

SCHEDULE NO. 16
Relating to Exhibitions
(added by By-law 2005-356)

LICENSES REQUIRED

1. (1) The following licenses may be issued pursuant to this schedule:
 - (a) a License "A" to a person who promotes the holding of an exhibition for one (1) day,
 - (b) a License "B" to a person who promotes the holding of an exhibition for more than one (1) consecutive days.
- (2) A separate license shall be obtained for each exhibition for each location at which such event occurs.
- (3) An individual participating in the exhibition may require a license pursuant to other provisions of this by-law.

EXEMPTIONS

2. (1) Subsection (1) of Section 1 does not apply to:
 - (a) Farmers' Markets and events that are sponsored by and benefit Farmers' Markets;
 - (b) public markets managed by the City;
 - (c) Agricultural Fairs and events that are sponsored by and benefit Agricultural Fairs and includes the Kars Fair;
 - (d) the Ottawa Valley Farm Show;
 - (e) Coin, Stamp, Card and Comic Book trade shows;

(amended by By-law 2006-81)

- (f) the Central Canada Exhibition;
- (g) exhibitions that primarily promotes original arts and crafts creations by Canadian artists;
- (h) exhibitions raising funds for a charitable organization provided that the organization has a Revenue Canada number and the profits go to the charitable organization represented;
- (i) exhibitions raising funds for not-for-profit organizations that operate solely for cultural or religious goals, civic improvement, recreation,

amateur sport or similar community enhancement initiatives but not for profit provided that the profits go to the not-for-profit organization represented;

- (j) an event that takes place indoors at a shopping mall.
- (2) An exhibition license shall not be required if every person who is vending at the exhibition is the holder of an itinerant seller's license that is valid for the duration of the exhibition and was issued by the City.
- (3) No itinerant seller's license or fee shall be required by an itinerant seller who vends at an exhibition for which the promoter or organizer of such exhibition has obtained a license.
- (4) An exhibition license shall not be required if the event has been licensed under this by-law as a Flea Market.

CONDITIONS FOR ISSUANCE

- 3. (1) No applicant for an exhibition license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age,
 - (b) the applicant has furnished details of the exhibition including the type of the exhibition, its location, dates and duration,
 - (c) where the applicant proposes to hold the exhibition on private property, the applicant has filed a copy of the written leasing agreement for the occupation of the exhibition premises by the applicant for the duration of the exhibition,
 - (d) where the applicant proposes to hold the exhibition on a pedestrian mall, pedestrian promenade or highway the applicant has filed a copy of the written leasing agreement for the occupation of the pedestrian mall or pedestrian promenade or is the holder of a special event permit issued pursuant to the Special Events By-law No. 2001 - 260, whichever is applicable,
 - (e) the applicant agrees to maintain a record of the vendors, their names, addresses and phone numbers, together with details as to the type of items they sell,
 - (f) the applicant has filed a site plan for the outdoor portion and a floor plan for the indoor portion of the event showing where vendors will be located;

- (g) the applicant has at least five (5) participating individuals who are vending goods on their own behalf and not on behalf of the promoter of the event,
- (h) the Fire Chief has reported, in writing, that the premises in connection with which the license is sought is suitable for the proposed exhibition and complies with all applicable fire regulations,
- (i) the Medical Officer of Health has reported, in writing, that the premises in connection with which the license is sought is suitable for the proposed exhibition and complies with all applicable health regulations,
- (j) the General Manager, Planning, Real Estate and Economic Development Department has reported, in writing, that the vending activity will not take place where the zoning permits residential land use and the location of the exhibition will not lead to a deficiency in required parking and proper vehicle circulation,

(amended by By-law 2023-516)

- (k) the Chief Building Official has reported, in writing, that the premises meets the requirements of the City;

(amended by By-law 2023-516)

- (l) the applicant has insurance in accordance with the requirements of Section 7 hereof; and

- (m) the applicant has paid the fees set out in Schedule "A".

- (2) In addition to the provisions of subsection (1), no applicant for an exhibition license where a portion of the event is to be held outdoors, shall be issued a license unless and until the applicant has filed written correspondence from the local Community Association and Business Improvement Area, where those exist, which provides the Community Association and Business Improvement Area position on the proposed exhibition.

- 4. Despite Section 3, the Chief License Inspector may waive any or all of the requirements listed in Section 3 where the Chief License Inspector determines that any or all of the requirements do not apply.

