

THE CORPORATION OF THE VILLAGE OF CASSELMAN

BY-LAW NUMBER: 87-239

Being a by-law to license, regulate and govern itinerant sellers, person who operates refreshment vehicles and transient traders.

THEREFORE, the council of The Corporation of the Village of Casselman ENACTS as follows:

I. DEFINITIONS

1. In this by-law:

"Chief License Inspector" means the Chief License Inspector of The Corporation duly appointed by a by-law of The Corporation to administer the provisions of this by-law or his subordinates or assistants.

"Village" means the Village of Casselman.

"Corporation" means The Corporation of the Village of Casselman.

"His" importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one, and females as well as males and the converse.

"Itinerant Seller" means a person who goes from place to place or to a particular place with goods, wares or merchandise for sale by retail, or who carries and exposes samples, patterns or specimens of any goods, wares or merchandise delivered in the Village of Casselman afterwards, but does not include a person who sells to wholesale or retail dealers, in similar goods, wares or merchandise.

"License" means a license issued under this by-law.

"Licensed" means licensed under the provisions of this by-law.

"Licensed Premises" means the premises where the licensee carries on his licensed operation.

"Licensee" means a person licensed under this by-law.

"Motor Vehicle" means a motor vehicle as defined in the Highway Traffic Act, R.S.O. 1980, Chapter 198, as amended.

"Non Resident" means a person who does not have a regular place of business within the Village.

"Person" includes not only an individual, but also a partnership and body corporate and any association and the heirs, executors, administrators, successors and assigns or other legal representatives thereof to whom the context may apply.

"Premises" means a building or part of a building or a place where a person carries on or engages in any of the trades, callings, businesses or occupations described in Section 2 of this by-law.

"Refreshment Vehicle" means a vehicle from which refreshments are carried, offered for sale or sold for consumption by the public.

"Transient Trader" means any person commencing business who has not resided continuously in the village for at least three (3) months next preceding the time of his commencing such business there and who offers goods, wares or merchandise for sale.

II. LICENSES

2. There shall be procured by:

- (1) Every itinerant seller**
- (2) Every person who operates or provides a refreshment vehicle**
- (3) Every transient trader**

a license from The Corporation authorizing them respectively to carry on their several trades, callings, businesses or occupations in the Village.

3. No person shall within the limits of the Village carry on or engage in any of the trades, callings, businesses or occupations in the Village.

III. PROCEDURAL AND GENERAL PROVISIONS

- 4. (1) The Corporation shall employ a Chief License Inspector and such other inspectors, clerks and staff as may be necessary to carry out the administrative functions of this by-law including the enforcement thereof.**
- (2) This by-law includes the Schedules hereto annexed and the Schedules are hereby declared to form part of this by-law.**
- (3) In this by-law where the time for doing any act or the taking of any proceeding expires on a Saturday, Sunday or Public Holiday, the act or proceeding may be done or taken on the next work day.**

- (4) In this by-law, upon the expiration of the time prescribed for the doing of any act or proceeding, the Chief License Inspector is divested of all jurisdiction to deal with the application and the times prescribed shall not enlarge or abridge or attempt to be enlarged or abridged by any of them.
5. (1) On the application for a license or renewal thereof, respecting any of the several trades, callings, businesses and occupations set out in section 2 hereof, the applicant shall complete the prescribed forms and shall furnish to the Corporation such information as the Corporation may direct to be furnished, and file the completed application with the Chief License Inspector.

(2) In the event of a licensee not renewing his license on or before the expiry date set out in Column 3 of Schedule No. 1 opposite the description of the license set out in Column 1 of Schedule No. 1, the licensee may renew his license by making application therefor as herein before provided up to and including the fifteenth day after the expiry date set out in said Column 3 and shall pay at the time of the issuance of the license the license fee set out in Column 2 opposite the description of the license and twenty-five (\$25.00) dollars.

(2a) In the event of a licensee not renewing his license on or before the fifteenth (15) day after the expiry date set out in Column 3 of Schedule No. 1 opposite the description of the license set out in Column 1 of Schedule No. 1 as provided for in subsection (2) hereof, the licensee ceases to be a licensee and he shall apply for a license as an original applicant.

