

BY-LAW NO. MDSS 02-26

FOOD TRUCK REGULATION BYLAW

A BYLAW respecting the licensing, regulation, and operation of Food Trucks within the Municipal District of St. Stephen.

WHEREAS pursuant to the Local Governance Act, S.N.B. 2017, c. 18, the Council of the Municipal District of St. Stephen is authorized to regulate businesses, protect public health and safety, regulate and manage streets, rights-of-way, and municipal property, delegate administrative authority, and enforce bylaws;

AND WHEREAS Council considers it necessary and desirable to regulate Food Trucks in a manner that supports economic opportunity while protecting neighbourhood compatibility, traffic safety, accessibility, and the orderly use of public and private lands;

NOW THEREFORE the Council of the Municipal District of St. Stephen enacts as follows:

PART 1 – TITLE AND PURPOSE

1.1 This Bylaw may be cited as the “Food Truck Regulation Bylaw”.

1.2 The purpose of this Bylaw is to:

- (a) regulate and license Food Trucks operating within the Municipality;
- (b) protect public health, safety, and accessibility;
- (c) manage the use of municipal streets, rights-of-way, and property;
- (d) minimize traffic, noise, waste, and nuisance impacts; and
- (e) establish clear administrative and enforcement authority pursuant to the Local Governance Act.

PART 2 – DEFINITIONS

2.1 In this Bylaw:

“Applicant” means a person applying for a Food Truck Licence.

“CAO” means the Chief Administrative Officer of the Municipal District of St. Stephen or designate.

“Council” means the Council of the Municipal District of St. Stephen.

“Food Truck” means a mobile or portable vehicle, trailer, or structure from which food or beverages are prepared, sold, or offered for sale to the public.

“Food Truck Licence” means a licence issued pursuant to this Bylaw.

“Municipal Property” means land owned, leased, or controlled by the Municipality.

“Municipality” means the Municipal District of St. Stephen.

“Operator” means a person who owns, leases, or operates a Food Truck.

“Public Right-of-Way” means any street, road, sidewalk, boulevard, or lane.

“Temporary Event” means a festival, market, fair, or special event approved by the Municipality.

PART 3 – LICENSING

3.1 No person shall operate a Food Truck within the Municipality unless the person holds a valid Food Truck Licence issued under this Bylaw.

3.2 Pursuant to the Local Governance Act, the CAO or designate is authorized to receive applications, issue, refuse, suspend, revoke, or impose conditions on Food Truck Licences, and administer and enforce this Bylaw.

3.3 A Food Truck Licence is valid for the calendar year in which it is issued, unless otherwise stated.

3.4 An application for a Food Truck Licence shall include all information and documentation required by the Municipality, including proof of insurance, public health approval, and payment of applicable fees.

3.5 A Food Truck Licence is non-transferable.

3.6 A Food Truck Licence issued pursuant to this bylaw may be issued either as:

a) an annual permit—This permit shall authorize the holder to operate within the municipality for a maximum of 30 cumulative days during the calendar year; or

b) a Daily Permit—This permit shall authorize the holder to operate within the municipality on the day indicated upon the permit.

PART 4 – LOCATIONS AND OPERATING AREAS

4.1 Subject to this Bylaw, Food Trucks may operate on private property with written consent of the property owner, on Municipal Property where approved, or at approved Temporary Events.

4.2 Approval to operate on Municipal Property does not create a lease, tenancy, or vested right.

4.3 No Food Truck shall operate within a Public Right-of-Way unless expressly authorized by the Municipality.

4.4 No Food Truck shall operate within 30 metres of the public entrance of a permanent restaurant unless approved or part of a Temporary Event.

4.5 No Food Truck shall obstruct traffic, sidewalks, emergency access, or accessibility features.

PART 5 – OPERATIONAL REQUIREMENTS

5.1 Unless otherwise approved, Food Trucks may operate between 7:00 a.m. and 11:00 p.m.

5.2 Every Operator shall maintain the Food Truck in a clean, sanitary, and safe condition and comply with all applicable health, fire, electrical, and safety regulations.

5.3 Operators shall provide adequate waste and recycling receptacles and remove all waste daily.

5.4 No Operator shall create excessive noise, use amplified sound without approval, or permit smoke, grease, or odours to escape in a manner that causes a nuisance.

PART 6 – TEMPORARY EVENTS

6.1 Food Trucks operating exclusively as part of an approved Temporary Event may be exempt from certain location restrictions, subject to event conditions.

6.2 Event organizers are responsible for ensuring compliance with this Bylaw.

PART 7 – INSPECTIONS AND ENFORCEMENT

7.1 Pursuant to the Local Governance Act, authorized officials may inspect Food Trucks at any reasonable time and require production of a Food Truck Licence.

7.2 Where a contravention exists, the Municipality may issue orders to comply, orders to cease operation, or take any enforcement action authorized under the Local Governance Act.

PART 8 – SUSPENSION AND REVOCATION

8.1 A Food Truck Licence may be suspended or revoked where the Operator contravenes this Bylaw, provides false information, fails to comply with an order, or where public safety is compromised.

8.2 The Operator shall be provided written notice and an opportunity to be heard where required by law.

PART 9 – OFFENCES AND PENALTIES

9.1 Any person who contravenes this Bylaw commits an offence under the Local Governance Act.

9.2 A person convicted of an offence is liable to penalties as permitted under the Local Governance Act, and each day a contravention continues constitutes a separate offence.

PART 10 – GENERAL

10.1 Licence fees shall be established by resolution of Council.

10.2 Where any portion of this bylaw is found to be unenforceable, all other sections shall continue in full force and effect.

10.3 Any bylaw or part of a bylaw inconsistent with this Bylaw is repealed.

PART 11 – EFFECTIVE DATE

11.1 This Bylaw comes into force on the date of third and final reading.

READ A FIRST TIME this 25th day of March, 2026.

READ A SECOND TIME this ___ day of _____, 20__.

READ A THIRD TIME AND FINALLY PASSED this ___ day of _____, 20__.

Allan MacEachern, Mayor

Jeff Renaud, CAO/Clerk