

BY-LAW NO. 2008 - 448

A by-law of the City of Ottawa respecting the licensing, regulating and governing of vending in the Parkdale Market.

WHEREAS Section 113 of the *Municipal Act, 2001*, authorizes a municipality to establish, maintain and operate a farmers' market, a flea market and other similar types of market;

AND WHEREAS section 151 of the *Municipal Act, 2001*, authorizes a municipality to license, regulate and govern any business carried out wholly or partly within the municipality even if the business is being carried on from a location outside the municipality;

AND WHEREAS City Council at its meeting of April 12, 2006, reconfirmed its dedication to the preservation and enhancement of the Parkdale Market as an economic generator, and deemed it appropriate to license, regulate and govern outdoor vendors and other activities to ensure the Parkdale Market will continue to offer residents, tourists and vendors an ideal environment from which a wide variety of fresh farm products and quality arts and crafts are offered for sale through courteous customer service and appropriately labelled products highlighting their origin with an emphasis given to local products and producers;

THEREFORE the Council of the City of Ottawa enacts as follows:

DEFINITIONS

1. In this by-law,

“agrifood” means fruits, vegetables, plants, roots, mushrooms, seeds, cereals, honey products, maple products, horticultural and floricultural products, and when sold by a licensed agrifood farmer/producer includes cereal products, eggs, fish, meat, poultry, game, dairy products and ancillary products thereto;

“agrifood derivative” means a product in which the first ingredient on the label, or a minimum of fifty one percent (51%) of the product by weight measured prior to processing, is an agrifood grown or produced by the farmer or the farmer vendor, but such product shall not be considered agrifood derivative when sold, offered for sale, displayed or exposed for sale by a vendor other than a “farmer” or “farmer-vendor” in accordance with applicable regulations and inspections;

“Agrifood Selection Committee” means the committee established by Council to review, determine, and confirm,

- (a) the qualifications of applicants and licensees in the agrifood category;
- (b) the agrifood and agrifood derivatives intended to be sold, offered or displayed for sale pursuant to an agrifood license “AF-1”, “AF-2” and “AF-3”;

- (c) the percentage of agrifood and agrifood derivatives that are produced by the applicant or licensee, based on documentation and investigations;
- (d) compliance of the applicant or licensee with all applicable regulations, based on criteria prescribed in this by-law, documentation and investigations presented by the applicant, licensee and Markets Manager as the case may be, and issue an endorsement certificate to the applicant if the criteria are met;

“agrifood vendor” means a person who is actively and directly engaged in the production of agrifood totalling less than sixty percent (60%) of all agrifood to be sold or on the Market and who may purchase and re-sell up to one hundred percent (100%) of the agrifood to be sold;

“art and craft” means handmade goods produced or created from raw or basic materials which are changed into a significantly different shape, design, form or function using a special skill or manual art;

“Art and Craft Selection Committee” means the committee established by Council to review, determine, and confirm,

- (a) the qualifications of applicants and licensees in the art and craft category,
- (b) the quality, creativity and production method of art and craft intended to be sold, offered or displayed for sale pursuant to an art and craft license “AC”,
- (c) the percentage of art and craft that are produced by the applicant or licensee,
- (d) the products offer diversity of the art and craft to be sold or offered for sale on the Market; and
- (e) compliance of the applicant or licensee with all related regulations, and based on criteria prescribed in this by-law and documentation and investigations presented by the applicant, licensee and Markets Manager as the case may be, and issue an endorsement certificate to the applicant if the criteria are met;

“artist” means a person who is actively and directly engaged in the production of one hundred percent (100%) of all “art and craft” to be sold or offered for sale from a stand on the Market pursuant to this by-law;

“By-law Officer” means a person appointed by Council to enforce the provisions of this by-law and who may be referred to as an Inspector or Officer;

“Parkdale Market” means the area within the Parkdale Market limits as shown in Schedule “PM”;

“City” or “City of Ottawa” means the municipal corporation known as City of Ottawa or the geographic area of the City of Ottawa, as the context requires;

“Council” means the elected municipal council of the City of Ottawa;

“farmer” means a person actively and directly engaged in the production of one hundred percent (100%) of all “agrifood” and “agrifood derivatives” sold or offered for sale from a stand on the Market pursuant to this by-law, and “agrifood producer” has the same meaning;

“farmer - vendor” means a person actively and directly engaged in the production of “agrifood” totalling sixty percent (60%) or more of the “agrifood” and “agrifood derivatives” offered for sale from a stand on the Market pursuant to this by-law, and “producer - vendor” has the same meaning”;

“Fire Chief” means the Chief of the Ottawa Fire Services of the City or an authorized designate;

“local” means the geographic area of the City of Ottawa, the counties of Prescott Russell, Stormont, Dundas and Glengarry, Leeds and Grenville, Lanark, Renfrew and the Outaouais comprised of the City of Gatineau and the regional county municipalities of Papineau, Les Collines-de-l'Outaouais, La Vallée-de-la-Gatineau and Pontiac;

“license” means the actual license issued under this by-law;

“licensee” means a person licensed under this by-law;

“License Committee” means the committee of council known as the License Committee as established in By-law No. 2002-189;

“market day” means each day the Market is open from 5:00 a.m. of one day to 1:00 a.m. the following day;

“Market” means the Parkdale Market;

“Market Identification Sign” means the sign issued by the Markets Manager that contains the permit holder’s name, address, license category, stand number and permit term;

“Markets Manager” means the person occupying the position of Campus Manager responsible for managing the Parkdale Market in the Real Property and Asset Management Branch of the City, or an authorized designate;

“Market Season” means the period of time commencing on the last Monday in April and ending on the first Monday in November of the same year;

“Market Off-Season” means the period of time commencing on the Tuesday following the Market Season of one year and ending on the Sunday preceding the Market Season of the following year;

“Market Holiday Season” means the period of time commencing on the twenty-fourth of November and ending on the twenty-fourth of December in the same year;

“material” includes tables, chairs, counters, display racks, equipment and packaging;

“Medical Officer of Health” means the Medical Officer of Health of the City or an authorized designate;

“permit” means the actual stand permit issued under this by-law;

“person” means a natural person;

“posted stand” means a stand for which the licensee or permit holder has failed to renew his or her license or Market Season, Market Off-Season, Holiday Season or Monthly permit of the previous license period of the previous term;

“product” means agrifood, agrifood derivative, art and craft and any other goods that are approved for sale on the Market pursuant to this by-law;

“proof of insurance” means a certified copy of a policy of insurance or a Certificate of Insurance that shows proof of liability coverage as required by this by-law and issued by a company authorized to carry on the business of insurance in the Province of Ontario or Quebec, in a form approved by the City Solicitor, and having a provision therein or an endorsement thereon that the Market Manager will be given at least 30 days notice in writing of any cancellation, expiration or variation in the policy;

“Savour Ottawa” means the initiative known as Savour Ottawa;

“special event” includes an event for social, recreational or community purposes;

“stand” means the area of the market as established in Schedule “2” within the Parkdale Market which may be assigned to a licensee or stand permit holder, and may include the following as the context requires,

- (a) “vacant stand”, a stand which has not been assigned by the Markets Manager,
- (b) “daily vacancy”, a stand which is not occupied by the permit holder by the time specified in this by-law, and,
- (c) “occupied stand”, a stand that is actively operated and occupied by the permit holder or an employee or assistant who is registered and by no other licensee or permit holder.

PARKDALE MARKET - ESTABLISHED

2. (1) The outdoor market comprised of the area as set out in Schedule "1", is hereby established by the City and is known as the Parkdale Market.
- (2) The area regulated by this by-law is set out in the shaded area in Schedule "1".
- (3) The stand number and the location of the stands in the Parkdale Market are hereby established as set out in Schedule "2".
- (4) The stand number referred to in subsection (3) and the boundaries of each stand shall be clearly marked at the actual site.

