

## CHAPTER 3

# MOBILE OR TRAVELLING SHOPS

### 301 LICENCE REQUIRED

301.1 No person, whether acting on his own account, or as the servant of another person, shall engage in the trade or calling of or carry on business in any manner or to any extent as a keeper of a mobile or travelling shop with respect to food for human consumption (except as provided in the preceding clause), without having first obtained a licence from the Council to do so.

### 302 APPLICATION

302.1 Every person desirous of obtaining a keeper's licence shall make application to the Authorised Officer and shall with such application furnish such evidence of good character as the Council may require, and in the case of any application for a keeper's licence shall state the number of vehicles to be used.

### 303 SALE OF FOOD FOR HUMAN CONSUMPTION

303.1 Every application under the last preceding clause shall also state whether the applicant is desirous of hawking or selling from a mobile or travelling shop articles of food for human consumption and whether with or without other goods, wares, or merchandise, and in any such case where a motor vehicle is to be used, shall specify the registered number of that vehicle.

303.2 If the applicant is desirous of selling articles of food for human consumption such application shall be accompanied by all licences which the applicant may be required to obtain under the provisions of any Act, regulation or bylaw relating to the licensing and regulation of certain trades and businesses.

303.3 Before issuing any licence for a keeper of a mobile or travelling shop, the Council shall be satisfied that any motor vehicle to be used in connection with selling food for human consumption, and that any premises to be used for the storage of such food, are suitable for the purpose.

### 304 FEES AND EXPIRY OF LICENCE

304.1 The Council may issue licences to trade and carry on business as keepers of mobile or travelling shops and every such licence, at whatever time of the year the same may be issued, shall terminate on the day and month then next ensuing as may be prescribed by resolution of the Council, and for every such licence there shall be paid to the Council such fee as the Council may by resolution from time to time prescribe for that particular class of licence.

305 **PRODUCTION OF LICENCE**

305.1 Every licensed keeper of a mobile or travelling shop shall at all times when selling from his mobile or travelling shop, carry his licence with him, and shall show the licence to any constable or authorised officer of the Council who shall demand production of the licence.

306 **NAME TO APPEAR ON VEHICLE**

306.1 Every licensed keeper of a mobile or travelling shop shall whilst selling from his mobile or travelling shop or exercising or carrying on his business, trade, or keeper of a mobile or travelling shop in some conspicuous place on the exterior of any vehicle or container in which he takes or carries his goods or wares, have his name legibly painted thereon in letters not less than 25 mm in height.

307 **MOVING ON**

307.1 Every licensed keeper of a mobile or travelling shop shall, upon being requested so to do by any constable, or duly authorised officer of the Council, and as often as so requested, alter his position and remove from the place in any street or public place where such keeper of a mobile or travelling shop may from the time being selling from his mobile or travelling shop to any other part or parts of such street or place, or to any other street or public place indicated by such constable, or officer of the Council.

The reason for such requests include:

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

307.2 Any person who fails to comply with any request made by any constable or authorised officer of the Council pursuant to Clause 308.1 hereof shall be guilty of an offence against this bylaw.

308 **COUNCIL MAY PRESCRIBE CONDITIONS**

308.1 The Council may, either upon the issue of any licence to any keeper of a mobile or travelling shop or at any time by notice in writing under the hand of the Authorised Officer served on any keeper of a mobile or travelling shop:

- (a) Prescribe any condition or conditions in compliance with which such keeper of a mobile or travelling shop must carry on his trade or business, and any such hawker or keeper of a mobile or travelling shop who shall fail to comply in all respects with any such requirements within any period specified for compliance shall be guilty of an offence against this Part of this bylaw; or
- (b) Require such keeper of a mobile or travelling shop to discontinue the use of any vehicle so employed by him.

308.2 It shall be a condition of the licence where a vehicle is to be used for the storage or sale of food for human consumption that no vehicle other than that specified in that licence shall be used to the purpose without the approval of the authorised officer of the Council concerned.

309 **LICENCE NOT TRANSFERABLE**

309.1 No licence issued under this Part of this bylaw shall be transferable to any other person and no such licence shall authorise any person other than the person named therein to keep a mobile or travelling shop.

310 **CLEANLINESS OF VEHICLE**

310.1 Every licensed keeper of a mobile or travelling shop or any person operating on behalf of such keeper who takes or carries about any article of food for sale shall keep and maintain every vehicle, box, basket, pack or other container used or connected therewith in a thoroughly clean and sanitary condition to the satisfaction of the Council's Authorised Officer.

**STANDS AND STALLS**

311 **PERMIT REQUIRED**

311.1 No person shall without having first obtained a permit from the Authorised Officer so to do:

- (a) Stand in or occupy any portion of any public place with, or place or maintain on any portion of any public place, any stall, structure, or contrivance for the purpose of distributing or selling any food or refreshments, newspapers, lottery tickets, textiles, hardware; or
- (b) Stand in or occupy any portion of any public place with, or place/maintain on any portion of any public place any weighing, knife grinding, automatic vending, or slot entertainment machine or any other similar structure, apparatus or contrivance.

312 **APPLICATION**

312.1 Every application for a permit shall be in such form as the Council may require.

313 **CONDITIONS OF PERMIT**

313.1 Every permit shall be issued by the Council and shall be subject to such conditions as the Council may impose and shall state therein the term of expiry thereof, the portion of any public place on which the applicant is permitted to stand, the hours during which he may so stand, and the class of article of goods he proposed and is permitted to sell, and no person shall stand or sell except in conformity with the terms of such permit.

314 **PERMIT FEE**

314.1 For every permit except as given in 314.2 there shall be payable to the Council such fee as the Council may by resolution from time to time prescribe.

314.2 No such fee shall be payable by non profit charitable organisations, not being clubs.

315 **TRANSFER**

315.1 No person shall transfer his permit to any other person nor stand nor sell either under the authority of a permit issued to any other person or at a place not mentioned in his permit or directed by the Council.