



## SEASONAL SALES AREA PERMIT APPLICATION

Per the Town of Mahone Bay Seasonal Sales Area Bylaw, a Seasonal Sales Area Permit is required as follows:

- a. All seasonal sales areas on sidewalks in the Town of Mahone Bay require a permit
- b. It covers retail and food businesses that sidewalks in front of their business
- c. The area must be an extension of an existing business, conducted by the same business owner

Additional requirements for Temporary Sidewalks are outlined in the Streets and Sidewalks Bylaw

<b>Name of Applicant:</b>			
<b>Phone:</b>		<b>Email:</b>	
<b>Mailing Address:</b>			
<b>Name of Owner (if different)</b>			
<b>Location and Civic Number</b>			
<b>Start Date:</b>		<b>End Date:</b>	
<b>Explanation of Seasonal Sales Area</b>			
<b>Name of Contractor if applicable (Business &amp; Contact):</b>			
<b>Phone:</b>		<b>Email:</b>	

### **Application Requirements**

1. The application shall be accompanied by a site plan (drawn to scale) showing the location of the proposed seasonal sales area, including the placement and number of items to be located therein. It should include the placement of utility poles, hydrants, traffic signs or other element that is located within 2 metres of the edge of the area
2. The fee for a Seasonal Sales Area Permit is set out in the Fees Policy (see below).
3. Every applicant/owner of a Seasonal Sales Area Permit agrees to the regulations for the permit (see over).

<b>Applicant's Signature:</b>	<b>Date:</b>

## **Minimum Requirements and Regulations**

Please reference the following additional bylaws and policy on our website that may affect plans for Seasonal Sales Areas:

- Streets and Sidewalks Bylaw (2025)
- Seasonal Sales Area Bylaw (2025)
- Temporary Vending Bylaw (2020)
- Fees Policy (2025)

1. Seasonal sales areas shall not be setup before May 1<sup>st</sup> in any calendar year and shall be removed by September 30<sup>th</sup>.
2. Seasonal sales areas shall be operated only during the regular operating hours of the primary business.
3. Seasonal sales areas shall not extend onto the frontage of an abutting property or beyond the roadside edge of the existing sidewalk
4. All parts of the seasonal sales areas (tables, chairs, umbrellas, awnings, etc.) shall be contained in the approved area
5. Any lighting of the seasonal sales area shall be of a temporary nature and shall not project light onto adjacent properties, nor conflict with traffic control indicators or cause potential negative impacts to drivers using the street
6. Landscaping of the area is encouraged, but must be temporary in nature
7. All elements of the seasonal sales area shall be designed and finished to a standard that is consistent with the general appearance of the surrounding area
8. All elements of the seasonal sales area shall be maintained in good repair and free from hazards
9. A public barrier separating the seasonal sales area from pedestrian traffic is required of the business has a license to serve alcohol that includes:
  - a. minimum height of 100cm
  - b. minimum edge protection of 10cm
10. There must be an allowance for passage of pedestrian traffic through the area. This may include the installation of a temporary sidewalk
11. All installations must comply with relevant building codes and accessibility standards

## **Application and Permitting Requirements**

1. Any other permits required are the responsibility of the applicant prior to installation.
2. When a permit application is approved, the Manager of Public Works will advise the adjacent property owners of the seasonal sales area.
3. The permit must be displayed at the site of the seasonal sales area.
4. If the seasonal sales area encroaches on the free flow of pedestrian traffic preventing a 1600mm (5' 3") unobstructed walkway, the owner shall provide a temporary sidewalk in the parking area adjacent to the seasonal sales area.

## **Access and Maintenance**

1. The seasonal sales area owner shall maintain the seasonal sales area and the immediately adjacent area in a clean and safe condition.
2. The owner shall ensure any refuse originating in the seasonal sales area is removed from the street right-of-way.
3. The owner shall maintain an unobstructed pathway or a minimum of 1600mm to the entrance of the main retail outlet.
4. The Town and the public utility agencies retain the right of entry to the seasonal sales area and associated structures for the installation, maintenance and repair of any utility related elements as may be necessary.
5. In case of emergency, entry shall be made without notice. For scheduled work, a minimum of 48 hours notice will be given.
6. The Town retains the right of entry to the area for emergency vehicle access.

## **Insurance**

1. The owner of a seasonal sales area must carry a minimum of \$1,000,000 liability insurance for the operation of the area naming the Town as insured and must indemnify the Town of Mahone Bay save it harmless from any and all claims of injury to persons or damage to property attributable in whole or in part to the existence, location, and operation of a seasonal sales area in the public right-of-way.
2. The Town of Mahone Bay shall be notified 30 days prior to the cancellation of this insurance.

## **Revocation or Suspension of a Permit**

1. The Manager may suspend or revoke a seasonal sales area permit if:
  - a. The owner fails to comply with the Seasonal Sales Area Bylaw
  - b. The continued operation of the seasonal sales area poses a risk to the health and safety of the public or would otherwise constitute a nuisance as deemed by the Manager.
  - c. The permit was issued in error, or based on incorrect information
  - d. The continued operation of the seasonal sales area unreasonably interferes with the ability of the Town, or any utility, to have access to or maintain any municipal infrastructure



Seasonal Sales Area Permit Number: YYYY - 00

**To be Completed by Town of Mahone Bay**

**The Manager of Public Works and Transportation is responsible for reviewing applications and granting Seasonal Sales Area Permits on behalf of the Town.**

Permit	Fee Amount
Seasonal Sales Area	

**Permit Approval – Manager of Public Works and Transportation**

Signature:	Date:
------------	-------

Permit valid for the following date(s): \_\_\_\_\_

FOR TOWN USE ONLY		
Date of Receipt:	Amount Paid:	Init.
Date of Issue:	Date of Expiry:	