INTERPRETATION

3. (1) This by-law includes the Schedules annexed hereto and the Schedules are hereby declared to form part of this by-law.
- (2) Where the time for doing any act or taking any proceeding expires on a Saturday, Sunday or Public Holiday, the act or proceeding may be done or taken on the next workday.
- (3) Where notice is sent by registered mail, the date of service on the applicant is the date of the next workday following the date of mailing.
- (4) Where any expression of time occurs or where any hour or other period of time is stated the time referred to shall be standard time, provided however, if what is known as "daylight saving time" has been generally adopted in the City for any period of the year, under any statute, order-in-council, by-law, resolution or proclamation, whether the same is effective in law or not, such time shall be the time referred to during such period in any reference to time in this by-law.
- (5) It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

LICENSE COMMITTEE - POWERS AND DUTIES

4. (1) The License Committee is authorized to administer the provisions of this by-law.
- (2) The License Committee is authorized to make the final decision in respect of the revocation or suspension of any license or stand permit issued pursuant to this by-law and the imposition of conditions on any license or stand permit.

- (3) A majority of the three (3) members of the Licensing Committee constitutes a quorum.
- (4) The License Committee, after a hearing, may suspend or revoke any license or stand permit if the conditions for its issuance or use are not complied with or for cause, and without limiting the generality of the foregoing, for,
 - (a) any breach of the law including any violation of the provisions of this by-law,
 - (b) the belief that the person will not carry on or engage in the business in accordance with the law or with honesty and integrity,
 - (c) any other matter which the License Committee is authorized by law to consider, and
 - (d) anything which may be in any way adverse to the public interest.
- (5) The License Committee may suspend a license or associated stand permit for cause as provided for in subsection (4) for any period that is less than the unexpired part of the period for which it was issued in lieu of revocation.
- (6) The License Committee may impose conditions as a requirement of obtaining, continuing to hold or renewing the license or associated stand permit, including special conditions.

MARKETS MANAGER AND OFFICERS - POWERS AND DUTIES

- 5. (1) The Markets Manager is authorized to administer the provisions of this by-law on behalf of the City, including its enforcement, together with such other By-law Officers as may be necessary.
- (2) The Markets Manager is authorized to administer, and supervise the operation of the Parkdale Market including but not limited to undertaking the following duties,
 - (a) require, receive, review, approve and reject license and permit applications,
 - (b) collect the fees prescribed in Schedule “3”,
 - (c) establish permitted activities on the Market,
 - (d) assign unoccupied stands, on a first-come-first-served basis, with no fees for the following purposes,
 - (i) fundraising or community enhancement initiatives for any purpose except profit, by registered charities, charitable organizations and non-profit groups, to be assigned for no more than two days per calendar year where the registered charities, charitable organizations and non-profit groups have provided the Markets Manager with proof of their charitable or non-profit status and Canada Customs and Revenue Agency registration number,
 - (ii) performances by street performers to be assigned by the hour, or,
 - (iii) promoting authors and inventors residing in Ottawa, such spaces to be assigned for no more than four days per calendar year; and,

- (e) when allocating unoccupied spaces pursuant to subsection (d), the Market Manager may impose conditions as a requirement of the use of those spaces.
- (3) In addition to subsection (1), any By-law Officers appointed by by-law of the City as Municipal Law Enforcement Officers pursuant to Section 15 of the *Police Services Act*, R.S.O. 1990, Chap. P.15, as amended.
- (4) Upon receipt of an application referred to in Section 17, the Markets Manager is authorized to make or cause to be made all inspections and investigations required by law or by the City relative to such application.
- (5) The Markets Manager may convene a special meeting with the applicant, licensee or permit holder at such a time and date as requested.
- (6) The Markets Manager may issue such license applied for if the provisions of this by-law are complied with and the Markets Manager may issue the license personally or send it by ordinary mail to the applicant at the address shown on the application.

Suspensions

- (7) The Markets Manager may suspend, without holding a hearing, the license or permit to any or all stands, for the following reasons:
 - (a) the holding of special events;
 - (b) the construction, maintenance or repair of public highways;
 - (c) the installation, maintenance or repair of public utilities and services; or
 - (d) matters relating to pedestrian, vehicular or public safety or public health.
- (8) No suspension effected under subsection (9) shall exceed twenty-eight (28) days from the date of suspension.

Summary Suspensions

- (9) The Markets Manager or By-law Officer may initiate summary suspensions of any license and stand permit or revoke a license or stand permit, assign a licensee or permit holder to another stand in any situation that has resulted or may reasonably be expected to result in an emergency situation or if information is received that would have resulted in the license not being issued and without limiting the generality of the foregoing, these situations may include:
 - (a) where the licensee has breached any law,
 - (b) where the licensee has done anything that is in any way adverse to the public interest,
 - (c) where a motor vehicle used for carrying on of the business under the license is deemed to be mechanically unsafe, including but not limited to body damage with sharp edges, holes in the floor boards, unserviceable

- tires, doors not closing properly, wire protruding from the seat or any other mechanical defect that would render the motor vehicle unsafe,
 - (d) where a cheque is returned marked “NSF” for the payment of a prescribed fee and in such cases, the license or stand permit shall be suspended until the prescribed fee is paid, or
 - (e) where a licensee’s or permit holder’s insurance has expired and he or she continues to carry on business for which the license or permit was issued, in which case the license or permit shall be suspended.
- (10) With respect to a license or permit suspension imposed under subsection (9), the summary suspension may be for a minimum period of twenty-four (24) hours and for a maximum period of fourteen (14) days and if the violation has been corrected after the twenty-four (24) hour period, the license or permit may be reinstated at the discretion of the Markets Manager.
- (11) Prior to suspending a license or permit, the Markets Manager shall provide the licensee or permit holder with the reasons for the suspension either orally or in writing and an opportunity to respond to them.
- (12) The issuing By-law Officer shall advise the Markets Manager of all summary suspensions.
- (13) The Market Manager shall advise the License Committee on an annual basis of all summary suspensions.
- (14) The suspension pursuant to subsection (9) is lifted after the expiration of two weeks from the date of suspension or after the first meeting of the License Committee after the suspension, whichever occurs first.
- (15) In addition to any other penalty, a license or permit issued under the authority of this by-law may be suspended or revoked upon such grounds and in accordance with such procedural provisions as are set out in this by-law.

INSPECTION POWERS

- 7. The Markets Manager is hereby authorized to inspect the stand and any associated equipment or item that is used for the carrying on of the business under the license or the permit.

LICENCES AND PERMITS REQUIRED

- 8. (1) No person shall sell, offer for sale, or display for sale any product within the Market, without first obtaining a valid license or permit, or license and permit of the appropriate category authorising him or her to so do.

LICENSES AND PERMITS AVAILABLE

Licenses

9. The following annual licenses may be issued pursuant to this by-law:
 - (1) Agrifood
 - (a) a License "AF-1" to a Farmer
 - (b) a License "AF-2" to a Farmer-Vendor
 - (c) a License "AF-3" to a Agrifood Vendor
 - (d) a License "FS" to a vendor of firewood, trees, shrubs, sod and soil
 - (e) a License "XD" to a vendor of natural material Christmas boughs, wreaths, garlands and decorations
 - (f) a License "XT" to a vendor of Christmas trees
 - (2) Art and Craft
 - (a) a License "AC" to an Artist.

