

APPROVAL REPORT

Repeal of Sidewalk Sales Policy

ISSUE

This report recommends the repeal of Council Policy C07-001, *Sidewalk Sales*.

RECOMMENDATION

That the Standing Policy Committee on Planning, Development and Community Services recommend to City Council that the City Clerk be instructed to repeal Council Policy C07-001, *Sidewalk Sales*.

BACKGROUND

With the support and approval of the General Manager of Community Services as well as the City Clerk, the City Solicitor's Office recommends repeal of Council Policy C07-001, *Sidewalk Sales*.

DISCUSSION/ANALYSIS

Council Policy C07-001, *Sidewalk Sales* has not been amended since 1981 and does not reflect current practice. For example:

- This Policy indicates that the "Engineering Department" is responsible for approving sidewalk sales and administering the Policy; however, the Transportation and Construction Division confirmed that they no longer play any role with respect to approving sidewalk sales.
- This Policy indicates that approvals are issued pursuant to the "Use of Street" Bylaw; however, that Bylaw no longer includes provisions respecting sidewalk sales.
- This Policy states that sidewalk sales will be limited to two days in duration; however, in practice, the City permits lengthier sidewalk sales (the annual Downtown Sidewalk sale, as an example, is three days long).
- This Policy states that merchants must provide at least two weeks' notice of proposed sales; however, in practice, persons must submit applications prior to January 1 of each year.
- This Policy states that sidewalk sales will be limited to one per year per merchant, which is no longer accurate.

Current practice is to approve or deny requests for sidewalk sales in the context of special event applications. Outside of special events, sidewalk sales are not permitted. Special events are discussed in Council Policy C07-003, *Temporary Road Closures*.

As this Policy does not reflect current practice, and current practice is set out in a separate Council policy, it is recommended that this Policy be repealed.

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There are currently over 100 City Council policies. Some of these policies are out of date and no longer needed. The City Clerk's Office intends to complete a review of all current policies, both City Council and Administrative. As this review is completed, you will see more reports like this one to either update or repeal out of date policies. The City Solicitor's Office often reviews relevant policies when doing bylaw amendments and it was during that process that we became aware of the Policy, which is the focus of this report. To assist with the comprehensive review, the City Solicitor's Office has agreed to bring forward recommendations to modernize or repeal existing policies as we become aware of them. This Policy is one of three that the Administration has determined at this time are now redundant and can be repealed without any negative consequence to the City.

APPENDICES

1. Council Policy C07-001, *Sidewalk Sales*

Report Approval

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Reviewed by: Lynne Lacroix, General Manager, Community Services
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Jeff Jorgenson, City Manager
Approved by: Cindy Yelland, City Solicitor

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