



Our reference
F19/13/03-D21/26182

17 August 2021

Policy and Services Committee - Hearing

Notice is hereby given that the **Policy and Services Committee Meeting** will be held in the **Council Chambers, Stratford District Council, Miranda Street, Stratford** on **Tuesday 24 August 2021 at 2.30pm** to hear and consider submissions to the Mobile or Travelling Shops Bylaw 2021.

Timetable for 24 August 2021 as follows:

| | |
|---------|--|
| 12noon | Lunch for Councillors |
| 12.30pm | Workshop for Councillors - 3 waters reform |
| 2.15pm | Afternoon tea for Councillors |
| 2.30pm | Policy & Services Committee Meeting – Hearing - Mobile or Travelling Shops Bylaw 2021 |
| 3.00pm | Policy & Services Committee Meeting |

Yours faithfully

Sven Hanne
Chief Executive

2021 - Policy and Services - 24 August 2021 (Hearing - Mobile or Travelling Shops Bylaw)

24 August 2021 02:30 PM - 03:00 PM



TE KAUNIHERA Ā ROHE O
WHAKAAHURANGI
STRATFORD
DISTRICT COUNCIL

| Agenda Topic | Page |
|--|-------------|
| Notice of Meeting | 1 |
| Agenda | 3 |
| 1. Welcome | 5 |
| 2. Apologies | |
| 3. Announcements | |
| 4. Declarations of Members Interest | |
| 5. Attendance Schedule | 6 |
| 6. Acknowledgement of Submissions | |
| 7. Submitters To Be Heard | |
| 8. Decision Report - Adoption of the Mobile or Travelling Shops Bylaw 2021 | 7 |

AGENDA

Policy and Services Committee



F19/13/05 – D21/29688

Date: Tuesday 24 August 2021 at 2.30PM
Venue: Council Chambers, 63 Miranda Street, Stratford

To hear and consider submissions to the Draft Mobile or Travelling Shops Bylaw 2021

1. [Welcome](#)

Health and Safety Message

2. [Apologies](#)

3. [Announcements](#)

Speakers to Submissions

The Chairman welcomes everyone to the Policy & Services Committee meeting. It is reinforced to Councillors that the purpose of this meeting is to hear submissions on the Mobile or Travelling Shops Bylaw.

4. [Declarations of members interest](#)

Elected members to declare any real or perceived conflicts of interest relating to items on this agenda.

5. [Attendance Schedule](#)

Attendance schedule for Policy and Services Committee meetings, including Hearings.

6. [Acknowledgement of Submissions](#)

D21/27700 Page 13

Attached is the one (1) submission received.

Recommendations

1. THAT the submission to the Draft Mobile or Travelling Shops Bylaw 2021 be received.
2. THAT the submitted be advised of the outcome of their submission and notified that the minutes of the Policy and Services Committee Meeting, and subsequent meetings, are available on Council's website.

Recommended Reason

So that each submission is formally received and the submitter provided with information on decisions made.

/
Moved/Seconded

7. Submitters To Be Heard

There were no submitters requesting to be heard.

8. Decision Report – Adoption of the Mobile or Travelling Shops Bylaw 2021
D21/29128 Page 7

Recommendations

1. THAT the report be received.
2. THAT the Committee consider the submission received as part of the public consultation process of the bylaw and the subsequent adoption of the draft Mobile or Travelling Shops Bylaw 2021 (attached).
3. THAT the commencement date of the Mobile and Travelling Shops Bylaw 2021 be Wednesday 15 September 2021.

Recommended Reason

The draft Mobile and Travelling Shops Bylaw 2021 has gone through the public consultation process, required by Sections 82 and 83 of the Local Government Act 2002. One submission was received during the public consultation period.

/
Moved/Seconded



Our reference
F19/13/03-D21/26210

Health and Safety Message

In the event of an emergency, please follow the instructions of Council Staff.

