Box or from a Person such as a Temporary Vendor, Pawnbroker, Second Hand Goods Dealer, or Sign Distributor and includes the business of film location production shoots.
- 1.47 Officer** includes a Municipal Law Enforcement Officer or other law enforcement Officer, public health inspector, fire safety Officer, peace Officer, or other Person that Council for the Town may designate a Regional Municipality of Halton Police Officer or a Provincial Offences Officer.
- 1.48 Off-Street Parking** means the parking of a Motor Vehicle that either is licensed for the current year, or meets the requirements of the Highway Traffic Act, on land not deemed to be a Highway.
- 1.49 Operation of a Crusher** means the loading and unloading of a crusher compacting machine in a Recycling Establishment.
- 1.50 Operator** includes a Person who, alone or with others, manages, supervises, runs or controls the Premises in which a business is located.
- 1.51 Owner** includes a Person who, alone or with others, owns or has a right to possess or occupy, or actually does possess or occupy, the Premises in which a business is located and includes a lessee of any Premises in which a business is located.
- 1.52 Owner's Plate** means a plate issued by the Town to the Owner of a Motor Vehicle(s) licensed under this By-law, including a taxicab, Accessible Taxicab, Limousine, tow truck, driving school Motor Vehicle, and refreshment Motor Vehicle.
- 1.53 Pawnbroker** means a Person who carries on the business of taking by way of pawn or pledge, any article for the repayment of money lent thereon as defined in the Pawnbrokers Act, R.S.O. 1990.

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

- 1.54** *Person* includes an individual, corporation, partnership, company, firm, association, or party and includes the successors, assigns, heirs, executors, administrators, or other legal representative of a Person to whom the context can apply according to law.
- 1.55** *Personal Care Service Establishment* means any Premises in which one or more of the following personal care procedures for any part of the body are provided as the primary business, including acupuncture, hair cutting and styling, manicure and nail treatments, electrolysis, tattooing, tanning, micropigmentation, body and ear piercing, Beauty Treatment, and includes the retail sale of incidental products but does not include a Body Rub Parlour.
- 1.56** *Pet Care and Breeding Service Establishment* means any Premises in which services or products for animals are sold and includes a Canine Boarding and Breeding Establishment, pet store, pet food and pet supply store.
- 1.57** *Plumbing Contracting Company* means a Person who undertakes or is engaged in the business of contracting for plumbing work, who solicits and advertises such work to the public, and who either is himself a Master Plumber or employs a Master Plumber.
- 1.58** *Portable Food Service* means a booth, concession, cart or other moveable device where food is prepared, or where pre-packaged food is offered for sale, but does not include a motorized vehicle.
- 1.59** *Premises* means land, including any and all buildings or structures, or any part of a building or structure thereon used in the operation of a business, trade, or occupation and includes any Motor Vehicle or conveyance but does not include part of a Premises that is used as a private residence; or a Premises located in a dwelling where the only employees of that Premises are Persons who live in the dwelling.
- 1.60** *Public Assembly Hall* means any privately-owned Premises that are offered for use, or are used, as a place of public assembly, for events, banquets, and public performance concerts, but does not include a theatre, a school, or municipal or religious Premises.
- 1.61** *Public Event* is an event to which the public is invited requiring the approval of more than one agency or authority including but not limited to matters respecting health, parking, noise, building, lottery licensing, LCBO, TSSA, fire, police, and traffic.
- 1.62** *Race Track Operation (Horses and Dogs)* means any Premises used for the holding of horse or dog races on a defined prepared course.
- 1.63** *Recreational Vehicle Trailer and Tourist Camp* means any Premises used as a camping or parking ground or upon which cabins, trailers, or tents used for the temporary living, sleeping, or eating accommodation of the travelling public are placed, located, kept or maintained, whether or not a fee is charged.
- 1.64** *Recycling Establishment* means any Premises where materials are recovered for reuse, and includes but is not limited to a Salvage Yard.
- 1.65** *Refreshment Cycle/Ice Cream Cart* means a non-motorized vehicle including a tricycle or bicycle type vehicle, manual push cart or pull behind trailer from which ice cream, frozen treats or cold beverages are sold during the spring and summer seasons.
- 1.66** *Register* means a written record containing entries of items or details.
- 1.67** *Restaurant* means a building with interior seating where food is prepared, served, or consumed but does not include a Portable Food Service, a Mobile Food Service, or a Specialty Food Store.

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

- 1.68 *Retail Trade Establishment*** means a Premise where non-food products, dry goods and general merchandise are sold, rented or leased or are displayed or offered for sale, rent, or lease to the public but does not include the sale of automobiles, gasoline, food and animals.
- 1.69 *Sale of Second Hand Goods*** means selling, offering for sale or displaying for sale, antique items, used goods, wares, materials, merchandise, or second hand items of any kind by retail.
- 1.70 *Sale of Tobacco*** means selling, offering for sale or displaying for sale, cigars, cigarettes, and other tobacco products by retail.
- 1.71 *Salvage Yard*** means any Premises used for the retrieval, recovery, or storage of scrap materials for recycling or sale, including the dismantling and storage of used or wrecked Motor Vehicles and other used equipment where parts, metals, compounds, fluids, and other waste or scrap materials are retrieved therefrom and stored for recycling, sale, or reuse.
- 1.72 *Second Hand Goods Dealer*** means a Person who sells, offers for sale or displays for sale, antique items, second hand, or used, goods, materials, merchandise, or items of any kind in a retail establishment, other than a resident conducting a yard or garage sale relating to the occasional sale of surplus domestic items originating from a private residence or neighbouring residences.
- 1.73 *Septic Tank Contracting Company*** means a Person who undertakes or is engaged in the business of contracting for septic tank installation work, who solicits and advertises such work to the public, and who either is himself a qualified on-site sewage installer registered by the Province to supervise septic tank installations or employs an on-site sewage installer.
- 1.74 *Sign Distributor*** means a Person who sells, rents or leases, or offers for sale, rent or lease, or otherwise provides, erects, installs, or locates, a sign or other advertising device.
- 1.75 *Services or Entertainment*** includes activities, performance, exhibitions, viewings, or encounters, but does not include the exhibition of film approved under the Theatres Act, as amended.
- 1.76 *Silent Auction*** means an Auction in which written bids are submitted on cards or electronically during a specified period at the end of which all the bids are compared.
- 1.77 *Specialty Food Store*** means any Premises where a specific food such as meat, seafood, fruit and vegetables, baked goods, ice cream, nuts and confections intended for human consumption are prepared, offered for sale, stored or sold.
- 1.78 *Special Sale*** means to offer for sale goods, wares, and merchandise at retail, which sale is advertised or described by the use of words such as: bankrupt, creditor, insolvent, trustee receiver, liquidator, moving out, selling out, closing out, lease expiry, discontinuing, fire, smoke, water damage, forced or any other similar words not in the ordinary course of a retail business.
- 1.79 *Specialty Trade Contractor*** includes but is not limited to Plumbing Contracting Company, Master Plumber, Journeyman Plumber, Drain Contracting Company, Drain Layer, Septic Tank Contracting Company, Heating Air Conditioning and Ventilation Contracting Company, Master HVAC Installer, and General Trade Contracting Company.

**1.80 Specified Body Areas** includes one or more of the following:

in the case of a female Person, her breast; and  
in the case of all Persons, the genitals and the anus.

**1.81 Specified Sexual Activities** includes actual or simulated sexual intercourse, masturbation, urination, defecation, ejaculation, sodomy, including bestiality, anal intercourse, and oral sexual intercourse, direct physical stimulation of clothed or unclothed Specified Body Areas and flagellation, mutilation, maiming, murder or torture in the context of a sexual relationship or activity.

**1.82 Specialty Vehicle Restoration** means the returning of a classic or antique model of a Motor Vehicle to its former condition.

**1.83 Support Activity for Road Transportation** includes towing services and driving schools providing instruction for the operation of Motor Vehicles but does not include instructional schools for the operation of buses or transport trucks.

**1.84 Taxicab Broker** means any Person who accepts orders for, or dispatches a taxicab in any manner.

**1.85 Taxicab Driver** means a Person who drives or operates a taxicab.

**1.86 Taxicab Meter** means a measuring device used in a taxicab to calculate the fare payable for a trip.

**1.87 Taxicab Owner** means the registered Owner of a Motor Vehicle used as a taxicab according to the records maintained by the Province of Ontario.

**1.88 Taxi Stand** means an area located on public or private property designated by the Town at the request of the property owner for a specific purpose, who must obtain a licence under this By-law subject to zoning or other approvals, and in compliance with any terms or conditions set by Council, to be used by Taxicab Owners and Taxicab Drivers who are licensed by the Town or authorized by permit under this By-law while waiting for or picking up passengers or cargo.

**1.89 Taxi Stand Broker's Permit** means authorization by the Town to permit a non-Halton Hills Taxicab Broker to dispatch non-Halton Hills taxicabs and drivers to a designated Taxi Stand at a location in Halton Hills as specified on the permit.

**1.90 Taxi Stand Owner's Permit** means authorization by the Town to permit non-Halton Hills taxicabs in affiliation with an authorized non-Halton Hills Taxicab Broker to operate at a designated Taxi Stand at a location in Halton Hills as specified on the permit.

**1.91 Temporary Event Sale** means the display, demonstration, or sale of products, and/or services to the public at an event such as an exhibition, fair, carnival, festival, flea market, trade show, antique show, trunk sale, tournament sport event, concert, or any other similar Public event by two (2) or more participants or temporary vendors for a period of not more than one month in duration and is conducted and overseen by a Person, foundation, or an organization licensed under this By-law.

**1.92 Temporary Vendor** means a Person who travels about offering the sale of products and/or services as a door-to-door salesperson, hawker or peddler, or operator of a sales stand at an event.

**1.93 Towing Service Company** means a Person who has possession or control of a tow truck(s) and engages in collision scene response towing by arranging for the provision of such tow truck(s) for hire to any Person who is the Owner or lawfully in possession of a disabled Motor Vehicle to

Repealed by  
By-law No.  
2023-0090

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

Repealed by  
By-law No.  
2023-0090



be towed or any Towing Service Company who provides specialized equipment or other assistance for hire to another Towing Service Company.

Repealed by  
By-law No.  
2023-0090

**1.94    *Towing Storage Compound*** means any secure Premises where towed Motor Vehicles are stored until retrieved, but does not include a Salvage Yard.

Repealed by  
By-law No.  
2023-0090

**1.95    *Tow Truck Driver*** means a Person employed by a Towing Service Company and who is responsible for the care and operation of a tow truck, wrecker, flatbed, or any other towing Motor Vehicle and services related thereto.

Amended  
by By-law  
2008-0003

**1.96    *Town*** means the Corporation of the Town of Halton Hills and its physical boundaries as described in the Town’s Official Plan.

**1.97    *Trailer*** means any vehicle constructed to be attached and propelled by a Motor Vehicle and that is capable of being used by Persons for living, sleeping, or eating, even if the vehicle is jacked-up or its running gear is removed.

**1.98    *Traveller’s Accommodation*** means a Bed and Breakfast, Hotel, Recreational Vehicle Trailer and Tourist Camp or other temporary accommodation for use by the traveling or vacationing public but does not include a residential unit, group home, residential care facility, or any residential home licensed under Provincial legislation.

**1.99    *Vehicle Services Establishment*** means a Premise for the repair, maintenance, sale, rent, or lease of Motor Vehicles and includes the retail sale of incidental products.

**2.0    GENERAL REGULATIONS**

**2.1** No Person shall carry on or engage in any of the businesses, trades, or occupations listed below within the Town without first having obtained a licence for the current year:

Amended  
by By-law  
2008-0003

- Adult Entertainment Establishment
- Amusement and Recreational Premise
- Food and Accommodation Services
- Ground Passenger Transportation Service
- Non-Store Direct Selling
- Personal Care Service Establishment
- Recycling Establishment
- Retail Trade Establishment
- Specialty Trade Contractor
- Driving School Operator
- Pet Care and Breeding Service Establishment
- Vehicle Services Establishment

Amended by  
By-law No.  
2023-0090

Amended  
by By-law  
2008-0003

**2.1.1** This section shall apply to any business operating within the Town even if carried on from a location, outside the boundaries of the Town

***DUTY TO COMPLY WITH OTHER ACTS***

Amended  
by By-law  
2008-0003

**2.2** No Licensee, Owner or other Person in control, or apparent control, of a business licensed under this by-law shall:

Amended  
by By-law  
2008-0003

**2.2.1** contravene any regulation or provision set out in this by-law, any other municipal by-law, Federal or Provincial Act, Statute, or any other legislation applicable to a licence issued pursuant to this by-law; and

Amended  
by By-law  
2008-0003

2.2.2 hold an outdoor Public Event on the Premises without first obtaining:

- 2.2.2.1 the written permission of the property Owner;
- 2.2.2.2 a Public Event permit from the Town, if required; and
- 2.2.2.3 an exemption from the noise provisions of the Town's Community Standards By-law, if applicable.

**APPLICATION REQUIREMENTS**

2.3 Every Person at the time of making application for a licence shall provide:

2.3.1 a completed application form;

**Insurance**

Amended  
by By-law  
2008-0003

2.3.2 proof of current Commercial General Liability insurance in a minimum amount of not less than one (1) million dollars (\$1,000,000.00) for Amusement and Recreational Premises, Food and Accommodation Services, Personal Care Service Establishments , Specialty Trade Contractors, Towing Service Company, and Fuel Stations for the term of the licence with an endorsement that notice in writing at least thirty (30) days prior to cancellation, expiration, or variation thereof will be given to the Town by the insurance underwriter;

**Business Name**

2.3.3 the Business Name Registration obtained from the Ministry of Consumer and Business Services, if operating in a name other than one's own;

**Articles of Incorporation**

Amended  
by By-law  
2008-0003

2.3.4 Articles of Incorporation and/or the most recent Initial Notice/Notice of Change/Annual Return filed with either the Ontario Ministry of Consumer and Business Services or the Federal Ministry of Consumer and Corporate Affairs, if a corporation;

**Other Documentation**

2.3.5 any other documents set out in the applicable Schedule to this by-law;

2.3.6 any other documents as may be required to substantiate compliance with any other legislation to the satisfaction of the Issuer of Licenses; and

**Licence Fee**

Amended  
by By-law  
2008-0003

2.3.7 Except as otherwise provided in this By-law, the required annual licence fee is in accordance with the Town's Municipal Rates and Service Charges By-law.

**APPROVALS and INSPECTIONS**

Amended  
by By-law  
2008-0003

2.4 Every application or licence must be approved to the satisfaction of the Town and Regional Municipality of Halton, as required. Inspections must be satisfactory to and passed by, including but not limited to, the Engineering, Public Works and Building Services Department, Zoning, Fire, the Regional Municipality of Halton Health Department, the Regional Municipality of Halton Police Services, the Ministry of Transportation of Ontario, the Ministry of Environment and any other department of the Town, Regional

Municipality of Halton, or Provincial or Federal government, as set out in the by-law and the applicable Schedule to this by-law prior to the issuance of a licence.

**TERM OF A LICENCE**

2.5 A licence shall be valid for a period of up to one year as indicated on the licence, and shall expire on the following dates set for each class of business:

Adult Entertainment Establishment	January 31 <sup>st</sup>
Pet Care and Breeding Service Establishment	February 28 <sup>th</sup>
Specialty Trade Contractor	March 31 <sup>st</sup>
Non-Store Direct Selling	April 30 <sup>th</sup>
Amusement and Recreational Premises	May 31 <sup>st</sup>
Food and Accommodation Services	June 30 <sup>th</sup>
Ground Passenger Transportation Service	July 31 <sup>st</sup>
Recycling Establishment	August 31 <sup>st</sup>
Retail Trade Establishment	August 31 <sup>st</sup>
Driving School Operator	September 30 <sup>th</sup>
Personal Care Service Establishment Vehicle	October 31 <sup>st</sup>
Services Establishment	November 30 <sup>th</sup>

Amended by  
By-law No.  
2023-0090

**CALCULATION OF FEE**

2.6 When an initial application for a licence for a new business is received during the license term for that class of business, as prescribed by Section 2.5,

- 2.6.1 a pro-rated fee may be calculated for every month remaining in the term of a licence until the expiry date but a minimum payment of 3 months shall apply;
- 2.6.2 a part of a month shall count as a full month; and
- 2.6.3 every licence renewed thereafter shall be subject to the full annual fee as prescribed in the Town’s Municipal Rates and Service Charges By-law.

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

**ADDITIONAL FEES FOR COSTS INCURRED**

2.7 Upon receipt of an invoice thereof, a Licensee shall pay additional fees at any time during the term of a licence for costs incurred by the Town attributable to the activities of the business.

**LICENCE ALTERATION**

2.8 No Person shall alter or modify or permit the alteration or modification of a licence issued by the Town.

**NON-TRANSFERABLE**

- 2.9 A licence issued by the Town is not transferable and the fee is non-refundable, except as otherwise provided in this by-law.
- 2.10 No Person shall use, or attempt to use, either a fraudulent licence, or a license issued to another Person under this by-law.

Amended  
by By-law  
2008-0003

**CHANGE OF DOCUMENT INFORMATION**

- 2.11 A Licensee shall notify the Issuer of Licenses within fifteen (15) days of any changes to the:
  - 2.11.1 business name;
  - 2.11.2 location of the business Premises;
  - 2.11.3 ownership of the business

and such changes shall be subject to submission of the necessary documentation as required by the Town.

### ***PROPERTY RIGHT OF LICENCE***

- 2.12 Every licence shall remain at all times the property of the Town and no Person shall enjoy a vested right in any licence or the continuance of any licence.

### ***DISPLAY OF LICENCE ON PREMISE OR PERSON***

- 2.13 Every Licensee shall display the licence in a conspicuous place on the licensed Premises visible to the public at all times.
- 2.14 Where the Licensee does not have an establishment, the Licensee shall carry the licence issued by the Town on his or her Person and shall produce it along with a piece of identification at the request of any Officer.

### ***RESPONSIBILITY OF LICENSEE***

- 2.15 A Licensee shall be responsible for the act(s) and omission(s) of its employees, representatives and agents in the carrying on of the business in the same manner and to the same extent as though the Licensee did the act(s) or omission(s).
- 2.16 An employee of any business licensed pursuant to this by-law must comply with all provisions of this by-law that relate to that business.
- 2.17 Where the Licensee's policy of liability insurance expires, is cancelled, or is otherwise terminated, then the applicable licence shall be automatically suspended effective on the date of such expiration, cancellation, or termination and shall remain so until such insurance has been reinstated.
- 2.18 No Licensee shall advertise or promote or carry on business under any name other than the name endorsed upon the licence issued by the Town.

### ***ACCESSIBILITY REQUIREMENT***

- 2.19 Every Licensee and every Person in control, or apparently in control, of licensed Premises shall ensure the Premises are universally Accessible to all Persons by:
- 2.19.1 removing or eliminating any barrier that creates an immediate unsafe or hazardous condition;
  - 2.19.2 reducing or eliminating all other barriers in accordance with any other Act; and
  - 2.19.3 incorporating the barrier-free requirements of the Ontario Building Code when undertaking significant renovations of the existing Premises, and when constructing any new Premises, prior to the opening, re-opening, or relocation of any new or existing business.

### ***ADMINISTRATIVE SUSPENSIONS***

- 2.20 An administrative suspension of a licence without a hearing shall be imposed for:
- 2.20.1 Fourteen (14) days if the Issuer of Licences is satisfied that the continuation of the business poses an immediate danger to health or safety of any person or to any property. Before any suspension is imposed hereunder, the Issuer of Licences shall provide the licensee with the reasons for the

suspension, either orally or in writing, and an opportunity to respond to them; and

Amended  
by By-law  
2008-0003

2.20.2 Twenty-eight (28) days in the case of a licence authorizing a business to operate on a highway or other property of the municipality or its local boards, for any of the following reasons:

2.20.2.1 the holding of a special event;

2.20.2.2 the construction, maintenance or repair of public property;

2.20.2.3 the installation, maintenance or repair of a public utility service;

2.20.2.4 pedestrian, vehicular or public safety or public health.

Amended  
by By-law  
2008-0003

2.21 An administrative suspension imposed under Section 2.20 may be imposed on such conditions as the Issuer of Licences considers appropriate.

### **3.0 GROUND'S FOR REFUSAL, REVOCATION, OR SUSPENSION**

3.1 An applicant or Licensee is entitled to a licence upon meeting the requirements of this by-law except where:

3.1.1 the past or present conduct of any Person, including the officers, directors, employees or agents of a corporation affords reasonable cause to believe that the Person will not carry on or engage in the business in respect of which the application is made in accordance with the law or with honesty and integrity; or

3.1.2 the applicant or Licensee has past breaches of any law and any outstanding fines imposed by a court for the contravention of any provision of this by-law or any other municipal by-law or Provincial statute associated with the carrying on of such business; or

3.1.3 the issuing of a licence would be contrary to the public interest with respect to health and safety, consumer protection, or nuisance control; or

3.1.4 the applicant or Licensee has submitted an application or other documents to the Town containing false statements, incorrect, incomplete, or misleading information; or

3.1.5 the applicant or Licensee is carrying on or engaging in activities that are, or will be, if the applicant or licensee is licensed, in contravention of this by-law, or any other applicable law; or

3.1.6 the applicant or Licensee has not paid the required licence fee.

