

Authority: Item , Committee

Report (Staff report number)

CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. _____

**To Amend By-law No. 07-170, a By-law to License and Regulate Various
Businesses**

WHEREAS Council enacted a by-law to license and regulate various businesses being City of Hamilton By-law No. 07-170;

AND WHEREAS this By-law provides for an amendment to Schedule 6 – Food Service Vehicles with respect to Class B and Class C food service vehicles;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 10 of Schedule 6 of By-law No. 07-170 is amended by adding the following new subsection 10(f.1) after subsection 10(f):
 - (f.1) the food service vehicle does not stop on property to sell or offer for sale refreshments unless:
 - (i) the food service vehicle is otherwise authorized by the City to sell or offer for sale refreshments on the property; or
 - (ii)1. the food service vehicle is not within 6 metres of an intersection;
 2. the food service vehicle is not within 100 metres of any park, school or hospital, measured along the most direct road allowance route

from the nearest point of the park, school or hospital boundary to the nearest point of the property;

3. the food service vehicle is not within 100 metres of the boundary of a special event measured along the most direct road allowance route from the nearest point of the special event boundary to the nearest point of the property, except when approved as part of a special event;
 4. the property is zoned to permit a restaurant use;
 5. the property owner or owners have given written approval for the food service vehicle to be on the property; and
 6. the food service vehicle is on the property for 8 hours or less on any one day;
2. Schedule 6 of By-law No. 07-170 is amended by adding the following new section 10.1 after section 10:
- 10.1(1) Subparagraphs 10(f.1)(ii)3 and 5 do not apply to a property used as place of worship or a school if the sale of refreshments:
- (a) has been organized by and for the benefit of the place of worship or the school located on the property;
 - (b) occurs on no more than 10 days in a calendar year.
- (2) Subparagraph 10(f.1)5 does not apply to a property zoned to permit an industrial use if the food service vehicle is not within 30 metres of a property zoned to permit a residential use, measured from the nearest point of the property zoned to permit a residential use to the nearest point of the property zoned to permit an industrial use.
3. This By-law comes into force on the day it is passed.

PASSED this day of , 20 .

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R. Bratina Mayor	R. Caterini City Clerk