(3) Every license issued by the Chief License Inspector shall, unless it is expressed to be for a shorter or longer period of time, be for one (1) year, and shall expire in each year on the date set out in Column 3 of Schedule No. 1 opposite the description of the license as set out in Column 1 of Schedule No. 1.

(4) The license fees as set out in Column 2 of Schedule No. 1 opposite the description of the license as set out in Column 1 of Schedule No. 1 are hereby fixed as the amounts of the annual fees for such licenses.

(5) The license transfer fees as set out in Schedule No. 1 are hereby fixed as the amounts of the annual fees for such licenses.
6. The Chief License Inspector shall, subject to the provisions of this by-law relating to the limiting of the number of licenses in any

trade, calling, business or occupation, upon receipt of an application referred to in Section 5, make or cause to be made all investigations required by law or by the Corporation, relative to such application.

7. If the investigations referred to in Section 6 do not disclose any reason to believe that the applicant's character may not be good, or that the carrying on of the said trade, calling business or occupation may result in a breach of the law, or may be in any way averse to the public interest, and in the absence of written instructions to the contrary from the License Committee governing the category of license in question, the Chief License Inspector shall, within twenty-four (24) hours of the completion of the investigations, give notice to the applicant in writing, said notice to be served personally or by registered mail to the applicant at the address shown on the application, of the issuance of the license, and that the license shall be issued upon his compliance with subsection (2) of Section 5. The applicant in receipt of such notice shall, within fourteen (14) days of the notice, complete the application.
8. If the investigations referred to in Section 6 disclose any reason to believe that the applicant's character may not be good, or that the carrying on of the said trade, calling business or occupation may result in a breach of the law, or may be in any way averse to the public interest, the Chief License Inspector shall refuse to issue the applicant the license applied for and shall give the applicant notice of his refusal in writing, said notice to be served personally or by registered mail to the applicant at the address shown on the application.
9.
 - (1) The Chief License Inspector shall furnish every licensee with a license which shall be numbered, stating:
 - (a) the name of the licensee,
 - (b) the trade, calling, business or occupation of the licensee,
 - (c) the date of issuance of the license,
 - (d) the date of expiration of the license, and
 - (e) the make, model, serial number and motor vehicle registration number issued pursuant to the Highway Traffic Act, R.S.O. 1980, c. 198, as amended, if applicable.
 - (2) The Chief License Inspector shall sign all licenses on behalf of the Corporation and his signature may be printed or mechanically reproduced upon such license issued.
 - (3) Where an original license has been lost or destroyed, the Chief License Inspector, upon receipt of an affidavit to that

effect, furnished by the original holder thereof or by some person having personal knowledge of the loss or destruction of the license, may issue a duplicate license to the licensee upon payment of the fee set out in Schedule No. 1.

10. (1) When a person applies for a transfer of a license, the person to whom the license is to be transferred shall comply with the provisions of this by-law as if he were an original applicant.
- (2) When the person to whom the license is to be transferred has furnished satisfactory proof to the Chief License Inspector that he meets the requirements of this by-law and that such transfer is not prohibited by any other provision of this by-law the Chief License Inspector shall issue a license to the transferee upon receipt of the transfer fee as set out in Schedule No. 1, which license shall contain the following provisions;
 - (a) name of person licensed,
 - (b) trade, calling, business or occupation of the licensee,
 - (c) the amount of transfer fee,
 - (d) location of premises,
 - (e) the date of issuance of license,
 - (f) the date of expiration of license, and
 - (g) the word "Transfer" and the number of the original license.
- (3) Where the licensee dies during the currency of the license, the license may be transferred and the provision of subsections (1) and (2) hereof apply.
- (4) Where two or more persons carry on or engage in partnership in any of the trades, callings, businesses or occupations set out in Section 2, the license shall be issued in the name of one partner only, but when the application for license is made the name and address of each member of the partnership shall be set out therein.
- (5) The licensee or another member of the partnership may apply in writing to the Chief License Inspector to change the named licensee to another member of the partnership, and provide proof of the members of the partnership; and the application shall be a transfer and the provisions of subsection (1) and (2) hereof apply.
- (6a) Every person shall apply for a transfer of the license from the one (1) motor vehicle to the replacement motor vehicle and shall, where applicable:

(a) file:

- (i) proof of insurance, and**
- (ii) proof of good repair, and**

(b) exhibits the Ontario Motor Vehicle Registration Permit for the replacement vehicle;

and the Chief License Inspector, upon being furnished with satisfactory proof that the motor vehicle meets the requirements of this by-law shall transfer the license upon receipt of the transfer fee as set out in Schedule No. 1 of this by-law.

