

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2025-030

By-Law to Re-enact By-Law 2009-044, a By-Law to regulate Licensing in the Town of Amherstburg

AND WHEREAS subsection 151(1) of the Municipal Act, 2001 provides that, without limiting sections 9 and 10 of the Act, a municipality may provide for a system of licences with respect to a business and may:

- a) Prohibit the carrying on or engaging in the business without a licence;
- b) Refuse to grant a licence or to revoke or suspend a licence;
- c) Impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- d) 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;
- e) Impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;
- f) License, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and,
- g) require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licenses established by the municipality.

AND WHEREAS the Corporation of the Town of Amherstburg deems it advisable to repeal By-law 2023-066.

NOW THEREFORE the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

- 1. THAT By-law 2025-030 attached hereto, is hereby adopted as the by-law to govern a By-Law to regulate Licensing in the Town of Amherstburg.
- 2. THAT By-law 2025-030 may also be referred to as the Business Licensing By-law.
- 3. THAT By-law 2023-066 and any other by-laws dealing with the same subject matter are hereby repealed.
- 4. In all matters and under all circumstances the members shall be guided by and shall have regard to the *Municipal Conflict of Interest Act*.
- 5. Any procedure under this By-law which is discretionary and not mandatory under statute may be suspended with the consent of a majority of the members present.

Read three times and finally passed this 14th day of April, 2025.


MAYOR – MICHAEL PRUE


CLERK – KEVIN FOX

THE CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2009-44
BUSINESS LICENSING BY-LAW

| <u>SECTION:</u> | <u>PAGE:</u> |
|---|--------------|
| 1. DEFINITIONS:..... | 1 |
| 2. GENERAL INTERPRETATION:..... | 9 |
| 3. GENERAL PROVISIONS: | 9 |
| 4. APPLICATION FOR NEW LICENCE: | 10 |
| 5. APPLICATION FOR RENEWAL LICENCE: | 11 |
| 6. FORM OF APPLICATION:..... | 12 |
| 7. FORM OF LICENCE: | 12 |
| 8. DUPLICATE LICENCES: | 12 |
| 9. CHANGE OF LICENCE INFORMATION:..... | 13 |
| 10. LICENCES PERSONAL:..... | 13 |
| 11. TERMS AND CONDITIONS: | 13 |
| 12. INSPECTION: | 14 |
| 13. POSTING OF LICENCE:..... | 14 |
| 14. REFUSAL, SUSPENSION AND REVOCATION OF A LICENCE:..... | 14 |
| 15. NOTICE AND APPEAL: | 15 |
| 16. CHARITABLE ORGANIZATIONS: | 17 |
| 17. REGISTER: | 17 |
| 18. ADMINISTRATION:..... | 17 |
| 19. ENFORCEMENT:..... | 17 |
| 20. EXEMPTIONS: | 18 |
| 21. OFFENCE AND PENALTY PROVISIONS: | 18 |
| 22. SCHEDULES: | 19 |
| 23. VALIDITY: | 21 |
| 24. REPEALS: | 21 |
| 25. SHORT TITLE: | 21 |

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2009-44

Being a By-law for licensing, regulating and governing
businesses in the Town of Amherstburg

WHEREAS, pursuant to the *Municipal Act*, S.O. 2001, c.25, Section 150(1), the council of a municipality may pass a by-law to license, regulate and govern 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, a municipality may exercise its licensing powers under Section 150 of the *Municipal Act*, S.O. 2001, c.25, including imposing conditions, for one or more of the following purposes; health and safety, nuisance control or consumer protection;

AND WHEREAS the Municipality has held a public meeting, notice of which having been published in a newspaper having general circulation in the Town, at which time a report relating to the licensing of the businesses was presented and at which persons in attendance were given the opportunity to make representations in respect of the proposed by-law;

AND WHEREAS Council has considered the representations of any persons taking the opportunity to make representations at the public meeting;

AND WHEREAS it has been determined that it is appropriate to license, regulate and govern businesses for the purposes and reasons as contained in the Schedules attached hereto;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:**

1. DEFINITIONS:

In this by-law:

- 1.1 “Adult book or magazine” means any book or magazine:
 - (a) of which a principal feature or characteristic is the portrayal or depiction, by means of photographs, drawings or otherwise, of one or more of the specified body areas of any person or persons; and
 - (b) which appeals to or is designed to appeal to erotic or sexual appetites or inclinations;
- 1.2 “ADULT ENTERTAINMENT PARLOUR” – shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations or in which a live performance of an adult nature is provided;
- 1.3 “Adult Entertainment Attendant” means any person who provides services designed to appeal to erotic or sexual appetites or inclinations at an adult entertainment premise, and shall include an entertainer;
- 1.4 “Adult merchandise” shall include adult books, magazines, pictures, slides, pornographic records, pre-recorded magnetic tapes, discs and any other reading, viewing or listening material or any other item designed to appeal to erotic or sexual appetites or inclinations;

- 1.5 “Adult videotape” means any videotape:
- (a) of which a principal feature or characteristic is the portrayal or depiction of one or more of the specified body areas of any person or persons; and
 - (b) which appeals to or is designed to appeal to erotic or sexual appetites or inclinations;
- 1.6 “Applicant” means a person who is required to be licensed pursuant to this by-law or who has made application for a licence to the Issuer of Licences and shall include a Licensee;
- 1.7 “Auctioneer” means a person who conducts a sale by auction;
- 1.8 “Auction” means a public sale to persons in which bids on goods, articles, merchandise, effects, etc. are received by auctioneer and where each bid offers more than the last previous bid, the article being put up being sold to the highest bidder;
- 1.9 “Auction Establishment” means a building or part thereof used for the retail sale of articles or goods to the members of the public bidding the highest offer for the article or goods during the sale proceedings.
- 1.10 “Bed and Breakfast Establishment” means a single detached dwelling in which no more than three rooms are made available by the residents of the said dwelling for the temporary accommodation of travelers in the course of which no assistance is offered by any person not residing in the dwelling. This does not include a hotel, motel, boarding or lodging house, or restaurant, as defined herein;
- 1.11 “Boarding House” – see “Lodging House”;
- 1.12 “Business” means a business as defined under subsection 150(b) of the *Municipal Act*, 2001;
- 1.13 “Business Service Establishment” means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, protective services, and small equipment rental, leasing and repair.
- 1.14 “Campground” means a use consisting of at least five (5) camping sites, licensed under the provisions of The Municipal Act, as amended from time to time, and comprising land used or maintained for seasonal recreational activity as grounds for the camping or parking of a tent, tent trailer, motor home, travel trailer, or truck camper, but not a mobile home.
- 1.15 “Campsite” means an area of land in a tourist camp or trailer camp designated for the use of one camping vehicle or camping tent;
- 1.16 “Camping Tent” means any collapsible structure, which has a soft, readily foldable fabric or fabric-like material as its basic component and is designed to be used as temporary occupancy other than a small children’s play tent and a tent used exclusively for dining purposes;
- 1.17 “Camping Vehicle” means any vehicle designed to be used as temporary accommodations on a tourist camp or trailer camp such as a travel trailer, a slide-in camper, a chassis-mounted camper, tent trailer, and a motorized home. Such vehicles may be attached to a self-propelled motor vehicle for the purpose of either being towed or carried from place to place, or be capable of self-propulsion, provided that they are equipped to provide temporary occupancy;

- 1.18 “Chief Building Official” means the officer or employee of the Corporation for the time being charged with the duty of enforcing the provisions of the Zoning By-law of the Corporation.
- 1.19 “Chief of Police” means the Chief of Police for the time being of the Town of Amherstburg;
- 1.20 “Clerk” means the Clerk of the Corporation of the Town of Amherstburg;
- 1.21 “Concert” shall mean any music festival, dance festival, “rock” festival, or similar musical activity, which attracts 1,500 or more people in any one twenty-four (24) hour period, at which music is provided by paid or amateur performers or by pre-recorded means, and which is held at any place within the municipality, and to which members of the public are invited or admitted for a charge or free of cost;
- 1.22 “Corporation” means the Corporation of the Town of Amherstburg;
- 1.23 “Council” means the Council of the Corporation of the Town of Amherstburg;
- 1.24 “Derelict Motor Vehicle” means an inoperative motor vehicle which is not currently licensed;
- 1.25 “Driver” means a person who drives a vehicle on a highway;
- 1.26 “Dwelling” means a building, occupied or designated to be occupied exclusively as a home, residence or sleeping place by one (1) or more persons, but shall not include hotels, boarding, lodging, or rooming houses, tourist homes, nursing homes, motels, institutions, or travel trailers;
- i. “Apartment building” means a residential building containing four or more dwelling units to each of which access is obtained through a common entrance or entrances from the outside and through a corridor or hallway from the inside;
 - ii. “Apartment building, special needs” means an apartment building designed for the accommodation and occupancy by elderly and/or physically handicapped persons which is owned and managed by a public housing authority or non-profit organization or a charitable institution, and which may be associated with a church;
 - iii. “Converted dwelling” means an existing dwelling constructed as a single or semi-detached unit on an existing lot in which the number of dwelling units has been increased without significant alteration to the exterior of the building except for the required fire escapes, extra windows and entrances to a maximum of 10 percent (10%) of the dwelling or 30.0 square metres, whichever is the lesser, and provided that the building, when converted, complies with the provisions of the Building By-law and the parking provisions of the Zoning By-law;
 - iv. “Duplex dwelling” means the whole of a dwelling other than a converted dwelling that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule;
 - v. “Fourplex dwelling” means the whole of a dwelling that is divided horizontally and/or vertically into four separate dwelling units, each of which has an independent entrance either directly from the outside or through a common entrance;

- vi. “Modular dwelling” means a prefabricated single unit dwelling being so constructed or assembled that the shortest side of such dwelling is not less than 6.096 metres (20 feet) in width;
 - vii. “Multiple dwelling” means a dwelling containing more than three dwelling units;
 - viii. “Rowhouse” means a building divided vertically into three or more attached dwelling units by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade, and so located on a lot that individual units may not have legal frontage on a public street;
 - ix. “Seasonal farm” means a dwelling that is used for not more than six (6) months in any given year for the housing of seasonal farm labour and their families and may include a mobile home;
 - x. “Semi-detached dwelling” means a pair of two attached single dwellings with a common wall, dividing the pair of single dwellings vertically, each of which has an independent entrance either directly from the outside or through a common vestibule;
 - xi. “Semi-detached dwelling unit” means one of a pair or two attached single dwellings with a common wall, dividing the pair of single dwellings vertically, each of which has an independent entrance either directly from the outside or through a common vestibule;
 - xii. “Single detached dwelling” means a single dwelling which is freestanding, separate and detached from other main buildings or main structures, including a split level dwelling, but does not include a mobile home;
 - xiii. “Single dwelling” means a dwelling containing” not more than one dwelling unit as the sole main use thereof, with or without uses accessory thereto;
 - xiv. “Split level dwelling” means a dwelling in which the first floor above the finished grade is so constructed as to create two or more different levels, the vertical distance between such levels being always less than the full storey. For the purpose of this By-law, a split level dwelling house shall be considered as a one-storey dwelling house;
 - xv. “Street rowhouse” means a rowhouse with each unit on a separate lot and having legal frontage on a public street;
 - xvi. “Triplex dwelling” means the whole of a dwelling that is divided horizontally and/or vertically into three separate dwelling units each of which has an independent entrance either directly from the outside or through a common entrance;
- 1.27 “Dwelling unit” means one (1) or more habitable rooms occupied or designed to be occupied by an individual or group of individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such individual or group of individuals, with a private entrance from outside the building or from a common hallway or stair way inside the building.
- 1.28 “Entertainer” means a person who performs a live performance of an adult nature within an Adult Entertainment Parlour;

- 1.29 “Entertainment Establishment” means a premise, building, land or structure used for leisure activities in which the consumer or customer acts as an observer and does not actively participate. Shall include but is not limited to motion picture premise or theatres, live performance theatres, planetariums, concert halls and other similar uses but shall not include arenas, adult entertainment parlours or any use entailing the outdoor operation or racing of animals or motorized vehicles or any establishment involving gambling or gaming activities;
- 1.30 “Festival” means a cultural or community event of a temporary nature, conducted by the municipality or by a registered charitable or a not-for-profit group or organization;
- 1.31 “Florist Shop” means a retail store devoted to the sale of flowers, indoor plants and arrangements thereof.
- 1.32 “Food” means food or drink for human consumption, and includes refreshments and confections;
- 1.33 “Fire Chief” means the person who may, from time to time, be appointed by Council to the position of Chief of the Fire Department of the Town or his or her designate;
- 1.34 “Highway”, “Street” or “Road” means a public way for purposes of vehicular and pedestrian travel, including the entire area within the right-of-way, with or without provision made for curbs, sidewalks, and paved gutters, and owned or maintained by a public authority;
- 1.35 “Hotel” means any hotel, motel, tavern, inn, lounge, lodge, or public house in one (1) main building or in two (2) or more connected or adjacent buildings designed and used mainly for the purposes of catering to the needs of the travelling public by supplying food, refreshments or both and furnishing sleeping accommodation of not less than six (6) guest rooms, each having no facilities for cooking or housekeeping, and provided that each guest room may only be entered from the interior of the building, and shall include all such buildings operating under the Liquor Licence Act, and the Tourism Act, as amended from time to time. A “Hotel” does not include a rooming house, boarding house, multiple family dwelling or apartment hotels.
- 1.36 “Issuer of Licences” means any person so designated by the Town Clerk;
- 1.37 “Lodging House” means:
 1. a building in which residential accommodation is provided or is intended to be provided for hire or gain in which each lodger does not have access to all the habitable areas of the building, consisting of:
 - i. a dwelling unit, together with more than three lodging units which lodging units individually or collectively do not constitute separate dwelling units; or
 - ii. more than three lodging units, which lodging units individually or collectively do not constitute a dwelling unit; or
 2. a building in which lodging is provided for more than three persons, with or without meals.

A lodging house shall include a rooming house, a boarding house, a fraternity and sorority house, but shall not include a hotel, motel, hostel, hospital or nursing home if licensed, approved or supervised under any general or special act other than the Municipal Act, or a residence of an educational institution.
- 1.38 “Licence” means a Town of Amherstburg business licence issued pursuant to this by-law;

- 1.39 “Licensee” means anyone who has been issued a licence pursuant to this by-law either in the current calendar year or in a previous calendar year and shall include an Applicant;
- 1.40 “Limousine” means a vehicle other than a taxicab or pedicab, and which does not have a taxi meter and which is used for hire for the conveyance of passengers;
- 1.41 “Live performances of an adult nature” means any performance, exhibition, or activity designed to appeal to erotic or sexual appetites or inclinations. For the purpose of this definition:
- (a) “performance, exhibition, or activity designed to appeal to erotic or sexual appetites or inclinations” means a live performance, exhibition, or activity of which a principal feature or characteristic is the nudity of any person; and
 - (b) “partial nudity” means less than completely and opaquely covered:
 - i. human genitals or human pubic region;
 - ii. human buttock; or
 - iii. the human female breast below the point immediately above the top of the areola;
- 1.42 “Medical Officer of Health” means a person appointed pursuant to the *Public Health Act*;
- 1.43 “Motel” means a building, a part of a building or a group of buildings used for the purpose of providing accommodation, with or without food or other refreshments, to the travelling public, including, but not so as to limit the generality of the foregoing, a motor court, auto court, motor hotel, tourist home and any hotel as defined in The Hotel Registration of Guest Act, as amended from time to time, or any successors thereto;
- 1.44 “Motor assisted bicycle” and “motorcycle” have the same meaning as in the *Highway Traffic Act*;
- 1.45 “Motor vehicle” means a wheeled, self-propelling vehicle for the transportation of passengers or goods or both passengers and goods, and without limiting the generality of the foregoing, includes automobiles, trucks, buses, ambulances, hearses, motor homes, and tractors and other self-propelled farm machinery, self-propelled implement of husbandry or road building machine within the meaning of The *Highway Traffic Act*, R.S.O. 1990, c. H. 8, as amended;
- 1.46 “Motor vehicle, commercial” means a motor vehicle as defined above that is used for commercial, industrial or any other non-private purposes;
- 1.47 “Municipal Law Enforcement Officer” means a person appointed under the authority of the Clerk for the purpose of enforcing Town by-laws;
- 1.48 “Municipality” means the Corporation of the Town of Amherstburg;
- 1.49 “Office” includes general, business and service.
- a) “Office General” means a building or part of a building or any room or suite of rooms designed, intended or used for the conduct of a profession, occupation or business, but shall not include the office of a veterinarian, the retailing of merchandise, the manufacturing, repairing or storage of goods or any place of assembly or amusement.
 - b) “Office Business” means a building or part thereof in which the administrative functions of agencies, foundations, brokers, labour or fraternal organizations are carried out and includes a service office, but does not include medical/dental offices, professional offices, support offices, financial or general offices, unless specified as permitted within this definition.

