

Town of Portugal Cove-St. Philip's
Portable Vendor By-Law

Pursuant to the authority conferred in sections 7 and 8 of the *Towns and Local Service Districts Act, 2025*, the Town Council of Portugal Cove-St. Philip's has adopted the following By-Law on February 11, 2025.

1. TITLE

1.1. This document will be known and cited as the *Portable Vendor By-Law*.

2. PURPOSE

2.1. The purpose of this by-law is to outline the conditions for the operation of a portable vending establishment in the Town of Portugal Cove-St. Philip's.

3. INTERPRETATION/DEFINITION

- 3.1. "**Council**" shall mean the Town Council of Portugal Cove–St. Philip's.
- 3.2. "**Portable Vendor**" shall mean any stand or vehicle, whether or not that stand or vehicle is self moving, drawn by another vehicle or person or is temporarily or permanently stationary, or is a stand or vehicle for sale of food or goods.
- 3.3. "**Town**" shall mean the Town of Portugal Cove – St. Philip's.
- 3.4. "**Permit**" shall mean a permit issued by the Council that is valid only for the length of time and location stated on the permit.
- 3.5. "**Vendor**" shall mean the individual, corporation or partnership whose name appears as the holder of the permit for the vending stand or vehicle.

4. APPLICATION

- 4.1. This by-law shall apply to the operation of a portable vendor located on public or privately owned lands located within the Town.
- 4.2. This by-law shall be binding on all persons, including Council and the general public.

5. PROCEDURE

- 5.1. This by-law shall provide standards and conditions related to the operation of a portable vendor located on public or privately owned lands located within the Town.

6. PERMIT

- 6.1. An application, and any supplementary documentation required by the Town, for a portable vendor must be submitted to the Town for review and consideration.
- 6.2. If the applicant and the property owner are not the same, the property owner must sign the application form or provide another form of written permission satisfactory to the Town prior to the application being considered by the Town.

- 6.3. The Town shall review the application in accordance with the requirements of the Town's Municipal Plan and Development Regulations and all other regulatory bodies of government.
- 6.4. No person shall sell food or goods from a vehicle or stand without having first obtaining a permit from the Town.
- 6.5. A portable vendor will not be permitted to move to another location within the Town without issuance of a new permit for that location.
- 6.6. The permit shall be revoked on the expiry date stated in the permit.
- 6.7. An approval in principle shall be valid for a period not greater than two years from the grant of approval in principle. During the period that the approval in principle is valid, the portable vendor must renew their permit yearly.
- 6.8. The Town shall, every 2 years, conduct a review of this By-law and consider the areas which may be improved.

7. PENALTIES

- 7.1. Penalties may be applied in accordance with Division 6 of the *Towns and Local Service Districts Act*.
- 7.2. This by-law shall not exclude the application of other penalties not expressly listed.

8. REPEAL OF PREVIOUS REGULATIONS AND AMENDMENTS

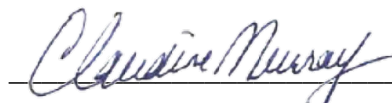
- 8.1. This by-law repeals the *Portable Vendors Policy and Regulations*, enacted on April 13, 2010.

9. CAME INTO EFFECT

- 9.1. These Regulations first came into effect on February 11, 2025, through a resolution of Council, #2025-046.



Carol McDonald, Mayor



Claudine Murray, Town Clerk