

SCHEDULE 10 TO THE STATIONARY BUSINESS LICENSING BY- LAW

RELATING TO

FIXED FOOD PREMISES

1. In this Schedule:

"Fixed Food Premises" includes every Premises where food intended for human consumption is prepared, stored or offered for sale to the public including but not limited to food stores, restaurants (dine-in and take-out), convenience stores, bakeries and butchers;

"Food Check Peel Sign" means a certificate in a form approved by the Medical Officer of Health which sets out the results of the most recent inspection conducted under Regulation 562-90 of the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, as amended, or any successor legislation, which states that the establishment was in compliance with the conditions required for safe handling of food at the time of the inspection (i.e. Red, Yellow, Green signs posted at Premises).

2. A Fixed Food Premises Licence is not required:

- (a) Where the only food items offered for sale are non-hazardous, low-risk food items, pre-packaged food items, or a combination of low-risk food items and pre-packaged food items including but not limited to chocolate bars, potato chips and canned or bottled beverages and foods that are not considered to be a "potentially hazardous food" according to Ontario Regulation 493/17 Food Premises, enforced by the Region of Peel Health Department;
- (b) Where the food Premises is a cafeteria that is operated directly by a Municipal, Provincial or Federal Government, University, College, Public School, Separate School, Private School, or Boards of Education including provincially regulated daycares;
- (c) Not for profit organizations such as food banks, and places of worship.

3. No Person or Individual shall operate a Fixed Food Premises unless or the Person or Individual obtains the appropriate class of Fixed Food Premises Licence under this Schedule, the classes of which are described as follows:

- (a) "Class A" includes any Premises used for carrying on the business of operating a Bakery;
- (b) "Class B" includes any Premises used for carrying on the business of operating a Cafeteria, Café or Coffee Shop;
- (c) "Class D" includes any Premises used for carrying on the business of operating a Convenience Store;
- (d) "Class E" includes any Premises used for carrying on the business of operating a Grocery Store which may include other classes of licence as noted in section 3 (a) and (b) if not being operated by a separate entity;
- (e) "Class F" includes any Premises used for carrying on the business of operating a Restaurant (Dine-in, may offer take-out as an option);

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- (f) "Class G" includes any Premises used for carrying on the business of operating a Take-Out Only Restaurant.
- 4.
- (a) Every Applicant for a new Fixed Food Premises Licence who meets all the requirements under this By-law shall be issued a conditional Fixed Food Premises Licence which is valid for 90 days or until such time as a Food Check Peel Sign is obtained or refused by the Medical Officer of Health.
 - (b) Every Licensee of a conditional Fixed Food Premises Licence who obtains a Food Check Peel Sign within 90 days shall be issued a Fixed Food Premises Licence.
 - (c) Every Licensee of a conditional Fixed Food Premises Licence who fails to obtain a Food Check Peel Sign within 90 days, subject to an extension of time by the Licence Issuer which is solely within his or her discretion, shall not be issued a Fixed Food Premises Licence and shall no longer be able to operate the Fixed Food Premises under the conditional Fixed Food Premises Licence.
5. Every Application for the renewal of a Fixed Food Premises Licence must be accompanied by a Food Check Peel Sign issued by the Medical Officer of Health or Peel Region Health Inspector within the preceding 12-month period.
6. A Licence issued under this By-law is permission to sell only from inside the location for which the Licence has been issued.
7. Every Person or individual carrying on the business of a Fixed Food Premises shall be responsible for maintaining the Premises and property in a sanitary, clean and litter free condition, and shall provide covered litter containers in a number satisfactory to the Licence Issuer, and the containers shall be emptied of waste as often as necessary and must kept clean and odourless as set out in Ont. Reg. 562/90 Food Premises or any successor legislation.
8. Every Licensee under this Schedule shall:
- (a) Permit a Peel Region Health Inspector to post a Food Check Peel Sign in a clearly visible and conspicuous location at all entrances by which customers may enter the Premises, and where a Premises does not have an entrance by which customers may enter the Premises, the Food Check Peel Sign shall be posted in a clearly visible and conspicuous location at the pick-up window or other location from which customers are served; and
 - (b) Permit a Peel Region Health Inspector, at any reasonable time, to remove a Food Check Peel Sign that has been posted in the establishment.
9. When a Food Check Peel Sign has been removed by a Peel Region Health Inspector under subsection 7(b), the Person or individual who carries on the business of a Fixed Food Premises shall not post a copy of a Food Check Peel Sign or any facsimile of it at any location on the Premises.
10. When a Food Check Peel Sign has been removed by a Peel Region Health Inspector, the food Premises shall remain closed to the public until such time as the food Premises is re-inspected and approved by the Peel Region Health Inspector.
11. Notwithstanding the requirements of this schedule, any Fixed Food Premise with a seating capacity over 100 persons will also be subject to the licensing provisions as set out in Schedule 21, Places of Public Assembly.