

**Note: Please retain this information for future reference**

**Licences to operate a mobile shop from a Public Place are subject to the following conditions:**

### **Number of Licences required**

Mobile Shop Licences are issued to allow trading from one site only at any one time. Licence holders wishing to operate multiple shops simultaneously will require a Licence for each mobile shop.

### **Licence jurisdiction**

Mobile Shop Licences issued under clause 2.10 of this Bylaw only allow the licence holder to trade from roads under the jurisdiction of the Matamata-Piako District Council. Roads under the jurisdiction of Council exclude sections of state highway where the posted speed limit is over 50 kilometres per hour (km/hr). Additional permission will therefore need to be obtained from the New Zealand Transport Agency to trade from sections of state highway where the posted speed limit exceeds 50 km/hr.

### **Restrictions on trading locations**

Mobile shops are not permitted to trade within 100 metres of retail shops selling similar types of product.

Licence holders are not permitted to trade within 500 metres of another mobile shop.

Mobile shops and all associated objects are excluded from areas set out in the series of maps (Areas Excluded from Mobile Shop Trading) attached to schedule 2 annexure C of this Bylaw.

The right to occupy a location will be determined on a 'first come' basis. In the event of dispute, an Authorised Officer will have the sole discretion to decide.

Mobile shops and all associated objects must be located so as to maintain clear sight lines of:

- 80 metres around a curve or to and from an intersection for Roads with a posted speed limit of 70 km/hr or less; or
- 300 metres around a curve or to and from an intersection for Roads with a posted speed limit of over 70 km/hr.

Mobile shops and all associated objects must be located and operated so as to ensure there is no additional impediment to existing traffic flows.

### **Objects**

Any objects to be used or displayed shall not create a risk of injury or an impediment to pedestrians and shall be maintained in good condition and to a high standard of cleanliness at all times. The requirements for Occupational Safety and Health shall be observed at all times.

Tables, chairs, umbrellas, etc, shall be well secured during adverse weather conditions. All objects shall be removed from the occupied area at the close of business each day unless otherwise authorised and detailed in the special conditions applying to this Licence.

## **Noise**

The use of chimes, bells, horns, or other noise producing devices is not permitted.

## **High standards of cleanliness**

The Licence holder must ensure the Mobile shop trading area is kept free of Litter and that the spread of Litter from the trading area is prevented. The decision on whether an appropriate level of cleanliness is being maintained will be at the sole discretion on an Authorised Officer.

## **Signage**

Signage will be restricted to two signs, each with a maximum area of 1.2m<sup>2</sup> and a maximum width of 1.0m<sup>2</sup>. Signage must be located within 10 metres of the Vehicle or structure from which goods are being Sold. Lettering heights must comply with the provisions of the Matamata-Piako District Council Plan.

## **Trading Hours**

Selling from the roadside is only permitted during the official hours of daylight (between 30 minutes before sunrise and 30 minutes after sunset).

## **Suspension or revocation of Licence**

Mobile Shop Licences are issued at the pleasure of Council. If there has been a breach of the Licence conditions or the activity has created a safety or access issue, Council may immediately revoke or suspend the Licence until any outstanding matters have been resolved to the satisfaction of an Authorised Officer.

## **Licence period and lapse of Approval**

The Mobile Shop Licence will expire on the date stated on this licence. Upon expiry of the licence, trading must cease until a new licence has been granted. Licences are not transferrable and any new trader will need to make a fresh application.

## **Production of Licence**

The licence holder must produce their Mobile Shop Licence when requested to do so by an Authorised Officer. The licence holder or their representative on site must remain contactable by phone during the licensed hours.

## **Fees**

All fees prescribed in the Council Fees and Charges document for any activity described in clause 2.10.1 of this Bylaw must be paid to Council prior to commencement of the activity.

## **Public liability insurance**

Council recommends that the occupier obtains public liability insurance. If the occupier is unsure if they should hold public liability insurance, they should seek professional advice from their lawyer.

If damage is caused to persons, private property or council property (whether that be intentional or accidental) the occupier will not be covered by Council's insurance.

This means that they could be liable to repay the cost of any damage or loss to Council, Council's insurers, or a third party that has suffered a loss as a result of the incident. Even if Council's insurance does cover an incident or damage, the Council insurers may still pursue the occupier for the cost of any damage or loss and any third party (or their insurers) may choose to do the same as well. Public liability insurance helps to reduce the risk to the occupier by providing cover for these types of situations.

