

POLICY	STATUS	AT	DATE	DOC ID
<i>Mobile Hawkers or Travelling Shops Policy</i>	<i>Adopted</i>	<i>Extra Ordinary Council Meeting</i>	<i>2 April 2008</i>	<i>A124280</i>



OPOTIKI DISTRICT COUNCIL

MOBILE HAWKERS OR TRAVELLING SHOPS POLICY

BACKGROUND

Mobile Hawkers and Travelling Shops have the potential to impact on businesses in traditional retail areas. Businesses in traditional retail areas have overheads such as rents and rates that mobile hawkers and travelling shops do not have. It is important that mobile hawkers and travelling shops are not located in close proximity to businesses in traditional retail areas that sell the same products.

Some mobile hawkers and travelling shops sell food and drink. To protect community health, food premises within the District must comply with the Food Hygiene Regulations. The same requirements should apply to mobile hawkers and travelling shops selling food and drink.

There are also potential traffic issues associated with mobile hawkers and travelling shops.

PURPOSE

To ensure that there is no unreasonable commercial conflict between businesses in the traditional retail areas with mobile hawkers and travelling shops selling identical or similar products.

To ensure public health and safety of the community is not compromised.

To provide for a diversity of commercial activities that may be of a seasonal nature or add to the atmosphere of special events.

POLICY

That Council approve the regulations and conditions set out hereunder:

1. The mobile shop shall comply with the Food Hygiene Regulations 1974.
2. The provisions of the Transport Act 1962, the Traffic Regulations 1976, the National Roads Bylaw No. 1 (1978) and any amendments thereto must also be complied with.
3. The mobile shop shall not be permitted to stand or remain stationary in any street, save and except for such reasonable time as is required for the transaction of business with any customer.
4. No mobile shop shall park or trade within 200m of any shop or business selling a same or similar product.
5. The mobile shop shall not be parked in such a manner as to create a traffic hazard.
6. In the interest of traffic safety, mobile or travelling shops shall not be permitted to operate on the roads marked yellow on the attached plans.
7. Trading generally shall be restricted to the hours of daylight between dawn and dusk. During periods when daylight saving is in operation, trading shall be restricted to the hours between dawn and 9 p.m.
8. No licensee or operator of a mobile shop shall carry on any trade on any reserve under the control of the Council without the consent of the Council in writing.
9. The operator of the mobile shop shall be responsible for all litter generated by the takeaway operation by ensuring:
 - (i) That litter bins are provided in the vicinity of the vehicle; and
 - (ii) That before moving on, all litter in the vicinity is picked up and disposed of.
10. The license may be subject to any further special conditions that Council may impose from time to time during the currency of the licence.

Note: A schedule of the streets referred to in condition (6) above are attached.

Food Hygiene Regulations 1974

Food Caravans or Vehicles for Preparation, Cooking and Sale of Good in State in Which Eaten

The vehicle shall comply as far as is practical with the 1st Schedule of the Food Hygiene Regulations 1974.

Floor Covering

Shall be impervious easily cleaned material fixed to the floor with a suitable adhesive with all angles between the floor and walls rounded off to a height of not less than 75mm from the floor.

Walls

The internal surface of the walls shall be constructed of dustproof impervious material having a smooth surface that can be readily cleaned without damage to the surface.

Ceiling

The ceiling shall be of such construction and finish to provide a smooth dustproof surface that is non-absorbent and light in colour and that can be cleaned readily without damage to that surface.

The lowest floor to ceiling height shall be not less than 2.4m. Should it be impracticable to achieve this requirement, an exemption can be applied for as outlined in the Regulations.

Lighting

Shall be of sufficient intensity to enable effective inspection and cleaning of the vehicle and to enable the purposes for which the vehicle is used to be carried out.

Ventilation

Mechanical ventilation shall be adequate to prevent the air from becoming excessively overheated, prevent condensation and the formation of excess moisture on the floor, walls and ceilings and for the removal of objectionable odours, fumes and impurities from the premises.

The discharged air shall be in such condition that it does not create a nuisance. This means that removable fat screens will be required to be installed on the inlet side of the extraction unit.

Space

The vehicle shall contain sufficient floor space to enable every person working there to carry out his work efficiently and to allow easy access for cleaning purposes.

RELEVANT LEGISLATION

Food Hygiene Regulations 1974

Traffic Regulations 1976

National Roads Bylaw No 1

REVIEW

Policy Owner: Planning and Regulatory Manager.