



## Policy ADMIN-02-2021

# Refreshment Vehicle Use on Township Property

**Implemented:** April 21, 2021

**Review Date:** April 2023

### References and Related Documents:

- Township Zoning By-law 2020-020
- Township Refreshment Vehicle Licensing By-law 41-2002, and amending By-law 2018-007

### Policy Statement

The Township of Georgian Bluffs (Township) recognizes that refreshment vehicles (also known as food trucks) are a popular and growing segment of the food landscape and that they attract business from residents and tourists alike. It also recognizes that food truck operators may wish to seasonally conduct business on select Township-owned properties, and this requires an approvals process that originates at the Clerk's office and that is simple, fair and transparent.

### Purpose and Scope

This policy will compliment Township Refreshment Vehicle Licensing processes, as defined by Refreshment Vehicle Licensing By-law 41-2002, and amending By-law 2018-007.

This policy, and the processes therein, will be applicable to any use of refreshment vehicles on Township property. It is recognized that the areas of use as defined in 'Appendix A' to this policy are preferred locations throughout the Township, however, upon expression of interest, the Township may permit use of other Township-owned properties, at the Township's discretion.

### Definitions

Further to Township Refreshment Vehicle Licensing By-law 41-2002, and amending By-law 2018-007:

**Refreshments:** food or drink.

**Refreshment Vehicle:** any vehicle from which refreshments are sold for consumption of the public and shall include a motor vehicle, motor assisted bicycle, trailer, unmotorized vehicle, bicycle, and any other vehicle drawn, propelled, or driven by any kind of power, including muscular power.

**Motor Vehicle:** Shall mean any vehicle powered by a motor and equipped to travel on roads, but shall not include a farm tractor, self-propelled implement of husbandry, road building machines, motorcycle or motor assisted bicycle.

## Policy Requirements

### Section 1 – Lease of Lands

#### 1.1 Lease

- 1.1.1 Use of Township-owned property by refreshment vehicles, will be accommodated by a formal lease agreement between the business owner and the Township.
- 1.1.2 The Township may establish fees for said lease and said lease shall only be recognized on a seasonal basis, from May 1st to October 31st each year. Leases shall not be available during the winter months, from November to April.
- 1.1.3 The Township shall not be responsible for provision of facilities and utilities at the leased property, including, but not limited to, washrooms, hydro, water, etc.
- 1.1.4 Business owners are expected to use Township property respectfully and maintain the lands in good repair, including removal of garbage and litter in the leased space. Should an operator be deemed to be misusing Township property, and leaving the lands in disrepair, the Township reserves the right to terminate the lease and remove rights of use of Township property.
- 1.1.5 Where the leased land is owned jointly between the Township and any other organization, the lease fees will be shared jointly.
- 1.1.6 All refreshment vehicles wishing to enter into a lease agreement with the Township, for use of Township-owned property, must hold a valid, current Refreshment Vehicle Licence with the Township of Georgian Bluffs. Said licence must be valid throughout the entire duration of the lease.

### Section 2 – Procedures

#### 2.1 Expression of Interest

- 2.1.1 The Township will invite and review expressions of interest to lease Township-owned property for use of refreshment vehicles on an annual basis in February and March.
- 2.1.2 Business owners shall indicate their interest by completing a virtual application available on the Township website.
- 2.1.3 Allocation of Township properties for lease will be completed at a first come, first served basis.
- 2.1.4 The Township maintains that an expression of interest does not guarantee use of Township-owned properties.

## 2.2 Approval Process

- 2.2.1 The Clerks Department will facilitate collection and review of annual licences and expressions of interest.
- 2.2.2 Upon closure of interest expressions, the Clerk will evaluate all applications in consultation with the Township Management Team.
- 2.2.3 The Township will review available locations on an annual basis to determine and assess impacts of use by refreshment vehicles to regular usage at desired locations. Should use by refreshment vehicles negatively impact the regular use (ie: impacts on parking for emergency vehicles; special events; planned construction; other concerns), the Township reserves the right to remove use of any location to use of refreshment vehicles.
- 2.2.4 Following approval, the Clerks Department will prepare and circulate a lease agreement to the business owners for signing. The Mayor and Clerk shall sign all lease agreements on behalf of the Township.

## 2.3 Use of Township Property

- 2.3.1 All lessees are expected to use Township-owned property respectfully and leave the lands in good repair. Should an operator be deemed to be misusing Township property, and leaving the lands in disrepair, the Township reserves the right to terminate the lease and remove rights of use of Township property.
- 2.3.2 The Township reserves the right to determine the location of a refreshment vehicle on any Township property. The Township also reserves the right to determine the location of (or limit the use of) additional signage, garbage receptacles, and other equipment subject to space availability or other concerns.

2.3.3 Only one refreshment vehicle may be parked at a location at any given time. Special events shall be the only deemed exception and shall be at the discretion of the Township.

## 2.4 Consultation

2.4.1 Where the Township jointly owns lands with another organization, the Township shall receive written consent to lease lands for use of refreshment vehicles from the joint owner.

2.4.2 The Township shall make every effort to notify and circulate any applicable agencies on all applications, including, but not limited to the Ministry of Transportation, County of Grey, etc.

## Monitoring and Review

The Clerk's Department is responsible for the administration and maintenance of this policy, including a detailed review every 2 years.

## Appendix A – Preferred Locations for use by Refreshment Vehicles

**Appendix A – Preferred Locations for use by Refreshment Vehicles**

Big Bay Beach Area

Balmy Beach Baseball Park

Sarawak Family Park

Shallow Lake Community Centre

Derby Community Centre

Kemble Community Centre

Township Administration Offices