



STANDARD CONDITIONS FOR MOBILE SHOPS AND HAWKERS LICENCES

Invercargill City Council
Environmental Health Section
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1. Hours of Trade

The business shall only be operated during daylight hours (except from the end of daylight saving in April until the beginning of daylight saving in September during which time trade may continue in darkness no later than 7.30 pm). Daylight hours for the purpose of this condition shall be one hour after official sunrise and one hour before official sunset.

Note: The primary intention of this condition is to prevent nuisance noise at nights, therefore, where the licensee is operating complimentary to another principal activity (e.g. A & P Show, fair, gala day, etc) the licensee may operate within the hours of that principal activity.

2. Obstruction / Hazards

The licensee shall cause as little obstruction as possible to the legitimate use of any property. No part of the business shall be permitted to cause a hazard to the public.

3. Licence Transfer / Change of Business

The licence is not transferable in respect of the licensee or the business. The licensee must have the prior written consent of the Council before it can transfer, assign or part with its rights under the licence, or change the business.

4. Liability for Agents

The named licensee shall be liable for all actions of agents or representatives in the exercise of rights under this licence.

5. Other Legislation / Food Safety

All relevant legislation shall be complied with prior to the commencement of the operation of the business.

Note: Where food is to be sold, consultation with the Council Environmental Health Officers will be necessary and the licensee must comply with any direction given by those Officers. All such food must be manufactured, prepared, stored or otherwise handled on premises registered for the purposes of the Food Hygiene Regulations 1974 except where being handled during the course of trade pursuant to this licence, or otherwise authorised by Environmental Health Officers.

6. Display of Licence

A copy of the licence shall be carried and can be produced on request during all operating hours.

7. Nuisances

The licensee shall take all reasonable steps to prevent a nuisance from occurring as a result of operations. A nuisance for the purposes of these conditions shall generally be the same as that prescribed by Section 29 of the Health Act 1956.

8. Operation from Metered Park

The licensee shall not operate the business from a metered park unless the express approval of the Council has been granted.

9. Display of Licensee's Name

The licensee's name must be displayed on vehicles used directly in association with the business in such a way that they can be readily identified.

10. Signs

The licensee shall comply with all requests made by the Council, or authorised Council Officers, relating to the size and positioning of signs related to the business.

11. Relocation on Request

Mobile shops must, at all times, be capable of being relocated immediately at any time upon the request of the Council, its authorised Officers or other law enforcement officers.

12. Compliance with Requests

Any request made by the Council, its authorised Officers or law enforcement officers to relocate the mobile shop shall be complied with immediately.

13. Trading Limits

1. The licensee **shall not** operate the business:

- Within 300 metres of a permanent business selling a similar product, unless the express approval of the Council is granted.
- Within 50 metres of an intersection or pedestrian crossing where the people visiting the site may be placed in danger.
- Parks and Reserves, including car parks and roading reserves including Wachner Place, except with permission from the Council's Parks Manager.
- On the roads within the City Boundaries except with the permission of the Roading Manager.

2. The licensee or operator shall not stand or remain stationary in any place except for such time as may reasonably be required for the transaction of business with customers on that occasion, and in any case shall not remain stationary on any one site for a period exceeding two hours, nor stand on any one site more than twice in any eight hour period.

14. Trade on State Highway

Before operating on a State Highway, a current approval from New Zealand Transport Agency shall be obtained and made available if requested by a compliance officer.

15. Ongoing Compliance

For the licence to be valid, all conditions and requirements, pursuant to Bylaw No. 2008/1 must be fully complied with. Any breach of conditions without the permission of the Council or its authorised Officers may be held to invalidate and terminate the licence from the date of such breach.

16. Termination or Alteration of Licence by the Council

The Council may, at any time, terminate or alter or vary the terms of this licence, for whatever reason, by notice in writing to the licensee at the address stated on the licence. The licensee shall not be entitled to any compensation should the Council use its powers to terminate or alter or vary the licence.

Note: (i) Operation in the Central Business District (Commercial 5 Zone), including Wachner Place, requires payment of a fee equivalent to the rates charge for a commercial property in the same area based on capital value with a minimum size of 1.5m² - this charge is to be paid annually.

(ii) Special conditions exist for the use of Wachner Place and other Reserves. The Council Parks Manager can give specific advice on these to operators who have that Manager's permission to work there.

Please ensure you have familiarised yourself with the Mobile Trading Section of the Environmental Health Bylaw 2008/1 which is available on the Council Website –

www.icc.govt.nz