

Subject: Special Event Permit Application – DeVries Fruit Farm Mother's Day Market 2023

Recommendation:

BE IT RESOLVED THAT Council receive Report #2023-0061 – Special Event Permit Application – DeVries Fruit Farm Mother's Day Market 2023, for information;

AND THAT Council authorize and direct the Town Clerk to issue a Special Event Permit for the DeVries Fruit Farm Mother's Day Market event on May 13, 2023, subject to the approval of the Town Clerk, Director of Public Works, Director of Community Planning and Development, Fire Chief, and any other applicable agency, upon receipt of satisfactory drawings, plans, permits, or other such documents as requested;

AND THAT the Special Event Permit include any such conditions of approval as requested by the said approval departments and or agencies;

AND THAT Council waive all licensing and fee requirements pursuant to By-Law No. 3186(2011) for craft vendors only in lieu of a \$150.00 Fire Inspection Fee, payable to the Town of Pelham prior to the issuance of the permit.

Background:

On October 17, 2022, Council approved the DeVries Fruit Farm Ltd. Christmas Market event which was held at 823 Canboro Road on December 3, 2022. At the request of the applicant, Council waived all licensing and fee requirements pursuant to By-law No. 3186(2011) in lieu of a \$150.00 fire inspection fee. The event was successfully delivered and did not result in disruptions to the community or Town operations.

The Town of Pelham has received an application from DeVries Fruit Farm Ltd. to host a Mother's Day Market on May 13, 2023, at 823 Canboro Road, Fenwick. The

proposed layout for the event reflects the 2022 Christmas Market event. In addition to the request, the applicant is requesting Council waive all licensing and fee requirements for all craft vendors.

Analysis:

Town staff are in the process of reviewing the application to provide the applicants with submission requirements/conditions to ensure all municipal and regional requirements are met.

The Town Clerk will not issue a Special Event Permit without having received approvals from all necessary agencies required to be circulated.

Staff support waiving the requirement for itinerant sellers licensing and applicable fees for participating craft vendors, with the condition that a \$150.00 fire inspection fee be paid to the Town of Pelham for the fire department to inspect all craft vendor booths the day of the event. By-law No. 3186(2011), being a by-law to license and regulate various businesses, otherwise known as "itinerant sellers", was proposed to regulate seasonal food trucks and persons selling wares and merchandise from outside their place of business. The license fee of \$200.00 (itinerant sellers) and \$250.00 (food trucks) includes a fire inspection, as well as staff time in reviewing various documents, such as: regional health inspections, safety certificates, propane compliance certificates, site plan and liability insurance. An itinerant sellers license is issued to an individual business and is valid for the calendar year.

In its current state, this by-law does not consider temporary craft vendors in the context of pop-up craft markets. Recently, the Region and Town have experienced an influx of pop-up, temporary craft markets. Such craft markets typically see various businesses selling handmade merchandise from a booth for a period of 1–3 days. The many supporting documents required for the issuance of an itinerant sellers license would not be applicable to the participating craft vendors.

The current itinerant sellers licensing process would require an application from each of the 30+ craft vendors, together with the fee of \$200.00. Staff have received feedback from various craft vendors indicating that the fee makes participating in this event, and/or similar events, financially unviable.

Staff note that as part of the special event permit process, staff will receive liability insurance and a site plan for the event from the host. A fire inspection will be conducted the day of the event. Fire department staff support this recommendation and acknowledge that one on-site fire inspection is sufficient. It is also noted that components such as location and time of sale is regulated through the special event permit process.

Staff are currently reviewing By-law No. 3186(2011). It is the intention of staff to bring a revised Itinerant Sellers By-law concurrently with a new Special Event By-law.

Financial Considerations:

The Town requires the applicant to provide a certificate of liability insurance to the Town of Pelham in the amount of \$5 million per occurrence.

The event is held on private property and therefore there are no financial considerations.

Alternatives Reviewed:

Council could direct that no licensing requirements or fees be waived. Should Council desire this approach, an amendment to strike the final paragraph within the recommendation would be required.

Council can direct the Clerk to not issue the Special Event Permit. Having said this, each permit or approval referenced within the application can be obtained independently.

Strategic Plan Relationship: Risk Management

The Town of Pelham requires various permits and licenses to be acquired prior to certain events to ensure the safety of the public. By reviewing such applications and notifying relevant agencies the Town is able to ensure, as best as possible, public safety.

Consultation:

Planning and Development Department
Public Works Department
Fire and By-law Department

Other Pertinent Reports/Attachments:

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Prepared and Recommended by:

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Prepared and Submitted by:

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Chief Administrative Officer