

NO. 17-073

Mobile Bicycle Vending Miscellaneous Amendments Bylaw, 2017

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Streets and Traffic Bylaw, Parks Regulation Bylaw and Street Vendors Bylaw to regulate mobile bicycle vendors and the use of public space.

Under its statutory powers, including sections 8(3) (b) and (h), and sections 36, 46 and 62 of the *Community Charter*, the Council of The Corporation of the City of Victoria enacts the following provisions:

Title

1. This Bylaw may be cited as the "Mobile Bicycle Vending Miscellaneous Amendments Bylaw, 2017."

Streets and Traffic Bylaw

2. Bylaw No. 09-79 the Streets and Traffic Bylaw, is amended as follows:
 - a. By adding the following new subsection (3) to section 87:
“(3) Despite subsection (j) (IV) a mobile bicycle vendor is permitted to sell products as defined in Schedule A attached to the Bylaw.”
 - b. By adding the following new subsection (c) to section 90
“(c) Despite section 90 (a) and (b) a mobile bicycle vendor may stop on a yellow curb within 6 m of a legal parking or loading space for a maximum of 30 minutes, unless otherwise restricted by a traffic order under the Streets and Traffic Bylaw.”
 - c. By renumbering section 100 as 100(a) and adding the following new subsection (b) to section 100. “(b) Despite section 100 a mobile bicycle vendor may sell commercial goods on the street as defined in Schedule A attached to this Bylaw.”

Street Vendors Bylaw

3. Bylaw No. 89-72, the Street Vendors Bylaw is amended as follows:
 - a. By adding the following definition after “peddler” in section 2:
“mobile bicycle vendor” means a person who sells goods from a human-powered or electric motor-assisted bicycle or tricycle.
 - b. By adding the following subsection (3) to section 25
“(3) Despite section 25 (1) (2) a mobile bicycle vendor may sell goods on City streets and in parks, except in Beacon Hill Park and on multi-use pathways within the City of Victoria.”
 - c. By adding the following subsection (1) to section 27
“(1) Despite section 27, a bicycle vendor may only sell goods permitted in Schedule A.”

Parks Regulation Bylaw

4. Bylaw No. 07-059, the Parks Regulation Bylaw is amended as follows:
 - a. By renumbering section 8 as 8 (1) and adding the following subsection (2) to section 8
“(a) Despite section 8, a mobile bicycle vendor may sell permitted goods in a park as described in Schedule A.”

Period of Applicability

5. The provisions of this bylaw shall be in effect from the date of adoption until December 31, 2017.

General Conditions

6. A mobile bicycle vendor must comply with the conditions set out in Schedule A of this Bylaw.

READ A FIRST TIME the	22nd	day of	June	2017.
READ A SECOND TIME the	22nd	day of	June	2017.
READ A THIRD TIME the	22nd	day of	June	2017.
ADOPTED on the	6th	day of	July	2017.

“CHRIS COATES”
CITY CLERK

“LISA HELPS”
MAYOR

Schedule A

CONDITIONS

General Conditions

A bicycle vendor shall:

1. Display a vending decal on each licenced bicycle. The decal is non-transferable.
2. Only sell permitted products, including flowers, food and non-alcoholic beverages.
3. Operate only on City streets and parks, except Beacon Hill Park and on designated multi-use pathways within the City of Victoria.
4. Bicycle vendors must remain 100 metres away from restaurants, events or concessions that sell a similar product.
5. Bicycle vendors must remain 30 metres away from a public or private school.
6. Operate between 7 a.m. – 10 p.m. only.
7. Maintain their bicycles and keep them clean and in good repair.
8. Advertise only for their business. Advertising must be integrated into the bike.
9. Install a bicycle bell, if desired but only ring the bell for intervals of 20 seconds or fewer, and only between the hours of 9 a.m. – 9 p.m.
10. Provide an integrated waste receptacle. Recycling and compost must be separated from garbage, either as part of the bicycle design or at the vendor's base of operations.
11. Stop, only if hailed by a customer first.
12. Comply with all applicable bylaws, including *Streets and Traffic*, *Park Regulation*, *Noise* and the *Motor Vehicle Act*.