

Department:	<u>Administration</u>	Policy No.:	<u>ADM-027</u>
Sub-department:	<u>Bylaws</u>	Created By:	<u>Gwendolyn Kennedy</u>
Approved By:	<u>Council</u>	Amended By:	<u>Gwendolyn Kennedy</u>
Approved Date:	<u>11 May 2021</u>	Amendment:	<u>1</u>
Meeting No.:	<u>1538</u>	Date:	<u>November 30, 2021</u>

POLICY PURPOSE

The purpose of this policy is to establish the framework for a pilot program for approving and regulating *Mobile Food Vendors* on public lands within the Village with the objective of animating public spaces and providing business opportunities to local entrepreneurs.

REFERENCES

Business Licence Bylaw No. 855, 2019, Office Consolidation, April 2021

Zoning Bylaw No. 832, 2018, Office Consolidation, February 2021

Wildlife Attractants Bylaw No. 684, 2010

Noise Regulation Bylaw No. 699, 2011

Sign Bylaw No. 380, 1995

DEFINITIONS

Food Truck has the same meaning as set out in Zoning Bylaw No. 832, 2018.

Mobile Food Cart means any vehicle, wagon, kiosk or cart from which food, confectionary, or beverage is offered for sale on approved Village streets, parks, or other public locations, and includes a *food truck* as defined in Zoning Bylaw No. 832, 2018.

Mobile Food Vendor means a vendor, holding a valid Village of Pemberton business licence and a Summer Street Food Permit, that sells food, confectionary, or beverage from a *Mobile Food Cart*.

POLICY

The pilot program will run for two summer seasons beginning in June 2021 and ending in September 2022.

One *Mobile Food Vendor* will be permitted to operate at each approved location on the dates listed on the Summer Street Food Calendar. The objective is for *Mobile Food Vendors* to operate at different locations throughout the operating season to maximize

Summer Street Food Pilot Program Policy

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variety for residents and visitors, to ensure that approved vendors have fair access to desirable locations, and to allow *Mobile Food Vendors* to select the dates and locations that suit their schedules and operational capacities.

The Village will issue a request for expression of interest for the selection of Vendors for the summer season. The request for expression of interest will include the current Summer Street Food Calendar showing available dates and locations.

Applicants for a Summer Street Food Permit shall submit an expression of interest (EOI) letter addressed to the Business Licence Inspector indicating their preferred locations and dates selected from the Summer Street Food Calendar by the stated deadline for consideration in the first round. Late applications will be accepted on an ongoing basis while locations and dates remain available.

The Village reserves the right to accept or reject any or all applications or cancel the request for expression of interest at any time.

An applicant shall not have any claim for compensation of any kind as a result of submitting an expression of interest.

The Village will issue a Summer Street Food Permit to successful applicants valid for the agreed locations and dates specified in the permit for one operational season. *Mobile Food Vendors* with a valid permit may apply for additional dates and locations by submitting a request in writing. There will be no fee for the permit.

A business licence is required in addition to the Summer Street Food Permit. Once a *Mobile Food Vendor* has received a permit, they may apply for a business licence.

Important dates and deadlines are shown in the table below:

Season	Issuance of Request for Expression of Interest	Application Deadline, First Round	Offer of Permits, First Round
June – September, 2021	May 13, 2021	May 28, 2021	June 11, 2021
June – September, 2022	No later than December 20, 2021	January 28, 2022	March 31, 2022

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PROCEDURE

A. Application Requirements

- i. A Summer Street Food Permit is issued for one season. A Vendor who participates in the Pilot Program in 2021 will be required to submit a new application for 2022 if they wish to participate in the second year of the program.
- ii. Applicants for a Summer Street Food Permit shall provide the following documents with their application:
 - (1) Expression of Interest letter stating the following:
 - (a) preferred locations and dates selected from annual Summer Street Food Calendar, indicating proposed hours of operation for each date selected;
 - (b) the qualifications and experience of the business, noting the role of local business owners and residents, if any;
 - (c) menu and service description, including description of healthy meal and snack options;
 - (d) product sourcing; and
 - (e) measures included to minimize environmental impact.
 - (2) Copy of current Mobile Vendor Business Licence if one has already been issued;
 - (3) Copy of valid Vancouver Coastal Health Permit if one has already been issued;
 - (4) Photos or detailed sketch of the cart illustrating design and features (see section E);
 - (5) Proof of Insurance (see section G);
 - (6) Waste Management Plan in compliance with Wildlife Attractant Bylaw No. 684, 2010;
 - (7) COVID-19 Safety Plan; and
 - (8) Two references.

