

JANUARY 27, 2020 - COUNCIL MEETING

**FIRST READING OF PROPOSED AMENDMENTS TO BY-LAW NO. 34
“COMMERCIAL ACTIVITY ON MUNICIPAL PROPERTY”**

BE IT RESOLVED that By-law No. 34 “Commercial Activity on Municipal Property” be amended as follows:

Section 4(1) be amended by striking out the word “Council” and inserting in its place the words “the Chief Administrative Officer”.

Section 4(2) be amended by striking out the word “Council” following the words “Permit approved by” and inserting in its place the words “the Chief Administrative Officer” and in the same sentence striking out the words “Council by resolution” and inserting in its place “the CAO”.

Section 5 be amended by striking out the words “Municipal Council” and inserting in its place “Chief Administrative Officer”

Section 6 be amended by striking out the words “Municipal Council” and inserting in its place “Chief Administrative Officer”.

Section 11 be amended by striking out the words “Municipal Clerk” and inserting in its place “Chief Administrative Officer” and striking out the words “authorized by Council” and striking out the words “by the Municipal Council to be operated” and inserting in its place “to operate”.

Section 13 be amended by striking out the words “Municipal Council” and inserting in its place “Chief Administrative Officer”.

Applications for a Special Events Permit and Vending Permit be amended by deleting the following from the bottom of both of the application forms:

“Approved by Council Resolution: Number _____
Date _____”

COMMERCIAL ACTIVITY ON MUNICIPAL PROPERTY BY-LAW

1. In this By-law:

- (1) “mobile canteen” means a vehicle used for the display, storage, transportation or sale of food or beverages by a mobile vendor;
 - (2) “mobile stand” means a stand having any wheels with a diameter in excess of (10 cm.) or having or designed to have removable wheels of such diameter, and each such stand capable of being moved as a separate unit shall be counted as a separate mobile stand;
 - (3) “non-mobile stand” means a stand that is not a mobile stand;
 - (4) “stand” includes a table, showcase, bench rack, pushcart, wagon or wheeled vehicle or device that can be moved without the assistance of a motor and is used for the display, storage, transportation or sale of food, beverages or other merchandise by a mobile vendor;
2. It is the intention of Council to promote municipal properties as public places for the general and recreational enjoyment of residents.
 3. Promotion of municipal properties for these uses does not preclude commercial activities from also being conducted on municipal property. Commercial activities conducted in conjunction with recreational activities often enhance the experience of the general public for both activities.
 4. Commercial enterprises, vending, events, exhibitions, circuses or parades may be conducted on municipally owned property when:
 - (1) expressly authorized pursuant to a Special Events Permit approved by Council ~~Council~~ **the Chief Administrative Officer**,
 - (2) expressly authorized pursuant to a Vending Permit approved by Council ~~Council~~ **the Chief Administrative Officer** to locate a mobile canteen, mobile stand, non-mobile stand or stand for the sale of food, beverages, crafts, souvenirs or other merchandise approved by Council by resolution ~~Council~~ **the CAO**.
 - (3) as part of a municipally sponsored event conducted by a municipal department.

5. The ~~Municipal Council~~ **Chief Administrative Officer** may permit commercial activity on Municipal Property subject to the applicant obtaining all the required approvals and permits from the Municipality. The applicant is also responsible for obtaining all other required permits and approvals required by other levels of government.

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6. All vending and special events permits shall be obtained by application to the ~~Municipal Council~~ **Chief Administrative Officer**. Permits may be issued for a one year period, seasonal 6 month period or for one or more occasions of less than ten (10) days in any year. If application is for one or more occasions, then specific dates must be provided.
7. The permit fee is \$100.00 per year for all permit types noted above.
8. All permits shall expire March 31st of each year.
9. Applicants obtaining permits under this By-law shall be required to have in place liability insurance in an amount of not less than One Million Dollars (\$1,000,000.00) and the Municipality of Barrington as an additional named insured.
10. Canteens and stands which have not been operated for 10 consecutive days must be removed from the site and the permit shall become null and void unless alternate arrangements are made.
11. The ~~Municipal Clerk~~ **Chief Administrative Officer** shall issue a permit to the vendor for each stand or special event ~~authorized by Council~~ to be operated pursuant to this by-law and the permit shall indicate the period of time for which the stand is authorized ~~by the Municipal Council to be operated~~ **to operate** on municipal property.
12. The permit issued pursuant to this by-law shall be conspicuously displayed at all times while the stand is operated.
13. The number of permits to be issued shall be at the sole discretion of the ~~Municipal Council~~ **Chief Administrative Officer**.
14. This by-law shall not apply to a vendor who is the organizer of a municipal event or function.

APPLICATION SPECIAL EVENTS PERMIT

NAME OF ORGANIZATION: _____

ADDRESS: _____

CONTACT PERSON: _____
PHONE #: _____

**PLACE OR LOCATION
OF EVENT:** _____

DATE OF EVENT: _____

DURATION OF EVENT: _____

DESCRIPTION OF EVENT: _____

INSURANCE COVERAGE: (Minimum \$1,000,000 liability insurance coverage required)

- **Company:** _____
- **Amount:** _____
- **Copy of Policy Attached** _____

If permit is approved, I will be responsible for vehicular and pedestrian safety and management. Complete cleanup of the site will take place immediately following the above mentioned event. All required permits and approvals will be the responsibility of the person/organization holding the event.

Signature: _____

Print Name: _____

Approved by Council Resolution: Number _____
Date _____

APPLICATION VENDING PERMIT

NAME OF INDIVIDUAL/ORGANIZATION: _____

ADDRESS: _____

CONTACT PERSON: _____

PHONE #: _____

TYPE OF CANTEEN OR STAND: _____

- If mobile: _____
- Motor Vehicle Registration #: _____
- Expiry Date: _____
- Inspection Sticker #: _____
- Expiry Date: _____

DESCRIPTION OF ITEMS TO BE OFFERED FOR SALE: _____

LOCATION: _____

- DURATION OF PERMIT:
- Yearly: _____ (to expire March 31st)
 - Seasonal: _____ (6 months or less)
 - 1 or more occasions: _____ (less than 10 days in any year)

- INSURANCE COVERAGE: (Minimum \$1,000,000.00 liability insurance required)
- Company: _____
 - Amount: _____
 - Copy of Policy Attached: _____

If permit is approved, I will be responsible for vehicular and pedestrian safety and management. Complete clean-up of the site will take place on a regular basis. All other required permits and approvals will be the responsibility of the person/organization holding the license.

Signature: _____

Print Name: _____

Approved by Council Resolution: Number _____

Date _____