

**Subject:** Proposed Amendment to Business Licensing By-law

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0152 Proposed Amendment to Business Licensing By-law, for information;**

**AND THAT Council approve, in principle, the proposed amendment to Town of Pelham By-law #3186(2011), as presented.**

**Background:**

Town of Pelham By-law #3186(2011) establishes a limited business licensing system that applies to various businesses including food trucks and travelling vendors. The purpose of the by-law is to regulate the operations of vendors with no fixed place of business in Pelham and/or that operate at temporary locations.

As per the Strategic Plan's requirement for staff to develop "new system(s) for special events", staff are developing new by-laws to regulate special events and travelling vendors, which will provide a comprehensive and consistent system to regulate businesses currently subject to By-law #3186(2011). In the meantime, a minor amendment is required to regularize Town operations as set out below.

**Analysis:**

Section 14 of By-law #3186(2011) states:

The sale of refreshments, confections, goods, wares, merchandise, or effects of any kind is prohibited upon any highway or part of a highway or municipally-owned properties within the Town of Pelham.

This provision is necessary to prevent travelling vendors from "*setting up shop*" on Town property. As presently worded, however, it has the unintended consequence of prohibiting such vendors from participating in public or private events held at all Town facilities including the MCC and Peace Park. Consequently, staff recommend that section 14 of By-law #3186(2011) be amended as follows:

The sale of refreshments, confections, goods, wares, merchandise, or effects of any kind is prohibited upon any highway or part of a highway or municipally-owned properties within the Town of Pelham, other than during an event that is hosted, organized or approved by the Town, and provided that the vendor of the said refreshments, confections,

goods, wares, merchandise or effects complies with all applicable requirements of this By-law. (emphasis added)

This amendment will allow the Town to regulate food trucks and travelling vendors that participate in Town events and approved private events at Town facilities.

**Financial Considerations:**

There are no financial considerations associated with the proposed amendment.

**Alternatives Reviewed:**

None.

**Strategic Plan Relationship: Community Development and Growth**

Allowing vendors to operate on Town property with appropriate regulation supports the development and safety of community events.

**Consultation:**

The Clerks Department, the Recreation, Culture and Wellness Department and the By-law Department were consulted in the preparation of this report.

**Other Pertinent Reports/Attachments:**

By-law 41-2024 within Section 14 of the agenda

**Prepared and Recommended by:**

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**Approved and Submitted by:**

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