- (6b) Every person who purchases a business from a licensee shall apply for a transfer of the license in accordance with the provisions of subsections (1) and (2) hereof.**
- (7) In the event of an applicant for a transfer being refused by the Chief License Inspector, the Chief License Inspector shall give the applicant notice of his refusal in writing, said notice to be served personally or by registered mail to the applicant at the address shown on the application.**
- 11. (1) Subject to subsection (2), every person obtaining a license number under this by-law shall carry the said license upon his person.**
- (2) Every person obtaining a license under this by-law where the same applies to premises shall keep his license posted up in some prominent position on the premises in respect to which the license is issued, so as to be visible to the public.**
- (3) Every licensee shall when so requested by the Chief License Inspector, produce the license for inspection.**
- 12. (1) The Chief License Inspector is hereby authorized to:**
- (a) inspect:**
- (i) as much of a house, place or premise as is used for the carrying on of any trade, calling, business or occupation,**
 - (ii) any goods, wares, merchandise, articles, books, records or other documents of or relating to any such trade, calling, business or occupation, or**
 - (iii) each vehicle operated, provided or used in the trade, calling, business or occupation.**
- (b) require that each vehicle operated, provided or used in**

the trade, calling, business or occupation be submitted for inspection; and

- (c) ensure that each licensee produces his vehicle for inspection at the time and place designated by the Chief License Inspector.**
- (2) No person shall obstruct, hinder or otherwise interfere with the making of any of the aforesaid inspections.**
- 13. No person licensed under this by-law shall, because of race, color or creed, discriminate against any member of the public in the carrying on of the trade, calling, business or occupation in respect of which the license is issued.**
- 14. Every licensee shall notify or cause to be notifying the Chief License Inspector in writing within seven (7) days of the happening of the following events:**
 - (a) sale, transfer or termination of his business,**
 - (b) retirement,**
 - (c) any change in his address, telephone number or Ontario License Number of motor vehicle that is registered with the Ontario Department of Transport and appropriate insurance endorsement in respect of the motor vehicle, if applicable.**
- 15. (1) Every proof of insurance required pursuant to the provisions of this by-law shall be kept in force by the licensee for the period for which his license is in effect inclusive of any renewal thereof.**
 - (2) No person licensed pursuant to the provisions of this by-law who is required to file proof of insurance with the Chief License Inspector shall fail to maintain in force and to renew the same timeously and to pay the premium due thereon.**
 - (3) The Chief License Inspector shall, upon receipt of notice that a policy of insurance is to expire on a stated date, notify the licensee that unless further proof of insurance is filed on or before that day, his license will be suspended coincidentally with the expiration of the policy of insurance.**
- 16. (1) No person shall enjoy a vested right in the continuance of a license and upon the issue, renewal, transfer, cancellation or suspension thereof, the value of a license shall be the property of the Corporation.**
 - (2) Every metal plate shall be and remains the property of the Corporation and shall be returned to the Corporation whenever required to do so by the Chief License Inspector.**

17. No person shall give false or incorrect information for the purposes of obtaining a license or certificate.
18. Every person applying for or holding a license under this by-law shall in such application or in carrying on or engaging in the trade, calling, business or occupation in respect of which the license is issued, observe, comply with and be governed by this by-law.
19. (1) The License Committee, after a hearing, may revoke any of each of the licenses held by a licensee for cause and without limiting the generality of the foregoing for:
 - (a) a breach of the law,
 - (b) anything which may be in any way averse to the public interest,
 - (c) any other matter which the License Committee is authorized by law to consider, or
 - (d) any violation of the provisions of this by-law.
- (2) The License Committee may suspend a license for cause for any period that is less than the unexpired part of the period for which it was issued in lieu of revocation as provided in subsection (1) hereof.
20. Every licensee shall be responsible for the act or acts of any of his servants or any person associated with the licensee in the carrying on of any of the trades, callings, businesses or occupations authorized by his license in the same manner and to the same extent as though such act or acts were done by the licensee.
21. Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine of not more than Two Thousand (\$2,000.00) Dollars, exclusive of costs.
22. That by-law number 87-237 is hereby rescinded.

