

### REPORT OF THE DIRECTOR OF CLERKS AND PLANNING SERVICES

#### OBJECTIVE

To provide Council with an update regarding a proposed new Mobile Vendors and Peddlers By-law.

#### RECOMMENDATION

That the report from the Director of Clerks & Planning Services concerning the update on the Mobile Vendor and Hawkers and Peddlers By-law be received;

And that the draft by-law being a By-Law to licence Mobile Vendors and Peddlers in the City of Elliot Lake and to repeal By-laws 79-36, 00-66, and 06-08 be approved by the committee and forwarded to Council for passing.

#### BACKGROUND

The City of Elliot Lake currently regulates Mobile Vendors, Refreshment Vehicles and Hawkers and Peddlers under three separate by-laws dated 1979, 2000 and 2006. The Municipal Act empowers municipalities to enact bylaws for licencing, regulating and enforcing mobile vendors, refreshment vehicles and hawkers and peddles.

From the April 3, 2023 By-Law & Planning Committee, the Committee recommended that the proposed bylaw be sent to the Ministry of the Attorney General for review and comment. Comments were received and minor changes were made to meet the needs of the Ministry:

**Section 2.1: REWORDED:** Every person who operates or uses a Mobile Vending Vehicle (Class A, Class B, Class C) or operates as a peddler shall first obtain a licence, and shall pay to The Corporation of the City of Elliot Lake at the time of the taking out of such licence the fee set out by this by-law.

**Section 3.3: ADDED:** No person shall carry on or operate as a Mobile Vendor except during the times between 8:00 a.m. and 10:00p.m. on any day.

**Section 5.1: ADDED:** A licence shall not be required for peddling or selling goods, wares or merchandise:

**Section 6.1: ADDED:** Every person who applies for a licence to operate as a Mobile Vendor or Peddler under this By-law shall apply to the Municipality by providing the following:

**Section 7.12: ADDED: This By-Law shall be effective on the date of its passing.**

**Section 2.3: ADDED:** “Every person who attends a craft show including the exhibiting or offering for sale, on a temporary basis at one location by Canadian crafts people, goods, wares or merchandise which they themselves have produced; or persons who participate in a Farmers’ Market open to public may be exempt from this by-law.”

This added wording by staff ensures those who participate in a craft show or farmers market may be exempt from this by-law however, are encouraged to inquire with the Department regarding this by-law.

## **FINANCIAL IMPACT**

The fees for Mobile Vendor and Peddler Licence are listed in Schedule B of the by-law and range from \$120 - \$750 depending on Class and Type and duration.

The introduction of short form wording will allow for fines to be issued for anyone not in compliance with the by-law. The fines have been established based on neighboring municipalities and have been set to encourage compliance without being punitive in nature.

## **LINKS TO STRATEGIC PLAN**

Strong Municipal Corporate Administration and Governance.

## **SUMMARY**

The proposed updates to the existing By-law will enable Enforcement Officers to respond to these issues efficiently and effectively.

It is recommended that the draft Mobile Vendor and Peddler By-Law be approved by the committee and forwarded to Council for passing.

