



## **Council Report**

### **For the Meeting of June 22, 2017**

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**To:** Council  
**From:** Chris Coates, City Clerk  
**Subject:** Mobile Bicycle Vending Bylaw Amendments

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**Date:** June 12, 2017

#### **RECOMMENDATION**

That Council give First, Second and Third reading of Bylaw No. 17-073.

#### **EXECUTIVE SUMMARY**

On May 11, 2017 Council approved establishing a seasonal pilot project to permit two types of street vending; mobile bicycle vending and storefront displays, as part of a Government Street event.

Staff have developed the bylaw amendments that provide for the implementation for Council's consideration to permit mobile bicycle vending this year. The proposed requirements were developed from a variety of sources including best practises from other municipalities as well as existing City procedures for permitting mobile food vendors. In consultation with the DVBA, the Government Street event will be captured in the larger street vending pilot next year, which will test the proposed new comprehensive street vending policy and regulatory recommendations that staff are currently developing.

Staff will report back to Council in Quarter 1 of 2018, with proposed regulatory changes in advance of the second pilot, which will include lessons learned from the 2017 mobile bicycle vendor pilot.

#### **PURPOSE**

The purpose of this report is to seek Council approval of the proposed bylaw amendments to permit a pilot mobile bicycle vending project in the summer and fall 2017.

#### **BACKGROUND**

Council received a report from staff on May 11, 2017, which outlined the overall street vending work plan as well as recommended a seasonal pilot project to permit two types of street vending: mobile bicycle vending and storefront displays in the City over the summer and fall of 2017. The May 11 Committee of the Whole report is attached as Appendix A.

Council approved the recommendation and the following motion was passed:

*That Council direct staff to proceed with bylaw amendments to the Street Vendor Bylaw, Streets and Traffic Bylaw and Park Regulation Bylaw to permit a seasonal pilot project in 2017 to allow bicycle food vending and storefront displays as part of a Government Street event and to report back in Quarter 1 of 2018 with street vending policy and regulatory recommendations for Council's consideration.*

Over the past month, staff have developed the necessary bylaw amendments for Council's consideration, as outlined in this report and attached as Appendix B. The 2017 pilot project for mobile bicycle vending is expected to launch in early July and will complete by December 31, 2017. Lessons learned from this pilot project will be used to inform regulations for all types of food vending as well as the second pilot, planned for spring and summer of 2018.

## **ISSUES & ANALYSIS**

### **Mobile Bicycle Vending**

The May 11, 2017 Committee of the Whole Report, attached as Appendix A identified a proposed list of requirements that bicycle vendors would need to adhere to. These requirements have been expanded upon and refined in the bylaw amendments and include:

- Permitted Locations
- Hours of operation
- Proximity to schools and businesses
- Noise
- Advertising
- Litter and Waste Control
- Stopping and Standing

Interested vendors will also need to obtain a Business Licence. The business licence application for mobile bicycle vendors, attached as Appendix C has been modelled after the existing City process for food trucks and carts.

As an important note, contrary to what was previously indicated, a criminal record check is not included as a requirement during this pilot. A criminal record check is not currently required for other mobile vendors (i.e. food carts and trucks) and processing times would likely impede vendor's ability to participate in the pilot. This requirement will be included in the larger review for consideration.

The above requirements were developed from a variety of sources including experience from other municipalities including Vancouver, Halifax, Toronto, and Mississauga as well as existing City procedures for permitting mobile food vendors.

### **Storefront Displays**

In consultation with the DVBA, the Government Street event will be captured in the 2018 street vending pilot, to allow sufficient time for merchants and the DVBA to organize the event.

### **Next Steps**

Staff are currently developing a resource document that would be provided to mobile bicycle vendors, similar to the City of Seattle's Mobile Food Vending Permit information sheet, attached as Appendix D. This user-friendly guide will provide vendors with all the information they require to operate in the City, including step-by-step instructions on how to apply for a business licence.

## OPTIONS & IMPACTS

*Option 1 – Give First, Second and Third readings to the proposed Bylaw (Recommended).*

Option 2- Council may identify further amendments or considerations to be included in the bylaw amendments.

### 2015 – 2018 Strategic Plan

This proposed work is consistent with Strategic Plan Objectives of "Create Prosperity Through Economic Development" and "Enhance and Steward Public Spaces, Green Spaces and Food Systems".

