

NO. 19-040

Mobile Bicycle Vending Miscellaneous Amendments Bylaw, 2019

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to establish provisions to regulate mobile bicycle vending on City property.

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 No. 19-040, 2019."

Streets and Traffic Bylaw

- 2 Bylaw No. 09-79, the Streets and Traffic Bylaw, is amended

- (a) in section 4 by adding:

"“mobile bicycle vendor” means a person who sells goods from a human-powered or electric motor-assisted bicycle or tricycle;”

- (b) in section 87 by adding the following as subsection (3):

“(3) Despite subsection (2)(j)(iv), a mobile bicycle vendor is permitted to sell products as defined and under the conditions specified in Schedule 1.”;

- (c) in section 90 by renumbering it as 90(1) and adding the following as subsection (2):

“(2) Despite subsection (1) a mobile bicycle vendor may stop on a yellow curb within 6 metres of a legal parking or loading space for up to 60 minutes, unless otherwise restricted by a traffic order under this Bylaw.”; and

- (d) in section 100 by renumbering the section as 100 (1) and adding the following as subsection (2):

“(2) Despite subsection (1), a mobile bicycle vendor may sell commercial goods on the street as defined in Schedule I.”; and

- (e) By adding Schedule 1 in this Bylaw as Schedule I to the Streets and Traffic Bylaw.

Parks Regulation Bylaw

- 4 Bylaw No. 07-059, the Parks Regulation Bylaw is amended

- (a) in section 8 by renumbering it as section 8 (1) and adding the following as subsection (2):

“(2) Despite subsection 1, a mobile bicycle vendor may sell permitted goods in a

park as described in Schedule H.”; and

(b) by adding as Schedule H the schedule attached to this Bylaw as Schedule 1; and

(c) in section 12, by adding the following as 12 (2):

“ (2) (a) Despite subsection (1)(f), a mobile bicycle vendor may park a vehicle in a hard surfaced area that is not set apart and posted for the parking of vehicles without prior express permission under section 5.

(b) Despite subsection (1)(i), a mobile bicycle vendor may park a vehicle on a hard surfaced area for commercial purposes in the park without prior express permission under section 5.

Commencement

6 (1) This Bylaw-comes into effect on adoption.

READ A FIRST TIME the **28th** day of **March** 2019.

READ A SECOND TIME the **28th** day of **March** 2019.

READ A THIRD TIME the **28th** day of **March** 2019.

ADOPTED on the **11th** day of **April** 2019.

“CHRIS COATES”
CITY CLERK

“LISA HELPS”
MAYOR

Schedule 1

CONDITIONS

General Conditions

A mobile bicycle vendor shall:

1. Operate a self-contained mobile bicycle vending unit. The mobile bicycle vendor shall not affix or place any tables, chairs, stools, awnings, or umbrellas to public property.
2. Only sell permitted products, including
 - a. pre-packaged foods and beverages,
 - b. unpackaged, non-potentially hazardous foods and beverages,
 - c. only dispense unpackaged foods and beverages,
 - d. non-alcoholic beverages,
 - e. flowers, and
 - f. handcrafted items made in British Columbia.
3. Only operate on City streets and parks, except Beacon Hill Park, and on designated multi-use pathways within the City of Victoria.
4. Stop on hard surfaced areas in permitted locations for up to 60 minutes.
5. Move to another location at least 2 City blocks away or 100 meters away after 60 minutes.
6. Remain 100 meters away from restaurants, events or concessions that sell a similar product.
7. Remain 30 meters away from a public or private school between 8:00 a.m. and 5:00 p.m. on school days.
8. Operate between 7:00 a.m. – 10:00 p.m. only.
9. Maintain their bicycles and keep them clean and in good repair.
10. Advertise only for their business. Advertising may be integrated into the bike or mounted on the bike.
11. Install a bicycle bell, if desired, but only ring the bell for intervals of 20 seconds or fewer, and only between the hours of 9:00 a.m. – 9:00 p.m.
12. 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.
13. Comply with all applicable bylaws, including *Streets and Traffic*, *Park Regulation*, *Noise* and the *Motor Vehicle Act*.
14. Display a vending decal on each licenced bicycle. The decal is non-transferable.