



Village of Valemount

Street Vendor Bylaw No. 713, 2014.

The amendment bylaws which are included in this consolidated version of the “Village of Valemount Street Vendor Bylaw No. 713, 2014” are:

Bylaw No. 844, adopted on May 25, 2021.

CONSOLIDATED FOR CONVENIENCE ONLY AS OF NOVEMBER 23, 2021.

This consolidation of the Village of Valemount Street Vendor Bylaw No. 713, 2014, and subsequent amendments has been prepared exclusively for the use of the Village of Valemount for convenience only.

The Village of Valemount does not represent that this consolidation is accurate or complete and anyone using this material should confirm its content by reference to the original Bylaws.



VILLAGE OF VALEMOUNT STREET VENDOR BYLAW NO. 713, 2014

Being a bylaw to establish regulations for Street Vendors within the Village of Valemount

WHEREAS it is deemed necessary to establish regulations for Street Vendors within the Village of Valemount;

NOW THEREFORE the Council of the Village of Valemount, in open meeting assembled, enacts as follows:

1. Title

- 1.1 This bylaw may be cited for all purposes as "Bylaw No. 713, 2014, Street Vendor Bylaw."

2. Definitions

- 2.1 Refer to Schedule A of this bylaw.

3. Street Vendor Application and Permit Requirements

- 3.2 Each Street Vendor must have either a Street Vendor Permit I or a Street Vendor Permit II, as defined in Schedule A of this bylaw and issued by the Village.
- 3.3 Street Vendor Permit applications will be made on a form authorized by the Village. The form may include pertinent information including, but not limited to:
 - a. Desired location (with State of Title Certificate and letter of permission from the registered property owner if the desired location is on private property);
 - b. Desired days of operation;
 - c. Desired hours of operation;
 - d. Desired signage (regulations in the Sign Bylaw apply);
 - e. Proof of comprehensive general liability insurance in the amount of five million dollars (\$5,000,000), with the Village included as an additional insured if located on Village property;
 - f. Proof of a health permit issued from Northern Health (if

distributing food);

- g. Proof of a Certificate of Inspection from the British Columbia Safety Authority (if using propane);
- h. Proof of a recent vehicle inspection by a Designated Inspection Facility;
- i. Photo of the vending unit and signage, or a conceptual drawing; and,
- j. Other requirements (e.g., electricity).

3.4 At the time of a Street Vendor Permit I application, a Street Vendor may apply for an Alternative Location (other than those locations specified in Section 5.1 of this bylaw). The application is then subject to the following procedures and regulations:

- a. Applicant submits completed application (no additional fee required).
- b. Village staff approves or denies application with Alternative Location.
- c. If denied, the applicant may appeal to Council via written letter.

3.5 At the time of a Street Vendor Permit II application, a Street Vendor may apply for an Alternative Location (other than those locations specified in Section 5.1 of this bylaw). The application is then subject to the following procedures and regulations:

- a. Applicant will submit a completed application and the Street Vendor Permit II Alternative Location Application Fee.
- b. Staff will submit the application to Council for initial review.
- c. Council will deny the application, ask for more information or give approval to proceed with notices and a public hearing.
- d. The notice must state in general terms the nature of the proposed Street Vendor Permit, the location that is the subject of the proposed Street Vendor Permit, the place where and the time and dates when copies of the proposed Street Vendor Permit may be inspected, the place where and the time and dates when the public hearing will take place and the place where and the time and dates when the Street Vendor Permit will be considered by Council.
- e. The notice must be published in a newspaper at least 3 days and

not more than 14 days before the public hearing.

- f. The notice must be mailed or otherwise delivered at least 10 days before the public hearing to the owners and/or tenants adjacent to the Alternative Location as shown on the assessment roll.
- g. Council will hold a public hearing to solicit public comment.
- h. Council will deny the application or give approval for staff to prepare the Permit with or without conditions (e.g., hours of operation, days of operation, time period of permit, etc.)
- i. Alternative Location approvals will be issued for a maximum of three years.