### Impacts to Financial Plan

This project has been included in the 2017 Key Initiatives plan and no additional resources are needed for this work.

### Official Community Plan Consistency Statement

Section 8: Placemaking describes several broad objectives that are relevant to this project, including:

8 (h) That the public realm is animated through street life and festivals, celebrations and special events.

## CONCLUSIONS

This pilot will provide useful experience to assess the impacts of bicycle vending prior to Council considering a more permanent regime. The lessons learned from the pilot project will be used to inform regulations for all types of food vending as well as the second pilot, which is planned for spring and summer of 2018.

Respectfully submitted,



Shannon Jamison  
Legislative Planning Analyst




Chris Coates  
City Clerk



Jocelyn Jenkyns  
Deputy City Manager

Report accepted and recommended by the City Manager:

Date:

  
June 16, 2017

### List of Attachments

- Attachment A – May 11, 2017 Committee of the Whole Street Vending
- Attachment B – Mobile Bicycle Vending Miscellaneous Amendments Bylaw, 2017
- Attachment C – Business Licence Application form for Mobile Bicycle Vendors
- Attachment D - Example City of Seattle Information Sheet for Mobile Vendors



## **Committee of the Whole Report**

**For the Meeting of May 11, 2017**

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**To:** Committee of the Whole  
**From:** Chris Coates, City Clerk  
**Subject:** Street Vending Review Project

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**Date:** May 5, 2017

### **RECOMMENDATION**

That Council direct staff to proceed with bylaw amendments to the Street Vendor Bylaw, Streets and Traffic Bylaw and Park Regulation Bylaw to permit a seasonal pilot project in 2017 to allow bicycle food vending and storefront displays as part of a Government Street event and to report back in Quarter 1 of 2018 with street vending policy and regulatory recommendations for Council's consideration.

### **EXECUTIVE SUMMARY**

Street vendors such as musicians, food sellers and buskers can animate public spaces, contribute to the local economy and create a sense of place. To better align with the objectives of the 2015-2018 *Strategic Plan*, in December 2016, Council directed staff to conduct a comprehensive review of street vending in the City of Victoria.

The intended outcomes of the street vending review are to:

- Develop a set of policies for street vending in the City of Victoria;
- Modernize the existing Street Vendors Bylaw to allow for a greater variety of vending options (e.g. food trucks, bicycle vending); and,
- Amend additional City bylaws as needed, to expand permitted street vending locations.

To undertake this review comprehensively is expected to take approximately eighteen months and includes five phases:

1. Background research and analysis (Spring - Summer 2017);
2. Phase 1 Pilot – bicycle vending and sidewalk displays (Spring - Fall 2017);
3. Policy and regulatory development (Fall 2017 - Winter 2018);
4. Phase 2 Pilot – proposed policy and regulatory changes (Spring - Summer 2018); and,
5. Policy and bylaw refinement and adoption (Fall 2018).

In response to the two original Council Motions regarding bicycle vending and street sales, interim measures for the 2017 tourist season to permit bicycle food vending and sidewalk displays as part of a Government Street event are proposed through a seasonal pilot project. Amendments to three existing bylaws, the Street Vendors Bylaw, Parks Regulation Bylaw and Streets and Traffic Bylaw would be required to allow the pilot to proceed.

Should Council wish to proceed with the Pilot Project, staff would report back to Council in Quarter 1 of 2018 on that along with the more fulsome review of street vending in the City with a



comprehensive set of proposed street vending policy and regulatory recommendations for Council to consider.

## **PURPOSE**

The purpose of this report is to seek Council approval to proceed with a seasonal pilot project over the summer and fall of 2017 to permit bicycle food vending and storefront sidewalk displays as part of a Government Street event. This report also provides details on the overall street review work plan.

## **BACKGROUND**

High-quality street vending can bring to the community. Street vendors, including buskers, food sellers and artists can enliven public spaces, strengthen community identity, encourage social interaction and spur economic development and vibrancy.

### Previous Council Direction

In October and November 2016, two Council member reports attached as Appendices A and B related to street vending were considered by Council resulting in the following motions:

1. That Council approve the addition of the following 2017 Action to the Strategic Plan: Consolidate and update the Street Vendors Bylaw to permit the licensing operations and regulation of responsible bicycle street vending in the City of Victoria.
2. That Council direct staff to report back at the next Quarterly Update on the implications of amending the Street Vendors Bylaw to accommodate downtown merchants to sell wares directly in front of their stores.

