

Statement of Policy and Procedure			
Department:	Planning and Development Services	Policy No.	58.3
Section:	Economic Development	Issued:	April 28, 2014
Subject:	Mobile Food Vendor Policy	Effective:	August 10, 2020
Council Resolution # and Date:	Council Resolution No. 0353 dated August 10, 2020		
		Replaces:	58.2
Issued by:	Heather Greier, Economic Development Coordinator	Dated:	April 29, 2019
Approved by:	Craig Guidinger, Director of Planning & Development Services		

1 POLICY

- 1.01 The operation of Mobile Food Vendors shall be allowed within the corporate bounds of the City of Prince Albert as per this policy.
- 1.02 Mobile Food Vendors are required to be licenced by the City of Prince Albert with a Mobile Food Vendor Business License as per the *Business License Bylaw*.

2 PURPOSE

- 2.01 To administer and facilitate the safe and fair operation of Mobile Food Vendors within the City of Prince Albert.
- 2.02 To provide for and promote alternative, food related business opportunities within the City of Prince Albert.

3 SCOPE

- 3.01 This policy applies to the following:
- a) Mobile Food Vendors
 - b) Mobile Food Carts
 - c) Mobile Food Bicycles
 - d) Mobile Food Trailers, and
 - e) Mobile Food Trucks.

4 RESPONSIBILITY

- 4.01 The Council of the City of Prince Albert shall be responsible for the approval of the *Mobile Food Vendor Policy* and any proposed amendments.
- 4.03 The Director of Planning and Development Services, or their designate, shall be responsible for the following:
- a) Establishment, amendment, and administration of the *Mobile Food Vendor Policy*; and
 - b) Accepting, processing, reviewing applications and issuing Mobile Food Vendor Business Licenses, as per the *Business License Bylaw*.
- 4.04 The Director of Public Works, or their designate, shall be responsible for participating in the review of Mobile Food Vendor Business License applications.
- 4.05 The Director of Community Services, or their designate, shall be responsible for participating in the review of Mobile Food Vendor Business License applications.
- 4.06 The Manager of Bylaw Enforcement, or their designate(s), shall be responsible for the enforcement as per the *Business License Bylaw*.

5 DEFINITIONS

5.01 Discharge Management Plan

means a plan that includes the description of how and where fats, oils and grease used in the mobile food vendor operations will be disposed of.

5.02 Mobile Food Bicycle

means a modified, self-propelled, bicycle or tricycle, with a cargo area mounted over one or more wheels that is heated or refrigerated where confectionary, beverage and/or food items are sold from to the public.

5.03 Mobile Food Cart

means a non-motorized, mobile kitchen that is maneuvered by the operator while in use and sells confectionary, beverage and/or food items.

5.04 Mobile Food Trailer

means a registered, towable trailer unit that is equipped to prepare, cook, and serve confectionary, beverage and/or food items, from entirely within the trailer to the public.

5.05 Mobile Food Truck

means a registered, motorized vehicle that is equipped to prepare, cook, and serve confectionary, beverage and/or food items, from entirely within the vehicle to the public.

5.06 Mobile Food Vendor

means the person or persons selling confectionery, food and/or beverage items from a Mobile Food Bicycle, Cart, Trailer or Truck to the public.

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

- 6.01 *Business License Bylaw, Bylaw*
- 6.02 *Fire and Emergency Services Bylaw*
- 6.03 *Noise Bylaw*
- 6.04 *Outdoor Special Event Policy*
- 6.05 *Portable Sign Bylaw*
- 6.06 *Traffic Bylaw*
- 6.07 *Waste Collection and Disposal Bylaw*
- 6.08 *Zoning Bylaw*

7 PROCEDURE

7.01 Mobile Food Vendor Operation

- a) Mobile Food Vendors shall supply their own utilities, such as power and water, if required. The use of external generators may be permitted, provided they do not cause a disturbance within the neighbourhood;
- b) Mobile Food Vendors shall operate in accordance to the *Traffic Bylaw* regulations regarding vehicle height, width, length, and weight;

- c) All signage and sign placement shall comply with the regulations outlined in *The Portable Sign Bylaw*;
 - i. Placement of any fixtures or furniture such as tables, chairs, benches, etc. associated with the Mobile Food Vendor shall be approved at the discretion of the Director of Planning and Development Services or their designate. All approved fixtures or furniture shall be appropriately secured during operation, and may be required to be removed when the Mobile Food Vendor is not operating;
- d) Mobile Food Vendors shall position or park in such a way that customer service windows are oriented away from an active drive aisle or right-of-way;
- e) Mobile Food Vendors shall not be permitted to remain in the approved location on a right-of-way or public property outside of operating hours and Mobile Food Vendors shall appropriately store their mobile food unit (bicycle, cart, trailer, or truck) when not in use;
- f) Mobile Food Vendors shall provide proper trash and recycling receptacles for customers. The Mobile Food Vendor shall leave the site and surrounding area in the same condition or better than it was in upon occupying the site;
- g) Mobile Food Vendors may operate between the hours of 7:00 a.m. and 2:00 a.m. seven (7) days a week. Depending on the location of the Mobile Food Vendor, additional regulations including limited operating dates, times, and hours shall be at the discretion of the Directors of Planning and Development Services, Public Works, and/or Community Services;
- h) If located at a City parking meter, Mobile Food Vendors shall:
 - i. Pay for the time they occupy the space by plugging the meter or by paying for a meter hood; and
 - ii. If a Mobile Food Trailer or Truck exceeds the length of a single metered parking space, they shall pay the parking fees for each space used;
- i) All elements associated with the Mobile Food Vendor and its operations, including line-ups, signage, trash receptacles, etc., shall not cause any vehicular or pedestrian hazards or obstructions; and

- j) Mobile Food 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, or any other actions which may be a distraction for motorists, pedestrians and the immediate neighbourhood.