Permits

10. The following permits may be issued pursuant to this by-law:
 - (a) Market Season Permit for the period between the last Monday in April and the first Monday in November of the same year,
 - (b) Market Off-Season Permit for the period between the Tuesday after the Market Season and the Sunday before the Market Season of the following year,
 - (c) Monthly Permit for the period between the first day of a given month to the last day of the same calendar month,
 - (d) Holiday Season Permit for the period between November 24 and December 24 of the same year,
 - (e) Open Permit as assigned by Markets Manager for any period less than 30 days, and
 - (f) Daily Permit for the market day for which it is issued.
11.
 - (1) Every person vending under a license issued pursuant to this by-law is also required to obtain a permit.
 - (2) A separate permit shall be required for each stand occupied.
12. Every license and permit shall only be valid for,
 - (a) the period, and
 - (b) the stand,
 as indicated on the license or permit as the case may be.

Sharing of Stands by Licensees

13. The Markets Manager may allow more than one licensee to occupy a stand provided that:

- (a) each licensee holds a valid “AF-1” or “AC” license as the case may be,
- (b) all licensees occupying the stand hold valid licenses of the same category,
- (c) no licensee occupying the stand holds a permit for any other stand in the Parkdale Market,
- (d) a permit for the stand is applied for and issued to one of the licensees occupying the stand pursuant to this by-law,
- (e) that the applicant under subsection (d) has provided to the Markets Manager the names of all licensees who will be occupying the stand,
- (f) only a licensee listed on the permit may operate the stand, and the use of any employee, assistant or agent is not permitted, and
- (g) the licensees comply with any other condition that may be imposed by the Markets Manager.

FEES

14. (1) The fees are prescribed in Schedule “3”.
- (2) Any fee paid pursuant to this by-law shall not be refundable if the licensee or stand permit holder, of his or her own volition, does not occupy the assigned stand.

APPLICATION REQUIREMENTS

APPLICATION DEADLINES - LICENSES

15. Every applicant for a license or license renewal for an annual period shall apply no later than March 1.

APPLICATION DEADLINES - PERMITS

16. (1) Every applicant for a Market Season permit or renewal of the permit shall apply no later than March 1 of the year for which the Market Season permit application or renewal is filed.
- (2) Every applicant for a Market Off-Season permit or renewal of the permit shall apply no later than October 1 of the year for which the Market Off-Season permit application or renewal is filed.
- (3) Every applicant for a monthly permit or renewal of the permit shall apply no later than the 15th day of the month that precedes the month for which the monthly permit application or renewal is filed.

- (4) Every applicant for a Holiday Season permit or renewal of the permit shall apply no later than October 1 of the year for which the Holiday Season permit application or renewal is filed.
- (5) Every applicant for an Open Permit shall apply no later than ten (10) days prior to the day the applicant wishes to commence vending.

APPLICATION REQUIREMENTS AND CONDITIONS FOR ISSUANCE OR RENEWAL

- 17. (1) No applicant for a license or permit shall be issued a license or permit, or shall be renewed a license or permit by the Markets Manager under this by-law unless,
 - (a) the applicant applies in person and files a completed application form,
 - (b) the applicant is at least eighteen (18) years of age and has provided satisfactory proof of his or her age,
 - (c) the applicant provides his or her Ontario Sales Tax Number and Goods and Services Tax Number as required, unless the application is for vending only fruits and vegetables,
 - (d) the applicant has paid all related fees as prescribed in Schedule “3”,
 - (e) the applicant has filed proof of insurance coverage in accordance with Section 44,
 - (f) the applicant has indicated on the application,
 - (i) the category of license desired,
 - (ii) the license period desired,
 - (iii) a complete list of items to be sold or offered for sale,
 - (iv) the names of each person who will be employed to assist the licensee at the stand,
 - (g) the applicant has provided additional information as the Market Manager may direct to be furnished,
 - (h) where the application is for a License “AF-1”, “AF-2” or “AF-3” the applicant has provided the Markets Manager,
 - (i) proof of origin of each product,
 - (ii) proof of certification by Savour Ottawa; Farmers’ Markets Ontario or another certifying body accepted by the Agrifood Selection Committee,
 - (iii) proof of primary material purchases supporting items to be sold;
 - (iv) address of the farm; and
 - (v) proof that the Medical Officer of Health has reported that the premises from which agrifood derivatives are prepared is suitable for the type of items sold,
 - (i) where the application is for a License “AC” the applicant has provided the Markets Manager,
 - (i) proof of primary material purchases supporting items to be sold; and
 - (ii) the address of the studio, if any;,,
 - (j) an investigation carried in accordance with subsection 5(4) has revealed,

- (i) the conduct of the applicant affords reasonable grounds for belief that the applicant has not carried on, or will not carry on, his or her business in accordance with the law and with integrity and honesty,
 - (ii) reasonable grounds to believe that the carrying on of the business by the applicant has resulted, or will result, in a breach of this by-law or any other law, or
 - (iii) reasonable grounds to believe that the vending activity may be adverse to the public interest; and
 - (k) where the applicant(s) intend to share a stand, the applicants shall satisfy the requirements of Section 13.
- (2) In addition to subsection (1), an applicant for the following licenses or renewal of such licenses shall provide the Markets Manager with a valid Endorsement Certificate of the appropriate Selection Committee in relation to the agrifoods, arts and crafts s for which the license application has been made,
- (a) License “AF-1”,
 - (b) License “AF-2”,
 - (c) License “AF-3”,
 - (d) License “AC”.
- (2) Despite subsections (1) and (2) the Markets Manager may waive any requirement listed in these subsections where in the opinion of the Markets Manager the requirements of these subsections do not apply.
- (3) The Markets Manager is authorized to impose any additional conditions with respect to the issuance or renewal of a license or permit as he or she deems necessary to ensure public safety.

CONDITIONS AND INVESTIGATIONS FOR ISSUANCE OF LICENSE AND PERMIT

18. An applicant for a license or permit, or the renewal of a license or permit, is, subject to the provisions of this by-law, entitled to be issued the license or permit, except where,
- (a) the applicant has not,
 - (i) completed and submitted the prescribed application forms,
 - (ii) delivered with the application, payment in full of the license and permit fees, as the case may be, as set out in Schedule “3” to be paid in respect of such license or permit, or
 - (iii) complied with the license or permit requirements set out in this by-law for the applicable business,
 - (b) the conduct of the applicant affords reasonable grounds for belief that the applicant has not carried on, or will not carry on, his or her business in accordance with the law and with integrity and honesty,
 - (c) there are reasonable grounds for belief that the carrying on of the business by the applicant has resulted, or will result, in a breach of this by-law or any other law, or

- (d) there are reasonable grounds for belief that the carrying on of the business may be adverse to the public interest or the interest of the market.

ISSUANCE OF LICENSE AND PERMIT

19. (1) If the conditions and investigations referred to in Sections 15, 16, 17 and 18 are complied with and the issuance of the license or permit has been approved, the Markets Manager may issue the license certificate or permit personally or send it by ordinary mail to the applicant at the address shown on the application.
- (2) The License Certificate shall include the following information,
 - (a) name of licensee,
 - (b) address of business,
 - (c) type of license,
 - (d) license Period (inclusive dates),
 - (e) license Reference Number,
 - (f) date of issuance,
 - (g) date of expiration, and,
 - (h) signature of the Markets Manager.
- (3) The permit shall include the following information,
 - (a) name of permit holder,
 - (b) type of permit,
 - (c) address of the business,
 - (d) stand or space identification,
 - (e) permit period (inclusive dates),
 - (f) license reference number if applicable,
 - (g) date issued,
 - (h) date of expiration, and
 - (i) signature of the Markets Manager.
- (4) Where two or more licensees are authorized to occupy a stand pursuant to Section 13 the permit shall be issued in the name of one of the licensees only, but when the application for the permit is made, the name and address of each licensee authorized to occupy the stand shall be set out in the permit.