#### ***COUNCIL'S POWER TO REFUSE, REVOKE, SUSPEND A LICENCE, IMPOSE CONDITIONS INCLUDING SPECIAL CONDITIONS***

Amended  
by By-law  
2008-0003

3.2 Upon recommendation to General Committee, in-camera, by the Issuer of Licences, General Committee may recommend to Council to revoke, suspend, refuse to issue, or refuse to renew a licence, where the applicant or Licensee would not be entitled to a licence, or to the renewal of a licence, on any grounds set out in this by-law.

- 3.3 Where an application for a licence has been refused, revoked, suspended or cancelled, the fees paid by the applicant or Licensee, in respect of the application for a licence, shall be refunded less any administrative costs incurred by the Town.
- 3.4 Council may impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence.
- 3.5 Council may impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence.

#### **4.0 RIGHT TO A HEARING**

- 4.1 With the exception of Sections 2.17 and 18.7, before a licence is refused, revoked, suspended, cancelled, or issued with conditions or special conditions, written notice shall be given to the applicant or Licensee that a recommendation is to be made to Council with respect to the licence application.
- 4.2 Notice shall be served by personal delivery or by registered mail to the applicant's or Licensee's last known address filed with the Town and shall:
  - 4.2.1 contain sufficient information to specify the nature of, or reason for, any recommendation;
  - 4.2.2 inform the applicant or Licensee of entitlement to a hearing before a committee of Council on the recommendation, if a request in writing for a hearing is returned to the Issuer of Licences within fifteen (15) days after the date of service of the notice; and
  - 4.2.3 inform the applicant or Licensee that if no written request is received, Council may proceed and make any decision with respect to the licence.
- 4.3 On receipt of a written request for a hearing from an applicant or Licensee, the Issuer of Licences shall schedule;
  - 4.3.1 a hearing which shall be in-camera before a Committee of Council; and
  - 4.3.2 shall give the applicant or Licensee notice of hearing at least twenty (20) days prior to the hearing date.
- 4.4 Service of any notice on the Licensee or applicant under this by-law shall be made by personal delivery or by registered mail. The notice shall be deemed to have been served on the seventh (7th) day after the day of mailing or on the date of personal delivery.

Amended  
by By-law  
2008-0003

#### ***HEARING OF THE COMMITTEE OF COUNCIL***

- 4.5 The provisions of the Statutory Powers Procedure Act, R.S.O. 1990, c S.22, as amended, shall apply to all hearings conducted under this by-law.
- 4.6 When a Person who has been given written notice of the hearing does not attend at the appointed time and place, the committee of Council may proceed with the hearing in his absence, and the Person shall not be entitled to any further notice of the proceedings.
- 4.7 At the conclusion of the hearing, the committee of Council shall submit a report of the hearing summarizing the relevant evidence and arguments

presented by both parties, setting out the findings of fact, making recommendations to Council, and setting out the reasons for such recommendations.

- 4.8 Council may uphold or vary the recommendation of the committee of Council or make any decision that the committee could have made. Council's decision on the matter is final and binding.
- 4.9 The Issuer of Licences shall send written notice of the decision of Council by registered mail or by personal delivery to the applicant or Licensee within five (5) days of such decision.
- 4.10 A licence that has been revoked, suspended, or cancelled shall be returned to the Issuer of Licences within two (2) days of service of the notice of decision of Council.
- 4.11 When a revoked, suspended or cancelled licence has not been returned, an Officer may enter upon the Premises for the purpose of receiving, taking, or removing the said licence.

## **5.0 POWER OF ENTRY and INSPECTION**

- 5.1 In order to assess and determine compliance with the provisions of this by-law, including the determination of an unlicensed business, an Officer is entitled to access, and may at any reasonable time inspect any Premises used for the business, and the equipment, Motor Vehicles, records, documents, and other personal property used or kept for hire in the carrying on of the business, and may remove documents or things that are relevant to the licensed business for the purpose of making copies or extracts. An Officer shall return such documents within twenty-four (24) hours of removal.
- 5.2 An Officer may at any time of day or night, enter an Adult Entertainment Establishment licensed, regulated, and governed under this by-law to determine whether the by-law is being complied with and, for this purpose, may make such examinations, investigations, and inquiries as are necessary.
- 5.3 No Person shall construct or equip any Premises used for a business licensed under this by-law so as to hinder the enforcement of this by-law.
- 5.4 No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer or Person exercising a power or performing a duty under this by-law.

## **6.0 OFFENCES**

- 6.1 Where a Person has not renewed a licence by the expiry date, the licence is deemed to have expired. Any Person who carries on or engages in a business after a licence has expired is deemed to be operating without a licence in contravention of this by-law.
- 6.2 No Licensee shall operate his or her business when any condition imposed upon his or her licence is not fulfilled.
- 6.3 Any Person who contravenes any provision of this by-law is guilty of an offence.
- 6.4 Any Licensee or Person in control or apparent control of Premises licensed under this by-law who fails to identify himself or herself to an Officer who is investigating a breach of this by-law shall be deemed to have hindered or obstructed the Officer in the performance of his or her duties.

## **7.0 PENALTIES**

Amended  
by By-law  
2008-0003

7.1 Every Person who contravenes this by-law, 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 one hundred thousand dollars (\$100,000.00) as provided for in the Municipal Act, 2001, as amended.

Amended  
by By-law  
2008-0003

7.2 Notwithstanding Subsection 7.1, every Person who is guilty of a continuing offence, on conviction is liable to a fine of no less than five hundred dollars (\$500.00), and no more than ten thousand dollars (\$10,000.00) for each day or part of a day that each offence continues, and the total of all fines for each offence is not limited to one hundred thousand dollars (\$100,000.00) as provided for in the Municipal Act, 2001, as amended.

Amended  
by By-law  
2008-0003

7.3 Every person who owns or operates an Adult Entertainment Establishment who contravenes this by-law, 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 the fines mentioned in subsections 7.1 and 7.2 or to a special fine or to imprisonment for a term not exceeding one year, or to both a fine and imprisonment as provided for in the Municipal Act, 2001, as amended.

## **8.0 SEVERABILITY**

Should any section, 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, which is declared invalid.

## **9.0 INDEMNITY**

Notwithstanding the existence of any liability insurance or the failure of the Town to require the acquisition of such insurance, the applicant or Licensee hereby releases and forever discharges, and indemnifies and saves harmless, the Town, its officials, servants, employees and agents from any and all claims, demands, damages, losses, actions, causes of action or other liability sustained or suffered by the applicant, Licensee or any Person by reason of the issuance of any license, the acts or omissions of a Licensee or Person acting on his behalf, or anything done or omitted to be done in any way connected with an application or a licence under this by-law.

## **10.0 SCHEDULES**

The Schedules attached hereto form and are part of this by-law.

## **11.0 MEANING**

For the purpose of this by-law, where the words “his” or “he” are used they shall also mean or stand for the words “her” or “she” and, in the case of a corporation, “it” and where the singular is used it shall also mean or stand for the plural.

## **12.0 AMENDMENT and REPEAL OF BY-LAWS**

Amended  
by By-law  
2008-0003

THAT By-law No. 2001-0025, By-law No. 1984-0122, and By-law No. 1981-0141 respecting the Licensing of Businesses, By-law No. 1985-0006, By-law No. 1986-0097 and By-law No. 1992-0118 respecting the licensing of Trailers, By-law No. 1997-0162 respecting the licensing of Refreshment Vehicles, By-law No. 1996-0167, By-law No. 2001-0118, By-law No. 2001-0128, and By-law No.



2002-0051 respecting the licensing of Salvage Yards, By-law No. 2002-0084 respecting the licensing of Taxicabs and Limousines, and By-law No. 1981-0036 and By-law No.1997-0162 respecting the licensing of Lodging Houses, and By-law No. 1997-183 respecting Bed and Breakfast Establishments are hereby repealed in their entirety.

THAT By-law No. 2004-0023 respecting the licensing of Salvage Yards is hereby amended by deleting Sections 1,2,3,4,5,7 and 8.

THAT By-law No. 1994-0077 respecting animal control is hereby amended by deleting Section 3 and Schedule ‘A’ regarding the licensing of Canine Breeding and Boarding Establishments.

THAT By-law No. 2005-0017 be amended by deleting Lines 20 to 86 inclusively, as contained on Pages 12 and 13 of Schedule “A” and replacing it with Schedule “A” of this By-law.

**13.0 CONFLICT**

Amended  
by By-law  
2008-0003

Where this by-law conflicts with another by-law of the Town, the higher standard shall prevail.

**14.0 EFFECTIVE DATE**

Amended  
by By-law  
2008-0003

This by-law shall come into force and take effect on the date of its enactment.

**BY-LAW** read and passed by the Council of the Town of Halton Hills this 28<sup>th</sup> day of June, 2005.

Originally Signed By:  
\_\_\_\_\_  
MAYOR Rick Bonnette

Originally Signed By:  
\_\_\_\_\_  
CLERK Karen Landry

**Schedule “A” to By-law No. 2005-0067**  
**Adult Entertainment**

In addition to the other requirements of this By-law, the following regulations apply to Adult Entertainment Establishments as defined in this Schedule.

**Interpretation**

1. In addition to the terms defined in the general section of this By-law, the following terms shall have the corresponding meanings;

*“Adult Entertainment Establishment”* means any Body Rub Parlour or any Adult Entertainment Parlour where services, products or entertainment appealing to, or designated to appeal to, erotic or sexual appetites or inclinations are provided in the Premises or part thereof, but does not include Adult Novelty Store.

*“Adult Entertainment Owner Operator”* means a Person who alone or with others owns or has a right to possess or occupy, or actually does possess or occupy, manages, supervises, runs or controls Premises in which an Adult Entertainment Establishment business is located and includes their designate or official agent and the lessee of any Premises in which an Adult Entertainment Establishment is located.

*“Adult Entertainment Parlour”* shall mean any Premises or part thereof in which there is provided, in pursuance of a trade, calling, business or occupation; services or entertainment appealing to, or designed to appeal to, erotic or sexual appetites or inclinations.

*“Adult Mini-Theatre”* is an Adult Entertainment Establishment in which live adult entertainment performance, adult motion pictures, videos, tapes, digital video discs, slides or similar electronic or photographic reproductions, the principal feature of which is nudity or partial nudity of any Person, are viewed or shown in a separate viewing area with a seating capacity of one to twenty seats.

*“Adult Novelty Store”* is a store that sells products related to adult sexual or erotic entertainment, including but not limited to, adult magazines, videos, pornographic novelties/toys and clothing.

*“Body Rub”* shall mean the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a Person’s body or part thereof but does not include;

- a) medical or therapeutic treatment given by a Person duly qualified, licensed, or registered to do so under the laws of the Province of Ontario; or
- b) alternative health care services, such as shiatsu and reflexology, given by a Person duly qualified to provide such services through completion of formal courses and education and training in the provision of such service offered by an organization or institution that has the qualifications to provide such services.

*“Body Rub Parlour”* shall mean any Premises or part thereof where a Body Rub is performed, offered or solicited in pursuance of a trade, calling, business, or occupation, but shall not include:

- a) any Premises or part thereof where Body Rubs are performed for the purpose of medical or therapeutic treatment and are performed by Persons duly qualified, licensed, or registered to do so under the laws of the Province of Ontario; or
- b) any Premises or part thereof where Body Rubs are performed for the purpose of alternative health care services such as shiatsu and reflexology, and are performed by Persons of duly qualified to provide such services through completion of formal courses and training in the provisions of such service offered by an organization or institution that has the qualifications to provide such services.

*“Entertainer”* means a Person other than a licensed Adult Entertainment Owner Operator and who is of age of majority, who provides services or entertainment appealing to, or designed to appeal to, Erotic or sexual appetites or inclinations.

*“Specified Body Areas”* includes one or more of the following:

- a) in the case of a female Person, her breasts; and
- b) in the case of all Persons, the genitals and the anus.

*“Specified Sexual Activities”* includes actual or simulated sexual intercourse, masturbation, urination, defecation, ejaculation, sodomy, including bestiality, anal intercourse, and oral sexual intercourse, direct physical stimulation of clothed or unclothed Specified Body Areas and flagellation, mutilation, maiming, murder or torture in the context of a sexual relationship or activity.

## **Inspections**

2. The issuance of an *Adult Entertainment Establishment* licence shall be subject to:

- a) inspection/approval from the Halton Hills Fire Department;
- b) inspection/approval from the Halton Region Health Department;
- c) inspection/approval from an Officer of the *Town*, and;
- d) approval from the Town’s Zoning Officer.

2.1 The issuance of an *Adult Novelty Store* licence shall be subject to:

- a) inspection/approval from the Halton Hills Fire Department;
- b) inspection/approval from an Officer of the *Town*, and;
- c) approval from the Town’s Zoning Officer.

## **Permitted in Defined Area Only**

3. An Adult Entertainment Establishment shall be located in a zone that specifically permits such us in accordance with the Town’s Official Plan and the applicable Zoning By-law.

## **Limited Number**

There shall be a maximum number of two (2) licenses granted to Adult Entertainment Establishments in the Town.

## **Application Requirements**

4. No Licence shall be issued to an Adult Entertainment Owner Operator unless the applicant or licensee:
  - a) appears in Person;
  - b) produces two (2) pieces of identification, one (1) of which contains a photograph to the satisfaction of the Issuer of Licenses;
  - c) submits a detailed floor plan, drawn to scale, of the Adult Entertainment Establishment with details of the designated entertainment area and the location of any stage, doors, walls, seating areas, offices, kitchen, washroom facilities, bar area, dressing rooms, closets, storage areas, exits, and partitions that is approved by the Town;
  - d) in the case of an Adult Entertainment Establishment located in a multi-purpose building with common access for the general public, the detailed floor plan submitted for approval pursuant to clause c) must provide for a separate entrance for the Adult Entertainment Establishment.
  - e) submits a copy of a Police Clearance Certificate issued by the Halton Regional Police Service or by the Police Service for the jurisdiction in which the applicant or licensee resides, obtained within 30 days of application;
  - f) submits a Site Plan of the Premises indicating the part of the Premises to be utilized by the Adult Entertainment Establishment;
  - g) provides a description of the type of Services and Entertainment to be offered and advertised and the prices for such Services and Entertainment;
  - h) provides the identity and address of every Person having any interest, direct or indirect, any trust arrangement, or any financial or contractual or other arrangement with respect to the ownership or operation of any business licensed under this by-law;
  - i) provides the identity and address of every Person having any beneficial interest, direct or indirect, in the business and every Person having a right to receive income, revenue or benefits of any kind arising out of the operation of such business, or any Person who in fact receives such income, revenue, or benefit;
  - j) provides a copy of the lease demonstrating the applicant's right to possess or occupy the Premises, if any, and a copy of any other document constituting or affecting the legal relationship between the applicant or Licensee and the registered property owner, if the applicant or Licensee is not the registered property owner; and
  - k) has the property Owner sign the initial application form, thereby authorizing an Officer, at any time, to enter upon the Premises named in the application to carry out inspections.

## **Adult Entertainment Owner Operator in Attendance at all Times**

5. No Adult Entertainment Owner Operator shall permit any Person other than a licensed Adult Entertainment Owner Operator to operate an Adult Entertainment Establishment.
6. No Person shall open an Adult Entertainment Establishment for business, or allow an Adult Entertainment Establishment to remain open for business, or provide any Services or Entertainment unless a licensed Adult Entertainment Owner Operator is in attendance on the Premises during all hours of business.

### **Hours of Operation**

7. No Person shall operate or permit to be operated an Adult Entertainment Establishment except between 11:00 a.m. on any one day and 1:00 a.m. on the following day.
8. No Person shall operate or permit to be operated an Adult Entertainment Establishment on Christmas Day, Good Friday and Easter Sunday.

### **Doors to be Kept Unlocked**

9. No Person shall permit the doors or other principal means of access into the Adult Entertainment Establishment to be kept locked during the hours of operation.

### **No Entry or Services to Persons Under Age 18**

10. No Person carrying on or engaged in an Adult Entertainment Establishment or Adult Novelty Store shall permit any Person under the age of eighteen (18) years to enter or remain in the Adult Entertainment Establishment or Adult Novelty Store or any part of it.
11. No Person shall provide Services or Entertainment in an Adult Entertainment Establishment to a Person under the age of eighteen (18) years.

### **Physical Contact Prohibited**

12. No Person shall permit, allow or cause any Entertainer while providing Services or Entertainment, to touch, or be touched by, or have physical contact with any other Person in any manner whatsoever involving any Specified Body Areas or Specified Sexual Activities.
13. No Entertainer shall, while providing Services or Entertainment, touch or allow, permit or cause herself or himself to be touched or have physical contact with any other Person in any manner whatsoever involving any Specified Body Areas or Specified Sexual Activities.

### **Obstructed View of Entertainment Area Prohibited**

14. No Person shall permit Services or Entertainment to be provided in any area of the Premises other than the designated entertainment area shown on the approved floor plan.
15. All Services or Entertainment provided by an Entertainer shall be provided within view of staff and other patrons of the Adult Entertainment Establishment, without obstruction by any Person or any thing including, but not limited to, doors, walls, curtains, or any other enclosure, opaque glass, fog, or inadequate lighting.
16. No Person shall permit, allow, offer, or cause to be permitted Services or Entertainment in any cubicle, private room, or other area partitioned off from any room(s) where Services or Entertainment are generally provided to patrons.

17. The interior of an Adult Entertainment Establishment must not be visible from the exterior.

### **Photographic/Recording Equipment Prohibited From Use**

18. No Person shall use, or permit to be used any camera or other photographic or recording device in, upon or at an Adult Entertainment Establishment for any use other than for security purposes. This prohibition does not apply to an Officer in the exercise of his duties under this by-law.

### **Health Notices To Be Posted**

19. Every Adult Entertainment Owner Operator shall post or cause to be posted notices in the washrooms, employee dressing rooms, and at public entrance areas to advise patrons and employees that physical contact is prohibited and that sexually transmitted infections can be transmitted through unprotected physical contact.

### **Employee List Required**

20. Every Adult Entertainment Owner Operator shall provide a list to the Issuer of Licenses upon application or request setting out the names of every attendant, Entertainer, and employee of the Adult Entertainment Establishment and shall keep such list continually updated on an on-going basis.
21. Every Adult Entertainment Owner Operator shall notify the Issuer of Licenses within twenty-four (24) hours of any change to the persons on the employee list.

### **Entertainer's Licence**

22. No Adult Entertainment Owner Operator shall allow any Entertainer to provide Services or Entertainment in an Adult Entertainment Establishment without first confirming that the Person is license and has a valid Entertainer's licence issued by the Town.
23. Every Entertainer shall:
  - a) provide proof of age by producing at least two pieces of identification, of which one contains a photo to the satisfaction of the Issuer of Licenses;
  - b) agree to have a photo taken by the Town;
  - c) submit a copy of a Security Clearance Request Issued by the Halton Regional Police Service or the Police Service for the jurisdiction in which the Entertainer resides, obtained within thirty (30) days of application;
  - d) submit a Medical Certificate stating that the Entertainer is free of any communicable diseases and in good health;
  - e) return his or her Entertainer's licence upon expiry; and
  - f) report the loss of such license within twenty-four (24) hours of the occurrence to the Issuer of Licences.

## **Signage and Advertising**

24. Every licensee of an Adult Entertainment Establishment shall:

- a) exhibit a sign bearing the words “Licensed Adult Entertainment Parlour” or “Licensed Body Rub Parlour” over the street door or in the lower front window of the Premises visible on the exterior of the Premises;
- b) not erect a projecting sign, inflatable advertising device, portable and trailer signs, or sandwich board sign or electronic sign related to such business;
- c) not include pictorial or symbolic representation of Specified Body Areas, and or Specified Sexual Activities on exterior signs and advertising;
- d) not erect any sign on the interior of the premises visible from the exterior of the premises, except for the sign prescribed by subsection 24(a);
- e) not advertise by means of any poster, flyer, handbill or other printed material other than in the interior of the Premises, a newspaper, or telephone directory; and
- f) not advertise by loudspeaker or other means of oral or audible communication from the Premises.

## **Adult Novelty Store**

25. Every licensee of an Adult Novelty Store shall:

- a) Exhibit a sign stating there will be No admittance to anyone under the age of 18 years. This sign must be posted and clearly visible on all entrance doors of the Premises.