The intention behind the above motions was to permit ice cream bicycle vending and storefront displays as a component of larger City events such as Car Free YYJ and a pedestrianization pilot project on Government Street, which proposes to close sections of Government Street to vehicles on a re-occurring basis.

In December 2016, during the Quarterly Update presentation, Council approved a staff recommendation to conduct a full review of street vending in 2017. This report outlines the work plan for this review and provides recommendations specific to the original Council direction regarding street vending.

### Street Vending Definition

Street vending includes the selling of goods and services on City-owned property, primarily on the street or sidewalk and often with the use of a mobile structure. Street vendors can be stationary and occupy space on a temporary, seasonal or permanent basis or can be mobile and move from place to place, carrying their products in carts, bicycles and trucks with no fixed destination.

Types of vending can include:

- Food vending (e.g. food trucks, carts and bikes)
- Street entertainment (e.g. musicians, performance artists)
- Non-food vending (e.g. sports rentals, newspapers, artwork, flowers)
- Sidewalk displays (e.g. displaying merchandise outside a storefront)
- Peddlers (e.g. door to door salespeople)

## Street Vending Examples



Figure 1. Permanent Food Truck 'Pod' on Private Property



Figure 2. Mobile Food Cart attending a Special Event



Figure 3 Street Entertainer - Chalk Artist



Figure 4 Permanent Storefront Sidewalk Display



Figure 5 Newspaper Hawker



Figure 6. Bicycle Vendor - Non-food

## Existing Regulatory and Policy Context

### Council Policy

In 2011, Council adopted a *Guiding Principles for the Use of Public Space* policy, attached as Appendix C, which provides a set of principles that can be used to guide decisions regarding the use of public space for commercial activity. Guiding principles include ensuring consistency with applicable bylaws, charging fair market value for the use of space and maintaining public safety and mobility. No policy or framework exists specific to street vending.

### Street Vending Bylaw

The Street Vending bylaw was adopted in 1989 and has been the primary mechanism for regulating street vendors in the City of Victoria. The bylaw designates approved vending locations, the number of annual licences available, hours of operation, time of year and acceptable cart dimensions. The bylaw also includes regulations for street entertainers as well as peddlers. Over the last two decades, multiple amendments have been made to the bylaw, described in the table below.

Table 1. Street Vendor Bylaw Amendments

Year	Amendment
1992	Bastion Square and the 700 block of Yates Street were added as designated vending locations, bringing the total number of licences available per year to 13.
1993	Provisions for street entertainers were added.
1994	Stipulations on the time and locations when carts must be active were revised. Automatic renewal of licences for established vendors was permitted.
1995	The use of amplification by street entertainers was prohibited.
1996	Licences were reduced to a total of 11 per year.
2001	Ticket vendor structures were eliminated. Tourism Victoria's mobile commercial advertising cart was re-instated and then again repealed.
2006	A vending location at Reeson Park was added, bringing the total number of annual licences available to 12.
2010	Ticketing penalties were standardized across multiple City bylaws and fees were increased for street entertainers.
2012	Street entertainers were permitted to sell recordings or copies of their performance or work.
2014	Additional stipulations for newspaper hawkers were added.

The Parks Regulation Bylaw and Streets and Traffic Bylaw also place restrictions on street vending locations:

### Parks Regulation Bylaw

Commercial activity is prohibited in all City Parks, unless approved by the Director of Parks, Recreation and Facilities.

### Streets and Traffic Bylaw

Commercial goods, merchandise or any other articles of trade or commerce are not permitted in the street "longer than is reasonably necessary to deliver them expeditiously or to remove them into a vehicle."

## Street Vending Status in Victoria

Street Food Vendors, including bicycle vending: The food vending program was originally introduced in the 1980's. Three mobile food vendors are currently operating at designated locations on City-owned property. No new food vendors, including food trucks, carts and bicycles have been permitted to operate on City-owned property, except through a special event permit, as part of a larger event or festival. Food vending on private property is permitted if the vendor has a valid City business licence, the property is zoned for food services and they have secured the written approval of the property owner.

Non-Food Vendors: The only type of non-food vending currently permitted under the Street Vendor Bylaw is newspaper hawkers. There are currently thirty-five licenced newspaper hawkers in Victoria.

