

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS
S6 Commercial Activity on Municipal Property Bylaw

Legislative Authority and Intent

1. This Bylaw has been prepared in accordance to the provisions of the *Municipal Government Act*, S.N.S. 1998, c.18 and amendments thereto. Section 172 provides that Municipal Council may make bylaws respecting nuisances, activities and things that, in the opinion of the council, may be or may cause nuisances, including noise.
2. This Bylaw shall apply within the boundaries of the Municipality of the County of Annapolis.

Definitions

3. In this Bylaw words and phrases have the same meaning as in the *Municipal Government Act* or as provided below:
 - (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;
 - (5) “vendor” means any person who engages in a temporary business of preparing and selling goods or food products outside an enclosed building, either from a mobile canteen or mobile or non-mobile stand, and who, in furtherance of such purpose, hires, leases, uses or occupies any location for the exhibition, sale and delivery of such goods or food products.
4. It is the intention of Municipal Council to promote municipal properties as public places for the general and recreational enjoyment of residents.
5. 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.
6. Commercial vending may be conducted on municipally-owned property:
 - (1) when expressly authorized pursuant to a permit approved by Council 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 Municipal Council by resolution; or
 - (2) as part of a municipally sponsored event conducted by a municipal department.
7. The Municipal Council may permit commercial activity on Municipal Property subject to the applicant obtaining all the required approvals and permits from the Municipality.
8. The Vendor is responsible for obtaining all other required permits and approvals required by other levels of government.
9. The Vendor is responsible for picking up, removing, transporting and disposing of all litter, trash or refuse associated in any way with the vending activity.
10. Advertising signage shall be affixed to the canteen or stand.

11. All permits shall be obtained by making application to the Municipal Council. Permits may be issued for a one (1) year period or for one or more occasions of less than ten (10) days in any year. If an application is for one or more occasions, specific dates and times must be provided.
12. The permit fees shall be:
 - (1) \$500.00 per fiscal year;
 - (2) \$25.00 each for one or more occasions of three (3) days or less in any fiscal year.
13. The permit fee is due and payable at the time the permit is issued.
14. All permits shall expire on March 31st next following the date of approval unless sooner cancelled or revoked.
15. Applicants obtaining permits under this Bylaw shall be required to have in place / show proof of liability insurance in an amount of not less than One Million Dollars (\$1,000,000.00) and the Municipality of the County of Annapolis as an additional named insured.
16. Municipal Council shall authorize the Municipal Clerk to issue a permit to the vendor pursuant to this Bylaw and the permit shall indicate the period of time and any additional conditions authorized or required by Municipal Council.
17. The permit issued pursuant to this Bylaw shall be conspicuously displayed at all times while the vendor is operating.
18. All permits shall be issued at the sole discretion of the Municipal Council.
19. The Municipality of the County of Annapolis may:
 - (1) refuse to issue, renew or amend; or
 - (2) immediately revoke a permit
 for breach of this or any other bylaw or breach of the terms or conditions of the permit.

Penalty

20. Any person who contravenes any provision of this Bylaw is punishable on summary conviction by a fine of not less than \$200.00 and not more than \$1,000 and to imprisonment of not more than three months in default of payment thereof.

Clerk's Annotation For Official Bylaw Book	
Date of First Reading	June 25, 2018
Date of Advertisement of Notice of Intent to Consider	June 28, 2018
Date of Second Reading	July 17, 2018
Date of advertisement of Adoption of Bylaw	July 26, 2018*
I certify that this Bylaw was adopted by Municipal Council and published as indicated above.	
<i>Carolyn Young</i>	July 26, 2018
Municipal Clerk	Date
<i>*Effective date of the Bylaw unless otherwise specified.</i>	

COUNTY of ANNAPOLIS

NATURALLY ROOTED

Vendor on Municipal Property Application Form

Please complete and return to:

Recreation Services, County of Annapolis, 271 Granville St., P. O. Box 609, Bridgetown, NS B0S 1C0

Name of Individual / Organization / Business _____

Mailing Address _____

Type of Canteen or Stand: _____

If mobile:

Motor Vehicle Registration # _____ Expiration Date: _____

Inspection Sticker # _____ Expiration Date: _____

Description of products or items to be offered for sale:

Location for which permit is requested: _____

Duration for which permit is requested (check one)

One year Please specify: Number of days per week _____ Hours of Operation: _____

One or more occasions of less than ten (10) days in any year (specify dates below)

INSURANCE COVERAGE: (Minimum \$1,000,000.00 liability insurance required)

Required: Copy of policy attached Photo of canteen or stand attached

I hereby request Municipal Council to grant a permit for commercial activity on municipal property as described above. I declare that the information contained in the application is true and correct to the best of my knowledge.

If a permit is approved, I will be responsible for:

- *maintaining the required insurance coverage*
- *obtaining and maintaining current any other required licenses, permits or inspections for the proposed commercial activity*
- *picking up, removing, transporting and disposing of all litter, trash or refuse associated in any way with my vending activities*

Contact Name (please print) _____ Signature _____

Date _____ Contact Phone# _____ Email _____

If approved by Municipal Council, the Municipal Clerk shall issue a permit in accordance with the S6 Commercial Activity on Municipal Property Bylaw. The permit will indicate the period of time and any additional conditions authorized or required by Council. The permit will also include a site map showing the approved location for the canteen or stand. Permit fee must be paid at the time the permit is issued.

I, _____, Municipal Clerk for the Municipality of the County of Annapolis, do hereby certify that the above permit application was approved at a duly called meeting of Municipal Council held on _____ day of _____, 20____. [MOTION _____]

Attached is a copy of the motion which indicates the period of time and any additional conditions authorized or required by Municipal Council.

GIVEN under the hand of the Municipal Clerk and the corporate seal of the Municipality of the County of Annapolis this _____ day of _____, 20____.

Municipal Clerk