



**City of Findlay Recreation Department Vending Application**

3430 North Main Street, Findlay, Ohio 45840

*(Read Conditions of the Vending Permit before completing this form.)*

Date: \_\_\_\_\_ Permit Type: Seasonal \_\_\_\_\_ Event \_\_\_\_\_

Name: \_\_\_\_\_

Organization/Business: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: Day \_\_\_\_\_ Evening \_\_\_\_\_ Email: \_\_\_\_\_

Commercial Business: \_\_\_\_\_ Non-Profit Organization: \_\_\_\_\_

Type of Vending stand to be used (attach photo or drawing): \_\_\_\_\_

Detailed listing of items to be sold or service provided and pricing (please specify): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Vending location preference: (rank preference)**

Emory Adams Park \_\_\_\_\_ Youth Football \_\_\_\_\_ Swale Park \_\_\_\_\_

Riverside Park \_\_\_\_\_ Rawson Park \_\_\_\_\_ Cooper Field \_\_\_\_\_

Marathon Diamonds \_\_\_\_\_ The CUBE \_\_\_\_\_ Riverside Field \_\_\_\_\_

Millstream Art Plaza \_\_\_\_\_ Dorney Plaza \_\_\_\_\_ Other \_\_\_\_\_

Specific location in park: \_\_\_\_\_

Date(s) of operation: \_\_\_\_\_ Time of operation: \_\_\_\_\_

Sponsoring Organization/Event Approval-Signature: \_\_\_\_\_

Name of Sponsoring Organization/Event: \_\_\_\_\_

Name of Representative (please print): \_\_\_\_\_

**Vendors must be self-contained. Water and electricity is not available.**

**Conditions of the Vending Permit**

1) It is prohibited for any person or business to sell or offer for sale, any food, and beverages or merchandise in any city owned park or recreation facility without first obtaining a permit for each vending location. Vending will only be allowed in certain public parks and recreation facilities as determined by the Parks and Recreation Board. Permits shall be issued only after approval of a vendor's application by the Parks or Recreation Superintendent or the City of Findlay's Service-Safety Director and after payment of a permit fee.

2) The fee schedule is as follows:

**Seasonal Permit:** This permit should be utilized by vendors who intend to sell items or services at multiple locations and/or multiple events throughout a season (6 months). The vendor shall be required to obtain permission to sell goods or services from any group that has a permitted event for a facility. The Event Vending Permit application and fee for a permitted event is still applicable and must be paid. Failure to obtain permission from the permitted group prior to setup shall be grounds for revocation of said seasonal permit. Seasonal Permits can only be obtained by vendors that are self-sufficient and require no City connections to power or other utilities.

Seasonal Vending Permit Fee: \$300 plus \$25 per approved location

**Event Vending Permit:** This permit should be utilized by the following: A group intending to have vendors at a permitted event or an Individual vendor with no Seasonal Permit that intend on selling items at a permitted event.

An Event is considered to be a single permitted event, not regular season usage.

Event Vending Permit Fee: \$50 per vendor

1. A vendor shall not be required to pay the Event Vending Permit Fee if that vendor holds a valid Seasonal Permit.
2. Activities which the sole purpose of the event is sales of good, i.e. Farmer's Market, Flea Market, Craft Shows, Food Shows, Business Showcases, etc. are exempt from the Vending Permit Fee of \$50 provided they have already paid an entry fee for said event.
3. Vending sponsored by charitable non-profit organizations shall be exempt from fees. These organizations must provide civic, educational, and/or health benefits to Findlay residents to be considered in this category and must donate proceeds to an organization benefitting local residents.
4. Activities sponsored by organizations that do not meet the above requirements shall be charged a permit fee as established in the Fee Schedule.
5. Vendors are responsible for taxes. The Vendor shall be solely responsible for the payment of any taxes imposed by any lawful jurisdiction as a result of the performance and payment of the Vending Permit.

3) Vendors interested in selling in public parks will be required to apply for a Vending Permit specific to each park or apply for a Seasonal Permit that covers selected parks. The awarded contract will be for a term of one season (6 months) and the City of Findlay will have the right to review the location where the vendor will be selling, the price being charged and the product being sold to ensure that the appropriate concessions are being sold.

1. The City of Findlay reserves the right to allow more than one vendor per park and to limit the number of vendors at a facility.
2. Permitted vendors will not be allowed to sell goods or services at permitted special events and events used as fundraisers for non-profit organizations, unless authorized to do so by the event organizers. (Examples: Flag City Balloonfest, Concerts in the Park, Sporting Events and Tournaments, etc.).

4) The Vending Permits do not grant use of a park or facility. Therefore, Parties interested in selling a service or organizing a sports camp or instructional clinic or other type of event in or on city property are required to obtain a Field Permit to make available to the general public their service, clinic or camp. All permits must be received at least 30

calendar days before the start of the event. Fees for the Field Permit will be reviewed annually by the Parks and Recreation Board and established by City Fee Schedule.

5) Vendor shall provide proof of liability insurance per the following:

1. Proof of an insurance policy, issued by an insurance company licensed to do business in the state, in the amount of seven hundred fifty thousand dollars (\$750,000.) per claim and one and one-million dollars (\$1,000,000.) per occurrence, conditioned to hold the city harmless from any damage or injury whatsoever to any person or property of any description, however owned, by reason of the vendor's failure or neglect to conform with any provision of this article or other ordinance of the city and further protecting the vendor and the city from all claims for damages to property and bodily injury, including death, which may arise from products liability and operations under or in connection with the permit. Such insurance policy shall name the city as an additional insured and shall provide that the policy shall not terminate or be cancelled prior to the expiration date without thirty (30) days advance written notice to the city. In addition, the vendor shall indemnify the city against any and all liability, loss or damage that the city may suffer as a result of claims, demands, costs or judgments resulting from the vendor's vending in city parks and/or recreation facilities.