# Areas Excluded from Mobile Shop Trading

## Te Aroha



Legend	
A	Other/Private Park Label
A	Park/Reserve Label
A	Road Label
	Mobile Shop Exclusion Area
	Railway
	Current Parcel
	Other/Private Park
	Park/Reserve
	Council Parcel
	School Site
	Road Network
	River/Stream

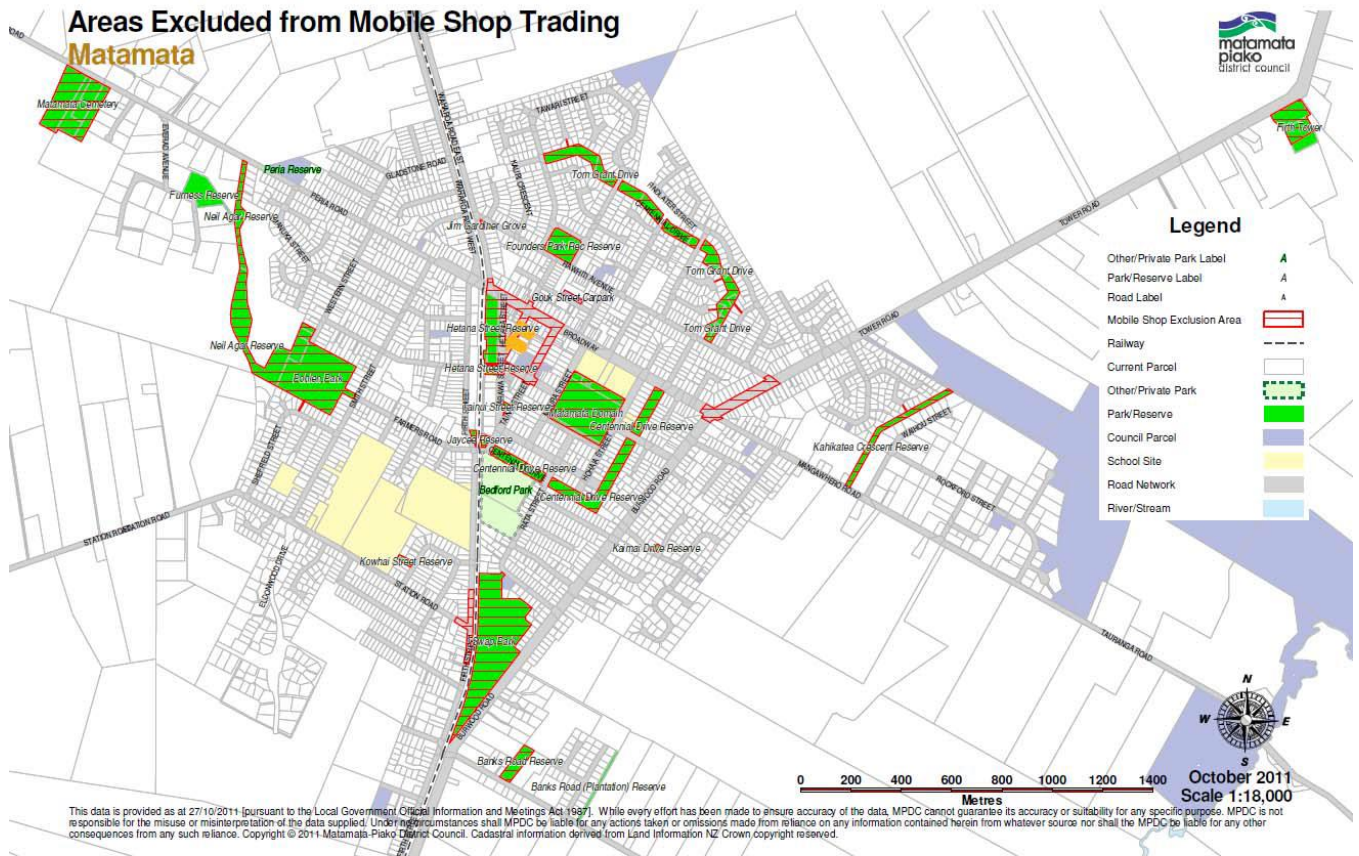


# Areas Excluded from Mobile Shop Trading

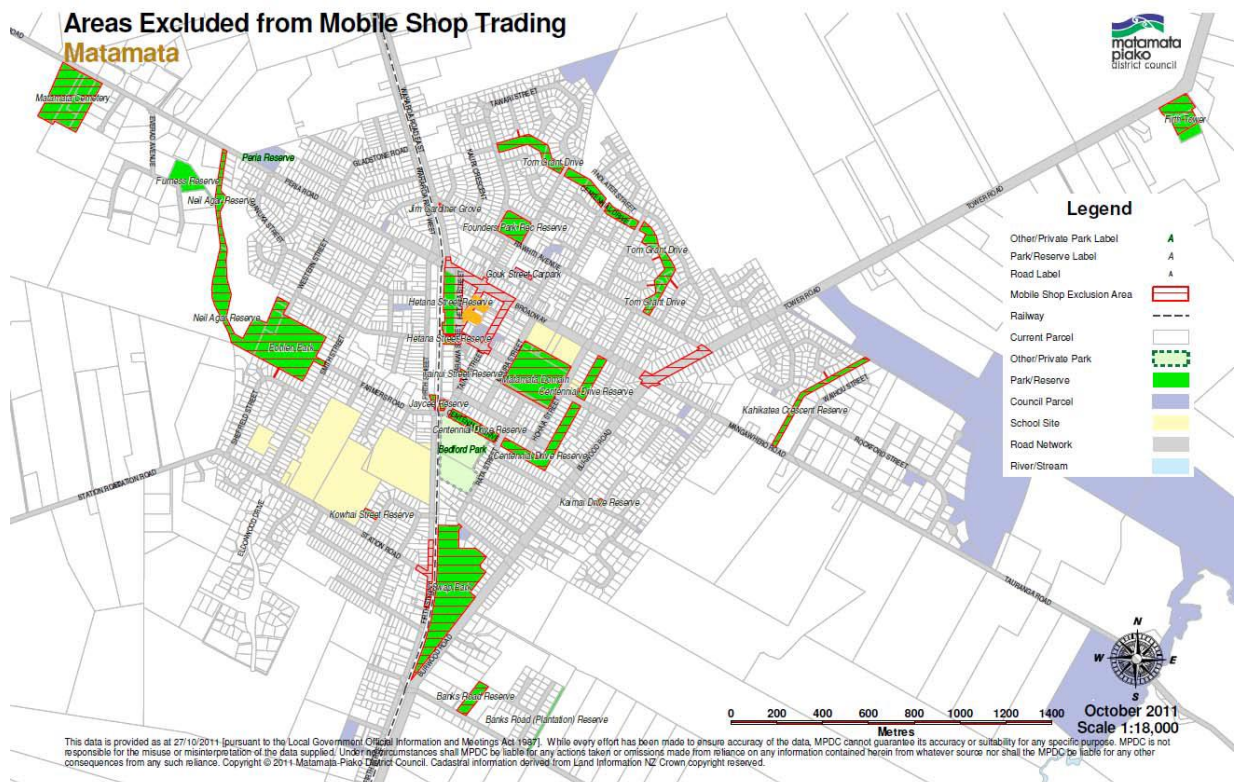
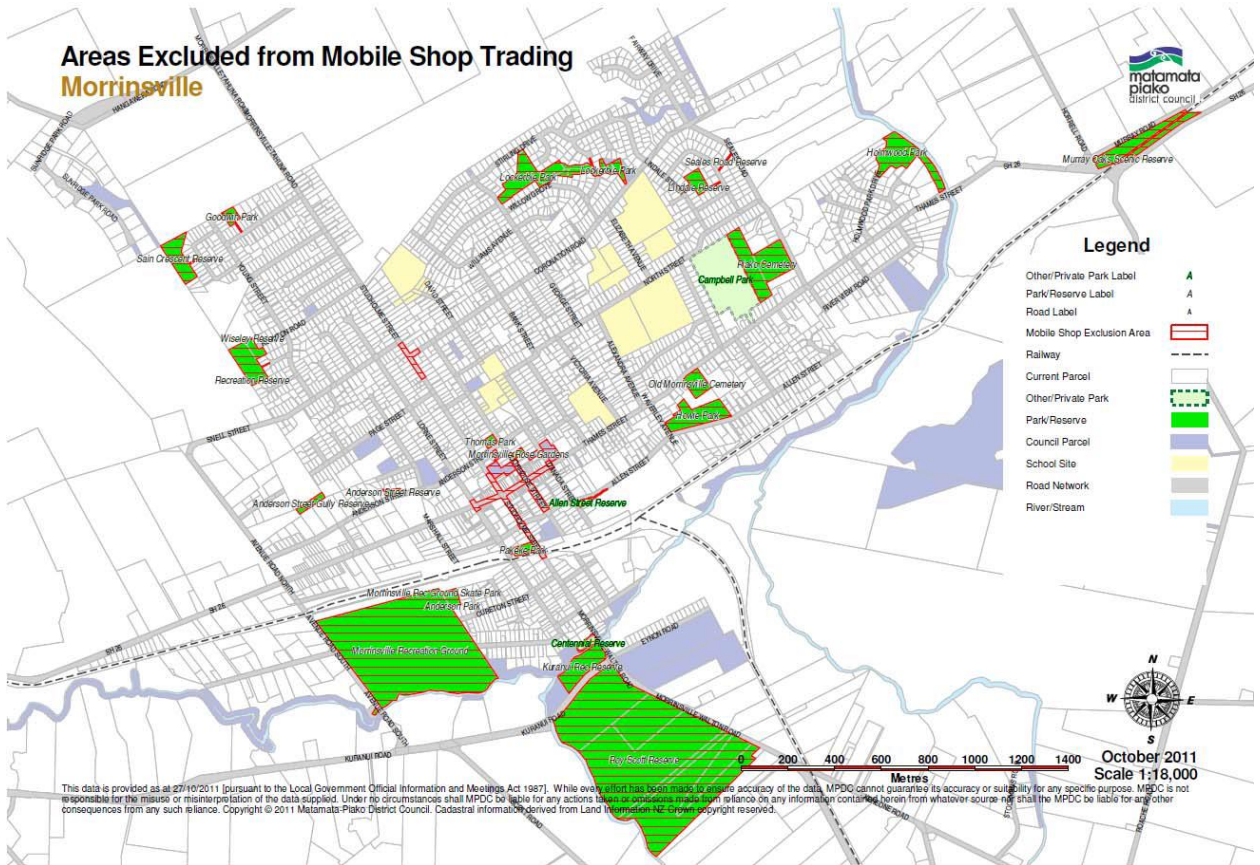
## Matamata



