

THE CORPORATION OF THE CITY OF NORTH BAY

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| 1.0 PARK VENDOR POLICY | ARTS, CULTURE AND RECREATION POLICIES AND PROCEDURES |
| Date of Council Approval | January 29, 2001 |
| By-law Reference | Resolution # 2001-50 |
| Client/Customer Groups Affected | Refreshment Vehicle Vendors |
| Scheduled Date for Review | January 2023 |

2.0 INTRODUCTION:

Purpose of the Policy

- ❖ To allow vendors to conduct business in park areas
- ❖ To develop a process that is fair and equitable for dealing with vendors
- ❖ To promote entrepreneurial ventures to enhance employment
- ❖ To support the Parks and Recreation By-law

Definitions

Vendor: is a person, or persons, that sell, lease or rent a permitted product or service to the public.

Transient Vendor: defined as a vendor who wishes to access park areas on an intermittent basis, and are mobile

Designated Location Vendor: defined as a vendor who will be granted a designated location for vending. Designated Location Vendors will be decided by an RFP process.

Annual Designated Vendor: defined as a vendor who, from time to time, may develop a new product or service that requires a specialized designated location, and where the location is available and acceptable for such use an annual renewal application is required for a maximum of five years and can then be extended by an RFP process.

Permanent Vendor: defined as a vendor who will be granted a permanent location for vending. Permanent Vendor locations will be decided up by an RFP process subject to terms of an agreement

Desired Outcomes of the Policy

- a) To develop a policy and procedure for frontline staff to work with vendors and the numerous public requests by potential transient businesses.
- b) To establish clear expectations for Vendors and Arts, Culture & Recreation staff regarding their roles and responsibilities.
- c) To establish a policy that will allow for a quick turn around in a request to provide a service or conduct business in a park.

3.0 POLICY DETAILS:

1. All vendors requesting access to park areas must be registered with the Arts, Culture and Recreation Department. Vendor registration, once approved, will result in a Arts, Culture and Recreation Department Park Vendor permit being issued.
2. All first-time vendors must set up a meeting with the Arts, Culture and Recreation Department at 705-474-0626 ext. 2329 to review the Park Vendor Policy.
3. All vendors require a current City Refreshment Vehicle License approved by the City's Licensing Department.
4. All vendors must comply with all applicable laws and regulations including, but not exclusive to:
 - Public Health Regulations
 - Fire Regulations
 - Building Code
 - Licensing Regulations
4. All Vendors will be required to sign an agreement which may include additional requirements specific to their designated location and service.
5. All vendors shall provide recycling services while in operation and shall deliver recyclables to the City's Recycling Centre.
6. All vendors shall be responsible for the collection and removal of their own garbage. Vendors agree not to use public waste receptacles for this purpose.
7. Vendors are required to produce proof of minimum \$5,000,000 liability insurance, naming the "The Corporation of the City of North Bay" as an additional insured.
8. Vendors will receive a copy of the policy, procedures and prohibitions for vendors at the time of registration.
9. Any vendor failing to comply with these policies and procedures, or any other law that may govern their business, is in "default" and may be evicted forthwith by the Manager of Sports and Events, or such other municipal employee designated by the Senior Manager.
10. Vendor understands that conduct in events or activities sponsored, in whole or in part, by the City of North Bay shall be taken into consideration when determining vendor status. Past negative, adverse conduct or failure to comply with existing rules will be taken into consideration in determining disciplinary action. These actions may include, but are not limited to, the revoking of the current and/or future vendor permits. Negative or adverse conduct may result in specific conditions being placed upon the Vendor.
11. The Vendor shall not block or impede entrance or exit to any public, staff or emergency service vehicles to a park.

Transient Vendor

1. This vendor has no pre-determined location; however, they are restricted to operating out of a variety of predetermined transient locations in approved park areas. These locations are available to each transient vendor, on each business day, on a first come, first served basis. A transient vendor's mobile unit can be no larger than 3 x 6 feet in size.
2. In the instance of a special event, where event organizers have been granted exclusive use of a park area by City Council, the vendor must apply to the event organizer for the right to conduct business during the event in the designated park area. A fee may be levied to the vendor.
3. In the instance of a special event, where event organizers have been granted exclusive use of a park area by City Council, the number and display of the vendors will be left to the discretion of the event organizer and will be subject to the approval of the Manager of Sports and Events Department or such other municipal employee as designated by the Senior Manager.
4. All vendors must agree to honor and accept prohibited areas identified as follows:
 - a. No vendor shall set up business within 100 ft. or 30 meters of another vendor (unless permitted and allowed through the organization of a special event).
 - b. No vendor shall set up business within 200 ft. or 60 meters of a permanent, competitive business.

Transient vendors will be permitted as follows:

- a) The Manager of Sports and Events or other municipal employee as designated will establish all transient vendor locations.
 - b) All vendors must be licensed by the City of North Bay Licensing Department, and they must show proof of licensing at the time of registration.
 - c) All vendors must complete the vendor registration process through the Arts, Culture and Recreation Department in order to be permitted to access park property.
 - d) Upon completion of the Vendor registration form, the Manager of Sports and Events or such other municipal employee as designated will review the information and approve for permitting.
5. Transient vendors will not have access to permanent services, such as hydro and water, unless otherwise negotiated at the time of permitting. Any vendor establishing an agreement or services will be levied a fee for the service.

