

AMENDED BY
BY-LAW NO. 98-064

Amended by
Bylaw 89-144

AMENDED BY
BY-LAW NO. 99-106

BY-LAW NO. 75-10

AMENDED BY
BY-LAW NO. 95-114

of

THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

92-30

BEING A BY-LAW TO LIMIT THE NUMBER OF, LICENCE AND REGULATE VICTUALLING HOUSES, ORDINARIES, AND HOUSES WHERE FRUIT, FISH, OYSTERS, CLAMS OR VICTUALS ARE SOLD TO BE EATEN THEREIN, AND PLACES FOR THE LODGING, RECEPTION, REFRESHMENT OR ENTERTAINMENT OF THE PUBLIC

WHEREAS the Corporation of the Township of Uxbridge is authorized under the provisions of The Municipal Act, R.S.O. 1970, c. 284, as amended, to limit the number of, licence and regulate victualling houses, ordinaries, and houses where fruit, fish, oysters, clams or victuals are sold to be eaten therein, and places for the lodging, reception, refreshment or entertainment of the public;

AND WHEREAS the Corporation of the Township of Uxbridge deems it advisable to provide therefor.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE ("Township") HEREBY ENACTS AS FOLLOWS:

1. For the purposes of this By-law:
 - (i) Licence Issuer means the Administrator and Clerk-Treasurer of the Township or the By-law Enforcement Officer of the Township; and
 - (ii) "Person" includes a firm or corporation to whom the context can apply.
2. No victualling house, ordinary, or house where fruit, fish, oysters, clams or victuals are sold to be eaten therein and no place for the lodging, reception, refreshment or entertainment of the public shall be established, operated, maintained or kept in the Township except in compliance with the provision of this By-law.
3. Nothing in this By-law is intended to make lawful any operation which would otherwise be unlawful by reason of its constituting the use or occupation of any lands or premises for purposes prohibited by the Official Plan or a restricted area or zoning by-law or other

- by-law of the Township, as enacted and adopted from time to time, or for any other reason.
4. No person shall; within the Township, carry on or engage in a trade, calling, business or occupation of keeping a victualling house, ordinary, or house where fruit, fish, oysters, clams or victuals are sold to be eaten therein or any place for the reception, refreshment or entertainment of the public without first obtaining, upon the payment of the prescribed fee, a licence for same to be issued pursuant to the provisions of this By-law authorizing such person to carry on such trade, calling, business and occupation within the Township.
 5. On an application for a licence or the renewal thereof respecting any of the several trades, callings, businesses and occupations set forth within Section 4 above, the applicant shall complete the prescribed forms and shall furnish to the licence issuer such information as the licence issuer may direct to be furnished.
 6. The licence issuer shall, subject to the provisions of this By-law relating to the limiting of the number of licences in any trade, calling, business or occupation, upon receipt of an application referred to in Section 4 above, make or cause to be made all investigations required by law or by the Township relative to such application.
 7. If the investigations referred to in Section 6 above do not, subject to the provisions of this By-law relating to the limiting of the number of licences of any trade, calling, business or occupation, disclose any reason to believe that the applicant's character may not be good, or the carrying on the said trade, calling, business or occupation may result in a breach of the law, or may be in any way adverse to the public interest, upon the payment of

the fee fixed by this By-law the licence issuer may issue a licence respecting any of the several trades, callings, businesses and occupations mentioned in Section 4 above.

8. Each and every licence issued under the provisions of this By-law shall:
 - (i) be in the form as set out in Schedule "A" attached hereto and by this reference forming a part hereof;
 - (ii) not be valid unless and until it is countersigned by the licence issuer who is hereby authorized to sign all licences issued by the licence issuer pursuant to this By-law and his signature may be printed or mechanically reproduced upon each licence issued; and shall
 - (iii) be for one (1) year unless sooner forfeited or revoked and shall expire in each year on the 31st day of December.
9. The annual fee for each licence for each of several trades, callings, businesses or occupations mentioned in Section 4 above shall be Twenty (\$20.00) Dollars.
10. Every person obtaining a licence under this By-law shall keep his licence posted up in some conspicuous place on the premises in respect to which a licence is issued and every person so licenced shall, when requested by any person authorized by the Township, produce this licence for inspection.
11. Any person duly authorized by the Township may at all reasonable times inspect as much of any premises in respect of which any person has or is required to have a licence under this By-law and any such person so authorized may inspect any goods, articles, books, records and other documents of or relating to any such trade, calling, business or occupation carried on in the said premises and no person who has, or is required to have, a licence under this By-law shall obstruct or hinder the making of the inspection aforesaid, or cause or permit the same to be obstructed or hindered.
12. No person licenced under this By-law shall, because of race, colour, or creed, discriminate against any member of the public in the carrying on of the trade,

