

## Town of Grand Falls-Windsor

### Mobile Canteen and Vendor Regulations

Pursuant to the authority conferred by the Municipalities Act, 1999, chapter M-24, Section 414(2)c the Town of Grand Falls-Windsor has made the following Mobile Canteen and Vendor Regulations.

### Mobile Canteen and Vendor Regulations

1. These Regulations may be cited as “The Grand Falls-Windsor Mobile Canteen/Vendor Regulations.
2. For the purpose of these Regulations unless the context otherwise requires:
  - (a) “Council” means the Town Council of the Town of Grand Falls-Windsor.
  - (b) “Mobile Canteen” means any vehicle or trailer, whether self-moving or drawn by another vehicle or person, from which goods, foods or services are sold.  
  
Garage sales operated by homeowners on an occasional basis on private property are excluded from this definition.
  - (c) “Operator” means the operator of a mobile canteen, an approved vending site or a vending operation.
  - (d) “Permit” means a permit issued by the Town of Grand Falls-Windsor.
  - (e) “Person” means any individual, corporation, company, partnership, club, society or association.
  - (f) “Representative” means any employee or agent of Council designated by Council to enforce the provisions of these regulations and shall include a Building Inspector and a Municipal Enforcement Officer.
  - (g) “Approved Vending Site” means an open area either privately or publicly owned and limited to the following sites:
    - (a) Farmer’s Market, Lincoln Road,
    - (b) Sobey’s Lot, High Street
    - (c) Joe Byrne Memorial Stadium Parking Lot, Jones Street  
(both sides)
    - (d) Jimi-Jaks Parking Lot, 6 Church Road
    - (e) College of the North Atlantic, St. Catherine Street Parking Lot
    - (f) 15 Duggan Street
    - (g) 20 Lincoln Road

- (h) Sharron's Tire Parking Lot, 27 Lincoln Road
- (i) 20 Cromer Avenue

For publicly owned lots, the Vendor shall still require Town Council approval.  
For privately owned lots, the Vendor shall still require owner approval.

- (h) "Vendor" means a person who sells or offers for sale food, beverages and articles of all kinds, on town streets, private and public open places from a stand or mobile canteen.
  - (i) "Vending Operations" means the operations of all vendors in selling their articles and includes stand or device used for the displaying, storing, transporting or selling of these articles.
  - (j) "Street" means any publicly owned road and includes alleys, boulevards, bridges, courts, walkways, highways, lanes, parks, public drives, sidewalks, squares, and any part of them open to the public.
  - (k) "Town" means the Town of Grand Falls-Windsor, Newfoundland.
3. No person shall, at any time, operate a mobile canteen, an approved vending site or a vending operation in the Town without a permit issued by Council, Schedule A & B.
- (a) A person will be exempted from this Regulation and will not require a permit if:-
    - (i) selling newspaper door to door
    - (ii) a child or youth selling goods to raise funds for school activities of non-profit youth groups.
  - (b) A person will be granted a permit at no cost under these Regulations:-
    - (1) Exposing for sale or selling goods or foods on behalf of an organization or corporation having objects of a benevolent, religious, charitable, philanthropic, educational, or other useful nature and not formal for gain or;
    - (2) A person or group who is already paying business tax on a similar type of business.
4. A permit placard issued to the operator of a mobile canteen, an approved vending site or vending operation must be displayed in full view to the public.
5. Council or its representative shall not issue a permit for the operation of any mobile canteen, any approved vending site or any vending operation that it deems unsafe or unfit for the purposes for which it is intended.
6. Council or its representative may prescribe and attach conditions to any permit issued under these regulations and the holder of such a permit, or an operator, employee agent or any person operating a mobile canteen, an approved vending

site or a vending operation must adhere strictly to any and all conditions specified in such permit.

7. Council or its approved representative may require an operator, or his/her employees or agents, to operate a mobile canteen, an approved vending site or a vending operation only in approved vending sites as defined in these Regulation and these areas will be clearly defined on any permit issued to the operation, or his/her employees or agents, and the operator, or his employees or agent, may not operate a mobile canteen, an approved vending site or vending operation outside of any such defined area.
8. Permits for mobile canteens, approved vending sites, or vending operations shall be issued to an owner or operator or agent of such mobile canteen, approved vending site or vending operation and shall not be transferable.
9. Permits for mobile canteens, approved vending sites, or vending operations shall be valid for a period not exceeding twelve (12) months, and Council or its representative shall specify in such a permit, the date of commencement and cessation.
10. All owners and operators or mobile canteens, approved vending sites or vending operations and their employees or agents shall keep their mobile canteens, approved vending sites or vending operations and the surrounding areas, clean and free of litter, garbage, cartons, wrappers, paper, rubbish, and other debris, and shall dispose of any such materials in an authorized garbage receptacle.
11. Where a mobile canteen, an approved vending site or a vending operation is being operated contrary to any or all of the conditions attached to the permit allowing its operation, Council or its representative may cancel the permit and may order the removal of a vehicle or stand.
12. The representative may enter upon any public or private land and may at all reasonable times, inspect any mobile canteen, approved vending site or vending operation for the purpose of obtaining information relative to the vending operations.
13. No person, or operator, or any employee or agent, or casual acquaintance of a person or operator, or any other person, shall use a mobile canteen or a vending operation for the purpose of either temporary or permanent habitation, nor shall any person use a mobile canteen or vending operation for overnight accommodation.
14. All vendors operations under these Regulations shall be subject to the approval of all other required regulatory authorities. In the case of a vendor selling food, beverages or consumable items, the vendors operation shall likewise be subject to the approval of all other required regulatory authorities but in no case will a permit be issued until the vendor has obtained a permit from the Department of Health.

