



## Vendor Policies & Procedures For Gahanna Department of Parks & Recreation

### **PURPOSE**

It is the purpose of these policies and procedures to regulate and control the number and type of Vendor businesses operating in the City of Gahanna Parks in order to protect the health, safety and general welfare of the citizens of Gahanna. It is additionally the intent of these policies and procedures to regulate these businesses to protect the natural environment of the City owned parks, to promote the health of and avoid the degradation of the all parks. In creating these policies and procedures it is further the purpose of the City to ensure the quality and appearance of the parks while offering beneficial amenities for the citizens of Gahanna and the users of said facilities.

### **DEFINITIONS**

1. "Park" means any publicly owned property designated by the City of Gahanna as a Park.
2. "Vendor" means any individual who "operates." Vendor does not include any individual who "operates" in the capacity of a volunteer.
3. "Operate," "operates," or "operations" means the act of selling, bartering, offering for sale, exposing for sale at retail or wholesale, or giving free samples of any goods, wares, merchandise, chattels, vegetables, fruits, foodstuff of any other description, any drink or other substance for human consumption; or any commodity or service or other article upon any street, road, alley, doorway, sidewalk, or upon vacant lots or other tracts of land, or from place to place.
4. "Special Event" means any activity or gathering or assemblage of people upon the public right-of-way for which a permit to operate by any City department must be issued or an event organized by the City of Gahanna.
5. "Management Area" means a park preserve or park zone, which is designated as being controlled by the Department of Parks & Recreation.
6. "Pushcart" means a vehicle propelled by human power, which has been specifically designed for the sale or barter of goods and services. Vehicles not specifically designed for the sale or barter of goods or services including by way of example and not by way of limitation racks, wheelbarrows, dollies, grocery carts, baby carriages, tables, chairs, benches, cabinets, or other furniture and boxes, buckets, tubs, or other containers or devices which normally rest on the ground whether or not wheels have been attached shall not be licensed as pushcarts.
7. "Tricycle" means a three-wheeled pushcart propelled by human power upon which any person may ride which is equipped with pneumatic tires more than fourteen (14) inches in diameter.
8. "Tent" means any type of shade structure less than 120 sq ft. A larger tent is possible if granted written permission from Director of Parks & Recreation with appropriate permits.
9. "Director" means Director of Parks & Recreation or designee.

### **PROPOSAL REVIEW**

The following general provisions apply to the proposal review of Vendor businesses in any City of Gahanna park:

1. During any given time of the year, the Director of Parks & Recreation may request proposals from Vendors for operation within any City of Gahanna park management area;
2. Upon reviewing of all proposal request, the Director may choose a Vendor business to operate within the management area at any given time;
3. If none of the proposal requests are acceptable by the Director, then the Director can choose to have no Vendor businesses operate;
4. Complete discretion is granted to the Director of Parks & Recreation when selecting the Vendor business to operate in any City of Gahanna park;
5. Any person who submits a proposal request for consideration must procure the proper permits from the Department of Parks & Recreation and abide by these policies and procedures as well as all police, fire and health codes or provisions.

## **PROPOSAL CONTENT**

In order to obtain a vendor license from the Gahanna Department of Parks & Recreation the following items are needed. Gahanna Department of Parks & Recreation vendor application;

1. Franklin County Board of Health Food Service Permit or Mobile Food license (if applicable);
2. Mifflin Twp Fire Dept. inspection (if applicable);
  - a. Inspections are required if using a temporary structure larger than 120 sq. ft.
  - b. Cooking with an open flame, gas or propane
3. Completed W9 (if applicable);
4. Proof of obtaining City income tax filing number or exemption for the City of Gahanna from the Regional Income Tax Authority (RITA) (only required for Non-Profits);
5. Proof of current insurance coverage not less than \$100,000.
6. Current certificate for Proof of Bureau of Workers Compensation (if applicable).
7. Picture of trailer/pushcart or diagram of tent set up.

Application will be processed within 10 business days; no vendor may operate their business until the permit has been issued and picked up at the Department of Parks & Recreation.

