

BYLAW NO. 01-2021

***A BYLAW OF THE RM OF DUFFERIN #190
TO CONTROL AND REGULATE THE USE OF
MOBILE FOOD TRUCKS, MOBILE FOOD TRAILERS AND MOBILE FOOD CARTS***

WHEREAS, pursuant to subsection 8(1) of *The Municipalities Act*, a municipality is authorized to make bylaws respecting peace, order and good government of the municipality, safety, health and welfare of people and the protection of people and property, and businesses, business activities and persons engaged in business; and

WHEREAS it is necessary and advisable to control and regulate the use of mobile food trucks, mobile food trailers and mobile food carts in the municipality;

NOW THEREFORE the Council of the RM of Dufferin #190, in the Province of Saskatchewan, enacts as follows:

Title

1. This Bylaw may be cited as the *Mobile Food Truck, Trailer and Cart Bylaw*.

Definitions

2. In this Bylaw:

- a. “mobile food cart” means a single self-contained unit able to operate without the use of detached tables and counters for serving foods requiring very limited preparation;
- b. “mobile food trailer” means a non-motorized, mobile, self-contained unit that is towed by a vehicle and equipped to cook, prepare and/or serve food;
- c. “mobile food truck” means a motorized, mobile, self-contained vehicle that is equipped to cook, prepare and/or serve food, other than a mobile food trailer or mobile food cart;
- d. “mobile food truck, trailer or cart” means a mobile food truck, a mobile food trailer or a mobile food cart;
- e. “operate” includes any activity associated with the mobile food truck, trailer or cart business, including activities relating to set-up, clean-up and take-down;
- f. “vendor” means a person who owns or operates a mobile food truck, trailer or cart.

Permit required

3(1) No person shall operate a mobile food truck, trailer or cart without first obtaining a mobile food vendor permit.

(2) An applicant for the issuance or renewal of a permit shall submit the completed application form in Form A to the Chief Administrative Officer, together with the permit fee of \$150, and satisfactory proof of the following:

- a. Saskatchewan Health Authority licence issued under *The Food Safety Regulations* or exemption in writing;
- b. written Fire Inspection Approval from the Village of Bethune and RM of Dufferin #190 Volunteer Fire Department;
- c. proof of motor vehicle insurance, or other applicable insurance, and appropriate registration and/or licensure with SGI;
- d. liability insurance with a minimum liability limit of \$2,000,000 naming the RM of Dufferin #190 as an additional insured;
- e. satisfactory discharge management plan that includes a description of how and where fats, oils, grease and grey water will be disposed of;
- f. written permission of the registered owner of the private property on which the mobile truck, trailer or cart is proposed to be operated.

(3) If the Chief Administrative Officer refuses to issue a permit applied for, he or she shall provide the applicant with written reasons for the refusal.

(4) The permit issued shall be in Form B.

(5) Every permit expires one year after it is issued and may be renewed.

(6) Every vendor shall ensure that the permit is displayed on the mobile food truck, trailer or cart and visible to the public at all times.

Location and number

4(1) Mobile food trucks, trailers or carts are only allowed on lakeshore district zoned private property; with the written permission of the registered owner of the property.

(2) Mobile food trucks, trailers or carts are not allowed on Municipal property.

(3) No more than two mobile food trucks, trailers or carts may operate on the same block or street at any given time and an application for a permit will be refused on that basis once two permits have been issued with respect to the same block or street.

Hours of operation

5. No vendor shall operate a mobile food truck, trailer or cart, or permit one to be operated, between the hours of 9:00 pm and 8:00 am.

Advertising

6. Advertising is allowed on the mobile food truck, trailer or cart itself and on one temporary sandwich board sign, not larger than 1 meter by 1 meter, located within the private property where the mobile food truck, trailer or cart is located.