26. No Licensee of an Adult Novelty Store shall:

- a) Operate an Adult Mini-Theatre
- b) Offer any Body Rub services or other services offered at an Adult Entertainment Establishment

## **Schedule “B” to By-law No. 2005-0067 Amusement and Recreational Premises**

In addition to the other requirements of this By-law, the following regulations apply to Amusement and Recreational Premises as defined in this Schedule.

### **Interpretation**

1. In addition to the terms defined in the general section of this By-law, the following terms shall have the corresponding meanings;

*“Amusement and Recreational Premises”* means Premises which include but are not limited to an amusement arcade, including coin or token operated games, a paintball, laser tag, or billiard establishment, a bowling centre or a cinema, golf courses and country clubs, mini-golf, or a driving range, amusement rides, or a Public Hall, but does not include an Adult Mini-Theatre.

*“Public Hall”* means any privately-owned Premises that are offered for use, or are used, as a place of public assembly, for events, banquets, and public performance concerts, but does not include a theatre, a school, or municipal or religious Premises.

### **Inspections**

2. The issuance of an *Amusement and Recreational Premises* licence shall be subject to:
  - a) inspection/approval from the Halton Hills Fire Department;
  - b) inspection/approval from the Halton Region Health Department;
  - c) approval from the Town’s Zoning Officer

### **Application Requirements – General**

3. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application for a *Food Business* license shall provide:
  - a) a Certificate of Insurance completed and signed by the applicant’s Insurance Broker providing proof of Commercial General Liability insurance in a minimum amount of not less than (2) million dollars (\$2,000,000) with an endorsement that notice will be given to the Certificate Holder in writing at least (30) days prior to cancellation, expiration, or variation thereof. The Town of Halton Hills must be listed as the Certificate Holder.

### **Additional Inspections**

4. The issuing of an Amusement and Recreational Premises licence for an exhibition, trade show and a public performance concert shall be subject to an inspection by the Traffic Section of the Planning & Infrastructure Services Department.



5. The issuing of an Amusement and Recreational Premises licence where amusement riders are offered shall be subject to:
  - a) proof of a current annual inspection by the Technical Standards & Safety Authority, or its successor for each ride; and
  - b) authorization by the Technical Standards & Safety Authority, or its successor to carry on the business of operating amusement devices.
6. The issuing of an Amusement and Recreational Premises licence for a Public Assembly Hall, public performance concert or where amusement rides are offered shall be subject to a Hydro inspection by the Electrical Safety Authority for the current year.

### **Additional Requirements**

7. Every Amusement and Recreational Premises licensee shall:
  - a) post adequate safety measures for the use and enjoyment of the Premises in a conspicuous locations for the benefit of users;
  - b) ensure that a customer, parent, or guardian of Person under the age of sixteen (16) years who is attending at the Premises is aware of any risk of injury prior to engaging in an activity;
  - c) provide the customer with basic instruction on use of equipment and the rules of the Premises where there may be risk involved;
  - d) ensure that all entrances, exits, and corridors are free of obstruction at all times; and
  - e) keep all washroom facilities operable, clean and sanitary.
8. No Licensee of an Amusement and Recreational Premises shall operate an Adult-Mini Theatre or Adult Entertainment Establishment.

## **Schedule “C” to By-law No. 2005-0067**

### **Food Business**

In addition to the other requirements of this By-law, the following regulations apply to *Food Business* as defined in this Schedule.

#### **Interpretation**

1. In addition to the terms defined in the general section of this By-law, the following terms shall have the corresponding meanings:

*“Catering Company”* means any business in which food is prepared off site or at the caterer’s regular Premises, by a Person or Persons and provided to the public for hire or gain at a personal or public event or function.

*“Department Store”* means any premises primarily engaged in the sale of a wide range of products constituting a separate department within the store and includes prepackaged food.

*“Food Business”* shall mean any *business* for the purpose of which any *person* engages in the handling of *food* and where grocery items are sold at retail and where other accessory merchandise including but not limited to convenience items, household supplies, hardware, patent medicines, personal care products and garden centre products may be sold. *Food Business* includes, but is not limited to: *restaurant, specialty food store, take-out restaurant, department store, catering company, pharmacy, pet food store, convenience store, gas station where food is sold.*

*“Restaurant”* means a building with interior seating where food is prepared and offered for sale and where facilities are provided for the consumption of such food with a seating capacity greater than six seats on the premises.

*“Specialty Food Store”* means any premises where a specific food including but not limited to meat, seafood, fruit and vegetables, baked goods, ice cream, nuts and confections intended for human consumption are prepared, offered for sale, stored or sold.

*“Take-out Restaurant”* means a building with interior seating where food is prepared and offered for sale and where facilities are provided for the consumption of such food with a maximum seating capacity of six seats on the premises.

#### **Farm Produce Exemption**

2. Resident farmers selling their own produce or produce originating from another Ontario farm from their property are exempt from requiring a business licence for the sale of such produce.

- a) Notwithstanding Section 2 above, no person shall sell any farm produce on the side of any *Highway*.

### **Application Requirements – General**

- 3. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application for a *Food Business* license shall provide:
  - a) a Certificate of Insurance completed and signed by the applicant's Insurance Broker providing proof of Commercial General Liability insurance in a minimum amount of not less than (2) million dollars (\$2,000,000) with an endorsement that notice will be given to the Certificate Holder in writing at least (30) days prior to cancellation, expiration, or variation thereof. The Town of Halton Hills must be listed as the Certificate Holder.

### **Inspections**

- 4. The issuance of a *Food Business* licence shall be subject to:
  - a) inspection/approval from the Halton Hills Fire Department;
  - b) inspection/approval from Halton Region Health Department; and
  - c) approval from the Town that the *Premises* meets zoning requirements
- 5. All *Food Businesses* shall maintain the *Premises* at all times in a clean and sanitary condition free from dust, dirt, fumes and the accumulations of food waste or other refuse.
- 6. All *Food Businesses* shall keep all entrances, exits, and corridors free from obstruction at all times.
- 7. All *Food Businesses* shall keep all washroom facilities operable, clean and sanitary.
- 8. Any person operating a *Food Business* shall take suitable precautions to prevent infestation of the premises by rodents, insects, and vermin.
- 9. No person or licensee of a *Food Business* shall allow dogs, cats or other animals at any time in the cooking area or in any part of the Premises where food is kept, stored, prepared or cooked;
  - a) Notwithstanding Section 9 above, no person or licensee of a *Food Business* shall refuse to serve or permit any person being aided by an official service dog to enter, remain in or upon the Premises with such dog.
- 10. No Licensee of a *Food Business* shall offer for sale or display fireworks without first obtaining a permit issued by the Halton Hills Fire Department.

11. No person licensed under this schedule shall knowingly allow an employee to be engaged in their business if it is know that such employee suffers from any communicable or contagious disease.

## **Schedule “D” to By-law No. 2005-0067 Commercial Refreshment Vehicles**

In addition to the other requirements of this By-law, the following regulations apply to Commercial Refreshment Vehicles as defined in this Schedule.

### **Interpretation**

1. In addition to the terms defined in the general section of this By-law, the following terms shall have the corresponding meanings;

“*Commercial Refreshment Vehicle*”, hereafter referred to as “*CRV*”, shall mean any vehicle from which refreshments are sold, and/or distributed for consumption by the public and includes but is not limited to carts, wagons, trailers, trucks and bicycles, regardless of the type of motive power employed to move the refreshment vehicle from one point to another

“*Class ‘A’ CRV*” shall mean a motorized vehicle equipped for the preparation, cooking and sale of food to the public.

“*Class ‘B’ CRV*” shall mean a motorized vehicle from which the refreshments for sale to the public are pre-packaged or prepared in a place other than the *CRV* and includes catering food trucks and ice cream trucks.

“*Class ‘C’ CRV*” shall mean a non-motorized vehicle that is licensed or required to be licensed to be drawn upon a highway by a motor vehicle that is equipped for the preparation, cooking and sale of food to the public.

“*Class ‘D’ CRV*” shall mean a non-motorized or muscle powered device, or stationary equipment such as a booth or tent where food is prepared or pre-packaged food is available for sale to the public and shall include but is not limited to bicycle refreshment carts, hotdog carts, portable barbeque/grills, tables and coolers.

“*Shopping Centre*” is a group of more than twenty (20) retail and other commercial establishments that is planned, developed, owned and managed as a single property where on-site parking is provided.

### **Inspections**

2. The issuance of a *Commercial Refreshment Vehicle* licence shall be subject to:
  - a) inspection/approval from the Halton Hills Fire Department;
  - b) inspection/approval from the Halton Region Health Department;
  - c) inspection/approval from an Officer of the *Town*, and;
  - d) approval from the Town’s Zoning Officer

### **Class 'A' CRV**

3. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application or renewal for a *Class 'A' CRV* shall provide:
  - a) a Certificate of Insurance completed and signed by the applicant's Insurance Broker providing proof of Commercial General Liability insurance in a minimum amount of not less than (2) million dollars (\$2,000,000), proof of Automobile Insurance in a minimum amount of not less than (2) million (\$2,000,000) with an endorsement that notice will be given to the Certificate Holder in writing at least thirty (30) days prior to cancellation, expiration, or variation thereof. The Town of Halton Hills must be listed as the Certificate Holder;
  - b) a current copy of the motor vehicle ownership;
  - c) a copy of a vehicle safety standards certificate from an inspection station in Ontario licensed by the Ministry of Transportation issued within thirty (30) days of application;
  - d) a certificate of inspection from a licensed gas fitter attesting to the fact that equipment in the *Class 'A' CRV* fuelled by propane or natural gas has been inspected and conforms to the Technical Standards and Safety Act, 2000;
  - e) a current copy of the operator's Ontario Driver's Abstract from the Ministry of Transportation issued within thirty (30) days;
  - f) a current medical certificate prepared by a duly qualified medical doctor licensed to practice medicine in Ontario which states that the applicant or licensee is fit and able to operate a motor vehicle and to work with food;
  - g) written permission from the property owner, or *Shopping Centre* management to locate a *Class 'A' CRV* on their lands;
  - h) site plan showing the proposed location of the *CRV* with distances to road allowance and adjacent structures.
4. Every *Licensee* of a *Class 'A' CRV* shall:
  - a) ensure the *CRV* is:
    - (i) located a minimum of seven (7) metres from the edge of the road allowance;
    - (ii) not located within five (5) metres of any lot line;
    - (iii) located on a site with a minimum of ten (10) parking spaces.
  - b) display an Owner's Plate provided by the *Town* in a conspicuous place on the rear of the *CRV*;
  - c) maintain the *CRV* in good repair, free of body damage, rust, holes, cracks and deteriorated exterior paint;
  - d) maintain the interior of the *CRV* in a clean and sanitary condition;

- e) provide an adequate number of suitable refuse containers readily accessible to *Persons* make purchases;
  - f) not remove the running gear, and maintain such gear in good working order, capable of safely moving the *CRV* at any time;
  - g) ensure the audible reversing alarm is in working order at all times;
  - h) provide and maintain a multi-purpose dry chemical fire extinguisher with a minimum rating of 2A10BC, if the *CRV* contains equipment fuelled by propane or natural gas;
  - i) provide and maintain a “K” class fire extinguisher if the *CRV* contains an oil fryer for cooking;
5. No *Licensee* of a *Class ‘A’ CRV* shall operate, sell or offer for sale, food or refreshments:
- a) in any location other than the location approved by the *Town* on the site plan;
  - b) from a *CRV* upon a *Highway* or part thereof;
  - c) within 100 metres of the entrance or exit to any school grounds;
  - d) to the public except when parked at one location on private property that is zoned commercial or industrial and is at least 100 metres away from another *CRV* or other eating establishment;
  - e) while obstructing any parking space, drive aisle, fire route, entrance or exit;
  - f) while obstructing the lines of sight at an intersection and driveway entrances or exits;
  - g) in areas zoned residential;
  - h) in a municipal park or at any *Town* owned facility without first obtaining written permission from the *Town*;
  - i) in any Business Improvement Area (BIA) in Halton Hills without first obtaining written permission from the respective BIA management;
6. Only one (1) licensed *Class ‘A’ CRV* shall be permitted per location, property or premises.
- a) Notwithstanding Section 6 above, no more than two (2) licensed *Class ‘A’ CRV*’s shall be allowed at any *Shopping Centre* at one time.
  - b) Notwithstanding Section 6 above, this limit not be in effect for any *Public Event* or tournament as long as these events are registered with the *Town*.
  - c) Notwithstanding Section 5D, this distance shall not apply to *Shopping Centres*.

#### **Class ‘B’ CRV**

7. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application or renewal for a *Class ‘B’ CRV* shall provide:
- a) a Certificate of Insurance completed and signed by the applicant’s Insurance Broker providing proof of Commercial General Liability insurance in a minimum

amount of not less than (2) million dollars (\$2,000,000), proof of Automobile Insurance in a minimum amount of not less than (2) million (\$2,000,000) with an endorsement that notice will be given to the Certificate Holder in writing at least thirty (30) days prior to cancellation, expiration, or variation thereof. The Town of Halton Hills must be listed as the Certificate Holder;

- b) a current copy of the motor vehicle ownership;
- c) a copy of a vehicle safety standards certificate from an inspection station in Ontario licensed by the Ministry of Transportation issued within thirty (30) days of application;
- d) a certificate of inspection from a licensed gas fitter attesting to the fact that equipment in the *Class 'B' CRV* fuelled by propane or natural gas has been inspected and conforms to the Technical Standards and Safety Act, 2000;
- e) a current copy of the operator's Ontario Driver's Abstract from the Ministry of Transportation issued within thirty (30) days;
- f) a current medical certificate prepared by a duly qualified medical doctor licensed to practice medicine in Ontario which states that the applicant or licensee is fit and able to operate a motor vehicle and to work with food;

8. Every *Licensee* of a *Class 'B' CRV* shall:

- a) display an Owner's Plate provided by the *Town* in a conspicuous place on the rear of the *CRV*;
- b) maintain the *CRV* in good repair, free of body damage, rust, holes, cracks and deteriorated exterior paint;
- c) maintain the interior of the *CRV* in a clean and sanitary condition;
- d) provide an adequate number of suitable refuse containers readily accessible to *Persons* make purchases;
- e) not remove the running gear, and maintain such gear in working order, capable of safely moving the *CRV* at any time;
- f) ensure the audible reversing alarm is in good working order at all times;
- g) provide and maintain a multi-purpose dry chemical fire extinguisher with a minimum rating of 2A10BC, if the *CRV* contains equipment fuelled by propane or natural gas.

9. No *Licensee* of a *Class 'B' CRV* shall operate, sell or offer for sale food or refreshments:

- a) from a *CRV* upon a Highway or part thereof;
- b) within 100 metres of the entrance or exit to any school grounds or other eating establishment;
- c) within 3 metres of an intersection;
- d) for more than ten (10) minutes at any one location;
- e) in a municipal park or at any *Town* owned facility without first obtaining written permission from the *Town*;



- f) while obstructing any parking space, drive aisle, fire route, entrance or exit;
  - g) while obstructing the lines of sight at intersections and driveway entrances or exits;
  - h) in any Business Improvement Area (BIA) in Halton Hills without first obtaining written permission from the respective BIA management.
10. Every Person operating a *Class 'B' CRV* or engaged in the selling of refreshments from a *Class 'B' CRV* shall comply with the following:
- a) there shall be no service of any customer who is standing on the Highway;
  - b) that all children and customers are safely away from the vehicle before putting it in motion;
  - c) that there be no crying of wares, sounding of any chimes or the use of other audible means of recognition while the vehicle is in motion;
    - (i) or for more than five seconds at intervals of not less than five minutes;
    - (ii) in any residential area before 11:00 a.m.;
    - (iii) in any residential area after 8:00 p.m.

#### **Class 'C' CRV**

11. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application or renewal for a *Class 'C' CRV* shall provide:
- a) a Certificate of Insurance completed and signed by the applicant's Insurance Broker providing proof of Commercial General Liability insurance in a minimum amount of not less than (2) million dollars (\$2,000,000) with an endorsement that notice will be given to the Certificate Holder in writing at least thirty (30) days prior to cancellation, expiration, or variation thereof. The Town of Halton Hills must be listed as the Certificate Holder;
  - b) a current copy of the motor vehicle ownership;
  - c) a certificate of inspection from a licensed gas fitter attesting to the fact that equipment in the *Class 'B' CRV* fuelled by propane or natural gas has been inspected and conforms to the Technical Standards and Safety Act, 2000;
  - d) a current medical certificate prepared by a duly qualified medical doctor licensed to practice medicine in Ontario which states that the applicant or licensee is fit and able to operate a motor vehicle and to work with food;
  - e) written permission from the property owner, or *Shopping Centre* management to locate a *Class 'C' CRV* on their lands;
  - f) a photograph of the *CRV* intended for use with this license;
  - g) site plan showing the proposed location of the *CRV* with distances to road allowance and adjacent structures.

12. Every Licensee of a *Class 'C' CRV* shall:

- a) ensure the CRV is:
  - a. located a minimum of seven (7) metres from the edge of the road allowance;
  - b. not located within five (5) metres of any lot line, and;
  - c. located on a site with a minimum of ten (10) parking spaces.
- b) display an Owner's Plate provided by the *Town* in a conspicuous place on the rear of the *CRV*;
- c) maintain the *CRV* in good repair, free of body damage, rust, holes, cracks and deteriorated exterior paint;
- d) maintain the interior of the *CRV* in a clean and sanitary condition;
- e) provide an adequate number of suitable refuse containers readily accessible to Persons making purchases;
- f) not remove the running gear, and maintain such gear in good working order, capable of safely moving the *CRV* at any time;
- g) provide and maintain a multi-purpose dry chemical fire extinguisher with a minimum rating of 2A10BC, if the *CRV* contains equipment fuelled by propane or natural gas;
- h) provide and maintain a "K" class fire extinguisher if the *CRV* contains an oil fryer for cooking.

13. No Licensee of a *Class 'C' CRV* shall operate, sell or offer for sale food or refreshments:

- a) in any location other than the location approved by the *Town* on the site plan;
- b) from a *CRV* upon a Highway or part thereof;
- c) within 100 metres of the entrance or exit to any school grounds;
- d) to the public except when parked at one location on private property that is zoned commercial or industrial and is at least 100 metres away from another *CRV* or other eating establishment;
- e) while obstructing any parking space, drive aisle, fire route, entrance or exit;
- f) while obstructing the lines of sight at intersections and driveway entrances or exits;
- g) in areas zoned residential;
- h) in a municipal park or at any *Town* owned facility without first obtaining written permission from the *Town*;
- i) in any Business Improvement Area (BIA) in Halton Hills without first obtaining written permission from the respective BIA management.

14. Only one (1) licensed *Class 'C' CRV* shall be permitted per location, property or premises at any time.
- a) Notwithstanding Section 14 above, no more than two (2) licensed *Class 'A' CRV's* shall be allowed at any *Shopping Centre* at one time.
  - b) Notwithstanding Section 14 above, this limit not be in effect for any *Public Event* or tournament as long as these events are registered with the *Town*.
  - c) Notwithstanding Section 13d above, this distance shall not apply to *Shopping Centres*.
15. No refreshments shall be sold from any *Commercial Refreshment Vehicle* drawn by an animal.

#### **Class 'D' CRV**

16. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application or renewal for a *Class 'D' CRV* licence shall provide:
- a) a Certificate of Insurance completed and signed by the applicant's Insurance Broker providing proof of Commercial General Liability insurance in a minimum amount of not less than (2) million dollars (\$2,000,000) with an endorsement that notice will be given to the Certificate Holder in writing at least thirty (30) days prior to cancellation, expiration, or variation thereof. The Town of Halton Hills must be listed as the Certificate Holder. Where the *CRV* is located on *Town* property, the Town of Halton Hills must be listed as Additional Insured;
  - b) a certificate of inspection from a licensed gas fitter attesting to the fact that equipment in the *Class 'D' CRV* fuelled by propane or natural gas has been inspected and conforms to the Technical Standards and Safety Act, 2000;
  - c) written permission from the property *Owner*, or *Shopping Centre* management to locate a *Class 'C' CRV* on their lands;
  - d) site plan showing the proposed location of the *CRV* with distances to road allowance and adjacent structures.
17. Every Licensee of a *Class 'D' CRV* shall:
- a) Ensure the *CRV* is:
    - (i) located a minimum of seven (7) metres from the edge of the road allowance;
    - (ii) not located within five (5) metres of any lot line;
    - (iii) be located on a site with a minimum of ten (10) parking spaces.