READ a first, second and third time and finally passed this 23rd day of June 1987.

**Conrad Lamadeleine
Reeve**

seal

**Gilles Lortie
Clerk**

SCHEDULE NO. 1 TO BY-LAW 87-239

| Column 1 | Column 2 | Column 3 |
|--|---|---|
| Description of License | License fee | Expiry date |
| Itinerant seller | | |
| License "A" | \$150.00 ^{\$1,000.00} | 15th May |
| License "A-1" | \$500.00 ^{\$300.00} | termination of specific events |
| License "B" | \$225.00 | 15th May |
| License "C" | \$300.00 | 15th May |
| Refreshment Vehicle | | |
| License "A" | \$60.00 | 15th May |
| License "A-1" | \$150.00 | 15th May |
| License "B" | \$150.00 | 15th May |
| License "B-1" | \$300.00 | 15th May |
| License "C" | \$300.00 | 15th May |
| License "C-1" | \$600.00 | 15th May |
| License "D" | \$1,000.00 | 15th May |
| License "D-1" | \$2,000.00 | 15th May |
| License "E" | \$300.00 | 15th May |
| License "F" | \$200.00 | termination of specific events |
| License "G" | \$100.00 | termination of specific events |
| Transient Trader | \$500.00 | valid for one year from the date of issuance of license |
| License Transfer Fees | | |
| Duplicate License | | |
| Certificate Fee | \$5.00 | |
| License Transfer Fee to | | |
| Change the Named Licensee to Another Member of the Partnership | \$10.00 | |
| Duplicate License Plates | \$10.00 | |

SCHEDULE NO. 2 TO BY-LAW NO. 87-239

Relating to Itinerant Sellers

1. (1) In this schedule:
 - (a) "Boulevard" means all the parts of the highway save and except any street or sidewalk,
 - (b) "Business" includes the sale of goods, wares or merchandise on an intermittent or one time basis,
 - (c) "Highway" includes the entire right-of-way of a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, designed and intended for, or used by, the general public for the passage of vehicles,
 - (d) "Private property" means all property in the Village and includes property of the municipal, federal and provincial government, and boulevards, but does not include any of the sidewalks and streets thereof.
 - (e) "sidewalk" includes all such parts of a highway as are set aside by the Corporation for the use of pedestrians or used by the general public for the passage of pedestrians, and
 - (f) "streets" means that part of the highway that is improved, designed or ordinarily used for vehicular traffic.
- (2) The provisions of this by-law do not apply to:
 - (a) a person who sells to wholesale or retail dealers in similar goods, wares or merchandise,
 - (b) a person who sells milk or cream or fluid milk products to the consumer,
 - (c) if the person is authorized to sell at any exhibition or fair which is exempted from a license or fee.
2. (1) The following licenses may be issued pursuant to this schedule:
 - (a) a license "A" to an itinerant seller who vends on private property fresh fruits, fresh vegetables, flowers or merchandise either at a particular place or door, with or without a handcart, a pedal-powered vehicle,

- a motor vehicle or an animal drawn vehicle or a stand,
 - (b) a license "A-1" to an itinerant seller who vends on private property fresh fruits, fresh vegetables, flowers or merchandise at a particular place for a specific event, said event being held for a period of not more than seven (7) days,
 - (c) a license "B" to an itinerant seller who vends fresh fruit, fresh vegetables, flowers or merchandise with or without a hand cart on the sidewalks in the village or with or from a pedal powered vehicle on the streets in the village.
 - (d) a license "C" to an itinerant seller who vends fresh fruit, fresh vegetables, flowers or merchandise with or from a motor vehicle or an animal-drawn vehicle on the streets in the village.
3. No license shall be issued to an itinerant seller unless and until the Chief License Inspector has been furnished with satisfactory proof that:
- (a) he is at least eighteen (18) years of age,
 - (b) where applicable, he is the holder of a current motor vehicle permit issued pursuant to the Highway Traffic Act, R.S.O. 1980, Chapter 198, as amended for the motor vehicle,
 - (c) where applicable, the Medical Officer of Health has reported in writing that:
 - (i) the cart or vehicle when used for the sale of fruit or vegetable is suitable for the purposes intended, or
 - (ii) the motor vehicle or animal drawn vehicle when used for the sale of fruit or vegetable is suitable for the purposes intended,
 - (d) where the applicant for a license "A-1" proposes to vend at a particular place for a specific event, he shall furnish details as to the specific event including its location and duration.
4. Any holder of a license "A" may change his particular place during the currency of the license without notification to the Chief License Inspector.
5. The onus of obtaining the necessary approval to vend from a particular location on private property from the owner of such property is on the licensee.