Please exit through main entrance.

Once you reach the footpath outside please turn left and walk towards the Bell tower congregating on lawn outside the Council Building.

Staff will guide you to an alternative route if necessary.

If there is an earthquake – drop, cover and hold where possible. Stay indoors till the shaking stops and you are sure it is safe to exit or remain where you are until further instruction is given.

5. Attendance schedule for 2021 Policy and Services Committee meetings.

| Date | 26/01/21 | 23/02/21 | 23/02/21 | 23/03/21 | 27/04/21 | 27/04/21 | 18/05/21 | 25/05/21 | 22/06/21 | 27/07/21 | 24/08/21 | 24/08/21 | 28/09/21 | 26/10/21 | 23/11/21 |
|-----------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Meeting | PS | H | PS | PS | H | H | H | PS | PS | PS | H | PS | PS | PS | PS |
| Neil Volzke | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | |
| Grant Boyde | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | |
| Rick Coplestone | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | |
| Peter Dalziel | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | A | ✓ | A | ✓ | | | | | |
| Jono Erwood | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | |
| Amanda Harris | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | |
| Alan Jamieson | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | |
| Vaughan Jones | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | |
| Min McKay | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | |
| John Sandford | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | |
| Gloria Webby | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | | | |

| Key | |
|------|--|
| PS | Policy & Services Committee Meeting |
| H | Hearing (heard by Policy & Services Committee) |
| EM | Emergency Meeting |
| ✓ | Attended |
| A | Apology/Leave of Absence |
| AB | Absent |
| S | Sick |
| (AV) | Meeting held, or attended by, by Audio Visual Link |

DECISION REPORT



F19/13/04 – D21/29128

To: Policy and Services Committee
From: Environmental Health Manager
Date: 24 August 2021
Subject: Adoption of the Mobile or Travelling Shops Bylaw 2021

Recommendations

1. THAT the report be received.
2. THAT the Committee consider the submission received as part of the public consultation process of the bylaw and the subsequent adoption of the draft Mobile or Travelling Shops Bylaw 2021 (attached).
3. THAT the commencement date of the Mobile and Travelling Shops Bylaw 2021 be Wednesday 15 September 2021.

Recommended Reason

The draft Mobile and Travelling Shops Bylaw 2021 has gone through the public consultation process, required by Sections 82 and 83 of the Local Government Act 2002. One submission was received during the public consultation period.

/
Moved/Seconded

1. Purpose of Report

- 1.1 The Committee reviewed the draft Mobile or Travelling Shops Bylaw 2021 on 22 June 2021, and released the bylaw for public consultation on 13 July 2021.
- 1.2 The purpose of this report is for the Committee to consider the submission received and recommend any amendments to the draft Mobile or Travelling Shops Bylaw 2021 and subsequent adoption.

2. Executive Summary

- 2.1 The Local Government Act 2002 along with various other legislation allows the Council to make bylaws for the control of trading in public places.
- 2.2 The intent of the bylaw is to regulate trading activities and the conduct of persons selling goods on streets, roads, footpaths and public places. The bylaw sets general and specific conditions for trading in public places to ensure that appropriate standards of health and safety, pedestrian, vehicle access and visual amenity are maintained.
- 2.3 As a result of the bylaw review, the draft Mobile or Travelling Shops Bylaw 2021, would become a stand-alone document, as opposed to its previous consolidation with the other Council Bylaws.

3. Local Government Act 2002 – Section 10

| | | | |
|--|-----------------|----------------------|-----------------|
| Under section 10 of the Local Government Act 2002, the Council's purpose is to "enable democratic local decision making by and on behalf of communities; as well as promoting the social, economic, environmental, and cultural well-being of communities now and into the future" | | | |
| Does the recommended option meet the purpose of the Local Government 4 well-beings? And which: | | | Yes |
| Social | Economic | Environmental | Cultural |
| ✓ | | ✓ | |

This Bylaw is for the performance of a good quality regulatory function and public service.