## **PERMIT FEES**

The annual license is valid from January 1 to December 31; the fee shall be as follows:

1. Community Event fee
  - i. \$150 – one time usage/special event fees
2. Gahanna Non-Profit Organizations shall receive a 50% discount off the fee. (Non-Profit Organizations and Church Groups must submit proof of their IRS status and a letter from the president or chairperson of the organization/church authorizing you to collect revenue on their behalf. All Non-Profit Organizations must pay with their organizations check or credit card. Non-profits that fail to submit the required documents will be considered commercial vendors and will be required to follow policies for commercial vendors.)

## **LICENSE REFUSAL**

The Department of Parks & Recreation may refuse to issue licenses if any of the following is found to be true:

1. The applicant has made a false statement as to any matter in the application;
2. The applicant or his prospective employer has violated any provision of this policy within the last three (3) years;
3. The applicant is under 18 years of age;
4. The applicant has not complied with all applicable regulations of this or any other City agency, as well as those of the state and federal governments;
5. Any other reason for which a license may be refused as provided in various sections of the City of Gahanna Codified Ordinances.

## **LICENSE SUSPENSION, REVOCATION**

Licenses issued may be suspended or revoked by the Department of Parks & Recreation for one or more of the following reasons:

1. Fraud, misrepresentation or bribery in securing a license or during the course of business; or,
2. Violation of any provision of this chapter;
3. Failure to display the identification card as is required by subsequent sections of this chapter;
4. Failure to notify the Department of Parks & Recreation of a change of address within ten (10) days of such change; or
5. Failure to have valid permits or licenses required by the Department of Health or any other City, township, state or federal agency; or

6. Conviction of any criminal or traffic offense while operating, or conviction of any criminal offense involving theft or fraud; or
7. For any of the reasons which could have been grounds for refusing to issue the original license; or
8. Operating or working for any unlicensed Vendor; or
9. Possessing, selling or distributing intoxicating liquor, beer or illegal substances such as illicit drugs and/or drug paraphernalia.

Upon the suspension or revocation of any license, such license shall immediately be removed from public view and shall be returned to the Department of Parks & Recreation within seven (7) days of such suspension or revocation unless a stay is granted by the Director of Parks & Recreation until further review.

#### **TRANSFER OF LICENSE, IDENTIFICATION CARD**

No license, identification card or decal issued by the Department of Parks & Recreation shall be assigned or transferred by the named licensee to any other individual or organization.

#### **DISPLAY OF IDENTIFICATION CARD**

Each Vendor shall conspicuously display on the outside of their clothing, at all times while operating, the identification card furnished with such Vendor license.

#### **GAHANNA PARKS OPERATION**

Vendors shall not:

1. Operate at any park during the hours of summer camp.
2. Operate in a park that has an open concession stand (i.e. Academy, Headley, McCorkle Parks, Gahanna Municipal Golf Course, City of Gahanna Aquatic Facilities, etc).
3. Operate on any property owned by the Gahanna Jefferson School District property or any other property not owned or managed by the City of Gahanna.
4. Obstruct pedestrian or vehicular traffic upon any walkway or other public right-of-way. Leaving less than five (5) feet of space available for pedestrian traffic on any walkway shall be considered obstruction of pedestrian traffic.
5. Sell, barter, offer or expose for sale any goods or services to occupants of vehicles whether parked or in motion which may be located in parking lots adjacent to the Creekside Plaza or on roads, alleys and streets.
6. Possess, sell or distribute intoxicating liquor, beer or illegal substances such as illicit drugs and/or drug paraphernalia.
7. Operate on any sidewalk or trail.
8. Operate from any motor or animal-propelled vehicle or tricycle on any road, street, alley or parking lot.
9. Display, use, advertise or store any merchandise or service from, in, or on any telephone or other utility pole, tree, planter, trash container, parking meter, or any other sidewalk fixture.
10. Display, use, advertise or store merchandise or service from, in, or on any box, bucket, cooler, tub or other container unless attached or carried on a push cart, or from any table, chair, bench, cabinet or other furniture of any kind, or from any rack, dolly, wheelbarrow, grocery cart, baby carriage, stroller, easel, hand cart or blanket unless authorized by the Director of Parks & Recreation.
11. Place or permit to be placed in any waterway any noxious or deleterious material or any material which may affect the use or enjoyment of such waters for recreational or natural park use.
12. Place or permit to be placed on any ground area or cover, water of any source derived from the operation of the Vendor business.
13. Operate on frozen surfaces of any waterway.
14. Wash or wax any portion of the Vendor pushcart at any park.
15. Leave a pushcart at any park during the hours of sundown to 7:30 a.m.

