

TITLE: MOBILE VENDING POLICY – <i>Operation of Mobile Vending Vehicles within the City of Port Alberni</i>				
EFFECTIVE DATE: June 25, 2013	DEPARTMENT: Planning	AUTHORIZED BY: Council	REPLACES: May 1995 September 8, 2003	PAGE 1 OF 2

Definitions

Mobile Vending Vehicle

"A vehicle not registered to operate on a highway and which is approved for use as a vending outlet for food and beverage and/or a vehicle registered to operate on a highway and which is used in the carrying on of a business as a mobile restaurant"

Policy Regulations

Mobile Vendors may operate in the City of Port Alberni according to the following terms and conditions:

- a) All Mobile Vendors operating within the City of Port Alberni must obtain a Business Licence.
- b) All Mobile Vending Vehicles for food and beverage must be approved for use by the local Provincial Health Inspector.
- c) Failure to abide by any of the policy regulations will result in cancellation of the Business Licence.
- d) The City shall not issue any licence for a Mobile Vendor until the applicant has provided evidence that all vehicles intended for use as mobile stores, restaurants, or vending push carts by the applicant are insured under a comprehensive liability policy or insurance for five million dollars (\$5,000,000.00) with the City of Port Alberni named as additional insured.
- e) The applicant shall indemnify and save the City harmless against all loss, damage, costs and liabilities, including fees of solicitors and other professional advisors arising out of:
 - i) any breach, violation or non-performance of any provision of this bylaw, and
 - ii) any personal injury, death or property damage related to the operation of a mobile store, mobile restaurant or mobile vending push cart.

It shall also be provided that coverage under the policy cannot be cancelled or any provisions changed or deleted unless thirty (30) day prior written notice is given to the City by the insurer.

- f) All Mobile Vending Vehicles must comply with all traffic regulations, shall be in good mechanical condition and meet all the food handling requirements of the provincial government. Mobile Vending Vehicles shall be in possession of valid permits issued by the provincial government authority having jurisdiction.

- g) Mobile Vending Vehicles shall not be located in City Parks without approval from the Director of Parks, Recreation & Heritage and there is a daily fee which is in addition to the Mobile Vending Licence fee.
- h) The operator of a Mobile Vending Vehicle must provide waste receptacles and shall be responsible for cleaning all litter generated within 20 metres of the mobile vending vehicle. Arrangements for collection of garbage shall be made through the City.
- i) The only goods to be sold from a Mobile Vending Vehicle are food and beverages.
- j) A minor amount of accessory equipment, limited to tables, chairs, racks, or signs shall be permitted within 5 metres of the Mobile Vending Vehicle or to the approval of the City.
- k) If a Mobile Vending Vehicle located on a City sidewalk or boulevard, 1.5 metres (5') of the sidewalk or boulevard shall be provided at all times for passing pedestrians.
- l) Unless a Mobile Vendor has leased space from the City, the Mobile Vendor shall remove any vehicle, trailer, push cart or materials associated with the mobile vending operation each day between 10:00 pm and 7:00 am.
- m) Mobile Vending sales are restricted to the hours of 7:00 am to 10:00 pm.
- n) No Mobile Vending shall be permitted within a two block radius of any school between the hours of 8:00 am and 5:00 pm, Monday to Friday during the regular school year.
- o) Mobile Vending Vehicles shall not be located within 50 metres of any like food service establishment without the express written non objection of the food service establishment.
- p) All Mobile Vendors may be required to provide a copy of the menu items to be served for review by the City.