3.6 All permits and licenses (in their original form) must be displayed during operation of the business.

3.7 Street Vendor Permits are valid for one year after issuance.

4. Fees

4.1 Street Vendor Permit fees are set out in the Village Fees and Charges Bylaw, which may change from time to time.

4.2 Permit fees shall be paid upon the issuance of a Street Vendor Permit.

5. Locations

5.1 Street Vendors are only permitted to operate from the following street-side locations:

- a. On the north side of Pine Road, west of the Visitor Information Centre parking lot.
- b. On the west side of Elm Street, south of the arena.
- c. On the west side of Dogwood Street, in between the two entrances to Osadchuk Park.
- d. On Dogwood Street, at the southwest corner of 4th Avenue and Dogwood Street.

5.2 At the time of a Street Vendor Permit I application and as per Section 4 of this Bylaw, Street Vendors may apply for an Alternative Location.

5.3 At the time of a Street Vendor Permit II application and as per Section 3.5 of

this Bylaw, Street Vendors may apply for an Alternative Location.

- 5.4 So long as space permits, more than one Street Vendor can operate from a designated location; Space will be allocated daily on a first-come, first-serve basis.
- 5.5 Street Vendors and related equipment (e.g., tables/chairs, garbage cans, recycling bins, etc.) must remain 3 metres away from any driveway, traffic signage, etc.
- 5.6 Street Vendors and related equipment (e.g., tables/chairs, garbage cans, recycling bins, etc.) must remain 1 metre away from any roadway.
- 5.7 Street Vendors must not create any physical, sign and/or sight obstructions for pedestrians or vehicles.
- 5.8 Street Vendors must not obstruct fire hydrants, driveways, loading zones or emergency access routes.
- 5.9 The Village reserves the right to relocate or remove a Street Vendor should conflict arise.

6. Electricity

- 6.1 Street Vendors operating on Village property will not be permitted to connect to the electricity grid.
- 6.2 Street Vendors operating with a Street Vendor I Permit (21 or less days per year) are permitted to use a generator, so long as it has a valid US EPA emission certificate or has been emission approved by Environment Canada and affixed with a Canadian emission label.
- 6.3 Street Vendors operating with a Street Vendor II Permit (more than 21 days per year) will be permitted to use inverter generators only; use of conventional generators will not be permitted.

7. Water

- 7.1 Street Vendors must not connect to the Village Waterworks, as defined in the



Water Supply and Regulations Bylaw, during hours of operation.

8. Sewer

- 8.1 Street Vendors must not connect to the Village Public Sewer, as defined by the Sewer Connections and Regulations Bylaw, at any time.
- 8.2 Street Vendors must dispose of grey water/sewage at a designated sani- station.

9. Garbage and Recycling

- 9.1 Street Vendors must keep their location neat and tidy.
- 9.2 Street Vendors are required to collect garbage, glass, plastics, cans and cardboard in separate, labelled, containers.
- 9.3 Street Vendors must collect and dispose of any refuse produced directly or indirectly by the vending operation within a 6-meter (20 foot) radius of the stand. This includes refuse/litter discarded by customers, pedestrians or operators.
- 9.4 Street Vendors are responsible for transporting all garbage/recycling to the regional transfer station and/or the recycling depot.

10. Signage

- 10.1 All signage must comply with the Village Sign Bylaw, which may change from time to time.

11. Parking

- 11.1 Vehicles of Street Vendor customers must not obstruct traffic or pedestrians.

12. Hours of Operation

- 12.1 Street Vendors are permitted to operate between the hours authorized on their Street Vendor Permit. Unless otherwise stated on their Street Vendor Permit, the hours shall be between 7:00a.m. and 11:00 p.m.
- 12.2 Street Vendors must not leave their designated location unattended when their equipment is at the designated location.

- 12.3 Street Vendors operating on Village property are to set up and take down daily, unless otherwise approved via the Street Vendor Permit. No equipment is permitted to be left at the designated location overnight.

