

Overview:

- a) Mission: To create a strong sense of community by connecting community members, supporting, and helping to grow local businesses, artisans, crafters, musicians, food trucks, sport leagues, entertainers, non-profit organizations, etc.
 - a. Some of the ways we do that is by providing the following marketing for you:
 - i. Your business name, offerings, and business story may be posted on our website and social media.
 - ii. The event/market listed in the Parks & Recreation Guide and in the City of Portage newsletter "The Portager" that goes out to 24,000 households.
- b) Portage Parks and Recreation reserves the right to update these Rules & Guidelines at any time. All vendors will be made aware of any changes in writing within 7 business days.
- c) There shall be no refunds for any participation payments. If the City of Portage has to cancel an event and cannot move or re-schedule, a credit or refund will be issued. Fees per space (space is limited):
 - a. Food Trucks – Pricing depends on location/event type:
 - i. Events / Concerts - \$50 fee per event / concert
*If the concert is relocated then the fee reduces to \$25
 - ii. Tournaments - \$100 fee per day
 - iii. Daily Permit (within designated hours and location at each Park) - \$25 fee per day, payment due before permit issued.
 - iv. Farmers Market - \$25 per day
*If attending the Farmers Market, you must also abide by the Farmers Market Rules & Guidelines.
- e) All mobile food vendors / food trucks are required to be approved by the City of Portage Parks & Recreation before they can be approved for any specific events / markets.
- f) All prepared, ready-to-eat foods to be sold by vendors must meet Federal, State, and local preparation, licensing, labeling and storage regulations.
- g) Required Documents:

*All documents must be provided to Portage Parks and Recreation within 7 business days of approval.

 - a. License:
 - i. Both Transitory Food Unit (TFU) (MCL 289.6137) and Mobile Food Establishments (MCL 289.6135) are licensed food operations that can occur in various physical forms including but not limited to trailers, pushcarts, vehicles, watercraft, tents, or other non-fixed food service establishments. Licensing as either a TFU or Mobile Food Establishment will depend upon the menu, intended food operations, and physical construction of the unit. Contact the Local Health Department to discuss your operation if you have questions about licensing.
 - b. Fire Marshal Safety Inspection Approval – copy of signed report (QR Codes not accepted)
(<https://www.kalamazoopublicsafety.org/Resources/Food-Truck-Registration>).
 - c. Liability insurance is required.
 - i. Liability insurance must be in the amount no less than \$1,000,000. The vendor must name the City of Portage as additional insured on their farm/business liability insurance policy and provide proof of that coverage.
 - ii. All coverage shall be endorsed to reflect the following as Additional Insured: *"City of Portage, its elected and appointed officials, agents, employees, volunteers, boards, commissions, and representatives."*
 - iii. It is understood and agreed by naming the City of Portage as additional insured, coverage afforded is considered primary and any other insurance the City of Portage may have in effect shall be considered secondary and or excess.
 - d. Auto insurance policy- Coverage shall include all owned vehicles, non-owned, and hired vehicles that will be used to support the event / market (no special endorsements required).
 - e. A photograph of the mobile food vending unit and length of unit
 - f. A copy of State-issued photo ID for the person holding the insurance policy.
- h) Location:
 - a. Mobile food vehicles/carts will not be allowed on public streets but shall be parked only in pre-approved areas within the parks / markets where the vehicle/cart has been authorized to operate.
 - b. Vehicles/carts must be placed in a manner not to cause safety concerns, such as blocking a fire lane, emergency building exits, obstruction of sight at access driveway, or blocking sidewalks).
 - c. *Daily Permit Holders*
 - i. Vendor must ensure that Food Truck is a minimum of 10 feet away from any item.
 - ii. No "drive around" sales allowed. Vehicle / cart is expected to remain stationary in a given location.
- d. All food shall be prepared, sold, and displayed from inside of the vehicles/cart. No mobile food truck shall set up a cooking area outside of the truck.
 - e. No mobile food vendor shall set up a dining area outside of the truck including but not limited to tables and chairs, grills, booths, stools, benches or stand-up counters.
 - f. A daily permit does not grant or entitle the vendor to the exclusive use of any park or area, only the location specified on the permit.