LICENSE OR PERMIT RENEWAL

20. (1) The provisions of this by-law relating to a license or permit application shall apply, with necessary modifications, to an applicant for the renewal of his or her license or permit.
- (2) An licensee or permit holder who applies for the renewal of his or her license or permit shall,
 - (a) provide to the Markets Manager a signed declaration that all information already on file has not changed, and

- (b) comply with all requirements of this by-law and any other related regulations or Acts.

LICENSE AND PERMIT PERIOD

- 21. (1) Every license or permit issued by the Markets Manager shall be for the period of time shown on the license certificate or permit and shall expire at midnight of the last day indicated on the license certificate or permit.
- (2) Where an error appears on the License Certificate or permit the information shall be corrected by the Markets Manager to reflect the license or permit application and fee payment in accordance with this by-law.

NOTICE OF REFUSAL - LICENSE OR PERMIT

- 22. (1) The Markets Manager shall refuse to issue to the applicant the license or permit applied for if the conditions for issuance in Sections 15, 16, 17 and 18 have not been met.
- (2) The Markets Manager shall give the applicant notice of the refusal to issue the license or permit applied for in writing, said notice to be served personally or by registered mail to the applicant at the address shown on the application.
- 23. If the application for a license or permit or the renewal of a license or permit has been refused or rejected, the Markets Manager shall notify the applicant, licensee or permit holder, as the case may be, of the refusal or rejection, by ordinary mail at the address shown on the application within seven (7) days of the decision.
- 24. The notice referred to in subsection 22 (2) shall include reason for refusal and the appeal process.

APPLICATION FOR REVIEW OF REFUSAL TO ISSUE

- 25. An applicant in receipt of a notice of refusal given pursuant to subsection 22 (2) may, within fourteen (14) days of having been served the notice, apply in writing for a review of the refusal to issue the license or stand permit applied for, by filing the request for the review with the Markets Manager, and the provisions of Section 27 shall apply.

REQUEST FOR REVIEW OF STATUS OF LICENSE OR PERMIT

- 26. The Markets Manager may report to the License Committee any breaches by the licensee or permit holder of this by-law with a request to consider the status of the license or permit.

APPEAL PROCESS

LICENSE COMMITTEE REVIEW HEARING – SET UP

27. The Markets Manager,
- (a) upon receipt of the application for a review referred to in Section 25, or
 - (b) upon reporting to License Committee a breach of this by-law by a licensee or permit holder,
- shall determine a date with the Committee Coordinator of the License Committee for the review hearing by the License Committee which shall be held within fourteen (14) days.

NOTICE OF REVIEW HEARING - LICENSING COMMITTEE

28. (1) Upon determination of the review hearing date, the Markets Manager shall give notice in writing to the applicant, licensee or permit holder, as the case may be, said notice to,
- (a) include a statement,
 - (i) as to the time, date, place and purpose of the review hearing, and
 - (ii) that, if the applicant, licensee or permit holder does not attend the and he or she will not be entitled to any further notice,
 - (b) be served personally or by registered mail to the applicant, licensee or permit holder at the address last on file with the Markets Manager, and
 - (c) where the good character, propriety of conduct or competence of an applicant, licensee or permit holder is an issue, contain reasonable information of any allegations with respect thereto.

HEARING - LICENSING COMMITTEE

29. (1) The License Committee shall hold the review hearing at the time, place and date set out in the notice referred to in Section 28.
- (2) The applicant, licensee or permit holder may be represented at the review hearing by counsel, and the applicant, licensee or permit holder, and his or her counsel, shall have the right to adduce evidence, submit argument in support of the application for a license or permit or the status quo of the license or permit and cross-examine witnesses adverse in interest.
- (3) The City shall be represented at the review hearing by either the Markets Manager or the City Solicitor, who are entitled to adduce evidence and submit arguments in reply to evidence and argument made on behalf of the applicant or licensee.
- (4) At the review hearing, the onus shall be upon the applicant, licensee or permit holder to show cause why,
- (a) the license or permit applied for should be granted,
 - (b) the license or permit should not be suspended or revoked, or
 - (c) conditions should not be imposed on the license or permit.

- (5) All review hearings shall be public hearings unless the applicant, licensee or permit holder requests that the hearing be held in camera and the License Committee may approve the request by a simple majority in accordance with the Statutory Powers Procedure Act, R.S.O. 1990, Chap. S.22, as amended.
- (6) The License Committee's decision shall be final and binding.

LICENSE COMMITTEE - DECISION

30. The License Committee shall give its decision in writing to the Markets Manager within seven (7) days of the date of the completion of the review hearing.

WAIVER OF HEARING

31. Despite any of the provisions of this by-law, any proceedings may be disposed of by a decision of the License Committee given,

- (a) without a hearing, or
- (b) without compliance with any other requirements of the Statutory Powers Procedure Act, R.S.O. 1990, Chap. S.22, as amended, or of this by-law incorporating such requirements,

where the applicant, licensee or permit holder has waived such hearing or compliance.

IMPLEMENTATION OF LICENSE COMMITTEE DECISION

- 32. (1) The Markets Manager shall notify the applicant, licensee or permit holder of the decision by serving a copy personally or by registered mail to:
 - (a) the applicant, licensee or permit holder at the address shown on the application, or last on file with the Markets Manager, or
 - (b) the counsel or agent of the applicant, licensee or permit holder, if any, at the address as stated to the License Committee.
- (2) If the decision rendered is to grant the applicant the license or permit applied for, the license and permit shall be issued.
- (3) If the decision is to suspend or revoke the license or permit, the licensee or permit holder shall within twenty-four (24) hours of service of notice by registered mail, or immediately if the notice is personally served, return the license or permit to the Markets Manager, and the Markets Manager shall have access to any premises or other property of the licensee or permit holder for the purpose of receiving or taking the license or permit.
- (4) If the decision is to impose conditions on the license or permit, the licensee or permit holder shall within twenty-four (24) hours of service of notice by registered mail, or immediately if the notice is personally served, advise the Markets Manager in writing, as to his or her acceptance of the conditions.

NON USE OF SPACE - NO COMPENSATION OR REFUND

33. Any fee paid pursuant to this by-law shall not be refundable if the licensee or permit holder, of his or her own volition, does not occupy the assigned stand or space.

STAND ALLOCATION

Market Season

34. The allocation of stands for the Market Season shall be as follows,
- (a) stands numbered 1 through 39 inclusively shall be allocated to the holder of “AF-1”, “AF-2” and “AF-3” licenses only, except stands numbered 36 through 39 which may also be allocated to the holder of a “FS” license, and
 - (b) stands numbered 40 through 57 inclusively shall be allocated to the holder of “AF-1” and “AF-2” licenses and “AC” licenses only.
35. Every licensee holding a Market Season, Monthly or Open Permit is entitled to a maximum of two (2) stands at any time during the Market Season.

Market Off-Season

36. The allocation of stands for the Market Off-Season shall be as follows:
- (a) Stands numbered 1 through 51 inclusively shall be allocated to the holder of “AF-1”, “AF-2”, “AF-3”, “AC”, “FS”, “XD” and “XT” licenses.
37. Every licensee holding a Market Off-Season, Holiday Season, Monthly or Open Permit is entitled to a maximum of seven (7) stands at any time during the Market Off-Season.
38. The Markets Manager shall allocate stands to licensees and permit holders who have renewed their license and permit in accordance with Sections 15, 16, 17, and 18, and who held the stand’s Market Season, Market Off-Season, or Holiday Season permit for the same term in the previous Season.

