

***Failure to comply with any component of these Terms and Conditions may result in cancellation of vending permissions and/or termination of Approved Vendor status.***

## **Section 1: General Conditions and Restrictions for All Vendors**

### **Vendor Code of Conduct**

- Vendors will conduct themselves in a courteous and respectful manner towards their employees, customers, and the general public in all of their dealings.
- Vendors will maintain a friendly, professional and courteous attitude towards other business owners including competitive Vendors, City of Edmonton staff and regulatory/enforcement officials.
- Vendors will refrain from any behaviours that interfere with the rights of working/selling opportunities of other Vendors.
- Vendors will refrain from using language, which is offensive, threatening or intimidating to others.
- The Vendor assumes all responsibility for themselves and anyone whom they have hired or otherwise authorized to sell goods or products on behalf of their operation.
- Vendors are not permitted to operate on City Property if they or their employees are under the influence of drugs or alcohol.
- Vending Units must maintain high standards of appearance at all times operating on City Property.
- Vendors will operate vehicles and/or equipment in a safe and responsible manner.
- Vendors acknowledge that the City of Edmonton is not responsible for any lost, stolen or damaged vendor property.

### **Indemnity & Insurance**

- The Vendor shall indemnify and save harmless the City of Edmonton, its employees and agents, from and against all claims, expenses, actions, losses, costs and suits caused by or arising out of, directly or indirectly, the performance of the Vending Permit, or by reason of any matter or thing done by or not done by the Vendor, its employees or agents.
- Upon request the Vendor may be required to show proof of their Commercial General Liability Insurance Certificate per occurrence not less than \$2,000,000.00 (two million dollars) coverage

against bodily injury, personal injury, products and completed operations, and property damage including loss of use thereof. The City of Edmonton must be listed as additional Insured. The certificate of insurance must be endorsed to provide the City of Edmonton with a 30-day advance written notice of cancellation or material change of policy.

- Upon request the Vendor may be required to show proof of their Automobile and/or Non-owned Automobile Liability Insurance on all vehicles owned, operated or licenced in the use or operation of mobile food vending in an amount no less than \$2,000,000.00 (two million dollars).
- No delivery to, or review or approval by, the City of any insurance certificate, insurance policy or other documentation evidencing insurance cover shall limit or relieve the Vendor of their obligations.
- All insurance required from the Vendor shall be Primary and Noncontributory, in Canadian Dollars (or equivalent). The insurance, limits and scope of coverage requested by the City do not define or limit the Vendor's liability to indemnify the City in the event of any type of injury, damage or loss. The City makes no representations as to the adequacy of such insurance, limits and/or scope of coverage.
- The Vendor shall be responsible for the payment of all deductibles and uninsured losses.
- The Vendor must obtain and maintain all necessary federal, provincial and municipal permits, licenses, and safety inspections required to operate a Vending Unit on City of Edmonton property.

## General Compliance

- Only [Approved Vendors](#) may operate on City of Edmonton property.
  - The requirements to become an Approved Vendor are outlined in “[How to Become an Approved Mobile Food Vendor](#)”.
  - All documentation required to become an Approved Vendor must be submitted by email to [vending@edmonton.ca](mailto:vending@edmonton.ca).
  - It is the responsibility of the Vendor to track document expiry dates and ensure that updated documents are submitted in order to maintain Approved Vendor status. Most documents must be resubmitted annually.
- The City of Edmonton, by its authorized representatives, may carry out inspection of the Vending Unit and location at any time for the purpose of determining whether the Vendor is in compliance, including requesting the Vendor to produce copies of any documentation required to be an Approved Vendor.
- Vendors interested in participating in special events and/or festivals must contact the event/festival organizer, Community Services, or see [Civic Events Application Process](#) to learn more.
- Vendors may only operate during the hours of 7 am to 11 pm seven days a week. Vending Units are not permitted to remain overnight and must be removed between 11 pm and 7 am,

including the removal of all related waste, materials, equipment, tow vehicles, etc. Exceptions to these hours may be granted for special events, festivals, etc.

- Vendors must comply with all applicable federal, provincial and municipal laws, ordinances, rules, regulations, bylaws and codes.
- Amenities, accessories, and display areas shall not pose danger or create hazards to pedestrians, cyclists, parked vehicles, or City and utility workers.
- Vendors must ensure all operations and activities comply with the Parkland Bylaw C2202 and the Traffic Bylaw 5590 at all times.
- Vendors and any employees, contractors or volunteers must obey all safety requirements, and not cause damage to any public or private spaces. Operating in public spaces impacts multiple people. The Vendor shall be aware and responsible for keeping their operational area free of any hazards.
- Noise associated with shouting, music or voice application devices must be managed in accordance with Community Standards Bylaw Noise Control Requirements outlined in the Community Standards Bylaw 14600 Part III Section 13-15.
- Controlled substances (alcohol & cannabis) are not allowed to be sold from Vending Units.
- A physical copy of the Business License and AHS Food Handling Permit must be posted in a visible location where the public can easily see it. Business Licences are not transferable or assignable.