LICENSE ISSUANCE

- 5. The Chief License Inspector shall indicate on the license furnished to the licensee,

- (a) the type of exhibition, and
- (b) the location, time, date and duration for which the license is valid

LICENSE VALIDITY

6. The license issued pursuant to this schedule shall be valid:
- (a) for the specific exhibition only,
 - (b) for one location on which the exhibition is to be held, and
 - (c) for the period stated as the duration of the exhibition.

INSURANCE

7. (1) Every applicant for an exhibition license shall file with the Chief License Inspector proof of insurance of Commercial General Liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) Dollars inclusive per occurrence for bodily injury, death and damage to property.
- (2) The proof of insurance shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of any cancellation or of a material change that would diminish coverage.

TRANSFERS OF LICENSE

8. The licenses issued pursuant to this schedule are not transferable from person to person or premises to premises.

RENEWAL OF LICENSE

9. The licenses issued pursuant to this schedule are not renewable.

GENERAL REGULATIONS

10. Every licensee shall:
- (a) ensure that orderly conduct is maintained on the exhibition premises, and, at his or her own expense, keep sufficient staff for that purpose;
 - (b) keep sufficient staff present at the entrances to the exhibition premises in order to ensure that queues which form for the purposes of gaining entrance to the premise do not obstruct sidewalks or highways;
 - (c) be responsible for the conduct of the exhibitors at the exhibition,
 - (d) co-operate with the Chief License Inspector to ensure that all required inspections, including building, fire and health inspections, are conducted as required;

- (e) maintain up-to-date documents and plans that accurately record a complete list of the participants, their designated location on the premises and the types of items sold;
- (f) keep a copy of the documents referred to in clauses (c) and (d) of subsection 3(1) at the exhibition;
- (g) keep the records referred to in clauses (e) and (f) for a period of one (1) year after the termination of the event;
- (h) produce those documents referred to in clauses (e) and (f) when so directed by a By-law Officer or the Chief of Police;
- (i) co-operate with various inspection agencies;
- (j) require that all vendors display at their booth in a conspicuous location a sign indicating the vendors name, business address and phone number; conditions of sales, and whether the items displayed are new or used;
- (k) take prompt measures to reduce or eliminate nuisances when so requested by a By-law Officer;
- (l) provide trash receptacles in sufficient numbers and at suitable locations to keep up with the amount of trash generated by the event; and
- (m) empty the trash receptacles every night and as often as required to prevent overflow.

SCHEDULE NO. 17
Relating to Flea Markets
(added by By-law 2005-356)

LICENSES REQUIRED

1. (1) The following licenses may be issued pursuant to this schedule:
 - (a) a License “A” to a person who owns, operates or promotes the holding of a flea market for one (1) day,
 - (b) a License “B” to a person who owns, operates or promotes the holding of a flea market for more than one (1) consecutive days,
 - (c) a License “C” to a person who owns, operates or promotes the holding of a flea market or flea markets at a particular place between January 1 and December 31 of the same year,
- (2) A separate License “A” or License “B” shall be obtained for each flea market for each location at which such event occurs.
- (3) An individual participating in the flea market may require a license pursuant to other provisions of this by-law.

EXEMPTIONS

2. (1) Subsection (1) of Section 1 does not apply to:
 - (a) Farmers’ Markets and events that are sponsored by and benefit Farmers’ Markets;
 - (b) public markets managed by the City;
 - (c) Agricultural Fairs and events that are sponsored by and benefit Agricultural Fairs and includes the Kars Fair;
 - (d) the Ottawa Valley Farm Show;
 - (e) Coin, Stamp, Card and Comic Book trade shows;

(amended by By-law 2006-81)

 - (f) the Central Canada Exhibition;
 - (g) flea markets that primarily promotes original arts and crafts creations by Canadian artists;

- (h) flea markets raising funds for a charitable organization provided that the organization has a Revenue Canada number and the profits go to the charitable organization represented;
 - (i) flea markets raising funds for not-for-profit organizations that operate solely for cultural or religious goals, civic improvement, recreation, sport or similar community enhancement initiatives but not for profit provided that the profits go to the not-for-profit organization represented;
 - (j) an event that takes place indoors at a shopping mall.
- (2) A flea market license shall not be required if every person who is vending at the flea market is the holder of an itinerant seller's license that is valid for the duration of the flea market and was issued by the City.
 - (3) No itinerant sellers license or fee shall be required by an itinerant seller who vends at a flea market for which the owner or operator or promoter of such flea market has obtained a license.
 - (4) A flea market license shall not be required if the event has been licensed under this by-law as an exhibition.