7.02 Mobile Food Vendor Location

a) General Location Criteria

- i. Mobile Food Vendors shall not be located within 100 metres of a permanent restaurant property line
 - i. With the following exceptions being pre-approved locations included in section 7.02 b), c) and d);
 - ii. When written permission is provided by the owner or manager of restaurants within the applicable buffer area; or
 - iii. When the mobile food vendor is operating as a part of an approved event or festival;
- ii. Mobile Food Vendors shall be located at least 50 metres away from a special event or festival, except where written permission from the event or festival coordinator has been obtained and provided to the City;
- iii. Mobile Food Vendors shall not inhibit or block any intersection, crosswalk, bus stop, or access to any right-of-way, lane, driveway, loading zone, fire lane, fire hydrant or similar in accordance with the *Traffic Bylaw*;
- iv. Mobile Food Vendors shall not locate in angle or nose-in parking stalls unless approved by the Director of Planning and Development Services, the Director of Public Works, or their designate; and
- v. Mobile Food Vendors shall not locate on an arterial right-of-way.

b) Mobile Food Bicycle

Subject to the regulations contained in Section 7.01 and 7.02, Mobile Food Bicycles may be allowed to operate in the following locations:

- i. On residential roads;

- ii. On the Rotary Trail;
- iii. On City owned vacant lots, with the approval of the Director of Planning and Development Services or their designate. The Mobile Food Vendor may be required to enter into a License Agreement, or similar, with the City of Prince Albert;
- iv. At Prince Albert (Glass Field) Airport, with the approval of the Director of Public Works or their designate;
- v. At any City facility or park with the approval of the Director of Community Services or their designate; and
- vi. On private property with written permission of the property owner and approval of the Director of Planning and Development Services or their designate.

c) Mobile Food Cart

Subject to the regulations contained in Section 7.01 and 7.02, Mobile Food Carts may be allowed to operate in the following locations:

- i. Along the Rotary Trail;
- ii. On City owned vacant lots, with the approval of the Director of Planning and Development Services or their designate. The Mobile Food Vendor may be required to enter into a License Agreement, or similar, with the City of Prince Albert;
- iii. At Prince Albert (Glass Field) Airport, with the approval of the Director of Public Works or their designate;
- iv. At any City facility or park, including Memorial Square, with the approval of the Director of Community Services or their designate; and
- v. On private property with written permission of the property owner and approval of the Director of Planning and Development Services or their designate.

d) Mobile Food Trailer or Truck

Subject to the regulations contained in Section 7.01 and 7.02, Mobile Food Trailers and Trucks may be allowed to operate in the following locations:

- i. At on-street metered parking along River Street East between Central Avenue and 1st Avenue East;
- ii. At on-street metered parking along 10th Street East between Central Avenue and 1st Avenue East;
- iii. Directly abutting Kinsmen Park north of 26th Street East and West during park operating hours;
- iv. On City owned vacant lots, with the approval of the Director of Planning and Development Services or their designate and the Mobile Food Vendor may be required to enter into a License Agreement, or similar, with the City of Prince Albert;
- v. At Prince Albert (Glass Field) Airport, with the approval of the Director of Public Works or their designate;
- vi. At any City facility or park, with the approval of the Director of Community Services or their designate; and
- vii. On private property with written permission of the property owner and approval of the Director of Planning and Development Services or their designate.

7.03 Licensing

7.03.1 Application Requirements

Mobile Food Vendors may apply for a Mobile Food Vendor License, as per the *Business License Bylaw*, and shall provide the following information along with a completed application form:

- a) Proof of:
 - i. Prince Albert Health District Approval;
 - ii. Fire Inspection;
 - iii. SaskPower Gas Inspection, if applicable;
 - iv. Liability Insurance with a minimum liability limit of \$5,000,000 with the City of Prince Albert named as an additional insured; and
 - v. Written permission for locations in front of restaurants, at festivals, or on private property, if applicable.

- b) A discharge management plan;
- c) The height, length, width and weight of the mobile food unit; and
- d) Photos of their unit in operation for identification purposes.

7.03.2 Mobile Food Vendor Business License Fees

The Mobile Food Vendor Business License Fees will be as per the *Business License Bylaw*, Schedule 2.

7.03.3 Review and Approval Procedure

- a) The Mobile Food Vendor shall submit a complete application package as per 7.03.1 to Planning and Development Services.
- b) The application package is circulated to administration for review.
- c) Administration will return comments, if any, to the Mobile Food Vendor for action or information.
- d) Repeat until all outstanding issues or concerns have been met.
- e) Once all outstanding issues or concerns have been met, and the business license fee has been paid, the Mobile Food Vendor Business License will be issued.

7.03.4 Compliance, License Revocation, and Offences and Penalties

In the event that a Mobile Food Vendor is found to be operating in violation of this policy or the *Business License Bylaw*, the compliance procedures undertaken shall be as per the *Business License Bylaw*.