13. Permitted Goods and Services

- 13.1 Vendors with a Street Vendor Permit I may sell any goods or services, providing compliance with relevant legislation.
- 13.2 Vendors with a Street Vendor Permit II may only sell goods that are produced onsite. The sale of accessory goods (e.g., soft drinks are accessory to meals produced on site) is permitted.

14. Other Requirements/Regulations

- 14.1 No smoking is permitted with 5 meters of the vending unit.
- 14.2 The Village retains the right to deny a Street Vendor Permit or revoke any permission granted under this bylaw at any time where it is found that the Street Vendor is in contravention of Village Bylaws or other relevant legislation.

15. Changes to a Street Vendor Permit

- 15.1 Should a Street Vendor wish to conduct operations outside the conditions as stipulated in their Street Vendor Permit, the Street Vendor must apply for a change to their Street Vendor Permit. If the changes can be processed by Village staff, a transaction fee, as specified in the Fees and Charges Bylaw, applies. If the changes must be reviewed by Council as per section 3.4 of this Bylaw, the Street Vendor Permit II Alternative Location Application Fee, as specified in the Fees and Charges Bylaw, applies.

16. Offense and Penalty

- 16.1 No person shall do any act or permit any act or thing to be done in contravention of this bylaw.
- 16.2 Every person who violates any provision of this bylaw, or who permits any act or thing to be done in contravention of this by-law, or who fails to do any act or thing required by this by-law, shall be deemed to have

committed an offence against this by-law and:

- a. Shall be liable to any conditions set out in the Village of Valemount Bylaw Notice Enforcement and Dispute Adjudication System Bylaw; or b. Shall be liable, upon summary conviction, to the penalties provided
- b. under the Offence Act; or
- c. Any combination of the above.

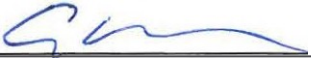
16.3 Each day that an offence against this bylaw continues may be deemed a separate and distinct offence.

16.4 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

17. Severability

17.1 If any portion of this bylaw is declared ultra vires by the Court of Competent Jurisdiction, that portion shall be deemed to be severed from the bylaw to the extent that the remainder of the bylaw shall continue in full force and effect.

Read a First Time this	28 day of January, 2014
Read a Second Time this	25 day of February, 2014
Read a Third Time this	15 day of April, 2014
Reconsidered and adopted this	22 day of April, 2014



Mayor, Andru
McCracken

Corporate Officer, Braden Hutchins

Certified to be a true copy of the Bylaw 713, 2014 as adopted by Council Resolution#151/14, dated 22nd day of April, 2014.

VILLAGE OF VALEMOUNT STREET
VENDOR BYLAW NO. 713,2014

Schedule A: Definitions

In this Bylaw, unless the context otherwise requires:

"Alternative Location" means a designated Street Vendor location other than those locations specified in Section 5.1 of this Bylaw.

"Conventional Generator" means a fuel-powered engine with an alternator that has an electrical output, the 3 most common fuel types being gasoline, diesel and propane.

"Council" means the municipal Council of the Village of Valemount.

"Inverter Generator" means a fuel powered engine that has a battery, alternator and inverter, that has an electrical output; an inverter generator also runs on fossil fuels, but the current of an inverter generator is more stable, resulting in energy efficiency.

"Street Vendor Permit I" means a permit issued by the Village to a person who utilizes a vehicle, cart or stand to go from place-to-place offering for sale merchandise or services, and without limiting the foregoing, shall include a mobile photo studio, fruit and vegetable vendor, clothing, cloth, material, fish, sausage, tools and other similar items, however, does not include contractors, sub-contractors and service people. Vendors with a Street Vendor Permit I are permitted to operate from a pre-determined location within Village boundaries no more than twenty-one (21) days within a calendar year.

"Street Vendor Permit II" means a permit issued by the Village to a person who utilizes a vehicle, cart or stand to sell goods produced within the vehicle from a pre-determined location and which is subject any additional conditions stipulated by Council (e.g. hours of operation, days of operation, time period of permit, etc.)

"Village" means the Village of Valemount.