CONDITIONS FOR ISSUANCE

- 3. (1) No applicant for a flea market license shall be issued a license unless:
 - (a) the applicant is at least eighteen (18) years of age,
 - (b) the applicant has furnished details of the flea market including its location, dates and duration,
 - (c) where the applicant proposes to hold the flea market on private property, the applicant has filed a copy of the written leasing agreement for the occupation of the flea market premises by the applicant for the duration of the flea market,
 - (d) where the applicant proposes to hold the flea market on a pedestrian mall, pedestrian promenade or highway the applicant has filed a copy of the written leasing agreement for the occupation of the pedestrian mall or pedestrian promenade or is the holder of a special event permit issued pursuant to the Special Events By-law No. 2001-260, whichever is applicable,
 - (e) the applicant agrees to maintain a record of the vendors, their names, addresses and phone numbers, together with details as to the type of items they sell,

- (f) the applicant has filed a site plan for the outdoor portion and a floor plan for the indoor portion of the event showing where vendors will be located;
 - (g) the applicant has at least five (5) participating individuals who act on their own behalf and not on behalf of the owner, operator or promoter of the event,
 - (h) the Fire Chief has reported, in writing, that the premises in connection with which the license is sought is suitable for the proposed flea market and complies with all applicable fire regulations,
 - (i) the Medical Officer of Health has reported, in writing, that the premises in connection with which the license is sought is suitable for the proposed flea market and complies with all applicable health regulations,
 - (j) the General Manager, Planning, Real Estate and Economic Development Department has reported, in writing, that the vending activity will not take place where the zoning permits residential land use and the location of the flea market will not lead to a deficiency in required parking and proper vehicle circulation,

(amended by By-law 2023-516)
 - (k) the Chief Building Official has reported, in writing, that the premises from which it is proposed to carry on the flea market complies with building requirements of the City;

(amended by By-law 2023-516)
 - (l) the applicant has insurance in accordance with the requirements of Section 7 hereof, and
 - (m) the applicant has paid the fees set out in Schedule "A".
- (2) In addition to the provisions of subsection (1), no applicant for a flea market license where a portion of the event is to be held outdoors, shall be issued a license unless and until the applicant has filed written correspondence from the local Community Association and Business Improvement Area, where those exist, which provides the Community Association and Business Improvement Area position on the proposed flea market.

4. Despite Section 3, the Chief License Inspector may waive any or all of the requirements listed in Section 3 where the Chief License Inspector determines that any or all of the requirements do not apply.

LICENSE ISSUANCE

5. The Chief License Inspector shall indicate on the license furnished to the licensee, the type of license and the location, time, date and duration for which the license is valid.

LICENSE VALIDITY

6. The license issued pursuant to this schedule shall be valid:
- (a) for the specific flea market only,
 - (b) for one location on which the flea market is to be held, and
 - (c) for the specific license period that the license is issued for.

INSURANCE

7. (1) Every applicant for an flea market license shall file with the Chief License Inspector proof of insurance of Commercial General Liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) Dollars inclusive per occurrence for bodily injury, death and damage to property.
- (2) The proof of insurance shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of any cancellation or of a material change that would diminish coverage.

TRANSFERS OF LICENSE

8. The licenses issued pursuant to this schedule are not transferable from person to person or premises to premises.

RENEWAL OF LICENSE

9. The licenses issued pursuant to this schedule are not renewable.

GENERAL REGULATIONS

10. Every licensee shall:
- (a) ensure that orderly conduct is maintained on the flea market premises, and, at his or her own expense, keep sufficient staff for that purpose;
 - (b) keep sufficient staff present at the entrances to the flea market premises in order to ensure that queues which form for the purposes of gaining entrance to the premises do not obstruct sidewalks or highways;

- (c) be responsible for the conduct of the vendors at the flea market;
- (d) co-operate with the Chief License Inspector to ensure that all required inspections, including building, fire and health inspections, are conducted as required;
- (e) maintain up-to-date documents and plans that accurately record a complete list of the participants, their designated location on the premises and the types of items sold;
- (f) keep a copy of the documents referred to in clauses (c) and (d) of subsection 3(1) at the flea market;
- (g) keep the records referred to in clauses (e) and (f) for a period of one (1) year after the termination of the event;
- (h) produce those documents referred to in clauses (e) and (f) when so directed by a By-law Officer or Chief of Police;
- (i) co-operate with various inspection agencies;
- (j) require that all vendors display at their booth in a conspicuous location a sign indicating the vendors name, business address and phone number; conditions of sales, and whether the items displayed are new or used;
- (k) take prompt measures to reduce or eliminate nuisances when so requested by a By-law Officer;
- (l) provide trash receptacles in sufficient numbers and at suitable locations to keep up with the amount of trash generated by the event; and
- (m) empty the trash receptacles every night and as often as required to prevent overflow.