4. Background

- 4.1 The Stratford District Council's Mobile and Travelling Shops Bylaw 2008, ("the current Bylaws") lapsed in July 2018. The Local Government Act in Section 159 requires that the Council review its bylaw no later than 10 years after it was last reviewed.
- 4.2 Section 160A allows a Bylaw to continue in its effect, no more than 2 years after the date on which the bylaw should have been reviewed. Therefore, the draft Mobile or Travelling Shops Bylaw 2021, was required to be adopted by July 2020. However, due to COVID-19, Local Government New Zealand suspended the provision that automatically revokes bylaws if they were not reviewed within the required period. The provision by Local Government New Zealand to extend the timeframe expired on 30 June 2021. The draft Mobile or Travelling Shops Bylaw was reviewed by the Council on 22 June 2021 and released for public consultation.

5. Consultative Process

5.1 Public Consultation - Section 82

The review of the bylaw was subject to the Special Consultative Procedure. This has been completed.

Public consultation was advertised on the Council's website and public notification appeared in the Stratford Press on 14 July 2021. This submission period closed on 14 August 2021.

In addition to the community notification of the draft bylaw, the Stratford Business Association, the NZ Police and Waka Kotahi NZ Transport Agency were notified of the draft bylaw proposal. One submission has been received from Waka Kotahi NZ Transport Agency.

The submission from Waka Kotahi NZ Transport Agency is in support of the draft bylaw, and in addition the agency has made the following recommendations:

| Submission | Name |
|---|-------------------------------|
| 1 | Waka Kotahi NZ Land Transport |
| <ul style="list-style-type: none"> - The agency supports section 7 of the bylaw which notes: <i>Note: No trading of any kind is to be undertaken on a State Highway located within the Stratford District without the permission of the appropriate agency.</i> - The agency support the exemptions under section 16 of the bylaw and seek additional wording to ensure exemptions do not apply to state highways. - The agency seek the inclusion of a new section that specifies there is no trading from a state highway with a posted speed limit of 70km/hr or above. - The agency suggest that in addition to the Local Government Act 2002, the bylaw is made under the Land Transport Act 1998, to provide a clear pathway for Waka Kotahi NZ Land Transport to delegate powers of control to the Council so it may enforce the bylaw over the state highway corridor. | |
| <p>Staff Comment:</p> <p>Staff support Waka Kotahi NZ Transport Agency's submission. The submission, including recommendations provide support from the agency and provide delegation of powers to the Council to enforce the bylaw over the state highway corridor.</p> <p>As a result of the submission, staff recommend the following updates to clauses within the bylaw:</p> <p>The following note be added to Exemptions (clause 16) of the bylaw:</p> <p style="text-align: center;"><i>Note: Exemptions do not apply to state highways within the Stratford District.</i></p> <p>The submission notes an amendment to the bylaw to include no trading on state highways with a posted speed limit of 70km/hr and above. We suggest this could be included by updating the wording at clause 7 to read:</p> <p style="text-align: center;"><i>Note: No trading of any kind is to be undertaken on a State Highway and includes areas posted with a speed limit of 70km/hr and above without the permission of the appropriate agency.</i></p> <p>To support the above amendment, we suggest the definition for the Stratford District under clause 6 be updated to include all state highways within the district as follows:</p> <p style="text-align: center;"><i>"Stratford District"</i> means the territory defined in Schedule 1 and includes state highway 3 and state highway 43 within the Stratford District.</p> <p>The submission also request the bylaw be made in conjunction with the Land Transport Act 1998, as this will establish a clear pathway for Waka Kotahi to delegate powers to the Council. Section 22AB(zi) of the Land Transport Act 1998 allows road controlling authorities to make bylaws for traders and travelling shops on state highways. We suggest the scope of the bylaw be updated to include the Land Transport Act 1998.</p> | |

5.2 Māori Consultation - Section 81

There are no specific issues concerning Māori in the consideration of the bylaw review, Iwi consultation was not undertaken in this instance.

