

Policy Title	Mobile Vendor
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Effective Date February 20, 2017	Adopted by Council	Replaces N/A
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PURPOSE: To regulate Mobile Vendors within the City of Enderby in order to provide business certainty, neighbourhood harmony, and administrative efficiency.

POLICY: Mobile Vendors operating within the City of Enderby shall be subject to the following conditions:

1. Mobile Vendors shall operate in accordance with the City of Enderby Zoning Bylaw No. 1550, 2016, as amended from time to time.
2. All Mobile Vendors are required to obtain a business license in accordance with the City of Enderby Business License and Regulation Bylaw No. 1558, 2014, as amended from time to time.
3. The sale of food items from a Mobile Vendor is permitted; however, the sale of all other goods (i.e. crafts, clothing, and other merchandise) is not permitted without prior written permission.
4. Mobile Vendors must submit a written request seeking permission to operate in a specific public space.
5. The authority having jurisdiction may decline to permit a Mobile Vendor's request to operate in a specific public space for any reason that it feels appropriate, but must provide the Mobile Vendor with reasons upon request.
6. The intake for Mobile Vendor requests to operate in a specific public space is from January 1 to March 31 of each year.
7. All Mobile Vendors who are approved to operate in a public space must pay an annual rental fee as specified in the City of Enderby Fees and Charges Bylaw No. 1479, 2010, as amended from time to time.
8. All Mobile Vendors shall supply their own power source, water source, and method of sanitary disposal; generators are permitted providing that they do not cause a disturbance.
9. Overhead canopies or doors from Mobile Vendors shall not obstruct or hinder pedestrian traffic.

10. Placement of any furniture (i.e. tables, chairs, benches, counters, etc.) associated with Mobile Vendor operations is not permitted without prior written permission.
11. A Mobile Vendor vehicle(s) shall be stored off-site when not in operation; storage of the vehicle on public property is not permitted without prior written permission.
12. All elements associated with the Mobile Vendor and its operations (including line-ups, signs and trash receptacles) shall not cause any obstructions or hazard; a minimum of 1.5 metres (5 feet) of sidewalk as a passageway for pedestrians is required.
13. Mobile Vendors shall not create any disturbance or nuisance in terms of noise, vibration, smoke, dust, odour, air pollution, heat, glare, bright light, hazardous or unacceptable waste. Lights, sounds, or actions which may be a distraction for motorists and/or pedestrians are not permitted.
14. Mobile Vendors may sell their products any time between 7:00 am – 10:00 pm, or at other times with prior written permission.
15. Mobile Vendors shall indemnify and save harmless the City, its officers, employees and elected and appointed officials, from and against all actions, proceedings, claims and demands by any person and to reimburse the City for all damages and expenses caused or contributed to by the negligence or other default of the Mobile Vendor, its servants or agents in respect of anything done pursuant or ostensibly pursuant to the Mobile Vendor's operations.
16. As per the City of Enderby Business License and Regulation Bylaw No. 1558, 2014, Mobile Vendors shall provide evidence of:
 - i. Motor Vehicle Liability Insurance with a minimum coverage of \$2,000,000;
 - ii. Comprehensive Public Liability and Property Damage Insurance for \$2,000,000 inclusive, with the City of Enderby as named insured.
17. The following are the minimum fire safety requirements related to the design, installation, operation, inspection, and maintenance of all mobile vendor commercial cooking operations:
 - i. As per BC Building Code 2012 0 Part 6.2.2.7, fire protection systems for commercial cooking equipment using vegetable oil or animal fat shall conform to ANSI/UL 300 or ULC/ORD-C1254.6;
 - ii. As per BC Fire Code 2012 0 Part 2.6.1.9, the use, inspection and maintenance of commercial cooking equipment exhaust and fire protection systems shall be in conformance with NFPA 96 (2008 edition - Ventilation Control and Fire Protection of Commercial Cooking Operations);

- iii. Cooking equipment used in processes producing smoke or grease-laden vapour shall be equipped with an exhaust hood that complies with NFPA 96 (2008 edition - Ventilation Control and Fire Protection of Commercial Cooking Operations);
- iv. Cooking that produces grease-laden vapour and that might be a source of ignition of grease in the hood, grease removal device or duct shall be protected by fire extinguishing equipment that conforms to NFPA 10 (2007 edition - Portable Fire Extinguishers) and NFPA 17A (2009 edition - Wet Chemical Extinguishing Systems);
- v. Fire extinguishing equipment shall include both automatic fire extinguishing systems as primary protection and portable fire extinguishers as secondary backup; and
- vi. The cooking equipment shall conform to the components, installation and maintenance as per NFPA 10 (2007 edition - Portable Fire Extinguishers), NFPA 17A (2009 edition - Wet Chemical Extinguishing Systems), and NFPA 96 (2008 edition - Ventilation Control and Fire Protection of Commercial Cooking Operations).

18. The authority having jurisdiction may set other terms and conditions as it deems appropriate.

19. Failure to meet one or more of the requirements outlined in this policy, or any other laws, regulations or Bylaws, may result in suspension or cancellation of the Mobile Vendor's Business License or withdrawing its permission to occupy the public space, which may be done without notice; should this occur, the Mobile Vendor will be reimbursed the annual rental fee on a pro-rated basis, subject to any fines or outstanding fees and charges.