

FAIRMOUNT PARK COMMISSION

PARK REGULATIONS

Section 105 of the Regulations is amended to read as follows (brackets indicate deletions; italics indicate additions):

SECTION 105. SALES, SOLICITING AND VENDING

(1) Except as otherwise provided in Section 202[(e)](4)(c), no person shall engage in vending in any area under the jurisdiction of the [Commission] *Department of Parks and Recreation* unless [property] *properly* licensed as a concessionaire by the [Commission] *Department*.

(2) *Except as otherwise provided in a concession agreement, [All] each concessionaire [licensed concessions] shall close its operations no later than 1:00 A.M. [and they] The concessionaire shall prominently post all prices [charged therein] it charges.*

(3) *If any person engages in vending in violation of this Section 105, then, under the conditions listed below, any officer authorized to enforce ordinances or regulations may remove that person's vending stand, cart, cooler, display, equipment, goods, wares, merchandise, food and beverages, and any other article or thing held for sale or used to make sales:*

- A. A uniformed police officer is present.*
- B. The enforcing officer provides the person with written notice of the violation or a written order to vacate the location where the vending occurs.*
- C. The person refuses to comply immediately with this Section or to vacate the location, as the case may be.*
- D. The officer who issues the violation notice or order notifies the person of the place where his or her property can be reclaimed.*

The Department is not obligated to refrigerate perishable items and may discard them. A person whose property is confiscated pursuant to this Section is entitled to reclaim that property immediately following payment of the City's removal and storage costs. The procedures and penalties provided in this Section 105(3) are in addition to those provided in Section 601 of these regulations.