6. Risk Analysis

| |
|--|
| Refer to the Council Risk Register - available on the Council website. |
| <ul style="list-style-type: none"> Does this report cover any issues that relate to any risks on the Council Risk Register, and if so which risks and what are the impacts and likelihood of eventuating? Does this report cover any issues that may lead to any new risks that are not on the Council Risk Register, and if so, provide some explanation of any new identified risks. Is there a legal opinion needed? |

- 6.1 Having a bylaw enables the Council to act on complaints and provides for a safe and healthy environment for the community.
- 6.2 Failure to adopt this bylaw would come under Risk 4 of the Stratford District Council's Risk Register – Compliance and legislation – Bylaws and Policies.

7. Decision Making Process – Section 79

7.1 Direction

| | Explain |
|--|--|
| Is there a strong link to Council's strategic direction, Long Term Plan/District Plan? | The Long Term Plan includes a commitment to performing regulatory services cost effectively. This bylaw would support that commitment and an affordable quality service. |
| What relationship does it have to the communities current and future needs for infrastructure, regulatory functions, or local public services? | The bylaw would support the community's need for a well- resourced regulatory function relating to the control of activities in public places. |

7.2 Data

| |
|--|
| <ul style="list-style-type: none"> Do we have complete data, and relevant statistics, on the proposal(s)? Do we have reasonably reliable data on the proposals? What assumptions have had to be built in? |
|--|

Data on the application of the current bylaw is based mostly on Officer's experience applying the current bylaw. In addition, bylaws from other Councils are readily available and have informed recommendations about proposed amendments to their bylaws.

7.3 Significance

| | Yes/No | Explain |
|---|--------|---|
| Is the proposal significant according to the Significance Policy in the Long Term Plan? | No | |
| Is it: <ul style="list-style-type: none"> considered a strategic asset; or | No | While the bylaw itself is not a strategic asset, it applies to activities that encroach or take place on public places, roads and reserves that are owned, operated and maintained by Council |
| <ul style="list-style-type: none"> above the financial thresholds in the Significance Policy; or | No | |
| <ul style="list-style-type: none"> impacting on a CCO stakeholding; or | No | |
| <ul style="list-style-type: none"> a change in level of service; or | No | |

| | | |
|---|----|--|
| • creating a high level of controversy; or | No | |
| • possible that it could have a high impact on the community? | No | |

| | | |
|---|---------------|------------|
| In terms of the Council's Significance Policy, is this proposal of high, medium, or low significance? | | |
| High | Medium | Low |
| | | ✓ |

7.4 Options

| |
|---|
| <p>An assessment of costs and benefits for each option must be completed. Use the criteria below in your assessment.</p> <ol style="list-style-type: none"> 1. What options are available? 2. For each option: <ul style="list-style-type: none"> • explain what the costs and benefits of each option are in terms of the present and future needs of the district; • outline if there are any sustainability issues; and • explain if the outcomes meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions? 3. After completing these, consider which option you wish to recommend to Council, and explain: <ul style="list-style-type: none"> • how this option is the most cost effective option for households and businesses; • if there are any trade-offs; and • what interdependencies exist. |
|---|

Option 1:

The Committee adopts the draft Mobile or Travelling Shops Bylaw 2021 with recommended changes by the Waka Kotahi NZ Transport Agency.

Option 2:

The Committee adopts the draft Mobile or Travelling Shops Bylaw 2021 with no changes.

Option 3:

The Council has no bylaw and relies on limited legislation to enforce activities on public places.

Council officers' support **Option 1**.

Waka Kotahi NZ Transport Agency's submission clarifies trading on state highways and delegates powers of control to the Council for state highways within the Stratford District. In addition, the bylaw supports the Council's ability to monitor and enforce safe trading activities in public places. Not having a bylaw could see an increase in unsafe and nuisance activities in public places.

