

**WAIMATE DISTRICT CONSOLIDATED BYLAW 2008****CHAPTER 3****3 TRADING IN PUBLIC PLACES****Scope**

The general purpose of this chapter of the Bylaw is:

- (a) To regulate the conduct of Persons selling goods on streets, Roads, Footpaths, Council property and other Public Places; and
- (b) To regulate the conduct of Persons using Vehicles to sell goods and services to the general public.

**301 Licence required**

- 301.1 No Persons, in any Public Place, shall engage in the sale of goods of any description whatsoever (except as provided in clause 308, Exemptions), without having first obtained a licence from Council.

**302 Application**

- 302.1 Every Person who wishes to sell goods in a Public Place shall make written application to obtain a licence to the authorised Officer of Council. The information to be supplied by the applicant may include, but not be restricted to, the following:
- (a) Name and address of the applicant;
  - (b) Name and address of the Person(s) selling the goods;
  - (c) The location/site or place of trading;
  - (d) The contact telephone number of the applicant;
  - (e) The type of goods for sale;
  - (f) The times which it is proposed the goods are to be sold;

- (g) The type of Vehicle(s) and registration numbers if applicable;
- (h) Evidence of good character.

### **303       Licence details**

303.1       The authorised Officer in granting any licence may impose conditions. The conditions imposed may include, but shall not be restricted to, any of the following:

- (a) Time and place
- (b) Duration of the licence
- (c) Location
- (d) Types of goods for sale
- (e) Area available for sale
- (f) Persons entitled to sell
- (g) Safety and hygiene requirements
- (h) Use of signage
- (j) Use of musical chimes or other audible devices for attracting customers
- (k) Litter, cleanliness
- (m) Name and address to be conspicuously displayed
- (n) Site rental

### **304       Fees**

304.1       Council may by resolution, passed after consultation as part of the Long Term Council Community Plan or the Annual Plan, prescribe fees for licences and/or site rentals. Fees may differ for any class of licence as prescribed.

**305            Production of licence**

- 305.1            Every licence holder shall at all times when engaged in the sale of goods, carry a licence and show the licence to any authorised Officer on demand.
- 305.2            Every licence holder shall, notwithstanding the conditions of the licence, upon being requested to do so by an authorised Officer alter his/her position for sales to any other position as indicated by the authorised Officer.

**306            Conditions of licence**

- 306.1            Every Person commits an offence under this chapter of the Bylaw who does not trade in compliance with any of the conditions of a licence issued by Council.

**307            Licence not transferable**

- 307.1            A licence issued under this chapter of the Bylaw shall not be transferable to any other Person.

**308            Exemptions**

- 308.1            The exemptions allowed under this chapter of the Bylaw are as follows:
- (a)            Service delivery Vehicles including milk vendors;
  - (b)            Any market, stall or stand which has a current approval under any other Bylaw, legislation, resource consent or specific resolution of Council.

**Where the District Plan has rules and policies on Trading in Public Places, those rules and policies have precedent.**