Street Entertainers: There are no limits to the number of busking licences available in the City of Victoria. Approximately 500 busker licences are sold annually, which has remained largely unchanged for the last 5 years. A suite of existing regulations govern the conduct of street entertainers.

Storefront Sidewalk Displays: A small portion of existing sidewalk displays are permitted under the Street Vendor Bylaw, if fresh produce is sold and no more than 1/5 of the sidewalk is used. As well, some existing displays are within the property line of the business and are not regulated under the Street Vending Bylaw. A large number of existing sidewalk displays on public property are not in compliance with current regulations, as they are either selling non-permitted goods or extend beyond the allowable sidewalk width.

In addition, some sidewalk displays have been accommodated under a special event permit, if certain conditions are met. Standalone sidewalk display sales (i.e. individual business) or events (i.e. downtown-business block party) where the primary purpose is economic activity are not currently permitted by the City. A more detailed analysis, including recommendations are included in the Issues and Analysis section of this report.

Peddlers: The Street Vendor Bylaw outlines regulations for peddlers (i.e. door-to-door salespeople). The program has been phased out due to lack of demand and no new licences have been issued.

The Greater Victoria Harbour Authority (GVHA) also manages a vending program for street food, artists, and buskers along the Inner Harbour Causeway. The GVHA will be undertaking a review of their vending and busking programs this year and has indicated a willingness to collaborate and coordinate with the City.

## **ISSUES & ANALYSIS**

### Growing Demand for Street Vending

Interest in street vending is on the rise. Community feedback gathered through current planning initiatives, including Visual Victoria, the Parks and Open Spaces Master Plan and Local Area Planning in the Vic West, Burnside and Fairfield/Gonzales suggests that residents are seeking dynamic and diverse public spaces, with increased opportunities for commercial activity. Requests for additional mobile food options in neighbourhoods and parks is especially common.

Entrepreneurs are also increasingly interested in opening a mobile food vending business. The number of licenced street food vendors in the City has increased by approximately 800% since 2009. Frontline staff with business licencing and at the Business Hub indicate that mobile food

vending on City-owned property is the number one inquiry received, especially in the lead up to the summer season.

#### **Proposed 2017 Seasonal Pilot**

In response to the two original Council Motions, interim measures to enable bicycle food vending and storefront sidewalk displays over the summer 2017 season are identified for Council's consideration.

#### **1. Storefront Displays**

In consultation with City staff and the Downtown Victoria Business Association the following existing City processes could be used to accommodate storefront sidewalk displays for Car Free YYJ and a potential pedestrianization pilot on Government Street.

##### Special Event Permit

Car Free YYJ is considered a special event as the primary purpose of the event is to be engaging and accessible to the community and non-commercial. Established businesses within the event permit area along Douglas Street interested in a storefront display are considered event vendors and are listed on the special event application along with other vendors. Vendors are pre-approved by the event organizer (i.e. DVBA). Event vendors often pay fees to the event organizer to help cover event costs and provide goods in support of the event (e.g. beverages for a marathon).

##### Licence Agreement

The Downtown Victoria Business Association has indicated that the purpose of the potential pedestrianization pilot of Government Street is primarily as an economic generator for businesses along the street. Therefore, this event would not qualify for a special event permit. If Council wishes, a licence agreement between the DVBA and the City of Victoria could be created, which would specify terms and conditions, including vendor requirements, times, locations and fees.

The conditions of the agreement would be informed by the *Guiding Principles for the Use of Public Space* policy. Alternatively, the DVBA could propose an event that is primarily focused on community benefit, with sidewalk displays as a secondary element. Staff could then consider issuing a special event permit.

The DVBA has indicated that a summer-fall 2017 pilot on Government Street may not be feasible, given the time commitment and resources necessary to plan a project of this size. Staff have allowed for flexibility, with the option to include the Government Street project in either the 2017 or spring 2018 pilot.

#### **2. Bicycle Food Vending**

Staff met with both individuals, who had previously written to Council requesting amendments to the existing bylaw to allow the selling of ice cream by bicycle. One individual isn't in a position to launch their business this summer but is excited that the City is undertaking a comprehensive review of street vending and is eager to participate in the process. The second vendor has indicated they are ready to launch their business this year.

