

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2026-24

Being a By-law to Repeal By-law No. 2006-48, and Prohibit the Sale or Hire of Goods or Services by Transient Traders

WHEREAS Section 150 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, authorizes municipalities to licence, regulate and govern businesses wholly or partly carried on within the municipality, including transient traders;

AND WHEREAS Council deems it necessary and desirable to prohibit transient traders and mobile vending operations within the Township of Essa except where expressly authorized by the Township;

AND WHEREAS Council wishes to repeal and replace By-law No. 2006-48, in its entirety to update enforcement provisions and establish set fines under the Provincial Offences Act;

NOW THEREFORE the Council of The Corporation of the Township of Essa hereby enacts as follows:

1. DEFINITIONS

In this By-law:

"Transient Trader" means any person who temporarily or intermittently sells, offers for sale, displays for sale, or solicits orders for goods, wares, merchandise, food, refreshments, or services within the Township of Essa, whether from a vehicle, trailer, cart, stand, temporary structure, or otherwise.

"Mobile Vendor" means any vehicle, trailer, or mobile unit from which food, beverages, goods, or services are sold or offered for sale, including but not limited to ice cream trucks and food trucks.

"Township" means The Corporation of the Township of Essa.

2. PROHIBITION

2.1 No person shall operate as a transient trader within the Township of Essa.

2.2 No person shall sell, offer for sale, or distribute goods, food, refreshments, or services as a transient trader or mobile vendor within the Township of Essa.

2.3 No person shall operate an ice cream truck, food truck, or other mobile vending operation within the Township unless expressly authorized by the Township.

2.4 This By-law shall not apply to:

- Township-approved special events;
- Municipally sanctioned community events;
- Vendors expressly authorized by agreement, permit, or resolution of Council.

3. ENFORCEMENT

3.1 This By-law may be enforced by a Municipal Law Enforcement Officer, Police Officer, or any person appointed by the Township for the purpose of enforcing this By-law.

3.2 An enforcement officer may require any person believed to be operating in contravention of this By-law to cease operations immediately.

4. OFFENCES AND PENALTIES

4.1 Every person who contravenes any provision of this By-law is guilty of an offence.

4.2 Upon conviction, a person shall be liable to a fine as provided for under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

4.3 The offences designated in Schedule "A" of this By-law are hereby prescribed for the purposes of subsection 102.1(1) of the Provincial Offences Act.

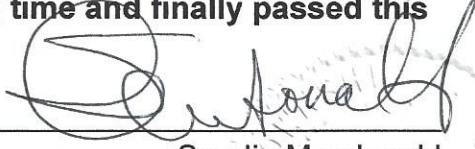
5. REPEAL

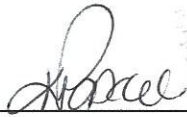
5.1 By-law No. 2006-48 is hereby repealed in its entirety.

6. EFFECTIVE DATE

6.1 This By-law shall come into force and effect upon the date of passing and upon approval of the set fines by the Regional Senior Justice of the Ontario Court of Justice.

By-law Number 2026-24 read a first, second and third time and finally passed this 3rd day of June, 2026.


 Sandie Macdonald
 Mayor


 Krista Pascoe,
 Clerk/Manager of Legislative Services

SCHEDULE "A"
TOWNSHIP OF ESSA
BY-LAW 2026-24 TRANSIENT TRADERS
PART I PROVINCIAL OFFENCES ACT
SET FINE SCHEDULE

ITEM	SHORT FORM WORDING	PROVISION	SET FINE
1	Operate transient business prohibited by by-law	Section 2.1	\$300.00
2	Sell goods or services as prohibited transient trader	Section 2.2	\$300.00
3	Operate ice cream truck or mobile vendor without authorization	Section 2.3	\$300.00
4	Fail to cease operation when directed by officer	Section 3.2	\$300.00

Note: The penalty provisions for the offences indicated above is section 4.1 of By-law 2026-24, a certified copy of which has been filed.