Posted Stands

39. The Markets Manager shall declare the availability of posted stands to be allocated on a:
- (a) Market Season basis on the Thursday following Mother’s Day, based on the following priority and Selection Committee results,
 - (i) Market Season permit holders wishing to transfer their permit(s) to the posted stand(s),
 - (ii) holders of “AF-1” licenses,
 - (iii) holders of “AF-2” licenses,

- (iv) holders of “AF-3” licenses,
 - (v) holders of “AC” licenses, and
 - (vi) holders of “FS” licenses; and on a
- (b) Market Off-Season basis on the Thursday following the start of the Market Off-Season, based on the following priority and Selection Committee results,
 - (i) Market Off-Season permit holders wishing to transfer their permit(s) to the posted stand(s),
 - (ii) holders of “AF-1” licenses,
 - (iii) holders of “AF-2” licenses,
 - (iv) holders of “AC” licenses, and
 - (v) holders of “FS” licenses; and on a
- (c) Holiday Season basis on the 15th of November, based on the following priority and Selection Committee results,
 - (i) holders of “XD” licenses,
 - (ii) holders of “XT” licenses,
 - (iii) holders of “AF-1” licenses,
 - (iv) holders of “AF-2” licenses,
 - (v) holders of “AC” licenses, and
 - (vi) holders of “FS” licenses; and on a
- (d) monthly basis on the 15th of the month preceding the month for which the permit is applied for based on the following priority and Selection Committee results,
 - (i) holders of “AF-1” licenses,
 - (ii) holders of “AF-2” licenses,
 - (iii) holders of “AF-3” licenses,
 - (iv) holders of “AC” licenses, and
 - (v) holders of “FS” licenses.

40. Despite Section 5(2), the Markets Manager is also authorized to reserve,
- (a) up to six (6) vacant stands, of the stands numbered 1 through 35 inclusively, for allocation to the holder of Daily Permits or Open Permits who also hold either “AF-1” or “AF-2” Licenses, and;
 - (b) up to six (6) vacant stands of the stands numbered 36 through 57 inclusively , for allocation to holder of Daily Permits or Open Permits who also hold either “AF-1” or “AF-2” Licenses.
41. Every licensee may enter into a Daily Permit on each market day based on the following priority and Selection Committee results,
- (a) holders of “AF-1” licenses that do not have any other form of permit,
 - (b) holders of “AF-2” licenses,
 - (c) holders of “AF-3” licenses, and
 - (d) holders of “AC” licenses.

TRANSFERABILITY OF A PERMIT

42. (1) Subject to subsections (3) and (8), a permit is not transferable in any manner, including by leasing agreement or assignment.
- (2) No person shall transfer a permit in any manner, including by leasing agreement or assignment.
- (3) The permit holder may apply to the Markets Manager to transfer his or her permit, within the permit term, to his or her spouse, son or daughter.
- (4) In the event of the death of a permit holder, the application referred to in subsection (3) may be made by the legal representative of the deceased permit holder and such application may be made after the expiration of the permit term.
- (5) When a person applies for the transfer of a permit under this Section, the person to whom the permit is to be transferred shall comply with the provisions of this by-law as if he or she was an original applicant.
- (6) In the event of an applicant for a transfer being refused by the Markets Manager, the Markets Manager shall give the applicant notice of his or her refusal in writing, said notice to be served personally or by registered mail at the address shown on the application.
- (7) An applicant in receipt of a notice pursuant to subsection (6) may apply in writing to the License Committee for a review of the refusal to issue the transfer applied for by filing with the Markets Manager his or her application for a review and the provisions of Section 22 shall apply in like manner.
- (8) The Markets Manager may transfer a permit if directed to do so by a Court of Law.

TRANSFERABILITY OF A LICENSE

43. A license is not transferable in any manner, including by leasing agreement or assignment.

INSURANCE

44. (1) Every licensee and permit holder shall file with the Markets Manager proof of insurance for public liability in the amount of not less than one million (\$1,000,000.00) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof as related to the operation of the stand allocated.

- (2) The public liability insurance referred to in subsection (1) shall include coverage for,
 - (a) premises and operations liability,
 - (b) products and completed operations liability,
 - (c) cross liability, severability of interest clause,
 - (d) contingent employers liability, and
 - (e) personal injury liability.
- (3) The public liability insurance referred to in subsection (1) shall be in the name of the licensee or permit holder as the case may be and shall name the City as an additional insured thereunder.
- (4) Every licensee and permit holder shall ensure that the insurance required pursuant to this Section shall be kept in force for the period for which the license or permit is in effect inclusive of any renewal.
- (5) No licensee or permit holder who is required to file proof of insurance with the Markets Manager shall fail to maintain in force and to renew the same in a timely manner and to pay the premium due thereon.
- (6) The Markets Manager shall, upon receipt of notice that a policy of insurance is to expire on a stated date, notify the licensee or permit holder that unless further proof of insurance is filed on or before that day, his or her license or permit will be suspended coincidently with the expiration of the policy of insurance.

GENERAL ADMINISTRATIVE AND REGULATORY PROVISIONS

FALSE OR INCORRECT INFORMATION

45. No person shall give false or incorrect information for the purposes of obtaining a license or a permit.
46. No person or licensee shall give false or incorrect information for the purpose of obtaining a particular stand or for the purpose of influencing the stand allocation.

NOTIFICATION OF CHANGES

47. Every licensee and permit holder shall notify the Markets Manager in writing of any change in any of the information contained in, or provided with, the license or permit application within seven (7) days of the change.
48. Every licensee and permit holder shall notify or cause to be notified the Markets Manager in writing within seven (7) days of the happening of the following events,

- (a) any change in the licensee's or permit holder's address or telephone number,
- (b) termination of the business activity,
- (c) retirement,
- (d) any change in the information required under subsections 17 (1)(f)(iii),(iv) and 17(1) (g).

49. (1) In the and case of the death of the licensee or permit holder, the person administering the estate shall notify or cause to be notified the Markets Manager in writing no later than one (1) month after the death.
- (2) If the case of the death of the licensee or permit holder, occurring between license or permit periods, the person administering the estate shall notify or cause to be notified the Markets Manager in writing no later than one (1) month before the application for the renewal of the licence or permit, and such renewal shall also be subject to the provisions of Section 42.

DUTY TO OBTAIN, MAINTAIN AND PRODUCE A VALID LICENSE

50. (1) No person shall sell, offer for sale or display for sale any product, goods, wares or merchandise in the Market without a valid license or permit of the appropriate category authorizing him or her to do so.
- (2) No person, licensee or permit holder shall sell, offer for sale, or display for sale in the Market, any product not indicated on the valid license or permit.
- (3) The license, permit or both as the case may be, referred to in this Section shall:
- (a) be of the appropriate category for the vending,
 - (b) be valid for the period the activity is being performed,
 - (c) be in the name of the licensee or permit holder, and
 - (d) indicate the name of every employee and assistant who is authorized to perform the activities under the license or permit on behalf of the licensee or permit holder.

NO DISCRIMINATION

51. No licensee or permit holder, or employee or assistant of a person licensed under this by-law shall, because of race, colour or creed, discriminate against any other person in the Market.

DUTY TO COMPLY

52. No person shall obstruct, hinder or otherwise interfere with any of the investigations or inspections referred to in this by-law.

53. Every person applying for or holding a license or permit issued pursuant to this by-law shall, in such application or in carrying on or engaging in the business in respect of which the license or permit is issued, be governed by this by-law and observe and comply with all other municipal, provincial, and federal by-laws, statutes and regulations, including but not limited to the *Farm Products Grades and Sales Act*.

54. Where a license or permit has been suspended or revoked, no person shall refuse to deliver the license, permit or both, as the case may be, to the Markets Manager or shall in any way prevent or hinder the Markets Manager from receiving or taking the license, permit or both.

