KANSAS CITY PARKS AND RECREATION VENDING POLICY 4.7.08

REVISED DECEMBER 12, 2006

The Director of Parks and Recreation is authorized to establish rules, regulations and fee schedules for vending permits in City Parks pursuant to, and not inconsistent with, ordinance No. 060056. Vending permits will be at fixed locations designated by the Parks and Recreation Department.

All applications will be reviewed by the Parks Director or authorized designee. Park vending permits will be granted to those applicants who best meet the needs of the public that the Parks and Recreation Department is trying to serve at locations deemed appropriate by the Parks and Recreation Director. It is strongly recommended that an applicant obtain preliminary park vending permit approval before purchasing vending equipment or City licenses, because only a limited number of park vending permits will be issued.

Please contact **Dan Chambers** at christopher_chambers@kcmo.org or (816) 513-7720 with questions or to request an application.

PARKS AND RECREATION DEPARTMENT VENDING RULES AND REGULATIONS

APPLICATION PROCEDURES

1) All persons, partnerships and corporations interested in vending in a City park are required to submit the following documents to the Parks and Recreation Department, 4600 E. 63rd Street, Kansas City, MO 64130; (816) 513-7720.

   - A letter of application which includes the applicants full name; name of business; residence and business addresses, phone numbers, and email address; the type of vending permit requested (standard or healthy); and the vending location requested.
   - A photograph and measurements of the vending unit to be used in the vending operation.
   - A typed list of items to be sold and the prices to be charged for same.

2) A letter confirming preliminary approval will be issued by the Parks and Recreation Department should the application be approved. Once confirmation has been received, the following documents must be submitted to the Vending Permit Section prior to the issuance of a park vending permit. Failure to submit all documents within 30 days from the date of preliminary permit approval shall render the application null and void without additional notice.

   - A copy of the food permit obtained from the Health Department, 2400 Troost Avenue, Kansas City, MO 64108; (816) 513-6008; health@kcmo.org
   - A copy of the occupation license issued by the Revenue Division, 414 E. 12th Street, Kansas City, MO 64106; (816) 513-1124; planning@kcmo.org
   - Present proof of insurance in the amount of $25,000/$50,000 bodily injury and property damage in the amount of $10,000, and auto liability of at least $250,000 for vendors using vehicles for food/beverage vending (such as ice cream vans, etc.).
   - A completed and signed application form (provided with preliminary approval letter), which includes a statement that the applicant will adhere to all City ordinance provisions, and Parks and Recreation Department rules and regulations governing sidewalk and mobile unit vending.
   - A cashier's check or money order in the amount as stated in the preliminary approval letter made payable to the Kansas City Parks and Recreation Department (Note: This fee may be prorated for terms of less than one year).

3) A vendor certificate including all required licenses must be prominently displayed on the mobile unit from which the vendor operates. Park vendors must keep a copy of the approved Parks and Recreation application available for inspection at all times.

4) A park vending permit shall be valid from the date issued until December 31 of the current year, and may be renewed between December 1 and December 31 for the following year for a period not to exceed two consecutive years.

5) Parks and Recreation Department reserves the right to limit the number of vendors allowed in any one park and the total number of permits issued in any one year. The department further reserves the right to limit the vending unit size based on park aesthetics and available vending space in each park.

6) No person, partnership or corporation will be issued more than two park vending permits at any one time.

7) The fee for a park vending permit shall be $500 per year payable in advance; however this fee may be prorated for terms of less than one year. A permit is required for each vending unit in one authorized park; allowances for multiple parks for one permit fee may be granted under the "Healthy Vending" requirements.

8) A park vending permit may be revoked at any time by the Parks and Recreation Director upon seven days notice by mail to the permit holder's business address of record. No refund of permit fees will be granted.

9) The business of park vending shall be conducted between the hours of 6:00 a.m. to 11:00 p.m.

10) Every park vendor shall indemnify and save harmless the City of Kansas City 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.

11) Park vending permits shall not be assigned by vendors in whole or part, nor any portion of the premises sublet.

12) A park vending permit does not grant exclusive use of the area assigned. Special events permitted in adjacent areas are allowed to provide vendors during the course of such an event. Further, the Parks and Recreation Director reserves the right to exclude dates from the vending permit if special event, festival, fair or parade permits are issued within 300' of the park vending permit location.

13) 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. All products offered for sale and for public consumption by park vendors, shall be number one, first grade quality. All Federal, State, and local regulations pertaining to the quality of products offered for sale shall be met by vendors.

14) Park 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.

15) Park vendors shall provide at their own expense all equipment necessary to provide the items for sale in the conduct of the business. All equipment used shall be in a self-contained unit. No storage area, water, electric or other utilities will be supplied by the Parks and Recreation Department. Generators may be used in the vending operation with approval from the Parks Director or authorized designee.

16) Pushcarts or other vehicles and equipment related to the vending operation shall not be parked, stored or left overnight in any park location.

17) Park 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.

18) Park vendors shall not leave their pushcart or other vehicle or equipment unattended at any time.

19) Park 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 the park. In addition, vendors shall retrieve any containers or food or litter that may be carried away and left on the park grounds. 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.

20) Permits shall be issued on a first come basis. The Vending Permit Section will file and maintain a list of permit requests in chronological order. Requests will remain on file for two years.

21) Each vending unit shall be inspected and approved by the Parks and Recreation Department. Each vending unit shall be kept in a clean and sanitary condition at all times.

HEALTHY VENDING GUIDELINES & REQUIREMENTS

To increase access to healthier food and beverage alternatives in our parks, the Kansas City Parks and Recreation Department encourages vendors to implement the following food and beverage guidelines.