- c) “Office Service” means a building, or part thereof, in which one or more persons is employed in the management, direction or conducting of a travel agency, an insurance agency, or a real estate agency.
- 1.50 “Operator” (with respect to driving schools) means the business of teaching an individual to operate motor vehicles which shall include but is not limited to classroom instruction as well as on-road instruction;
- 1.51 “Owner” (with respect to adult entertainment parlours) means a person who alone or with others has the right to possess or occupy an Adult Entertainment Parlour or actually does possess or occupy an Adult Entertainment Parlour and includes a lessee of an Adult Entertainment Parlour or premises upon which an Adult Entertainment Parlour is located;
- 1.52 “Owner” (with respect to taxicabs, pedicabs and carriages) shall include any person having any beneficial interest in the taxicab, pedicab or carriage or having the custody and control thereof;
- 1.53 “Owner/Operator” (with respect to flea markets) means the person who legally owns or the person who operates any premises as a flea market. An operator shall include but is not limited to a manager, agent, representative or other person not being the owner of the flea market;
- 1.54 “Peace Officer” means any member of the Royal Canadian Mounted Police or Special Constable or Municipal Law Enforcement Officer;
- 1.55 “Pedicab” means a vehicle drawn, propelled or driven by human muscular power and includes a rickshaw, but does not include a bicycle as defined in the *Highway Traffic Act*;
- 1.56 “Person” means any individual, an association, a firm, a partnership or an incorporated company, municipal corporation and the agent, trustee, heirs, executors, or other legal representatives of a person to whom the context can apply according to law;
- 1.57 “Pet Groomer” means the business of a person who grooms, brushes, trims, manicures or otherwise attends to the cosmetic care of animals, particularly dogs;
- 1.58 “Pet Shop” means a location or premises where animals, fish, or birds for use as pets are sold or kept for sale;
- 1.59 “Place of entertainment” means a motion picture or other theatre, auditorium, assembly hall, billiard or pool room, bingo hall, bowling alley, amusement arcade, dance hall or music hall, but does not include any place of entertainment or amusement otherwise defined or classified herein;
- 1.60 “Place of business” means any place, premises or location, or part thereof, in which a business is carried on, and includes a shop, store or office, an office in a dwelling unit which is accessible to the public and, where there is no such place, premises or locations from which the business is carried on, it includes a vehicle or other equipment used for the purpose of carrying on the business;
- 1.61 “Police Officer” shall mean any sworn member of the Amherstburg Police Services;
- 1.62 “Portable Sign” shall mean any sign which is not permanently affixed to the ground, building or structure and which is designed with or without wheels, so as to facilitate its movement from place to place;

- 1.63 “Premises” means land, including any and all buildings or other structures thereon and includes any vehicle or conveyance used in the operation of the business;
- 1.64 “Provided” includes furnished, performed, solicited or given such services;
- 1.65 “Public hall” means the building or part thereof where members of the public gather together for the purpose of any meeting or entertainment whether or not an admission fee is charged and whether or not such premises are rented or leased by an organization for any such function. A “Public Hall” does not include a private club, a theatre, a school or a church;
- 1.66 “Regular place of business” means the place of business in which a business is normally carried on, but does not include a place, premises or location in which a business is conducted on a one-time or temporary basis;
- 1.67 “Retail Store” means a building or part of a building where goods, wares, merchandise, articles or things are offered or kept for retail sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, articles or things sufficient only to service such store but does not include any wholesale business or business supply use, or any establishment otherwise defined or classified.
- 1.68 "Seasonal Business" means a business that only operates during a specific part of a year;
- 1.69 “Second-hand Goods” shall include, but is not limited to jewellery, collectibles, electronic goods, office equipment, bicycles and automobile tires;
- 1.70 “Services” (with respect to adult entrainment) includes but is not limited to activities, facilities, performances, exhibitions, viewings, and encounters but does not include the exhibition of films approved under the *Theatres Act*;
- 1.71 “Services appealing to or designed to appeal to erotic or sexual appetites or inclinations” includes the following:
- (i) services of which a principal feature or characteristic is nudity or partial nudity of any person;
 - (ii) services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.”;
- 1.72 “Sign” means a name, identification, description, advertising device, display or illustration which is affixed to, or represented directly or indirectly upon, a building, structure or lot and which directs attention to an object, product, place, activity, person, institute, organization or business;
- 1.73 “Special Event Sale” means any sale or intended sale by retail described by the use of any of the following words or expressions or any enlargement, contradiction or combination thereof:
- | | | |
|-------------|----------------|--------------|
| BANKRUPT | MOVING OUT | FIRE |
| INSOLVENT | SELLING OUT | SMOKE |
| TRUSTEE | LEASE EXPIRING | WATER DAMAGE |
| RECEIVER | CLOSING OUT | CREDITOR |
| LIQUIDATION | DISCONTINUING | FORCED |
- or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in any manner that is not in the ordinary course of business;
- 1.74 “Solicitor” means the Solicitor for the Town of Amherstburg;

- 1.75 “Taxi establishment” means a property, site or building used as a dispatch office or an area, site or location intended for the parking of taxis and/or limousines when not engaged in transporting persons or goods.
- 1.76 “Taxicab” means a motor vehicle as defined in The *Highway Traffic Act*, other than a car pool vehicle, having a seating capacity of not more than seven (7) persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip;
- 1.77 “Taxicab Broker” means any person who receives requests from the public for the services of a taxicab and who directs the request for the service to a taxicab owner or driver other than himself or herself;
- 1.78 “To provide” when used in relation to adult entertainment services includes to furnish, perform, solicit, or give such services and ‘providing’ and ‘provision’ have corresponding meanings;
- 1.79 “Vehicle” means a passenger automobile or other motor vehicle, a boat, a farm implement, a mobile home, a motor home, a snowmobile, a trailer, or any other device which is capable of being drawn, propelled or driven by any kind of power, and including a commercial vehicle as defined herein, but does not include a bicycle or any other device, other than a boat, powered solely by means of human effort;
 - i. “COMMERCIAL VEHICLE” means a vehicle licensed by the Province of Ontario,
 - a) as a public vehicle pursuant to the provisions of the The Public Vehicles Act, as amended from time to time, or any successors thereto, or
 - b) as a public commercial vehicle, pursuant to the provisions of The Public Commercial Vehicles Act, as amended from time to time, or any successors thereto;
- 1.79 “Zoning Administrator” means the officer or employee of the Corporation charged with the duty of enforcing the provision of the Zoning By-law.

2. GENERAL INTERPRETATION:

In this by-law:

- 2.1 Words importing the singular number or the masculine gender only, include more persons, parties or things of the same kind than one and females as well as males and the converse;
- 2.2 A word interpreted in the singular number has a corresponding meaning when used in the plural;
- 2.3 “May” shall be construed as permissive; and
- 2.4 “Shall” shall be construed as imperative.

3. GENERAL PROVISIONS:

- 3.1 No person shall carry on, conduct, operate, maintain, keep, or engage in any business set forth in the Schedules of this by-law regardless of whether the business is being carried on wholly or partly within the Town, unless he first obtains the appropriate Town of Amherstburg licence to do so from the Issuer of Licences.

- 3.2 Any person who is operating a licensable business within the municipality from a location outside of the municipality will be deemed to be operating within the municipality for the purpose of this by-law, and those
- a) Are not required to be licensed with the Town of Amherstburg.
 - b) This includes any contractors performing work within the Town of Amherstburg boundaries.
- 3.3 Unless otherwise provided in the Schedules to this by-law those businesses requiring annual renewals shall expire on the 31st day of December in the year it was issued.
- 3.4 (a) A business may apply for a seasonal business licence if the business operates for a period of less than five (5) consecutive months in a year and the licence fee is one-half (1/2) the annual fee.
- (b) Seasonal business licences shall not apply to Horse Drawn Carriage owner/driver or Pedicab owner/driver licences.

4. APPLICATION FOR NEW LICENCE:

- 4.1 Any person required to obtain a licence pursuant to this by-law shall apply in writing on the appropriate application form as provided by the Issuer of Licences and shall deposit, at the time of application, with the Issuer of Licences, all required business licensing fees as set out in Schedule "B" to this by-law for each business category as well as any required approvals, inspections or documentation required by this by-law or as deemed necessary by the Issuer of Licences.
- 4.2 Any person applying for a licence must be 18 years of age or older.
- 4.3 Proof of insurance coverage as required under this by-law shall be provided at the time of application in a form acceptable to the Town.
- 4.4 The Issuer of Licences shall not issue a licence until:
- i. all required certificates of approval and inspection report have been provided by the applicant and all deficiencies with respect to required inspections have been corrected;
 - ii. required applications and required documentation has been provided;
- 4.5 There shall be a separate application for each premise to be used for the business to be carried on.
- 4.6 There shall be only one application per place of business.
- 4.7 The applicant shall comply with any and all requirements set out in this by-law as well as any other provisions which may govern the business, place or premises used in the carrying on of the business and/or the persons carrying on the business or engaged in it and to which the application pertains.
- 4.8 The Issuer of Licences, upon receipt of the application for a licence may make, cause to be made, or request, any additional documents, investigations or inspections to be made in respect of such application for a licence as the Issuer of Licences deems appropriate or in the interest of the general public, and any costs incurred for such inspection or obtaining of documents shall be borne by the applicant.
- 4.9 The applicant shall be responsible for arranging all necessary inspections and obtaining all reports, documents and approvals set out in the applicable Schedule for that business, as outlined in the application form and as deemed necessary by the Issuer of Licences.
- 4.10 Any required Police Record Search Certificates shall be obtained at the expense of the applicant.

- 4.11 Upon receipt of a completed application for a licence and the appropriate fees for that licence have been paid, the Issuer of Licences may prior to the issuance of any such licence:
- (a) make any inquiries to any municipal official or employee who has carried out inspections relative to the business under application;
 - (b) receive reports from such municipal officials and employees as may be deemed necessary;
 - (c) inquire into all relevant matters in order to ascertain if the applicant is entitled to a licence under the provisions of this by-law.
- 4.12 Except as otherwise provided in the applicable Schedule, the licence fee for the current year will be reduced by 25 per cent if an application for a new licence is submitted between July 1st and November 30th.
- 4.13 Except as otherwise provided in the applicable Schedule, the licence fee for the current year will be waived if an application for a new licence is submitted after November 30th and is accompanied by the full licence fee for the next calendar year.
- 4.14 Despite sections 4.12 and 4.13, the full licence fee shall be paid, regardless of the date of application, if a person begins to carry on the business before submitting an application for a new licence.
- 4.15 Where the Issuer of Licences is satisfied that the applicant is entitled to obtain a licence under the provisions of this by-law, the Issuer of Licences shall prepare and issue a licence to the said applicant.

5. APPLICATION FOR RENEWAL LICENCE:

- 5.1 Any person required to renew a licence previously granted under this by-law, shall submit to the Issuer of Licences, an application form for renewal of the licence as provided by the Issuer of Licences and shall deposit, at the time of application, with the Issuer of Licences, all required business licensing fees as set out in Schedule “C” to this by-law for each business category as well as any required approvals. Every applicant shall arrange all inspections and obtain certificates of approval and documentation as required by this by-law or as deemed necessary by the Issuer of Licences.
- 5.2 The Issuer of Licences shall not issue a licence until all required certificates of approvals and inspection reports have been obtained by the applicant, required documentation has been provided and business licence fees have been paid in full to the Town of Amherstburg. When required as a condition of licensing, all realty taxes shall be paid in full to the Town of Amherstburg before any licence may be issued by the Issuer of Licences.
- 5.3 An inspection report by the Chief Building Official or his designate indicating that there are no outstanding orders issued against the premises is only required upon initial application for a licence unless otherwise requested by the Issuer of Licences or the Chief Building Official. All other inspections outlined in the attached Schedules are required upon application of a licence renewal.
- 5.4 Any required Police Record Search Certificates shall be obtained at the expense of the applicant
- 5.5 Where the Issuer of Licences receives an application for renewal of a licence previously granted under this by-law and the appropriate fees have been paid, he shall, prior to the issuance of any such licence:
- i. ensure that all inspection reports, certificates of approval and documents as may be required have been obtained.

- ii. make inquiries into all relevant matters in order to ascertain if the applicant is entitled to obtain a renewed licence under the provisions of this by-law.
- iii. inquire into any and all relevant changes in circumstances since the previous licence was issued to the applicant.
- iv. make any inquiries to any municipal official or employee who has carried out inspections or investigations relative to the business which is the subject of the application.
- v. receive reports from such municipal officials and employees as may be deemed necessary.

5.6 Where the Issuer of Licences is satisfied that the applicant is entitled to renew a licence under the provisions of this by-law, the Issuer of Licences shall prepare and issue a licence to the said applicant.

6. FORM OF APPLICATION:

- 6.1 Where the Applicant is a business, every application for the issuance or renewal of a licence shall contain the following information:
- (a) The full name, street address and mailing address of the applicant;
 - (b) Whether the applicant is a sole proprietorship, partnership or corporation;
 - (c) Where the applicant is a sole proprietorship or partnership, the full name, street address, mailing address and date of birth of the individual comprising the sole proprietorship or of each individual who is a member of the partnership;
 - (d) Where the applicant is a corporation or a partnership of which a member is a corporation, a copy of the articles of incorporation, a copy of the last annual information return filed, the full name, street address, mailing address and date of birth of each officer and director of the Corporation;
 - (e) The street address at which the applicant is carrying on business;
- 6.2 Where the Applicant is not a business, every application for the issuance or renewal of a licence shall contain the following information:
- (a) The full name, street address and mailing address of the applicant;
 - (b) The name and address of his or her employment agency, if applicable.

7. FORM OF LICENCE:

- 7.1 Every licence shall:
- (a) show the operating name of the business or person to whom the licence is issued;
 - (b) show the operating address of the premises or location for which the licence is issued;
 - (c) show the category or type of licence granted;
 - (d) show the date of issue;
 - (e) show the date of expiration if applicable; and
 - (f) be signed by the Issuer of Licences or his or her designate.

8. DUPLICATE LICENCES:

- 8.1 In the event that a licence issued under this by-law is lost or destroyed, the Issuer of Licences upon satisfactory proof of such loss or destruction, and upon payment of a replacement fee of five dollars (\$5.00) shall issue a duplicate of the original licence, upon which shall be stamped or marked the word "DUPLICATE".

9. CHANGE OF LICENCE INFORMATION:

- 9.1 Licences shall not be transferable.
- 9.2 No licence holder shall alter any information of the licence issued by the Town.
- 9.3 CHANGE OF NAME - Where ownership of a business is not changed or affected but only the operating name of a business changes, the licensee shall immediately notify the Issuer of Licences and upon payment of a fee in the amount of five dollars (\$5.00) and being satisfied that there have been no other changes in the circumstances of the licensed business, the Issuer of Licences may issue a replacement of the original licence. The licensee shall return and surrender his licence in order to affect such a change.
- 9.4 CHANGE OF OWNERSHIP - Every licensee shall, upon change of ownership, by sale, lease or disposal in any manner, of the licensed business return and surrender his current licence to the Issuer of Licences. The new owner shall make a fresh application for a new licence as set out in this by-law.
- 9.5 CHANGE OF PREMISE OR LOCATION - Where a currently licensed business changes location or premises, such new location or premises shall not be deemed to be licensed. The applicant shall immediately apply for a new licence under the provisions of this by-law and shall surrender to the Issuer of Licences the licence issued in respect of his previous location or premises.
- 9.6 Notification of any licensing information changes shall be made to the Issuer of Licences within fourteen (14) days of such change.

10. LICENCES PERSONAL:

- 10.1 No licence holder shall enjoy a vested or property right in any licence or the continuance of any licence and such licence and such rights shall remain the property of the Town.

11. TERMS AND CONDITIONS:

- 11.1 Everyone required to be licensed under this by-law, in addition to any other provisions or requirements expressed elsewhere in the by-law, shall comply with the following requirements:
 - (a) At all times maintain and keep safe and clean and in good condition and repair any object, amusement, vehicle, place or premises for which the licence is issued;
 - (b) Shall not breach or violate or cause, suffer, or permit any breach or violation of any by-law of the Corporation or of any Local Board, thereof, or of any statute, Order-in-Council, or Regulation of the Legislature of the Province of Ontario or the Parliament of Canada or of any Agency, Board or Commission thereof, in, upon, or in connection with the business or premises for, or in relation to which such licence was issued;
 - (c) Shall not cause, suffer or commit any nuisance to arise in, on, or in connection with the object, amusement, vehicle, place or premises for which the licence was issued;
 - (d) Shall not cause, suffer or permit any shouting, noise or other disturbance on, in or in connection with the object, amusement, vehicle, place or premises for which the licence was issued, which is unnecessary, unreasonable or contrary to any municipal by-law prohibiting same; and if any such shouting, noise or other disturbance occurs, the licensee shall immediately take steps to cause the same to be abated;

- (e) Shall not cause, suffer, or permit any obstruction on any highway, lane or public place in front of or adjoining the place or premises for which the licence was issued;
 - (f) Shall not cause, suffer or permit any profane, offensive or abusive language or disorderly conduct in, on, or in connection with any vehicle, place or premises for which the licence was issued.
- 11.2 Every business which is licensed under this by-law is responsible for the due performance and observance of all the provisions of this by-law and for its employees and all other persons in or upon its premises.
- 11.3 Notwithstanding any special licensing conditions for each class of business as outlined in the Schedules to this by-law, Council has the authority to impose other conditions as permitted by statute.

12. INSPECTION:

- 12.1 The Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer or other duly appointed individual may at all reasonable times, inspect or cause to be inspected the premises, facilities, equipment, vehicles, and other property used or kept for hire in connection with the carrying on of a business which is licensed or which is required to be licensed pursuant to this by-law.
- 12.2 The Issuer of Licences may waive the requirement for any inspection, approval or documentation as may otherwise be required pursuant to this by-law where such inspection, approval or documentation is not applicable to the carrying on of the business which is licensed or required to be licensed under this by-law.

13. POSTING OF LICENCE:

- 13.1 A licence issued hereunder shall be posted on the premises or that part thereof to which the licence pertains in a position such that it may be readily visible and seen by persons entering the premises. Licences shall be prominently and conspicuously posted on the licensed premises at all times.
- 13.2 Where a licence is issued to a person who goes place to place or a particular place with goods, wares, or merchandise for sale, the licensee shall keep the licence with him at all times while carrying out his business and shall exhibit it to any municipal law enforcement officer, peace officer, police officer or other duly appointed person who so requests.
- 13.3 Where a photo identification card is issued to a person licensed under the provisions of this by-law, the licensee shall keep the photo identification card with him at all times while carrying on his business and shall exhibit it to any municipal law enforcement officer, peace officer, police officer or other duly appointed person who so requests.

14. REFUSAL, SUSPENSION AND REVOCATION OF A LICENCE:

- 14.1 If it is determined that an application does not meet the requirements of this by-law, the Issuer of Licences will refuse to issue the licence and will refund the licence fee.
- 14.2 If, at any time, the Issuer of Licences determines, as a result of evidence that is provided, that the operation of a licensed business does not conform with the requirements of this by-law, it may suspend or revoke the licence.

- 14.3 The Issuer of Licences may refuse to grant, suspend or revoke a licence to any applicant who:
- (a) has submitted an incomplete application; or
 - (b) the Town believes, with reasonable grounds, has made statements on the application that are false; or
 - (c) has past breaches of this by-law, or any predecessors thereof and the Issuer of Licences determines that it is not in the public's interest to grant such a licence to the applicant; or
 - (d) has failed to comply with any condition as imposed by Council; or
 - (e) has past behaviour or conduct that creates reasonable grounds to believe that the applicant may not carry on the business with honesty and integrity; or
 - (f) the Town believes, with reasonable grounds, has a financial situation that indicates that the business will not be conducted in a financially responsible manner; or
 - (g) has failed to comply with the requirements of this by-law or other applicable by-laws of the Town or of any local board thereof, or of any Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board of Commission thereof, in, upon or in connection with the applied for licensed activity of the business or premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the licensed activity; or
 - (h) is in a geographic location that does not meet land use requirements; or
 - (i) has outstanding fines or penalties owing to the Town of Amherstburg or has not paid the required licence application fee as set out in Schedule "B" to this by-law; or
 - (j) has outstanding realty taxes owing to the Town of Amherstburg; or
 - (k) owns real property which is leased to a tenant with outstanding realty taxes owing to the Town.
- 14.4 Upon revocation of a licence the owner shall return the licence to the Town within fifteen (15) days. Should the licensee fail to return the said licence within the specified time limit, the Town has the authority to enter onto the premises to ensure its recovery.
- 14.5 No person shall operate any business or premises contrary to any licence suspension or terms and conditions thereto or where such licence has been revoked.

15. NOTICE AND APPEAL:

- 15.1 Where the Issuer of Licences refuses to grant a licence, suspends, or revokes a licence, the said Issuer of Licences shall notify the applicant in writing of such decision and the said notice shall set out the grounds upon which the issue of the said licence is refused and shall state that the Applicant or Licensee may appeal such decision by filing an appeal with the Clerk of the municipality within fifteen (15) days as set out in this by-law.
- 15.2 Where the Issuer of Licences refuses to grant a licence, suspends, or revokes a licence under this by-law the Applicant or Licensee may appeal this decision to the Council of the Corporation by filing with the Clerk an appeal, in writing, of the said decision within fifteen (15) days of being notified of the decision of the Issuer of Licences.
- 15.3 Upon receipt of an appeal from the applicant the Clerk and Council shall follow the procedure set out in this by-law.