Vendors shall:

1. Operate only in areas designated by the Director of Parks & Recreation.
2. Operate using only authorized and licensed trailer, pushcarts and/or tents.
3. Be responsible for own utility needs (electric, water, grey water, gas, etc.).
4. Be responsible for keeping the area within twenty-five (25) feet of their operation free and clear of any litter caused by such operation. When two or more Vendors occupy overlapping areas of litter control, they shall be jointly responsible for the overlapping area.
5. Operate away from utility poles, electrical outlets or other structures as not to obstruct access to them.
6. Operate only during the hours of 8:00 a.m. and sundown and other times as designated by the Director of Parks & Recreation.
7. Have a fire extinguisher as required by the Mifflin or Jefferson Township Fire Department. Inspection of your fire extinguisher will be at the discretion of the Mifflin or Jefferson Township Fire Department. All cooking operations shall provide a sufficient number of portable fire extinguishers to afford adequate fire safety as determined by the fire officials.
8. Post cost of all items for sale.

### **PUSHCART REQUIREMENTS**

1. Pushcarts shall not be:
  - a. More than four (4) feet in width; including wheels; or
  - b. More than nine (9) feet in length, of which not more than six and one-half (6-1/2) feet of length shall be used for the display, storage, or preparation of items for sale or barter;
  - c. More than six and one-half (6-1/2) feet in height;
  - d. Canopies, umbrellas or other covers attached to the pushcart may not extend more than eight and one-half (8-1/2) feet nor less than six and one-half (6-1/2) feet from the ground and shall not exceed eight (8) feet in width;
    - i. Such canopy, umbrella or cover shall not be used for display of merchandise purpose;
  - e. No item shall be placed or affixed on any pushcart in such a manner so that the combined height of the item and the pushcart exceeds six and one-half (6-1/2) feet or the combined width of the item and the pushcart exceeds four (4) feet.
2. Pushcarts shall have:
  - a. A minimum of two wheels;
  - b. A litter container affixed thereto; such container shall be of at least one (1) gallon capacity;
  - c. An attached braking mechanism or device shall be capable of locking the wheels while not in motion;
  - d. Enclosed sides made of a hard, sturdy, non-transparent, non-cloth substance securely and permanently attached to the pushcart frame. Such sides shall have a finished appearance. "Finished" shall mean painted, stained or varnished unless sides are made of stainless steel, cast iron, or a fiber glass or plastic material manufactured in a colored condition;
  - e. A permanently affixed handle capable of propelling and controlling the pushcart;
  - f. A fully operating certified, portable fire extinguisher;
  - g. Been designed with flame retardant materials. This is not required but highly recommended.

### **TENT REQUIREMENTS**

1. Tents shall:
  - a. Not be larger than 120 sq ft;
  - b. Be anchored without stakes (use weights).

### **TRAILOR REQUIREMENTS**

1. Trailers shall:
  - a. Not be larger than 8' wide x 16' long x 9' high.

### **INSURANCE REQUIREMENTS**

Prior to the issuance of any license, the owner of any point of sales cart/trailer/tent/table must provide current evidence of insurance for the operations of their business. The limit of this policy shall be not less than one-hundred thousand dollars (\$100,000) for any one incident and shall be combined single limit insurance coverage from an insurance company duly licensed to transact such business in the State of Ohio. No deductible amount shall be allowed from this policy in an amount greater than two hundred fifty dollars (\$250.00).

### **ALCOHOLIC BEVERAGES PROHIBITED**

1. No Vendor shall knowingly possess, with the purpose to consume or sell, any intoxicating liquor or beer, and wine as defined in Ohio R.C. Chapter 4301 while being in or upon any portion of any City of Gahanna park.
2. It is unlawful for any Vendor to knowingly attempt to sell intoxicating liquor or beer in any park.
3. The City of Gahanna Police Department will be notified of such violation and dealt with according to policy and the Vendor will be ordered to cease all operation immediately and will not be eligible for operation within the City of Gahanna if found to be in violation.