Operating restrictions

7. Every vendor shall:

- a. ensure that the mobile food truck, trailer or cart unit clean, well lit, and aesthetically pleasing in appearance;
- b. ensure that overhead canopies or doors do not obstruct or hinder pedestrian traffic;
- c. provide proper trash and recycling receptacles for customers and clean up the property after their operations are complete each day;
- d. where a generator is used, ensure that:
 - i. the maximum decibel level measured 0.5 meters (1.5 feet) from the generator is no more than 55 decibels; and
 - ii. the mobile food truck, trailer or cart is located not less than 5 meters (15 feet) from any lot line.
- e. not create any disturbance or nuisance in terms of noise, vibration, smoke, dust, air pollution, heat, glare, bright light, hazardous or unacceptable waste;
- f. not create and lights, sounds, or actions that may be a distraction for motorists and/or pedestrians;
- g. conduct the operation of the mobile food truck, trailer or cart in a manner that does not restrict or interfere with the ingress or egress of the adjacent property owners or constitute an obstruction to adequate access by fire, police, or sanitation vehicles;
- h. make arrangements to provide proper access to public washroom facilities for employees and customers;
- i. ensure that, in the case of a mobile food cart, no deep fryers are used; and
- j. attend the mobile food truck, trailer or cart at all times while it is operating.

Exemptions

8. This Bylaw does not apply to:

- a. non-profit organizations or charity events;
- b. any person who sets up a table of goods for sale at a farmers' market or festival event.

Offence and penalty

9. Any person who contravenes any portion of this Bylaw is guilty of an offence and liable on Summary Conviction to a fine of not less than \$500.00 or more than \$1,000.00.

Introduced and read a first time the 14th day of April, 2021.

Read a second time this 14th day of April, 2021.

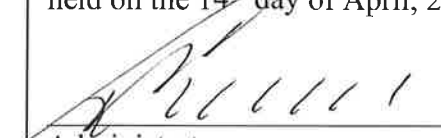
Read a third and final time on the unanimous consent of the Council this 14th day of April, 2021.

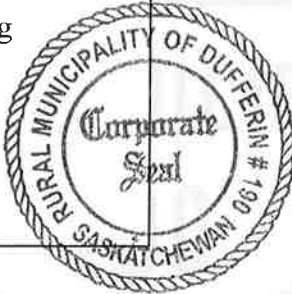



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 CHIEF ADMINISTRATIVE OFFICER

Certified a true copy of the bylaw
 Passed by the unanimous consent of
 the Council present at their regular meeting
 held on the 14th day of April, 2021.


 Administrator



**Form A
Mobile Food Vendor Permit Application**

Applicant: _____

Business Name: _____

Contact name: _____

Address: _____

Phone: _____

Fax: _____

Email: _____

Type of permit applied for:

- Mobile Food Truck Mobile Food Trailer Mobile Food Cart

Proposed location of mobile food truck, trailer or cart:

I, _____, authorized official of _____

_____ [business name if applicable]

hereby apply for a Mobile Food Vendor Permit in the RM of Dufferin #190.

The following are provided with this application:

- Saskatchewan Health Authority licence issued under *The Food Safety Regulations* or exemption in writing [*original will be copied by Municipal staff and returned*];
- Written Fire Inspection Approval from the Village of Bethune and RM of Dufferin #190 Volunteer Fire Department;
- Proof of motor vehicle insurance, or other applicable insurance, and appropriate registration and/or licensure with SGI;
- Proof of liability insurance with a minimum liability limit of \$2,000,000, naming the Town of Regina Beach as an additional insured;
- Discharge management plan that includes a description of how and where FOG (Fats, Oils, Grease) and grey water will be disposed;

Written approval of the private property owner where the mobile truck, trailer or cart is proposed to be operating.

Applicant Signature

Date

Completed applications can be submitted to:
RM of Dufferin 3190
Box 67
Bethune, SK S0G 0H0
Email: rm190@bethunesk.ca
Ph: 306-638-3112



Form B
RM of Dufferin #190
Mobile Food Vendor Permit

Permission is hereby granted to [*name of applicant*] to operate a mobile food truck/trailer/cart, at [*specify location*] in the RM of Dufferin #190, subject to the terms, conditions and other requirements contained in Bylaw 01-2021.

This permit expires on _____.

Permit Fee: \$150.00

Authorized Municipal Official

Date