55. Every licensee shall comply with every condition imposed upon the license.

56. Every permit holder shall comply with every condition imposed upon the permit.

57. Every licensee shall, when so requested by the Markets Manager, produce the valid license, permit or both for inspection.

GENERAL REGULATIONS

58. No person shall in the Market, sell, offer for to sell, display, distribute or give any live animal, including any live bird, live fish, or live reptile.

59. No person shall hinder or obstruct the Markets Manager in the performance of his or her duties.

60. No licensee, permit holder or his or her employee or assistant shall occupy any stand or space in the Parkdale Market other than the stand or space referred to on the license or permit issued by the Markets Manager.

ATTENDANCE AT THE MARKET

61. (1) Every licensee is entitled on each market day to the stand identified on his or her license or permit provided that:
- (a) for a stand numbered between 1 and 39 inclusively, the licensee or permit holder occupies the stand before,
 - (i) 8:00 a.m during the Market Season, or
 - (ii) 9:00 a.m. during the Market Off-Season,
 - (b) for a stand numbered between 40 and 57 inclusively, the licensee or permit holder occupies the stand before,
 - (i) 9:00 a.m. during the Market Season, or
 - (ii) 9:00 a.m. during the Market Off-Season,
- and the stand shall be fully set-up and operational within one (1) hour of the times prescribed.

- (2) Despite subsection (1) a licensee or a permit holder shall not be entitled on any market day to the stand identified on his or her license or permit where the Markets Manager has determined that the stand identified on his or her license or permit is not suitable for occupation due to,
 - (a) health or safety reasons,
 - (b) construction, or
 - (c) a special event.
- (3) The Markets Manager shall notify the licensee or permit holder as soon as possible in the circumstances that the stand is not suitable for occupation, and such notice shall,
 - (a) indicate the reason for and the period for which the stand has been deemed unsuitable;
 - (b) be delivered to the licensee or permit holder,
 - (i) directly by hand,
 - (ii) by regular mail to the address shown on his or her most recent license application, or
 - (iii) verbally when such notice can be reasonably given in person at the Parkdale Market, and
 - (c) indicate a suitable alternative location if one is available.
- (4) Every holder of a Market Season stand permit or Monthly stand permit shall, during the Market Season, ensure that the stand is occupied by the permit holder or authorized employee or assistant and that the activity shown on the permit is carried on a minimum of four (4) days per week.
- (5) Every holder of a “AF-3” license who is the holder of a Market Season, Market Off-Season, Holiday Season or Monthly stand permit shall ensure,
 - (a) that the stand is occupied by him or her, and
 - (b) that the activity shown on the permit is carried on a minimum of fifty (50%) percent of the market days during the term of the permit.
- (6) A stand that is not occupied in accordance with subsection 61(1) may be assigned by the Markets Manager for that market day to another qualified licensee.

LICENSEE AND PERMIT HOLDER CONDUCT AND RESPONSIBILITIES

62. Every licensee or permit holder shall,
 - (a) conduct all activities in a peaceable and orderly manner,
 - (b) ensure that no profanity is uttered by him or her or his or her employee or assistant while engaging in the activity under the license or permit,

- (c) ensure that no written material is posted on or about the stand that can be reasonably interpreted as being intended to be racist, sexist, discriminatory or defaming other persons,
- (d) keep and maintain the market identification sign provided by the Markets Manager in accordance with Section 64 on display in the stand, in a location that is readily visible by customers,
- (e) ensure that no product or material are tied to street fixtures including but not limited to fire hydrants, sidewalk refuse containers, parking meters, bicycle racks, sign posts, and light fixtures,
- (f) ensure that no rubbish, garbage or waste material is deposited or permitted to remain on or about the stand,
- (g) ensure that all rubbish, garbage and waste material created by the carrying-on of any vending during his or her use of the stand is removed from the Market at the end of each market day and properly disposed of, and
- (h) ensure that sidewalk refuse containers provided by the City are not used for disposing of rubbish, garbage or waste material created by the licensee, permit holder or his or her employee or assistant during the use of the stand.

USE OF SPACE

63. Every licensee or permit holder who occupies a stand on a market day shall ensure that,
- (a) no vehicle is used as part of the stand,
 - (b) no canopy frame or overhead cover is erected in the stand except as otherwise permitted in Section 66,
 - (c) no product or material are hung or permitted to be hung from the canopy frame or cover except as otherwise permitted in Section 66,
 - (d) no partitions or barriers are erected or permitted to remain in the stand,
 - (e) no material or product extend outside the perimeter of the stand,
 - (f) no display, material or product or collection of material or products exceed one point five (1.5) metres in height,
 - (g) all material and product are removed at the close of vending activity each market day.

SIGNAGE

64. (1) The Markets Manager upon issuing a license or permit may furnish to the licensee or permit holder a Market Identification Sign.
- (2) Every licensee or permit holder shall ensure that the Market Identification Sign issued by the Markets Manager pursuant to subsection (1) is,
- (a) kept and maintained in good condition, and
 - (b) on display in the stand in a location that is readily visible by customers any time the stand is occupied.

65. (1) No person shall display in a stand any sign,
- (a) other than a Market Identification Sign,
 - (b) that advertises a product or service not listed on the stand permit, or
 - (c) that has dimensions which exceed zero point eighteen (0.18) square metres.
- (2) Every holder of a License “AF-1”, “AF-2”, “AF-3”, shall ensure that every sign advertising fruits and vegetables displayed in the stand comply with the *Farm Products Grades and Sales Act*.
- (3) Notwithstanding subsection (1), no person shall display in a stand any sign containing the words: “home-grown”, “farm fresh”, fresh from the farm”, “from our garden”, “from our farm”, “local”, “locally grown” or any similar term unless the products sold or offered for sale in the stand,
- (a) are produced or grown in Ottawa, the counties of Prescott Russell, Stormont, Dundas and Glengarry, Leeds and Grenville, Lanark, Renfrew or the Outaouais,
 - (b) are sold or offered for sale by the holder of a “AF-1”, “AF-2”, “AF-3” License who grew or produced them, and
 - (c) have been certified by Savour Ottawa, Farmers’ Markets Ontario or other certifying body approved by the Agrifood Selection Committee.

STANDS

USE OF OVERHEAD COVERS

66. (1) Every licensee who holds a permit for stands numbered 1 through 39 inclusively shall maintain the canopy frame and cover owned by the City, and shall in no way modify or add to the frame and cover unless such modifications,
- (a) have been approved by the Markets Manager,
 - (b) meet the requirements of the *Ontario Building Code Act*,
 - (c) are kept in a clean condition,
 - (d) are not allowed to accumulate snow, water or other substance on the cover, and
 - (e) are safe and stable at all times.
- (2) Every licensee who holds a permit on stands numbered 40 through 57, may erect, keep and maintain a temporary singular metal canopy frame and overhead cover in the stand provided that the temporary singular metal canopy frame and overhead cover,
- (a) have been approved by the Markets Manager,
 - (b) meet the requirements of the *Ontario Building Code Act*,
 - (c) are kept in a clean condition,
 - (d) are not allowed to accumulate snow, water or other substance on the cover,
 - (e) are safe and stable at all times, and

- (f) are removed at the close of vending activity each market day.
- (3) Every holder of a “A-1”, “A-2” or “A-3” License may hang hanging flower and plant baskets from the frame and overhead cover in the stand provided that the frame has been designed to accommodate the use and meets the requirements of the *Ontario Building Code Act*.

67. No person in conjunction with any vending for which a license or permit has been issued under this by-law, shall: place, cause to be placed or allow to remain any display that exceeds a height of one point five (1.5m) metres as measured from the ground to the top of the display.

OVERNIGHT STORAGE

68. No licensee or permit holder shall leave his or her products or in his or her stand overnight except as provided for in this by-law.

