

Authority: Motion M98, moved by Councillor Filion, seconded by Councillor Moscoe,
as adopted by City of Toronto Council on July 16, 17, 18 and 19, 2007
Adopted by Council: July 19, 2007

CITY OF TORONTO

BY-LAW No. 878-2007

To amend Municipal Code Chapter 545, Licensing, to restrict the types of foods which may be sold from non-motorized refreshment vehicles.

WHEREAS the Minister of Health and Long Term Care for Ontario announced on July 7, 2007 an amendment to Ontario Regulation 562 under the *Health Protection and Promotion Act* to expand the types of food which may be sold by vendors from street food vending carts, as defined in the regulation, subject to compliance with food safety regulations; and

WHEREAS the new regulation is potentially very broad in its effects, the Ministry has indicated its intention that municipalities will continue to have the ability, through their existing licensing and permit schemes, to determine the additional types of foods which may be sold and the timing of the implementation of changes to any existing permit or licensing schemes; and

WHEREAS the new regulation will come into effect on August 1, 2007 and the City of Toronto has therefore not had a sufficient amount of time to consider these legislative changes and any required changes to the City's existing vending permit schemes; and

WHEREAS the *City of Toronto Act, 2006* (the "*Act*") provides that Council may pass by-laws in respect of business licensing, the health, safety and well-being of persons and the economic, social and environmental well-being of the City;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 545, Licensing, of The City of Toronto Municipal Code is amended by adding the following clause to § 545-38J:
 - (7) No vehicle licensed under this subsection shall be used for the preparation or sale of food products except those that were permitted under Ontario Regulation 562 made under the *Health Protection and Promotion Act* as of July 16, 2007.

ENACTED AND PASSED this 19th day of July, A.D. 2007.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)