Legend	
A	Other/Private Park Label
A	Park/Reserve Label
A	Road Label
	Mobile Shop Exclusion Area
	Railway
	Current Parcel
	Other/Private Park
	Park/Reserve
	Council Parcel
	School Site
	Road Network
	River/Stream

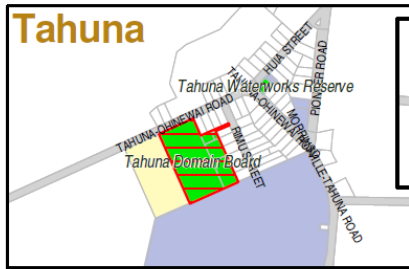


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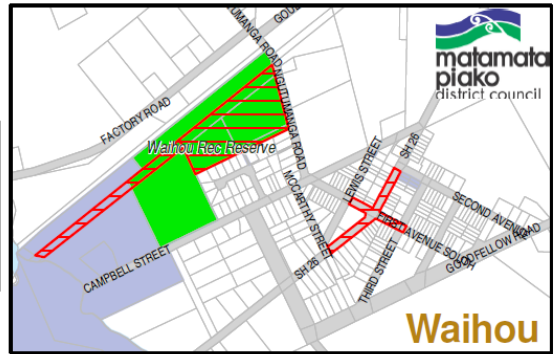
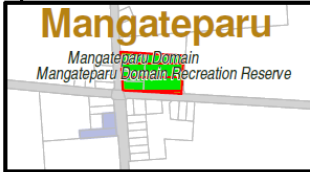