Staff are recommending a summer-fall 2017 seasonal pilot to allow bicycle food vending. Three existing City Bylaws: Parks Regulation, Streets and Traffic and the Street Vendor Bylaw require amendment prior to commencing the pilot. This pilot will provide some degree of experience to assess the impacts of bicycle vending prior to Council considering a more permanent regime. Lessons learned from the pilot project will be used to inform regulations for all types of food vending.



Gathering information from a variety of sources including experience from other municipalities as well as existing City procedures, staff have developed a list of rules and requirements that bicycle vendors must meet, as outlined below.

#### Business Licence

Interested vendors would first need to obtain a Business Licence. The business licence application process for bicycle vendors has been modelled after the existing City process for food trucks and carts, attached as Appendix D. For example, vendors must provide details on their vending unit, including pictures, receive approval from the Island Health Authority and pay a licencing fee. In addition, vendors would need to supply adequate insurance coverage and be subjected to a criminal record check prior to the issuance of the business licence. The number of licences would not be capped as uptake during the pilot is expected to be low, given the timing in the year and relatively modest demand.

#### Fees

The proposed fee is \$100 dollars for the duration of the pilot project. This fee is in line with other municipalities, including Vancouver and Halifax and is the current fee charged by the City to food carts and trucks.

#### General Requirements

Bicycle vendors would need to comply with the City's Noise Bylaw as well as the stopping, standing and parking provisions of the Street and Traffic Bylaw and Motor Vehicle Act. A business licence would need to be visible and work and storage areas must be kept clean and presentable.

#### Permitted Vending Times and Locations

Permitted	Not Permitted
<ul style="list-style-type: none"><li>• All City streets, including in parks for up to 30 minutes at a time.</li></ul>	<ul style="list-style-type: none"><li>• In Beacon Hill Park, based on the provisions of the Beacon Hill Park Trust of 1882</li><li>• In the Inner Causeway and Ogden Point as these properties are owned by the Greater Victoria Harbour Authority</li><li>• Within 30 meters of grade schools on school days between 8:00 am - 5:00 pm.</li><li>• Stay a certain distance from restaurants that sell a similar food product (e.g. ice cream store)</li></ul>

The proposed 2017 seasonal pilot is one component of the larger street vending review work plan, outlined below.

### **Street Vending Review Work Plan**

#### Purpose and Objective

The existing street vendor legislation requires revision to better address the public's demand for expanded street vending opportunities. The purpose of this project is to develop a set of policies and regulations for street vending in the City, which balances the desire for increased street vending opportunities on public property while ensuring that public spaces remain open, accessible and beneficial for the whole community. Mobile food vending is expected to be a key focus area of this review.

### Timeline and Process

The project is expected to take approximately 18 months and will include several phases. This timeline has been developed based on similar projects in the City of Victoria as well as in consultation with other jurisdictions in Canada who have recently undergone a comprehensive review of their street vending program.

#### Phase 1: Background Research and Analysis (Spring-Summer 2017)

- Review existing City of Victoria bylaws and practices related to street vending;
- Review current best practices and legislation in other Canadian and North American cities to determine how street vending issues were addressed;
- Identify key considerations, challenges and opportunities for street vending; and,
- Conduct targeted stakeholder consultation (i.e. focus groups, surveys, one-one-one interviews, establish a working group).

#### Phase 2: Phase 1 Pilot – Bicycle Vending and Sidewalk Displays (Summer-Fall 2017)

- Amend relevant City bylaws to permit a pilot of bicycle vending and sidewalk displays during the 2017 tourist season.

#### Phase 3: Policy and Regulatory Development (Fall 2017-Winter 2018)

- Based on information gathered in Phase 1 and 2, staff would develop a series of proposed policy recommendations as well as bylaw revisions and amendments to share with Council for consideration.

#### Phase 4: Seasonal Pilot (Spring-Summer 2018)

- A seasonal pilot program would be launched to test policy and regulatory recommendations, allowing residents and business owners an opportunity to experience the proposed changes and provide feedback in advance of any final decisions.

#### Phase 5: Final Policy and Bylaw Amendments (Spring 2018)

- Based on the feedback received, staff would revise the policy and proposed bylaw amendments for approval from Council.