Products, Material and Equipment

69. No licensee or permit holder, other than holder of a “AF-1”, “AF-2”, “AF-3” or “FS” License or the holder of a permit for stands numbered 1 through 39, shall leave product or material, or allow product or material to be left in the stand overnight from the first Thursday in April through the third Monday in November, unless:

- (a) the method of storing and protecting the products or material does not create,
 - (i) a visual obstruction to pedestrian or vehicular traffic, or
 - (ii) a dangerous condition,
- (b) the stored items do not exceed a height of one point five (1.5m) metres measured from the ground,
- (c) the licensee or permit holder occupies the stand the following market day.

70. No licensee or permit holder shall use an external generator of any kind as part of his or her stand unless,

- (a) the Medical Officer of Health has confirmed that a generator is required for the refrigeration of approved agri-food, or;
- (b) the permit holder holds an “AF-1”, AF-2” or AF-3” license and has been approved to sell perishable product, and;
- (c) the permit holder provides to the Markets Manager a report from the Fire Chief confirming that the generator and any associated equipment are suitable for the intended use and in a fire safe condition.

HOURS OF OPERATION

71. No person, licensee or permit holder shall engage in any vending in the Parkdale Market between the hours of 9:00 p.m. and 5:00 a.m. of the following day.

RESPONSIBILITY OF ACTIONS OF EMPLOYEES OR ASSISTANTS

72. Every licensee or permit holder shall be responsible for the act or acts of any of his or her employees or assistants associated with the activity being carried out on the stand in the same manner and to the same extent as though such actions were done by the licensee or permit holder.

OFFENCES AND PENALTIES

73. (1) Every person who contravenes any of the provisions of this by-law is guilty of an offence.
- (2) A person who is convicted of an offence under this by-law is liable to a fine of not less than one hundred dollars (\$100.00) and not more than one hundred thousand dollars (\$100,000.00), as provided for in the Municipal Act, 2001, as amended.
- (3) When a person has been convicted of an offence under this by-law,
 (a) the Ontario Court of Justice, or
 (b) any other Court of competent jurisdiction,
 may, in addition to any other penalty imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.

REPRESENTATION

74. (1) No person shall publish or cause to be published any representation that the person is licensed or is the holder of a valid permit under this by-law if they are not so licensed or do not hold a valid permit under this by-law.
- (2) No person to whom a license or permit has been issued under this by-law shall alter, erase or modify, or permit the alteration, erasure or modification of the license or permit or any part thereof, unless approved by the Markets Manager who has initialled the change.

REPEAL OF OLD OTTAWA'S BY LAW NUMBER 191-95

75. By-law Number 191-95 of the Old Corporation of the City of Ottawa entitled "A by-law of The Corporation of the City of Ottawa respecting the By Ward and Parkdale Markets", as amended, is repealed.

TRANSITION

76. Section 12 of By-Law Number 191-95 of the old Corporation of the City of Ottawa entitled "A by-law of The Corporation of the City of Ottawa respecting the By Ward and Parkdale Markets" shall continue to apply in respect of the allocation and the occupancy of stands on the Parkdale Market until March 31, 2009.

SHORT TITLE

- 77. This by-law may be referred to as the “Parkdale Market By-law”.
- 78. This by-law shall come into force and effect on the day it is enacted.

ENACTED AND PASSED this 10th day of December, 2008.