Healthy vending will fall into two categories: "Healthier" and "Healthiest." Inclusion in one of these categories will depend upon the percentage of healthy items for sale.

"**Healthier" Food Vendors** – Vendors in this category will be required to have 50% of items for sale that adhere to the nutrition guidelines below. "Healthier" food vendors will receive a 50% reduction in the cost of a Parks and Recreation Vending Permit.

"Healthiest" Food Vendors – Vendors in this category will be required to have 75% of items for sale that adhere to the nutrition guidelines below. "Healthiest" food vendors will receive a "roaming" Parks and Recreation Vending Permit for $500. "Roaming" permits allow vending in three parks, based on availability, with one permit. "Roaming" permits do not guarantee exclusive rights to any one park.

A suggested list of healthier food/beverage items is attached at the end of this policy. Guidelines for the healthier alternatives are as follows:

Food Nutrition Guidelines*

- 5 grams of Total Fat or fewer per serving (not including nuts and seeds).
- 30 grams of Carbohydrates or fewer per serving (Candy is not considered to be healthy; fruit in any form is permitted, regardless of carbohydrate count).

Foods such as non-fat or low-fat hotdogs or similar items may be considered a healthier alternative to regular hotdogs or similar items.

Beverage Nutrition Guidelines*

- Beverages that contain 50 percent fruit or vegetable juice with no added sweeteners.
- Water – Pure or vitamin enhanced.
- Milk – Lowfat (1%) or Nonfat preferred, any flavor
- Low-Calorie Beverage – <50 calories per 12 oz. serving

* Nutrition guidelines meet with approval of the Kansas City, Missouri, Health Department

Mandatory Pricing Standards
Food/Beverages meeting the nutrition guidelines must be sold at a price that is not more than 10% over the price of similar food/beverages that do not meet these nutrition guidelines.

Oversight
Healthier vendors will be routinely monitored by Parks and Recreation to assure full compliance of rules and regulations, as well as ensure healthier items for sale are on-hand and meet the nutrition guidelines.

PERMIT REVOCATION

The Parks and Recreation Department reserves the right to revoke a permit:

- Should park vendors fail to abide related City ordinances, and the Parks and Recreation Department policy on vending. No refund will be issued and the permit (decal) will be forfeited by the park vendor.
- In cases where excessive (as determined by Parks and Recreation) litter, grease, and/or other debris results from the vending activity.
- Should the park vendor become involved in misconduct, misbehavior, and/or illegal activity. Examples of this type of behavior might include, but not be limited to, the use of profanity or discriminatory practices.

AUTHORIZED PARKS FOR VENDING

NORTH REGION

The Concourse
Benton Blvd and St. John Ave

Kessler Park
Paseo to Belmont Blvd

Maple Park
Maple Blvd and Lexington Ave

Budd Park
St. John Ave & Brighton Ave

Waterworks Park
NE 32nd Street and N Oak Trafficway

Lakewood Greenway
I-35 to Penguin Park

Penguin Park
Vivion Road and N. Norton Ave

Harmony Park
E. 10th St & Agnes Ave

CENTRAL REGION

Illus W. Davis Park
11th & Oak

Washington Square
Pershing & Main Street

Mill Creek Park
47th & Main

Penn Valley Park
Broadway to SW Trafficway only

Brush Creek Channel
Roanoke Parkway to Elmwood

SOUTH REGION

Sunnyside Park
83rd St and Summit

Tower Park
75th & Holmes

Holmes Park
69th & Holmes

Longview Tract
7101 Longview Rd

Swope Park
Elmwood to 67th to Gregory Blvd and parking lot at Oldham Road and Gregory

Minor Park
111th & Red Bridge Rd
(excluding golf course proper)

SUGGESTED ITEMS FOR HEALTHIER VENDING

HEALTHIEST	HEALTHIER	EXCLUDED
SNACKS		
Animal Crackers, Graham Crackers	Granola Bars, Whole-Grain Fruit Bars	Cookies (including low-fat)
		Candy, Candy Bars, Toaster Pastries, Marshmallow treats
	Baked Chips, Corn Nuts, Rice Cakes, Cereal/Nut Mix	Regular Chips, Cheese-Flavored Crackers, Cracker Sandwiches
Nuts and seeds – plain or with spices	Nuts with light sugar covering; honey roasted	Candy or Yogurt coated nuts
Trail Mix – cereals and dried fruit (no fat added)	Popcorn/nut mix	Trail mix with chocolate, yogurt or candy
Fresh, canned or individually packed fruit – natural juices only	Canned or individually packaged fruit in light syrup	Canned or aseptic-packed fruit in heavy syrup
Dried Fruit – raisins, dried cranberries; fruit leather	Fruit-Flavored Snacks (containing some fruit juice)	Candy or sugar coated dried fruit
Pretzels – any flavor		Candy or yogurt coated pretzels
Fat-Free Popcorn	Light Popcorn	Popcorn – buttered
Beef Jerky – 95% Fat Free		Sausages, Pork Rinds
Yogurt – non-fat or light	Yogurt – regular	
Sugar-free Gelatin	Fat-Free Pudding	Pudding made with whole milk
BEVERAGES		
Milk, any flavor – non-fat or 1%	Milk, any flavor	
Juice – fruit or vegetable that contains 100% juice	Juice – fruit or vegetable that contains 50% juice	Fruit flavored soft drinks
Water, pure	Flavored or Vitamin-enhanced fitness water, Sparkling Water	
	Low-calorie, diet sodas; low-cal iced tea; low-cal coffee	Regular soft drinks and sports drinks