## **OPTIONS AND IMPACTS**

### **Option 1 – Proceed with the street vending review as outlined in this report (Recommended)**

1. Direct staff to proceed with bylaw amendments to the Street Vendor Bylaw, Streets and Traffic Bylaw and Park Regulation Bylaw to permit a seasonal pilot project to enable bicycle vending and storefront displays, as part of a larger event.
2. Direct staff to report back in Quarter 1 of 2018 with street vending policy and regulatory recommendations for Council approval

**Option 2-** Council may identify further amendments or considerations to be included in the street vendor review project.

### **2015 – 2018 Strategic Plan**

This proposed work is consistent with Strategic Plan Objectives of "Create Prosperity Through Economic Development" and "Enhance and Steward Public Spaces, Green Spaces and Food Systems".



### Impacts to Financial Plan

This project has been included in the 2017 Key Initiatives plan and no additional resources are needed for this work.

### Official Community Plan Consistency Statement

Section 8: Placemaking describes several broad objectives that are relevant to this project, including:

8 (h) That the public realm is animated through street life and festivals, celebrations and special events.

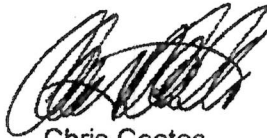
### CONCLUSIONS

Undertaking a comprehensive review of street vending will help the City of Victoria to better address increasing public demand for a variety of street vending opportunities. This project will result in the development of clear and transparent guidelines and a modernized user-friendly bylaw to guide a wide spectrum of street vending activities in the City.

Respectfully submitted,



Shannon Jamison  
Legislative Planning Analyst



Chris Coates  
City Clerk



Jocelyn Jenkyns  
Deputy City Manager

Report accepted and recommended by the City Manager:



Date:

May 5, 2017

### List of Attachments:

- Appendix A: October 13, 2016 Council Motion Bicycle Street Vending
- Appendix B: November 3, 2016 Council Motion Street Vendors Bylaw
- Appendix C: Guiding Principles for the Use of Public Space policy
- Appendix D: Business Licence Requirements for Food Truck/Cart Operators

NO. 17-073

Mobile Bicycle Vending Miscellaneous Amendments Bylaw, 2017

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Streets and Traffic Bylaw, Parks Regulation Bylaw and Street Vendors Bylaw to regulate mobile bicycle vendors and the use of public space.

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, 2017."

**Streets and Traffic Bylaw**

2. Bylaw No. 09-79 the Streets and Traffic Bylaw, is amended as follows:
  - a. By adding the following new subsection (3) to section 87:  
"(3) Despite subsection (j) (IV) a mobile bicycle vendor is permitted to sell products as defined in Schedule A attached to the Bylaw."
  - b. By adding the following new subsection (c) to section 90  
"(c) Despite section 90 (a) and (b) a mobile bicycle vendor may stop on a yellow curb within 6 m of a legal parking or loading space for a maximum of 30 minutes, unless otherwise restricted by a traffic order under the Streets and Traffic Bylaw."
  - c. By renumbering section 100 as 100(a) and adding the following new subsection (b) to section 100. "(b) Despite section 100 a mobile bicycle vendor may sell commercial goods on the street as defined in Schedule A attached to this Bylaw."

**Street Vendors Bylaw**

3. Bylaw No. 89-72, the Street Vendors Bylaw is amended as follows:
  - a. By adding the following definition after "peddler" in section 2:  
"mobile bicycle vendor" means a person who sells goods from a human-powered or electric motor-assisted bicycle or tricycle.
  - b. By adding the following subsection (3) to section 25  
"(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."
  - c. By adding the following subsection (1) to section 27  
"(1) Despite section 27, a bicycle vendor may only sell goods permitted in Schedule A."

### **Parks Regulation Bylaw**

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

- a. By renumbering section 8 as 8 (1) and adding the following subsection (2) to section 8

"(a) Despite section 8, a mobile bicycle vendor may sell permitted goods in a park as described in Schedule A."

### **5. Period of Applicability**

The provisions of this bylaw shall be in effect from the date of adoption until December 31, 2017.

### **6. General Conditions**

A mobile bicycle vendor must comply with the conditions set out in Schedule A of this Bylaw.

