



POLICY GOVERNING MOBILE VENDING IN THE PARKS

The following policy shall be used by the City when considering an applicant's request to vend in the City's park system. All rules and regulations shall be applied consistently and without prejudice to any and all applicants.

A. Application: Pursuant to Papillion Municipal Code, Section § 146-13, "Applicants for a Mobile Vendor permit shall file with the City Clerk a complete written sworn application signed by the applicant at least ten (10) regular business days prior to the date when the intended business is to commence. Mobile Vendors shall be classified as either Right-of-Way or Non Right-of-Way." Applications for Mobile Vendors are available in the office of the City Clerk.

Mobile Vendor applicants approved to vend in the parks must notify the City Clerk in writing upon termination of such vending activity.

B. Total Number of Vendors: The total number of Mobile Vendors allowed in any one park, under normal operating conditions, shall not exceed three.

C. Location: The location of the Mobile Vendor shall be approved by the City. The City reserves the right to limit the vending unit size based on park aesthetics and available vending space in each park.

D. First Right of Refusal: Permits and reservations shall be issued on a first come basis. Returning applicants shall be given priority provided that they have successfully complied with all terms and conditions of the permit, and the City or its agents have not received complaints regarding the vendor's service, quality of product or related matters on a prior permit. Requests will remain on file in chronological order for two (2) years.

E. Permit Suspension or Revocation: Please refer to Papillion Municipal Code, Section §146-16.

F. Terms of Use: Unless otherwise specified, all permits shall be granted for specified times and uses and do not entitle the applicant to have rights to or a presence in any of the City's events or other public/private scheduled events or other non-routine uses of the park without the City's written consent. Specific days and/or times, location and other operating conditions may

be applied or imposed as conditions of use, and must be adhered to throughout the duration of the permit period unless otherwise mutually agreed to by both parties. Unless otherwise approved, events shall occur Sunday through Saturday at such times in accordance with park hours. The City reserves the right to exclude dates from the permit if an Event permit is issued or if a City-Sponsored Community Event is taking place within 300' of the park vending permit location.

G. Compliance with All Posted Rules: Mobile Vendors are required to be compliant with all posted rules of the park or be subject to removal from the park for not observing the same.

H. Method of Contact: All inquiries about Mobile Vending permits shall be the City Clerk at 402-597-2021.

RULES AND REGULATIONS:

A. In addition to the rules and regulation listed in Papillion Municipal Code, Section §146-15, the following shall also be enforced for vending in a city park. Any applicant that does not adhere to the rules and regulations set forth shall be subject to denial of a permit and/or revocation of a permit.

1. Each permit is for one location only.
2. No person, partnership or corporation will be issued more than two park vending permits at any one time.
3. A Mobile Vending permit does not grant exclusive use of the area assigned. Events permitted in adjacent areas are allowed to provide Mobile Vendors during the course of such an event.
4. During the hours of operation of any city approved farmer's market or street market operation, no street vending operations on public property or public right-of-way may conduct business within 300 feet of the Downtown Plaza Park and City Park in Papillion.
5. All products offered for sale and for public consumption shall be first grade quality. All federal and state, regulations pertaining to the quality of products offered for sale shall be met.
6. Mobile Vendors shall dispense all beverages and liquids in cans, paper, or plastic containers. No glass bottles or containers shall be served to customers in the park.
7. Mobile Unit equipment used shall be in a self-contained unit. No storage area, water, electric or other utilities will be supplied by the City. Generators may be used in the vending operation with approval from the Parks Director or authorized designee.

8. Mobile Vending Units or other equipment shall not be parked, stored or left overnight in any park location.
9. For public safety and the prevention of potential damage to public property, no vehicles will be allowed outside designated parking areas unless permission is specifically granted in the permit. The presence of City vehicles or equipment is exempted and, when appropriate and available, City vehicles and staff may provide assistance in the transporting of items into the park.