- b) display an Owner's Plate provided by the *Town* in a conspicuous place;
  - c) maintain the area around the *Class 'D' CRV* in a clean and sanitary condition;
  - d) provide an adequate number of suitable refuse containers readily accessible to Persons making purchases;
- 18. No Licensee of a *Class 'D' CRV* shall operate, sell or offer for sale food or refreshments:
  - a) in any location other than the location approved by the *Town* on the site plan;
  - b) from a *CRV* upon a Highway or part thereof;
  - c) within 100 metres of the entrance or exit to any school grounds;
  - d) while obstructing any parking space, drive aisle, fire route, entrance or exit;
  - e) while obstructing the lines of sight at intersections and driveway entrances or exits;
  - f) in areas zoned residential;
  - g) in a municipal park or at any *Town* owned facility without first obtaining written permission from the *Town*;
  - h) in any Business Improvement Area (BIA) in Halton Hills without first obtaining written permission from the respective BIA management.
- 19. Only one (1) licensed *Class 'D' CRV* shall be permitted per location, property or premises at any time.
  - a) Notwithstanding Section 19 above, no more than two (2) licensed *Class 'D' CRV's* shall be allowed at any *Shopping Centre* at one time.
  - b) Notwithstanding Section 19 above, this limit not be in effect for any *Public Event* or tournament as long as these events are registered with the *Town*.

## **Public Events and Tournaments**

- 20. All food vendors participating in a *Public Event* through the Public Event Application Process with the *Town* must be licensed as a *CRV* with the *Town* and pay \$100 per event (July 1 – December 31, 2015 – rates thereafter approved through the Town of Halton Hills Rates and Fees By-law, as amended.)

## **Schedule “E” to By-law No. 2005-0067**

### **Pet Care Establishments**

In addition to the other requirements of this By-law, the following regulations apply to Pet Care Establishments as defined in this Schedule.

#### **Interpretation**

1. In addition to the terms defined in the general section of this By-law, the following terms shall have the corresponding meanings;

*“Kennel”* means any building or structure where dogs are kept, harboured, bred, raised, sheltered, cared for, or boarded for profit or offered for sale but shall not include:

- a) a veterinary hospital under the care of a licensed veterinarian;
- b) a public pound or animal shelter used by the Town for impounding dogs; and
- c) any Premises licensed under any Provincial or Federal Statute that permits the keeping of dogs under certain conditions.

*“Pet Care Establishment”* means any Premises in which services or products for animals are sold and includes a Kennel, pet shop, pet food and pet supply store.

*“Pet Shop”* means a Premise where animals or birds for use as pets are sold or kept for sale, as well as a premise where animal food, supplies and accessories are sold.

#### **Licence Required**

No Person shall carry on the business of a Pet Care Establishment within the Town of Halton Hills unless he has obtained a licence in accordance with the requirements of this by-law.

Upon issuance, each licence shall be posted in a conspicuous place on the premises so licensed.

#### **Application Requirements**

2. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application for a *Pet Care Establishment – Kennel* license shall provide:

- a) a detailed drawing of the property showing the location of the Kennel in relation to the dwelling unit, dog runs, fencing and other buildings on the property;
- b) if applicable, submit a Certificate of Registration or certified extract with the Canadian Kennel Club or other association incorporated under the Animal Pedigree Act (Canada) indicating that all dogs kept, bred and raised in the kennel are so registered or eligible to be registered;
- c) Written permission from the registered owner of the lands where the Kennel is located, if the Applicant is not the owner of the lands, confirming that such registered owner permits the Kennel use.

### **Inspections**

- 3. The issuance of a Pet Care Establishment licence shall be subject to:
  - a) inspection/approval from the Halton Hills Fire Department;
  - b) inspection/approval from an Officer of the Town;
  - c) approval from the Town's Zoning Officer.

### **Kennel Requirements**

- 4. The building in which the Kennel is operated shall:
  - a) be no closer than thirty (30) metres from any property line;
  - b) be separated and enclosed and shall not be attached to a dwelling unit or any other building which is or can be used for human habitation;
  - c) have a floor of concrete or other impermeable material with a drain opening constructed as a plumbing fixture, and such floor shall be thoroughly cleaned daily, or more often if necessary;
  - d) be maintained in a sanitary, clean condition and free from offensive odours;
  - e) have windows that can be opened for proper ventilation;
  - f) have proper climate control;
  - g) have an outside area for use by dogs enclosed with a solid board fence of a minimum height of two (2) metres, which shall be deemed part of the building for the purpose of this by-law;

- h) conform to the Building Code Act and the Ontario Fire Code, as well as any other applicable law, and be maintained in such a manner as to be free from damage.
5. All Animals shall:
- a) be kept in adequately sized cages to allow the animal to extend its legs to their full extent, stand or sit, turn around or lie down in a fully extended position, and all cages are to be constructed solely of metal, wire or impermeable concrete block;
  - b) be kept in sanitary, well-bedded, well-ventilated, naturally lighted, clean quarters and such quarters shall be maintained and kept at a healthy temperature at all times;
  - c) be adequately fed and watered, periodically each day and kept in a clean, healthy condition, free from vermin and disease.
6. Every person who is sold a dog who resides in Halton Hills will be advised of the Town's dog licensing requirements.

### **Pet Shop Requirements**

7. Every Pet Care Establishment licensee – Pet Shop shall ensure that:
- a) the Premises to be used are maintained in a clean, sanitary condition, well-ventilated, and free of any offensive odours;
  - b) cages, containers, enclosures, or tanks used to house and display animals, birds, fish or reptiles are sufficient in size and dimensions to permit the animal to stand to its normal full height, turn around, and lie down in a fully extended position, and are structurally sound;
  - c) cages or containers are cleaned daily and all holding areas for dogs and cats are disinfected daily;
  - d) every animal is provided with adequate food and potable water at all times;
  - e) temperatures in the living quarters of every animal, bird, fish, or reptile are maintained appropriate for the health of the species; and
  - f) every Person who is sold a dog is advised of the Town's dog licensing requirements.

7. No Licensee of a pet shop shall knowingly sell, offer or keep for sale either in connection with the licensed pet shop, or in connection with any other business operation;
  - a) any sick, diseased, or unhealthy animal, bird, fish or reptile which exhibits signs of an infectious disease, including distemper, hepatitis, leptospirosis, rabies, or any other deficiency including rickets, malnutrition, parasites, or any abnormality that might affect the health of the animal;
  - b) sell, offer to sell, display or give to any Person a dog or cat that is under the age of eight (8) weeks;
  - c) sell or offer for sale to give away any wild animal or exotic animal or any other animal which is not permitted within the boundaries of the municipality as defined by the Town's Responsible Pet Owner's By-law.
6. Every Licensee of a pet shop shall seek treatment by a qualified Person for any injured, sick, diseased, or dying animal bird, fish or reptile kept for sale.
7. No Licensee of a pet shop shall sell a dog or cat without providing a dated receipt describing the animal and a current certificate of health issued by a veterinarian to the consumer.
8. Every Licensee of a pet shop shall maintain a register or a computer database to store the details of the purchase of each dog or cat indicating the name and address of the licensee's supplier, a full description of the dog or cat including gender, colour, breed, or cross-breed, locations of any markings, etc., and the date of each transaction for the term of the license and available for inspection by an Officer upon request.



## **Schedule “F” to By-law No. 2005-0067**

### **Non-Store Direct Selling**

In addition to the other requirements of this By-law, the following regulations apply to Non-Store Direct Selling as defined in this Schedule.

#### **Interpretation**

1. In addition to the terms defined in the general section of this By-law, the following terms shall have the corresponding meanings;

*“aggressive manner”* means a manner that is likely to cause a reasonable person to be concerned for his or her safety or security.

*“Auction”* means a public sale of goods, articles, merchandise, and wares where an auctioneer calls out and receives bids and the article is sold to the highest bidder, but does not include a Silent Auction, or sale conducted by a receiver, liquidator, trustee, court, bailiff, executor, or sheriff under any general or special Act.

*“Film and Motion Picture Production”* means commercial or trade film production shoots, including feature films, documentaries, and commercials but does not include news reporting, non-profit productions, team photos, weddings or student productions.

*“Mock Auction”* means the auctioning of goods wherein the auctioneer leads Persons in attendance at an Auction to believe that a potential purchaser has made a bid on an item, which bid has not been made.

*“Newspaper Distribution Box”* includes any coin-operated or other box or stand that holds newspapers, periodicals, or other printed material for access by the general public.

*“Non-store Direct Selling”* means the sale of goods at an Auction, Temporary Event Sale, from a Newspaper Distribution Box or from a Person such as a Temporary Vendor, Pawnbroker, Second Hand Goods Dealer, or Sign Distributor and includes the business of film location production shoots.

*“Pawnbroker”* means a Person who carries on the business of taking by way of pawn or pledge, any article for the repayment of money lent thereon as defined in the Pawnbrokers Act, R.S.O.1990.

*“Public Assembly Hall”* means any privately-owned Premises that are offered for use, or are used, as a place of public assembly, for events, banquets, and public performance concerts, but does not include a theatre, a school, or municipal or religious Premises.

*“Sale of Second Hand Goods”* means selling, offering for sale or displaying for sale, antique items, used goods, wares, materials, merchandise, or second hand items of any kind by retail.

*“Second Hand Goods Dealer”* means a Person who sells, offers for sale or displays for sale, antique items, second hand, or used, goods, materials, merchandise, or items of any kind in a retail establishment, other than a resident conducting a yard or garage sale relating to the occasional sale of surplus domestic items originating from a private residence or neighbouring residences.

*“Sign Distributor”* means a Person who sells, rents or leases, or offers for sale, rent or lease, or otherwise provides, erects, installs, or locates, a sign or other advertising device.

*“Silent Auction”* means an Auction in which written bids are submitted on cards or electronically during a specified period at the end of which all the bids are compared.

*“Temporary Event Sale”* means the display, demonstration, or sale of products, and/or services to the public at an event such as an exhibition, fair, carnival, festival, flea market, trade show, antique show, trunk sale, tournament sport event, concert, or any other similar Public event by two (2) or more participants or temporary vendors for a period of not more than one month in duration and is conducted and overseen by a Person, foundation, or an organization licensed under this By-law.

*“Temporary Vendor”* means a Person who travels about offering the sale of products and/or services as a door-to-door salesperson, hawker or peddler, or operator of a sales stand at an event.

## **Licence Required**

2. No Person shall carry on the business of *Non-Store Direct Selling* within the Town of Halton Hills without first obtaining a licence in accordance with the requirements of this by-law.

Upon issuance, each licence shall be posted in a conspicuous place on the premises so licensed.

### **Charitable Non-Profit Exemption**

3. Notwithstanding any provision of this by-law, any registered Canadian charitable organization and any registered non-profit organization is exempt from requiring a Non-Store Direct Selling licence for door-to-door selling and Auctions conducted for charitable and non-profit fundraising purposes.

### **Application Requirements – General**

4. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application for a *Non-Store Direct Selling* licence shall provide:
  - a) a Certificate of Insurance completed and signed by the applicant's Insurance Broker providing proof of Commercial General Liability insurance in a minimum amount of not less than (2) million dollars (\$2,000,000) with an endorsement that notice will be given to the Certificate Holder in writing at least (30) days prior to cancellation, expiration, or variation thereof. The Town of Halton Hills must be listed as the Certificate Holder, unless otherwise specified in this By-law.

### **Auction**

5. This issuing of a Non-Store Direct Selling licence for an Auction shall be subject to a fire safety inspection of the premises by the Town.
6. Every Non-Store Direct Selling Licensee of an Auction shall:
  - a) keep and maintain a clearly legible record of the name and address of the owners of goods to be sold, a detailed description of such goods, the price at which the goods may be sold, the reserved bid on the goods, if any, and the names and addresses of the Persons purchasing such goods;
  - b) pay the proceeds less legal commissions and charges to the Person entitled after the sale of such Person's goods or return such goods in the case no sale is made less his or her proper costs and charges; and
  - c) maintain order in the Auction house at all times.
7. No Non-Store Direct Selling Licensee of an Auction shall:
  - a) conduct or permit any Mock Auction to be conducted;
  - b) make or permit any misrepresentation as to the nature, content, quality, quantity, or value of any item being auctioned;

- c) give any articles or sell them for nominal amounts for the purpose of stimulating bidding;
- d) do any act that is calculated to confuse the purchase as to the amount he or she pays for any article;
- e) act in concert with Persons known as boosters for the purpose of raising bids or stimulating business; and
- f) sell or put up for sale by auction any article on which a reserve bid has been placed without first having announced clearly to those in attendance at the auction that such reserve bid is on the item.

### **Newspaper Distribution Box**

- 8. The issuing of a Non-Store Direct Selling licence for a Newspaper Distribution Box shall be subject to:
  - a) a site inspection by the Town for each Newspaper Distribution Box;
- 9. Every Non-Store Direct Selling applicant or Licensee of a Newspaper Distribution Box shall:
  - a) provide a complete list of proposed locations for approval by the Town;
  - b) indicate the newspaper or magazine that shall be sold or offered in such Newspaper Distribution Box; and
  - c) provide the written permission of any private property Owner permitting the location of a Newspaper Distribution Box on private property.
- 10. A Non-Store Direct Selling Licensee of a Newspaper Distribution Box may place a Newspaper Distribution Box on municipal property provided that:
  - a) the location of every Newspaper Distribution Box is approved by the Town;
  - b) the Newspaper Distribution Box is not located within twenty (20) metres of a convenience store selling newspapers or similar periodicals;
  - c) the Newspaper Distribution Box does not obstruct vehicular or pedestrian traffic;
  - d) the Newspaper Distribution Box does not interfere with the maintenance or repair of any Highway, public sidewalk, or other municipal or private property;
  - e) the Newspaper Distribution Box is maintained in good operational order and repair and does not become unsafe, unsightly, or defective;

- f) the area around the Newspaper Distribution Box is kept clean and free of litter;
  - g) no more than one (1) Newspaper Distribution Box owned by any newspaper or magazine company is placed at any one location unless they are of different branded products; and
  - h) the Newspaper Distribution Box is not affixed or chained to any traffic control sign or signal pole.
- 11. A Licensee of a Newspaper Distribution Box shall immediately remove a Newspaper Distribution Box that contravenes any provisions of this by-law upon receiving notice to do so from the Town.
- 12. The Town may immediately remove a Newspaper Distribution Box posing a hazard without notification to the licensee of the Newspaper Distribution Box.
- 13. Where the Licensee of a Newspaper Distribution Box does not comply with the provisions of this by-law within five (5) days, the Newspaper Distribution Box will be removed by the Town and stored for a minimum period of thirty (30) days from the date of removal after which time, the Town may dispose of the Newspaper Distribution Box without further notification or compensation to the Licensee.
- 14. The Licensee of an impounded Newspaper Distribution Box shall pay all associated costs of removal to the Public Works division in order to reclaim any Newspaper Distribution Box within thirty (30) days of impoundment.

### **Temporary Vendor**

- 15. Every Non-Store Direct Selling applicant or Licensee for a Temporary Vendor licence shall:
  - a) provide a complete list to the Town fully describing the goods, merchandise, or services offered for sale;
  - b) provide the contact information of the supplier or alternate proof that second-hand goods offered for sale are bonafide;
  - c) provide a certificate of approval from the Halton Region Health Department before selling any food product;
  - d) produce two (2) pieces of identification, one (1) of which contains a photograph to the satisfaction of the Issuer of Licenses;
  - e) provide an up-to-date list of the name and address of every employee who will be going door-to-door to conduct sales;

- f) submit the written permission of a property Owner if any salesperson is temporarily locating on private property in a commercial zone;
  - g) submit two (2) passport size photographs to the satisfaction of the Issuer of Licences or agree to have a photograph taken by the Town upon request; and
  - h) obtain a permit issued by the Fire Department before selling or displaying fireworks.
16. Every Temporary Vendor licensee shall ensure that each employee conducting door-to-door sales on his or her behalf:
- a) wears identification to clearly identify themselves and the
  - b) sells goods door to door only between the hours of sunrise and sunset;
  - b) does not obstruct any doorway or Highway, nor stop or park any Motor Vehicle at an intersection, entrance to a school yard or public park or in a public park or place to conduct sales;
  - c) uses a duplicating receipt book stating their operating name and company address and fills out the total amount of goods sold, the applicable taxes, signature of the salesperson, delivery date, if applicable, and provides a receipt to any Person who purchases goods from him or her; and
  - d) if temporarily selling from a location on private property, has the written permission of the registered property Owner.
17. No Temporary Vendor conducting door-to-door sales shall:
- a) solicit in an aggressive manner;
  - b) threaten the person solicited with physical harm, by word, gesture or other means, during the solicitation or after the person solicited responds or fails to respond to the solicitation;
  - c) use abusive language during the solicitation or after the person solicited responds or fails to respond to the solicitation;
  - d) continue to solicit a person in a persistent manner after the person has responded negatively to the solicitation.

### **Temporary Event Sale**

18. Every person, foundation, or organization who holds an exhibition, carnival, festival, flea market, antique show, trunk sale, tournament sport event, concert, or any other similar Public Event where products, goods, and/or services will be displayed, demonstrated or sold to the public by two or more participants or

Temporary Vendors (whether invited to attend or not), shall obtain a Temporary Event Sale licence for the duration of the event, and the completed application shall:

- a) be received by the Issuer of Licences not less than thirty (30) days prior to the event;
- b) be accompanied by confirmation from the event organizer in the form of a letter of list of all temporary vendors including every food vendor who will operate in conjunction with the event;
- c) indicate the number of stalls, booths, tables, or concessions available for rent by vendors and the number of days they will be operating;
- d) be accompanied by proof of the requisite insurance coverage for every food vendor, if such insurance coverage is being provided by the organization conducting the event under this licence; and
- e) be accompanied by proof that adequate sanitary facilities are provided to the satisfaction of the Regional Municipality of Halton Health Department.

19. Every Licensee of a Temporary Event Sale shall:

- a) ensure all entrances, corridors, and exits are not blocked, obstructed, or impeded; and
- b) maintain a record of all vendors indicating the owner's name, business operating name, address, and phone number or keep a copy of any agreement entered into with the vendor that contains such information to provide upon request to an Officer.

20. Every individual food vendor who sells food at a Temporary Event Sale shall make separate application to the Town for a Commercial Refreshment Vehicle – Food Event licence, unless otherwise exempt through this By-law.

### **Sign Distributor**

21. Every Sign Distributor shall not install, erect, or locate any sign in the Town without obtaining all requisite permits in accordance with the Town's Sign By-law.

## **Pawnbroker**

22. Every applicant or licensee of a Pawnbroker licence shall:

- a) give to the Town, security to the satisfaction of the Treasurer in the sum of two thousand (\$2,000.00) for due observance in accordance with the Pawnbrokers Act, R.S.O. 1990, c.P.6;
- b) forthwith report to the Halton Regional Police any article offered to him or her that he or she has reasonable cause to suspect may have or may be stolen or unlawfully obtained; and
- c) advise Halton Regional Police of any article or object on which the serial number has been obliterated or removed at least twenty-four (24) hours prior to acquisition.

## **Second Hand Goods Dealer**

23. Every licensee of a Second Hand Goods Dealer licence shall:

- a) maintain a record of all second hand goods purchased or taken in exchange, which record shall include the make, model, name, serial number, code, or any other identifying marks, the date of the purchase or exchange, the purchase price of each item, and provide the contact information of the supplier or alternate proof that second-hand goods offered for sale are bonafide;
- b) forthwith report to the Halton Regional Police any article offered to him or her that he or she has reasonable cause to suspect may have or may be stolen or unlawfully obtained; and
- c) not display any goods or merchandise outside of a second hand goods store so as to obstruct the sidewalk.

24. No Licensee dealing in Second Hand Goods shall purchase or exchange or receive any second hand goods from any person who appears to be under the influence of an intoxicating substance.



## **Film and Motion Picture Production**

25. An applicant for a licence to shoot a Film and Motion Picture Production within the Town of Halton Hills shall:
- a) submit an application a minimum of ten (10) working days in advance of the location shoot where no temporary road closure is required;
  - b) submit an application a minimum of eight (8) weeks in advance of the location shoot where a temporary road closure is required to fulfill legislated requirements;
  - c) respond promptly with adequate information and full disclosure about the extent of the production to all inquiries from the Issuer of Licences;
  - d) ensure the execution of all necessary agreements;
  - e) provide proof of insurance satisfactory to the Town and naming the Town as an additional insured in the amount specified by the Town, and any other required documents;
  - f) submit the required licensing fee and a deposit or Letter of Credit in an amount specified by the Town between one thousand dollars (\$1,000.00) and five thousand dollars (\$5,000.00) depending on the length and requirements of the production, to enable the town to recover any costs that may be incurred by the Town; and
  - g) shall be subject to the approval of the production by all agencies the Town deems appropriate.

**Schedule “G” to By-law No. 2005-0067**  
**Specialty Trade Contractor**

In addition to the other requirements of this By-law, the following regulations apply to Specialty Trade Contractor as defined in this Schedule.

