



Administrative Procedures: Outdoor Vendors for Special Events

Process Owner: Assistant Vice President-Student Engagement

1. GENERAL

Outdoor food and beverage vendors on the ENMU-Roswell campus can help with recruitment and enrollment by creating a positive and memorable experience for prospective students and their families during campus events. The outdoor vendors can offer various delicious and convenient food options, provide a lively and welcoming atmosphere, and showcase the campus culture and community. By creating a positive impression, food vendors can help students see the college as a desirable place to spend their time on campus, potentially increasing enrollment and retention.

1.1. Purpose

1.1.1. The purposes of this procedure are to allow for outdoor vending, but in a controlled manner that:

- protects and preserves the academic environment of the Campus from unnecessary disturbance;
- protects and preserves the beauty and tranquility of the Campus environment;
- promotes health and safety of the Campus community;
- prevents commercial exploitation of students; and
- protects and preserves the Campus's proprietary interests in its property.

2. APPLICATION

2.1. Unauthorized Vending Prohibited

No person shall sell food, goods, or services or carry on a trade or business on Campus property without the expressed consent of the Campus.

2.1.1. Outdoor vending is governed by the provisions of this procedure.

2.1.2. Vending within Campus facilities is prohibited unless authorized and approved in advance by the Assistant Vice President-Student Engagement.

2.2. Property Subject to Procedure

This procedure applies to Eastern New Mexico University—Roswell Campus in Roswell, New Mexico.

2.3. Private and Non-Profit Vendors

This procedure applies to all private, commercial, and non-profit vendors not associated with the Campus who seek to sell goods or services on Campus property as described in Section 2.2. herein. This procedure does not apply to vending or distribution by mechanical device which may be regulated by the Campus through a bid or procurement process.

2.4. Campus Organizations

This procedure also applies to vending by Campus organizations (e.g., departments, student organizations).

2.5. Vendors to the Campus

This procedure does not apply to vendors or owners or operators of commercial vehicles who are selling goods or services directly to the Campus or any officers, employees, or agents of the Campus for the conduct of Campus business or to other vendors conducting business on the Campus as authorized through the Campus procurement process. Refer to campus parking and traffic regulations for vendor parking permit information.



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3. AUTHORIZED VENDING LOCATIONS

Outdoor vending is allowed by private, commercial, and non-profit vendors or Campus organizations only as provided for in this procedure and only in the areas designated by the Safety Office. Permits and procedures will be issued by the Assistant Vice President-Student Engagement.

Campus organizations and all commercial and non-profit vendors not associated with the Campus will be assigned a location on campus by the Assistant Vice President-Student Engagement. In some instances, specific vending site permits will be issued in accordance with the procurement process used to select food and beverage vendors.

4. VENDING PERMITS

4.1. Vending Without Permit Prohibited

Every private, commercial, and non-profit vendor must obtain a permit from the Campus and must also pay a fee in advance to cover the term of the permit. Campus organizations must obtain a permit for vending activities but are exempt from paying any fees for these activities.

4.2. Permit Application

4.2.1. All applications shall include:

- The applicant's name, address, and telephone number.
- The name, address, and telephone number of the company or organization represented by the applicant.
- A statement as to whether the applicant is a Campus organization.
- The type of vending activity proposed.
- The date, time, and duration as well as the location of the vending activity proposed.
- The applicant's New Mexico Gross Receipts Tax Number; (non-Campus organizations).
- The applicant's TIN/EIN - Tax Identification Number/Employer Identification Number (non-Campus organizations).
- The applicant's City of Roswell business license (non-Campus organizations).
- Certificate of Liability Insurance.
- The applicant's New Mexico Environment Department Food Safety Bureau Permit, if applicable.

4.3. Issuance of Permits

The Assistant Vice President-Student Engagement shall determine the method for the issuance of permits and provide that such use does not interfere with or interrupt educational uses or other uses directly related to the operation of the Campus and subject to the provisions of this procedure.

- 4.3.1. The Campus must determine that space is available at the time and location stated in the application.
- 4.3.2. The applicant must pay the required fee at the time of application. Campus organizations will not be required to pay these fees. The fees will be returned if the permit is not issued.
- 4.3.3. The applicant must furnish proof of a New Mexico Taxation and Revenue Department Tax Identification Number (non-Campus organization).
- 4.3.4. By signing an application for a permit, the applicant shall agree to defend, indemnify, and hold harmless the Campus from and against all claims, costs, liabilities, charges, damages, and the like, arising out of the vendor's use and occupancy of Campus property.



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4.4. Permit Fees

All fees are payable in advance. Fees will not be charged for Campus organizations. A fee schedule is published and subject to change with proper authorization and approval of the Chief Business Officer. The Campus may use an alternate fee schedule or make special fee arrangements for special events. Revenues returned to the Campus by food and beverage vendors are determined through the procurement process.

4.4.1. The proceeds from the permit fees will be used to support student activities.

4.4.2. Permit fee will be forfeited if vendor is a "no show" on day of event.

4.5. Vending Location

Vending will be confined to the location assigned by the Campus for the event.

5. ADMINISTRATION

5.1. Processing of Permits

Permit applications for vending on Campus property shall be filed and approved pursuant to Section 4 herein.

5.2. Requirements and Limits of Operation

In addition to the conditions stated in Section 4. 5. herein, vendors and Campus organizations who have been issued permits shall observe the following rules:

5.2.1. Vending must be confined to the location designated on the permit and staffed at all times.

5.2.2. No vendor shall, by operating on Campus property, restrict access to Campus buildings or other facilities.

5.2.3. The vendor shall display permit at all times while operating on Campus property.

5.2.4. The vendor shall keep the designated area free of trash and safety hazards.

5.2.5. The vendor will be held responsible for any damage or cleaning that is incurred as a result of the vending.

5.2.6. The use of sound amplification equipment or devices is not approved under this procedure.

5.2.7. No vendor shall sell, display, or offer for sale any product or services which are prohibited by law, or inconsistent with Campus policy.

5.2.8. Permits are not transferable.

5.2.9. No vendor shall use trees, bushes, benches, walls, and other Campus property to display and/or hang merchandise. Vendors may not use Campus utilities, except for special events with the approval of the Assistant Vice President-Student Engagement.

6. Revocation of Permits

The permit issuer shall have authority to revoke any permit if the vendor fails to comply with the terms of the permit or the provisions of this procedure. In the event of revocation, no fees will be refunded to the vendor. Private commercial and non-profit vendors whose permits are revoked shall be prohibited from vending on Campus property for a period of not more than one (1) year.



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