Read a first time this                      day of                      2017

Read a second time this                      day of                      2017

Read a third time this                      day of                      2017

Adopted this                      day of                      2017

**CITY CLERK**

**MAYOR**

## **Schedule A**

### **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.
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*.



## BICYCLE VENDING APPLICATION

City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

For information, or assistance completing this form, please contact the Business Licensing Department at 250.361.0572 ext.1 or by email at [businesslicence@victoria.ca](mailto:businesslicence@victoria.ca)

**IMPORTANT:** Application must be completed in full, accompanied by appropriate documentation. Incomplete forms will not be processed. Completion of this application does not guarantee approval of application. Approved licences will be issued only upon receipt of payment of the business licence fee. The fee for this licence is \$100 effective July 1st – December 31st, 2017. Conducting business without a valid licence is an offence for which penalties are prescribed. The minimum penalty is a fine of \$250 per day for each day that the offence continues, pursuant to Sec. 4 of the Business Licence Bylaw. **Please be advised this document is subject to the Freedom of Information and Protection of Privacy Act and access can be requested.**

### PART A: APPLICATION

Business Name: \_\_\_\_\_

Home Address: \_\_\_\_\_ Victoria, BC Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_ Cellular: \_\_\_\_\_

Owner (1) Name: \_\_\_\_\_

Owner (2) Name: \_\_\_\_\_

Limited / Incorporated Company Name: \_\_\_\_\_  
Inc. documents to be provided with application

List products that will be sold: \_\_\_\_\_

### DOCUMENTS REQUIRED: (photocopies accepted)

#### Checklist

- ☐ Photographs of bicycle
- ☐ Proof of Valid Liability Insurance not less than \$2,000,000
- ☐ Valid Island Health Approval and/or Permit
- ☐ Valid Government Issued Photo ID
- ☐ If using propane you will need to obtain a Certificate of Inspection from British Columbia Safety Authority and complete an inspection with the Victoria Fire Department

### PART B: APPLICANT INFORMATION

Applicant / Representative Name: \_\_\_\_\_

Applicant / Representative Signature: \_\_\_\_\_ Date Signed: \_\_\_\_/\_\_\_\_/\_\_\_\_

Important: In providing this information, you have consented to its use for the above-mentioned purpose and declare that all the information provided herein is correct. Applicant has read and agrees to comply with the stated regulations and requirements of the Bicycle Vendors Conditions included in Schedule A. I am aware that failure to comply with City Bylaws could result in my licence being suspended or cancel.



**Seattle**  
Department of  
Transportation

Seattle Department of Transportation  
700 Fifth Avenue, Suite 2300 | P.O. Box 34996  
Seattle, Washington 98124-4996  
(206) 684-5253 | [SDOTPermits@seattle.gov](mailto:SDOTPermits@seattle.gov)

CLIENT ASSISTANCE MEMO

**2509**

SEATTLE PERMITS - Part of a  
multi-departmental City of Seattle  
series on getting a permit

[www.seattle.gov/transportation](http://www.seattle.gov/transportation)

## MOBILE FOOD VENDING PERMITS

This Client Assistance Memo (CAM) summarizes the rules and process for obtaining a mobile food unit vending permit. This CAM addresses mobile vendors such as:

- Ice cream trucks; or
- Non-motorized food carts; or
- Similar mobile units

For information on stationary-food-vehicle vending in a designated curb space Food Vehicle Zone refer to CAM 2507, for Stadium and Event Center Vending refer to CAM 2508, or for Temporary Curb Space Vending refer to CAM 2510.

### MOBILE FOOD VENDING PERMITS

- Vending from a mobile vending unit is allowed on public streets, sidewalks and plazas with a valid Street Use vending permit.
- Mobile vendors may sell flowers and food and beverages that are exempt from the food-establishment permit requirement of the King County Board of Health.
- Products other than food, non-alcoholic beverages and flowers are not allowed to be vended in the right-of-way.
- This type of Street Use permit is valid for one year.

#### A. LOCATION AND ROUTE

1. **Route.** To vend out of a mobile unit, a vendor must find a route that meets all setback requirements (at the designated points the vendor will stop to vend). Mobile vending is prohibited:

- Within 50 feet of any public park;
- Within 1,000 feet of any public or private school containing any class - kindergarten through 12th grade;
- Within 50 feet of any food-service business;



2. **No Vending Zones.** Mobile food vending is prohibited within the greater downtown and university district boundaries shown on maps on the following pages.