calling, business or occupation in respect of which the licence is issued.

13. It shall be the duty of every licensee to whom this By-law applies to provide:

- (i) adequate supervision of dining-rooms and eating areas, including outside eating areas;
- (ii) a sufficient number of attendants to ensure that the dining-rooms and all eating areas, including outside eating areas, are kept clean and free of refuse at all times; and
- (iii) a sufficient number of containers of a type satisfactory to the Public Health Unit of the Regional Municipality of Durham for the deposit of wastepaper and other refuse.

14. Where two or more persons carry on or are engaged in partnership in any of the trades, callings, businesses or occupations, set out in Section 4 above of this By-law, the licence may be issued in the name of one such person only, but when the application for licence is made, the name and address of each member of the partnership shall be set out therein.

- 15.
- (i) No person shall enjoy a vested right in the continuance of a licence and upon the issue, renewal, transfer, cancellation, forfeiture or suspension thereof, the value of the licence shall be the property of the Township.
 - (ii) No licence shall be transferred except with the prior written consent of the Township expressed by resolution of the Council thereof and the Township shall not be bound to give such consent.
 - (iii) No person licenced to carry on any of the several trades, callings, businesses and occupations mentioned in Section 4 above shall advertise, promote or carry on such business under any name other than the name endorsed upon his licence.
 - (iv) The Township may revoke or suspend any licence issued under this By-law and without limiting the generality of the foregoing, the Township may revoke or suspend any and all licences held by a licensee if the Township believes the licensee's character is not good or that the carrying on by the licensee of his trade, calling, business or occupation may result in a breach of the law or may be in any way adverse to the public interest. Before revoking or suspending any such licence, the licensee shall be given seven (7) days' written notice mailed or delivered to his address last known to the Township and shall be permitted, either by himself or by his representative, to appear before the Township Council at its next regularly scheduled meeting following receipt of such notice and show cause why he believes such licence should not be revoked or suspended.

16. Upon suspension or revocation of a licence issued under this By-law, the licensee shall return to the Township the licence issued by the Township and any person authorized by the Township shall have access to any premises or other property of the licensee for the purpose of receiving or taking the licence and no person shall refuse to deliver the licence to such person authorized by the Township or shall in any way prevent or hinder such person from receiving or taking the same.
17. Notice of the suspension or revocation of any licence may be given by the Township by registered letter, signed by the licence issuer, mailed to the licensee to his address last known to the Township or by communication to the licensee in any manner whatsoever and upon such notice the licence revoked or suspended shall cease and terminate and be of no further effect.
18.
 - (i) Subject to Section 18.(ii) only, and notwithstanding anything else in this By-law contained, no more than two (2) licences in total shall be issued in any one calendar year respecting any one or more of the several trades, callings, businesses and occupations mentioned in Section 4 above. Licence:
per year
 - (ii) Every victualling house ordinary, or house where food, fish, oysters, clams or victuals are sold to be eaten therein and any place for the lodging, reception, refreshment or entertainment of the public, carrying on or engaged in a trade, calling, business or occupation described as aforesaid as at the date of passing of this By-law shall be required to comply with the provisions of this By-law on or before the 1st day of April, 1975, and upon so complying, shall, notwithstanding Section 18(i) above limiting the number of licences of any such trade, calling, business or occupation, be entitled, upon the payment of the prescribed fee, to be licenced pursuant to the provisions of this By-law.
19.
 - (i) If for any reason any provision, section, subsection or paragraph of this By-law is held by a Court of competent jurisdiction to be invalid for any reason, it is hereby expressly declared to be the intention that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified, in whole or in part, or dealt with in any other way notwithstanding that one or more of such provisions, sections, subsections or paragraphs hereof shall have been so declared invalid.