6. **Every licensee shall ensure that:**
 - (a) **he conforms, where applicable, in all respects with:**
 - (i) **the Highway Traffic Act, R.S.O. 1980, Chapter 198 as amended.**
 - (b) **he does not interfere with the normal movement of pedestrian and vehicular traffic and the maintenance of the sidewalks and streets of the village.**
 - (c) **he does not vend within forty-six (46m) meters of a store or business establishment selling similar goods, wares, merchandise or produce.**
 - (d) **he does not sell within ninety-one (91m) meters of the public markets.**
7. **The Chief License Inspector shall, where applicable, upon issuing a license "A", a license "B" or a license "C" furnishes to the holder of a license "A", a license "B" or a license "C" one (1) plate in addition to his license bearing an identifying number, the category for which the license was issued, and the words "Itinerant Seller" and "Casselman".**
8. **Every licensee shall have on his person the actual license issued by the Chief License Inspector and shall produce such license for inspection if requested by any license inspector or peace officer.**
9. **In any prosecution, the onus of proof that he does not require a license shall be upon the person so prosecuted.**
10. (1) **A person who operates a business, whether a single enterprise, partnership or corporation, shall obtain a license for each individual who vends merchandise or produce for that business under a license "A", a license "B" or a license "C".**
 - (2) **The license issued under subsection (1) may be in the name of the business of the individual.**
11. **Every itinerant seller using a hand cart, a pedal powered vehicle, a motor vehicle or an animal drawn vehicle shall ensure that the plate furnished pursuant to Section 7 is affixed on the cart or vehicle in the position and manner approved by the Chief License Inspector.**
12. (1) **A holder of a license "A" shall not use that license for purposes of a license "B" or a license "C".**

- (2) A holder of a license "A-1" shall not use that license for purposes of a license "A", a license "B" or a license "C".
 - (3) A holder of a license "B" shall not use that license for purposes of a license "C".
 - (4) A holder of a license "C" may use that license for purposes of a license "A" or a license "B".
 - (5) A holder of a license "B" may use that license for purposes of a license "A".
 - (6) A person may be the holder of one or more licenses in each of the above categories.
13. Every itinerant seller using a hand cart, a pedal powered vehicle, a motor vehicle or an animal drawn vehicle shall ensure that the name and business address of the license is painted in contrasting colors on both side panels of the cart or vehicle.
14. The licensee shall ensure that he is in compliance with the Retail Business Holidays Act, R.S.O. 1980, Chapter 453.
15. Every person licensed as an itinerant seller who sells from door to door within the village shall restrict such sales to occur between the hours of 9:00 o'clock in the forenoon (9:00 a.m.) and 9:00 o'clock in the afternoon (9:00 p.m.) during the days of Monday to Saturday inclusive.
16. A license "A-1" shall expire on the termination of the event.

SCHEDULE NO. 3 TO BY-LAW NUMBER 87-239

Relating to Refreshment Vehicles

- 1. (1) In this Schedule:**
 - (a) "Boulevard" means all the parts of the highway save and except any street or sidewalk.**
 - (b) "Highway" includes the entire right-of-way of a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles.**
 - (c) "Private Property" means all property in the village and includes property of the municipal, federal and provincial government, and boulevards, but does not include any of the sidewalks and streets thereof.**
 - (d) "Sidewalk" includes all such parts of a highway as are set aside by the Corporation for the use of pedestrians or used by the general public for the passage of pedestrians.**
 - (e) "Street" means that part of the highway that is improved, designed or ordinarily used for vehicular traffic.**