7.5 Financial

| |
|---|
| <ul style="list-style-type: none"> • Is there an impact on funding and debt levels? • Will work be undertaken within the current budget? • What budget has expenditure come from? • How will the proposal be funded? eg. rates, reserves, grants etc. |
|---|

The adoption of the draft Mobile or Travelling Shops Bylaw 2021 has no impact on funding and debt levels.

7.6 **Prioritisation & Trade-off**

Have you taken into consideration the:

- Council's capacity to deliver;
- contractor's capacity to deliver; and
- consequence of deferral?

There is no impact to the current service provided by Council staff and contractors.

There is no value in deferring the adoption of the draft Mobile or Travelling Shops Bylaw 2021.

.7 **Legal Issues**

- Is there a legal opinion needed?
- Are there legal issues?

The content of the Mobile and Travelling Shops 2021 is permitted under Section 146 (vi) of the Local Government Act 2002 which allows the Council to regulate trade in public places. Waka Kotahi NZ Transport Agency have delegated powers of control to the Council under the Land Transport Act 1998 to enforce trading activities over the state highway corridor.

7.8 **Policy Issues - Section 80**

- Are there any policy issues?
- Does your recommendation conflict with Council Policies?

There are no policy issues.

Attachments:

Appendix 1 – Submission – Waka Kotahi NZ Transport Agency

Appendix 2 – The *Draft* Mobile or Travelling Shops Bylaw 2021



Rachael Otter
Environmental Health Manager



[Endorsed by]
Blair Sutherland
Director Environmental Services



[Approved by]
Sven Hanne
Chief Executive

Date 17 August 2021

Appendix 1



56 The Square
Private Bag 1777
Palmerston North 4442
New Zealand
T 0800 699 000
www.nzta.govt.nz

Waka Kotahi NZ Transport Agency Reference: 2021- 1254

10 August 2021

Rachael Otter
Stratford District Council
PO Box 320
Stratford 4352



Sent via: ROtter@stratford.govt.nz

Dear Rachael

Draft Mobile or Travelling Shops Bylaw 2021

Thank you for the opportunity to comment on your draft bylaw.

Waka Kotahi NZ Transport Agency (Waka Kotahi) is the road controlling authority for state highways, of which State Highway 3 traverses your district. As such, we have an interest in your proposal and make our submission below:

1. We support the 'note' included under section 7 as drafted;
2. We support the 'exemptions' under section 16 and seek additional wording to ensure it is made clear that the exemptions **do not** apply to state highways;
3. We seek the inclusion of a new section that specifies there is no trading from a state highway with a posted speed limit of 70km/hr or above; and
4. We suggest the bylaw also be made under the Land Transport Act 1998, where there is a clear pathway for Waka Kotahi to delegate powers of control to Council so it may enforce this bylaw over the state highway corridor.

If you have any queries regarding the above or wish to discuss matters further, please feel free to contact Natasha Reid via email at Natasha.Reid@nzta.govt.nz or you can contact the environmental planning team at the following email address – environmentalplanning@nzta.govt.nz.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'N Reid'.

Natasha Reid
Principal Planner
Environmental Planning, System Design, on behalf of Waka Kotahi NZ Transport Agency.

Waka Kotahi NZ Transport Agency Reference: 2021-1254

Appendix 2



DRAFT MOBILE OR TRAVELLING SHOPS 2021

Date in force:

Purpose: To regulate trading activities and the conduct of persons selling goods on streets, roads, footpaths and other public places; and

Setting general and specific conditions for trading in public places to ensure that appropriate standards of health and safety, pedestrian and vehicle access and visual amenity are maintained.

Review date:

1 TITLE

- 1.1 This Bylaw is made under Section 145 of the Local Government Act 2002 and shall be known as the 'Stratford District Council Mobile or Travelling Shop Bylaw 2021'.