# Areas Excluded from Mobile Shop Trading

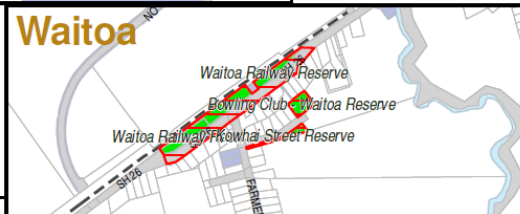
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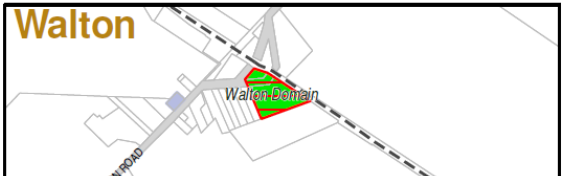
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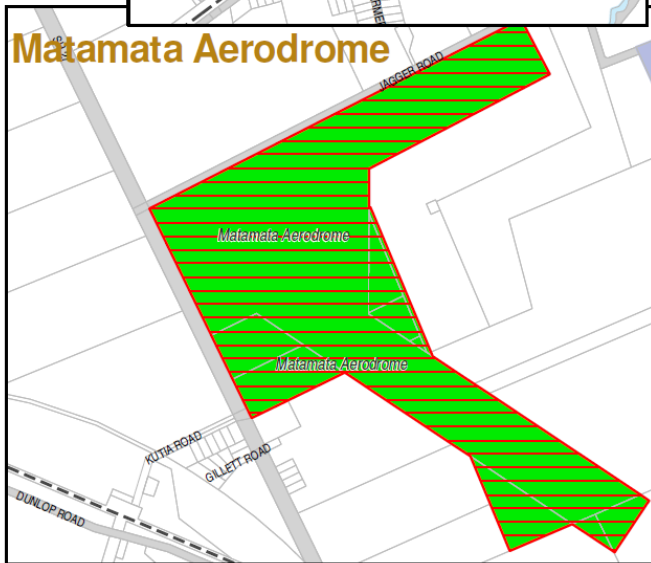
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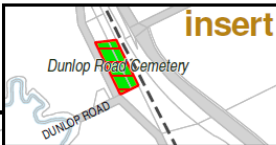
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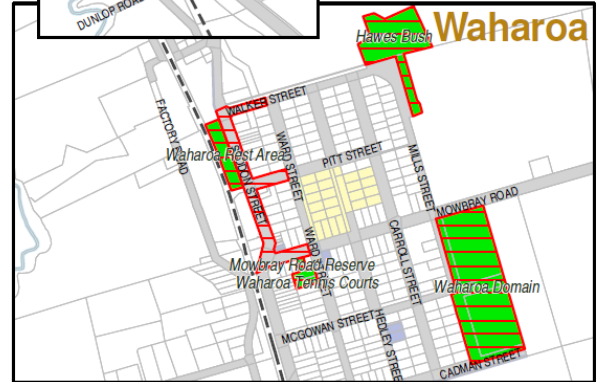
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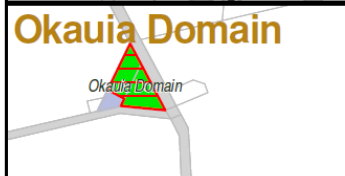
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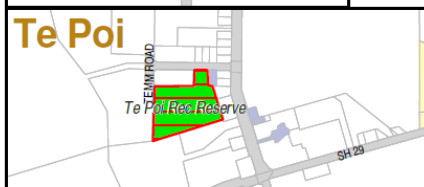
## Waharoa



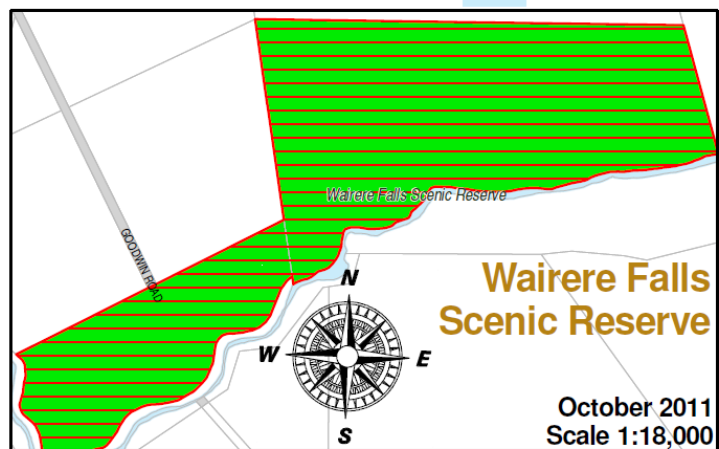
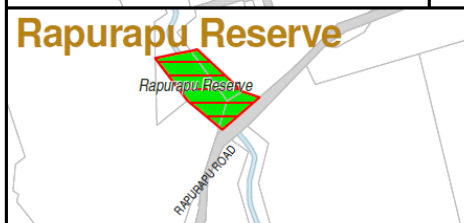
## Okauia Domain



## Te Poi

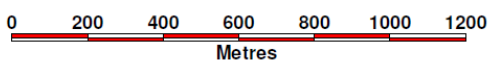


## Rapurapu Reserve



### Legend

- |   |                            |  |                    |
|---|----------------------------|--|--------------------|
| A | Other/Private Park Label   |  | Other/Private Park |
| A | Park/Reserve Label         |  | Park/Reserve       |
| A | Road Label                 |  | Council Parcel     |
|   | Mobile Shop Exclusion Area |  | School Site        |
|   | Railway                    |  | Road Network       |
|   | Current Parcel             |  | River/Stream       |



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