15. Any person who contravenes any of the provisions of these Regulations is guilty of an offence and liable on summary conviction to a fine not less than \$50.00 and not exceeding \$1,000.00 or in default of payment to a period of imprisonment, not exceeding ninety (90) days or to both a fine and period of imprisonment.
16. Any person, firm, corporation or individual that feels aggrieved by or is not satisfied with a decision of Council or its representative resulting from the exercise of powers administered under these Regulations, may appeal such a decision to the local Board of Appeal, within thirty (30) days of such a decision being rendered, and subject to the provisions of the Town of Grand Falls-Windsor Use Zoning, Subdivision and Advertisement Regulations.
17. Prosecution under these Regulations may be taken summarily by any Municipal Enforcement Officer, R.C.M.P. or by the Town's Solicitor.
18. Council may prescribe a fee schedule from time to time for permits issued under these Regulations. The types and duration of the permits shall be as follows:-
  1. Daily (24 hour period)
  2. Seasonal (Not more than four (4) months)
  3. Annual (Not more than twelve (12) months)
19. All previous Mobile Canteen/Vendors Regulations are hereby rescinded.

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Michael Pinsent  
Town Manager/Clerk

Approved by Council at Meeting #289  
On June 21<sup>st</sup>, 2005.

SCHEDULE A

APPLICATION FOR VENDOR PERMIT

NAME \_\_\_\_\_  
(Individual, Corporation or Partnership)

ADDRESS \_\_\_\_\_  
\_\_\_\_\_

NAME \_\_\_\_\_  
(Holder of Vendor Permit)

ADDRESS \_\_\_\_\_  
\_\_\_\_\_

AUTHORIZED SALESPERSONS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Description of goods or food to be sold: \_\_\_\_\_  
\_\_\_\_\_

Proposed location of Business: \_\_\_\_\_  
\_\_\_\_\_

Description of vending vehicle(s) or/and stand(s): \_\_\_\_\_  
\_\_\_\_\_

Vending vehicle licence if registered under the Highway Traffic Act: \_\_\_\_\_  
\_\_\_\_\_

Permit issued by the Department of Health: \_\_\_\_\_  
(Attach Copy)

Term of Vendor Permit:      Daily      \_\_\_\_\_  
   Seasonal      \_\_\_\_\_  
   Annual      \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

SCHEDULE B

VENDOR PERMIT

Permit No. \_\_\_\_\_

This is to certify that \_\_\_\_\_ of \_\_\_\_\_  
(Permit Holder) (Address)

\_\_\_\_\_ is hereby permitted to conduct a Vendor's  
business in the Town of Grand Falls-Windsor.

This permit is in force from the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ until  
the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

The permit is issued subject to the provisions of the Regulations of the Town of Grand  
Falls-Windsor relating to Vendors conducting business within the limits of the Town of  
Grand Falls-Windsor. This permit is not transferable.

The following salespersons are authorized to act on behalf of the above named holder of  
this permit:

_____	_____
(Name)	(Address)
_____	_____
(Name)	(Address)
_____	_____
(Name)	(Address)
_____	_____
(Name)	(Address)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, AD.

Received the sum of \$ \_\_\_\_\_ for Vendor Permit.

SCHEDULE C

## Vendor Permit Fees for:-

## Vending Vehicle Business

Daily Rate	-	\$50.00 (plus \$10.00 for each Unit)
*Seasonal Rate	-	\$125.00 (plus \$10.00 for each Unit)
Annual Rate	-	\$225.00 (plus \$10.00 for each Unit)

## Vending Stand Business

Daily Rate	-	\$50.00 (per stand)
*Seasonal Rate	-	\$125.00 (per stand)
Annual Rate	-	\$225.00 (per stand)

\* PERMIT FEE SCHEDULE

A seasonal permit will be defined as a period of four (4) months beginning from the date of issue of the permit.

\* For Vendors of Christmas Trees that are Newfoundland grown, a seasonal permit fee of \$10.00 will apply. For vendors of Christmas Trees that are not Newfoundland grown, the rates for the vendor vehicle business will apply.

\* The above fees are effective \_\_\_\_\_ and are subject to the discretion of Council as per Regulation 18.