Designated Location Vendors

1. Designated location vendors will be determined as follows:
 - a) The Manager of Sports and Events or such other municipal employee as designated will establish all designated locations. These locations and their availability will be advertised in the City of North Bay public advertisement to ensure fair competition.
 - b) All vendors will meet the guidelines as published in a City of North Bay advertisement for Park Vendors-Designated Location. Vendors will be determined based on the criteria advertised. Selection of vendors will be done through a RFP process.
2. Designated Location Vendors, based on their location and access to hydro services, will be levied a fee for service. Any vendor requesting access to hydro must have C.S.A. approved equipment.
3. In the instance of a special event, where the event organizers have been granted exclusive use of the designated park by City Council, a Designated Location Vendor will be given first right of refusal as a vendor associated with the event. The event organizers, through their exclusive agreement, have the authority to levy an event fee to the vendor.
4. Should the special event due to the nature of the event need to move the vendors from their designated location to another location, they may do so. The Designated Vendors will have first right of refusal of the available alternate sites designated for their use.
5. In the instance of a special event, where the event organizers have been granted exclusive use of a park by City Council, the event organizer may expand the number of vendors in the park area in order to serve those in attendance. The event organizer must submit a plan for vendor expansion and the proposed locations that will be approved by the Manager of Sports and Events or other municipal employee as designated.

Annual Designated Vendor

1. The Annual Designated Vendor locations will be determined and permitted as follows:
 - a) All Annual Designated Vendor locations will be reviewed and approved on an annual basis by the Manager of Sports and Events or such other municipal employee as designated.
 - b) All vendors interested in an annual designated vendor location will be required to submit a letter of intent including the following:
 1. Purpose of the business being proposed.
 2. Identify the market you wish to attract.
 3. Start and end dates for your business venture.
 4. Activities that will be undertaken as part of the business venture.

5. Facilities being requested for use by the business, where possible include a site layout.
 6. Specific information regarding fees being charged.
 7. The value of your business to enhancing tourism, leisure pursuits and quality of life.
 - c) All information submitted by the vendor will be reviewed in full and a notice confirming acceptance or denial will be forthcoming prior to any business being established.
 - d) Annual Designated Vendors, based on their location, may have access to hydro service. Any vendor accessing hydro will be levied a fee. All equipment must be C.S.A. approved.
2. In the instance of a special event, where the event organizers have been granted exclusive use of a designated park by City Council, an Annual Designated Location Vendor will be given first right of refusal as a vendor associated with the event. The event organizers, through their exclusive agreement, have the authority to levy an event fee to the vendor.
3. Should the special event due to the nature of the event need to move the vendors from their designated location to another location, they may do so. The Annual Designated Vendors will have first right of refusal of the alternate sites designated for their use.
4. In the instance of a special event, where event organizers have been granted exclusive use of a park area by City Council, the number and display of vendors will be left to the discretion of the event organizers and will be subject to the approval of the Manager of Sports and Events or such other municipal employee as designated.

Permanent Vendor

1. The Permanent Vendor locations will be determined and permitted as follows:
 - a) All Permanent Vendor locations will be reviewed and approved by the Manager of Sports and Events or such other municipal employee as designated.
 - b) All vendors interested in a permanent vendor location will be required to submit a letter of intent including the following:
 - Purpose of the business being proposed
 - Identify the market you wish to attract
 - Start and end dates for your business venture
 - Activities that will be undertaken a part of the business venture
 - Facilities being requested for use by the business; where possible include a site layout
 - Specific information regarding fees being charged
 - The value of your business to enhancing tourism, leisure pursuits and quality of life

- c) All information submitted by the vendor will be reviewed in full and a notice confirming acceptance or denial will be forthcoming prior to any business being established.
 - d) Annual Permanent Vendors, based on their location, may have access to hydro service. Any vendor accessing hydro will be levied a fee. All equipment must be C.S.A. approved.
2. In the instance of a special event, where the event organizers have been granted exclusive use of a designated park by City Council, the event organizers through their exclusive agreement, have the authority to levy an event fee to the vendor.

Appeals and Complaints

Any vendor or member of the general public, from time to time, may not agree with this policy or its procedures and wish to launch a complaint or an appeal to a decision made. The following shall be the procedure for addressing appeals or complaints:

1. Completion of the appeal/complaint form by the complainant.
2. Staff (where necessary) will complete a report addressing the issue(s) as defined in the appeal or complaint form.
3. A full report shall be forwarded to the Manager of Sports and Events for review and action.