- (ii) In the event of any conflict between the provisions of this By-law and any other by-law presently in force in the Township or any part or parts hereof, including the former Corporations of the Townships of Uxbridge and Scott and the former Town of Uxbridge, the provisions of this By-law shall prevail.
- 20.
- (i) Every person who fails to comply with or contravenes any of the provisions of this By-law is guilty of an offence and on summary conviction is liable to a fine of not more than One Thousand Dollars (\$1,000.00) exclusive of costs.
 - (ii) Every such fine is recoverable under the Summary Convictions Act, R.S.O. 1970, c. 450, as amended.
 - (iii) Each day that a violation of any of the provisions of this By-law exists shall constitute a separate offence with respect to this By-law.
21. By-law No. 75-6 passed on January 23, 1975 is hereby repealed.

This By-law read a first and second time and finally passed this 6th day of March, 1975.


Mayor


Clerk

SCHEDULE "A" attached to and forming part of By-law No. 75-10 of the Corporation of the Township of Uxbridge passed on the 6th day of March, 1975

LICENCE

NO.

APPLICANT

Name: _____

Address: _____

Telephone No. _____
Home Business

DESCRIPTION OF PREMISES _____

DESCRIPTION OF BUSINESS _____

Upon application of _____ for a licence
for _____ pursuant to the provisions
(description of business)
of By-law No. 75. of the Corporation of the Township of Uxbridge,
the said _____ is hereby licenced for the
(applicant)
said business located at the above described premises.

This licence expires on December 31 next following the date of issue and must be conspicuously posted on the premises.

Issued at Uxbridge this _____ day of _____, 19 .

Clerk-Administration of The
Corporation of the Township of Uxbridge
or

By-law Enforcement Officer of The
Corporation of the Township of Uxbridge

LICENCE

NO.

APPLICANT

Name: _____

Address: _____

Telephone No. _____
Home Business

DESCRIPTION OF PREMISES _____

DESCRIPTION OF BUSINESS _____

Upon application of _____ for a licence
for _____ pursuant to the provisions
(description of business)
of By-law No. 75. of the Corporation of the Township of Uxbridge,
the said _____ is hereby licenced for the
(applicant)
said business located at the above described premises.

This licence expires on December 31 next following the date of
issue and must be conspicuously posted on the premises.

Issued at Uxbridge this _____ day of _____, 19 _____

Clerk-Administration of The
Corporation of the Township of Uxbrid
or

By-law Enforcement Officer of The
Corporation of the Township of Uxbrid

BY-LAW NUMBER 95-114
OF
THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE
BEING A BY-LAW TO AMEND BY-LAW NO.
75-10, AS AMENDED, (TO LIMIT, LICENCE
AND REGULATE EATING ESTABLISHMENTS)

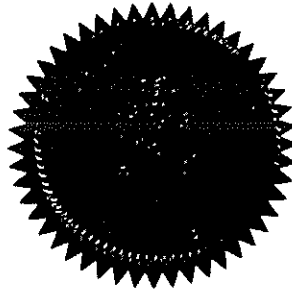
WHEREAS the Council of the Township of Uxbridge enacted By-law No. 75-10 on the 6th day of March, 1975 to limit, licence and regulate eating establishments;

AND WHEREAS the Council of the Corporation of the Township of Uxbridge deems it desirable to amend By-law No. 75-10;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE HEREBY ENACTS A BY-LAW AS FOLLOWS:

1. **THAT** By-law No. 75-10 is hereby amended by deleting Section 18(i) in its entirety (restricting the number of new licences issued per year) and by renumbering subsection (ii) to (i).

READ a FIRST, SECOND and THIRD time and finally passed this 25th day of September, 1995.