- 2. (1) The following licenses may be issued pursuant to this schedule:**
 - (a) a license "A" to a person selling food products from a hand cart or pedal powered vehicle on private property.**
 - (b) a license "A-1" to a person selling food products from a hand cart on the sidewalks in the village or a pedal powered vehicle on the streets in the village.**
 - (c) a license "B" to a person selling food products that are prepared and cooked elsewhere than in the motor vehicle from a motor vehicle, that is currently licensed to be driven on the Highway pursuant to the Highway Traffic Act, R.S.O. 1980, Chap. 198, as amended, on private property.**
 - (d) a license "B-1" to a person selling food products that are prepared and cooked elsewhere than in the motor vehicle from a motor vehicle, that is currently licensed**

to be driven on the highway pursuant to the said Highway Traffic Act, on the streets in the village.

- (e) a license "C" to a person selling french fried potatoes and beverages from a motor vehicle, that is currently licensed to be driven on the highway pursuant to the said Highway Traffic Act, on private property.
- (f) a license "C-1" to a person selling french fried potatoes and beverages from a motor vehicle, that is currently licensed to be driven on the highway pursuant to the said Highway Traffic Act, on the streets in the village.
- (g) a license "D" to a person selling food products that are cooked in a motor vehicle and beverages from a motor vehicle that is currently licensed to be driven on the highway pursuant to the said Highway Traffic Act, on private property.
- (h) a license "D-1" to a person selling food products that are cooked in a motor vehicle and beverages from a motor vehicle that is currently licensed to be driven on the highway pursuant to the said Highway Traffic Act, on the streets in the village.
- (i) a license "E" to a person selling ice cream and frozen milk products from a motor vehicle that is currently licensed to be driven on the highway pursuant to the said Highway Traffic Act, on private property or on the streets of the village.
- (j) a license "F" to a person selling food products that are cooked in a motor vehicle and beverages from a motor vehicle that is currently licensed to be driven on the highway pursuant to the said Highway Traffic Act at a particular place for a specific event being held for a period of not more than seven (7) days.
- (h) a license "G" to a person selling french fried potatoes and beverages from a motor vehicle that is currently licensed to be driven on the highway pursuant to the Highway Traffic Act at a particular place for a specific event being held for a period of not more than seven (7) days.

3. No license shall be issued to an applicant unless and until the Chief License Inspector has been furnished with satisfactory proof that:

- (a) he is at least eighteen (18) years of age.
 - (b) the Medical Officer of Health has reported in writing that the refreshment vehicle is suitable for the purpose of the license application and is in a sanitary condition.
 - (c) the Fire Chief has reported in writing that, where applicable, the refreshment vehicle complies with The Propane Storage's, Handling and Utilization Code, R.R.O. 1970, Regulation 292, made pursuant to the Energy Act, R.S.O. 1980, Chap. 139, as amended.
 - (d) the applicant has specified the make, style, model and serial number of the refreshment vehicle, where applicable.
 - (e) the applicant is the holder of a current motor vehicle permit issued pursuant to the said Highway Traffic Act that permits it to be driven on any highway, where applicable.
4. A separate Refreshment Vehicle license shall be obtained in respect of each refreshment vehicle to be operated pursuant to this by-law.
5. The Chief License Inspector shall, upon issuing the license, furnish to the licensee, in addition to his license, one (1) plate bearing an identifying number, and the category for which the license was issued, and the words "Refreshment Vehicle".
6. Every licensee shall keep his refreshment vehicle at all times in a clean and sanitary condition and in a state of good repair and appearance.
7. Every refreshment vehicle equipped with a food heating capability shall be adequately equipped with a fire extinguisher having a 4 B.C. rating.
8. No person licensed pursuant to this schedule shall carry, sell, offer or expose for sale and or all of the food products which are prohibited from time to time by the Medical Officer of Health.
9. The onus of obtaining the necessary approval to vend from a particular location on private property from the owner of such property in on the licensee.
10. No person shall vend with or from a refreshment vehicle on private property of the Corporation without first obtaining permission from the Corporation.
11. No person shall vend with or from a refreshment vehicle on a boulevard without first obtaining an encroachment permit from

the Corporation.