**DEFINITIONS**

1. In addition to the terms defined in the general section of this By-law, the following terms shall have the corresponding meanings;

*“Drain Contracting Company”* means a Person who undertakes or is engaged in the business of drainage work including the installing, replacing, repairing or maintenance of drains, drainage systems and sewage disposal systems, who solicits and advertises such work to the public, and who either is himself a Drain Contractor or employs a Drain Contractor.

*“Drain Contractor”* means a Person who carries on the business of laying, repairing and installing public or private drains and sewage disposal systems on the exterior of any building.

*“General Trade Contractor”* means a Person who is skilled in any trade involving building, constructing or removing any building or structure of any kind, and includes but is not limited to poured concrete, framing, masonry, roofing, siding, glass and glazing, finish carpentry, paint, wall, flooring, building finishing, foundation, exterior building renovations, landscape construction, pool installation, and driveway paving work.

*“General Trade Contracting Company”* means a Person who undertakes or is engaged in the business of contracting General Trade work and who solicits and advertises such work to the public, except a trade, business, or occupation otherwise required to be licensed under this by-law and also except homebuilders who are insured under the Ontario Home Warranty Program.

*“Heating Ventilation Air Conditioning Contracting Company”* means a Person who undertakes or is engaged in the contracting of heating, ventilation, and air conditioning work including the installing, repairing, and maintaining of warm air, hot water or steam heating equipment of any kind, who solicits and advertises such work to the public, and who either is himself a Master HVAC Installer or employs a Master HVAC Installer.

*“HVAC”* shall mean Heating Ventilation Air Conditioning

*“Journeyman Plumber”* means a Person who has been issued a certificate of qualification by the Province of Ontario, and who having served an apprenticeship is qualified to work in the plumbing trade under the direction of another more qualified Person.

*“Master HVAC Installer”* means a Person who has been issued a Certificate of Qualifications under the *Ontario College of Trades and Apprenticeship Act, 2009*, S.O. 2009, c.22, as amended and is aware of and knowledgeable in the general regulations under this act and operates in a manner pursuant to the requirements of the act and its Regulations and is skilled in the planning, superintending and installation of warm air, steam and hot water heating systems, air conditioning and ventilation systems, and equipment used in connection therewith, who engages in such work, and who is familiar with the laws, rules, and regulations governing the same.

*“Master Plumber”* means a Person who has been issued a Certificate of Qualifications in the plumbing trade under the *Ontario College of Trades and Apprenticeship Act, 2009*, S.O. 2009, c.22, as amended and is aware of and knowledgeable in the general regulations under this act and operates in a manner pursuant to the requirements of the act and its Regulations and is skilled in the planning, superintending, and installing of plumbing, who engages in such work, and who is familiar with the laws, rules, and regulations governing the same.

*“Plumbing Contracting Company”* means a Person who undertakes or is engaged in the business of contracting for plumbing work, who solicits and advertises such work to the public, and who either is himself a Master Plumber or employs as Master Plumber.

*“Septic Tank Contracting Company”* means a Person who undertakes or is engaged in the business of contracting for septic tank installation work, who solicits and advertises such work to the public, and who either is himself a qualified on-site sewage installer registered by the Province to supervise septic tank installations or employs an on-site sewage installer.

*“Specialty Trade Contractor”* includes but is not limited to Plumbing Contracting Company, Master Plumber, Journeyman Plumber, Drain Contracting Company, Drain Contractor, Septic Tank Contracting Company, Heating Air Conditioning and Ventilation Contracting Company, Master HVAC Installer, General Trade Contractor and General Trade Contracting Company.

## **PROHIBITIONS**

2. No Person shall carry on the business of a *Specialty Trade Contractor* within the Town without first obtaining a licence in accordance with the requirements of this by-law.

3. No person licensed as a Specialty Trade Contractor under this By-law and Schedule shall perform any work which requires a licence or permit unless the licence or permit is first obtained.
4. No Licensee of a Specialty Trade Contractor shall store equipment or commercial vehicles, on Premises that will be in contravention of the Town's Zoning By-law or any other by-law.

## **APPLICATION REQUIREMENTS**

5. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application for a *Specialty Trade Contractors* license shall provide:
  - a) a Certificate of Insurance completed and signed by the applicant's Insurance Broker providing proof of Commercial General Liability insurance in a minimum amount of not less than (2) million dollars (\$2,000,000) with an endorsement that notice will be given to the Certificate Holder in writing at least (30) days prior to cancellation, expiration, or variation thereof. The Town of Halton Hills must be listed as the Certificate Holder;
  - b) photo identification to the satisfaction of the Issuer of Licenses
6. Every person licensed under this By-law shall carry on his person the said licence or an official identification card or badge certifying thereto issued by the Licence Issuer, at all times when performing or engaging in the trade, business or occupation so licensed, and shall produce the same for inspection at the request of any Officer.

## **MASTER PLUMBER**

7. Every applicant or Licensee for a Master Plumber licence shall:
  - a) provide the name of the licensed Plumbing Contracting Company that employs him if not self-employed;
  - b) submit a valid Certificate of Qualifications as a Plumber under the Trades Qualifications and Apprenticeship Act, R.S.O. 1990, c. T. 17, as amended.

## **PLUMBING CONTRACTING COMPANY**

8. Every applicant or Licensee of a Plumbing Contracting Company shall provide the names and addresses of all Master Plumbers employed by him to perform work in the Town and must employ at least one Master Plumber.
9. Every Licensee of a Plumbing Contracting Company shall:

- a) not permit or perform any plumbing work that is not performed either by a Master Plumber licensed under this by-law, or by a Journeyman Plumber and apprentice under the direct supervision of a Master Plumber licensed under this by-law;
  - b) advise the Town if a Master Plumber ceases employment with him and provide the name and address of any new Master Plumber prior to his commencement of any plumbing work; and
  - c) obtain all necessary permits prior to the commencement of any work.
10. No licence is required by a Person performing plumbing work:
- a) as an employee of a public service commission, a municipal corporation, a commercial or industrial establishment in its own established premise where the Person has a Certificate of Qualification in the trade of plumbing from the Province of Ontario;
  - b) in his or her own residence;
  - c) as an apprentice working under the direct supervision of a Master Plumber licensed under this by-law; or
  - d) who is the registered Owner, or an employee of the registered Owner, carrying out maintenance plumbing work on Premises owned by that Owner.

## **MASTER HVAC INSTALLER**

11. Every applicant or Licensee of a Master HVAC Installer shall:
- a) submit a Certification of Qualification as a Refrigeration and Air Conditioning Mechanic under the Trades Qualifications and Apprenticeship Act, R.S.O. 1990, Chapter T.17, as amended;
  - b) submit a copy of Gas Technician Level 1 Certificate issued by the Ministry of Consumer and Business Services Technical Safety Standards Authority for the installation, adjustment and repair of natural gas or propane appliances and equipment used for heating or cooling purposes;
  - c) provide the name of the licensed HVAC Contracting Company that employs him, if not self-employed;

- d) submit a Certificate of Qualification as a steamfitter issued under the Trades Qualifications and Apprenticeship Act, R.S.O. 1990, for the installation, repair and adjustment of steam and hot water heating systems, if applicable;
  - e) submit a Certificate of Qualification as a sheet metal worker issued under the Trades Qualifications and Apprenticeship Act., R.S.O. 1990, if performing sheet metal work for the installation, repair and adjustment of warm air heating systems of all kinds, if applicable; and
12. A Master HVAC Installer shall:
- a) be in the employ of the licensed Heating Ventilation Air Conditioning Contracting Company shown on the licence, if not self-employed;
  - b) not act as such for more than one HVAC Contracting Company at any one time: and
  - C) not cause or permit a registered apprentice or an unqualified Person to perform any heating works, or to install any heating material or appliances, except as an assistant to and under the direct personal supervision of a licensed Master HVAC Installer who possesses the applicable mandatory Provincial trade certifications.

## **HEATING VENTILATION AIR CONDITIONING (HVAC) CONTRACTING COMPANY**

13. Every applicant or Licensee of an HVAC Contracting Company shall:
- a) be licensed as a Master HVAC Installer or employ at least one Master HVAC Installer licensed under this by-law;
  - b) provide proof of Provincial certification for a sheet metal worker or steamfitter if performing such work for the applicant.
14. An HVAC Contracting Company shall:
- a) not permit or cause a registered apprentice or unlicensed Person to perform any heating works or install any heating material or appliances except as an assistant to and under the direct personal supervision of a licensed Master HVAC Installer;
  - b) advise the Town if a licensed Master HVAC Installer ceases employment with him, and provide the name and address of any new Master HVAC Installer prior to his commencement of any heating work; and

- c) obtain all necessary permits prior to the commencement of any work and, upon completion, procure a final inspection from the Town for the consumer.

## **DRAIN LAYER OR SEPTIC**

- 15. Every applicant or Licensee Drain Layer shall:
  - a) provide the name of the licensed Drain Contracting Company who employs him, if not self-employed; and
  - b) if performing drainage design work provide proof of current registration with the Ministry of Municipal Affairs and Housing in the QuARTS (Qualification and Registration Tracking System) for building practitioners.
- 16. No Person shall perform, carry out or affect any drain work in the Town for hire unless such Person is a licensed Drain Layer, or is supervised by a licensed Drain Layer and employed by a Drain Contracting Company licensed under this by-law.
- 17. No licence is required by a Person who performs drain work;
  - a) in his or her own residence;
  - b) for an Owner, or an employee of the Owner, carrying out maintenance drain work on Premises owned by the Owner; and
  - c) who is under the supervision of a Drain Layer or Master Plumber licensed under this by-law.

## **DRAIN OR SEPTIC TANK CONTRACTING COMPANY**

- 18. Every applicant or Licensee of a Drain or Septic Tank Contracting Company shall:
  - a) be licensed as a Drain Layer or employ at least one Drain Layer licensed under this by-law; and
  - b) if performing drainage system design work submit the name and address of a qualified on-site sewage installer and the registration issued by the Ministry of Municipal Affairs and Housing indicating that the installer has the qualifications set out in Section 2.18.3 of the Ontario Building Code.

## **GENERAL TRADE CONTRACTOR**

19. Every applicant or Licensee of a General Trade Contractor shall:
- a) submit a Certificate of Qualifications as required (if applicable) by the Trades Qualification and Apprenticeship Act, R.S.O. 119, c. T.17.

## **GENERAL TRADE CONTRACTING COMPANY**

20. Every applicant or Licensee of a General Trade Contracting Company shall obtain all necessary permits prior to the commencement of any work.
21. No Person licensed as a General Trade Contracting Company shall employ or otherwise contract any Drain Layer, Drain Contracting Company, Septic Tank Installer, Septic Tank Contracting Company, Plumbing Contracting Company, Master Plumber, Electrical Contracting Company, Master Electrician, Master HVAC Installer, Heating, Air Conditioning & Ventilation Contracting Company or any other Person required to be licensed under this by-law unless such Person is licensed under this by-law.
22. Every Person licensed as a General Trade Contracting Company shall not commence or undertake any work for another Person unless a written contract has been signed between the General Trade Contracting Company and the Person on whose behalf the work is being done and every contract shall set out:
- a) the name, address and phone number of the General Trade Contracting Company and of the Person for whom the work is being done;
  - b) the address where the work is to be performed;
  - c) a description of the materials and services to be supplied;
  - d) an estimate of the total cost of the proposed work;
  - e) the terms of payment;
  - f) details of the warranties or guarantees extended by the contractor; and
  - g) the start and completion date.
23. No Person shall deposit any materials or debris on any road allowance and, in the event any materials are deposited on any road allowance by any employee or any sub-contractor employed by the General Trade Contracting Company, the licensee shall remove the obstructing materials or debris immediately or shall bear all costs of removal by the Town.



## **Schedule “H” to By-law No. 2005-0067**

### **Accommodation Services**

In addition to the other requirements of this By-law, the following regulations apply to *Accommodation Services* as defined in this Schedule.

#### **Interpretation**

1. In addition to the terms defined in the general section of this By-law the following terms shall have the corresponding meanings:

“*Accommodation Services*” means a hotel, motel, bed and breakfast and recreational trailer camp for use by the travelling or vacationing public but does not include a residential unit, group home, residential care facility, or any residential home licensed under Provincial legislation.

“*Bed and Breakfast*” means an establishment or a single detached dwelling with one to three guest-rooms without cooking facilities therein, operated to provide temporary overnight accommodation and a breakfast meal to the public.

“*Hotel*” means any Premises in which at least four (4) suites with or without private cooking facilities that are provided for rent on a temporary basis to the public for overnight accommodation but does not include a *Bed and Breakfast*

“*Motel*” means a premise that contains suites with no cooking facilities that are rented on a temporary basis to the public with each room being accessed from the outside.

“*Recreational Trailer Camp*” means any area where house trailers may be parked for temporary accommodations usually with running water and electricity.

#### **Application Requirements - General**

2. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application for an *Accommodation Services* license shall provide:
  - a) a Certificate of Insurance completed and signed by the applicant’s Insurance Broker providing proof of Commercial General Liability insurance in a minimum amount of not less than (2) million dollars (\$2,000,000) with an endorsement that notice will be given to the Certificate Holder in writing at least (30) days prior to cancellation, expiration, or variation thereof. The Town of Halton Hills must be listed as the Certificate Holder.

## **Inspections**

### **3. Inspections**

The issuing of an *Accommodation Services* licence shall be subject to:

- a) inspection/approval from the Halton Hills Fire Department;
- b) inspection/approval from Halton Region Health Department;
- c) approval from the Town that the premises meets zoning requirements, and;
- d) inspection/approval from an *Officer* of the Town.

## ***Hotel, Motel, Bed and Breakfast***

### **4. Every licensee of a *Hotel, Motel* and *Bed and Breakfast* shall:**

- a) submit a list of the number of guestrooms, facilities and any accessory amenities offered by the establishment;
- b) maintain the Premises;
- c) provide each guestroom with clean linens, towels and toiletries, as needed;
- d) keep a register of all patrons indicating their name, address, and motor vehicle plate number, date of admission and departure to be available upon the request of an *Officer*;
- e) ensure all entrances, exits and corridors are free of obstruction at all times;
- f) keep all washroom facilities operable, clean and sanitary.

## **Recreational Trailer Camp**

### **5. Additional Application Requirements for a *Recreational Trailer Camp*:**

- a) submit a site plan indicating all lots and buildings on the Premises along with the legal description of the lands to be used;
- b) submit an electrical safety certificate indicating that all electrical facilities and equipment installed to service a *Recreational Trailer Camp* comply with the requirements of the Electrical Safety Authority.

### **6. No person shall locate a trailer in the Town of Halton Hills except:**

- a) in a *Recreational Trailer Camp* operated or licensed by the Town;
- b) when located in the Town for the purpose of sale or storage;
- c) in a camp operated by the Boy Scouts of Canada or Girl Guides of Canada;
- d) for use by employees of a licensed exhibition, fair, carnival, or special event authorized by the Town;
- e) as provided by the Town's Zoning By-Laws.

7. Every Licensee of a *Recreational Trailer Camp* shall ensure that the trailer and tourist camp:
- a) is located on a well-drained site, graded to ensure rapid drainage and free from stagnant pools of water;
  - b) has a well-maintained driveway of adequate width abutting each campsite to provide access to a public Highway;
  - c) is divided into campsites having a minimum area of ninety-three (93) square metres, with a width of at least seven (7) metres;
  - d) is not located any closer than sixty (60) metres from any residential property line abutting the *Recreational Trailer Camp*, three (3) metres from any other property line, and fifteen (15) metres from the centre of any municipal street or road abutting the *Recreational Trailer Camp*;
  - e) has internal roadways with a minimum width of five (5) metres with a gravel surface;
  - f) has posted signs limited the maximum speed limit to twenty-five (25) kilometres per hour within the confines of the *Recreational Trailer Camp*;
  - g) has posted “Stop” or “Yield” signs at all intersections and “One Way” or “Do Not Enter” signs where necessary;
  - h) has at least one emergency telephone for emergency use by the occupants of the *Recreational Trailer Camp* located on the Premises;
  - i) has a lot number posted for the identification of each campsite;
  - j) is only open for business between March 1<sup>st</sup> and November 30<sup>th</sup> of each year;
  - k) has walkways from any service building to the closest abutting camp driveway;
  - l) has a visual barrier or screening of trees or hedges capable of attaining a minimum of two (2) metres within a period of three (3) years, or a privacy fence at least two (2) metres in height adjacent to any abutting residential property line;
  - m) has a water supply for drinking and domestic purposes, which meet the requirements of the Safe Drinking Water Act, provided that no water station shall be located more than forty-six (46) metres from any campsite not serviced by an individual water hook-up;
  - n) has an adequate supply of hot water at all times in the service building for bathing, washing and laundry;
  - o) has laundry facilities, if laundry facilities are not conveniently located outside the camp area;
  - p) has separate men’s and women’s water faucets, showers, and toilet facilities either in separate buildings at least six (6) metres apart or, if within the same building, separated by a soundproof wall, approved by the Regional Municipality of Halton Health Department;
  - q) has permanent service buildings to house the toilet facilities unless pit or chemical toilets are being used;

- r) has two (2) flush toilets or two (2) pit or chemical toilets and two (2) showers for every twenty (20) trailer spaces or as required by the Regional Municipality of Halton Health Department;
- s) has service buildings that are well lighted, well-ventilated and may be heated;
- t) has a dumping station located no closer than fifteen (15) metres from any campsite and no closer than thirty (30) metres from any property boundary line for use by Owners of self-contained trailer units;
- u) discharges wastewater from showers, toilets, and laundries into municipal sewer systems where possible, or into a septic system, tanks, or waste dumping station subject to the approval of the Regional Municipality of Halton Health Department;
- v) has metal garbage containers or uses plastic tie-type garbage bags that shall be collected and disposed of every seven (7) days or sooner to prevent unsanitary conditions;
- w) has a register containing a record of all trailer owners and occupants located within the *Recreational Trailer Camp* available for inspection by an Officer upon request;
- x) has notices posted in conspicuous places within the camp area to inform the occupants of the Town's Noise By-law;
- y) keeps the access to all areas occupied by trailers or tents, clear and free of obstruction and accessible to accommodate fire-fighting equipment to the satisfaction of the Town of Halton Hills Fire Department;
- z) has identified all sources of water supply and provides such information to the Town of Halton Hills Fire Department;
- aa) has signs posted in conspicuous places within the camp area clearly indicating emergency contact numbers and emergency procedures to be taken in the event of a fire and containing instructions acceptable to the Town of Halton Hills Fire Department;
- bb) minimizes fire hazards and smoke nuisance by locating, constructing, and maintaining cooking shelters, barbeque pits, fireplaces, wood burning stoves, incinerators and open fire pits in accordance with the regulations and requirements of the Town of Halton Hills Fire Department;
- cc) does not permit any camping except on a campsite;
- dd) does not increase the number of campsite lots, or enlarge or expand the *Recreational Trailer Camp* without the prior authorization of the Town to do so;
- ee) has storage for equipment used for the repair and maintenance of the premises, with all equipment being in an operable condition.

## **Schedule “I” to By-law No. 2005-0067 Driving School Operator**

In addition to the other requirements of this By-law, the following regulations apply to Driving Schools as defined in this Schedule.

### **Interpretation**

1. In addition to the terms defined in the general section of this By-law, the following terms shall have the corresponding meanings;

“*Driving School Operator*” means a Person who has possession or control of Motor Vehicles for the purpose of teaching an individual, through on-road instruction, to operate a Motor vehicle.

### **Licence Required**

2. No Person shall carry on the business of *Driving School Operator* within the Town of Halton Hills without first obtaining a licence in accordance with the requirements of this by-law.  
Upon issuance, each licence shall be posted in a conspicuous place on the premises so licensed.

### **Application Requirements – General**

3. In addition to the application requirements as set out in the general section of this By-law, every person at the time of making application for a *Driving School Operator* licence shall provide:
  - a) a Certificate of Insurance completed and signed by the applicant's Insurance Broker providing proof of Commercial General Liability insurance in a minimum amount of not less than (2) million dollars (\$2,000,000) with an endorsement that notice will be given to the Certificate Holder in writing at least (30) days prior to cancellation, expiration, or variation thereof. The Town of Halton Hills must be listed as the Certificate Holder, unless otherwise specified in this By-law.
  - b) the Motor Vehicle ownership for each Motor Vehicle to be used by the driving school for instruction;
  - c) a Safety Standards Certificate for each Motor Vehicle to be used by the driving school for instruction except in the case of brand new Motor Vehicles obtained within six (6) months from the effective date of the Motor Vehicle registration;
  - d) a copy of each instructor's driving instructor's licence issued pursuant to the Regulations enacted under the Highway Traffic Act;
  - e) a Statement of Rates and Charges for all services provided by the driving school;
  - f) two (2) pieces of identification, one (1) of which contains a photograph to the satisfaction of the Issuer of Licences;
  - g) a current Ontario Driver's Licence Abstract from the Ministry of Transportation obtained within thirty (30) days of application; and
  - h) a copy of a Security Clearance Request including where provided a vulnerable Sector Screening issued by the Halton Regional Police Service or the Police Service in the jurisdiction in which the applicant or licensee resides, obtained within (30) days of application.

