

Appendix B

SCHEDULE “Q”

MOBILE VENDING

CONDITIONS

1. In addition to any conditions the Director may impose on a vendor pursuant to section 65 of this Bylaw, any vendor operating under a temporary street use permit for a mobile food vending unit or sidewalk vending unit shall comply with the following conditions:
 - (a) vending shall be permitted in only approved vending sites;
 - (b) approved vending sites are sites at the following locations:
 - (i) parking lanes on streets classified as local streets throughout the City, including the downtown;
 - (ii) 11th Avenue from Lorne Street to McIntyre Street;
 - (iii) 11th Avenue from Broad Street to Winnipeg Street;
 - (iv) 12th Avenue from Scarth Street to Broad Street;
 - (v) Victoria Avenue from Rose Street to Smith Street on the north side and Rose Street to Lorne Street on the south side;
 - (vi) 13th Avenue from Albert Street to Elphinstone Street; or
 - (vii) such other locations as determined acceptable by the Director.
 - (c) approved vending sites do not include:
 - (i) areas designated as “No Parking” or “No Stopping”;
 - (ii) areas that restrict or interfere with the ingress or egress of adjacent property owners;
 - (iii) areas within 20 metres of a permanent business selling prepared food while that permanent business is open to customers unless the business owner/manager provides prior, written consent;
 - (iv) areas within 20 metres of a licensed sidewalk vendor while the sidewalk vendor is open to customers unless the sidewalk vendor’s owner/manager provides prior, written consent;
 - (v) areas within 10 metres of an intersection or crosswalk;

Appendix B

SCHEDULE “Q”

MOBILE VENDING

- (vi) any street abutting school property on a school day between 8:00 a.m. and 6:00 p.m.;
 - (vii) any portion of a block that is primarily residential for more than 20 minutes per day; or
 - (viii) areas on any City owned leisure facility property unless authorized by the City’s Manager of Community and Recreation Programs or designate.
- (d) vendors are free to relocate their mobile vending unit at any time in accordance with this Schedule.

MOBILE VENDING UNIT REQUIREMENTS

2. The mobile vending unit or sidewalk vending unit shall:
 - (a) not exceed 7.6 metres (25’) in length and 2.4 metres (8’) in width;
 - (b) not have music or any device used to attract business to the mobile vending unit that exceed sixty-five (65) decibels measured at any property line;
 - (c) not have electrical generators that exceed sixty-five (65) decibels measured at any property line.
 - (d) be configured to allow customers to safely access the service window from a sidewalk;
 - (e) be equipped with a garbage receptacle; and
 - (f) be stored in accordance with this Bylaw when the mobile vending unit is not in use.
3. All vehicles used for mobile vending units or sidewalk vending units shall bear a sign or signs that:
 - (a) prominently indicates “This unit makes frequent stops” at the rear of the mobile vending unit;
 - (b) has lettering of the message required in clause (a) above that is at least five (5) centimetres high; and
 - (c) has the entire message located fifteen (15) to sixty (60) centimetres above the rear bumper of the vehicle.

Appendix B

SCHEDULE “Q”

MOBILE VENDING

4. A slow moving vehicle warning device in accordance with *The Vehicle Equipment Regulations, 1987* shall be affixed to the rear of the vehicle, if applicable.

HOURS OF OPERATION

5. Vendors shall operate a mobile vending unit or sidewalk vending unit only between dawn and dusk.
6. Notwithstanding section 5 of this Schedule, vendors:
 - (a) in downtown;
 - (b) in the Warehouse Business Improvement District; or
 - (c) Pat Fiacco Plaza,may operate a mobile vending unit or sidewalk vending unit after dusk.
7. Vendors operating a mobile vending unit or sidewalk vending unit outside of downtown or the Warehouse Business Improvement District shall not park the vending unit for a period longer than the time limit posted in adjacent parking signs.
8. The vendor shall ensure that its mobile vending unit or sidewalk vending unit does not occupy any space in downtown or the Warehouse Business Improvement District for more than 24 consecutive hours.

PARKING METER BAGS

9. In addition to a temporary street use permit a vendor may be required to apply for a permit that includes a parking meter bag by submitting a written application to the Director. If approved, the vendor shall bag any available meter that meets the criteria set out in this Schedule and operate its mobile vending unit or sidewalk vending unit from that location.
10. If a vendor also obtains the permit for a parking meter bag, then vendor shall ensure that:
 - (a) the parking meter bag is securely affixed to the meter once the vendor is in place;
 - (b) the parking meter bag remains securely affixed to the meter the whole time the vendor is in attendance;
 - (c) the mobile vending unit is not left unattended at a bagged parking meter for more than 15 minutes; and
 - (d) the parking meter bags is removed at the end of each day;

Appendix B

SCHEDULE “Q”

MOBILE VENDING

11. The City or its agents may remove parking meter bags left in place while the vendor is absent from the mobile vending unit or sidewalk vending unit for more than 15 minutes.
12. The vendor shall pay to the City the cost of replacing a lost parking meter bag.

VENDING IN THE PAT FIACCO PLAZA

13. Seven (7) vending sites intended for use by mobile vending units or sidewalk vending units on the Pat Fiacco Plaza are identified on the City Square Map in Schedule “R”. Daily access to individual sites will be on a first-come-first-served basis.
14. Vendors operating on the Pat Fiacco Plaza:
 - (a) shall ensure that its mobile vending unit or sidewalk vending unit is not located in Pat Fiacco Plaza prior to 7:00 a.m.;
 - (b) shall ensure its mobile vending unit or sidewalk vending unit is removed from Pat Fiacco Plaza no later than 11:00 p.m. daily;
 - (c) may provide commercial quality bistro-type chairs, tables and umbrellas adjacent to their vending unit for the use of their clientele;
 - (d) shall ensure such furnishings as set out in clause (c) above, are removed from Pat Fiacco Plaza at the end of each day;
 - (e) may sell promotional items related to their mobile vending operation;
 - (f) shall ensure its support vehicles, including trucks required to transport mobile vending units or sidewalk vending unit are not parked on the Pat Fiacco Plaza except for the purposes of dropping off or picking up a mobile vending unit or sidewalk vending unit;
 - (g) notwithstanding subsection 14(f) above, shall ensure all support vehicles are removed from Pat Fiacco Plaza between 10:00 a.m. and 2:00 p.m.;
 - (h) shall not operate generators on the Pat Fiacco Plaza except in the case of a power outage;
 - (i) shall ensure that material from the vendor’s mobile vending unit or sidewalk vending unit and any ancillary vehicles or equipment are not discharged onto Pat Fiacco Plaza’s surface;
 - (j) shall use the electrical services provided by the City on a first-come-first-served basis;

Appendix B

SCHEDULE “Q”

MOBILE VENDING

- (k) shall bear all costs related to the clean-up of improper discharges of material and reimburse the City for any and all costs associated with such an improper discharge.
15. No person shall operate a mobile vending unit or sidewalk vending unit on the Pat Fiacco Plaza during a City Square special event without the prior, written consent of the City Square special event permit holder(s).
 16. Special event permit holders are under no obligation to provide space for vendors during their events.