CITY OF WHITEHORSE

COUNCIL POLICY

POLICY: WATERFRONT VENDOR

PURPOSE: To temporarily assist small commercial operations, food concession sales and the display of cultural activities on the waterfront lands, and to temporarily regulate such uses of the waterfront

AUTHORITY: Council Resolution **99-16-04** dated **August 9, 1999**
Amended by Council Resolution 2000-12-09 dated June 26, 2000

WATERFRONT VENDOR POLICY

Definitions

1. In this policy,

"City" means the municipality of the City of Whitehorse.

"Temporary Commercial Operation" means the carrying on of a business providing professional, personal or other services other than the sale of food, beverages and refreshments for immediate consumption. This also includes the sale of articles of an arts and craft nature offered for sale by non-profit organisations.

"Cultural events or displays" means, but may not be limited to, the presentation of cultural activities such as musical performances, theatre, artisan workshops or dance demonstration.

"Council" means the duly elected Council of the City of Whitehorse.

"Mobile Refreshment Stand" means a booth, stand or vehicle for the sale of food, beverages and refreshments which shall be portable and includes a tray or container.

"Waterfront Lands" mean those lands located between First Avenue and the Yukon River and between Hanson Street and Strickland Street, and the publicly owned lands between Second Avenue and the Yukon River and between Alexander Street and the Second Avenue extension.

General

2. Council may by resolution authorise the inclusion, in this policy, of new uses providing such uses are consistent with the provisions of the Zoning Bylaw.

3. The operator of a temporary commercial operation or mobile refreshment stand shall:

   (1) comply with all statutes, regulations and bylaws, whether Federal, Territorial or Municipal; and

   (2) be responsible for obtaining all licenses and permits required, at his/her own expense.

4. Each operator of a commercial operation or mobile refreshment stand shall make application to the City for permission to operate on Waterfront Land, and each application shall:

   (1) specify the type and nature of the proposed business;

   (2) include a sketch showing the desired location on the Waterfront Lands:

      (a) the required sketch shall have dimensions and show the proposed site in relation to existing developments in the area.

5. Upon receipt of an application to locate a temporary business on the Waterfront Lands, the City shall:

   (1) review each application;

   (2) request any additional information deemed necessary by the City;

   (3) approve, approve with conditions or refuse the application.

   (4) applicant must obtain the signature of the land owner as an indication of permission to occupy the space allocated.

6. Any non-mobile activity involving the construction of a facility or temporary commercial operations shall be required to obtain a temporary building permit.

<u>Implementation</u>

7. Businesses on waterfront lands shall be limited to:

   (1) mobile refreshment stands completely contained within a trailer, motorized vehicle, bicycle, push-cart, approved container or some other non-mechanized means.

   (2) temporary commercial operations completely contained within a trailer, motorized vehicle, bicycle, push-cart, approved container or some other non-mechanized means.

   (3) cultural display activities may be constructed on a temporary basis subject to the approval of the City and Building Permit approval.

8. Mobile refreshment stands may be permitted to operate on Waterfront lands providing all required approvals, licenses and permits have been obtained.

9. Temporary commercial operations may be permitted to operate on Waterfront lands providing all required approvals, licenses and permits have been obtained.

10. Temporary commercial operations and mobile refreshment stands shall not be permitted on any portion of the waterfront other than the site specified in the City's approval.

11. Temporary electrical hook-up shall be allowed, subject to them meeting all applicable codes and regulations.

12. There shall be no overnight parking of a mobile refreshment stand. Approved commercial vendors, craft exhibits or cultural displays are not permitted to remain on location overnight. This provision may be relaxed if the applicant can provide clear justification to City administration as to why overnight setup of the temporary operation, exhibit or display should be allowed.

13. Every operator of a temporary commercial operation or mobile refreshment stand shall be responsible for the supply and maintenance of garbage receptacles and disposal of garbage to an approved disposal site.

14. Every operator of a temporary commercial operation or mobile refreshment stand shall be responsible for maintaining the lands in the vicinity of their operation in a clean litter free and tidy state.

15. Every operator of temporary commercial operations and mobile refreshment stands shall supply proof of valid public liability insurance in the amount of $2,000,000.00.

16. Operation of a temporary commercial operation or mobile refreshment stand shall not interfere with the quiet use and enjoyment of the Waterfront by the public. On-going commercial operation shall not be inferred as a right or entitlement as a result of the termination of this policy.

17. The City may inspect any temporary commercial operation or mobile refreshment stand to ensure compliance with this policy. If non-compliance is found the City has the right to revoke the approval for such use.

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