### **Vehicle Requirements**

4. Every Driving School Operator shall ensure that every Motor Vehicle used for driving instruction is:
  - a) equipped with a dual control braking system and dual mirrors in good working order, and placed in a position for ready use by the driving instructor seated beside the student;
  - b) in a safe condition and roadworthy, certified and approved by the Town for use;

- c) identified by an Owner's Plate issued by the Town and affixed to the rear of the Motor Vehicle in a visible location; and
- d) identified by a roof sign on the Motor Vehicle displaying the name of the driving school clearly visible at a distance of fifteen (15) metres.

### **Driver Requirements**

- 5. Every Driving School Operator shall:
  - a) keep a permanent record of every student driver's name, address, driver's licence number, the date and time of each driving lesson, and the name of the instructor who provided lessons to the student;
  - b) affix a copy of the Driving School Operator's licence with a photograph of the driving instructor in every Motor Vehicle plainly visible to the student driver; and
  - c) inform and provide the student driver with a copy of all rates and charges filed with the town before commencing driving lessons.

### **Prohibitions**

- 6. No Driving School Operator shall:
  - a) give instruction to any Person who does not possess a valid G1, M1 (or higher) licence issued by the Ministry of Transportation;
  - b) give instruction on private property without the consent of the registered property owner;
  - c) give instruction while in an impaired condition or to a Person who is in an impaired condition; or
  - d) permit any Person who does not possess a current valid driver's instruction licence and a current valid driver's licence issued pursuant to the Regulations enacted under the Highway Traffic Act to give driving instruction to any Person.

Amended  
by By-law  
2008-0003

Class of Licence:	<b>GROUND PASSENGER TRANSPORTATION</b>
Type of Licence:	Taxicab Broker, Taxicab Owner, Taxicab Driver, Accessible Taxicab Owner, Accessible Taxicab Driver, Limousine Owner, Limousine Driver, Taxi Stand Broker, Taxi Stand Owner
Purpose:	<b><i>Repealed by By-law 2008-0003</i></b>

Amended  
by By-law  
2008-0003

**TAXICABS**

- 18.1 This by-law does not apply in respect of taxicabs conveying property or passengers from any point within the Town:
- 18.1.1 to an airport situated outside the Town if the airport is owned and operated by the Crown in right of Canada and the taxicab bears a valid and subsisting plate issued in respect of the airport under the Government Airport Concession Operations Regulations made under the Department of Transport Act (Canada); or
  - 18.1.2 to an airport that is operated by a corporation or other body designated by the Governor in Council as a designated airport authority under the Airport Transfer (Miscellaneous Matters) Act (Canada) and the taxicab bears a valid and subsisting permit or licence issued by the designated airport authority; or
  - 18.1.3 if the purpose of the conveyance is to transport Persons with physical, emotional, or mental disabilities to any point outside the Town; or
  - 18.1.4 if the conveyance is made pursuant to a written contract for the use of a taxicab with respect to which a valid and subsisting licence has been issued under a by-law passed under Section 156 of the Municipal Act, 2001 by the municipality in which the conveyance begins or ends.

**SCHEDULE OF TARIFFS - Taxicab**

Amended  
by By-law  
2008-0003

- 18.2 The tariff rates for taxicabs are pursuant to the Town’s Municipal Rates and Service Charges By-law and shall:

Amended  
by By-law  
2008-0003

- 18.2.1 include the Goods and Services Tax (GST); and

- 18.2.2 be rounded off to the nearest 0.10 (ten) cents

Amended  
by By-law  
2008-0003

- 18.2.3 A Taxicab Driver and passenger may agree to a flat rate when the trip destination is over five (5) kilometres outside of the Town.

Amended  
by By-law  
2008-0003

- 18.2.4 A flat fee shall be collected separately from the metered fare for any surcharge applied between the hours of 12:00 am (midnight) and 6:00am and all day on Statutory holidays.

Amended  
by By-law  
2008-0003

- 18.2.5 A receipt shall be provided for any flat fee charged in addition to any receipt for a metered fare.

- 18.3 A reduced fare rate of twenty per cent (20%) off the regular rates shall apply to Persons over the age of sixty-five (65) years upon presentation of an Old Age Security Card or a Town-issued verification card and also to Persons who are legally blind upon presentation of proof or a Town-issued verification card.

## **TAXICAB BROKER**

### **18.4 Every Taxicab Broker shall:**

- 18.4.1 maintain an office within the Town from which the taxicab brokerage business is conducted;
- 18.4.2 require all Taxicab Owners who have entered into arrangements for brokerage services to use the same design, shape and colour scheme of roof sign that shall include the name and telephone number of the Taxicab Broker;
- 18.4.3 maintain a record of every Taxicab Owner that has entered into any arrangement for brokerage services;
- 18.4.4 maintain a record of each taxicab dispatched on a trip, the time and date of receipt of the order, the pickup and destination location, and shall retain the records for twelve (12) months;
- 18.4.5 inform a prospective customer of the approximate time of any delay before accepting the order;
- 18.4.6 carry on business twenty-four (24) hours a day, seven (7) days a week to provide taxicab services within the Town through the provision of a minimum of three (3) taxicabs and three (3) drivers; and
- 18.4.7 display a copy of this by-law and the notice of any proposed change thereto received from the Issuer of Licenses in a conspicuous location in every place of business from which the brokerage is operated.

Amended  
by By-law  
2008-0003

### **18.5 No Taxicab Broker shall,**

- 18.5.1 accept orders for, or in any way dispatch, or direct orders to a Taxicab;
  - 18.5.1.1 when the activity would be a contravention of any of the provisions of this by-law;
  - 18.5.1.2 where the Taxicab Owner is not properly licensed under this by-law; or
  - 18.5.1.3 where the fare is not in accordance with the provisions of this by-law;
- 18.5.2 possess or use a scanner or radio that is capable of monitoring any other Taxicab Broker's radio frequency.

Amended  
by By-law  
2008-0003

## **TAXICAB OWNERS REQUIREMENTS**

### **INSPECTIONS**

### **18.6 The issuing of a Taxicab Owner's Licence shall be subject to:**

- 18.6.1 a mandatory annual Motor Vehicle Inspection by the Ministry of Transportation
- 18.6.2 a Motor Vehicle Inspection at any time by the Town; and
- 18.6.3 an inspection of the Taxicab Meter by the Town.



**LICENSING REQUIREMENTS**

18.7 Every Owner of a taxicab shall:

Amended  
by By-law  
2008-0003

- 18.7.1 obtain a separate licence and submit a copy of the Motor Vehicle Ownership for each taxicab;
- 18.7.2 submit a copy of valid liability insurance as required under the Compulsory Automobiles Insurance Act in the amount not less two million dollars (\$2,000,000.00), with an endorsement that notice in writing at least ten (10) days prior to cancellation, expiration or variation thereof will be given to the Town by the insurance underwriter;
- 18.7.3 within five (5) days, notify the Issuer of Licences of every accident involving the Motor Vehicle and furnish to the Town a copy of any report of the accident filed as required under the Highway Traffic Act; and
- 18.7.4 maintain a current record of all drivers operating the taxicab and provide such list to the Issuer of Licences upon request.

**OWNER’S PLATE**

18.8 Every Taxicab Owner shall:

- 18.8.1 display an Owner’s Plate bearing a number provided by the Town; and
- 18.8.2 locate such plate on the rear of the Motor Vehicle in a visible place.

**TRANSFERABILITY**

18.9 Every Taxicab Owner may transfer a licence and Plate from one Motor Vehicle to another Motor Vehicle provided that:

- 18.9.1 all required documentation is provided to the Town;
- 18.9.2 a re-inspection fee is submitted and a Town inspection of the replacement Motor Vehicle is completed;
- 18.9.3 all requirements of this by-law are met; and
- 18.9.4 a replacement licence is obtained from the Issuer of Licences.

**VEHICLE REQUIREMENTS**

18.10 Every Taxicab Owner shall:

- 18.10.1 provide and maintain in or on each Motor Vehicle the following:
  - 18.10.1.1 a fully inflated spare tire in good condition;
  - 18.10.1.2 the tools required to change a tire;
  - 18.10.1.3 a tariff card issued by the Town setting out in full the tariff of fares authorized under this by-law and in accordance with the Town’s Municipal Rates and Service Charges by-law; and
  - 18.10.1.4 a holder for the Driver’s Licence affixed in a manner that the same is readable by the passengers.

Amended  
by By-law  
2008-0003

- 18.10.2 the assigned Owner's Plate number affixed on both front fenders, not more than eight (8) cm below the top of the fender;
  - 18.10.3 an electric sign securely attached to the roof and such sign shall:
  - 18.10.4 display the name and telephone number of the Taxicab Broker with whom the said taxicab is associated; and
  - 18.10.5 be connected to the Taxicab Meter in such a manner that the sign is not illuminated when the Taxicab Meter is engaged in a fare and illuminated when the Taxicab Meter is not engaged with a fare.
  - 18.10.6 a Taxicab Meter for the registering of distance travelled and computing fares to be paid and each Taxicab Meter shall be:
    - 18.10.6.1 identified with a serial number;
    - 18.10.6.2 inspected by the Town and tested over a measured distance when requested by an Officer or the Issuer of Licenses;
    - 18.10.6.3 illuminated;
    - 18.10.6.4 supported in a raised position clear of the dashboard and in plain unobstructed view for any passenger;
    - 18.10.6.5 adjusted in accordance with the tariff prescribed by this by-law to an accuracy within thirty (30) meters on a measured kilometre and within ten (10) seconds over three minutes on waiting time charges and sealed by an Officer; and
    - 18.10.6.6 kept in good operating condition at all times and not used when defective in any way or when the seal is not intact and
  - 18.10.7 maintain the exterior of the taxicab in sound condition, clean, in good repair, free from body damage and a well-maintained exterior paint finish free from rust, holes or cracks;
  - 18.10.8 maintain the interior of the Motor Vehicle in a clean and dry condition and in good repair;
  - 18.10.9 when the Motor Vehicle is disposed of or ceases use as a taxicab, forthwith remove from the said Motor Vehicle the roof light, Taxicab Meter, all identifying decals or markings, fender numbers and any other items that make the Motor Vehicle appear to the public to be a taxicab;
  - 18.10.10 forthwith repair any damage or mechanical defect in the Motor Vehicle reported to him by a Taxicab Driver;
- 18.11 No Owner of a taxicab shall:
- 18.11.1 exhibit or display on or about the Motor Vehicle any number other than:
    - 18.11.1.1 that upon the number plate furnished under the Highway Traffic Act;
    - 18.11.1.2 that upon the plate as provided by the Town; and
    - 18.11.1.3 that which is otherwise specifically provided in this by-law.

18.12 No Owner of a Taxicab shall:

- 18.12.1 make any material changes, alterations or additions to the taxicab on the basis of which the licence was issued without the express written consent of the Town;
- 18.12.2 employ or permit any Person not licensed under this by-law as a driver to operate the taxicab;
- 18.12.3 require any Person to operate the taxicab for more than twelve (12) consecutive hours, or six (6) consecutive days;
- 18.12.4 assign his licence so as to detract or derogate from his obligations under this by-law;
- 18.12.5 knowingly operate or permit to be operated a Motor Vehicle for which he is the Owner with mechanical defects;
- 18.12.6 require or permit a Taxicab Driver to operate the taxicab when that Person's ability to operate the Motor Vehicle is impaired by fatigue, illness, alcohol, drugs or otherwise; and
- 18.12.7 allow or permit the taxicab licence to be displayed upon any Motor Vehicle other than the Motor Vehicle on the basis of which the licence was issued by the Town.

**ACCESSIBLE TAXICAB OWNER**

18.13 In addition to the requirements of a Taxicab Owner an Accessible Taxicab Owner shall:

- 18.13.1 ensure the Motor Vehicle is approved as an Accessible Motor Vehicle by the Ministry of Transportation and provides written proof of same to the Issuer of Licences; and
- 18.13.2 affix the Owner's Plate displaying the International symbol of disabled Persons on the rear of the Motor Vehicle.

**TAXICAB DRIVER'S LICENCE**

18.14 Every applicant or Licensee of a Taxicab Driver's licence shall:

- 18.14.1 submit a current Medical Certificate stating that the applicant or Licensee is in good health and fit to operate a Motor Vehicle within thirty (30) days of application;
- 18.14.2 produce two (2) pieces of identification, one (1) of which contains a photograph to the satisfaction of the Issuer of Licences;
- 18.14.3 submit a current Ontario Driver's Licence Abstract from the Ministry of Transportation obtained within thirty (30) days of application;
- 18.14.4 a copy of a Security Clearance Request including where provided, a Vulnerable Sector screening issued by the Halton Regional Police Service or the Police Service in the jurisdiction in which the applicant or licensee resides, obtained within thirty (30) days of application;
- 18.14.5 submit two (2) passport size photographs to the satisfaction of the Issuer of Licences or agree to have a photograph taken by the Town upon request;
- 18.14.6 submit for examination and copy a valid Class G Ontario Driver's Licence; and
- 18.14.7 submit a letter of employment with a licensed company.

## **WRITTEN TEST**

18.15 Every applicant or Licensee of Taxicab Driver's licence shall:

Amended  
by By-law  
2008-0003

- 18.15.1 successfully complete a written test which shall be available in alternate formats for people with disabilities set by the Issuer of Licences relating to the provisions of this by-law; and the geography, landmarks, or sites of the Town.
- 18.15.2 achieve a mark of at least seventy-five percent (75%) on the first attempt; achieve a mark of at least eighty-five percent (85%) on the second attempt; or achieve a mark of at least ninety percent (90%) on any subsequent attempt.

## **AUTOMATIC SUSPENSION**

18.16 Every Taxicab Driver's licence shall be suspended without hearing when:

- 18.16.1 the driver's licence issued under the Highway Traffic Act has been cancelled, suspended, revoked, or has expired effective on the date of such cancellation, suspension, revocation, or expiration under the Highway Traffic Act;
- 18.16.2 the insurance policy of a Taxicab Driver has expired, been cancelled, or otherwise changed effective on the date of such expiration, cancellation, or change.

## **RE-INSTATEMENT**

18.17 A Taxicab Driver's licence may be re-instated upon receipt of verification that a driver's licence issued under the Highway Traffic Act or Motor Vehicle Insurance has been re-instated.

18.18 Every Taxicab Driver shall,

- 18.18.1 each day before commencement and upon completion of the operation of the Motor Vehicle examine the Motor Vehicle for mechanical defects, and for interior or exterior damage to the Motor Vehicle, and report to the Owner forthwith any defects or where the Motor Vehicle fails to meet the requirements of this by-law to the Owner;
- 18.18.2 keep a daily trip sheet showing:
  - 18.18.2.1 the name of the Taxicab Driver, the date and the Owner's Plate number;
  - 18.18.2.2 the location and time of the beginning and end of every trip made; and
  - 18.18.2.3 the amount collected for each trip;
- 18.18.3 during working hours be properly dressed, neat and clean in appearance, and behave courteously to passengers;
- 18.18.4 provide reasonable assistance to all passengers and their belongings as is needed to allow egress to and from the taxicab;
- 18.18.5 immediately upon the termination of each engagement search the taxicab and forthwith deliver any valuables of substantial worth including drugs, alcohol, wallets, purses or anything containing any identification left or lost in it by the passenger to the nearest Police Station and retain any other property for at least twenty four (24) hours at the Taxicab Broker's Office except food or beverage items which may be disposed of;

Amended  
by By-law  
2008-0003

- 18.18.6 at all times when operating a taxicab display his driver's licence in such a manner that the same is clearly visible and readable by any passengers therein;
- 18.18.7 at all times when operating a taxicab;
- 18.18.7.1 display a tariff card supplied by the Town in such a manner that the same is clearly visible and readable by any passenger; and
- 18.18.7.2 engage the Taxicab Meter at the commencement of the trip when the passenger enters the Motor Vehicle or before the passenger enters the Motor Vehicle only after notifying the passenger upon arrival, and shall keep the Taxicab Meter engaged throughout the trip.
- 18.18.8 upon request give a passenger a receipt showing his driver's number and the taxicab company name;
- 18.18.9 drive the taxicab in the most direct route to the point of destination unless the passenger directs otherwise; and
- 18.18.10 report forthwith to the Owner of the Motor Vehicle any damage, accident or collision occasioned during the operation of the taxicab.

Amended  
by By-law  
2008-0003

18.19 No Taxicab Driver shall,

- 18.19.1 operate a Taxicab without an Owner's Plate displayed on the taxicab in the manner prescribed under this by-law;
- 18.19.2 operate a taxicab unless the taxicab meets all requirements of this by-law;
- 18.19.3 operate a taxicab with luggage or any objects, material or property therein obstructing his view;
- 18.19.4 carry in the taxicab a greater number of Persons than the manufacturer's rated seat capacity for the Motor Vehicle;
- 18.19.5 take, convey, or possess any liquor except in accordance with the Liquor Licence Act;
- 18.19.6 charge a tariff that is not in accordance with the appropriate tariff set out in this by-law;
- 18.19.7 operate a taxicab and take on an additional fare after the taxicab has been engaged by a passenger except at the request or the consent of the passenger already in the taxicab;
- 18.19.8 operate a taxicab when the Taxicab Meter does not operate properly or has not been adjusted in accordance with the existing current rates set out in this by-law; and
- 18.19.9 operate a taxicab when the Taxicab Meter seal is improperly affixed or sealed.
- 18.19.10 maintain a trip record in accordance with this by-law for at least twelve (12) months;

Amended  
by By-law  
2008-0003

### **ACCESSIBLE TAXICAB DRIVER**

18.20 In addition to the requirements of a Taxicab Driver an Accessible Taxicab driver shall:

- 18.20.1 complete a driver improvement and sensitivity training program and provide written proof of same to the Issuer of Licences;
- 18.20.2 unless otherwise engaged, serve the first Person unable to board regular taxicabs due to a physical disability upon request;
- 18.20.3 offer assistance as required to a disabled Person entering or exiting the Motor Vehicle;
- 18.20.4 ensure that a wheelchair is properly secured in the area so provided; and
- 18.20.5 ensure that the seatbelt is properly secured.

18.21 No Person shall drive an Accessible Taxicab who has not submitted documentation verifying that the provisions of this by-law have been complied with to the Town.

Amended  
by By-law  
2007-0074

### **TAXI STANDS**

18.22 The issuing of a Taxi Stand licence on private property shall be subject to:

- 18.22.1 the written consent of the property owner;
- 18.22.2 approval by the Town of a site plan to be submitted indicating where the Taxi Stand will be located;
- 18.22.3 the passing of a by-law to designate a Taxi Stand; and
- 18.22.4 compliance with the provisions of this by-law and any restrictions set out in Schedule 4-A to this by-law

18.23 No Taxi Stand licensee shall:

- 18.23.1 be permitted to have exclusive rights to any Taxi Stand in the Town or enter into or become a party to any Exclusive Agreement which gives a Person the sole right to provide Taxicab service to or from the designated Taxi Stand
- 18.23.2 operate as a Halton Hills Taxicab Broker fully licensed under this by-law

18.24 Every licensee of a Taxi Stand shall:

- 18.24.1 permit any Taxicab Driver or Taxicab Owner licensed under this by-law to pick up passengers from the designated Taxi Stand location;
- 18.24.2 mark the Taxi Stand(s) located on the subject property with signage and/or pavement markings approved by the Town;
- 18.24.3 maintain orderliness at the Taxi Stand to ensure the public safety; and
- 18.24.4 provide the name of every Non-Halton Hills Taxicab Broker that is servicing the Taxi Stand to the Town's Issuer of Licences

Amended  
by By-law  
2007-0074

### ***NON-HALTON HILLS TAXI STAND BROKERS***

18.25 Every applicant for a Taxi Stand Broker's Permit shall:

- 18.25.1 submit proof that they are a license brokerage
- 18.25.2 provide the Town's Issuer of Licences with a list showing:
  - 18.25.2.1 the valid municipal plate number of every Taxicab Owner's taxicab not licensed by the Town under this by-law that will be attending at the designated Taxi Stand specified on his permit; and
  - 18.25.2.3 the name of every Taxicab Driver operating a licensed taxicab in affiliation with the Broker
- 18.25.3 notify the Issuer of Licences of any additions or deletions of any non-Halton Hills taxicab to the list of non-Halton Hills plate numbers and drivers provided under Subsection 18.22.2'
- 18.25.4 pay a fee to the Town as provided for in this By-law or any amending By-law;
- 18.25.6 ensure that all Taxicab Owners and Taxicab Drivers to whom the Taxicab Broker dispatches calls comply with the requirements of this By-law; and
- 18.25.7 require all Taxicab Owners who are affiliated with the Taxicab Broker to use the same roof light which includes the name of the brokerage and to display the Halton Hills Taxi Stand Permit window pressure sticker on the taxicab.