2 COMMENCEMENT

- 2.1 This Bylaw shall come into force on

3 REPEAL

- 3.1 As from the day this Bylaw comes into force, the previous Mobile or Travelling Shop Bylaw 2008 shall be repealed.

4 APPLICATION OF BYLAW

- 4.1 This Bylaw shall apply to the Stratford District.

5 SCOPE

- 5.1 This bylaw is made pursuant to section 145 of the Local Government Act 2002, which gives authority to the Council to adopt bylaws for the following general purposes:
- (a) Protecting the public from nuisance;
 - (b) Protecting, promoting, and maintaining public health and safety;
 - (c) Minimising the potential for offensive behaviour in public places.

And any other authority enabling the Council to make bylaws to regulate activities in Public Places.

6 INTERPRETATION

- 6.1 In this Bylaw, unless the context otherwise requires:

“Authorised Officer” means any person authorised by Council to carry out or exercise any powers, duties or functions under this Bylaw or any part thereof or any Police Officer.

“Goods” means any product or service.

“Hawker” means any person who attempts to sell goods or services to any person without invitation or request for such service or prior orders.

“Licence” means the authority granted by the Stratford District Council allowing the holder to engage in the sale of goods or services from a mobile shop to stall, or the hawking of goods or services upon payment

of fees and such terms and for any duration that the Council specifies, including inspections for health and safety regulations.

“Mobile Shop” means a vehicle, whether self-propelled or not, from which goods or services are offered or exposed for sale or from which goods or services may be ordered.

“Non-Profit Organisation” means a registered charity or community group or registered club.

“Nuisance” means to obstruct, annoy or interfere, be it intentionally or unintentionally.

“Permitted area” means an area permitted by the Council for trading with an approved licence.

“Public Place” means a place that is:

- (a) Under the control of the Council; and
- (b) Open to, or being used by, the public whether or not there is a charge for admission; and includes:
 - (i) Any part of a public place; and
 - (ii) Any reserve; or
- (c) A road, whether or not the road is under the control of the Council.

“Restricted Area” means those areas of the Stratford District which are designated on the Map attached as schedule 1.

“Service Delivery Vehicle” means any vehicle being used for the purpose of delivering goods to the premises of any business or organisation and does not involve the sale of goods to the general public in any Public Place.

“Sign” means any display or device which is visible from a public place and which is intended to attract attention for the purpose of identifying, advertising, informing or directing.

“Stall” means any structure or device, barrow, table, display board or portable stand established for the purposes of selling goods.

“Stratford District” means the territory contained within the Stratford District as defined in Schedule 1

“Trading” refers to commercial activities in mobile, temporary or movable premises.

7 Licence required

- 7.1 No person, in any public place, as outlined in the areas defined on the map attached as schedule 1 of this bylaw, shall engage in the sale of goods of any description without having first obtained a Licence from the Council, except where an exemption is provided in clause 16 of this bylaw.

Note: *The possession of a Licence does not replace the need to also*

obtain the approval of the owner of private land or property where the sale of goods will take place and complying with any conditions such as the owner may impose.

Note: No trading of any kind is to be undertaken on a State Highway located within the Stratford District without the permission of the appropriate agency.

8 Licence application

- 8.1 Every person, other than a person mentioned in clause 16 of this bylaw, who wishes to sell goods in a public place shall make written application to obtain a Licence.
- 8.2 The information to be supplied by the applicant may include any of the following, but not restricted to:
 - (a) Name and address of the applicant;
 - (b) Name and address of the person(s) selling the goods;
 - (c) The location/site;
 - (d) The telephone number of the applicant;
 - (e) The type of goods for sale;
 - (f) The days and hours the applicant intends to sell goods;
 - (g) The type of vehicle(s) and registration numbers if applicable;
 - (h) Evidence of good character;
 - (i) Where appropriate, the written approval of neighbors;
 - (j) Proposed signage, and any audible devices;
 - (k) Litter and cleanliness measures;
- 8.3 Every applicant shall comply with the operative Stratford District Plan rules governing the proposed activity.
- 8.4 An application for a Licence must be lodged five working days prior to the trading.