- 15.4 The Council of the Corporation may, after the appropriate hearing is conducted grant a licence, refuse to grant a licence, revoke a licence or suspend a licence and may make any suspension of licence subject to such terms or conditions as Council may prescribe and a decision made pursuant to the exercise of these powers is final and binding upon the applicant or any licensee.
- 15.5 Council, in considering whether or not to grant a licence, to renew a licence, or to revoke or suspend a licence shall have regard to the following:
- i. Whether the submitted licence application is complete and true;
 - ii. Whether or not the Applicant or Licensee and the premises, facilities, equipment, vehicles and other personal property used or kept for hire in connection with the carrying on of a business which is licensed or which is required to be licensed, pursuant to this by-law, complies with all requirements hereof;
 - iii. Whether or not the Applicant or Licensee has failed to promptly remedy any reasonable concern with regard to those matters set out in this by-law or has committed past breaches of this by-law or any predecessor thereof;
 - iv. Whether or not the Applicant or Licensee has failed to comply with any requirements of any other applicable by-law of the Town or any local board thereof or of any statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board or Commission thereof, in, upon or in connection with the licensed activity or the premises, facilities, equipment, vehicles and other property used or kept for hire in connection with the licensed activity;
 - v. Whether or not the Applicant or Licensee has any outstanding fines imposed under the *Provincial Offences Act* for the contravention of any provision of this by-law;
 - vi. Whether the applicant owns real property which is leased to a tenant and has any outstanding realty taxes owing to the Town in respect of the business or premises in question.
- 15.6 Council shall comply with the following procedure in determining whether or not to grant a licence, to renew a licence, or to revoke or suspend any licence under this by-law:
- (a) The Clerk shall place the matter on the agenda of Council's next meeting to fix a date and time for such matter to be considered and shall mail a Notice of Hearing to the Licensee (at his last known address as shown in the records of the Issuer of Licences or the current year's Assessment Roll) and to any other person who has applied to be heard.
 - (b) Such Notice shall be mailed at least (15) fifteen days prior to the date and time fixed for the hearing;
 - (c) At the hearing Council shall receive a report, either verbally, or in writing, from the Issuer of Licences and from such other officers or employees of the Corporation who may be involved in the matter being considered by Council;
 - (d) Upon the hearing the Council shall consider such material and evidence as may be relevant and hear such evidence or reports as to Council as may seem just and relevant;
 - (e) Council may, in its sole discretion, afford any other person who applies to be heard and who appears to have an interest in the matters under discussion, an opportunity to present material and evidence relevant to the issue and may examine any person presenting evidence or a report to Council;
 - (f) For the purposes of this Section a quorum of Council shall be a majority of the members of Council and a decision by the majority of members present shall be the decision of Council;

- (g) Council and the Issuer of Licences may, after having heard all of the evidence and submissions made to it by the Applicant/Licensee, retire and resume deliberations as a Committee of the Whole, to reach its decision;
- (h) The decision made by Council sitting as the Committee of the Whole shall be confirmed in open Council by resolution immediately following the meeting of the Committee of the Whole and a certified copy of such resolution shall be mailed to the Licensee, to any person who has appeared before Council and requested that a copy of the resolution be provided to them.

15.7 The decision of Council shall be subject to such terms as Council may impose and shall be final.

16. CHARITABLE ORGANIZATIONS:

- 16.1 Any charitable organization conducting special events in any category set out in this by-law for the sole purpose of raising funds for their organization shall not be required to obtain a licence provided that all the proceeds derived from the conduct of their event are used for charitable or religious purposes in Ontario and provided also that the fund raising is done by the charitable organization and not a third party. Charitable organizations must meet the same requirements for eligibility as set out in the Lottery Licensing Policy Manual provided by the Alcohol and Gaming Commission of Ontario and the Customs Excise and Income Tax Act of Canada. In the event that a charitable organization does not meet the requirements, the event may be held but the organization will be required to apply for a licence under the provisions of this by-law. When a charitable organization operates a business on a permanent basis it shall be required to obtain a licence at no cost.

17. REGISTER:

- 17.1 The Issuer of Licences shall keep a licence register in which shall be recorded the full operating name and address of each licensee, the address of the place or premises in which the licensee carries on, conducts, operates, maintains, keeps, or engages in the business, trade, occupation or calling, object or amusement for which the licence was issued, the number of the licence and any plates issued, the date of issue, the amount of the licence fee paid, the date of expiry of the licence, the type of licence issued, and any other particulars or observations pertaining to the same which are useful or necessary.

18. ADMINISTRATION:

- 18.1 The Issuer of Licences is responsible for the administration and enforcement of this by-law.
- 18.2 Every application for a new licence or a renewal or extension of an existing licence shall be submitted to the Issuer of Licences in the form provided.

19. ENFORCEMENT:

- 19.1 The provisions of this by-law shall be enforced by a Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer, or other duly appointed individual.

- 19.2 Any act or duty to be performed by the Chief of Police under this by-law may be performed by any Police Officer authorized by such Chief of Police to perform such act or duty.

20. EXEMPTIONS:

- 20.1 The requirement to obtain a licence under this by-law does not apply to a business that is engaged exclusively in the sale of goods by wholesale.
- 20.2 The requirement to obtain a licence under this by-law does not apply to those persons or classes of business that are exempted in the Schedules to this by-law.
- 20.3 The requirements to obtain a licence under this by-law does not apply to those that currently hold licences received under previous by-laws as they will be considered “grandfathered” and in compliance with the initial application of this by-law.

21. OFFENCE AND PENALTY PROVISIONS:

- 21.1 Every person who contravenes licensing or business registry by-laws, 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 \$25,000.
- 21.2 Where the contravention relates to an adult entertainment establishment, the penalty may be a fine not exceeding \$25,000 or imprisonment for a term not exceeding one year, or both.
- 21.3 Where a corporation is convicted of an offence rather than an individual, the maximum penalty that may be imposed on the corporation is \$50,000.
- 21.4 If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 21.5 If this by-law is contravened and a conviction entered, the court may also order that the premises or part of the premises be closed to any use for a period not exceeding two years.

22. SCHEDULES:

22.1 The following Schedules are attached to and form part of this by-law:

Business Classes:

| | |
|---------------|-------------------------------------|
| Schedule A-1 | Adult Book/Magazine Sales |
| Schedule A-2 | Adult Entertainment Attendants |
| Schedule A-3 | Adult Entertainment Parlours |
| Schedule A-4 | Adult Merchandise Sales |
| Schedule A-5 | Adult Videotape Sales/Rentals |
| Schedule A-6 | Amusement Arcades |
| Schedule A-7 | Auctioneers |
| Schedule A-8 | Automobile Body Repair Shops |
| Schedule A-9 | Barbershops |
| Schedule A-10 | Beauty Shops |
| Schedule A-11 | Bed and Breakfasts |
| Schedule A-12 | Billiard Tables |
| Schedule A-13 | Bingo Halls |
| Schedule A-14 | Boarding/Lodging/Rooming Houses |
| Schedule A-15 | Body Piercing Parlours |
| Schedule A-16 | Bowling Alleys |
| Schedule A-17 | Business Service |
| Schedule A-18 | Campgrounds/Trailer Parks |
| Schedule A-19 | Carnivals/Fairs/Midways |
| Schedule A-20 | Caterers |
| Schedule A-21 | Circuses |
| Schedule A-22 | Concerts |
| Schedule A-23 | Driving Schools |
| Schedule A-24 | Dry Cleaners |
| Schedule A-25 | Festivals |
| Schedule A-26 | Flea Markets |
| Schedule A-27 | Florist Shop |
| Schedule A-28 | Food Shops |
| Schedule A-29 | Gas Stations |
| Schedule A-30 | Hawkers and Peddlers |
| Schedule A-31 | Horse Drawn Carriage Owners/Drivers |
| Schedule A-32 | Hotels/Motels |
| Schedule A-33 | Indoor Recreational Establishments |
| Schedule A-34 | Limousine Drivers |
| Schedule A-35 | Limousine Owners |
| Schedule A-36 | Office (General, Business, Service) |
| Schedule A-37 | Pedicab Owners/Drivers |
| Schedule A-38 | Pet Groomers |
| Schedule A-39 | Pet Shops |
| Schedule A-40 | Petting Zoos |
| Schedule A-41 | Portable Sign Contractors |
| Schedule A-42 | Produce Vendors |
| Schedule A-43 | Public Halls (Class 1) |
| Schedule A-44 | Public Halls (Class 2) |
| Schedule A-45 | Race Tracks |
| Schedule A-46 | Refreshment Vehicles |
| Schedule A-47 | Restaurants |
| Schedule A-48 | Retail Store |
| Schedule A-49 | Second Hand Shops |
| Schedule A-50 | Snack Bars |
| Schedule A-51 | Special Event Sales |
| Schedule A-52 | Swimming Pools |
| Schedule A-53 | Tattoo Parlours |
| Schedule A-54 | Taxi Cab Broker |
| Schedule A-55 | Taxi Cab Driver |
| Schedule A-56 | Taxi Cab Owner |

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|---------------|----------------------------------|
| Schedule A-57 | Theatres |
| Schedule A-58 | Trade Shows |
| Schedule A-59 | Wrecking Yards |
| <u>Fees:</u> | |
| Schedule B | Initial Application Licence Fees |
| Schedule C | Renewal Application Licence Fees |

23. VALIDITY:

- 23.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

24. REPEALS:

- 24.1 By-law 2201 and 2002-81 respecting the issuance and revocation of licences and By-law 2128 and 2002-75 respecting the licensing, regulating and governing of cabs, cab owners and cab drivers be and the same are hereby repealed but all licences that have been issued thereunder shall, during the period for which the same shall have been issued, remain in force unless and until the same are forfeited or cancelled.
- 24.2 All such licences heretofore issued shall be deemed to have been issued under and subject to the provisions of this by-law. Provided however, that the repeal of the said by-laws shall not affect any pending proceedings in respect of anything done or ordered to be done there under, prior to the effective date of this by-law.


25. SHORT TITLE:

- 25.1 This by-law may be referred to as the Business Licensing By-law.

That this by-law shall come into force and take effect on the date of final passage thereof.

First Reading May 25, 2009
Second Reading June 15, 2009
Third Reading June 15, 2009


MAYOR


CLERK

Certified to be a true copy of By-law
No. 2009-44 passed by Council of the
Town of Amherstburg on the 15th
day of June 2009.

Clerk

SCHEDULE A-1: ADULT BOOK/MAGAZINE SALES

| | |
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| Applicable to: | Every business or premises where adult books or magazines are sold or offered for sale. |
| Exemptions: | The requirement to obtain an Adult Book/Magazine Sales licence does not apply to businesses that have obtained a valid Adult Merchandise Sales licence. |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to all adult book/magazine sales:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations.2. Every owner and operator who provides adult magazines in any premises or part thereof or who operates such premises or part thereof, shall comply with the following regulations in respect of such premises or part thereof:<ol style="list-style-type: none">(a) No adult magazine shall be displayed at a height of less than 1.5 m above floor level unless such magazine is in a part of the premises to which the public is not permitted physical access or such magazine is behind a sales counter unexposed to view.(b) All adult magazines offered for sale or displayed in such premises or part thereof shall be placed behind an opaque barrier of a size and nature which shall ensure that the cover of every such magazine, while being so displayed, except for the name thereof, may not be seen by any member of the public.(c) No adult magazine shall be offered for sale, sold, given, rented or exchanged to persons who are not at least eighteen (18) years of age.3. Any premises to which any person under the age of eighteen (18) years is not permitted to enter or remain shall not be subject to Section 2 (a) and (b) of this schedule.4. Every operator who provides adult magazines and restricts access to the premises to persons eighteen (18) years of age or older shall keep posted at every entrance to such premises and in a prominent location inside such premises, signs sufficient to indicate clearly to any person approaching or entering the premises and to every person in the premises that no person under the age of eighteen (18) years is permitted to enter or remain in such premises or part thereof.5. Every operator who provides adult magazines and restricts access to persons eighteen (18) years of age or older shall ensure that no adult magazines are displayed in such a fashion as to be visible to any person outside of the premises.6. No retail establishment shall sell, give, rent or exchange Adult Magazines as its primary use. |

SCHEDULE A-2: ADULT ENTERTAINMENT ATTENDANTS

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| Applicable to: | Every person who works as an attendant in an adult entertainment establishment, i.e., a place of business in which entertainment or services designed to appeal to exotic or sexual appetites or inclinations are provided. |
| Exemptions: | None |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every adult entertainment attendant:</p> <ol style="list-style-type: none">Each application shall be accompanied by:<ol style="list-style-type: none">Two passport size photographs;Proof that the applicant is at least eighteen (18) years of age, a valid driver's licence with a photograph of the applicant or an acceptable substitute, and one other piece of identification;A Police Record Search Certificate provided by the Chief of PoliceNo person shall commence work as an attendant unless he or she has obtained both an attendant licence and a numbered photo identification card from the Issuer of Licences;An application shall be accompanied by proof of age, a valid driver's licence with a photograph of the applicant or an acceptable substitute, and one other piece of identification;No attendant shall provide entertainment or services other than within public view;No attendant shall, while providing services as an Adult Entertainment Attendant within the Adult Entertainment Parlour, touch or be touched by, or have any physical contact with, any other person in any manner whatsoever, involving any part of any person's body;No attendant shall engage in any activity of a criminal nature in an adult entertainment parlour. |

SCHEDULE A-3: ADULT ENTERTAINMENT PARLOURS

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| Applicable to: | Every place of business, including a body rub parlour, in which entertainment or services designed to appeal to erotic or sexual appetites or inclinations are provided. |
| Exemptions: | The requirement to obtain an Adult Entertainment Parlour licence does not apply to a theatre which exhibits films that have been approved under the <i>Theatres Act</i> . |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to all adult entertainment parlours:</p> <ol style="list-style-type: none">1. Based upon the community size and population, in order to procure a license from the municipality an applicant must demonstrate on reasonable grounds the need for an Adult Entertainment Parlour providing services in the municipality.2. Subject to the <i>Municipal Act</i>, S.O. 2001, c. 25, no person shall operate an Adult Entertainment Parlour in the Town of Amherstburg except in accordance with express permissive provisions in the Town's Zoning By-law 1999-52, as amended, and in accordance with the Town's Official Plan and any provisions of this by-law.3. The municipality proposes to license no more than one (1) licensed Adult Entertainment Parlour providing services in the Town of Amherstburg. It is acknowledgeable that the number of Adult Entertainment Parlours providing services in the municipality should not exceed one (1) based upon the community's size and population.4. Each application shall be accompanied by:<ol style="list-style-type: none">(a) two passport size photographs;(b) a Police Record Search Certificate provided by the Chief of Police for the owner where the owner is an individual, each partner where the owner is a partnership and for each director of the partnership where the owner is a corporation;(c) a floor plan of the Adult Entertainment Parlour which clearly depicts where the Main Stage is in relation to all patron seating areas;(d) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(e) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(f) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(g) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;(h) proof that the applicant is at least nineteen (19) years of age.5. Everyone to whom this Section applies shall notify the Issuer of Licences in writing within four (4) business days of any change in any of the information required to be filed with the Issuer of Licences.6. All premises shall be operated in a clean and sanitary condition, and in accordance with the requirements of the Essex County Public Health Division.7. No establishment shall be located closer than 300 metres, measured in a continuous path over the shortest distance, from another establishment or from a school, public park, residence or area that is zoned for residential use in the zoning by-law that applies to the property;8. No licensee shall permit the establishment to be open for business or permit any entertainment or services to be provided between 1.00 a.m. and 12.00 noon of the same day;9. During the hours of business, a licensee or his or her delegate, who shall be at least 19 year of age, shall be in the establishment at all times;10. A licensee shall be responsible for ensuring that all entrances to the establishment are kept unlocked during the hours of business;11. No licensee shall permit a person under the age of 18 to enter and remain in the establishment;12. A licensee shall place and maintain signs at every entrance to the establishment and in a prominent place within the establishment indicating that no person under the age of eighteen (18) may enter and remain in the establishment;13. Every person carrying on the business of an adult entertainment parlour shall prominently display at each entrance to the premises sufficient signage reading: "ADULT ENTERTAINMENT PARLOUR"14. No person shall place or cause to be placed any pictures, bulletins, notices or other advertisement of any Adult Entertainment Attendants in such a way within the premises or on the premises so as to be visible to members of the general public who have not entered such premises.15. No licensee shall permit a person to work as an attendant in his or her establishment unless the person is at least 18 years of age and has obtained an Adult Entertainment Attendant licence and a numbered photo identification card in accordance with Schedule A-1.16. A licensee shall provide the Issuer of Licences, not later than one working day after the commencement of an attendant's employment at his or her establishment, with the attendant's name and licence number and the starting date of the attendant's employment.17. A licensee shall also advise the Issuer of Licences promptly of the date of termination of an attendant's employment. |

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| Special Conditions Continued | <p>18. No licensee shall permit an attendant to provide entertainment or services other than within public view.</p> <p>19. No person shall knowingly permit any Adult Entertainment Attendant, while providing services as an Adult Entertainment Attendant within the Adult Entertainment Parlour, to touch or be touched by, or have any physical contact with, any other person in any manner whatsoever, involving any part of any person's body.</p> <p>20. No licensee shall knowingly permit an attendant to engage in any activity of a criminal nature in the establishment.</p> <p>21. No licensee shall erect or place or permit the erection or placing of any sign or other advertising device that includes the words "nude", "naked", "topless", "bottomless", or "sexy", or that includes any other word or picture, symbol or representation with a similar meaning or implication.</p> |
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SCHEDULE A-4: ADULT MERCHANDISE SALES

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| Applicable to: | Every business or premises where adult books, magazines, pictures, slides, phonographic records, pre-recorded magnetic tapes, discs and any other reading, viewing or listening material or any other item designed to appeal to erotic or sexual appetites or inclinations are sold or offered for sale, but shall not include any adult videotape sales/rental businesses. |
| Exemptions: | The requirement to obtain an Adult Merchandise Sales licence does not apply to any businesses or premises in which the only adult merchandise for sale is adult books/magazines. |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition the general provisions set out in this by-law, the following special conditions apply to all adult merchandise sales:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town.2. No person shall permit any individual under the age of eighteen (18) years to be present in any Adult Merchandise Sales premises or location.3. Every business licensed under this Section shall ensure that no pictures, bulletins, notices or other advertisement for any adult merchandise is placed in such a way within the premises or on such premises or about the premises where the business is carried on and located as to be visible to the general public who have not entered such premises.4. No person shall place or cause to be placed any pictures, bulletins, notices or other advertisement of any adult merchandise in such a way within the premises or about the premises where the business is carried on and located so as to be visible to the general public who have not entered such premises. |