ACTING MAYOR


CLERK

BY-LAW NUMBER 92-30

**OF THE
CORPORATION OF THE TOWNSHIP OF UXBRIDGE**

**BEING A BY-LAW TO AMEND BY-LAW 75-10
(TO LIMIT, LICENCE AND REGULATE EATING ESTABLISHMENTS)
AND TO REPEAL BY-LAW 89-144**

WHEREAS the Council of the Corporation of the Township of Uxbridge enacted By-law No. 75-10 on the 6th day of March, 1975, to limit, licence and regulate eating establishments;

AND WHEREAS the Council of the Corporation of the Township of Uxbridge deems it desirable to amend By-law No. 75-10;

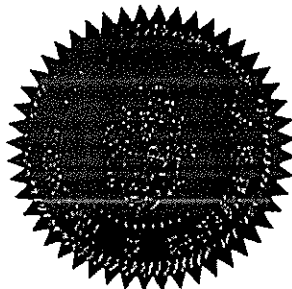
NOW THEREFORE the Council of the Corporation of the Township of Uxbridge hereby enacts a By-law as follows:

1. THAT By-law No. 75-10 is hereby amended by adding the new Subsection (III) to Section 18 as follows:

'Before any person, persons, or corporation (hereafter "the applicant") may be issued, or re-issued, any licence, all fees, costs and expenses, including any business taxes owed by the applicant at the time of the issuing of a licence or the re-issuing of a licence, must be paid to the Treasurer of the Corporation of the Township of Uxbridge at least two clear working days in advance of such licence being issued or re-issued.

2. THAT By-law No. 75-10 is amended only to the extent necessary to give effect to the foregoing but By-law No. 75-10, as otherwise amended, shall in all other respects remain in full force and effect save as same may be otherwise amended or hereinafter dealt with.
3. THAT By-law No. 89-144 is hereby repealed in its entirety.

READ a FIRST, SECOND and THIRD time and finally passed this 24th day of February, 1992.




MAYOR


CLERK

BY-LAW NUMBER 98-064

OF

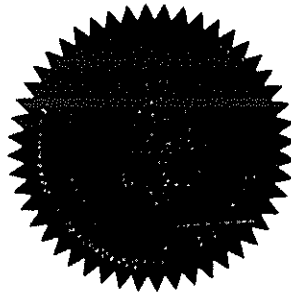
THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

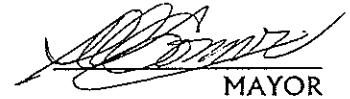
BEING A BY-LAW TO AMEND BY-LAW NO. 75-10, AS AMENDED,
(EATING ESTABLISHMENTS)

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
UXBRIDGE HEREBY ENACTS A BY-LAW AS FOLLOWS:

1. THAT Section 9 of By-law No. 75-10, as amended, is hereby further amended by deleting "(20.00)" in the third line and inserting "(30.00)".
2. THAT By-law No. 75-10, as amended, is hereby further amended to give effect to the foregoing, and shall in all other respects remain in full force and effect.
3. THAT this By-law shall come into force and take effect on the 1st day of June, 1998.

READ a FIRST, SECOND and THIRD time and finally passed this 25th day of
May, 1998.




MAYOR


CLERK

BY-LAW NUMBER 99-106

OF THE

CORPORATION OF THE TOWNSHIP OF UXBRIDGE

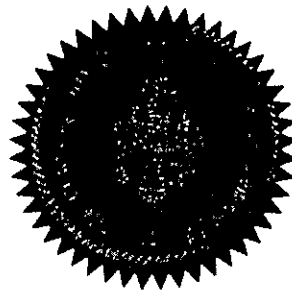
BEING A BY-LAW TO AMEND BY-LAW NOS. 97-028 Sign By-law; 92-3 Emergency Numbering System; 90-17 Animal Control; 90-9 Exotic Animals; 88-3 Smoking in Public Places; 76-39 Snow removal on sidewalks and 75-10 Licencing of restaurants to allow for short form wording under Part 1 of the Provincial Offences Act.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE HEREBY ENACTS A BY-LAW AS FOLLOWS:

1. THAT Sections 2,4, 11, 12, 3, 13, 3 and 20 of By-law Nos. 97-028, 92-3, 90-17, 90-9, 88-3, 76-39 and 75-10 respectively are hereby deleted and replaced with the following wording:

"Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act."

READ a FIRST, SECOND and THIRD time and finally passed this 14th day of June, 1999.




MAYOR


CLERK