9 Licence conditions

- 9.1 The Authorised Officer may impose conditions in granting any Licence. The conditions imposed may include, but are not limited to the following:
 - (a) Time, location and duration of the Licence
 - (b) Types of Goods for sale;
 - (c) Area available for sale;
 - (d) Persons entitled to sell;
 - (e) Safety or hygiene requirements;
 - (f) Use of signage, and audible devices;
 - (g) Litter and cleanliness
 - (h) Display of Licence

- (i) Requiring compliance with a traffic management plan
- (j) Food Act registration.

9.2 The Council may, in issuing a Licence, prescribe additional conditions or amend the standard conditions where appropriate with which the Licence holder shall comply when carrying out their trade or business.

10 Production of Licence

10.1 When engaged in the sale of goods every Licence holder must carry a Licence at all times and show the Licence to any Authorised Officer on request.

11 Signage

- 11.1 A Licence holder shall have no more than one freestanding double sided sign associated with their mobile trade. The maximum area of the sign shall not exceed 2m².
- 11.2 The sign shall be located only where approved by Council. Council will approve the sign location at the time of the application.
- 11.3 Signs are prohibited from the following locations:
 - (a) Median strip
 - (b) Berm or street poles
 - (c) Trees on road reserve

Any other signage must be directly attached to the mobile trade vehicle or table.

12 Moving on

12.1 Every Licence holder must, notwithstanding the conditions of the Licence, upon being requested to do so by an Authorised Officer or Police Officer, alter their position or place for sales to any other position or place as indicated by the Officer.

The reason for such a request include:

- (a) Safety
- (b) Avoidance of nuisance
- (c) Compliance with any Act "Regulation or Bylaw"

13 Breach of Licence

13.1 Any Licence holder who fails to comply with any such conditions of the Licence commits an offence against this bylaw.

13.2 The Council may suspend or cancel the Licence wholly or for such period as it thinks fit if satisfied:

- (a) That the Licensee is not of good character and reputation or otherwise not a fit and proper person to hold such a Licence; or
- (b) That the Vehicle or Vehicles used in connection with such Licence

has or have become unsuitable for such use.

14 Licence not transferable

14.1 No Licence issued under the bylaw will be transferrable to any other person.

15 Fees

15.1 Council may, by resolution, prescribe fees for Licenses. Fees may differ for any class of Licence as prescribed. Classes are:

- (a) Hawker
- (b) Mobile or Travelling Shop
- (c) Street Stall
- (d) Temporary Commercial Promotion