SCHEDULE A-5: ADULT VIDEOTAPE SALES / RENTALS

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| Applicable to: | Every business or premises where adult videotapes are sold, rented or offered for sale or rent. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to all adult videotape sales/rentals:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations.2. Where a premise is licensed for the sale or rental of adult videotapes and where such adult videotapes are also sold or rented or offered for sale or rent, the licensee shall ensure that such adult videotapes are contained within a separately enclosed area of the premise. Such area shall be designed so as not to be in view to any member of the public unless such person is within the enclosed area.3. The licensee shall ensure that such area is signed in such a manner as to identify to any person entering such area that the area is exclusively for adult videotapes.4. No licensee shall permit any person under the age of eighteen (18) years or apparently under the age of eighteen (18) years to be present in or enter into any area which has been enclosed for the purpose of Adult Videotape Sales or Rentals. |

SCHEDULE A-6: AMUSEMENT ARCADES

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| Applicable to: | Every place of business with five or more “amusement machines”, i.e. mechanical video and/or electronic games that are available for the use of the general public, including pinball machines, television games, video games and similar devices which are intended for operation as a game, entertainment or amusement. |
| Exemptions: | The requirement to obtain an Amusement Arcade licence does not apply to: <ol style="list-style-type: none">1. Premises with four or less amusement machines; or2. Bingo halls where electronic equipment is used; or3. Premises holding a valid Indoor Recreational Establishment licence issued by the Town of Amherstburg. |
| Reason for Licensing: | Health and safety, nuisance control |
| Special Conditions: | In addition to the general provisions set out in this by-law, the following special conditions apply to every amusement arcade: <ol style="list-style-type: none">1. Every application shall be accompanied by approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations.2. The premises shall be supervised at all times by a person of at least eighteen (18) years of age;3. A licensee shall prevent, where possible, the patrons from congregating on an adjacent sidewalk in a manner that obstructs the movement of pedestrians;4. Within the licensed premises there shall be no pay-offs, betting or offering of any article or thing as prizes in contravention of the Criminal Code. |

SCHEDULE A-7: AUCTIONEERS

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| Applicable to: | Every person who sells or offers goods or services for sale by public auction. |
| Exemptions: | <p>The requirement to obtain an Auctioneers licence does not apply to:</p> <ol style="list-style-type: none">1. a person conducting an auction on behalf of a service club or similar organization to raise money for charitable purposes;2. a sheriff or court bailiff acting under a court procedure;3. a municipality conducting an auction under the tax sale provisions of the <i>Municipal Act, 2001</i>;4. a person who engages the services of a licensed auctioneer to conduct an auction on his or her behalf;5. a person registered under the <i>Real Estate and Business Brokers Act</i> who is selling real estate by public auction; or6. a person licensed under the <i>Livestock Community Sales Act</i> who is conducting a community livestock sale. |
| Reason for Licensing: | Health and safety, consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every auctioneer:</p> <ol style="list-style-type: none">1. Proper records shall be kept, including the items being auctioned, the names and addresses of the owners of those items, the amount received for each item, and the names and addresses of the purchasers. |

SCHEDULE A-8: AUTOMOBILE BODY REPAIR SHOPS

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| Applicable to: | Every place of business which restores or does maintenance to the exterior of an automobile to restore it to a good condition and shall include but is not limited to the replacement or restoration of worn out parts or the restoration of such parts but does not include the replacement, repair or restoration of any mechanical part of the automobile. Such operation shall include but is not limited to painting, repainting, body filling, or refinishing of an automobile. |
| Exemptions: | The requirement to obtain an Automotive Body Repair Shop licence does not apply to: <ol style="list-style-type: none">1. Places of business in which the only service provided to motor vehicles is automotive dealing; or2. Persons who carry on a farming business that is eligible for an exemption from taxes under the <i>Retail Sales Tax Act</i>, 1990, that is registered under the <i>Farm Registration and Farm Organizations Funding Act</i>, 1993, and that is a permitted use under the Town's zoning by-law. |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every automobile repair shop:</p> <ol style="list-style-type: none">1. Each application shall be accompanied by: <ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;2. No person shall: <ol style="list-style-type: none">(a) park or store any motor vehicle on any sidewalk, boulevard, highway or road;(b) permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle while stationary, unless an adequate installation is provided to ensure exhausting of carbon monoxide fumes outdoors;3. Every person shall: <ol style="list-style-type: none">(a) keep the premises free from rubbish and in a clean and neat condition;(b) keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the operation of the business. |

SCHEDULE A-9: BARBERSHOPS

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| Applicable to: | Every place of business in which the service of washing, cutting, trimming, shaving and treating of hair are provided to the general public. |
| Exemptions: | The requirement to obtain a Barbershop licence does not apply to a place of business that holds a valid Beauty Shop licence. |
| Reason for Licensing: | Health and safety, consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every barbershop:</p> <ol style="list-style-type: none">Each application shall be accompanied by:<ol style="list-style-type: none">approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;annual certification of health inspection compliance, as issued by the Medical Officer of Health;annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.No person shall work as a barber in a barbershop unless he or she is qualified to do so under the <i>Apprenticeship and Certification Act</i>, 1998;Every barber shall display proof of his or her qualification to work as a barber in a prominent location in the place of business. |

SCHEDULE A-10: BEAUTY SHOPS

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| Applicable to: | Every place of business in which hairstyling and related services are provided to the general public, including the manicuring of clients' nails and the messaging, cleaning and beautifying of clients scalps and faces. |
| Exemptions: | The requirement to obtain a Beauty Shop licence does not apply to a place of business that holds a valid Barbershop licence. |
| Reason for Licensing: | Consumer protection, health and safety. |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every Beauty Shop</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.3. No person shall work as a hair stylist in a beauty shop unless he or she is qualified to do so under the <i>Apprenticeship and Certification Act</i>, 1998;4. Every hair stylist/aesthetician shall display proof of his or her qualification to work as a hair stylist/aesthetician in a prominent location in the place of business. |

SCHEDULE A-11: BED AND BREAKFAST ESTABLISHMENT

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| Applicable to: | Every location or premise that is a detached residence which is owner occupied and operated to provide the travelling public with sleeping accommodations and meals. |
| Exemptions: | None |
| Reason for Licensing: | Health and safety, consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every bed and breakfast:</p> <ol style="list-style-type: none">Each application shall be accompanied by:<ol style="list-style-type: none">a list detailing the number of rooms and facilities offered by the establishment;proof of liability insurance in the minimum amount of \$1,000,000 in a form acceptable to the Town;approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;annual certification of health inspection compliance, as issued by the Medical Officer of Health;annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.No person shall post any sign contrary to the provisions of any municipal by-law.No person shall, in relation to the operation of a bed and breakfast establishment, park or permit to be parked any vehicle contrary to any municipal by-law.Every person shall ensure that each room is provided with clean linens, including towels, any other customary toilet supplies for each registered guests.Every person shall keep a register of all patrons showing their name, address, the vehicle make and licence plate number including Province or State from which such plate was issued, the date of admission and departure and shall provide such register upon request of the Issuer of Licences, to a Municipal Law Enforcement Officer. |

SCHEDULE A-12: BILLIARD TABLES

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| Applicable to: | Every place of business with billiard, pool or bagatelle tables that are available for the use of the general public. |
| Exemptions: | The requirement to obtain a Billiard Table licence does not apply to any premises holding a valid Indoor Recreational Establishment licence issued by the Town of Amherstburg |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to all billiard tables:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations; |

SCHEDULE A-13: BINGO HALLS

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| Applicable to: | Every business or premises where four or more bingo events are conducted for profit within any seven day period. |
| Exemptions: | None |
| Reason for Licensing: | Health and safety, consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every bingo hall:</p> <ul style="list-style-type: none">a) Every application shall be accompanied by:<ul style="list-style-type: none">(a) A statement giving particulars as to the location, size and construction of the hall as may be required by the Issuer of Licences;(b) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(c) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(d) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(e) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.b) All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.c) The Issuer of Licences shall specify on the Bingo Hall licence, the maximum number of persons who may be in the hall at any time, which number shall be prescribed by the Fire Chief upon inspection.d) Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.e) Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the premises licensed as a bingo hall. |

SCHEDULE A-14: BOARDING / LODGING / ROOMING HOUSES

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| Applicable to: | Every premises operating as a boarding, lodging or rooming house in which four or more persons, exclusive of staff, are lodged, with or without meals, in return for a fee. |
| Exemptions: | The requirement to obtain a Boarding/Lodging/Rooming House Licence does not apply to: <ol style="list-style-type: none">1. Premises with self contained residential units;2. Group homes that are licensed or funded under a provincial or federal statute. |
| Reason for Licensing: | Consumer protection, health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every boarding/lodging/rooming house:</p> <ol style="list-style-type: none">1. Each application shall be accompanied by: <ol style="list-style-type: none">(a) a list detailing the number of rooms and facilities offered by the establishment;(b) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(c) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(d) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(e) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.3. No person shall post any sign contrary to the provisions of any municipal by-law.4. No person shall, in relation to the operation of a boarding/lodging/rooming house establishment, park or permit to be parked any vehicle contrary to any municipal by-law.5. Every person shall keep a register of all patrons showing their name, address, the vehicle make and licence plate number including Province or State from which such plate was issued, the date of admission and departure and shall provide such register upon request of the Issuer of Licences, to a Municipal Law Enforcement Officer. |

SCHEDULE A-15: BODY PIERCING PARLOURS

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| Applicable to: | Every business or premises where parts of a body are punctured by a sharp-pointed instrument for the purpose of making a hole or opening through which an item may be attached to the body. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection, health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to all body piercing parlours:</p> <ol style="list-style-type: none">Each application shall be accompanied by:<ol style="list-style-type: none">approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;annual certification of health inspection compliance, as issued by the Medical Officer of Health;annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.No person shall dispose of any needle or other similar piercing instrument, item or tool in an unsafe manner.No person shall provide piercing services to any person who is known to suffer from a contagious disease. |

SCHEDULE A-16: BOWLING ALLEYS

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| Applicable to: | Every business or premises for use by the public and designed for the rolling or delivering of a ball towards pins. |
| Exemptions: | The requirement to obtain a Bowling Alley licence does not apply to any premises holding a valid Indoor Recreational Establishment licence issued by the Town of Amherstburg. |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every bowling alley:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) A statement giving particulars as to the location, size and construction of the hall as may be required by the Issuer of Licences;(b) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(c) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(d) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(e) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.3. The Issuer of Licences shall specify on the Bowling Alley licence, the maximum number of persons who may be in the hall at any time, which number shall be prescribed by the Fire Chief upon inspection.4. Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.5. Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the premises licensed as a bowling alley. |

SCHEDULE A-17: BUSINESS SERVICE ESTABLISHMENT

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| Applicable to: | Every place of business that is primarily engaged in providing services to business establishments on a fee or contract basis, including but not limited to advertising and mailing, building maintenance, employment services, protective services and small equipment rental, leasing and repair. |
| Exemptions: | None |
| Reason for Licensing: | Consumer Protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every business service:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. All premises shall be operated in a clean and sanitary condition, an in compliance with all the requirements of the Essex County Public Health Division, if required. |

SCHEDULE A-18: CAMPGROUNDS / TRAILER PARKS

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| Applicable to: | Every tourist establishment comprising land used or maintained as grounds for camping or parking recreational vehicles with a service building or buildings and may include those retail facilities required to serve the guests of and visitors to the establishment. A Summer Camp within the meaning of the regulations under the <i>Public Health Act</i> or a camp operated by a charitable organization within the meaning of <i>The Charitable Institutions Act</i> , are not deemed camping establishments for the purpose of this by-law. |
| Exemptions: | None |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every campground/trailer park:</p> <ol style="list-style-type: none">Every application shall be accompanied by:<ol style="list-style-type: none">approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;annual certification of health inspection compliance, as issued by the Medical Officer of Health.a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.All premises shall be operated in a clean and sanitary condition, and in compliance with all requirements of the Essex County Public Health Division. |

SCHEDULE A-19: CARNIVALS / FAIRS / MIDWAYS

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| Applicable to: | Every business operating amusement ride(s) or other device(s) and authorized games of chance intended to entertain or amuse or provide entertainment to the public. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection, health and safety, nuisance control |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every carnival/fair/midway:</p> <ol style="list-style-type: none">1. No person having control or charge of such an operation shall commence to assemble or erect any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus, or mechanical device or ride or any other structure or erection until a licence has been obtained.2. Applications for a licence to conduct a carnival/fair/midway shall be made to the Issuer of Licences in writing at least sixty days prior to the proposed date of the carnival/fair/midway and shall be accompanied by the non-refundable application fee.3. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(d) the address or legal description of property where the proposed carnival/fair/midway is to be conducted or operated. Additionally, the applicant shall submit proof of ownership of the place where the carnival/fair/midway is to be conducted or a written document signed by the owner of the premises indicating his consent that the site be used for the proposed carnival/fair/midway;(e) the date or dates and the hours during which the carnival/fair/midway is to be conducted;(f) an estimate of the number of customers, spectators, participants, and other persons, expected to attend the carnival/fair/midway.4. Every person making application shall provide proof of liability insurance in the minimum amount of \$1,000,000 and in a form acceptable to the Town. Such insurance shall provide that the insurer shall notify the Town in writing of any change in the policy including notice of the expiration or cancellation thereof 30 days prior to any such change. Where the operation of such carnival will take place on any Town owned property, liability insurance shall also include and name The Corporation of the Town of Amherstburg as co-insured; when the insurance policy expires so does the licence.5. On the licensed property the electrical system, equipment, fuses and switches shall be inaccessible to the public and cables in the ground in areas used by the public shall be placed in trenches or suitably protected as required by the Electrical Safety Authority.6. All electrical systems shall be operated and maintained in a safe and proper manner.7. Where rides are provided, a certificate of mechanical fitness of each ride by the Technical Standards and Safety Authority shall be filed by the operators of the carnival business with the Issuer of Licences of the Town.8. A carnival/fair/midway licence shall only be valid for a maximum of 14 days and only for the days specified on the licence issued by the Issuer of Licences. |

SCHEDULE A-20: CATERERS

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| Applicable to: | Any person who prepares and supplies food or meals for social, professional or other similar events. |
| Exemptions: | None |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to all caterers:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town, if required;(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality, if required.2. No person shall operate or provide any service as a Caterer in any unsanitary condition or in any premises which, because of the situation, construction, or condition thereof, expose any food to the risk of contamination.3. All premises shall be operated in a clean and sanitary condition, and in compliance with all requirements of the Essex County Public Health Division. |

SCHEDULE A-21: CIRCUSES

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| Applicable to: | Every performance exhibiting equestrian, animal, acrobatic and other performances and their equipage and shall include any other similar show. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection, health and safety, nuisance control |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every circus:</p> <ol style="list-style-type: none">1. No person owning, operating or having control or charge of a circus, travelling show or other similar show shall locate within the Town or commence to assemble or erect within the Town, any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus or mechanical device or ride or other structure or erection, and no licensee of premises within the Town who has rented or leased such premises or authorized the same to be used by a circus or similar show, shall permit or allow such circus or show to assemble or erect on such premises, any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus or mechanical device or ride or any other structure or erection until a licence has been obtained for the operation and conduct of such circus, travelling or similar show.2. Application for a licence to conduct a circus shall be made to the Issuer of Licences in writing at least sixty days prior to the proposed date if the circus and shall be accompanied by the non-refundable application fee.3. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(d) the address or legal description of property where the proposed circus is to be conducted or operated. Additionally, the applicant shall submit proof of ownership of the place where the circus is to be conducted or a written document signed by the owner of the premises indicating his consent that the site be used for the proposed circus;(e) the date or dates and the hours during which the circus is to be conducted;(f) an estimate of the number of customers, spectators, participants, and other persons, expected to attend the circus.4. Every person making application for the operation of a circus, travelling or similar show, to be operated within a Town building or on Town premises, shall provide proof of liability insurance, in an amount not less than \$1,000,000 and in a form acceptable to the Town. Such insurance shall provide that the insurer shall notify the Town in writing of any change in the policy including notice of expiration or cancellation thereof 30 days prior to any such change. Where the operation of such circus will take place on any Town owned property, liability insurance shall also include and name The Corporation of the Town of Amherstburg as an additional insured.5. The electrical systems, equipment, fuses and switches shall be inaccessible to the public and cables in the ground in areas used by the public shall be placed in trenches or suitably protected as required by the Electrical Safety Authority.6. All electrical systems shall be operated and maintained in a safe and proper manner.7. Where rides are provided, a certificate of mechanical fitness for each ride issued by the Technical Standards and Safety Authority shall be provided by the operator of the circus to the Issuer of Licences at the time of application for a licence.8. A Circus licence shall only be valid for a maximum of 14 days and only for the days specified on the licence issued by the Issuer of Licences. |

SCHEDULE A-22: CONCERTS

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| Applicable to: | Any person or organization wishing to conduct an indoor or outdoor concert. |
| Exemptions: | The requirement to obtain a Concert Licence does not apply to functions commonly known as private social functions, non-profit private parties/events, community hall or public facility based events and celebrations (non-commercial in nature). |
| Reason for Licensing: | Nuisance control |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every concert:</p> <ol style="list-style-type: none">1. Applications for a license to conduct a concert shall be made to the Issuer of Licences in writing at least sixty days prior to the proposed date of the concert and shall be accompanied by the non-refundable application fee:2. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(d) a written statement of the kind, character, or type of concert which the applicant proposes to conduct or operate.;(e) The address or legal description of property where the proposed concert is to be conducted or operated. Additionally, the applicant shall submit proof of ownership of the place where the concert is to be conducted or a written document signed by the owner of the premises indicating his consent that the site be used for the proposed concert;(f) The date or dates and the hours during which the concert is to be conducted.(g) An estimate of the number of customers, spectators, participants, and other persons, expected to attend the concert for each day it is conducted.(h) The- names and addresses of anyone contributing, investing, or having a financial interest greater than \$500 (five hundred dollars) in producing the concert.(i) A financial statement in a form to be determined by the Issuer of Licences to give assurance of the ability of the applicant to meet the conditions of the license being applied for.(j) A detailed written explanation of the applicants plans to provide security and fire protection, water supplies and facilities, sewage and drainage facilities, food supplies and facilities, sanitation facilities, first aid facilities and services, vehicle parking spaces, vehicle access policing and on site traffic control and if it is proposed or expected that spectators or participants will remain at night or overnight, the arrangements for illuminating the premises and for camping or similar facilities.(k) The applicants plans shall include what provisions shall be made for numbers of spectators in excess of the estimate, provisions for the clean up of the premises and provisions for the removal of rubbish after the concert has concluded. A plot plan showing the arrangement of the facilities, including those for parking, egress and ingress, shall be submitted with such application.(l) Any other information the Issuer of Licences in his sole discretion requests, in order to assist him in deciding whether or not a license should be issued.3. Every licensee to conducting a concert shall be subject to the following conditions and requirements:<ol style="list-style-type: none">(a) Security protection: A licensee shall provide at his own expense security protection. This shall include the provision of a minimum of one security officer for every 400 persons expected to be in attendance.(b) Peace Officers required are to be paid for at the time of concert approval. One Peace Officer for every 1000 persons expected. Should the actual costs incurred in providing Peace Officers exceed the amount set at the time of approval, the difference shall be paid by the concert applicant to the Municipality(c) Water and sanitation facilities: A licensee shall provide ample supply of potable water for drinking and sanitation purposes at the site of the concert. Lavatories and drinking facilities and sewage and drainage systems and items incidental to the operation of the foregoing shall be required as determined by the Medical Officer of Health(d) Food concessions: Will meet all the requirements set down by the Essex County Public Health Division.(e) First aid facilities: A licensee shall provide such first aid facilities at the site of the concert as may be required by the Medical Officer of Health. The licensee shall provide ambulance services to transport persons attending the concert from the site of the concert to the nearest hospital where need arises.(f) Parking areas: A licensee shall provide adequate parking spaces for persons attending the concert by motor vehicle. The licensee may be called upon to provide a separate parking space for every two (2) persons expected to attend the concert by motor vehicle. Such parking areas shall be clearly marked. The Issuer of Licences shall approve an applicants "parking plan" before a license shall be issued.(g) Access and parking control: A licensee shall provide adequate ingress and egress to the concert premises and parking areas, therefore necessary roads, driveways and entrance ways shall exist to insure the orderly flow of traffic into the premises from a highway road which is part of the highway system or which is a highway maintained by the Municipality. A special access way for fire equipment, ambulances and other emergency vehicles may be required. The Issuer of Licences shall approve a licensee's plan for ingress and egress before a license shall be issued. |