### **General Exclusion Zones & Restrictions**

The City of Edmonton reserves the right to identify specific locations within the City where special vending limitations, restrictions or exclusions may apply. ***Vendors that do not comply with such identified locations, or with the exclusions and restrictions below, will be ticketed and removed.***

Vending is **NOT** permitted in the following locations:

- Within 40m of a “brick and mortar” (private property) food establishment, measured from the nearest point of the Vending Unit to the nearest public entrance to the food establishment or entrance of the building in which the food establishment is located.
- Within the parking lots of City owned recreational centers unless otherwise granted permission in writing by Facilities Management.
- Within a radius of two city blocks of a special event or festival, unless the Vendor has been included and approved to participate in the special event or festival.
- Within a radius of two city blocks of any farmers market, including Old Strathcona Farmers Market, unless the Vendor has been included and approved to participate in the farmers market.
- Within a radius of two city blocks of City Hall or Churchill Square, unless the Vendor has been included and approved to participate in a special event or festival at these locations.
- On streets or sidewalks adjacent to, or on the lands of, Law Courts or other provincial or federal buildings (e.g. Legislature grounds, Canada Place).

- On streets or sidewalks adjacent to residentially zoned property or within residential communities, unless:
  - The Vending Unit is continually moving (e.g. a roving ice cream novelty truck or bicycle cart) and does not set up in a stationary location, or
  - The Vending Unit is included in a permitted neighborhood special event.
- Within the Transportation Utility Corridor; this area is administered by Alberta Transportation.
- At Edmonton Transit Centres or LRT Stations; these areas are administered by Edmonton Transit.
- Within 10 meters of an LRT Station pedestrian access point.
- Within 5 meters of a driveway or vehicle access.
- Within 400 meters of any school unless the school has invited the Vendor to their location and written permission has been obtained from the school principal. Proof of permission may be requested.
- Within 5 meters of a bus stop, crosswalk, intersection, fire hydrant, or emergency access route.
- Within any curbside or laneway parking location identified as:
  - No Parking Zones
  - No Stopping Zones
  - Loading Zones
  - Tow Away Zones
  - Accessible Parking Zones
- Within the following restricted EPark locations:
  - EPark Zone 3009 (west side of 108 Street, first 5 stalls North of 99 Avenue)
  - EPark Zone 3010 (east side of 108 Street, first 2 stalls North of 99 Avenue)
  - EPark Zones 3013 & 3019 (both sides of 107 Street south of Jasper Avenue to the Mid-Block Crosswalk)

## **Operational Requirements**

- A Vending Unit cannot be left unattended during business hours.
- Service windows of Vending Units must be oriented towards the sidewalk when parked on City streets, and must not face the street or roadway.
- Do not sell to customers in their vehicles; customers must approach the Vending Unit on foot.
- Vendors must not allow lineups of customers to create obstruction to pedestrians or vehicles.
- Vendors must maintain a minimum unobstructed sidewalk clearance of 2 meters as a passage for pedestrians.
- Vendors must not cause obstruction (in full or in part) to stairways, entryway ramps, sidewalk ramps, doorways, pathways or other points of access. This includes all parts of the vending operation, including the Vending Unit, waste receptacles, signage, patron lineups, etc.
- The Vending Unit must be clean, well-lit, and aesthetically pleasing in appearance and shall not have any lights, sounds or actions which could, in the opinion of the City of Edmonton, be a distraction for motorists and/or pedestrians.
- No shouting, loud music or use of voice amplification.

- Vending Units must be equipped with their own power and water sources.
- Portable generators, when in use, must be 1.5 meters away from vending units (National Fire Protection Association (NFPA) 37 (8.2.3.1)). Generators shall not pose a nuisance to the public, adjacent uses, or businesses. Power cords cannot create a trip hazard and must be removed daily. *Generators are not permitted to be used on City streets.*
- Placement of outdoor storage of any sort is not permitted. Portable tents, stand-alone canopies, furniture or fixtures (tables, chairs, benches, counters, refrigeration units, etc.) are not permitted to be set up.
- Vendors shall make arrangements to provide access to public washroom facilities for their employees.
- Vendors are responsible for obtaining WCB coverage for themselves and their employees.
- A Vendor may be required to move their Vending Unit as directed by Traffic or Parks Operations for safety reasons or if any undesirable operating situation is perceived by the City of Edmonton.

### **Waste Management**

- All Vendors require a Waste Management Plan including information on where Vendors will dispose of any fats, oils and greases, gray-water, garbage and recyclables created by the business.
- Collect and dispose of any garbage and recycling produced directly or indirectly by the vending operation within a 6 meter area of the Vending Location. This includes any packages that may be discarded by the operator or customers. Vendors are required to remove waste associated with their operation from the site.
- Vendors are permitted to have external waste receptacles to serve their patrons, these bins are solely the responsibility of the Vendor to maintain. Waste receptacles must not obstruct the sidewalk or interfere with access/egress to surrounding businesses or properties. Waste receptacles must be regularly emptied and managed by the Vendor, the site must be kept clean.
- Vendors are encouraged to separate waste into three streams: recyclable, food scraps, and general garbage as per Edmonton's 25 year Waste Strategy and Zero Waste Framework.