18.26 No Person shall dispatch a taxicab to a designated Halton Hills Taxi Stand in affiliation with any Taxicab Owner who is not licensed by the Town or does not possess a valid Halton Hills Taxi Stand Owners' Permit.

Amended  
by By-law  
2007-0074

### ***NON-HALTON HILLS TAXICAB OWNERS***

18.27 Every applicant for a Taxi Stand Owner's Permit shall:

- 18.27.1 submit a copy of their valid and current municipal Taxicab Owner's licence to the Town's Issuer of Licences;
- 18.27.2 provide a copy of valid liability insurance as required under the Compulsory Automobiles Insurance Act in the amount not less than two million (\$2,000,000.00) with an endorsement that notice in writing at least thirty (30) days prior to cancellation, expiration or variation thereof will be given to the Town by the insurance underwriter to the Licensing Issuer of the Town;
- 18.27.3 pay a fee to the Town as provided for in this By-law or any amending By-law;
- 18.27.4 display and have the designated Taxi Stand Permit window pressure sticker properly affixed in the lower left hand corner of the windshield of the taxicab prior to entering the Taxi Stand; and
- 18.27.5 remove the Taxi Stand Permit window pressure sticker from the taxicab upon ceasing to be affiliated with an authorized non-Halton Hills Taxi Stand Broker.

18.28 No Person shall operate a taxicab from a designated Halton Hills Taxi Stand in affiliation with any Taxicab Broker who is not licensed by the Town or does not possess a valid Halton Hills Taxi Stand Broker's Permit.

Amended  
by By-law  
2007-0074

### ***TAXI STAND DRIVER'S RULES***

18.29 Every Taxicab Driver shall only enter a Taxi Stand by taking his position at the end of the line formed by the taxicabs already on the Taxi Stand.

18.30 Every Taxicab Driver while waiting at a Taxi Stand shall not::

18.30.1 obstruct, or interfere in any way with the normal use of the Taxi Stand or interfere with the surrounding traffic patterns;

18.30.2 create a disturbance or make any loud noise;

18.30.3 maintain the taxicab by cleaning or repairing it, unless immediately necessary for the operation of the vehicle; and

18.30.4 pick up any passenger within one hundred (100) meters of the Taxi Stand when there are taxicabs upon the stand.

18.31 Every Taxicab Driver shall carry a current valid municipal Taxicab Drivers licence when operating from the designated Taxi Stand and make it available to an Officer upon request.

Amended  
by By-law  
2007-0074

### ***FEES***

18.32 The fee for a Taxi Stand Broker's Permit or a Taxi Stand Owner's Permit is pursuant to the Town's Municipal Rates and Service Charges By-law.

### ***LIMOUSINES***

18.33 The provisions of this by-law do not apply:

18.33.1 to a Limousine engaged in the conveyance of goods or passengers from any point within the Town to an airport owned and operated by the Crown in right of Canada; and

18.33.2 to a Limousine Owner who has obtained a Public Vehicle Permit approved by the Ministry of Transportation to operate throughout Halton Region.

Amended  
by By-law  
2008-0003

### ***SCHEDULE OF TARIFFS – Limousine***

18.34 The tariffs for Limousines are pursuant to the Town's Municipal Rates and Service Charges By-law and shall include the Goods and Services Tax (GST).

### ***LIMOUSINE OWNERS REQUIREMENTS***

#### ***INSPECTIONS***

18.35 The issuing of a Limousine Owner's Licence shall be subject to:

18.35.1 an annual Motor Vehicle Inspection by the Ministry of Transportation; and

18.35.2 a Motor Vehicle Inspection at any time by the Town

18.36 Every Limousine Owner and/or Limousine Driver shall:

18.36.1 only provide Limousine service on a prearranged basis in accordance with this by-law;



18.36.2 not use or maintain the Limousine or any facilities which are in any way connected or affiliated with any Taxicab Broker licensed under this by-law; and

18.36.3 not solicit Limousine service in any public place.

18.37 Every Owner of a limousine shall:

Amended  
by By-law  
2008-0003

18.37.1 obtain a separate licence and submit a copy of the Motor Vehicle Ownership for each taxicab;

18.37.2 submit a copy of valid liability insurance as required under the Compulsory Automobiles Insurance Act in the amount not less two million dollars (\$2,000,000.00), with an endorsement that notice in writing at least ten (10) days prior to cancellation, expiration or variation thereof will be given to the Town by the insurance underwriter;

18.37.3 within five (5) days, notify the Issuer of Licences of every accident involving the Motor Vehicle and furnish to the Town a copy of any report of the accident filed as required under the Highway Traffic Act; and

18.37.4 maintain a current record of all drivers operating the Limousine and provide such list to the Issuer of Licences upon request.

18.37.5 provide and maintain in or on each Motor Vehicle the following:

18.37.5.1 a fully inflated spare tire in good condition;

18.37.5.2 the tools required to change a tire;

18.37.5.3 a tariff card issued by the Town setting out in full the tariff of fares authorized under this by-law and in accordance with the Town's Municipal Rates and Service Charges by-law; and

18.37.5.4 a holder for the Driver's Licence affixed in a manner that the same is readable by the passengers.

18.37.6 maintain the exterior of the Limousine in sound condition, clean, in good repair, free from body damage and a well-maintained exterior paint finish free from rust, holes or cracks;

18.37.7 maintain the interior of the Motor Vehicle in a clean and dry condition and in good repair;

18.37.8 maintain a trip record in accordance with this by-law for at least twelve (12) months;

18.37.9 when the Motor Vehicle is disposed of or ceases use as a Limousine, forthwith remove from the said Motor Vehicle the roof light, all identifying decals or markings, fender numbers and any other items that make the Motor Vehicle appear to the public to be a Limousine;

18.37.10 forthwith repair any damage or mechanical defect in the Motor Vehicle reported to him by a Limousine Driver;

18.38 No Owner of a Limousine shall:

18.38.1 make any material changes, alterations or additions to the Limousine on the basis of which the licence was issued without the express written consent of the Town;

18.38.2 employ or permit any Person not licensed under this by-law as a driver to operate the Limousine;

Amended  
by By-law  
2008-0003

- 18.38.3 require any Person to operate the Limousine for more than twelve (12) consecutive hours, or six (6) consecutive days;
- 18.38.4 assign his licence so as to detract or derogate from his obligations under this by-law;
- 18.38.5 knowingly operate or permit to be operated a Motor Vehicle for which he is the Owner with mechanical defects;
- 18.38.6 require or permit a Limousine Driver to operate the Limousine when that Person's ability to operate the Motor Vehicle is impaired by fatigue, illness, alcohol, drugs or otherwise; and
- 18.38.7 allow or permit the Limousine licence to be displayed upon any Motor Vehicle other than the Motor Vehicle on the basis of which the licence was issued by the Town

### ***OWNER'S PLATE***

18.39 Every Limousine Owner shall:

- 18.39.1 display an Owner's Plate bearing a number provided by the Town; and
- 18.39.2 locate such plate on the rear of the Motor Vehicle in a visible place.

### ***TRANSFERABILITY***

18.40 Every Limousine Owner may transfer a licence and Plate from one Motor Vehicle to another Motor Vehicle provided that:

- 18.40.1 all required documentation is provided to the Town;
- 18.40.2 a re-inspection fee is submitted and a Town inspection of the replacement Motor Vehicle is completed;
- 18.40.3 all requirements of this by-law are met; and
- 18.40.4 a replacement licence is obtained from the Issuer of Licences.

### ***ACCESSIBLE LIMOUSINE OWNER***

18.41 In addition to the requirements of a Limousine Owner an Accessible Limousine Owner shall:

- 18.41.1 ensure the Motor Vehicle is approved as an Accessible Motor Vehicle by the Ministry of Transportation and provides written proof of same to the Issuer of Licences; and
- 18.41.2 affix the Owner's Plate displaying the International symbol of disabled Persons on the rear of the Motor Vehicle.

Amended  
by By-law  
2008-0003

### ***LIMOUSINE DRIVER'S LICENCE***

18.42 Every applicant or Licensee of a Limousine Driver's licence shall:

- 18.42.1 submit a current Medical Certificate stating that the applicant or Licensee is in good health and fit to operate a Motor Vehicle within thirty (30) days of application;
- 18.42.2 produce two (2) pieces of identification, one (1) of which contains a photograph to the satisfaction of the Issuer of Licences;

Amended  
by By-law  
2008-0003

- 18.42.3 submit a current Ontario Driver's Licence Abstract from the Ministry of Transportation obtained within thirty (30) days of application;
- 18.42.4 submit a copy of a Security Clearance Request including where provided, a Vulnerable Sector screening issued by the Halton Regional Police Service or the Police Service in the jurisdiction in which the applicant or licensee resides, obtained within thirty (30) days of application; and
- 18.42.5 submit two (2) passport size photographs to the satisfaction of the Issuer of Licences or agree to have a photograph taken by the Town upon request;
- 18.42.6 submit for examination and copy a valid Class G Ontario Driver's Licence; and
- 18.42.7 submit a letter of employment with a licensed company

### ***AUTOMATIC SUSPENSION***

18.43 Every Limousine Driver's licence shall be suspended without hearing when:

- 18.43.1 the driver's licence issued under the Highway Traffic Act has been cancelled, suspended, revoked, or has expired effective on the date of such cancellation, suspension, revocation, or expiration under the Highway Traffic Act;
- 18.43.2 the insurance policy of a Limousine Driver has expired, been cancelled, or otherwise changed effective on the date of such expiration, cancellation, or change.

### ***RE-INSTATEMENT***

18.44 A Limousine Driver's licence may be re-instated upon receipt of verification that a driver's licence issued under the Highway Traffic Act or Motor Vehicle Insurance has been re-instated.

### ***LIMOUSINE DRIVER***

18.45 Every Limousine Driver shall,

- 18.45.1 each day before commencement and upon completion of the operation of the Motor Vehicle examine the Motor Vehicle for mechanical defects, and for interior or exterior damage to the Motor Vehicle, and report to the Owner forthwith any defects or where the Motor Vehicle fails to meet the requirements of this by-law to the Owner;
- 18.45.2 keep a daily trip sheet showing:
  - 18.45.2.1 the name of the Limousine Driver, the date and the Owner's Plate number;
  - 18.45.2.2 the location and time of the beginning and end of every trip made; and
  - 18.45.2.3 the amount collected for each trip;
- 18.45.3 during working hours be properly dressed, neat and clean in appearance, and behave courteously to passengers;
- 18.45.4 provide reasonable assistance to all passengers and their belongings as is needed to allow egress to and from the taxicab;

Amended  
by By-law  
2008-0003

- 18.45.5 immediately upon the termination of each engagement search the limousine and forthwith deliver any valuables of substantial worth including drugs, alcohol, wallets, purses or anything containing any identification left or lost in it by the passenger to the nearest Police Station and retain any other property for at least twenty four (24) hours at the Limousine Owner's Office except food or beverage items which may be disposed of;
- 18.45.6 at all times when operating a limousine display his driver's licence in such a manner that the same is clearly visible and readable by any passengers therein;
- 18.45.7 upon request give a passenger a receipt showing his driver's number and the Limousine company name;
- 18.45.8 drive the limousine in the most direct route to the point of destination unless the passenger directs otherwise; and
- 18.45.9 report forthwith to the Owner of the Motor Vehicle any damage, accident or collision occasioned during the operation of the Limousine.

Amended  
by By-law  
2008-0003

18.46 No Limousine Driver shall,

- 18.46.1 operate a Limousine without an Owner's Plate displayed on the limousine in the manner prescribed under this by-law;
- 18.46.2 operate a limousine unless the limousine meets all requirements of this by-law;
- 18.46.3 operate a limousine with luggage or any objects, material or property therein obstructing his view;
- 18.46.4 carry in the limousine a greater number of Persons than the manufacturer's rated seat capacity for the Motor Vehicle;
- 18.46.5 take, convey, or possess any liquor except in accordance with the Liquor Licence Act;
- 18.46.6 charge a tariff that is not in accordance with the appropriate tariff set out in the Town's Rates & Fees By-law;

**ACCESSIBLE LIMOUSINE DRIVER**

18.47 In addition to the requirements of a Limousine driver an Accessible Limousine driver shall:

- 18.47.1 complete a driver improvement and sensitivity training program and provide written proof of same to the Issuer of Licences;
- 18.47.2 unless otherwise engaged, serve the first Person unable to board regular taxicabs due to a physical disability upon request;
- 18.47.3 offer assistance as required to a disabled Person entering or exiting the Motor Vehicle;
- 18.47.4 ensure that a wheelchair is properly secured in the area so provided; and
- 18.47.5 ensure that the seatbelt is properly secured.

18.48 No Person shall drive an Accessible Limousine who has not submitted documentation verifying that the provisions of this by-law have been complied with to the Town.

Amended  
by By-law  
2008-0003

Class of Licence:	<b>PERSONAL CARE SERVICES ESTABLISHMENT</b>
Type of Licence:	Acupuncture Beauty Treatment Body and Ear Piercing Electrolysis Hair Cutting and Styling Manicure and Nail Treatment Micropigmentation or Tanning Tattooing
Purpose:	<b><i>Repealed by By-law No. 2008-0003.</i></b>

**INSPECTIONS**

- 20.1 The issuing of a Personal Care Services Establishment licence shall be subject to:
- 20.1.1 a fire safety inspection of the Premises by the Town;

20.1.2 required inspections of the Premises by the Regional Municipality of Halton Health Department.

**APPLICATION REQUIREMENTS**

- 20.2 Every applicant or Licensee of a Personal Care Services Establishment shall:
- 20.2.1 submit a copy of a valid Certificate of Qualification from a recognized institution for each Person employed to perform Hair cutting and styling;

20.2.2 submit accreditation of training or education from an institution or organization appropriate to the personal care procedure for each Person employed to perform such procedure;

20.2.3 submit the Registration numbers for each registered massage therapist employed therein;

20.2.4 warn potential customers of any known inherent dangers and public health risks associated with any procedure or service provided or offered to any Person by posting a sign in the establishment clearly visible to the public; and

20.2.5 where tattooing services are offered:

20.2.5.1 submit proof of current Commercial General Liability insurance with the professional liability exclusion clause, and

20.2.5.2 post a sign provided by the Town in a conspicuous location, clearly visible to the public at all times inside the entrance to their establishment advising potential customers of the high risk nature of tattooing procedures, and that the establishment does not have the requisite insurance should the client contract a blood-borne illness as a result of the tattooing procedure.

Amended  
by By-law  
2008-0003

- 20.3 No Person shall contravene the Personal Service Settings Protocol under the Infection Control Program of the Mandatory Health Programs and Services Guidelines, January 1998, published by the Minister of Health as authorized by

the Health Protection and Promotion Act, R.S.O. 1990, c. H.7, as amended and the requirements of the Medical Officer of Health and the Personal Services Settings Protocol provided by the Regional Municipality of Halton Health Department.

- 20.4 No Person shall permit any Person to engage in any activity in a Personal Care Service Establishment unless such Person holds a valid Certificate of Qualification or has demonstrated qualifications through the successful completion of one or more formal courses of education and accreditation from an institution or organization appropriate to the activity.
- 20.5 No Person who operates or maintains the business of a Personal Care Services Establishment shall offer the services of a Registered Massage Therapist unless such Persons in his or her employ are duly registered with the College of Massage Therapists of Ontario in accordance with the Massage Therapy Act, 1991, c.27, as amended and the Regulated Health Professions Act, 1991, S.O.1991, c.18, as amended as Registered Massage Therapists.
- 20.6 No Person shall operate an Adult Entertainment Establishment or an Adult Mini-Theatre in Premises licensed as a Personal Care Services Establishment.

Schedule No. 7 to By-law No. 2005-0067

Amended  
by By-law  
2008-0003

Class of Licence:	<b>RECYCLING ESTABLISHMENT</b>
Type of Licence:	Salvage Yard
Purpose:	<b><i>Repealed by By-law No. 2008-0003</i></b>

***INSPECTIONS***

21.1 The issuing of a Salvage Yard licence shall be subject to:

- 21.1.1 a fire safety inspection of the Premises by the Town;
- 21.1.2 an inspection of the Premises by the Building Department;
- 21.1.3 an inspection by an Officer to confirm all the requirements of the by-law have been complied with; and
- 21.1.4 an inspection of the Premises by the Halton Region Health Department.

***ADDITIONAL REQUIREMENTS***

21.2 Every applicant or Licensee of a Salvage Yard shall:

- 21.2.1 submit a site plan illustrating with measurements the boundaries of the property, the location of fences, the location of all buildings and other structures on the property, the location of Off-Street Parking and the number of spaces provided, and the actual or proposed planting of trees and shrubs, if required.
- 21.2.2 submit a Phase 1 Environmental Site Assessment upon the filing of an initial application;
- 21.2.3 submit a Phase II Environmental Site Assessment at the time of applying for the first renewal of the licence;
- 21.2.4 apply potable ground water site condition standards in accordance with the Environmental Protection Act guidelines in preparing the Modified Record of Site Condition as prescribed by the Regional Municipality of Halton;
- 21.2.5 file the completed Modified Record of Site Condition and a copy of the Phase II Environmental Site Assessment with the Regional Municipality of Halton;
- 21.2.6 have registration with the Ministry of Environment Hazardous Waste

Amended  
by By-law  
2008-0003

Information Network (HWIN), unless otherwise exempt by an applicable law pursuant to the Environmental Protection Act; and

- 21.2.7 submit a copy of a current valid garage licence issued by the Ministry of Transportation as required for the wrecking and dismantling of used Motor Vehicles.
- 21.3 An applicant or Licensee of a Salvage Yard shall submit an updated Phase II Environmental Site Assessment and Modified Record of Site Condition every fifteen (15) years from the date of the previous Phase II Environmental Site Assessment and Modified Record of Site Condition.

### ***PEER REVIEW***

- 21.4 Should the Town determine there is a need to obtain further evaluation or expertise, a peer review of any submitted documents by a Town selected consultant shall be conducted at the expense of the applicant or Licensee.

### ***RECORD-KEEPING***

- 21.5 Every Licensee of a Salvage Yard shall maintain a bound record book with numbered pages or a computer database to store the details of all sales and purchases indicating the name and address of each vendor or purchaser, description of goods, amount paid or received, and the date of each transaction available for inspection upon request.

### ***FENCE REQUIRMENTS***

- 21.6 Every applicant or Licensee of a Salvage Yard shall:
  - 21.6.1 fence the entire perimeter of the area to be used as a Salvage Yard;
  - 21.6.2 construct and maintain a fence enclosing the Salvage Yard:
    - 21.6.2.1 of either solid metal or wood or other opaque screening, which is approved by the Town;
    - 21.6.2.2 painted a uniform earth-tone colour in any beige, tan, or brown hue;
    - 21.6.2.3 supported by posts of not more than 2.5 metres apart;
    - 21.6.2.4 a minimum height of 3.0 metres;
    - 21.6.2.5 a maximum height of 4.26 metres;
    - 21.6.2.6 of the same height throughout;



- 21.6.2.7 kept in a plumb and structurally sound condition free from deterioration, extensive peeling, corrosion, discolouration, fading and graffiti; and
- 21.6.2.8 located a minimum of 8.0 metres from any adjacent property line of a highway.
- 21.6.3 All gates forming part of the enclosure shall be constructed in a similar manner as the fence prescribed by this by-law.
- 21.6.4 A building may form part of the prescribed fence.
- 21.6.5 Notwithstanding the provisions of this by-law, a fence is not required on the mutual property line between two Salvage Yards if both Owners mutually agree and advise the Town in writing, but nothing shall prevent a property owner from exercising the right to a boundary line fence in accordance with the Line Fences Act.
- 21.6.6 A Salvage Yard that existed prior to September 10, 2001 is deemed to be in conformity:
  - 21.6.6.1 with subsections 21.6.2.3 and 21.6.2.8; and
  - 21.6.6.2 with subsections 21.6.2.1, 21.6.2.4, and 21.6.2.6 if the area of the Salvage Yard is located within a larger parcel of land where dense vegetation and forest cover remains and provides natural screening around the fenced enclosure until such time as the fence is replaced.
- 21.6.7 A Licensee of a Salvage Yard may apply for a temporary exemption to fencing the perimeter of a Salvage Yard as required by this by-law.
- 21.6.8 Council may at any time revoke or rescind the approval for an exemption under Section 21.6.7 of this by-law, upon providing the Licensee with written notice.

### **OFF-STREET PARKING**

- 21.7 No Licensee of a Salvage Yard shall permit Off-Street Parking outside of the fence required by this by-law, except during the hours of operation outlined in this by-law. During the hours of operation, Off-Street Parking shall be permitted only in those areas designated on the approved Site Plan.

