

POLICY DIRECTIVE NO. G-17

SUBJECT: REGULATION OF COMMERCIAL ACTIVITIES ON PUBLIC LANDS

(STREET VENDING, SPECIAL EVENT VENDING)

APPROVAL DATE: May 5, 2015 LAST REVIEW DATE: _____

REFERENCE: Zoning Bylaw, Business Licence Bylaw, Parks, Recreation and Culture Bylaw

A. GENERAL:

1. Two classes of business activity are permitted, on a case by case basis, on public lands. These include:

(a) Street Vending

(i) Commercial food vendors operating from public lands (ie. roads, parks, parking lots, City trails, etc.) on an annual or seasonal basis.

(b) Special Event Vending

(i) Commercial vendors operating from public lands for the duration of a specific event (i.e. Public Markets, Farmers Markets, sporting events, etc.).

While the general intent of these uses is described where appropriate in the Zoning Bylaw, the purpose of this Policy Directive is to outline both the licensing procedures and regulations under which these businesses must operate.

B. REGULATION OF COMMERCIAL ACTIVITIES ON PUBLIC LANDS:

1. Commercial activities may be permitted on public lands on a case by case basis.
2. Approved commercial activities within any public lands may be required to enter into a License of Occupation and Management Agreement.
3. A Food Vending Agreement with the City is required for all Street Vending activities.
4. Products sold shall be limited to food products only (Special Event Vending may also include the sale of souvenirs).
5. A City of Chilliwack Business License is required.
6. Public liability insurance is required (see Section E).
7. Approval by applicable City Departments may be required.

8. The unit may consist of a truck, trailer, cart, stand or van with a maximum overall length of 9m and maximum width of 2.5m, subject to conditions of the Food Vending Agreement.
9. The unit shall be aesthetically pleasing in appearance, with tanks, plumbing, and other related equipment being adequately screened from view.
10. Any sun/rain shelter must be supported by the unit and shall have a minimum canopy height of 2m, maximum length of 9m and maximum width or diameter of 2.5m.
11. Within City Parks removable tables may be permitted in addition to the sun/rain shelter specified above, subject to conditions of the Food Vending Agreement.

C. EVALUATION CRITERIA FOR PROPOSED LOCATIONS:

1. Suitable locations will be evaluated based on the following criteria:
 - (a) Food carts, trailers or stands occupying a City sidewalk must be located within 20m of an intersection. Carts, trucks or vans located within a road right of way must be located between 6m and 20m of an intersection;
 - (i) Intersections shall have traffic light control or crosswalks for anticipated pedestrian movements;
 - (b) Available on-street parking;
 - (c) Land use and zoning of adjacent properties when located within a road right of way;
 - (d) Where a sidewalk is occupied, the sidewalk shall be a minimum of 4m in width; and
 - (e) Where an area of a parking lot is proposed, the size of the vending unit and tow vehicle will be evaluated to ensure sufficient public parking spaces remain available and that the placement of the unit will not interfere with any vehicle movements.

D. COMPETITION WITH ESTABLISHED BUSINESSES (AND OTHER APPROVED FOOD VENDORS):

1. Food vendors, as regulated above, may not be located within 25m of an established restaurant and/or café or other food vendor on the same block face without written consent of said restaurant/café or food vendor; and,
2. Referrals to outside agencies may be required.

E. LIABILITY INSURANCE – GENERAL:

1. Every vendor of food products who conducts business on public lands shall carry \$5,000,000 liability insurance with the City named as the insured.

F. GARBAGE DISPOSAL – GENERAL:

1. The vendor will be responsible for litter created by products from their vending carts, as well as the cleanliness of their unit and surrounding area within 5m. Litter from vending operations may not be disposed of in City litter receptacles;
2. The vendor shall supply a suitable garbage receptacle lined with a plastic garbage bag and shall make arrangements for the removal of garbage on a daily basis;
3. Styrofoam or other polystyrene containers shall not be permitted as these are more easily blown away from the area; and
4. Failure to maintain a “litter free” selling area may result in cancellation of a Business License and/or Food Vending Agreement.

G. LICENSING – GENERAL:

1. Every vendor (Street Vending or Special Event Vending) shall require an annual or seasonal business license from the City of Chilliwack Licensing Department;
2. Confirmation of inspections/approvals from outside agencies including, but not limited to, the Provincial Health Inspector, City Fire Department, Electrical Inspector and Provincial Gas Inspector may be required as part of the Food Vending Agreement approval process.
3. All conditions stipulated within the Food Vending Agreement must be met prior to commencement of any vending activity.

Chief Administrative Officer