4.0 APPENDICES

- ✓ Fees
- ✓ Fire Safety Requirements for Mobile/Temporary Food Vendors
- ✓ Application
- ✓ Map of Vendor Locations

PARK VENDOR FEES

| VENDOR CLASSIFICATION | 2023 Fees (3% increase) |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Transient Vendor | \$55.73/month or \$180.46/season plus applicable taxes. |
| Hydro | \$130.05 based on hydro increase (option) mo. (plus applicable taxes) *hydro is only available for certain park vendor designations. |

FIRE SAFETY REQUIREMENTS FOR MOBILE / TEMPORARY FOOD VENDORS

Extinguishers

Vendors who deep fry...



- A 6 liter, Class “K” portable fire extinguisher shall be provided for those vendors who are deep frying with cooking oil and the device shall be validated or purchased new (proof required) within the last 12 months.
- One 5 pound Class “ABC” portable extinguisher shall be provided for all mobile food vehicles and the device shall be validated or purchased new (proof required) within the last 12 months.

Vendors who do NOT deep fry...

- One 5 pound Class “ABC” portable extinguisher shall be provided for all mobile food vehicles and the device shall be validated or purchased new (proof required) within the last 12 months.

Electrical



- Extension cords are not recommended as a permanent power supply, rather, there should be sufficient electrical outlets provided. If extension cords are a necessity they shall be ‘listed’, 3 wire design and of sufficient gauge to carry the intended amperage. (e.g. a 50 foot 14 gauge extension cord may power one high energy (fridge) device) Power bars shall not be used to supply electricity to high energy devices unless specifically designed for that purpose.

Fuel Supply



- The propane/gas vessel, supply lines and cooking appliances shall have passed a recent inspection and pressure test by a licensed gas fitter. The necessary documentation to show that the inspection and test was carried out within the last year will be checked during inspection.

Enclosed (Truck or Trailer) Food Vendors

- Deep fryers enclosed in a self-contained unit (i.e. truck or trailer) require:
 - A noncombustible exhaust hood system with sufficient air flow to capture and exhaust the grease laden vapors.

- Fixed extinguishing system designed to protect the hood system and appliances being used.
- All grease filters/grease removal devices shall be “listed” by an accredited listing agency - i.e. UL, ULC, ETL etc.
- The exhaust hood, duct work and grease filters shall be cleaned of all grease deposits prior to event start up and as often as necessary to prevent the buildup of grease.

Checklist for Enclosed (Truck or Trailer) Food Vendors*

Materials:

- One 5 pound ABC fire extinguisher – validated or purchased new (proof required) within the last 12 months.
- One 6 litre Type K – portable fire extinguisher – validated or purchased new (proof required) within the last 12 months.
- Listed grounded extension cord designed for outdoor use (e.g. minimum 14 guage for 50 feet). One for every high energy appliance (i.e. refrigerator / freezer). Only power bars designed for high energy appliances permitted.
- Means to protect extension cord from mechanical damage.
- Noncombustible fixed hood system with filters. Entire exhaust system cleaned to bare metal prior to inspection.
- Fixed suppression system designed to protect each appliance.
- Exhaust system shall have sufficient air volume to remove grease laden vapours.

Site Layout:

- Site is clean and organized as well as being free of combustible products.
- Portable propane cylinders must:
 - be supported on a firm stable noncombustible surface.
 - be secured against tipping.
 - be 10 feet (3 m) from any ignition source.

Testing:

- Fuel supply lines, cooking appliances and system must have been inspected by licensed gas fitter within the last 12 months or if stored at the beginning of the season.

**** This checklist will be used sizehe inspector during the inspection.***

**CITY OF NORTH BAY
ARTS, CULTURE AND RECREATION
VENDOR REGISTRATION 2023**

VENDOR NAME: _____

VENDOR ADDRESS: _____

TELEPHONE # _____ FAX # _____ EMAIL: _____

DESCRIPTION OF BUSINESS: _____

VENDOR TYPE: Transient _____ Designated _____ Annual Designated _____

| CHECK <input checked="" type="checkbox"/> | DESCRIPTION OF UNIT | UNIT SIZE |
|-------------------------------------------|----------------------------------------|-----------|
| | Trailer | |
| | Recreational Vehicle I.e. Winnebago | |
| | Mobile Cart | |
| | Tent | |
| | Other (specify) | |

| CHECK <input checked="" type="checkbox"/> | SERVICES REQUESTED | PRESENTED PROOF OF: |
|-------------------------------------------|----------------------------------------|----------------------|
| | ** Hydro | Insurance Company #: |
| | Water | Vendor License #: |
| | Waste Disposal (specify type of waste) | |
| | Other (please specify) | |

NO HYDRO AT TRANSIENT VENDOR LOCATIONS

** No guarantees on hydro request. If applicant is requesting hydro, all equipment must be C.S.A. approved.

(Applicant's signature verifying C.S.A. approved)

By signing this registration form, the vendor also acknowledges that he/she has read the Park Vendor Policy and agrees to abide by the rules and regulations of said Vendor Policy.

VENDOR'S SIGNATURE: _____ DATE: _____

| | |
|------------------------------------------|--------------------------------|
| For office use only: | |
| Date of application: _____ | Date of approval: _____ |
| Authorized by: _____ | |
| Permit issued: Yes _____ No _____ | |