

NO. 18-058

Mobile Bicycle Vending Miscellaneous Amendments Bylaw, 2017

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to re-instate the provisions to regulate mobile bicycle vending that had been introduced in July 2017 and repealed December 31, 2017 by Bylaw No. 17-073.

Under its statutory powers, including sections 8(3) (b) and (h), and sections 36, 46 and 62 of the *Community Charter*, the Council of The Corporation of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "Mobile Bicycle Vending Miscellaneous Amendments Bylaw No. 18-058, 2018."

Streets and Traffic Bylaw

- 2 Bylaw No. 09-79, the Streets and Traffic Bylaw, is amended

- (a) in section 87 by adding the following as a new subsection (3):

"(3) Despite subsection (2)(j)(iv), a mobile bicycle vendor is permitted to sell products as defined in Schedule A attached to this Bylaw.";

- (b) in section 90 by

- (i) repealing paragraph (c);

- (ii) renumbering it as subsection (1) and adding the following as a new subsection (2):

"(2) Despite subsection (1) a mobile bicycle vendor may stop on a yellow curb within 6 m of a legal parking or loading space for a maximum of 60 minutes, unless otherwise restricted by a traffic order under this Bylaw."; and

- (c) in section 100 by renumbering it as subsection (1) and adding the following as a new subsection (2):

"(2) Despite subsection (1), a mobile bicycle vendor may sell commercial goods on the street as defined in Schedule I attached to this Bylaw."; and

- (d) by adding as new Schedule I, the schedule attached to this Bylaw as Schedule 1.

Street Vendors Bylaw

- 3 Bylaw No. 89-72, the Street Vendors Bylaw, is amended

- (a) in section 2, by adding the following immediately after "peddler":

“mobile bicycle vendor” means a person who sells goods from a human-powered or electric motor-assisted bicycle or tricycle;”;

(b) in section 25, by adding the following as a new subsection (3):

“(3) Despite section 25 (1) (2) a mobile bicycle vendor may sell goods on City streets and in parks, except in Beacon Hill Park and on multi-use pathways within the City of Victoria.”; and

(c) in section 27, by renumbering the section as subsection (1) and adding the following as the new subsection (2):

“(2) Despite subsection (1), a bicycle vendor may only sell goods permitted in Schedule A.”; and

(d) by adding as Schedule A, the schedule attached to this Bylaw as Schedule 1.

Parks Regulation Bylaw

4 Bylaw No. 07-059, the Parks Regulation Bylaw is amended

(a) in section 8 by renumbering it as subsection (1) and adding the following as a new subsection (2):

“(2) Despite subsection 1, a mobile bicycle vendor may sell permitted goods in a park as described in Schedule H.”; and

(b) by adding as Schedule H the schedule attached to this Bylaw as Schedule 1.

Repeal of Mobile Bicycle Vending Provisions on December 31, 2018

5 The following provisions are repealed:

(a) sections 87(3), 90(2), 100(2) and Schedule I of Bylaw No. 09-79, the Streets and Traffic Bylaw;

(b) definition of “mobile bicycle vendor” in section 2 of Bylaw No. 89-72, Street Vendors Bylaw;

(c) sections 25(3), 27(2) and Schedule A of Bylaw No. 89-72, Street Vendors Bylaw; and

(d) section 8(2) and Schedule H of Bylaw No. 07-059, the Parks Regulation Bylaw.

Commencement

6 (1) This Bylaw, except section 5, comes into effect on adoption.

(2) Section 5 comes into effect on December 31, 2018.

Repeal of Bylaw 17-073

7 (a) Mobile Bicycle Vending Miscellaneous Amendments Bylaw No. 17-073 is repealed.

READ A FIRST TIME the **19th** day of **April** 2018.

READ A SECOND TIME the **19th** day of **April** 2018.

READ A THIRD TIME the **19th** day of **April** 2018.

ADOPTED on the day of 2018.

“CHRIS COATES”
CITY CLERK

“LISA HELPS”
MAYOR

CONDITIONS

General Conditions

A bicycle vendor shall:

1. Display a vending decal on each licenced bicycle. The decal is non-transferable.
2. Only sell permitted products, including flowers, food and non-alcoholic beverages.
3. Operate only on City streets and parks, except Beacon Hill Park and on designated multi-use pathways within the City of Victoria.
4. Bicycle vendors must remain 100 metres away from restaurants, events or concessions that sell a similar product.
5. Bicycle vendors must remain 30 metres away from a public or private school.
6. Operate between 7 a.m. – 10 p.m. only.
7. Maintain their bicycles and keep them clean and in good repair.
8. Advertise only for their business. Advertising must be integrated into the bike.
9. Install a bicycle bell, if desired but only ring the bell for intervals of 20 seconds or fewer, and only between the hours of 9 a.m. – 9 p.m.
10. Provide an integrated waste receptacle. Recycling and compost must be separated from garbage, either as part of the bicycle design or at the vendor's base of operations.
11. Stop, only if hailed by a customer first.
12. Comply with all applicable bylaws, including *Streets and Traffic*, *Park Regulation*, *Noise* and the *Motor Vehicle Act*.