### **STORAGE**

- 21.8 No Licensee of a Salvage Yard shall store, place or deposit salvage, refuse, debris, vehicles or parts thereof, or waste matter of any kind whatsoever:
  - 21.8.1 higher than the top of the fence prescribed by this by-law; or

21.8.2 outside of the fence prescribed by this by-law.

21.9 No Person shall permit any salvage, refuse, debris, vehicles or parts thereof or waste matter of any kind whatsoever, to be placed or deposited outside the fenced areas for a period longer than forty-eight (48) hours.

### ***HOURS OF OPERATION***

21.10 No Licensee of a Salvage Yard shall operate or permit to be operated a Salvage Yard, transact any sale or be open to the general public other than between the hours of:

7:00 a.m. and 6:00 p.m., Monday through Friday; and

8:00 a.m. and 4:00 p.m. on Saturday.

21.11 No Licensee of a Salvage Yard shall perform or permit to be performed site work such as land clearing, grading, or earth moving in connection with the Salvage Yard operation that may cause noise, dust, nuisance light, or other disturbance except during the hours of operation set out in this by-law.

21.12 No Licensee of a Salvage Yard shall operate or permit the Operation of a Crusher except during the hours of 8:30 a.m. and 4:30 p.m. Monday to Friday.

21.13 No Licensee of a Salvage Yard shall operate or permit to be operated a Salvage Yard on any holiday as defined by the Interpretations Act, R.S.O. 1990, c.l.11.

21.14 The provisions of this by-law do not apply to the dropping off of vehicles in emergency situations under the authority of the Highway Traffic Act or Police Services Act.

### ***AREA OF SALVAGE YARD***

21.15 No Salvage Yard shall exceed ten (10) acres (4.05 Hectares) in area.

Class of Licence:	<b>SUPPORT ACTIVITY FOR ROAD TRANSPORTATION</b>
Type of Licence:	Towing Service Company Tow Truck Driver Towing Storage Compound Driving School Operator
Purpose:	<b><i>Deleted and replaced with Schedule I - Driving School Operators by By-law No. 2023-0090</i></b>

## **INSPECTIONS**

24.1 The issuing of a Support Activity for Road Transportation licence shall be subject to:

- 24.1.1 a fire safety inspection of the Premises by the Town;
- 24.1.2 an inspection of the Premises by the Building Department; and
- 24.1.3 a mandatory annual Motor Vehicle Inspection by the Ministry of Transportation of each Motor Vehicle owned or used by the licensee.

## **TOWING SERVICE COMPANY**

24.2 Every Support Activity for Road Transportation applicant or Licensee of a Towing Service Company shall submit for each vehicle owned by the Towing Service Company or used by the Towing Service Company:

- 24.2.1 a copy of the Motor Vehicle ownership indicating the make, model, year, and vehicle identification number and the Ontario licence plate number for each Motor Vehicle to be licensed as a tow truck;
- 24.2.2 a copy of valid liability insurance as required under the Compulsory Automobiles Insurance Act in the amount not less two million dollars (\$2,000,000.00), including at least one hundred thousand dollars (\$100,000.00) against liability for damage to a customer's Motor Vehicle while in his/her care, custody or control caused by upset, collision, fire, theft, storm, or mischief, with an endorsement that notice in writing at least ten (10) days prior to cancellation, expiration or variation thereof will be given to the Town by the insurance underwriter;
- 24.2.3 a valid and current Safety Standards Certificate issued pursuant to the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, within sixty (60) days of application; and

- 24.2.4 a copy of a valid Ministry of Transportation commercial vehicle inspection certificate for all towing vehicles registered in excess of 4500 kilograms.
- 24.3 Every Support Activity for Road Transportation applicant or Licensee of a Towing Service Company shall submit:
- 24.3.1 a statement of Rates and Charges for all services provided by the Towing Service Company;
- 24.3.2 proof of Goods and Services Tax registration;
- 24.3.3 a list of Tow Truck Drivers who will drive on behalf of the Towing Service Company; and
- 24.3.4 the assessed address of the Towing Storage Compound.
- 24.4 Every Support Activity for Road Transportation Licensee of a Towing Service Company shall:
- 24.4.1 affix the Owner's Plate and validation sticker for the current year provided by the Town in a visible place on the rear of each Motor Vehicle that will be used by the Towing Service Company;
- 24.4.2 ensure any tow truck operated in association with the Towing Service Company accepts calls only from a Towing Service Company licensed under this by-law;
- 24.4.3 provide a twenty-four (24) hour seven (7) day per week telephone answering and tow truck service to the public;
- 24.4.4 prominently display the Towing Service Company name on the outside of each door of each tow truck;
- 24.4.5 maintain a record of all calls responded to by tow trucks dispatched by the licensee;
- 24.4.6 submit a vehicle safety standard certificate issued under the Highway Traffic Act each year for any tow truck owned by him within sixty (60) days of the expiry date of the licence;
- 24.4.7 ensure a copy of the schedule fees is in each tow truck and made available immediately to any client upon request;
- 24.4.8 provide the client with the Towing Service Company business card that indicates the name, address, phone number and business of the compound;
- 24.4.9 keep the interior and exterior of all tow trucks owned by him/her in a clean and sanitary condition and in good repair; and all equipment in

good, operable and safe condition; and

24.4.10 have a Towing Storage Compound or the use of a Towing Storage Compound, and every Support Activity for Road Transportation Licensee of a Towing Storage Compound shall have a Towing Storage Compound that:

24.4.10.1 is maintained in a clean and orderly condition pursuant to legislative requirements regarding the retention periods for damaged materials and vehicles involved in accidents;

24.4.10.2 is large enough to accommodate eighteen (18) square metres per vehicle and an additional nine (9) square metres per vehicle for laneways;

24.4.10.3 is secured and fully enclosed by a minimum two (2) metre high fence with a locking gate to prevent unauthorized access.

24.4.10.4 is staffed to permit the release of Motor Vehicles during normal business hours from 9:00 a.m. to 6:00 p.m. Monday to Friday and from 9:00 a.m. to 12:00 p.m. on Saturday;

24.4.10.5 is accessible to the Police for emergency or investigative purposes at all times;

24.4.10.6 has a posted sign at the entrance the indicating the Towing Service Company name, 24 hour phone number, and business hours; and

24.4.10.7 ensures the safety and well being of any Person attending the Towing Service Compound from guard dogs.

Amended  
by By-law  
2008-0003

24.5 No Towing Service Company shall be licensed under this by-law before all Tow Truck Drivers in his employ are licensed or shall permit any Person other than a Tow Truck Driver licensed under this by-law to tow a Motor Vehicle.

24.6 No Person shall demand or receive any rates or charges other than those on file with the Issuer of Licences.

24.7 No Person shall solicit, offer or otherwise propose the hiring of a tow truck or make or convey an offer of towing services, business services, or goods while that Person is within two hundred (200) metres of,

24.7.1 the scene of a Motor Vehicle accident or apparent accident; or

24.7.2 a Motor Vehicle involved in an accident, on a Highway.

24.8 No Person shall park, stop or stand a tow truck on a Highway within two hundred (200) metres of,

24.8.1 the scene of a Motor Vehicle accident or apparent accident; or

24.8.2 a Motor Vehicle involved in an accident,

except a Towing Service Company licensed under this by-law and summoned by the police or by a Person involved in the accident to lend assistance.

24.9 No Person shall unnecessarily park, stop, stand, or attend the scene of a Motor Vehicle accident or apparent accident when Tow Trucks are already on the scene to attend to the number of Motor Vehicles involved in the accident as necessary, for the removal of disabled vehicles, to provide assistance, for highway maintenance, and for reasons of safety.

24.10 No Person shall operate, use, or maintain a Towing Service Company licensed under this by-law, in conjunction with, or in any way connected or affiliated with any facility where Auto Body Repairs are carried out.

Amended  
by By-law  
2008-0003

### ***TOW TRUCK DRIVER***

24.11 Every Support Activity for Road Transportation applicant or Licensee of a Tow Truck Driver shall:

24.11.1 submit two (2) passport-sized photographs to the satisfaction of the Issuer of Licence or agree to have a photograph taken by the Town upon request;

24.11.2 submit a current Ontario Driver's Licence Abstract from the Ministry of Transportation obtained within thirty (30) days of application;

24.11.3 submit a copy of a Security Clearance Request including where provided, a Vulnerable Sector Screening issued by the Halton Regional Police Service or by the Police Service in the jurisdiction in which the applicant or licensee resides, obtained within thirty (30) days of application;

Amended  
by By-law  
2008-0003

24.11.4 submit for examination and copy a valid Class G or higher Ontario Driver's Licence; and

Amended  
by By-law  
2008-0003

24.11.5 submit a letter of employment with a licensed Towing Service Company.

24.12 No Person shall operate as a Tow Truck Driver for any Towing Service Company or receive dispatched calls from any Towing Service Company that is not licensed under this by-law.

24.13 No Person shall drive or operate any Motor Vehicle as a tow truck unless such Motor Vehicle is owned by a licensed Tow Truck Company or by a licensed Tow Truck Driver under this by-law.

24.14 Every Tow Truck Driver shall:

- 24.14.1 not tow any Motor Vehicle that can be driven unless directed by a Police Officer or the Person who has lawful possession of the Motor Vehicle;
- 24.14.2 be sufficiently knowledgeable and skilled in the use of all equipment to prevent unnecessary delays, hazards, or damage to property;
- 24.14.3 immediately put on an approved safety vest and activate safety lighting at the scene of an accident upon exiting the tow truck;
- 24.14.4 take due care of any Motor Vehicle and property entrusted to him or her for towing;
- 24.14.5 be available to provide service at any time in a twenty-four (24) hour day to any Person requiring a tow within the Town unless previously engaged or for reasons beyond the Tow Truck Driver's control;
- 24.14.6 keep the tow truck in good repair, clean, and free from exterior body and finish damage;
- 24.14.7 present an itemized bill for services setting out the cost of all services based on the tariff statement of rates and charges filed by the Tow Truck Company with the Town to the Person who has lawful possession of the Motor Vehicle being towed; and
- 24.14.8 remove any parts of the Motor Vehicle being towed including glass that may have fallen onto the Highway and seek the assistance of a Police Officer to ensure safe conditions for removal of same.

24.15 No Licensee of a Towing Service Company or a Tow Truck Driver shall:

- 24.15.1 hook, lift, or commence to tow or move any Motor Vehicle before either being hired by a Person having lawful possession of a Motor Vehicle who has agreed to the tow, or being directed by the Officer authorized by law to direct the removal of the Motor Vehicle from private or public property to a location specified by the Person having lawful possession of a Motor Vehicle or a Police Officer;
- 24.15.2 influence, coerce, or use an affiliation with any auto body or auto repair service to attempt to influence any Person to use such service;
- 24.15.3 interfere with any contract for hiring of a tow truck where a Person has hired or has indicated his or her intention to hire a tow truck;

- 24.15.4 solicit any business at the scene of an accident or chase calls through the use of informants, scanners, or any other means conducive to solicitation;
- 24.15.5 use a tow truck that is in an unsafe condition or improperly equipped;
- 24.15.6 charge costs due to time lost caused by defects or deficiencies of the tow truck; and
- 24.15.7 equip any tow truck with scanning devices or possess or use any scanner or radio capable of monitoring police, ambulance or any other Towing Service Company's frequency.

### ***SAFETY EQUIPMENT AND TOOLS***

24.16 Every tow truck shall be equipped with the following safety equipment and tools:

- 24.16.1 a standard hoisting device of sufficient capacity to safely lift the Motor Vehicle to be towed;
- 24.16.2 tow cradle, tow bar, tow sling, sufficiently maintained to ensure the safe lifting and conveyance of a towed Motor Vehicle;
- 24.16.3 a device for securing the steering wheel of a Motor Vehicle to be towed;
- 24.16.4 proper dollies in mechanically sound and safe working order;
- 24.16.5 at least two (2) wheel chocks;
- 24.16.6 broom, shovel, and minimum five (5) gallon pail securely attached when tow truck in motion;
- 24.16.7 standard vehicle lighting required by the Highway Traffic Act;
- 24.16.8 minimum of one (1) eight inch yellow revolving light;
- 24.16.9 light bar or light assembly for use on a towed Motor Vehicle if necessary;
- 24.16.10 heavy-duty five (5) foot pry bar;
- 24.16.11 flares in sufficient quantity for thirty (30) minutes of use;
- 24.16.12 minimum of 32m of winch cable for a wrecker-style tow truck, or a minimum of 15m of winch cable for a flatbed-style tow truck;
- 24.16.13 working flashlight;



- 24.16.14 reflective safety vest(s) to be worn by every Tow Truck Driver and any assistant outside the tow truck while “on scene”;
- 24.16.15 fire extinguisher containing a minimum of 1.25 kilograms of dry chemical capable of functioning at -40° Celsius; and
- 24.16.16 at least two (2) safety chains, each comprised of links of a least 8mm steel and each with a minimum length of 2.75m.

### ***DRIVING SCHOOL OPERATOR***

24.17 Every Driving School Operator applicant or Licensee shall submit:

- 24.17.1 a copy of valid liability insurance as required under the Compulsory Automobiles Insurance Act in the amount of not less than two million dollars (\$2,000,000.00) for each Motor Vehicle to be used by the driving school for the purpose of giving driving instruction, with an endorsement that notice in writing at least ten (10) days prior to cancellation, expiration or variation thereof will be given to the Town by the insurance underwriter;
- 24.17.2 the Motor Vehicle ownership for each Motor Vehicle to be used by the driving school for instruction;
- 24.17.3 a Safety Standards Certificate for each Motor Vehicle to be used by the driving school for instruction except in the case of brand new Motor Vehicles obtained within six (6) months from the effective date of the Motor Vehicle registration;
- 24.17.4 a copy of each instructor's driving instructor's licence issued pursuant to the Regulations enacted under the Highway Traffic Act;
- 24.17.5 a Statement of Rates and Charges for all services provided by the driving school.
- 24.17.6 two (2) pieces of identification, one (1) of which contains a photograph to the satisfaction of the Issuer of Licences;
- 24.17.7 a current Ontario Driver's Licence Abstract from the Ministry of Transportation obtained within thirty (30) days of application;
- 24.17.8 a copy of a Security Clearance Request including where provided a Vulnerable Sector Screening issued by the Halton Regional Police Service or the Police Service in the jurisdiction in which the applicant or licensee resides, obtained within (30) days of application; and
- 24.17.9 two (2) passport size photographs to the satisfaction of the Issuer of Licences or agree to have a photograph taken by the Town upon

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

Amended  
by By-law  
2008-0003

request of the Issuer of Licences.

24.18 Every Driving School Operator shall ensure that every Motor Vehicle used for driving instruction is:

- 24.18.1 equipped with a dual control braking system and dual mirrors in good working order, and placed in a position for ready use by the driving instructor seated beside the student;
- 24.18.2 in a safe condition and roadworthy, certified and approved by the Town for use;
- 24.18.3 identified by an Owner's Plate issued by the Town affixed to the rear of the Motor Vehicle in a visible location; and
- 24.18.4 identified by a roof sign on the Motor Vehicle displaying the name of the driving school clearly visible at a distance of fifteen (15) metres.

24.19 No Driving School Operator shall:

- 24.19.1 give instruction to any Person who does not possess a valid G1, M1 (or higher) licence issued by the Ministry of Transportation;
- 24.19.2 give instruction on private property without the consent of the registered property owner;
- 24.19.3 give instruction while in an impaired condition or to a Person who is in an impaired condition; or
- 24.19.4 permit any Person who does not possess a current valid driver's instruction licence and a current valid driver's licence issued pursuant to the Regulations enacted under the Highway Traffic Act to give driving instructions to any Person.

24.20 Every Driving School Operator shall:

- 24.20.1 keep a permanent record of every student driver's name, address, driver's licence number, the date and time of each driving lesson, and the name of the instructor who provided lessons to the student;
- 24.20.2 affix a copy of the Driving School Operator's licence with a photograph of the driving instructor in every Motor Vehicle plainly visible to the student driver; and
- 24.20.3 inform and provide the student driver with a copy of all rates and charges filed with the Town before commencing driving lessons.

Schedule No. 12 to By-law No. 2005-0067

Class of Licence: **VEHICLE SERVICE ESTABLISHMENT**

Type of Licence: Limited Service Vehicle Establishment  
Full Service Vehicle Establishment  
Specialty Vehicle Restoration

Purpose: ***Repealed by By-law No. 2008-0003.***

***INSPECTIONS***

26.1 The issuing of a Vehicle Service Establishment Licence shall be subject to:

26.1.2 a fire safety inspection of the Premises by the Town; and

26.1.3 an inspection of the Premises by the Building Department;

***APPLICATION REQUIREMENTS***

26.2 Every applicant or Licensee of a Vehicle Service Establishment shall:

26.2.1 submit a copy of his Certificate of Qualification for automotive service technician, alignment and brakes technician, fuel and electrical systems technician, motorcycle technician, transmission technician, truck and coach technician, truck-trailer service technician, auto body collision and damage repairer, or auto body repairer from the Ministry of Training, Colleges, and Universities or from a Person in his employ who will be performing or supervising such work appropriate to the Vehicle Service Establishment or a copy of a Ministry of Transportation List of Registered Mechanics that includes the applicant or Licensee thereon; and

26.2.2 submit a copy of the Motor Vehicle ownership and Ontario licence plate number for each Motor Vehicle owned or leased and operated by him/her used for customer and business towing as an accessory use to the Vehicle Service Establishment, if applicable.

26.3 Every Licensee who will engage in the retail sale of automobiles shall submit a valid Motor Vehicle Dealers Registration Certificate issued by the Province.

26.4 No Licensee of a Vehicle Service Establishment shall permit:

26.4.1 the Premises to be used as a Salvage Yard, unless licensed to do so under this By-law;

26.4.2 a Trailer that is being used for human habitation to be located on the Premises;

- 26.4.3 any Motor Vehicle to be parked or stored on any sidewalk or on any portion of road allowance including the boulevard;
- 26.4.4 the storage of an inoperative Motor Vehicle on the Premises for a period in excess of eight (8) weeks unless an Active Repair(s) is being carried out on the Motor Vehicle;
- 26.4.5 grease, oil, gasoline or other fuels, or other lubricants derived from the operation of the licensed Premises to drain into a storm sewer catch basin or to be disposed of in the waste collection by the Regional Municipality of Halton and such disposal shall be pursuant to relevant legislation;
- Amended  
by By-law  
2008-0003 26.4.6 any Person to drive, operate or move any Motor Vehicle on the Premises unless such person is the holder of a valid Ontario driver's licence;
- 26.4.7 a Towing Service Company to be operated as an accessory business to a Vehicle Services Establishment licensed under this by-law; and
- Amended  
by By-law  
2008-0003 26.4.8 vehicles to be stored outside in yard areas with less than eighteen (18) square metres per Motor Vehicle and with less than an additional nine (9) square metres per Motor Vehicle for laneways.

### ***SPECIALTY VEHICLE RESTORATION***

- 26.5 Notwithstanding the provisions of Schedule 12 to this by-law, a licensee who operates or maintains the business of a Specialty Vehicle Restoration establishment is permitted to store inoperative Motor Vehicles:
- 26.5.1 that are actively being restored to their original condition on the Premises for a period of up to six (6) months;
- 26.5.2 outside in yard areas that can accommodate eighteen (18) square metres per Motor Vehicle and an additional nine (9) square metres per Motor Vehicle for laneways; and
- 26.5.3 within outside yard areas that are enclosed by a minimum two (2) metre high fence to provide screening from adjacent residential properties.

### ***RETAIL SALE OF AUTOMOBILES***

- 26.6 Every applicant or Licensee of a Retail Trade Establishment who engages in the selling of automobiles shall submit a valid Motor Vehicle Dealers Registration Certificate issued by the Province.
- 26.7 No Licensee who engages in the retail sale of automobiles shall permit:

- 26.7.1 the Premises to be used as a Salvage Yard, unless licensed to do so under this by-law;
- 26.7.2 a trailer that is being used for human habitation to be located on the Premises;
- 26.7.3 the parking or storing of any Motor Vehicle on any sidewalk or on any portion of road allowance including the boulevard;
- 26.7.4 any Person to drive, operate or move any Motor Vehicle on the Premises unless such Person is the holder of a valid Ontario driver's licence.

***RETAIL SALE OF GASOLINE***

26.8 No Licensee who engages in the retail sale of gasoline shall permit:

- 26.8.1 the Premises to be used as a Salvage Yard or for the sale of automobiles, unless licensed to do so under this by-law;
- 26.8.2 a trailer that is being used for human habitation to be located on the Premises; or
- 26.8.3 the washroom facilities to be kept in an unclean or unsanitary condition.