6) Not later than fifteen (15) business days after the filing of a completed application for a Vending Permit, the applicant shall be notified by the Recreation Department of the decision on the issuance or denial of the permit. The Recreation Superintendent shall consider fire hazards, traffic and vision obstructions, park uses, other permitted uses and events, availability of utilities, pedestrian movement, and other safety hazards, in determining whether to grant a permit. If the issuance of the permit is approved, the Service-Safety Director, Recreation Superintendent or designee shall issue the permit. If the permit is denied, the applicant shall be provided with a statement of the reasons therefore, which reasons shall be entered in writing on the application. The applicant shall be entitled to appeal the denial of the permit to the Parks and Recreation Board. A permit issued pursuant to this section is valid for a period of six (6) months from the date of issuance. The permit shall specify the location from which vending is permitted and shall only be valid for vending at that location.

7) Vendor shall not:

1. Leave any stand unattended.
2. Store, park or leave any stand beyond established park hours in any park, facility or public land with the exception of permanent or semi permanent concessions as approved through a separate Facility Use Agreement.
3. Sell food & beverages for immediate consumption unless the vendor provides a trash receptacle for use by patrons. Beverages must not be dispensed in glass containers, but in cans, paper or plastic cups. **Coca-Cola products are the exclusive drinks of the City of Findlay Parks and Recreation Facilities.** Other carbonated, energy, sport and soft drink products besides Coca-Cola are not to be sold in City Parks and Recreation Facilities.
4. Leave any location without first picking up, removing and disposing of all trash or refuse remaining from sales made by the vendor.
5. Allow any items relating to the operation of the vending business to be placed anywhere other than in, on or under the stand.
6. Set up, maintain or permit the use of any table, crate, cart, rack, or any other device to increase the selling or display capacity of his or her stand, where such items have not been described in his or her application.
7. Sound or permit the sounding of any device which produces a loud and raucous noise or use or operate any loud speaker, public address system, radio, sound amplifier or similar device to attract the attention of the public.
8. Vend without the insurance coverage specified.

9. Provide or sell alcoholic beverages of any sort within the permitted use area by the applicant without first obtaining the express written approval of a Facility Use Agreement or Special Event Permit, City of Findlay, Hancock County and/or State of Ohio permits and provision of additional Liquor Liability Insurance.
10. Use all or any portion of a City park or recreational facility 1/2 hour before dawn and no later than 11:00pm.
11. Discriminate against any person because of his or her race, national origin, ancestry, color, sex, religious creed, physical disability, mental disability, medical condition, or mental status.
12. Sell, assign or transfer the Vending Permit without the prior written consent of the City.
13. The applicant shall, as a condition subsequent to the granting of an application for use issued pursuant to this policy, comply with all health and safety requirements of the State of Ohio, Hancock County and the City of Findlay relating in any way to the permitted use.
14. Violate any fire codes of Fire Department mandates including specifications on fire extinguishers and propane usage.
15. Sell at Marathon Diamonds, the CUBE and/or Riverside Pool without written permission from management of said establishments.

8) Vendor shall comply with and perform the services in accordance with all applicable Federal, State, and City laws including, without limitation, all City codes, ordinances, resolutions, standards and policies, as now existing or hereafter adopted or amended, including but not limited to the following:

1. Federal, state and local health, safety and licensing laws relating to the sale of vending goods.
2. City code provisions requiring any person or entity doing business in the City to obtain a business registration and Vendors License.
3. City Parks and Recreation Department policies, including, but not limited to, it's Vending Policy.

9) Signage shall be related to the items being sold, shall be non-obtrusive and of appropriate size relative to the vending operation.

10.) The Safety-Service Director or Recreation Superintendent may deny any application for a permit and may suspend or revoke the permit of any vendor for any of the following causes:

1. Fraud or misrepresentation contained in the application for the permit.
2. Fraud or misrepresentation made in the course of carrying on the business of vending.
4. Conduct of the licensed vendor in such manner as to create a public nuisance, or constitute a danger to the public welfare, morals, health and safety, including, but not limited to, fire hazards, safety hazards and obstructions to vision, traffic or pedestrian movement.
5. Failure to comply with all conditions of the permit.

*From the date of denial, suspension or revocation, the vendor shall have ten (10) days in which to submit a written notice appealing such denial, suspension or revocation to the Parks and Recreation Board. The Parks and Recreation Board shall hear and rule on the appeal no later than the second regularly scheduled meeting of the Board following the filing of the notice of appeal.*

11) The applicant, as a condition subsequent to the granting of an application for use, expressly covenants and agrees to indemnify, save harmless, and defend the City, its officers, officials, employees, agents and volunteers from any and all

liability and claims for damages or loss of whatever nature and kind in anyway connected with applicant's use other than that caused by the negligence or other legal fault of the City, its officers, officials, employees, agents and volunteers.

through the City, including without limitation federal social security, health benefits, workers' compensation, unemployment compensation and retirement benefits. The Vendor is engaged as an independent contractor and will be responsible for any federal, state, and local taxes and fees applicable to vending activities.

13.) Any variance from this agreement will be considered by the Safety-Service Director or the Parks and Recreation Board.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Vendor

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
City of Findlay

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**OFFICE USE:**

Date: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

Check #: \_\_\_\_\_ Receipt#: \_\_\_\_\_

Certificate of Liability Insurance attached       Health Department Permit attached

Agreement Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Special Notes/Addendum: \_\_\_\_\_

Vendor Signature

City of Findlay