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| | <p>Additionally, licensee may be required to show that traffic guards are under his employ to insure orderly traffic movement and relieve traffic congestion in the vicinity of the concert area.</p> <p>(h) Hours of operation: All concerts which are subject to a license pursuant to the provisions of the Order shall close and cease operations continuously between the hours of 2:00 a.m. and 8:00 a.m. of each and every day.</p> <p>(i) Miscellaneous: The Issuer of Licences may impose such additional conditions as are reasonably calculated as necessary to protect the health, welfare and property of local residents and persons attending concerts.</p> <p>4. The Issuer of Licences may grant relief from any of the above requirements where it appears that such an action is in the best public interest. This ability to grant relief shall be limited to those items within the control of the Issuer of Licences under this bylaw and does not relieve a licensee from any conditions or requirements imposed by law, contract or otherwise.</p> <p>5. A Concert licence shall only be valid for a maximum of 14 days and only for the days specified on the licence issued by the Issuer of Licences.</p> |
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SCHEDULE A-23: DRIVING SCHOOLS

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| Applicable to: | Every place of business that teaches individuals how to operate motor vehicles which shall include but is not limited to classroom instruction as well as on-road instruction. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection, health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every driving school:</p> <ol style="list-style-type: none">Every application shall be accompanied by:<ol style="list-style-type: none">approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.proof of liability insurance in the minimum amount of \$1,000,000 in a form acceptable to the Town;a list of all vehicles to be used in the business for the purpose of driving instruction, identifying the same by vehicle make, model and Licence Plate Number;a written Statement of Rates and Charges for all services provided by the school.Every driving school operator shall:<ol style="list-style-type: none">be fluent in reading and writing the English language.notify the Issuer of Licences within fourteen (14) days of any change or addition in the vehicles being used for the purpose of driving instruction and the Driving School Operator shall provide the make, model and Licence Plate number of any and all vehicles affected. If the Operator ceases to use any such vehicle, the plate issued by the Town shall be immediately returned to the Issuer of Licences. Where vehicles are added to the operation, plates shall be issued by the Issuer of Licences and placed by the Operator on the vehicleprovide in every vehicle used in the business a frame or other device for the holding of the licence and photograph of the driving instructor;keep a permanent record of the name and address of each student, the date of commencement and date of completion of instruction, the date, time and name of instructor for each lesson, the number of the student's Ontario Motor Vehicle Operator's Licence or Ontario Motor Vehicle Temporary Instruction Permit and the expiry date of such Motor Vehicle Operator's Licence or Motor Vehicle Temporary Instruction Permit;allow the Issuer of Licences or other person(s) so authorized by Council to have access to all premises, vehicles, equipment, books and records used in the business and submit any vehicle for inspection at such time and place as may be designated by the Issuer of Licences, at the owner's expense;ensure that all vehicles used in the business for the purpose of driving instruction are maintained in a safe and roadworthy condition and shall, at the time of application or addition or change of vehicles provide proof of certification of each vehicle to be used;notify the Issuer of Licences, in writing, of the name and address of each driving instructor employed by him and the date of commencement of such employment and shall also advise the Issuer of Licences in writing of the name and address of any driving instructor ceasing to be employed by such Driving School Operator, the date that such driving instructor ceased to be employed and, such notification shall be given not later than fourteen (14) days after commencement or ceasing of the employment;before entering into agreement for driving instruction with any person, or giving instruction, furnish to such person a written statement of all rates and charges as filed with the Issuer of Licences;adhere to the rates and charges published in the statement referred to in Section 1(c) and give fourteen (14) days advance notice to the Issuer of Licences of any new Statement of Rates and Charges which he proposes to publish in lieu of the existing Statement;in respect of each driving school vehicle which is used for the purpose of giving instruction, procure an insurance policy in the minimum amount of \$1,000,000No driving school operator shall:<ol style="list-style-type: none">cause or permit instruction to be given in any vehicle which has not, in addition to the standard controls and brakes used by the driver, extra braking equipment in good working condition placed in a position for ready use by the instructor or operator seated beside the driver;cause or permit instruction to be given to, or an agreement to be entered into with, any student driver who fails to produce a current Ontario Motor Vehicle Operator's Licence or a current Ontario Motor Vehicle Operator's Temporary Instruction Permit;cause or permit driving instruction to be given upon any street or area in the Town of Amherstburg, from time to time, as maybe designated by resolution of Council;cause or permit driving instruction to be given to any student, during the first hour of practical training, on any primary traffic artery, main highway, route or heavily travelled thoroughfare;advertise driving school service or instruction unless he operates from the address so licensed and advertised;use or permit to be used in his business, any vehicle unless the same has securely affixed to the back, thereof, and in a visible a prominent position, as recommended by the Issuer of Licences, a plate issued by the Issuer of Licences bearing an identifying number and indicating that such a vehicle is used in a business licensed for the current year by the Issuer of Licences;use or permit to be used in his business, any vehicle that has not been certified and approved |

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| | and recorded by the Issuer of Licences, or a vehicle which is otherwise unsafe or not roadworthy; (h) use or permit to be used in his business any vehicle unless the same bears a valid Province of Ontario licence plate; |
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SCHEDULE A-24: DRY CLEANER

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| Applicable to: | Every place of business that dry-cleans, dry-dries, cleans, presses and removes spots or stains, or other similar application to clothing or fabric. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection, health and safety. |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every dry cleaner:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. Every licensee shall cause the premises, in respect of such licence, together with any offices, appurtenances, and any vehicles, wagons or trucks used by him in his business, to be kept in a clean and sanitary condition.3. Every person employed in such premises licensed under this Section shall keep himself and his wearing apparel in a clean and sanitary condition.4. No owner or operator of a dry cleaning establishment shall permit:<ol style="list-style-type: none">(a) the use of solvents that are flammable and emit odours;(b) any noise or vibration which may cause inconvenience within or outside the premises. |

SCHEDULE A-25: FESTIVALS

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| Applicable to: | Any person or organization wishing to conduct a festival in the municipality. |
| Exemptions: | None |
| Reason for Licensing: | Nuisance control |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every festival:</p> <ol style="list-style-type: none">1. Application for a license to conduct a festival shall be made in writing to the Issuer of Licences at least sixty (60) days prior to the time indicated for the commencement of the planned activity.2. Every application shall be accompanied by:<ol style="list-style-type: none">(a) Approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) Annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(c) A written statement of the kind, character or type of festival which the applicant proposes to conduct, operate or carry on.(d) The address and legal description of the place where the proposed festival is to be conducted, operated, or carried on. Additionally, the applicant shall submit proof of ownership of the property or a statement signed by the owner of the property indicating consent that the property may be used for the proposed festival.(e) The date or dates and the hours which it will be conducted.(f) An estimate of the number of customers, spectators, participants and other persons expected to attend the festival for each day it is conducted.(g) A detailed written explanation of the applicant's plans to provide security and fire protection, water and sanitation facilities, off-street parking facilities, vehicle access and exits to site and on-site traffic control. If an outdoor festival is to be continued during the hours of darkness, applicants must show how they propose to illuminate the site, provide for garbage collection and disposal.(h) Whether or not overnight camping is proposed for the premises.(i) Upon receipt of the completed application, the Issuer of Licences will take the application before Council hearing. Ten days prior to the hearing, the Issuer of Licences will advise the Chief of Police, R.C.M.P., Fire Chief, and Medical Officer of Health so that they may reply in writing of any condition or requirement for condition of approval.3. Before a license is issued, the applicant shall furnish the Town with a bond in a company satisfactory to the Town in the amount of fifty thousand dollars (\$50,000.00) conditioned upon the applicant fulfilling the requirements of this by-law and any other condition requested by Council making good to all persons for any or all loss or damage or expense incurred by the Town for failure to comply with conditions of the license.4. Every licensee shall:<ol style="list-style-type: none">(a) be responsible for the cost of police protection. The Chief of Police shall determine the needs required to protect persons and property. Funds to cover the cost of police protection shall be deposited by the licensee to the Issuer of Licences ten (10) days prior to the commencement of the festival;(b) provide adequate on-site parking space for people attending the festival by motor vehicle. They may also be called upon to provide one vehicle parking space for every two people expected to attend;(c) provide adequate entrances and exits to and from the premises. Each entrance and exit shall allow an orderly flow of traffic to and from any highway;(d) cease operation of the festival between the hours of 2:00 a.m. and 8:00 a.m. on each and every day, unless an exemption is granted by Town Council;(e) provide on the premises at least one metal garbage container with lid, not less than thirty (30) inches high or fifteen (15) inches in diameter at the base, for every twenty-five (25) people attending the festival, and shall arrange for regular garbage pick-up and disposal;(f) ensure that camping area is adequately illuminated with electrical light after dark and produce letters from the Medical Officer of Health that sanitation facilities are adequate;(g) provide, at their own expense, adequate fire protection as determined by the Fire Chief. If the event is located in a hazardous fire area, a suitable number of fire guards shall be employed by the licensee, and approved by the Fire Chief.5. Traffic lanes and other adequate space shall be designated and kept open for access and travel of all emergency vehicles and sanitation trucks.6. Every licensee planning to conduct a festival after dark, or allow people to remain on the premises after dark, shall provide adequate electrical illumination to ensure that those areas which are occupied are lighted at all times.7. A Festival licence shall only be valid for a maximum of 14 days and only for the days specified on the licence issued by the Issuer of Licences. |

SCHEDULE A-26: FLEA MARKETS

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| Applicable to: | Any owner/operator of a business or premises, whether enclosed by a building or structure or not, in which individual stalls are rented to vendors, other than the owner, for the purpose of individually exposing, offering for sale or selling new or used articles, foodstuffs, fruits, vegetables, services or other goods, wares or merchandise or exposing samples, patterns or specimens of any goods, wares or merchandise to be delivered at a later date. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every flea market:</p> <ol style="list-style-type: none">Every application shall be accompanied by:<ol style="list-style-type: none">Approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;Annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;An accurate site plan of the premises, operated as a flea market, including all outdoor areas. Such site plan shall identify each stall by number.No person shall allow on any Flea Market premises any exit, corridor or public corridor to be blocked, impeded or otherwise obstructed in any way.Every owner or operator of a Flea Market shall:<ol style="list-style-type: none">upon leasing, renting or otherwise providing a stall to a vendor or other person, enter into an agreement which set out the terms, conditions, rules and regulations governing operation within the flea market and such agreement shall contain the legal name of the vendor, his most recent address, the registered name of the business, the operating name of the business, the Provincial Vendor's Permit Number, and shall be signed and dated by both parties;maintain and upon request, provide to the Issuer of Licence a duplicate copy of the Agreement above referred to;maintain a book to be known as a "register" which shall be a comprehensive record of the Registered name and Operating name of each person or business operating within the flea market, the owner/principal of such business, address, and if available vehicle licence number and make of vehicle.The owner or operator shall make such entries to the registrar at the time of rental or immediately thereafter.Such register shall be kept and all records preserved for a period of at least two years from the date of the Agreement is terminated.The register shall be provided to any Municipal Law Enforcement Officer at any reasonable time for inspection.The owner or operator shall provide for each Flea Market premises or location, on the first day of each month, a list of all vendors having entered into agreement with such owner or operator to conduct business at or within the Flea Market for the next immediate month. Such list shall identify the registered business name, operating name and owner's name of each business having entered into such agreement. |

SCHEDULE A-27: FLORIST SHOP

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| Applicable to: | Any business that is a retail store devoted to the sale of flowers, indoor plants and arrangements thereof. |
| Exemptions: | None |
| Reason for Licensing: | Consumer Protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every florist shop:</p> <p>1. Every application shall be accompanied by:</p> <ul style="list-style-type: none">a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality. |

SCHEDULE A-28: FOOD SHOP

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| Applicable to: | Any premises where food stuffs intended for human consumption are made for sale, offered for sale, stored or sold. Such premises shall include but is not limited to bakeries, delicatessens, groceries, groceterias, fish shops, butcher shops, convenience stores, etc. but does not include any restaurant, snack bar or any similar operation. |
| Exemptions: | The requirement to obtain a Food Shop licence does not apply to: <ol style="list-style-type: none">1. Premises which contain only automatic dispensers for bottled or canned beverages and/or automatic dispensers for pre-packaged confectionery items;2. Any premises holding a valid Produce Vendor licence issued by the Town of Amherstburg. |
| Reason for Licensing: | Health and safety. |
| Special Conditions: | In addition to the general provisions set out in this by-law, the following special conditions apply to every food shop: <ol style="list-style-type: none">1. Every application shall be accompanied by: <ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. All premises shall be operated in a clean and sanitary condition, and in compliance with all requirements of the Essex County Public Health Division.3. No person shall operate or maintain any food shop in any unsanitary condition, or in any premises the use of which, because of the location, design or condition thereof, exposes any food to the risk of contamination.4. No person licensed hereunder shall purchase, use, sell, offer for sale or have in his possession any meat unless such meat has been inspected and bears on the carcass, the inspection legend of the Department of Agriculture, or of Agriculture Canada.5. Fresh meat and fish offered for sale shall be clearly identified. |

SCHEDULE A-29: GAS STATIONS

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| Applicable to: | Every place of business where gasoline and other fuels formulated to propel motor vehicles are sold. |
| Exemptions: | None |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to all gas stations:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality. |

SCHEDULE A-30: HAWKERS AND PEDDLERS

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| Applicable to: | Any business or person who offers goods, wares, or merchandise for sale in any manner in the Town either directly or by way of sample or catalogue for delivery later, i) other than on a permanent basis, or ii) on a permanent basis if the total time the person has operated the business and the time the person continuously resided in the municipality immediately before beginning to operate the business on a permanent basis is less than three months. This also includes the business, occupation or calling commonly known as a transient trader. |
| Exemptions: | <p>The requirement to obtain a Hawker and Peddler licence does not apply to:</p> <ol style="list-style-type: none">1. vendors who sell goods that are grown or produced on their own agricultural operation within the Town of Amherstburg and who has a Farmer Business Number, or family members or employees who have written authority to sell the goods on their behalf; or2. vendors who sell Christmas trees on a seasonal basis, or3. vendors who hold a valid Refreshment Vehicle licence issued by the Town of Amherstburg, or4. vendors who hold a valid Produce Vendor licence issued by the Town of Amherstburg. |
| Reason for Licensing: | Consumer protection, health and safety, nuisance control |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every Hawker and Peddler:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by a Police Record Search Certificate provided by the Chief of Police.2. In addition to a completed application the following approvals are required from various departments and agencies:<ol style="list-style-type: none">(a) for units containing heating/cooking equipment, approval from the Fire Chief is required.(b) for units containing propane installations, certification from a recognized Propane Agency is required.3. An applicant for a Hawkers and Peddlers Licence shall specify to the Issuer of Licences the types of goods and services to be sold or promoted.4. A Hawkers and Peddlers licence shall only be valid for a maximum of 30 days and only for the days specified on the licence issued by the Issuer of Licences. |

SCHEDULE A-31: HORSE DRAWN CARRIAGE OWNERS/DRIVERS

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| Applicable to: | Every owner and every driver of a horse-drawn carriage used or kept for hire for the purpose of providing sightseeing tours in the Town of Amherstburg. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every horse drawn carriage owner or driver:</p> <ol style="list-style-type: none">1. Every owner shall for each carriage for which he or she holds a licence affix and maintain thereon while such carriage is being used for hire or while standing available for such use, a plate supplied by the Issuer of Licences and bearing an identifying number, securely affixed to the back of the carriage, and such plate shall be affixed in a position approved by the Issuer of Licences.2. Every application shall be accompanied by:<ol style="list-style-type: none">(a) A Police Record Search Certificate provided by the Chief of Police.(b) Proof a liability insurance policy to cover the trade, business or occupation of the licensee to which his or her licence pertains with a limit of not less than \$1,000,000 combined bodily injury and property damage, exclusive of costs, for any one accident or occurrence. The Issuer of Licences shall be given 14 days' notice in writing of any cancellation, expiration or variation in the amount of the policy.(c) A complete detailed list showing thereon the number of horses to be used to draw the said carriage during its hours of operation including the times and number of hours each day during which each particular horse will be made available to draw such carriage.3. No owner shall operate or permit to be operated any carriage owned by him or her unless it is:<ol style="list-style-type: none">(a) Clean as to its exterior;(b) In good repair as to its exterior;(c) Clean as to its interior;(d) Free from mechanical defects; and(e) The harness and equipment used in conjunction therewith is sound, pliable and in good repair.4. No owner may use or permit the use of any horse for the purpose of drawing or operating a carriage or carriages owned by him or her for a total period of time longer than eight hours in any day and in calculating the eight-hour period there shall be included any time in the same day during which the horse is used to draw a carriage for any purpose, other than for the purpose of getting to and from the stable area housing such horses.5. Every owner or driver in charge of a horse which has been made available for drawing any carriage or carriages for or during any period of four consecutive hours shall permit the said horse to be rested for a two-hour period before requiring it to draw or be used in the operation of any carriage at any subsequent time and during the period of rest the owner or driver in charge of the said horse shall:<ol style="list-style-type: none">(a) Remove the harness from the horse and keep it removed throughout the period of rest;(b) Groom the horse; and(c) Provide water to the horse.6. Every owner shall allow every horse used in the operation of any carriage owned by him or her at least 24 consecutive hours of rest in every seven days.7. Every owner shall identify every horse used in the operation of every carriage used by him or her, by the affixing of a number on or to the hoof of such horse by a means satisfactory to the Issuer of Licences.8. No owner shall operate or permit the operation of a carriage owned by him or her before the first day of April or after the 30th day of October in any year, providing that the Issuer of Licences or his or her designate may grant permission to any owner licensed under this section to operate a carriage owned by him or her at or during some other designated time or times for the purpose of a special event, providing that the owner comply strictly with any terms imposed by the Issuer of Licences or his or her designate in granting such permission and with all of the other provisions of this section.9. Every owner in the operation of a carriage owned by him or her shall comply with or ensure compliance with the following regulations with respect to every horse used for the drawing of such carriage:<ol style="list-style-type: none">(a) No horse shall be worked where such horse has tendon cuts or fresh leg cuts.(b) No horse suffering from weeping sores shall be worked.(c) No lame or improperly shod horse shall be worked.(d) Without limiting the generality of Subsection (c) of this section, every horse shall be shod with rubber shoes or with cork, leather or other form of buffer or padding on its hooves.(e) Every horse shall be examined by a veterinarian before it is first used to draw or operate a carriage, and no such horse shall be worked unless the said veterinarian has, with respect to such horse, issued a certificate stating that in his or her opinion the horse is fit for the purpose of drawing or operating such carriage, a copy of which certificate shall be filed with the Issuer of Licences within one week of the said examination.(f) Every horse shall be examined by a veterinarian forthwith after it displays any sickness or injury and shall not be worked again until a further certificate as required by Subsection (e) of this section has been obtained and a copy thereof filed with the Issuer of Licences.(g) Notwithstanding the generality of Subsection (f) of this section, every horse shall, during any period in which it is used to draw or operate a carriage, be examined by a veterinarian at least |

