

## Request for Decision

### Licensing By-law 2004-350 Amendment

Presented To:	Policy Committee
Presented:	Wednesday, Sep 22, 2010
Report Date	Friday, Sep 03, 2010
Type:	Managers' Reports

### Recommendation

That Council accept this report to complete and adopt the proposed amendment to the Business Licensing By-law 2004-350 which addresses new regulations of "Street Sale Permits" ( sidewalk food vendors ) operating on City of Greater Sudbury properties and right-of-ways:

THAT Council approve the modification of the Business Licensing By-law to limit the operation times of the "refreshment vehicles" to the hours of 8:00 a.m through to 11:00 p.m. of the same day; disallow the location of a "refreshment vehicle" on any City road where the speed limit exceeds 50 km/hr; and require all "refreshment vehicle" operators (owners and cart operators) to obtain a license.

### Finance Implications

There is no budget impact.

## Background

As Council is aware, the City of Greater Sudbury Business Licensing By-law 2004-350 allows the CGS to license and regulate street vendors operating on CGS properties and right-of-ways. Concerns have been raised that the operation of street food vendors in the CGS have disrupted vehicle and pedestrian traffic in both the Downtown area and major roads throughout the City. Complaints have been received regarding parking issues, intersection distractions, vehicle congestion and unsafe pedestrian passage. Meetings held with the Downtown Safety & Security Work Group consisting of various members of the businesses within the Downtown Sudbury BIA, the City of Greater Sudbury Police Force and the CGS By-law Enforcement Department, have raised concerns regarding the operation of the street food vendors near downtown bars. Street food vendors have been operating in the downtown core during early mornign hours and were contributing to the retention of certain elements within the downtown core which were resulting in excessive noise and in a number of instances, altercations requiring Police attendance.

### Signed By

**Report Prepared By**

Dave Brouse  
Acting Manager of Compliance and  
Enforcement

*Digitally Signed Sep 3, 10*

**Division Review**

Guido Mazza  
Director of Building Services/Chief  
Building Official

*Digitally Signed Sep 8, 10*

**Recommended by the Department**

Bill Lautenbach  
General Manager of Growth and  
Development

*Digitally Signed Sep 15, 10*

**Recommended by the C.A.O.**

Doug Nadorozny  
Chief Administrative Officer

*Digitally Signed Sep 15, 10*

Therefore, the Downtown Sudbury BIA has requested that the City modify its Business Licensing By-law to limit the activity of street food vendors operating within the hours of 8:00 a.m. through to 11:00 p.m. of the same day in order to reduce the potential of this activity in the areas around downtown bars at closing time. A letter of support for this is attached as an appendix to this report.

Staff are supportive of this amendment to the Business Licensing By-law, however, are also proposing some additional modifications for the areas outside the downtown core. Due to complaints received concerning street food vendors interfering with traffic and pedestrian flow staff proposes to amend the Business Licensing By-law to also restrict the proximity of refreshment vehicles to major roadways and intersections outside of the downtown core area. Staff also recommends to license not only the owner of the refreshment vehicle but the operator of the said refreshment vehicle (cart) as well.

#### CONCLUSION

The City of Greater Sudbury, through the Business Licensing By-law 2004-350, provides licensing and regulation of various businesses in the CGS. The modification of the by-law would permit tighter regulations to be enforced in order to ensure that street food vendors act responsibly and safely within the City limits. The modified regulations would act as a method to help regulate and promote safer street and sidewalk travel throughout the CGS.

#### RECOMMENDATION

THAT Council accept this report to complete and adopt the proposed amendment to the Business Licensing By-law 2004-350 which addresses new regulations of "Street Sale Permits" ( sidewalk food vendors ) operating on City of Greater Sudbury properties and right-of-ways:

THAT Council approve the modification of the Business Licensing By-law to limit the operation times of the "refreshment vehicles" to the hours of 8:00 a.m through to 11:00 p.m. of the same day; disallow the location of a "refreshment vehicle" on any City road where the speed limit exceeds 50 km/hr; and require all "refreshemnt vehicle" operators (owners and cart operators) to obtain a license.



Downtown Sudbury  
7 Cedar Street, Suite 102  
Sudbury, ON  
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Guido Mazza  
Director of Building Services  
Chief Building Official  
City of Greater Sudbury  
PO Box 5000, STN 'A' 200 Brady St.  
Sudbury, ON P3A 5P3

July 29, 2010

Re: Downtown Food Vendors

Dear Mr. Mazza,

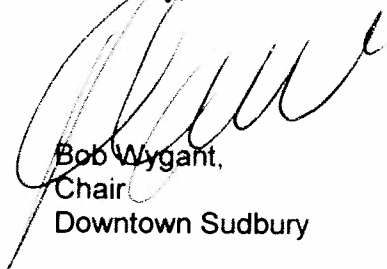
As you are well aware, the downtown food vendors are a serious concern. Please be advised that Downtown Sudbury (BIA) fully supports the proposal of downtown food vendors having a nightly curfew of 10:00pm for the sale of their goods.

The late night food sales of downtown vendors has been the contributing factor in having people loiter and linger in the core, and is providing a gathering point following the closing of the bars. This has inevitably resulted in excessive noise and fighting, which is unacceptable.

The proposal to establish a nightly curfew of 10:00pm for downtown food vendors will play significant role in relieving the pressure and congestion of the hundred of individuals leaving the downtown bar establishments at 2:00am – 3:00am.

Your consideration and assistance in this serious issue is greatly appreciated.

Sincerely,



Bob Wygant,  
Chair  
Downtown Sudbury

**RECEIVED**

JUL 30 2010

OFFICE OF  
CHIEF BUILDING OFFICIAL