CITY CLERK

MAYOR

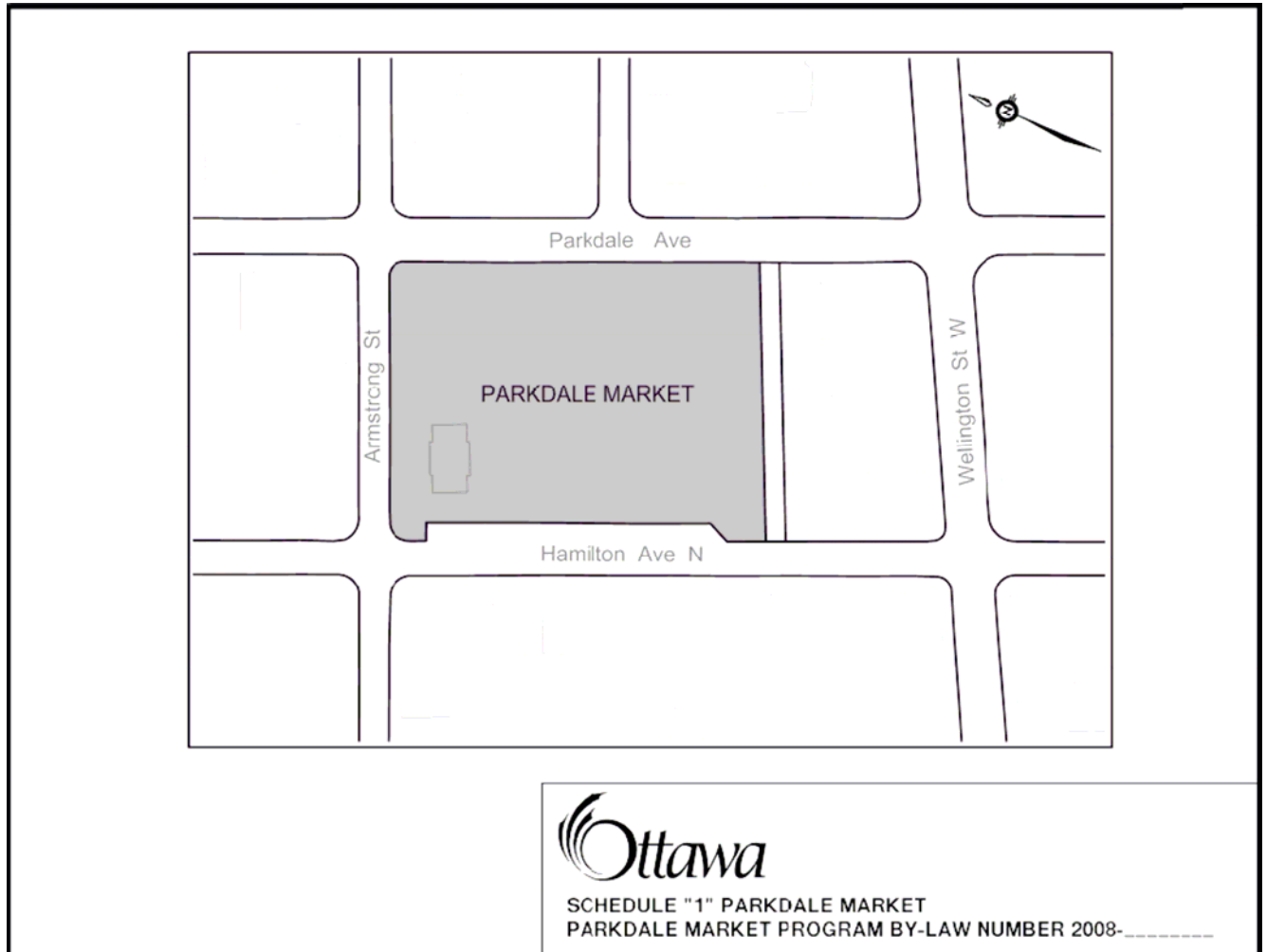
Schedules

Schedule 1 – Parkdale Market

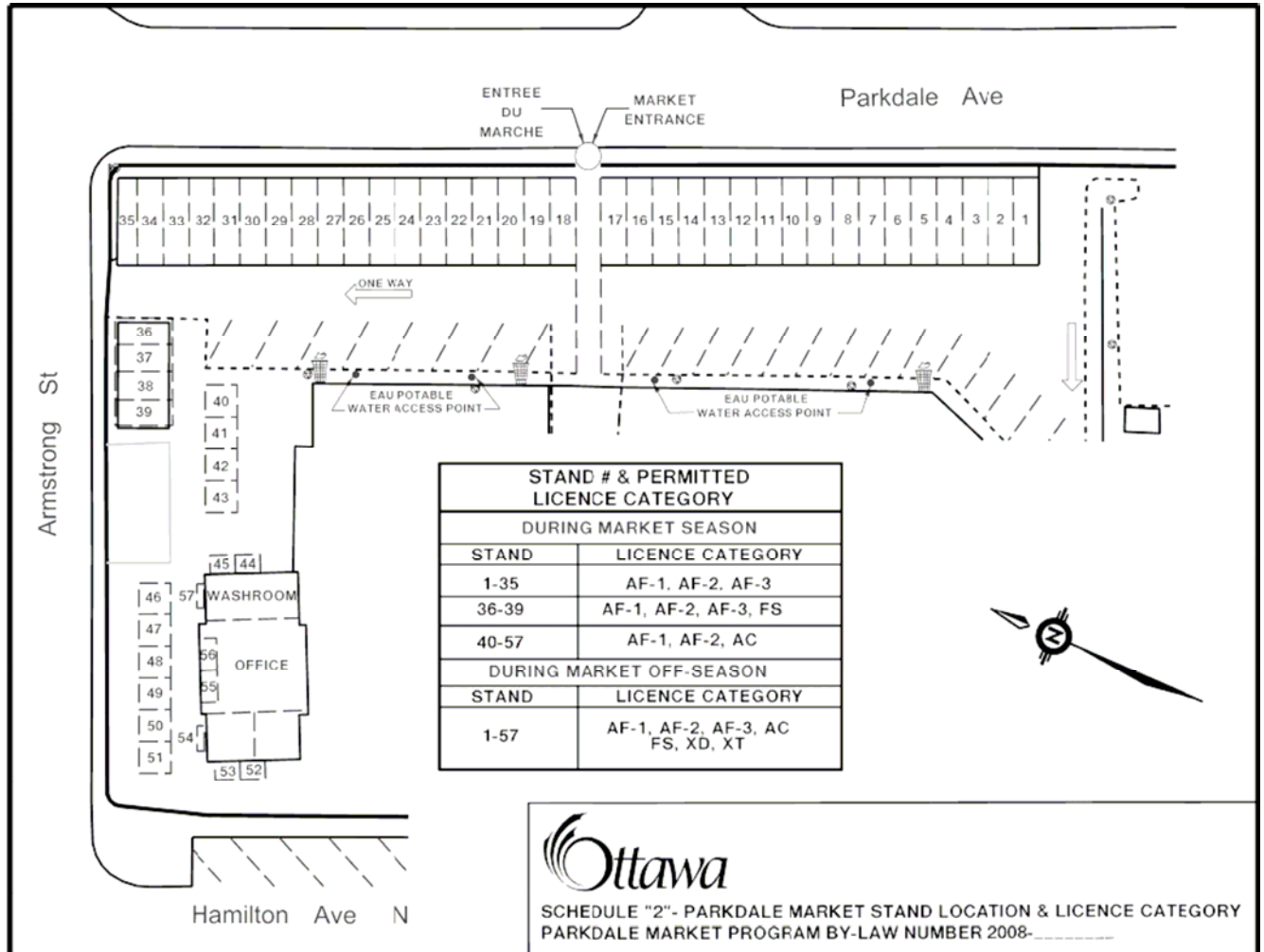
Schedule 2 – Parkdale Market Stand Numbers and Location

Schedule 3 – Parkdale Market Fee Schedule

Schedule 1 – To the Parkdale Market Program By-law
Parkdale Market is the area within the bold lines.



Schedule 2 – To the Parkdale Market Program By-law
The stand locations and identifier.



Schedule 3 – To the Parkdale Market Program By-law

FEE SCHEDULE

Selection Committee Reviews Application Fee

Agrifood	Selection Committee	\$75
Art and Craft	Selection Committee	\$75

LICENSE FEES

License Type	Original -Annual	Renewal - Annual	Expiry
AF-1, AF-2, AF-3, FS, XD, XT	\$150	\$75	March 31
AC	\$150	\$75	March 31

PERMIT FEES

MARKET SEASON PERMITS

Stand Permit Fees

Stand Permit fees shall be calculated by multiplying the stand base fee related to the type of vending activity, by the associated stand size, and premium as applicable.

Vending Activity	Base Fees - Calculations	
Market Season Permit	For the period between the last Monday in April and First Monday in November of the same year	
AF-1, AC, FS	\$1.92 x 6 months x stand size	
AF-2	\$2.88 x 6 months x stand size	
AF-3	\$3.85 x 6 months x stand size	
Market Season Monthly Permit	For the period between the first day of a given month to the last day of the same calendar month, during the Market Season	
AF-1, AC, FS	\$1.92 x stand size	
AF-2	\$2.88 x stand size	
AF-3	\$3.85 x stand size	
Market Season Daily Permit	For day of issuance during the Market Season	
	Monday-Thursday	Friday, Saturday, Sunday, Stat
AF-1, AC, FS	\$12.50	\$25.00
AF-2	\$18.75	\$37.50
AF-3	\$25.00	\$50.00

Open Permit

For any period less than 30 days, calculated based on the Daily Permit fee schedule for the license category for which the permit is applied

Market Off-Season – Permit Fees							
Stand	Stand Size		Fee by Category				Permitted Category
<i>Identification Number</i>	<i>Dimensions</i>	<i>Area in Square Feet</i>	<i>AF-1 FS</i>	<i>AF-2</i>	<i>AF-3</i>	<i>AC</i>	
1-35	8 x 26	208	\$400	\$600	\$800	N/A	AF-1,2,3
36-39	8 x 16	128	\$247	\$369	\$493	N/A	AF-1,2,3, FS
40-43, 46-51	10 x 10	100	\$192	\$288	N/A	\$192	AF-1,2 & AC
44, 45, 52, 53	8 x 6	48	\$92	\$138	N/A	\$92	AF-1,2 & AC
54, 57	8 x 2.66	21.28	\$72	\$107	N/A	\$71	AF-1,2 & AC
55, 56	10 x 6.66	66.60	\$128	\$192	N/A	\$128	AF-1,2 & AC

Market Off-Season – Permit Fees	
Vending Activity	For the period between the first and last day of the same calendar month during the Market Off-Season
AF-1, AC, FS	\$200
AF-2	\$300

Holiday Season – Permit Fees	
Vending Activity	For the period between November 24 and December 24 of the same Permit year
AF-1, AC, FS, XT, XD	\$200
AF-2	\$300

Daily Permits – Market Off-Season - Permit Fees		
Vending Activity	For day of issuance during the Market Off-Season	
	Monday-Thursday	Friday-Sunday-Stat
AF-1, AC	\$10.00	\$20.00
AF-2	\$15.00	\$30.00
AF-3	\$20.00	\$40.00

Open Permits – Permit Fees		
Vending Activity	For any period less than 30 days, calculated based on the Daily Permit fee schedule for the license category the permit is applied for	
	Monday-Thursday	Friday-Sunday-Stat
AF-1, AC	\$10.00	\$20.00
AF-2	\$15.00	\$30.00
AF-3	\$20.00	\$40.00

BY-LAW NO. 2008 - 448

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A by-law of the City of Ottawa respecting
the licensing, regulating and governing of
vending in the Parkdale Market.

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Enacted by City Council at its meeting of
December 10, 2008.

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LEGAL SERVICES

VB/ec G04-01-PARK 1

COUNCIL AUTHORITY:

City Council November 26, 2008

CPSC Report 34, Item 2