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| | <p>once each month.</p> <ol style="list-style-type: none">10. No owner shall permit the drawing of a carriage owned by him or her by any horse less than five years of age or by any horse over 18 years of age.11. No driver's licence shall be issued to any person under the age of 18 years, and no person under the age of 18 years shall own, drive or operate a carriage.12. No owner or driver shall drive or operate any carriage carrying or occupied by more than five persons exclusive of himself or herself.13. Notwithstanding Section 12, a carriage may be operated or driven while carrying or occupied by six persons exclusive of the driver, provided that two of such persons are 12 years of age or younger.14. No owner or driver shall drive or operate a carriage when the temperature of the air in the immediate vicinity of the said carriage exceeds 32 degrees on the Celsius scale.15. All manure must be removed immediately, as it occurs.16. No owner or driver shall take, consume or have in his or her possession any liquor while he or she is in charge of his or her carriage, nor shall the use of liquor by him or her be apparent while he or she is in charge of any such carriage.17. Every owner or driver in charge of a carriage shall be properly dressed, neat and clean in his or her person, and shall be civil and well-behaved.18. A driver, or an owner who drives his or her carriage, shall keep a record in a form supplied by the Issuer of Licences (hereinafter referred to as a "trip record") of all trips made by the carriage, and such record shall contain the following information:<ol style="list-style-type: none">(a) The number of the owner's licence issued by the Issuer of Licences;(b) The name, address and licence number of the driver;(c) Information identifying the horse used to draw the carriage during such working period;(d) The date, time and location of the beginning and termination of each trip; and(e) The amount of the fare collected for each trip.19. A driver or an owner in charge of his or her carriage shall not obstruct traffic while writing up his or her trip record, but each trip shall be completely recorded prior to the commencement of the next following trip.20. The trip record kept by an owner or required to be delivered to him or her by a driver or drivers shall be kept by the said owner for at least 12 months and shall be open to inspection by the Issuer of Licences, and such person shall be permitted to remove such trip record and retain the same for a reasonable time.21. Every owner shall, on a tariff card, post his or her hourly rates of fare for services provided by him or her, and any other rates, fares or fees charged by him or her in the operation of his or her carriage and the name of the owner and his or her licence number in such a manner that the same is plainly readable by any passenger in the carriage.22. No owner or driver shall demand or receive any rates, fares, charges or fees other than in accordance with those posted on the tariff card affixed in a carriage as provided in this section.23. Every driver having the care and control of a carriage and the horse drawing it shall maintain physical control over such carriage and horse at all times.24. Every owner shall be responsible for the training and instruction of every driver driving his or her carriage, and no owner shall permit any person to drive or operate his or her carriage unless such person has been properly trained and instructed so to do.25. Every applicant for a licence as a driver shall be examined by a person designated by the Issuer of Licences as to his or her ability to:<ol style="list-style-type: none">(a) Handle horses in traffic;(b) Harness horses;(c) Groom and care for horses; and(d) Detect lameness in horses and assess their general health.26. Every owner and driver operating a carriage shall, upon a request made to him or her by any peace officer, by-law enforcement officer or inspector of the Windsor-Essex County Humane Society produce and show to such officer or inspector:<ol style="list-style-type: none">(a) His or her licence, if he or she is licensed under this chapter; and(b) The information required to be kept by such owner or driver under the provisions of this Schedule. |
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SCHEDULE A-32: HOTELS / MOTELS

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| Applicable to: | Every premises or location operating as a hotel or motel. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection, health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every hotel/motel:</p> <ol style="list-style-type: none">Each application shall be accompanied by:<ol style="list-style-type: none">a list detailing the number of rooms and facilities offered by the establishment;approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;annual certification of health inspection compliance, as issued by the Medical Officer of Health;annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town.a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.No person shall post any sign contrary to the provisions of any municipal by-law.No person shall, in relation to the operation of a bed and breakfast establishment, park or permit to be parked any vehicle contrary to any municipal by-law.Every person shall ensure that each room is provided with clean linens, including towels, any other customary toilet supplies for each registered guests.Every person operating a business of Hotel/Motel shall keep a register of all patrons showing their name, address, the vehicle make and licence plate number including Province or State from which such plate was issued, the date of admission and departure and shall provide such register upon request of the Issuer of Licences or Police Officer. Such register shall be open to inspection by the Issuer of Licences and/or Police Officer during all times during business hours and may be removed at any time by the Issuer of Licences and/or Police Officer for inspection, or use in the Courts, if necessary. |

SCHEDULE A-33: INDOOR RECREATIONAL ESTABLISHMENT

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| Applicable to: | Every premises, land, building or structure that has been designed and equipped for the consumer or customer to actively participate in indoor sports or leisure activities such as but not limited to an indoor roller-skating/skateboard/rollerblading park, rink or facility, indoor automatic batting cages, automatic/electronic golf courses, indoor miniature golf course, but does not include a commercial fitness centre, adult entertainment parlour, entertainment establishment or use entailing the outdoor operation or racing of animals or motorized vehicles or any establishment involving gambling or gaming activities. |
| Exemptions: | The requirement to obtain an Indoor Recreational Establishment licence does not apply to: <ol style="list-style-type: none">1. premises who's only indoor recreational activity is amusement arcades and who holds a valid Amusement Arcade licence issued by the Town Amherstburg;2. premises who's only indoor recreational activity is billiards and who holds a valid Billiard Table licence issued by the Town of Amherstburg;3. premises who's only indoor recreational activity is bowling and who holds a valid Bowling Alley licence issued by the Town of Amherstburg. |
| Reason for Licensing: | Health and safety, nuisance control |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every indoor recreational establishment:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by: <ol style="list-style-type: none">(a) A statement giving particulars as to the location, size and construction of the hall as may be required by the Issuer of Licences;(b) proof of liability insurance in the minimum amount of \$1,000,000 in a form acceptable to the Town;(c) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(d) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(e) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(f) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.3. The Issuer of Licences shall specify on the Indoor Recreational Establishment licence, the maximum number of persons who may be in the hall at any time, which number shall be prescribed by the Fire Chief upon inspection.4. Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.5. The licensee shall ensure that there are no payoffs, betting or offering of any article or thing as a prize in contravention of the Criminal Code of Canada within the licensed premise.6. A Municipal Law Enforcement Officer, Police Office or other person duly appointed may, at any time enter any business premise in which they have reason to believe there is kept or being operated an indoor recreational establishment contrary to the provisions of this By-law.7. The licensee shall ensure that the forming of queues for the purpose of gaining entrance to the premise does not obstruct any other business, sidewalk, boulevard, highway, ingress or egress to or from private property and that an attendant is present whenever a queue is formed for the purpose of regulating such queue. |

SCHEDULE A-34: LIMOUSINE DRIVERS

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| Applicable to: | Any person responsible for the care and operation of a limousine and services related thereto. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every limousine driver:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) A Police Record Search Certificate provided by the Chief of Police.(b) Proof that the applicant holds a valid Driver's Licence issued to him by the Ministry of Transportation for the Province of Ontario, such licence to be of a sufficient classification to authorize the driving of a limousine under the provisions of this By-law.2. Every driver of a limousine shall keep and maintain the interior and exterior in good repair and in a clean and sanitary condition at all times.3. Every driver of a limousine shall ensure that the limousine is equipped with a spare usable tire and wheel and a suitable jack for lifting the limousine at all times.4. Every driver shall ensure that a limousine licensed under this Schedule is only used as a limousine and is not used as a taxicab unless otherwise licensed under the provisions of this by-law.5. No person shall operate any vehicle as a Limousine unless such vehicle is equipped with more than two passenger access doors.6. No person shall provide any services as a Limousine Driver for any Limousine Company which is not licensed under the provisions of this By-law.7. Every limousine driver shall be familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the Town of Amherstburg and be fluent in the English language.8. The licensee shall ensure that he holds a valid Driver's Licence as issued by the Ministry of Transportation for the Province of Ontario of a sufficient classification to authorize the driving of a limousine under the provisions of this By-law, at all times while engaged in the driving of a limousine.9. The licensee shall:<ol style="list-style-type: none">(a) keep an orderly record of all calls answered by him showing date, time, origin, destination and limousine vehicle licence number. The records shall be retained for a period of 12 months from date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time and may be removed by such Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and retained for any reasonable period of time;(b) ensure that every limousine driven by him has been submitted for vehicle safety examination prior to such vehicle being used as a limousine and at any other time as required by the Issuer of Licences, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual ensure that a valid and current Safety Standards Certificate for such limousine has been issued in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended;10. The licensee shall ensure that any limousine driven by him is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified trip.11. No limousine driver shall be entitled to recover or receive, or charge any fare, rate, fee or charge from any person or persons from whom he shall have demanded any fare, rate, fee or charge greater or less than those authorized in the Schedule of Rates and Charges as outlined in Section 1(f) of the Schedule for Limousine Owners.12. Every licensee while in charge of a limousine for hire shall:<ol style="list-style-type: none">(a) display any photo identification in respect of any licence issued by the Issuer of Licences under the provisions of this Section and upon the request of any passenger, give in writing his name, licence number of the licence issued to him under the provisions of this By-law, the permit number issued by the Ministry of Transportation for the Province of Ontario of the limousine he is driving;(b) take due care of all property delivered or entrusted to him and accepted by him for in respect of any passenger for conveyance or safekeeping and immediately upon termination of any hiring or engagement, shall search his limousine for any property lost or left therein and all property or money left in his limousine shall be forthwith delivered over to the person owning the same, or if the person cannot be found at once, then to a Police Officer on duty for Amherstburg Police Service with all information in his possession regarding same;(c) travel by the most direct route to the point of destination unless otherwise directed by the person engaging the limousine;(d) be neat and clean in his person and appearance;13. No person, while in charge of a limousine for hire shall:<ol style="list-style-type: none">(a) solicit any person to take or use the limousine he is driving by calling out or shouting. The person wishing to use or engage a limousine shall be left to choose without interception or solicitation;(b) take, consume or have in his possession any intoxicant;(c) obstruct the use of any sidewalk, make any loud noise or disturbance, use any abusive language, molest, annoy or insult any person whatsoever;(d) employ or allow any runner or other person to assist or act in concert with him in obtaining any passenger; |

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| | <ul style="list-style-type: none">(e) carry a greater number of persons than the limousine is intended to seat according to the manufacturer's rating or than specified in the licence issued under this By-law;(f) induce any passenger to employ him by either knowingly, recklessly or willfully misinforming, misleading or deceiving such passenger as to the arrival or departure of any public conveyance of the location or distance from any part of the Town to any terminal, station, public place, private residence or any other place;(g) carry any passenger other than those employing his services, unless authorized by the limousine service for which he is employed as a driver;(h) allow any immoral, indecent, disorderly or illegal conduct in his limousine;(i) smoke while driving a passenger, contrary to the provisions of the Essex County smoking by-law, whichever is the more restrictive. <p>14. Every licensee shall furnish to every passenger where required, a receipt for charges made and paid by him, indicating thereon the mileage travelled, and the licensee shall promptly furnish such receipt upon request together with his name and the Town of Amherstburg Limousine licence number.</p> |
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SCHEDULE A-35: LIMOUSINE OWNERS

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| Applicable to: | Any person who owns a limousine or has possession or control thereof under an instalment purchase agreement or by way of rental or other agreement and who offers such vehicle for hire. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every limousine owner:</p> <ol style="list-style-type: none">Every application shall be accompanied by:<ol style="list-style-type: none">a Police Record Search Certificate provided by the Chief of Police.the vehicle make, model, year and vehicle identification number for each vehicle to be licensed as a limousine.proof of automobile insurance in the minimum amount of \$1,000,000.a Safety Standards Certificate in accordance with the requirements of the <i>Highway Traffic Act</i>, R.S.O. 1990, c. H.8 for the vehicle for which application is being made.proof of GST (Goods and Services Tax) registration.the Ontario licence plate number as issued by the Ministry of Transportation and the Vehicle Identification Number (VIN) for all vehicles to be used as a limousine by the Limousine Company.a Schedule of Rates and Charges itemizing any and all charges for services to be provided by the Limousine Company.Every owner of a limousine shall submit such limousine for safety inspection annually or as otherwise required by the Issuer of Licences, Municipal Law Enforcement Officer, Police Officer or other duly appointed individual under the provisions of the <i>Highway Traffic Act</i>, R.S.O. 1990, c. H.8 and such valid and current Safety Standards Certificate shall be filed with the Issuer of Licences.Every owner of a limousine shall keep and maintain the interior and exterior in good repair and in a clean and sanitary condition at all times.Every owner of a limousine shall ensure that the limousine is equipped with a spare usable tire and wheel and a suitable jack for lifting the limousine at all times.Every owner and driver shall ensure that a limousine licensed under this Schedule is only used as a limousine and is not used as a taxicab unless otherwise licensed under the provisions of this by-law.Where a person holds a valid Limousine Owner licence under this by-law for the current year and where such person certifies that the limousine licensed under this by-law has been removed from service and is being replaced by another vehicle to be operated as a limousine, and upon submission of:<ol style="list-style-type: none">a duly completed application form, anda valid vehicle safety inspection certificate for the vehicle to be licensed as a limousine, andany other required inspections, approvals or documents as required by the Issuer of Licences, andpayment of a \$50.00 administrative fee,a Limousine Licence may be reissued by the Issuer of Licences for the replacement vehicle.No person shall charge a rate less than \$35.00 per hour with a minimum of two (2) hours.No person shall permit any limousine to be used for hire in respect of any Limousine Company unless such limousine is licensed under the provisions of this by-law.No person shall permit any driver to drive a limousine unless such driver is licensed under the provisions of this by-law to do so.The licensee shall ensure that every driver of a limousine shall be familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the Town of Amherstburg and be fluent in the English language.The licensee shall ensure that every driver of a limousine is the holder of a valid driver's licence issued to him by the Ministry of Transportation for the Province of Ontario, such licence to be of a sufficient class to authorize the driving of the limousine under the provisions of this By-law, and that such licence is valid at all times when such driver is engaged in driving any limousine.Every licensee shall:<ol style="list-style-type: none">keep an orderly record of all calls answered by limousines owned by him showing date, time, origin, destination, limousine vehicle licence number and the name of the driver. The records shall be retained for a period of 12 months from date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time and may be removed by such Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and retained for any reasonable period of time;submit each limousine owned by him for vehicle safety inspection annually and at any other time as required by the Issuer of Licences, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and shall file with the Issuer of Licences a valid and current Safety Standards Certificate for each limousine owned by him and intended to be used as a limousine as required under the provisions of the <i>Highway Traffic Act</i>, R.S.O. 1990, c. H.8 as amended;ensure that all persons employed by him as a limousine driver are properly licensed under the provisions of this By-law;provide telephone and radio dispatching equipment and facilities maintained in proper working condition and in no case shall utilize a cellular telephone or similar means of communication for |

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| | <p>dispatching calls.</p> <p>13. The licensee shall ensure that any limousine operated by him is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified trip.</p> <p>14. No person shall be entitled to recover or receive, or charge any fare, rate, fee or charge from any person or persons from whom he shall have demanded any fare, rate, fee or charge greater or less than those authorized in Section 1(f).</p> <p>15. Notwithstanding Section 14, the licensee and a customer may enter into a contract in writing for services to extend for a period of one year or more on runs between fixed points at an agreed tariff, but a duplicate original of such contract must first be filed with the Issuer of Licences.</p> |
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SCHEDULE A-36: OFFICE (GENERAL, BUSINESS, SERVICE)

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| Applicable to: | Every place of business that falls under the definition of but not limited to general office, business office and/or service office. Office, General means a building or part of a building or any room or suite of rooms designed, intended or used for the conduct of a profession, occupation or business. Office, Business means a building or part thereof in which the administrative functions of agencies, foundations, brokers, labour or fraternal organizations are carried out. Office, Service means a building, or part thereof, in which one or more persons is employed in the management, direction or conducting of a travel agency, an insurance agency or a real estate agency. |
| Exemptions: | The requirement to hold an Office (General, Business, Service) licence does not apply to a Veterinarian, Retailing of merchandise, Manufacturing, Repairing or storage of goods or any place of assembly or amusement, Medical/Dental offices, Professional Offices, Financial Institutions. |
| Reason for Licensing: | Consumer Protection |
| Special Conditions: | In addition to the general provisions set out in this by-law, the following special conditions apply to every office: 1. Every application shall be accompanied by: a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations; b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town; c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality. |