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B. Locations & Dates

Mobile Food Vendors will be permitted to operate at the following locations:

- One Mile Lake Park lower parking lot
- Industrial Park
- Pemberton Community Centre parking lot
- Den Duyf Park (Recreation Site)

One *Mobile Food Vendor* will be permitted to operate at each location on the dates shown on the Summer Street Food Calendar. Some dates may be unavailable due to scheduled events or maintenance and repairs. The Village will inform *Mobile Food Vendors* of cancellation of any scheduled dates as far in advance as possible. Weather conditions may force cancellation of some dates and locations.

C. Selection Criteria

Each application will be evaluated on the following criteria:

Evaluation Criteria	Weight
Experience and demonstrated competence	10
Proposed service (menu diversity, innovation, availability of healthy options)	15
Cart design, appearance, and functionality	15
Value	10
Product sourcing	20
Sustainability	15
Schedule and commitment to operational hours	10
References	5
Subtotal	100
Bonus Points	
Local resident or business owner (Village or SLRD Area C)	25

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Applications will be treated confidentially.

The Village will review all applications and score them based on the selection criteria. Other criteria may be considered in addition to those listed above.

Available locations and dates that are requested by more than one equally qualified applicant will be awarded by random draw.

Successful applicants will be awarded a Summer Street Food Permit valid for the applicable season of the Pilot Program and will be required to apply for and obtain a business licence.

D. Operational Requirements

- i. *A Mobile Food Vendor* (the Vendor) shall abide by the following operational requirements:
 - (1) The Vendor shall display the Summer Street Food Permit, Vancouver Coastal Health (VCH) Permit, and business licence prominently on the food cart.
 - (2) The Vendor shall commit to scheduled dates and locations and shall operate a minimum of five (5) hours on each scheduled date unless an alternative schedule has been approved.
 - (3) The Vendor is restricted to operating at the locations on the dates that have been approved by the Village.
 - (4) The Vendor shall recycle, compost, or dispose of garbage and waste off-site and shall not use Village garbage bins or dispose of any liquid waste into bodies of water, onto soil, or into Village drains.
 - (5) The Vendor shall provide their own source of potable water and power for the *Mobile Food Cart*.
 - (6) The Vendor shall conduct a daily clean-up within a 100 m radius of the cart location.
 - (7) The Vendor shall not leave the *Mobile Food Cart* at the operating location overnight.

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- (8) The Vendor shall ensure that all storage is contained within the *Mobile Food Cart*.
- (9) The Vendor shall maintain the *Mobile Food Cart* in good operating condition and appearance.
- (10) The Vendor shall not leave the *Mobile Food Cart* unattended.
- (11) The Vendor may provide for their own use two folding chairs and a small tent or canopy for weather protection; no additional furniture or objects are permitted.
- (12) The Vendor shall not operate during an approved special or community event occurring at their approved location except if specifically associated with and authorized by the organizers of the event.
- (13) If electrical power from a Village source is available and is used by a Vendor, the Vendor shall pay to the Village a fee of an amount to be determined for the electricity use.
- (14) The Vendor shall abide by Village of Pemberton Wildlife Attractants Bylaw No. 684, 2010; Noise Regulation Bylaw No. 699, 2011, Business Licence Bylaw No. 855, 2019, Sign Bylaw No. 380, 1995, and any other applicable bylaw or enactment.
- (15) The Business Licence Inspector may cancel the Summer Street Food Permit if the Vendor fails to operate on at least 75% of the agreed location dates (minimum of five hours operating time per date) unless the Vendor has received approval in writing for a reduced schedule.

E. Cart Design

- i. Carts must be self-contained and require no external power or potable water source.
- ii. Carts must be approved by Vancouver Coastal Health.

F. Business Licence

- i. A valid business licence is required in addition to a Summer Street Food Permit.

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G. Insurance

- i. Operators must have a minimum of \$5 million commercial general liability coverage.
- ii. If applicable, operators must have a minimum of \$2 million liability coverage in automobile insurance.
- iii. The Village of Pemberton and, if applicable, the Squamish-Lillooet Regional District must be named as additional insured on both policies.
- iv. *Mobile Food Vendors* must provide thirty (30) day written notice of any material change or cancellation of policy.

AMENDMENTS

- A. Administrative amendments to this policy may be made by the Chief Administrative Officer.