

All mobile food vendors who secure a site on public property are required to obtain a Development Permit from the City of Whitehorse. Vendors securing a site at the Waterfront Wharf must also enter into a Use Agreement with Yukon Government. Use of sites on public property are subject to the following conditions:

**Conditions for all Vendor Stalls**

1. The program is limited to vendors serving prepared food and/or beverages intended for immediate consumption.
2. The mobile food vendor term is from April 1 to October 31. Vendors shall not operate at these locations outside of these dates.
3. Vending units shall not block doorways, display windows, or impede pedestrian or vehicular access.
4. All permit areas utilizing a sidewalk must leave a minimum 1.2 meters of sidewalk free and clear from obstructions for pedestrian use.
5. The vendor permit areas must be kept in a good, neat, and tidy condition and order. Except on pre-printed umbrellas, third party signage shall be kept to a minimum.
6. Vending units shall be of good quality and aesthetically pleasing in appearance. They shall not have any lights, sounds, or actions, which could be a distraction for motorists and/or pedestrians.
7. Unless authorized by the City in writing (including email), the vendor must operate at their site at least once per week. Failure to do so may result in the forfeiture of the site and it shall be made available to another vendor.
8. If a vendor ceases operations during a season, they shall notify the City and their site shall be allocated to another vendor.
9. Where electricity is provided, vendors shall ensure that their vending unit does not exceed the available supply. Vendors are responsible for providing the necessary equipment to safely reach the power supply. This may include cable covers in areas with pedestrian or vehicle traffic.
10. Vendors are required to provide garbage bins for their customers.
11. Vendors are encouraged to provide compost bins for their customers.
12. Effective June 1, 2015, the City's Waste Management Bylaw 2012-30 identifies compostable waste from commercial food service establishments as a controlled waste which cannot be placed in the garbage. Options for managing compostable waste include:
  - a. Place it in your curbside composting cart for regular residential pick-up, provided the amount of compost does not impede full closure of the lid and does not exceed the maximum cart weight as specified by the manufacturer;
  - b. Subscribe to the City's commercial organics collection program for weekly or biweekly pickup at your residence (available in most areas of the City), or arrange to share the service with a business that already subscribes; or
  - c. Take the compostable waste to the City's Waste Management Facility.
13. Vendors are not permitted to use public garbage receptacles to dispose of waste. Options for managing garbage include:
  - a. Place it in your curbside garbage cart for regular residential pickup, provided the amount of garbage does not impede full closure of the lid and does not exceed the maximum cart weight as specified by the manufacturer;
  - b. Arrange to share a dumpster service with a business that already subscribes to such service; or
  - c. Take the garbage to the City's Waste Management Facility.
14. There shall be no permanent modifications made to the permit area. Vendors shall not insert any objects into the ground.
15. A vendor who secures a vendor stall for the current summer season and uses it in accordance with these Conditions, has the right to use the site for the following summer season, provided the City elects to make the site available for that year. For the purposes of this provision, the vendor must use the site regularly until at least September 1 in order to claim the site for the following season.
16. The vendor must indicate in writing their desire to use the stall for the following summer season by February 28 of the current summer season. If they fail to do so, that vendor stall will be put back into the lottery process. The vendor must obtain a Development Permit by June 1 of the following season, otherwise the site will be forfeited.

**Conditions Specific to City of Whitehorse Vendor Stalls**

The following vendor rules apply only to the vendor stalls on City land (all stalls except those at the Waterfront Wharf). The City's *Lease, Encroachment and Property Use Policy* outlines the requirements for mobile food vendors operating at these locations. All vendors operating at these locations shall adhere to the following rules. Failure to follow these rules could result in site forfeiture.

17. Mobile food vendors shall cease operating by 11:00 p.m, but may be allowed overnight parking of vending units.

18. Where electrical service is provided to a mobile food vendor, that vendor shall be responsible for paying a rate of \$50 per month or portion thereof to the City of Whitehorse. Once the vendor obtains a permit, one bill will be issued to the food vendor at \$50 per month times the number of remaining months in the vendor season (e.g. until October 31). For example, if a vendor is operating from May 1 to October 31, they will be charged \$300 for use of electricity when they obtain their permit. If the vendor provides written notice to the City that they have ceased vending for the season at that stall, they will be reimbursed a prorated amount for any full months they did not operate.

19. A vendor shall not assign or sublease their site to any other party without the express written consent from the City, whose consent may be arbitrarily and unreasonably withheld. At no time shall the vendor charge or rent their stall to another vendor for a fee.

**Conditions Specific to Government of Yukon Waterfront Wharf Vendor Stalls**

The 3 vendor stalls located at the Waterfront Wharf are on land owned by Government of Yukon (YG). In addition to obtaining a Development Permit and adhering to the general regulations listed above, vendors who have secured a Waterfront Wharf stall will enter into a Use Agreement with YG regarding the use of the stall. Please refer to Appendix "C" for a draft copy of the Use Agreement. There are some differences from the City vendor stall conditions which include (but are not limited to):

20. The rental fee for the use of the stall is \$50.00 per month which includes the use of electricity. The fee is collected by YG.

21. The vendors shall cease operating and remove their equipment by 10:00 pm each night.

22. Use of amplified music is not permitted after 9:00 pm.

**Description of Vending Unit**

<b>Vending Site:</b>	_____
<b>Type of vending apparatus:</b>	<input type="checkbox"/> Truck <input type="checkbox"/> Trailer <input type="checkbox"/> Push-cart <input type="checkbox"/> Other (please describe): _____
<b>Dimensions of apparatus:</b>	Length: _____ Width: _____

**Please check each box to confirm you understand and agree to the following statements:**

I hereby declare that all the information provided in this application for development and contained in the supporting documents are to the best of my belief true and correct in all respects.

I have read the above conditions and agree to conduct my business in accordance with these conditions.

I have completed a site visit, am familiar with the site constraints, and confirm that my vending apparatus can safely fit within the vendor site dimensions with reasonable access to and from the site.

I confirm that it is my intention to obtain a mobile food vendor site for the purpose of selling food and beverages to the public.

I have enclosed proof of public liability insurance as described in the City's *Lease, Encroachment and Property Use Policy*, demonstrating coverage of at least \$5,000,000, with the City of Whitehorse named as additional insured.

Signature of Applicant: \_\_\_\_\_ Print Name: \_\_\_\_\_ Date : \_\_\_\_\_