SCHEDULE A-37: PEDICAB OWNERS/DRIVERS

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| Applicable to: | Every owner and every driver of a pedicab used or kept for hire. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every pedicab owner/driver:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by a Police Record Search Certificate provided by the Chief of Police.2. Every owner shall, for each pedicab for which such owner holds a licence, affix and maintain while such pedicab is being used for hire, or while standing available for such use, a plate supplied by the Issuer of Licences and bearing an identifying number, securely affixed to the vehicle, in a position approved by the Issuer of Licences.3. Every driver and every owner shall at all times when operating a pedicab have his or her name, together with a photograph of his or her person, affixed in a place on the pedicab in such a manner as may be approved by the Issuer of Licences or his or her designate so that such name and photograph are plainly visible to and readable by any passenger of the pedicab.4. No owner shall permit any person other than a licensed driver employed or otherwise retained by such owner to operate the pedicab or to make it available for hire.5. Nothing in this section prevents an owner from operating his or her own pedicab.6. Every owner shall, in respect of each pedicab for which a licence is held, obtain, maintain and pay for a liability insurance policy to cover the offering and operating of pedicabs for hire with a limit of not less than \$1,000,000 combined bodily injury, death and property damage, exclusive of costs and interest, for any one accident or occurrence and the Issuer of Licences shall be given 14 days' notice in writing of any cancellation, expiration or suspension of the policy or of any reduction in the amount of coverage under the policy.7. Every owner shall produce for inspection by the Issuer of Licences a copy of such owner's insurance policy whenever an application for, or a renewal of, a licence is made, and the Issuer of Licences shall note the name of the insurer, the amount of coverage and the policy number in the owner's file.8. Every owner shall ensure that the driver of such owner's pedicab carries and every such driver shall carry a certificate or other proof of insurance as provided by the insurer, at all times while the vehicle is hired or available for hire, and will produce for inspection such certificate or other proof of insurance to the Issuer of Licences or a By-law Enforcement Officer upon request.9. No owner or driver shall operate or permit to be operated for hire any pedicab unless it is:<ol style="list-style-type: none">(a) Clean as to its exterior;(b) In good repair as to its exterior;(c) Clean as to its interior;(d) In good repair as to its interior; and(e) Free from mechanical defects.10. No owner shall permit such owner's pedicab to be hired or made available for hire and no driver shall operate such pedicab unless it is equipped with both front and rear reflective devices in good working condition and satisfactory to the Issuer of Licences.11. Where there are reasonable and probable grounds to believe that a pedicab is dangerous or unsafe, the Issuer of Licences may remove the pedicab number plate supplied by the Issuer of Licences and determine whether or not the licence should be suspended, revoked or have conditions placed on it.12. No owner or driver shall permit more than two persons to be passengers in a pedicab at any time without the consent of the Issuer of Licences or his or her designate.13. Notwithstanding Section 11, an owner or driver may permit a third person to be a passenger in a pedicab, provided such person is 12 years of age or younger.14. Every driver of a pedicab shall be properly dressed, neat and clean in his or her person, and be civil and well-behaved whenever the pedicab is hired or made available for hire, and such driver shall not make any loud noise or disturbance.15. No owner or driver shall permit a pedicab to be on a sidewalk or obstruct the roadway while the pedicab is hired or available for hire.16. Every owner shall file with the Issuer of Licences a schedule of all the rates or fares to be charged for the hiring of the pedicab, and such schedule shall be affixed to the pedicab so as to be plainly readable by any passenger in or near the pedicab.17. No owner or driver shall demand or request payment for services other than in accordance with the schedule of rates filed with the Issuer of Licences.18. No owner or driver shall take, consume or have in his or her possession any liquor while he or she is in charge of a pedicab, nor shall the use of liquor by him or her be apparent while he or she is in charge of any such pedicab. |

SCHEDULE A-38: PET GROOMERS

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| Applicable to: | Every place of business that attends to the cosmetic care of animals |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection, health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every pet groomer:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. If the Essex County Health Unit finds that the operation and maintenance of a licensed business do not conform with the requirements of the <i>Health Protection and Promotion Act</i> and the Food Premise Regulation, the Issuer of Licences may suspend the licence until the situation has been rectified;3. No person shall allow any pet being accommodated in respect of the pet groomer services, to be kept in any outdoor run, compound or other area. |

SCHEDULE A-39: PET SHOPS

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| Applicable to: | Every place of business that sells live animals, including but not limited to birds and reptiles, as household pets. |
| Exemptions: | The requirement to obtain a Pet Store licence does not apply to: <ol style="list-style-type: none">1. registered breeders of purebred dogs or cats; or2. persons who carry on a farming business that is a permitted use under the Town zoning by-law that applies to the property. |
| Reason for Licensing: | Consumer protection, health and safety |
| Special Conditions: | In addition to the general provisions set out in this by-law, the following special conditions apply to every pet store: <ol style="list-style-type: none">1. Every application shall be accompanied by: <ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. If the Humane Society finds an animal that is distressed, the Issuer of Licences may suspend or revoke the licence;3. If the Essex County Health Unit finds that the operation and maintenance of a licensed business do not conform with the requirements of the <i>Health Protection and Promotion Act</i> and the Food Premise Regulation, the Issuer of Licences may suspend the licence until the situation has been rectified;4. An animal shall not be sold or offered for sale if the keeping of that animal as a household pet is prohibited by by-law within the Town. |

SCHEDULE A-40: PETTING ZOOS

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| Applicable to: | Any business or premises exhibiting a collection of animals in cages or enclosures. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every petting zoo:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town.2. Every applicant shall provide and maintain a current record of all animals which are kept in such petting zoo.3. Every petting zoo shall maintain and keep all animals within the petting zoo in a clean, well-bedded, and healthy manner and shall ensure that the animals are treated in a humane manner at all times.4. Every licensee shall procure and maintain liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the general contractor and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 14 days prior to such change, including notice of the expiration or cancellation thereof and a copy of such policy shall be deposited with the Issuer of Licences at the time of application.5. The price of admission if any shall be posted in a conspicuous and prominent location outside the entrance. |

SCHEDULE A-41: PORTABLE SIGN CONTRACTORS

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| Applicable to: | Any person who, from a location inside or outside the municipality, carries on the business of leasing mobile signs in the municipality if the person locates or permits the location of his or her portable signs within the Town of Amherstburg. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every portable sign contractor:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations. |

SCHEDULE A-42: PRODUCE VENDORS

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| Applicable to: | Any premises, with or without permanent buildings, where fruit and vegetables may be sold. |
| Exemptions: | The requirement to obtain a Produce Vendor licence does not apply to: <ol style="list-style-type: none">1. any person operating as a produce vendor within the Town for which all fruit and vegetables sold or offered for sale have been grown on a premises within the Town and who has a Farmer Business Number; or2. Any permanent retail business selling fruit and vegetables in conjunction with regular business sales. |
| Reason for Licensing: | Consumer protection, Health and Safety |
| Special Conditions: | In addition to the general provisions set out in this by-law, the following special conditions apply to every produce vendor: <ol style="list-style-type: none">1. Every application shall be accompanied by: <ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. No person shall operate or maintain the business of a produce vendor in contravention of the <i>Highway Traffic Act</i> or the Traffic By-law of the Town; |

SCHEDULE A-43: PUBLIC HALLS (Class 1)

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| Applicable to: | Every business or premise which serves as a public hall and engages in the preparation and supply of food on-site. |
| Exemptions: | The requirement to obtain a Public Hall (Class 1) licence does not apply to: <ol style="list-style-type: none">Any religious or municipal organization by reason that its hall or building may be solely used for events given or held by it;Any premises holding a valid Restaurant licence issued by the Town of Amherstburg. |
| Reason for Licensing: | Health and safety, consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every public hall (class 1):</p> <ol style="list-style-type: none">Every application shall be accompanied by: <ol style="list-style-type: none">A statement giving particulars as to the location, size and construction of the hall as may be required by the Issuer of Licences;approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;annual certification of health inspection compliance, as issued by the Medical Officer of Health;annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.The Issuer of Licences shall specify on the Public Hall (Class 1) licence, the maximum number of persons who may be in the hall at any time, which number shall be prescribed by the Fire Chief upon inspection.Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the premises licensed as a public hall. |

SCHEDULE A-44: PUBLIC HALLS (Class 2)

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| Applicable to: | Every business or premise which serves as a public hall and requires the preparation and supply of food from an off-site location. |
| Exemptions: | The requirement to obtain a Public Hall (Class 2) licence does not apply to any religious or municipal organization by reason that its hall or building may be solely used for events given or held by it. |
| Reason for Licensing: | Health and safety, consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every public hall (class 2):</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) A statement giving particulars as to the location, size and construction of the hall as may be required by the Issuer of Licences;(b) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.3. The Issuer of Licences shall specify on the Public Hall (Class 2) licence, the maximum number of persons who may be in the hall at any time, which number shall be prescribed by the Fire Chief upon inspection.4. Every person who holds a licence shall publish the maximum occupant load authorized in the premises by posting the licence issued under this by-law, by the Issuer of Licences, at the entrance and inside the premises.5. Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the premises licensed as a public hall. |

SCHEDULE A-45: RACE TRACKS

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| Applicable to: | Any premises that is primarily used for the racing of animals or any form of motorized vehicles. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection, health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every Race Track:</p> <ol style="list-style-type: none">Each application shall be accompanied by:<ol style="list-style-type: none">approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;annual certification of health inspection compliance, as issued by the Medical Officer of Health;annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town.All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division. |

SCHEDULE A-46: REFRESHMENT VEHICLE

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| Applicable to: | Every vehicle from which food intended for immediate consumption is sold. For purposes of this by-law, refreshment vehicles are divided into the following classes: Class 1: A motorized vehicle, other than a motor assisted bicycle or motorcycle, which seats food that is prepared and cooked on-site, e.g. a chip wagon; Class 2: A motorized vehicle, other than a motor assisted bicycle or motorcycle, which sells food that is prepared and cooked off-site, e.g. a catering truck; Class 3: A vehicle propelled by muscular power, motor assisted bicycle or motorcycle which sells food that is prepared and cooked on site, e.g. hot dog cart; Class 4: A vehicle propelled by muscular power, motor assisted bicycle or motorcycle which sells food that is prepared and cooked off-site, e.g. ice cream truck |
| Exemptions: | None |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <ol style="list-style-type: none">1. No Refreshment Vehicle may operate within 200 metres of a licensed Restaurant or Snack Bar or within 400 metres of another refreshment vehicle.2. In the event of a disagreement, the Issuer of Licences will determine the applicable “class” of a refreshment vehicle. |

SCHEDULE A-47: RESTAURANTS

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| Applicable to: | Any establishment having ten or more seats where refreshments and/or food is prepared, served and/or offered for sale to the public for consumption. Shall include but is not limited to grills, tearooms, dining rooms, and other similar places. |
| Exemptions: | The requirement to obtain a Restaurant licence does not apply to any premises holding a valid Public Hall (Class 1) licence issued by the Town of Amherstburg. |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every Restaurant:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.3. The licensee shall not produce, reproduce or amplify nor allow anyone to produce, reproduce or amplify any sound contrary in contravention of the noise control by-law for the Town.4. No outdoor patio shall be established within a parking space or area intended for the parking of vehicles.5. No person shall operate any amusement device or game within any outdoor patio area.6. No person shall allow the consumption of alcoholic beverages within any outdoor patio area unless such area is licensed under the provisions of the Liquor Licensing Act.7. No person shall operate a motorized refreshment vehicle as an extension of a restaurant operation. |

SCHEDULE A-48: RETAIL STORE

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| Applicable to: | Any place of business in which goods, wares, merchandise, articles or things are offered or kept for retail sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, articles or things sufficient only to service such store. Includes but is not limited to clothing stores, jewellery stores, make your own wine stores, make your own beer stores, souvenir stores, hardware stores and automotive parts sales. |
| Exemptions: | The requirement to obtain a Retail Store licence does not apply to a place of business that holds a valid Business Service Establishment licence, Florist Shop licence, Office (General, Business, Service) licence or pertains to a wholesale business. |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every retail store:</p> <ol style="list-style-type: none">Every application shall be accompanied by:<ol style="list-style-type: none">approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;annual certification of health inspection compliance, as issued by the Medical Officer of Health, if required;a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.All premises shall be operated in a clean and sanitary condition, an in compliance with all the requirements of the Essex County Public Health Division, if required. |

SCHEDULE A-49: SECOND HAND SHOPS

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| Applicable to: | Any premises in which the purchasing, selling, exchanging, or otherwise dealing in second-hand goods is carried on. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every second hand shop:</p> <ol style="list-style-type: none">Every application shall be accompanied by:<ol style="list-style-type: none">approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.Every person of any premises which is operated or maintained for the purpose of Second-hand Goods shall:<ol style="list-style-type: none">at all times keep any second-hand goods, wares or merchandise to be sold or offered for sale within any premises and none of the goods, wares or merchandise shall be offered for sale or sold except within such building;ensure that all goods, wares or merchandise sold or offered for sale are displayed and kept in a neat, tidy, sanitary and safe manner;at any time, permit such premises, operated or maintained to be inspected by the Issuer of Licences and/or Police Officer and promptly ensure that any reasonable changes in regard to the operation or conduct of the business are carried out as required by the Issuer of Licences and/or Police Officer;maintain a register of all goods, wares, merchandise or articles purchased or taken in exchange or otherwise obtained, at the licensee's premises. The register entry must be made at the time of purchase or acquisition including a full description of the goods, wares, merchandise or articles including the make, model and serial number, where applicable, the price paid therefore, and the name and address of the person from whom the purchase or acquisition was made;provide a copy of the register referred to in Subsection (d) of this Schedule to the Issuer of Licences and/or Police Officer and shall deliver a copy of the monthly register to the Issuer of Licences at the end of each calendar month. Such register shall be open to inspection by the Issuer of Licences and/or Police Officer during all times during business hours and may be removed at any time by the Issuer of Licences and/or Police Officer for inspection, or use in the Courts, if necessary;maintain all goods, wares, merchandise or articles purchased or taken in exchange or otherwise obtained at the licensee's premises, for a minimum period of thirty (30) days prior to second-hand goods, wares or merchandise being sold or offered for sale.Where the licensee has reasonable cause to believe or suspect that any goods, wares, merchandise or other article offered for sales or trade has been stolen or otherwise unlawfully obtained, he/she shall forthwith report the matter to the Issuer of Licences and/or Police Officer.No person operating or maintaining any premises for the purpose of Second-hand Goods shall:<ol style="list-style-type: none">directly or indirectly purchase from, exchange with, or receive from or in pledge from any minor, under the age of eighteen (18) years.Alter, repair, dispose of or in any way part with any goods, wares, merchandise or articles purchased or taken in exchange until after the expiration of thirty (30) days, from the date of purchase or such exchange. |

SCHEDULE A-50: SNACK BARS

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| Applicable to: | Any eating establishment having less than ten seats where food and/or refreshments are prepared for, served or offered for sale to the public for consumption. Shall include but is not limited to concession stands, ice cream parlours, grills and other similar places or premises. |
| Exemptions: | None |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special condition applies to every snack bar:</p> <ol style="list-style-type: none">1. Every licence shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;(e) proof of liability insurance in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the said licensee and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any change in the policy 14 days prior to such change, including notice of the expiration or cancellation thereof.2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.3. The licensee shall not produce, reproduce or amplify nor allow anyone to produce, reproduce or amplify any sound contrary in contravention of the noise control by-law for the Town.4. No outdoor patio shall be established within a parking space or area intended for the parking of vehicles.5. No person shall operate any amusement device or game within any outdoor patio area.6. No person shall allow the consumption of alcoholic beverages within any outdoor patio area unless such area is licensed under the provisions of the Liquor Licensing Act.7. No person shall operate a motorized refreshment vehicle as an extension of a snack bar operation. |

SCHEDULE A-51: SPECIAL EVENT SALES

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| Applicable to: | Every person or place of business conducting a special event sale of goods. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every special event sale:</p> <ol style="list-style-type: none">1. Where the applicant is not the owner of the goods, the applicant shall provide to the Issuer of Licences at the time of application, a statutory declaration of the owner of the goods verifying the details of the said application.2. The applicant shall, produce such books, records, or other documents as the Issuer of Licences shall deem necessary to corroborate any of the statements contained in the application.3. No person shall add to or replenish the goods described in the application or substitute any goods thereof.4. The Issuer of Licences may refuse to issue a licence or may revoke any licence already issued for a special sale if:<ol style="list-style-type: none">(a) any attempt is made to add to or replenish the goods described in the application or substitute any goods thereof;(b) the sale is advertised or conducted in a manner other than that described in the application or in any manner calculated to mislead or deceive the public.5. No licence shall be for a period longer than 30 days.6. Notwithstanding the provisions of Section 5 the licensee shall be entitled to apply for a licence for an additional 30 day period to permit the sale of any remaining goods described in the original application.7. No person shall give, post or advertise notice of special sale without including the number of the licence issued by the Issuer of Licences for such sale. |

SCHEDULE A-52: SWIMMING POOLS

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| Applicable to: | Any premises or location kept as a public swimming pool and operated for gain. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection, health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every swimming pool:</p> <ol style="list-style-type: none">Every application shall be accompanied by:<ol style="list-style-type: none">approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;proof of liability insurance in the minimum amount of \$1,000,000;a Certificate of Inspection from the Essex County District Health Unit.No person shall be licensed to operate or maintain a public swimming pool unless he complies with the following requirements:<ol style="list-style-type: none">The licensee shall ensure that every swimming pool is equipped with filtration, recirculation, and continuous chlorination equipment suitable to the requirements of the Essex County District Health Unit.The licensee shall ensure that the floor of every area adjacent to the pool, the dressing rooms and shower/bath rooms is constructed of impervious material.In the case of an indoor pool, the licensee shall ensure that the room containing the pool is ventilated in a manner satisfactory to the Essex County District Health Unit.In the case of an indoor pool, the licensee shall ensure that dressing rooms and other facilities for the effective cleansing of all bathers before entering the pool are provided; and in the case of an outdoor pool, adequate shower facilities for the effective cleansing of all bathers are provided.The licensee shall ensure that adequate sanitary facilities are provided in a location adjacent to dressing rooms or shower/bath rooms.The licensee shall ensure that a source of drinking water for patrons consisting of one or more drinking fountains of a design approved by the Medical Officer of Health is provided.The licensee shall ensure that duckboards or cocoa matting is not be used in any shower, dressing room or swimming pool room.The licensee shall ensure that during the entirety of the bathing period, the water in the pool is reasonably free from algae growths and sufficiently clean.The licensee shall not permit any person to use the pool unless such person shall have first effectively used the facilities for cleansing the person.The licensee shall ensure that a properly qualified swimming supervisor, and a responsible and trained pool operator are in attendance at the pool during the entirety of every bathing period and such pool shall not be used in the absence of a supervisor or operator.No person shall admit or allow to be permitted any patron who has knowingly been exposed to or is suffering from any communicable disease including any communicable skin disease unless such patron has obtained permission to use the premise from the proper authorities.The licensee shall ensure the orderly conduct of all patrons at all times when on the premise. |

SCHEDULE A-53: TATTOO PARLOURS

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| Applicable to: | Every business or premises where the skin of an individual is marked by puncturing it and inserting a pigment or pigments to make permanent marks or designs. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection, health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to all tattoo parlours:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of health inspection compliance, as issued by the Medical Officer of Health;(c) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(d) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;2. All premises shall be operated in a clean and sanitary condition, and in compliance with all the requirements of the Essex County Public Health Division.3. No person shall dispose of any needle or other similar piercing instrument, item or tool in an unsafe manner.4. No person shall provide tattoo services to any person who is known to suffer from a contagious disease. |

SCHEDULE A-54: TAXI CAB BROKER

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| Applicable to: | Every person who works as a taxi cab broker. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every taxicab broker:</p> <ol style="list-style-type: none">1. Every application shall be accompanied:<ol style="list-style-type: none">(a) by three photographs of the applicant, one to be attached to the taxicab broker's licence, one for the file of the Clerk and one for the Chief of Police.(b) a Police Record Search Certificate provided by the Chief of Police2. The Clerk shall refer each application for a taxicab broker's licence to the Chief of Police and to such other persons as he deems advisable for comment, and then shall refer such application, the comments received, and the results of the examination taken by the applicant to Council for action. |