12. Every licensee shall ensure that:
 - (a) he conforms, where applicable, with the provisions of the Highway Traffic Act, R.S.O. 1980, Chap. 198, as amended.
 - (b) he does not interfere with the normal movement of pedestrian and vehicular traffic and the maintenance of the sidewalks and streets in the village.
 - (c) he does not vend within forty-six (46m) meters of a licensed victualing house having a customer seating area of thirty-seven (37) square meters or less.
13.
 - (1) The holder of a license in a category set out in subsection (1) of Section 2 shall not use that license for the purpose of any other category unless specifically permitted herein.
 - (2) The holder of a license "A-1" may use that license for purposes of a license "A", providing that vending is conducted from the same vehicle previously approved for this purpose by the Fire Chief and the Medical Officer of Health.
 - (3) The holder of a license "B-1" may use that license for purposes of a license "B", providing that vending is conducted from the same vehicle previously approved for this purpose by the Fire Chief and the Medical Officer of Health.
 - (4) The holder of a license "C-1" may use that license for purposes of a license "C", providing that vending is conducted from the same vehicle previously approved for this purpose by the Fire Chief and the Medical Officer of Health.
 - (5) The holder of a license "D-1" may use that license for purposes of a license "D", providing that vending is conducted from the same vehicle previously approved for this purpose by the Fire Chief and the Medical Officer of Health.
14. Every person to whom this schedule relates shall be governed by The Public Health Act, R.S.O. 1980, Chap. 409, as amended, and regulations enacted thereunder.
15. Every licensee shall ensure that his refreshment vehicle shall have painted in contrasting colors on both side panels of the vehicle

the name and business address of the licensee.

- 16. Every licensee shall ensure that the plate furnished pursuant to Section 5 is affixed on the rear of the cart or the vehicle in the position and manner approved by the Chief License Inspector.**
- 17. No person shall sell refreshment from a basket or stand upon any highway including a boulevard, sidewalk or street, or any part thereof.**
- 18. No person shall cook food in a refreshment vehicle licensed as a license "B", a license "B-1", or a license "E".**
- 19. No person holding a license "C" or a license "C-1" shall sell refreshments other than french fried potatoes and beverages from the refreshment vehicle.**
- 20. Every licensee shall ensure that his refreshment vehicle is a fit motor vehicle under the said Highway Traffic Act.**
- 21. Where a refreshment vehicle is a combination unit of a motor vehicle and trailer:**
 - (a) it shall not be unhitched.**
 - (b) it shall be capable of being moved at all times, and**
 - (c) it shall be treated as a motor vehicle.**
- 22. Any holder of a license "A", a license "B", a license "C", a license "D" or a license "E" may change his particular place during the currency of the license without notification to the Chief License Inspector.**

THE CORPORATION OF THE VILLAGE OF CASSELMAN

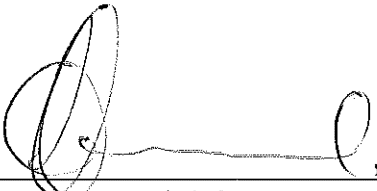
BY-LAW NUMBER: 95-612

A by-law to amend by-law number 87-239, being the licensing, regulating and governing itinerant sellers, person operating refreshment vehicles and transient traders.

The Council of The Corporation of the Village of Casselman **ENACTS** as follows:

1. Schedule No. 1 of By-Law 87-239, Itinerant Seller Column 1, License "A", Column 2 is hereby amended by deleting the amount "\$150.00" therefrom and by substituting therefor the amount "\$1,000.00".
2. Schedule No. 1 of By-Law 87-239, Itinerant Seller Column 1, License "A-1", Column 2 and Column 3 are hereby amended by deleting the amount "\$500.00" and "termination of specific event" therefrom and by substituting therefor the amount "\$300.00", and " per day of specific event".
3. Schedule No. 2 of By-Law 87-239, Relating to Itinerant Seller, Section 2, Subsection (1) (b) is hereby amended by deleting "seven (7)" therefrom and by substituting therefor "one (1)".

ENACTED and **PASSED** this 14th day of February, 1995.



Conrad Lamadeleine, Reeve



Gilles Lortie, Clerk