TOWN OF SUSSEX POLICY

Subject		Number
VENDOR SITE		C-25
Date	*Approved by*	*Date*
JULY 22, 2008	COUNCIL [X] OTHER(S) [ ]	MAY 21, 2002
Signature Michael Lemmon	*Date of Revision* JULY 21, 2008	PAGE 1/4

This policy applies to everyone who hawks or peddles anything on any public property in the Town and does not apply to private property.

In this policy:

"Building Inspector" means the Building Inspector for the Town of Sussex;

"Council" means the Council of the Town of Sussex;

"Public Property" means any street right-of-way and/or land for public purposes or recreational areas owned by the Town;

"Stand" means any table, showcase, bench, rack, pushcart, wagon or any other wheeled vehicle or a device which may be moved without the assistance of a motor and which is not required to be licensed and registered pursuant to the Motor Vehicle Act, used for the displaying, storing, transportation or sale of anything; and

"Transient Traders By-Law" means A By-Law To Regulate And License Peddlers And Transient Traders;

1. (a)

(i) No person shall sell or offer for sale anything from a stand on public property unless he/she has received the permission of Council and has also obtained a license issued under A By-Law To Regulate And License Peddlers And Transient Traders.

(ii) Permission of Council may be granted based on competitive bid for locations on public property.

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Signature Michael Fleming	*Date of Revision* JULY 21, 2008	PAGE 2/4

(b) A person who sells or offers for sale anything on public property is subject to the following conditions:

(1) he/she shall not leave any stand unattended;

(2) he/she shall not store, park, or leave any stand overnight on public property;

(3) he/she shall not sell food or beverages for immediate consumption unless an adequate litter receptacle is available for use by customers;

(4) he/she shall, if selling or offering for sale food or beverages, have in his/her possession and produce for inspection, if requested, any certificate provided for in the Health Act of the Province of New Brunswick;

(5) he/she shall not leave any location without first picking up, removing and disposing of all trash or refuse remaining from sales within a radii distance of nine (9) metres;

(6) he/she shall not allow any items relating to his/her business to be placed anywhere other than in, on or under the stand;

(7) he/she shall not solicit or conduct business with persons in motor vehicles;

(8) he/she shall not place a stand on public property in such a way that it is:

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Signature Michael Flemming	*Date of Revision* JULY 21, 2008	PAGE 3/4

(i) within five (5) meters of an entrance way to a building, or

(ii) within ten (10) meters of a driveway entrance to a police station or a fire station, or within five (5) meters of any other driveway, or

(iii) within ten (10) meters of any person selling a similar product, or

(iv) within five (5) meters of a fire hydrant, or

(v) within five (5) meters of an intersection, or

(vi) within six (6) meters of a crosswalk which is not located at an intersection;

(9) he/she shall not sell or offer for sale anything on public property between the hours of 0000 hours and 0700 hours and between 1000 hours and 1200 hours;

(10) he/she shall not impede or interfere with people walking on public property;

(11) he/she shall not call out or make any noise for the purpose of attracting or retaining customers;

(12) the name and the business address and the telephone number of the owner of the stand shall be displayed upon the stand in such a manner that it can be easily observed and read;

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Signature Michael Hemmings	*Date of Revision* JULY 21, 2008	PAGE 4/4

(13) a stand shall not be more than two (2) metres in length and 1.30 metres in width;

(14) he/she shall have at his/her stand, and display upon request by anyone, a copy of this policy and the By-Law To Regulate And License Peddlers And Transient Traders; and

(15) the owner of the stand shall have displayed on it a copy of his/her license issued by the Town of Sussex.