SCHEDULE A-55: TAXI CAB DRIVER

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| Applicable to: | Every person who works as a taxi cab driver for a licensed taxi cab owner. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every taxicab driver:</p> <ol style="list-style-type: none">Every application shall be accompanied by:<ol style="list-style-type: none">Three photographs of the applicant, one to be attached to the taxicab driver's licence, one for the file of the Clerk and one for the Chief of Police;A Police Record Search Certificate provided by the Chief of Police;Proof of achievement of a mark of at least 66% on a written examination as to knowledge of this by-law, the operation of a taxicab, and the geography of the Town and of the County of Essex.The Clerk shall refer each application for a taxicab driver's licence to the Chief of Police and to such other persons as he deems advisable for comment, and then shall refer such application, the comments received, and the results of the examination taken by the applicant to Council for action.The rates or fares to be charged by the owners or drivers of taxicabs either wholly within the Town or to any other point not more than 5 kilometres beyond its limits, shall be exactly as outlined below, and no higher or lower amount than that contained in such schedule shall be charged or payable. The taxicab driver's licence and a card not less than six inches by nine inches (6" X 9"), showing the said tariff rates shall be displayed and kept in the taxicab in a position fully visible to any passenger.When operating on a meter basis, the rates of the fare charged shall be exactly as shown by the taximeter, together with any additional charges as outlined below.No owner or driver licensed under this by-law shall publish or use a tariff, or demand or receive rates and charges other than those authorized by this by-law, whether such rates and charges are determined by distance or by time.No person employing any taxicab shall refuse, upon demand, to pay the fare or charge authorized by this by-law, but he may require the driver thereof to furnish him with a receipt for charges made and paid which shall include the mileage travelled and the name and licence number of such driver.Every licensed person operating a taxicab shall be permitted to operate on an hourly basis at the request of a passenger, and then only at the rate as outlined below.The tariff or rates herein authorized shall be computed from the time or place when or at which the passenger or passengers first enter the taxicab to the time or place when the taxicab or at which the passenger or passengers finally discharge the taxicab, but this section shall not prevent a proper charge for waiting time as outlined below.Any licensed person operating a taxicab may carry two or more passengers from a common starting point to two or more destinations, or from two or more starting points to a common destination, but in such case the fares to be charged for such a trip shall be reckoned as if each stop made for the purpose of taking on or discharging one of more passengers were the end of one trip, and the taximeter shall be cleared and reset after each such stop. Whenever two or more passengers are discharged at the same place, only the fare authorized by this bylaw shall be charged, and if such passengers are strangers, the driver shall collect from each his proportionate share of the fare payable.Every licensed taxicab driver shall:<ol style="list-style-type: none">keep both the interior and exterior of such taxicab clean, dry and in good repair;be properly dressed, neat and clean in his person, and at all times civil and respectful to their passengers and the general public while on duty. No such driver while in charge of any taxicab shall take, consume or have in possession any intoxicating liquor, as defined in the Liquor Licence Act of Ontario, or any illegal drugs by him be apparent, nor shall he smoke while driving any passenger;take due care of all property delivered or entrusted to him for conveyance or safekeeping. Every driver of a taxicab, immediately upon termination of any hiring or engagement shall carefully search his taxicab for any property lost or left therein, and all property or money left in his taxicab shall be forthwith delivered over to the person owning the same, or if the owner cannot at once be found, then to the nearest police station with all information in his possession regarding the same;drive the taxicab operated by him by the most direct travelled route to the point of destination, unless otherwise desired by the passenger.No licensed taxicab driver shall:<ol style="list-style-type: none">without reasonable excuse, refuse to serve the first person requiring the service of his taxicab at any place within the Town at any specified time by day or night, and if he placed some previous engagement he shall, upon demand, give the name and address of the person to whom he is so engaged, together with the time and place of such engagement; Provided however, he shall not be compelled to accept any order from a person who owes him for a previous fare or service, unless and until the same be paid. "Reasonable excuse" under this provision may be that the owner or driver generally limits his hours of operation – e.g. from 8:00 a.m. to 5:00 p.m. – and has advised the Chief of Police of such business hours.induce any person to employ him by knowingly misleading or deceiving such person in any way. |

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| | <p>(c) make any charge under this by-law for time lost through defects travelled or inefficiency of the taxicab in response to a call in advance of the time such taxicab has been requested by the person calling same.</p> <p>(d) carry or permit to be carried in any taxicab used for hire a greater number of occupants than the manufacturer's rating or seating capacity for such taxicab, inclusive of the driver.</p> |
| Tariff of Charges: | <p><u>TAXICABS BY DISTANCE</u></p> <p>For one or more passengers:</p> <p>1. Meter Throw, for the first one fifteenth of a mile or fraction thereof \$2.95</p> <p>2. For each additional one tenth of a mile or fraction thereof\$0.15</p> <p>3. For waiting time under engagement, for each one minute\$0.22</p> <p>4. For each trunk (steamer size or smaller) not less than \$0.25 or more than \$0.50</p> <p><u>TAXICABS BY THE HOUR</u></p> <p>For the first hour or any part thereof, and thereafter at the same rate per hour for the time actually under hire\$25.00</p> |

SCHEDULE A-56: TAXI CAB OWNER

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| Applicable to: | Every person who owns a taxi cab and provides taxi cab services for a fee to the community |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special condition applies to every Taxicab Owner:</p> <ol style="list-style-type: none">Every application shall be accompanied by:<ol style="list-style-type: none">Evidence of ownership of such taxicab by the applicant;Evidence of insurance coverage in the minimum amount of \$1,000,000 providing public liability and property damage coverage for the taxicab owner and all persons employed by him in a form acceptable to the Town. Such policy shall provide that the insurer shall notify the Town in writing of any changes in the policy 14 days prior to such change, including notice of the expiration or cancellation thereof;A Safety Standards Certificate;a Police Record Search Certificate provided by the Chief of Police for the owner where the owner is an individual, each partner where the owner is a partnership and for each director of the partnership where the owner is a corporation;The Clerk shall refer each application for an owner's licence to the Chief of Police, and to such other persons as he deems advisable, for comment, and then shall refer such application and the comments received to Council for action.Every owner of more than one taxicab required to be licensed under this by-law shall apply for and obtain a separate owner's licence for each such taxicab.No owner's licence issued under the provisions of this by-law shall be transferable, but the owner of any taxicab desiring to obtain an owner's licence for any new vehicle in substitution for a vehicle duly licensed hereunder shall make an application in writing for such exchange to the Clerk, giving a full description of the taxicab intended to be retired from service, and a full description of the taxicab to be placed in service in substitution therefore, and the Clerk, on receipt of such application, and of the other required material, may permit the substitution of the said new vehicle upon payment of a transfer fee in the sum of twenty-five dollars (\$25.00). In the balance of the current year in respect of each such new or substituted vehicle, and the original owner's licence shall be deemed to be revoked.Every holder of an owner's licence issued under this schedule shall have affixed to each taxicab in respect of which an owner's licence has been issued, a taxi meter for registering distances travelled and computing fares to be paid.It shall be the duty of the Chief of Police at frequent intervals throughout the year to cause to be made a careful inspection of all taxi-meters in use on taxicabs, and to have the same sealed or take such other precautions as he may deem necessary to prevent interference or tampering with the said meters or their registrations.Every taxicab shall have a seating capacity of no less than four or more than seven persons exclusive of the driver. Each vehicle will be equipped with three or more doors for passengers.Every owner shall submit the taxicab for examination by a certified mechanic duly licensed by the Province of Ontario before an owner's licence is issued therefore. Before the renewal of the owner's licence, the owner shall submit a certificate of mechanical fitness therefore, issued within the preceding 12 months.Whenever any taxicab is involved in any accident which affects the safe operation of a taxicab, whether within or outside the limits of the Town of Amherstburg, the owner of such taxicab shall immediately submit a written report of such accident to the Issuer of Licences and Chief of Police.Every licensee will indemnify and save harmless the Corporation of the Town of Amherstburg from any and all demands made against it by reasons of the operation of any taxicab, motor or other vehicle.<ol style="list-style-type: none">No owner of any taxicab required to be licensed under this by-law shall allow the same to be operated or driven as a taxicab for hire by any person other than the holder of a valid taxicab driver's licence under the provisions of this by-law.No person, whether a holder of a taxicab driver's licence or not, shall drive or operate a taxicab for hire within the Town of Amherstburg unless the owner of such taxicab holds a valid owner's licence for the use of such taxicab for hire under the provisions of this bylaw.The Town will limit the number of TAXI CAB OWNER LICENCES to 1 for each 5,000 population.When any owner of a taxicab employs a driver, he shall, within two days thereafter, notify the Chief of Police in writing that he has employed such driver, giving such driver's full name and address. When the employment of a driver is terminated, the owner of the taxicab shall within two days thereafter notify the Chief of Police in writing of such termination.The rates or fares to be charged by the owners or drivers of taxicabs either wholly within the Town or to any other point not more than 5 kilometres beyond its limits, shall be exactly as outlined below, and no higher or lower amount than that contained in such schedule shall be charged or payable. The taxicab driver's licence and a card not less than six inches by nine inches (6" X 9"), showing the said tariff rates shall be displayed and kept in the taxicab in a position fully visible to any passenger.When operating on a meter basis, the rates of the fare charged shall be exactly as shown by the taximeter, together with any additional charges as outlined below. |

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| | <p>15. No owner licensed under this by-law shall publish or use a tariff, or demand or receive rates and charges other than those authorized by this by-law, whether such rates and charges are determined by distance or by time.</p> <p>16. Every licensed taxicab owner shall:</p> <p class="list-item-l1">(a) keep both the interior and exterior of such taxicab clean, dry and in good repair, and whenever the owner of any such taxicab received notice, given either to him or his driver, signed by the Chief of Police or his designate, stating that such taxicab is not in a fit or proper condition for use and setting forth briefly the items complained of, such owner shall within the time set forth in such notice, put the same in a fit and proper condition.</p> <p class="list-item-l1">(b) shall take due care of all property delivered or entrusted to him for conveyance or safekeeping. Every driver of a taxicab, immediately upon termination of any hiring or engagement shall carefully search his taxicab for any property lost or left therein, and all property or money left in his taxicab shall be forthwith delivered over to the person owning the same, or if the owner cannot at once be found, then to the nearest police station with all information in his possession regarding the same.</p> <p>17. No licensed owner shall:</p> <p class="list-item-l1">(a) induce any person to employ him by knowingly misleading or deceiving such person in any way.</p> <p class="list-item-l1">(b) make any charge under this by-law for time lost through defects travelled or inefficiency of the taxicab in response to a call in advance of the time such taxicab has been requested by the person calling same.</p> |
| Tariff of Charges: | <p><u>TAXICABS BY DISTANCE</u></p> <p>For one or more passengers:</p> <p class="list-item-l1">1. Meter Throw, for the first one fifteenth of a mile or fraction thereof \$2.95</p> <p class="list-item-l1">2. For each additional one tenth of a mile or fraction thereof\$0.15</p> <p class="list-item-l1">3. For waiting time under engagement, for each one minute\$0.22</p> <p class="list-item-l1">4. For each trunk (steamer size or smaller) not less than \$0.25 or more than \$0.50</p> <p><u>TAXICABS BY THE HOUR</u></p> <p>For the first hour or any part thereof, and thereafter at the same rate per hour for the time actually under hire\$25.00</p> |

SCHEDULE A-57: THEATRES

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| Applicable to: | Every place of business where theatrical performances, concerts, and other types of entertainment are held, including movie theatres and drive-in theatres. |
| Exemptions: | The requirement to obtain a Theatre Licence does not apply to a theatre that is operated by a municipality, university, college, community college, school, or charitable organization. |
| Reason for Licensing: | Health and safety |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every theatre:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality;2. The operation of every theatre to which the <i>Theatres Act</i> applies shall conform with the provisions of that Act.3. Every theatre which has a valid licence under the <i>Theatres Act</i> is entitled to a licence under this by-law. |

SCHEDULE A-58: TRADE SHOWS

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| Applicable to: | Any business which co-ordinates a show or similar exhibition of five or more vendors or businesses exhibiting, offering for sale, selling or otherwise displaying for delivery at a later date, goods, wares, merchandise, items, or services of a similar nature and where the vendors or businesses will be organized at a specific location for a period not to exceed fourteen consecutive days. |
| Exemptions: | None |
| Reason for Licensing: | Consumer protection |
| Special Conditions: | <p>In addition to the general provisions set out in this by-law, the following special conditions apply to every trade show:</p> <ol style="list-style-type: none">1. Every application shall be accompanied by:<ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(c) a list of all vendors to be on the licensed premise and such list shall include the business name of the vendor, the vendor's own name, a contact name, mailing address and telephone number.2. Every person shall ensure that no vendor is permitted to operate at a Trade Show unless such vendor is identified on the listing as provided to the Issuer of Licences at the time of application.3. Every person shall ensure that no vendor operates within any exit, corridor or public access way and shall not, in any way, impede the ingress or egress of the trade show or any stall.4. Every operator shall ensure that any vehicle operated in relation to any Trade Show is not left parked, standing or otherwise stopped contrary to any Town by-law.5. No person shall operate a petting zoo in conjunction with any Trade Show unless such petting zoo is licensed under the provisions of this By-law. |

SCHEDULE A-59: WRECKING YARDS

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| Applicable to: | Every place of business where used motor vehicle parts or Derelict motor vehicle(s) are kept outside of a building. |
| Exemptions: | The requirement to obtain a Wrecking Yard licence does not apply to: <ol style="list-style-type: none">1. The premises of licensed automobile body repair business.2. Land upon which is a waste disposal site which has a certificate of approval for such purposes under the Environmental Protection Act, R.S.O. 1990, c.E. 19, as amended. |
| Reason for Licensing: | Health and safety |
| Special Conditions: | In addition to the general provisions set out in this by-law, the following special conditions apply to every wrecking yard: <ol style="list-style-type: none">1. Every application shall be accompanied by: <ol style="list-style-type: none">(a) approval from the Zoning Administrator indicating that the premise is in compliance with the zoning/planning regulations;(b) annual certification of Ontario Fire Code compliance, as issued by the Fire Chief of the Town;(c) a written report by the Chief Building Official that the premise is in compliance with the Ontario Building Code and any other applicable standards by the Municipality.2. The applicant shall file with the Issuer of Licences, unless the application is for a renewal licence, a site or plot plan, or plan of survey showing the location and layout of the automobile wrecking yard indicating street lines and other boundaries of the property and including approval from the Zoning Administrator indicating that the premises is in compliance with all the zoning/planning regulations.3. The applicant for a Wrecking Yard Licence shall be the owner or his/her authorized agent of the property on which the wrecking yard is to operate. |

| 2009 LICENCE FEES Initial Application | Preparation | Administration | Inspections | | | | Enforcement | Overhead | Technology / Office Expense | TOTAL |
|--|-------------|----------------|-----------------------------|------------------------------------|------------------------------------|--------------------------------|-------------|----------|-----------------------------------|----------|
| | | | Zoning review & Approval | Building inspection & report | Police inspection & report * | Fire inspection & report | | | | |
| MOBILE | | | | | | | | | | |
| Auctioneers | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Carnivals/Fairs/Midways | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Circuses | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Concerts | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Driving Schools | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Festivals | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Flea Markets | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Hawkers and Peddlers | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Horse Drawn Carriage Owners/Drivers | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Limousine Driver | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Limousine Owner | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Pedicab Owners/Drivers | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Petting Zoos | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Portable Sign Contractors | \$7.43 | \$36.67 | \$21.60 | | | | \$78.00 | \$5.48 | \$5.26 | \$154.44 |
| Produce vendors | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Refreshment Vehicle (Class 1) | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Refreshment Vehicle (Class 2) | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Refreshment Vehicle (Class 3) | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Refreshment Vehicle (Class 4) | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Second Hand shops | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Special Event Sales | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Taxicab Broker | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Taxicab Driver | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Taxicab Owner | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Trade Shows | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| STATIONARY | | | | | | | | | | |
| Amusement Arcades | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Automobile body repair shops | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Barbershops | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Beauty Salons | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Bed and Breakfasts | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| * Please note if a Police Inspection, report are required this fee will be paid directly to the Police Service | | | | | | | | | | |

Schedule "B"

| 2009 LICENCE FEES Initial Application | Preparation | Administration | Inspections | | | | Enforcement | Overhead | Technology / Office Expense | TOTAL |
|--|-------------|----------------|-----------------------------|------------------------------------|------------------------------------|--------------------------------|-------------|----------|-----------------------------------|----------|
| | | | Zoning review & Approval | Building inspection & report | Police inspection & report * | Fire inspection & report | | | | |
| Bingo Halls | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Boarding/Lodging/Rooming Houses | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Body piercing parlours | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Bowling Alleys | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Business Service Establishment | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Campgrounds/Trailer Parks | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Caterers | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Dry Cleaners/laundry | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Florist Shop | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Food shops | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Gas Stations | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Hotel/Motels | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Indoor Recreational Establishments | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Office (General, Business, Service) | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Pet Groomers | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Pet Shops | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Public Halls (Class 1) | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Public Halls (Class 2) | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Race Tracks | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Restaurants | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Retail Store | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Snack Bars | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Swimming pools | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Tattoo parlours | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Theatres | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Wrecking Yards | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| ADULT | | | | | | | | | | |
| Adult Book/Magazine sales | \$7.43 | \$36.67 | \$21.60 | | | | \$78.00 | \$5.48 | \$5.26 | \$154.44 |
| Adult Entertainment Attendants | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Adult Entertainment Parlours | \$7.43 | \$36.67 | \$21.60 | \$50.00 | \$0.00 | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Adult Merchandise sales | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |
| Adult Videotape Sales/Rentals | \$7.43 | \$36.67 | \$21.60 | \$50.00 | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$254.44 |

* Please note if a Police Inspection, report are required this fee will be paid directly to the Police Service

| 2009 LICENCE FEES Renewal Application | Preparation | Administration | Inspections | | | | Enforcement | Overhead | Technology / Office Expense | TOTAL |
|--|-------------|----------------|-----------------------------|------------------------------------|------------------------------------|--------------------------------|-------------|----------|-----------------------------------|----------|
| | | | Zoning review & Approval | Building inspection & report | Police inspection & report * | Fire inspection & report | | | | |
| MOBILE | | | | | | | | | | |
| Auctioneers | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Carnivals/Fairs/Midways | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Circuses | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Concerts | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Festivals | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Flea Markets | \$7.43 | \$36.67 | \$21.60 | | | \$50.00 | \$78.00 | \$5.48 | \$5.26 | \$204.44 |
| Hawkers and Peddlers | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Limousine Driver | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Limousine Owner | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Pedicab Owners/Drivers | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Produce vendors | \$7.43 | \$36.67 | \$21.60 | | | | \$78.00 | \$5.48 | \$5.26 | \$154.44 |
| Refreshment Vehicle (Class 1) | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Refreshment Vehicle (Class 2) | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Refreshment Vehicle (Class 3) | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Refreshment Vehicle (Class 4) | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Special Event Sales | \$7.43 | \$36.67 | | | | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Taxicab Broker | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Taxicab Driver | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |
| Taxicab Owner | \$7.43 | \$36.67 | | | \$0.00 | | \$78.00 | \$5.48 | \$5.26 | \$132.84 |

* Please note if a Police Inspection, report are required this fee will be paid directly to the Police Service