

# Park Concessionaire Selection

Reference Number PAR 01.00.06

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## Purpose

To provide guidelines for concessionaire operations within the City Parks and Recreation Facilities.

## Scope

Any individual or organization requesting to operate concessions in Parks and Recreation facilities

## Definitions

**"Concessionaire"** a commercial or non-profit individual, group, or company to whom a concession has been granted by the city to operate a business or service on city property. Concessionaires include, but are not limited to, product vending machines, selling of food, selling of products or selling services.

**"Facilities"** includes all City Parks and Recreation Department managed buildings, shelters, gazebos, amphitheater, open space areas, trails, game fields, stadiums and courts.

**"Commercial"** refers to all individuals, groups or businesses who charge admissions, class fees, sell tickets, food or other items, solicit funds or donations, offer other for-profit activities or promote a commercial business.

**"Non-Commercial"** refers to all other individuals, groups, or businesses that do not charge admissions, do not charge class fees, do not sell tickets, food or other items, do not solicit funds or donations, do not offer other for-profit activities or do not promote a commercial business. 501(c) organizations are considered non-commercial if they are not conducting commercial activities as described above. If 501(c) organizations conduct activities fitting the definition of "commercial" then these organizations will be considered commercial.

**"City"** refers to the City of Bellingham Parks & Recreation Department.

## Policy/Conditions

### 1. Concessionaires are required to meet all codes, laws and ordinances

A City of Bellingham business license, health permit (if applicable), and all other regulatory licenses must be obtained by the concessionaire prior to operating any on-going concessions within Parks and Recreation facilities.

Concessionaire is responsible for payment of all license fees and taxes when due, including State Leasehold Excise Tax.

Concessionaire shall provide Workers Compensation coverage for its employees as required by law.

### 2. Concessionaires are required to obtain approval from the City

Those interested in operating temporary or mobile concessions for special events within the Parks and Recreation facilities will submit requests to the City Parks and Recreation Department at least two weeks before the event. The Parks and Recreation Department will approve in writing temporary concession operations.

Individuals, organizations and agencies can request approval to operate concessions through the Parks and Recreation Department.

On-going concessions will be approved as follows:

- On-going concessionaire operation requests will be submitted to the Parks and Recreation Department Director for initial staff review.
- On-going concessionaire operation requests may then be submitted to the Parks and Recreation Advisory Board for their recommendation.
- The Parks and Recreation Director may prepare and advertise requests for proposals from the general public to provide concession operations.
- All proposals will be reviewed and a concessionaire may be selected that provides the best service to the public and best financial return to the City.

An agreement will be developed and may be reviewed by City Council and approved by the Mayor.

### **3. City requires a signed agreement**

Concessionaires will sign an agreement with the City. The agreement will describe the conditions of the concession operation.

### **4. City May Require a Certificate of Liability Insurance and Endorsement**

The City may require concessionaires to provide a certificate of liability insurance and endorsement.

The certificate of liability of insurance must provide coverage in the amount required by the City's Legal Department. The certificate of liability insurance must name the City of Bellingham as additional insured and include an endorsement.

The certificate of liability insurance and endorsement must be submitted prior to the date of concession operation.

### **5. Use of City Utilities will be Negotiated**

If use of city utilities is approved and included in the concessionaire's agreement, the City may negotiate how utilities are provided and paid for.

### **6. Requests may be Denied**

Temporary and on-going concession requests may be denied at the discretion of the Parks Director or designee.

## **References/Sources**

Applicable business license

Bellingham Municipal Code, Title 4 REVENUE AND FINANCE, Chapter 88 LEASE OR TEMPORARY USE OF REAL PROPERTY

## **See Also**

- [PAR 03.01.17 Reserving and using Parks & Recreation Facilities](#)

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<b>Status</b>	Active
<b>Level</b>	Departmental
<b>Chapter</b>	Parks, Recreation and Cemetery
<b>Section</b>	
<b>Developed By</b>	Byron Elmendorf, Parks & Recreation Director
<b>Issued</b>	2/7/1979
<b>Revised By</b>	Parks Policy Review Committee
<b>Revised</b>	5/13/2014
<b>Approved By</b>	James King, Parks & Recreation Director
<b>Reviewed</b>	
<b>Archived</b>	
<b>Create Copy</b>	No