### **ENFORCEMENT**

Any law enforcement officer or Department of Parks & Recreation staff member authorized to enforce this policy who observes any violation of this policy may lawfully order such individual to cease using a pushcart or operate Vendor business until the violation is corrected.

If the individual fails to obey the lawful order to cease using the pushcart within a reasonable time, the officer or staff member may make a written complaint to the Director of Parks & Recreation in addition to any other remedy provided by law. Absent extraordinary circumstances, a reasonable time shall be considered five (5) minutes.

If, the Director of Parks & Recreation determines that the owner or operator of the pushcart did fail to obey this chapter or any other lawful order, the Director of Parks & Recreation may suspend or revoke the license of that pushcart, Vendor business.

## VENDOR APPLICATION

OWNERS NAME: \_\_\_\_\_

BUSINESS NAME: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

BUSINESS PHONE: \_\_\_\_\_ ALT. PHONE: \_\_\_\_\_ TAX ID: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

**SINGLE EVENT** Gahanna Independence Day Celebration \_\_\_\_\_

Requested items to sell: \_\_\_\_\_

Requested park location and dates: \_\_\_\_\_

Unit selling from:  Pushcart  Tent  Trailer  Table

I have read and understand the conditions of this permit and have the authority to enter into this agreement and agree to abide by the conditions of this permit.

\_\_\_\_\_  
Owner Applicant

\_\_\_\_\_  
Date

The CITY OF GAHANNA, DEPARTMENT OF PARKS & RECREATION

Hereby enters in to an agreement with \_\_\_\_\_ for the operation as a vendor at \_\_\_\_\_ during the hours of \_\_\_\_\_.

The terms of this agreement and its associated licenses are valid from July 4, 2017 to July 4, 2017.

\_\_\_\_\_  
Jeff Barr, Director  
Department of Parks & Recreation

\_\_\_\_\_  
Date

Office Use Only:	Fire Dept. License #	FCBH Permit #	GDP&R Permit #	App Rec'd	HH Clause Rec'd	Ins COI Rec'd	License valid dates	Amount Paid

GDP&R PERMIT # \_\_\_\_\_

## VENDOR LICENSE

OWNERS NAME: \_\_\_\_\_

BUSINESS NAME: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

BUSINESS PHONE: \_\_\_\_\_ ALT. PHONE: \_\_\_\_\_ TAX ID: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

This license has been issued in accordance with City of Gahanna, Department of Parks & Recreation Vendor Policies & Procedures and is subject to revocation or suspension for cause and is not transferable.

EXPIRATION DATE \_\_July 4, 2017\_\_

\_\_\_\_\_  
DATE ISSUED

\_\_\_\_\_  
DIRECTOR, PARKS & RECREATION

**THIS LICENSE MUST BE DISPLAYED AT ALL TIMES**

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Authorized items for sale: \_\_\_\_\_

\_\_\_\_\_

Tax ID# \_\_\_\_\_

Franklin Cty Bd Health Permit # \_\_\_\_\_

Gahanna Building Dept. Permit # \_\_\_\_\_



**HOLD HARMLESS CLAUSE**

For and in consideration of the opportunity to participate as a vendor for the City of Gahanna, Department of Parks & Recreation, I, for myself, my heirs, executors, and administrators, acquit, discharge and covenant to hold harmless the City of Gahanna, its successors, its officers, employees, servants, and agents of and from any and all actions, claims, causes of actions, claims demands, damages, costs, loss of services, expenses and compensations, on or account of or in any way growing out of any and all personal injury or property damage which may result to me as a result of participation as a vendor. I/We have read and agree to the vendor application and related department policies, including the right to use my photograph or image with or without my name, both single and in conjunction with other persons or objects for any and all purposes, including, but not limited to, private or public presentations, advertising, publicity and promotions relating thereto.

APPLICANT (S) SIGNATURE(S):

\_\_\_\_\_  
\_\_\_\_\_

PRINT NAME(S):

\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_