

A BYLAW OF THE CITY OF VICTORIA

to consolidate the Outdoor Market Bylaw to regulate all outdoor markets and to remove obsolete provisions.

Under its powers, including section 14 of the Victoria City Act, 1919 and section 582 and paragraphs 932(h) and (h.1) of the Municipal Act, the Municipal Council of the Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the "OUTDOOR MARKET BYLAW."

2. In this Bylaw
"outdoor market" means a business that, for a fee, permits individuals to use or occupy a space, table or booth outdoors on public property for the purpose of retail marketing of goods or services and for which purpose an agreement with the City authorizes that use of the public property.

3. A person holding a business licence for an outdoor market may operate the market
 - (a) on the area described in an agreement, with the City, authorizing the use of the area for the outdoor market; and
 - (b) only between 8:30 a.m. and 8:00 p.m. on the days set out in the agreement described in paragraph (a).

4. The provisions of the Street Vendors Bylaw and the Business Licence Bylaw do not apply to an individual who is permitted, by a person holding a business licence for an outdoor market, to market goods or services from a space, table or booth in that market.

This bylaw may or may not contain the latest amendment(s). It is provided for convenience only and should not be used in place of the actual bylaw. The latest version can be obtained from Legislative Services, City Hall, (250) 361-0571.

5. A person operating an outdoor market must make the person's business licence available for inspection by a Business Licence Inspector at all times during the operation of the market.

6. A person holding a business licence for an outdoor market must:
 - (a) obtain and exhibit health and fire authorities' approvals at each of the market's retail spaces, tables or booths for which the approval is required;
 - (b) when the market is operating, maintain the market area in a clean and sanitary condition, free of litter;
 - (c) ensure that on each day that the market operates, all tables, booths, display stands, coverings, screens and other equipment used for the market are
 - (i) not erected until one hour before the market operation is to begin; and
 - (ii) removed from the market area one hour after the market ends;
 - (d) on each day that the market operates, when the market ends, leave the market area in the same condition that it was before the equipment used for the market was erected.

7. Where a person holding a business licence for an outdoor market fails to comply with paragraphs 6 (b) to (d), the City may enter the market area, do the work described in those paragraphs and charge the costs to the person.

8. A person who contravenes a provision of this Bylaw is guilty of an offence and is subject to the penalties imposed by the Offence Act and a fine of not less than \$100.00.

9. Bylaw No. 92-82, the Outdoor Market Bylaw, is repealed.

Passed and received third reading by the Municipal Council the 22nd day of July 1993.

Reconsidered and adopted by the Municipal Council the 12th day of August, 1993.

“Mark Johnston”

CITY CLERK

“Geoffrey Young”

ACTING MAYOR