



CITY OF GREAT FALLS

PARK AND RECREATION DEPARTMENT

Policy Name:	Mobile Vending in Parks		
Section #:	Section Title:	Adopted:	2/1/2016
Approval Authority:	CITY CODE 9.3.10.010	Reviewed:	2/1/2016
Responsible Office:	PARK AND RECREATION	Revised:	N/A
Responsible Staff:	DIRECTOR OF PARK AND RECREATION	Signature:	

PURPOSE

To establish a policy and standard written procedures for the Department to manage and allow vending, concession sales, peddlers and mobile food unit sales in Great Falls Parks.

DEFINITIONS

Mobile Food Unit – is a food and beverage service establishment that is a vehicle mounted unit, either motorized or on a trailer, and readily movable without disassembling for transport to another location.

Food Cart – a food cart is a food and beverage service establishment that is a non-motorized vehicle self propelled by the operator.

Peddlers – a peddler will be defined as a mobile food vendor that travels from location to location only stopping to make sales of pre-packaged merchandise.

All units must be self contained. No utilities will be provided.

POLICY

The Park and Recreation Department will evaluate each request for vending in parks. Permits will be issued to vendors when they meet the following criteria:

General Requirements

1. All vendors must have proper licensing and comply with the State of Montana and Cascade City-County Health Department Guidelines.
2. All vendors must obtain a park vending permit from the Great Falls Park and Recreation Department.
3. The City reserves the right to deny access to parks based on safety issues and adequate parking.
4. No vendor can be in a park during a special event, tournament, parade, race or activity unless they are affiliated and have permission from the organizer. Vendors associated with the activity must still obtain all necessary permits to vend in the park.
5. "No" vending days in parks will be established on an annual basis and will be posted on the Park and Recreation web-page.
6. All vendors are required to remain in designated locations in specified parks.
7. Vendors will be allowed in parks on a first-come, first-served basis and may only vend during normal operating hours (dawn to dusk). Location(s) and schedule to be approved by Park and Recreation Director.
8. Vendors will only be allowed in the following parks
 - a. Gibson Park
 - b. Elks Riverside Park
 - c. Lions Park
 - d. Oddfellows Park
 - e. Broadwater Bay Park
 - f. Sight and Sound Park
 - g. Wadsworth Park (special events only)
 - h. Gallatin-Jaycee Park (outside of pool operating hours)
 - i. West Bank Park
9. Mobile Vending at all other parks is prohibited unless written permission is granted by the Park and Recreation Director for a special exemption of the policy.
10. In the event of damage by a vendor to parks or facilities, vendor may be liable for repair or restoration.
11. The items to be offered for sale at park locations shall include food and non-alcoholic beverages only. Park vendors are not authorized to sell services, merchandise or souvenirs without written permission from the Park and Recreation Director. Vendor to provide list of products to be sold. Items not listed will not be permitted.
12. Vendors must post in a conspicuous manner, a sign showing the price to be charged for all items to be sold.
13. Vendors shall dispense all beverages and liquids in cans or paper/plastic cups. No glass bottles or containers shall be served to customers in the park.
14. Mobile vending units shall not be parked stored or left overnight in any park location.

15. Vendors shall not block the passage of the public through a public area or interfere with access to ramps, curb cuts, or other conveniences for individuals with disabilities.
16. Vendors shall not leave their mobile vending unit unattended in a park at any time.
17. Vendors shall collect all litter and garbage generated in the operation of the business at the end of each business day and remove same from park. Vendors may not put refuse from the operation of their business in or beside any public trash container or in any drain along or in the streets or sidewalks.
18. Every park vendor shall indemnify and save harmless the City of Great Falls from all suits or actions brought against the City for or on account of any injuries or damages received or sustained by any party or parties by or from said vendor, his/her employees or agents, or by or on account of any act or omission of said vendor.

Insurance Requirements

Vendor shall purchase and maintain insurance coverage as set forth below. The insurance policy must name the City, (including its elected or appointed officers, officials, employees, or volunteers), as an additional insured and be written on a “primary—noncontributory basis. “Vendor will provide the City with applicable additional insured endorsement documentation. Each coverage shall be obtained from an insurance company that is duly licensed and authorized to transact insurance business and write insurance within the state of Montana, with a minimum of “A.M. Best Rating” of A-, VI, as will protect the Vendor, the various acts of subcontractors, the City and its officers, employees, agents, and representatives from claims for bodily injury and/or property damage which may arise from operations and completed operations under this Agreement. All insurance coverage shall remain in effect throughout the life of this Agreement. All insurance policies must contain a provision or endorsement that the coverage afforded will not be canceled, materially changed, or renewal refused until at least thirty (30) days prior written notice has been given to Vendor, City, and all other additional insureds to whom a certificate of insurance has been issued. All insurance documentation shall be in a form acceptable to the City.

Insurance Coverage at least in the following amounts is required:

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| 1. | Commercial General Liability
(bodily injury and property damage) | \$1,000,000 per occurrence
\$2,000,000 aggregate |
| 2. | Products and Completed Operations | \$2,000,000 |
| 3. | Automobile Liability | \$1,000,000 combined single limit |
| 4. | Workers’ Compensation | Not less than statutory limits |
| 5. | Employers’ Liability | \$1,000,000 |

Procedures

Parties interested in vending in Great Falls parks will be directed to the City of Great Falls Park and Recreation Department to obtain a vending permit. The Park and Recreation Department staff will provide direction and assistance to vendors wishing to sell items in parks and ensure that each vending request meets the criteria outlined in this policy prior to issuing a vending permit. Vendors must complete the appropriate application and make payment prior to the permit being issued. Vendor must also provide a photo of vending unit/cart.

Duration

A park vending permit will be valid for the calendar year in which it is issued. All park vending permits will expire on December 31 of the same year. The City of Great Falls reserves the right to suspend or terminate park vending permits, without refund, if vendors are found to be not in compliance with any part of this policy.

Fees

Vending fees are established by Great Falls City Commission. Current fees are as follows:

- a. \$55 per day
- b. \$100 special event only fee
- c. \$750 per year