16 Exemptions

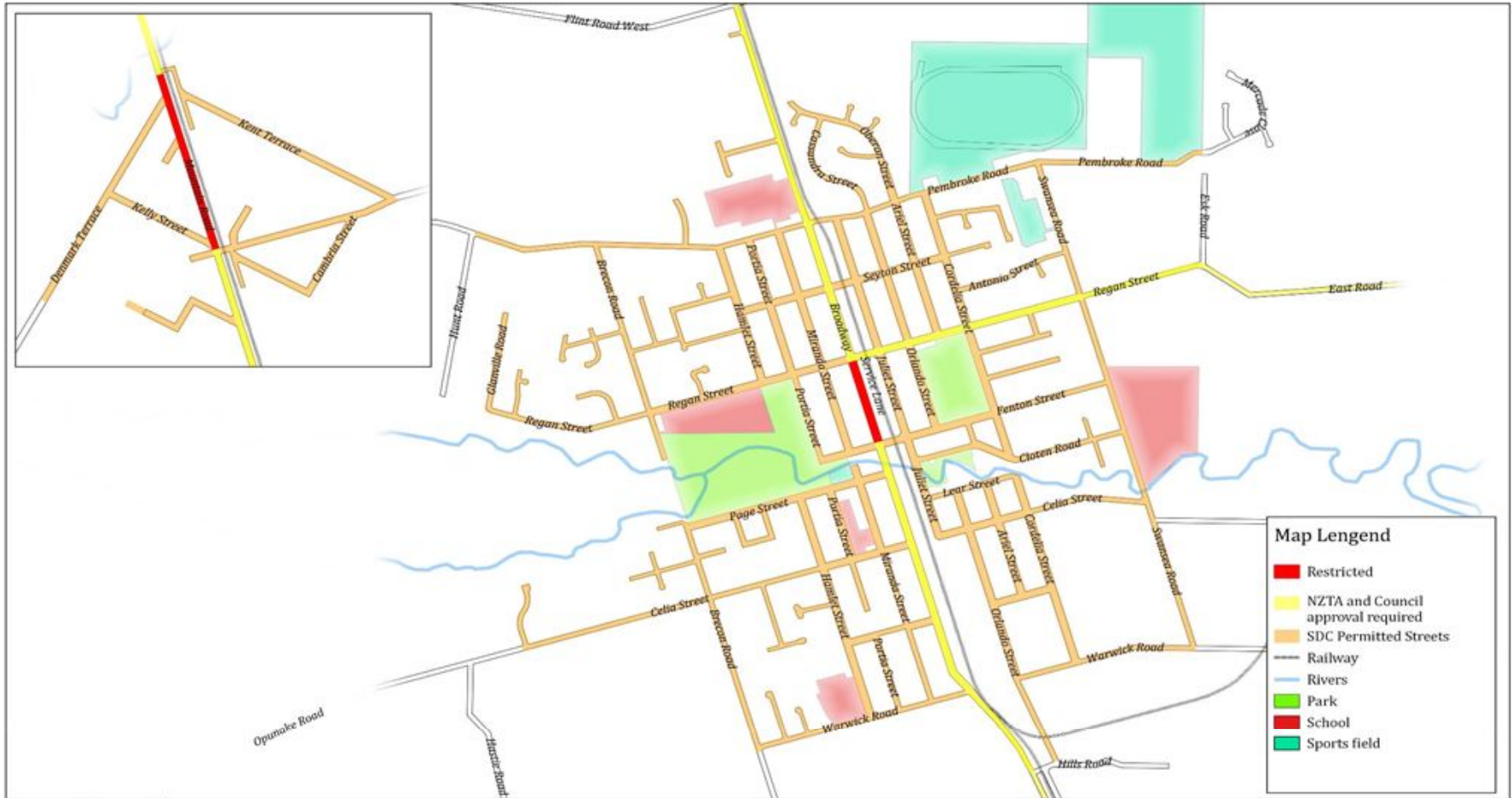
16.1 The exemptions allowed under this bylaw are as follows:

- (a) Service delivery vehicles or
- (b) Any market, stall or stand which has been approval by an Authorised Officer under any other bylaw, legislation, resource consent or approval of the Council.
- (c) A Non-profit organisation that raises funds for the benefit of the needy, a community group, and environmental causes approved by an Authorised Officer.

17 Recreation reserves

16.1 No mobile trader or hawker shall operate on any recreation reserve without additional separate approval from an Authorised Officer of the Council.

SCHEDULE 1



Stratford & Midhirst Mobile Shops Permitted Street Parking and Restricted Street Parking Map



The information provided is an indication only and needs to be validated in the field.
The Stratford District Council accepts no responsibility for errors or omissions for loss or damage resulting from the reliance or use of this information.
Cadastral information is derived from LINZ's Digital Cadastral Record System (CRS) CROWN COPYRIGHT RESERVED.

December 2020