- i) Orientation:
For the safety of all patrons, the customer service area for mobile food vehicle/cart shall be on the side away from streets/vehicle traffic, and toward lawn, patio or sidewalk.
- j) Equipment
 - a. Power
 - i. Any power required for the mobile food vehicle/cart shall be self-contained and shall not use utilities drawn from the public, unless written permission is obtained.
 - ii. Power cords shall not cross any sidewalk, path, or street and any extension cord must be one continuous cord and must not exceed 100 feet.
 - iii. If a generator is used then there can be no fueling on site, and the location of the generator cannot be in the direction of pedestrians.
 - a. For generators on unit, the slide out tray cannot be in the direction of pedestrian or vehicle traffic.
 - b. No flashing or blinking lights are allowed on mobile food vehicles/carts.
 - c. Awnings and umbrellas attached to food truck shall have a minimum clearance of 7 feet between the ground level and the lowest point of the awning/umbrella or support structure.
 - d. There will be no sound amplifying equipment with the exception of a portable generator, which must meet the requirements of Chapter 24, Article 4 (Noise).
- k) Waste (*Daily Permit Holders*)
 - a. All mobile food vehicle/cart vendors shall offer a waste container for public use which the vendor shall empty at its own expense each day, including all trash and gray water originating from the operation of mobile food vehicle/cart.
 - b. Food, spills, or garbage from patrons shall be cleaned up by the vendor.
- l) Time (*Daily Permit Holders*)
 - a. Hours of operation will be limited to the posted hours at the park.
 - b. You must be packed up and ready to exit the park by the park's closing time.
- m) NOTE: Food trucks/vendors/concessionaries utilizing city park property and/or facilities for a longer period of time (such as up to 6 months) will be contracted separately by Portage Parks & Recreation.

General Vendor Rules & Regulations:

- a) All vendors, including those on the waitlist, must have an up-to-date application on file with Portage Parks and Recreation.
 - a. Vendors must fill out the [Mobile Food Vendor application](#) each year
 - b. Submitting an application does not guarantee placement. Portage Parks & Recreation will select vendors for each event / tournament / market based on the needs of those events.
- b) All Portage Parks & Recreation events are family friendly. As a result, vendors are expected to:
 - a. Refrain from obscene or suggestive language, discriminatory language, and/or politically-fueled language or content.
 - b. Wear family-friendly attire, free of offensive or suggestive language.
- c) No vendor shall refuse to permit the purchase of any produce, goods or participation based on race, religion, color, creed, gender, political affiliation, sexual orientation, national origin, sex, age, marital status, gender-identity, height, weight or mental or physical ability.
- d) Hawking (the calling out to market customers) for the purpose of selling or promoting a vendor's product or luring customers away from another vendor are prohibited.

Attendance and No-Show Policy:

- a) Attendance is vital for the success of all markets and events, and for your business. Customers and the Market Manager / Event Manager count on you to be present. Missing without notice has a negative effect on all.
- b) Cancellations are expected to be made 48 hours before the event / market opens. Unless alternative arrangements have been made ahead of time, you must call or text the Market Manager.
- c) Portage Parks & Recreation events are "rain or shine". Despite rain, attendance will be expected unless the market is cancelled by the Market Manager / Event Manager. If the City of Portage has to cancel an event and cannot move or re-schedule, a credit or refund will be issued.

Setup / Teardown:

- a) Vendors must be fully set up 15 minutes before the start of the market / event.
 - a. The vendor will inform the Market Manager (269-548-9481) / Event Manager (269-251-0026) of delays or cancellations by cell phone or text message in emergency situations.
- b) Vendors must not leave or start tearing down until the market / event is closed. Tearing down early makes customers feel uncomfortable and gives the impression that the market / event is already closed, which has a negative impact on other vendors. Tearing down or leaving early also results in added safety concerns due to the presence of crowds, including children.
 - a. If a vendor has a need to leave early, they must discuss it with the Market / Event Manager ahead of time.
 - b. Selling out of your products is not a valid reason to leave early. If you sell out, you may put up a sign to let customers know that you are sold out, and then you are free to leave your space/truck, but you may not start tearing down or leave/pull out.
- c) Vendors are expected to drive slowly and carefully on designated paths when setting up and tearing down. 4-way hazard flashers must be on.
- d) Vendors who leave early or who are not set up on time may forfeit future events/ markets.

Enforcement and Disputes:

- a) Portage Parks and Recreation shall be charged with the responsibility of interpreting and enforcing these rules and maintaining order at the market / event.
- b) Any issues should be directed to the Market Manager / Event Manager and Portage Parks and Recreation.

Signage Requirements:

As a family-friendly market that serves people of all ages, Portage Parks & Recreation has put in place standards to ensure that all signs display the minimum information necessary to create a clean and more user-friendly environment. Signs will be limited to printed words and numerals, and will not display any symbols, images, or logos that have not been pre-approved. These standards will assist in providing visual equality among vendors and accurate information for visitors to the market / event.

- a) All signage must be approved by the Parks and Recreation Department Director before being placed in use.
- b) No signage may display any non-pre-approved images, logos or symbols.
- c) Signage is allowed on mobile food vehicles, and one free-standing temporary sign is permitted, not to exceed 15 square feet.
- d) Vendors must have a menu with prices visible to patrons.
- e) Other than the above-mentioned name/location/pricing signs, additional signage can be requested but must adhere to the above stated signage requirements and approval.
- f) Any Vendor displaying a sign in violation of these rules shall immediately remove the noncomplying sign upon request. Failure to do so may result in removal from the event / market and forfeiture of future bookings at City of Portage events / markets.

Failure to adhere to any of the above rules may result in forfeiture of your space or removal from the markets / events without a refund.

For questions or clarification, please contact Portage Parks and Recreation at 269-329-4522 or email mypark@portagemi.gov