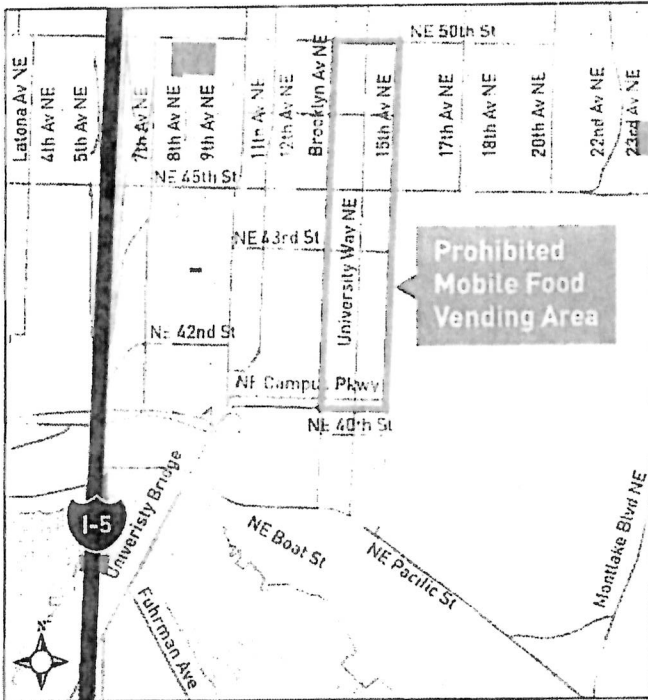
#### Access to Information

Client Assistance Memos are available online at: [www.seattle.gov/transportation/sluse\\_home.htm](http://www.seattle.gov/transportation/sluse_home.htm). Paper copies of these documents are available at our Permit Services Counter located on the 23rd floor of the Seattle Municipal Tower at 700 5th Avenue in downtown Seattle; phone number (206) 684-5253.

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## PROHIBITED MOBILE FOOD VENDING AREA - UNIVERSITY DISTRICT



3. **Clear Pedestrian Zone.** A clear pedestrian zone at least five feet wide and linear pedestrian visual corridor at least 3 wide must be maintained at all times on the sidewalk adjacent to the food cart. The pedestrian zone is measured from the outside edge of the mobile vending unit to the nearest obstruction; for example, a tree pit, parking pay station, bike rack, sign post, or other similar object. If no obstruction exists, the pedestrian zone is measured to the back of the curb. See diagram A at the end of this CAM.

Free-standing umbrellas or canopies, A-frame signs, portable signs, planters, seating or any other objects are not allowed to be placed in the right-of-way associated with a mobile food vending unit. Umbrellas attached to a cart must have a vertical clearance of 8-feet.

4. **Setbacks.** In addition to the zone restrictions described above, the following setbacks are required and must be maintained at each vending location:

- 3 feet from the front of the curb for vending carts on the sidewalk;

- 5 feet from alleys, driveways, transit-zone areas, disabled-person parking zones, food-vehicle zones, and commercial loading zones;
- 5 feet from curb ramps, parking meters or parking pay stations, traffic signs, SDOT and utility poles, fire hydrants, bike racks, and other street fixtures;
- 10 feet along the curb line from the point where the radius of the corner-curb area intersects the curb line (see Diagram B);
- 15 feet from any business entrance or exit.

## B. ALLOWABLE TYPES OF FOOD

Food vended from a mobile vending unit must be King County health-permit exempt. Documentation of King County approval of exemption is required. The following are examples of exemption-eligible food products:

- Popcorn (including kettle corn)
- Ice cream
- Cotton candy
- Machine-crushed ice drinks (aka "slushies," in which premix is frozen within and dispensed from an enclosed machine)
- Corn on the cob (Prepared for immediate service. Butter, shake-on spices or commercial mayonnaise in squeeze bottle OK.)
- Roasted nuts, roasted peanuts (including candy-coated)
- Ready-to-eat food, that is not potentially hazardous, produced in a licensed food establishment or food processing plant (such as premixed soda pop, powdered creamer, pretzels, cookies, doughnuts, cake, or meat jerky) that are served without direct hand contact, with limited portioning, directly onto or into sanitary single-use articles or single-service articles from the original package
- Hot beverages (such as coffee, hot tea, or hot apple cider)

For more information on health-permit exempt food, please visit King County Public Health's website at [www.kingcounty.gov/healthservices/health/ehs/foodsafety/FoodBusiness/exemptions.aspx](http://www.kingcounty.gov/healthservices/health/ehs/foodsafety/FoodBusiness/exemptions.aspx), or call them at (206) 296-4600.