

**TOWN OF AMHERST
A BY-LAW PROVIDING FOR
MOBILE VENDORS ON STREETS AND SIDEWALKS**


This by-law shall be known as and may be cited as the Mobile Vendors By-Law.

1. In this by-law all words have the usual meaning from dictionaries of the English language except for the following:
 - (a) "Vendor" means a person who sells or offers for sale, food, beverages or other merchandise from a stand or mobile canteen.
 - (b) "Vending" means the sale and offering for sale of food, beverage or other merchandise in the public streets or sidewalks.
2. No person shall vend in the Town of Amherst on a public street, sidewalk, public parking area, or park without having obtained permission from the Town of Amherst.
 - (a) Subject to sub-section 2. (b), this by-law does not apply to a vendor who is also the occupier of a commercial premises in the Town to which access is gained directly from the sidewalk, and in respect of which the vendor is assessed a business occupancy tax, and who vends from a location on the sidewalk immediately in front of the premises.
 - (b) A person who vends pursuant to this section shall not obstruct pedestrian or other traffic on the sidewalk or street.
 - (c) This by-law does not apply to events that are fund raisers approved by the Town of Amherst where permission has been obtained from the Town Clerk by the events organizers for vendors who are participating in the event and registered with the event organizers.
3. No vendor shall:
 - (a) leave any stand unattended;
 - (b) store, park or leave any stand overnight on any street or sidewalk;
 - (c) sell food or beverage for immediate consumption unless they have available their own or a public litter receptacle;
 - (d) leave any location without first picking up, removing and disposing of all trash or refuse from their immediate location;
 - (e) solicit or conduct business with persons in motor vehicles; or
 - (f) vend within 75 feet of any restaurant unless permission is obtained from that commercial enterprise.
4. An application for permission shall contain:
 - (a) The name, home and business address of the applicant;
 - (b) A description of the type of food and beverage to be sold;
 - (c) A description of any stand to be used.
 - (d) Be accompanied by a non-refundable application fee of two hundred dollars (\$200.00).

5. (a) Permission to vend on a street, public parking area, or sidewalk may be granted by the Chief of Police.
- (c) Permission to vend in a public park may be granted by Director of Parks, Recreation and Leisure Services.
- (d) Permission may be granted with such further terms and conditions as the Chief of Police or Director of Parks, Recreation and Leisure Services deems as pertinent in each circumstance and may include restrictions to the location of the operations.
- (e) All permission given shall expire on December 31 of the year given.
- (f) Permission granted may be revoked upon written notice for violation of any of the terms and conditions under which it was given.
6. Any person who violates any provision of this bylaw shall be liable upon summary conviction of a penalty not exceeding \$500.00 and in default of payment, to imprisonment for a period not exceeding 30 days.

THIS IS TO CERTIFY that the foregoing is a true copy of a by-law duly passed at a duly called meeting of the Council of the Town of Amherst duly held on the 21st day of September, 1998.

Given under the hand of the Clerk and under the corporate seal of the said Town of Amherst this 30th day of September 1998.



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E. Childs, Town Clerk

APPLICATION FORM

TOWN OF AMHERST MOBILE VENDORS BY-LAW

I hereby apply for permission to vend on a street, public parking area, or sidewalk, or in a public park in the Town of Amherst.

NAME _____

HOME ADDRESS _____

BUSINESS NAME _____

BUSINESS ADDRESS _____

PHONE NUMBERS _____

Description of type of food and beverage to be sold:

Description of stand (if any) to be used:

Further terms and conditions (if pertinent) _____

Restrictions to location of operations (if pertinent) _____

FEE to be paid at time of application: \$200.00 CASH CHEQUE

Permission given to expire on December 31 of year given.

Signature of Applicant _____ **Date:** _____

Signature of Chief of Police _____ **Date:** _____

and/or Director of Parks, Recreation

and Leisure Services _____ **Date:** _____

NOTICE OF PUBLICATION

SUBJECT: TOWN OF AMHERST VENDING BY-LAW

Notice is hereby given that, following second reading given at a regular meeting held June 29, 1998 and third reading given at a regular meeting held September 21, 1998, the Amherst Town Council approved the adoption of a new Vending By-law.

This By-law sets out the regulations governing the sale and offering for sale of food, beverage or other merchandise in the public streets or sidewalks of the Town and includes information on application requirements. The objective of the bylaw is to regulate vending in the Town of Amherst on a public street, sidewalk, public parking area, or park.

Copies of the new by-law may be inspected at the office of the Town Clerk, Confederation Memorial Building, Ratchford Street during regular business hours.

Ed Childs
Town Clerk

Amherst Daily News
September 30th, 1998

THIS IS TO CERTIFY that the foregoing is a Notice of Publication regarding the approval of a new bylaw entitled *Town of Amherst Vending By-law* published in the local paper on September 30, 1998.

GIVEN under the hand of the Town Clerk
and under the seal of the Town of Amherst
this 1st day of October , 1998.


TOWN CLERK