

CANADA
PROVINCE OF QUEBEC
DISTRICT OF HULL

MUNICIPALITY OF PONTIAC

MRC DES COLLINES-DE-L'OUTAOUAIS

BY-LAW N° 02-09

Entitled : «AMENDMENT TO ZONING BY-LAW 177-01 TO AUTHORIZE THE OPERATION OF MOBILE RESTAURANTS»

WHEREAS the Municipality of Pontiac is governed by the *Municipal Code* and the *Act respecting land use, planning and development*;

WHEREAS the Municipal Council has adopted by-law number 177-01, which came into force in March 2002;

WHEREAS the Municipal Council wishes to regulate mobile restaurants on the Municipality's territory;

WHEREAS notice of motion of the present by-law was duly given at a Council meeting held on January 20, 2009;

CONSEQUENTLY, it is

Moved by Dr. Jean Amyotte
Seconded by Harold McKenny

AND RESOLVED THAT THE PRESENT BY-LAW NUMBER 02-09 OF THE MUNICIPALITY OF PONTIAC DECREES AND ORDERS THE FOLLOWING:

Section 1 The above-noted preamble is an integral part of the present by-law.

Section 2 The article 5.9 titled « applicable standards for mobile restaurants », is complemented by these following additions and read as follow :

5.9 Applicable standards for mobile restaurants

5.9.1 Authorized zones :

5.9.1.1 The mobile restaurants business is authorized on private lands having a frontage and access on roads in the following zones of the PZ-01 and the PZ-01-02:

Zone no. 13
Zone no. 18
Zone no. 28

5.9.2 Special events :

Notwithstanding the dispositions of section 5.9.1.1, mobile restaurants will be authorized, by the designated officer, anywhere in the entire territory of the Municipality, within the context of a special activity authorized by the Municipal Council, for the duration of the event.

5.9.3 Necessity to obtain a certificate of approval:

Anyone wishing to operate a mobile restaurant on the municipal territory must ask, in writing, on a form supplied for this purpose, and obtain the certificate of approval, from the designated officer, as per administration fees established by the present by-law.

5.9.3.1 Anyone wishing to operate a mobile restaurant must, first, obtain a certificate of approval for each vehicle and, for this purpose, give or deposit with the designated officer:

- a) Copy of a registration certificate valid for the vehicle to be used as a mobile restaurant and authorizing the latter to move on a public road;
- b) Copy of a current automobile insurance policy covering the vehicle for the duration of the certificate to be issued ;
- c) Copy of a civil responsibility insurance policy covering the applicant and the business for a minimum amount of one million dollars (\$1,000,000.00) and specifying that the Municipality must be informed by the insurer within a minimum of thirty (30) days of its expiry or annulment;
- d) Copy of a valid food permit issued by the Ministry of Agriculture, Fisheries and Food;
- e) The form supplied by the designated officer, duly completed and signed by the owner of the property authorizing the operator of the mobile restaurant to operate on his property.

5.9.4 Secondary buildings and overhangs

No overhangs or secondary building attached or not to the mobile restaurant and serving as a complementary use to the latter is authorized.

5.9.5 Implantation standards

5.9.5.1 Any property where a mobile restaurant is operated must be left in a state of cleanliness and all garbage resulting from the operation of such a business must be promptly eliminated. Garbage pails or receptacles for garbage must be available to the customers.

- 5.9.5.1.1 A fee will be charged, according to the current municipal by-law on price setting, for the collection of garbage.
- 5.9.5.2 The mobile restaurant must be installed at a minimum distance of 10 metres from the roadway and parking spaces must be anticipated outside the road.
- 5.9.5.3 Notwithstanding the previous article, the mobile restaurant may be installed within 10 metres from right of way and respecting, however, the alignment of a main existing building and ensuring that the necessary parking space required is met.
- 5.9.5.4 It is prohibited by the owner, a tenant or someone living on a land to use or provide a container for garbage disposal if such container is not manufactured for that purpose.
- 5.9.5.5 Once the operation period, established by the certificate of approval, has ended, the mobile restaurant must be removed.

ARTICLE 3 COMING INTO FORCE

The present by-law will come into force according to the law.

Given in **PONTIAC**

On this fourteenth day of April 2009.

Edward McCann
Mayor

Sylvain Bertrand
Director general