

Authority: Licensing and Standards Committee Item 24.1,
as adopted by City of Toronto Council on November 13, 14, 15 and 18, 2013

CITY OF TORONTO

BY-LAW No. 1730-2013

To amend City of Toronto Municipal Code Chapter 545, Licensing, and Municipal Code Chapter 441, Fees and Charges, to eliminate the requirement for a refreshment vehicle assistant licence.

Whereas authority is given to Council to establish a system of business licences; and

Whereas Council has determined that a Refreshment Vehicle Assistant Licence is not required for the effective enforcement of by-laws that regulate refreshment vehicles;

The Council of the City of Toronto enacts:

1. Municipal Code Chapter 545, Licensing is amended by:

(a) Replacing § 545-2A(34) with the following:

Every person who owns or operates and every person, other than the driver of a coffee truck, who drives a vehicle from which refreshments are sold for consumption by the public.

(b) Replacing § 545-5G(17)(b) with the following:

Notwithstanding § 545-5G(17)(a), every person licensed, or required to be licensed, under this chapter as a refreshment vehicle owner, operator, or driver, and every employee in a refreshment vehicle, shall obtain a food handler certificate if such person:

[1] Sells or handles refreshments; or

[2] Is working in a refreshment vehicle from which ice cream, ice cream cones, frozen desserts and other frozen confections are sold.

(c) Replacing the heading of § 545-38 with the following:

Owners, operators, and drivers of, and employees in, vehicles from which refreshments, other than those described in § 545-39 hereof, are sold for consumption by the public.

(d) Deleting the phrase "and every assistant in" from § 545-38A, D and J and replacing it with the phrase "and every employee in" in each instance.

- (e) Replacing § 545-38B with the following:

No owner to whom this section relates shall permit or allow any person other than a licensed driver employed by the owner to operate any refreshment vehicle (other than a coffee truck) or any person other than a licensed driver or other employee of the owner to assist in the sale of refreshments from the vehicle.

- (f) Replacing the heading of § 545-39 with the following:

Owners, operators, and drivers of, and employees in, vehicles from which ice cream, ice cream cones, frozen desserts and other frozen confections are sold.

- (g) Replacing § 545-39B with the following:

No owner to whom this section applies shall permit any person not employed by the owner to operate the refreshment vehicle or to assist in the sale of refreshments from the vehicle.

- (h) Replacing § 545-39C with the following:

Every driver of and employee in and every owner and operator working in a refreshment vehicle to which this section relates shall be free of skin abrasions and communicable diseases of any sort, be clean and neat in appearance, have clean hands, and shall wear clean, light-coloured, washable outer clothing and head covering.

- (i) Replacing § 545-39D(5) with the following:

Not permit any person not employed by the owner to assist him or her in the driving of the vehicle or to assist in or to engage in the sale and dispensing of refreshments from the vehicle.

2. Municipal Code Chapter 545, Licensing, Appendix K - Schedule B, Demerit Point System, is amended by:

- (a) Removing all references to refreshment vehicle assistants including the short forms "ASST" and "Asst", but not to refreshment vehicle drivers.
- (b) Removing the following demerit offences:

Refreshment Vehicle Assistant/Driver	RV ASST/DR - No licence (Assistant)	545-2A(34)	2
Refreshment Vehicle Owner	RV Own – Hire unlicensed assistant	545-38B	2

Refreshment Vehicle Owner	RV Own – Permit unlicensed assistant	545-38B	2
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Enacted and passed on December 18, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)