

|   |                       |  |                |  |
|---|-----------------------|--|----------------|--|
|  | Effective Date:       | May 1, 2014  | Revision Date: |  |
|   | Responsible Division: | <b>Natural Resources, Parks and Recreation</b><br>Chris Cawein, Director |                |  |
|   | Subject:              | <b>The Loop Vendor 6 Month Pilot Program</b>                             |                |  |

## Introduction

Natural Resources, Parks and Recreation (NRPR) Department will implement a Loop Vendor Pilot Program for 6 months, from May 1, 2014 to October 31, 2014, to allow non-motorized vendors to conduct business in designated areas on The Loop.

## Purpose

To provide a fair and equitable process to permit vendors to conduct business in The Loop areas;  
 To promote small business opportunities;  
 To support the Pima County Parks and Recreation Commission's rules and comply with Pima County's ordinances, guidelines and regulations

## Definitions

The Loop: the area being developed for multi-use, non-motorized paths along rivers and other trails around metropolitan Tucson with links to Marana, Oro Valley, and South Tucson.

Mobile Food Establishment: Food establishments that are designed to be readily movable. This pilot program prohibits food vendor trucks.

Vendor: one who sells, leases or rents a permitted product or service to the public at approved, designated locations along The Loop.

## Background

Pima County promotes and enforces public health and safety within Pima County. Pima County also supports small businesses and entrepreneurship. As The Loop continues to develop, vendors have inquired about opportunities to set up Mobile Food Establishments or businesses along The Loop. Loop users may be interested in the availability of additional services along The Loop. This Loop Vendor Pilot Program is designed to test whether non-motorized vendors along The Loop are desirable by Loop Users and Vendors.

## 1. Procedure

### Vendors

- i. All Vendors requesting access to Loop areas must be registered with the Pima County Natural Resources, Parks and Recreation Department. Vendor registration, if approved, will result in a Natural Resources, Parks and Recreation Vendor Permit being issued. For specific instructions on how to register as a Loop Vendor and obtain a Loop Vendor Permit please see Attachment A.
- ii. All Vendors must be licensed and/or certified by the Pima County Health Department, if required, and show proof of their operating license, temporary event license, and/or certification at the time of request for a Loop vending permit.
- iii. All Vendors must comply with all applicable federal, state and local laws and regulations including, but not limited to:
  - Pima County Code
  - Arizona Revised Statutes
  - Pima County Public Health Department regulations and guidelines
  - Pima County Natural Resources, Parks and Recreation Rules and Regulations
- iv. All Vendors will be required to sign an agreement that may include additional requirements specific to their designated location and service.
- v. All Vendors shall provide recycling services while in operation on The Loop and shall deliver recyclables to a designated recycling center.
- vi. All Vendors are responsible for the collection and removal of their own trash and garbage. Vendors must not use public waste receptacles to dispose of their trash or garbage.
- vii. Vendors not requiring a health permit are required to produce evidence of minimum \$1,000,000 liability insurance, in the form of a certificate of insurance naming Pima County and the Pima County Regional Flood Control District as additionally insured.
- viii. Vendors requiring a health permit are required to produce evidence of minimum \$2,000,000 liability insurance, in the form of a certificate of insurance naming Pima County and the Pima County Regional Flood Control District as additionally insured.
- ix. Vendors will receive a copy of this procedure at the time of registration.
- x. Vendors must have health permit, if required, and vendor permit with them at all times when conducting business on The Loop.

- xi. Any Vendor failing to comply with this procedure or any other rule, regulation or law that applies to their business, may have their permit revoked, their fee forfeited and their business removed from The Loop by the Natural Resources, Parks and Recreation Director or the Director's designee.
- xii. Pima County reserves the right to place conditions upon Vendor permits based upon operational necessity. Pima County reserves the right to deny, revoke or place conditions on permits to Vendors with past negative or adverse conduct or who fail to comply with rules, regulations or applicable law.
- xiii. No Vendor shall block or impede any entrance or exit to The Loop.
- xiv. All Vendors shall abide by the following restrictions:
  - 1. No Vendor shall set up business within 100 feet of another Vendor unless authorized through this procedure and a vendor permit is issued.
  - 2. No Vendor shall set up business within 200 feet of a permanent, competitive business.
- xv. The Natural Resources, Parks and Recreation Director or the Director's designee will establish all designated locations. These locations and availability will be based on first-come, first-approved permits to ensure location availability to multiple Vendors on The Loop. (See Attachment B)
- xvi. All Vendors interested in a designated Loop location must apply to the Natural Resources, Parks and Recreation Department.
- xvii. All Vendors must meet Pima County guidelines and have approved equipment for the designated location. Should competing Vendors desire the same specific location, vendor who registered first will be assigned the desired site and another site will be offered to the competing vendor.
- xviii. All Vendors will set-up in the designated site (approximately 12'x12') and all equipment must stay in designated site and not cause any back-up or congestion on The Loop.
- xix. All Vendors must set up and remove all equipment daily.
- xx. Vendor may erect a temporary sign for advertising. Sign and location of sign will be approved by NRPR Director's designee. Temporary sign must be removed daily.
- xxi. Upon request Vendor shall provide County a financial summary sheet indicating the revenues and expenditures associated with use of The Loop facility within 10 days of vacating premises.

## 2. Feedback or Complaints

### i. Feedback:

1. Natural Resources, Parks and Recreation desires feedback from both Vendors and Users during this Pilot Program and will provide a feedback form upon request.

### ii. Complaints:

1. Any Vendor or other person aggrieved by the application of this Procedure may file a formal complaint with the Natural Resources, Parks and Recreation Director on a form to be provided by the Department. The following procedure applies to complaints under this Procedure:

Upon completion of the complaint form by the complainant:

Natural Resources, Parks and Recreation staff will prepare a report addressing any issues identified in the complaint form. Staff will forward the report to the Natural Resources, Parks and Recreation Director or the Director's designee for review and action.

## 3. The Loop Vendor Fees

The following fees will be imposed upon Vendors subject to this Procedure

\$100.00 per site per calendar month during 6 month Pilot Program.  
After Pilot Program, fees tbd.

## 4. Applicability

This Procedure shall apply to all requests for mobile vending along The Loop within Pima County jurisdiction.

**Responsible Department:** Natural Resources, Parks and Recreation per the Statutes, Policies and Parks and Recreation Commission rules cited below

### References:

Arizona Revised Statutes, §11-931, et seq.  
Pima County Code, Chapter 7.29–Solid Waste  
Pima County Code, Chapter 8.08–Food Establishments  
Pima County Code, Chapter 9.30–Regulation of Excessive, Unnecessary and Annoying Noises  
Pima County Board of Supervisors Policy D 31.1  
Pima County Parks Rules, Chapters 1-7  
Pima County Park Rule §1.020, Commercial Activity  
Pima County Sustainability Action Plan

Adopted Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_