### **Display Boards and Signs**

Any signs placed on a sidewalk in conjunction with the vending activity shall comply with Bylaw 5590 Signing Conditions List VI Section A including:

- The sign must provide pedestrian clearance and not interfere with pedestrian traffic.
- The sign shall be portable, and are not permitted to be secured, mounted or installed in any way on City Property;
- The sign shall have a maximum sign face of 0.6 metres wide by 1.0 metre high and constructed of a material that is a minimum of 6 millimetres thick;
- The sign shall be constructed of a painted wooden or metal material such that a rigid frame is provided and debris such as torn paper and cardboard is not present;
- Each sign shall be mounted on an A-frame;

- There shall be a limit of one sign per Vending Unit;
- The sign shall be placed in line with street light poles and parking metres so as not to obstruct pedestrian traffic;
- The sign shall be placed within 5 metres of the parked Vending Unit only while the Vending Unit is in operation;
- The sign shall not be located within 2 metres of an intersection; and
- The sign shall not be located on roadways (including paved shoulders), centre medians, medians between main roads and service roads, “pork chop” islands, traffic circles, or any islands/medians separating traffic.

## **Section 2: Conditions and Restrictions for Vending on City Streets (Street Roaming)**

- Street vending is considered roaming and does not give exclusive rights to any location. All street vending is considered first come, first serve, subject to the General Exclusion Zones & Restrictions (above).
- Vending unit trailers must remain attached to the support/tow vehicle when parked on City streets as per Traffic Bylaw 5590. Unhooked trailers on City streets are not permitted.
- The Vendor is responsible for payment of any e-park location(s) utilized for the entire duration of the vending activity. This includes the payment of e-park locations for the Vending Unit as well as any support/tow vehicles attached to the Vending Unit.

## **Section 3: Conditions and Restrictions for Vending on City Sidewalks (Sidewalk Roaming)**

- Sidewalk vending is considered roaming and does not give exclusive rights to any location. All sidewalk vending is considered first come, first serve, subject to the General Exclusion Zones & Restrictions (above).
- Sidewalk vending is restricted to Vending Units meeting the following criteria:
  - Non-motorized carts (including bicycle carts) or small trailers on wheels, that are entirely self-contained and equipped to prepare and/or serve food and/or beverages.
  - The Vending Unit must not exceed 2.5 meters in length and 1.5 meters in height (excluding canopies or awnings)
  - Hitches for trailer-style units must be removable and detached during operating hours.
- Sidewalk vending locations must:
  - Have a hard surface with adequate space to accommodate both vending activities and pedestrian movements; a minimum of 2.0 meters clearance for pedestrian movement is required.
  - Be located such that vending activities do not impact boulevard grass, trees, or shrubbery. No placement of Vending Units on grassed (turf) areas.
  - Be a minimum of 40 meters away from a “brick and mortar” (private property) food establishment.

## **Section 4: Conditions and Restrictions for Vending in City Parks (Parks Roaming)**

- Vending in parks does not give exclusive rights to any location. All park vending is considered first come, first serve, subject to the General Exclusion Zones & Restrictions (above).
- “Parks” (or parkland) in this section includes: named parks, unnamed parks/greenspaces, natural areas, river valley and ravines, City golf courses, sports fields, and the grassed (turf) areas of adjacent boulevards or rights of ways.
- Motorized Vending Units (trucks, or truck/trailer units) are generally prohibited from parking on any grassed (turf) areas unless permitted as part of a special event or festival.
- Vending in the parking lots of parks is permitted, under the following conditions:
  - Parking spaces for most parks are on a first come, first serve basis. Vendors must not obstruct the movement of other vehicles in the parking lot.
  - In this [specified list of high-demand \(FCFS\) parks](#), vendors may ONLY use designated vendor parking stalls (signed and painted), on a first come, first serve basis. Vendors may not operate anywhere else in these high-demand parks.
    - The only exception to this restriction is where a Vending Unit is hosted by a private function at a booked picnic site. The Vending Unit must be listed on the picnic site booking and remain in the parking lot to serve customers, using a regular parking stall instead of a designated vendor stall.
- Vendors are not permitted to operate or park on roadways through parks.
- Self-propelled vending carts (bicycle carts or push carts) may operate in most parks along associated sidewalks or on pathways, under the following conditions:
  - NO self-propelled cart vending in this [specified list of high-demand \(FCFS\) parks](#).
  - Vendors must not operate within 10 meter of a playground, splash park, spray deck, skate park, sports field (e.g ball diamond) or other recreational amenity.
  - Vendors must not obstruct pathways or sidewalks:
    - Only park carts on the side of wide pathways or sidewalks, or
    - Park carts on adjacent turf, taking care not to cause damage.
  - Vendors may only move carts along pathways at safe speeds, and not across turf.