



**FOOD SHARING EVENT
APPLICATION AND USE PERMIT**
CITY OF BULLHEAD CITY
Business License Office
PO Box 23189
Bullhead City, AZ 86439-3189
(928) 763-0110 Fax (928) 763-0131 bhcbusinesslicense@bullheadcityaz.gov
Location: 2355 Trane Rd. Bullhead City, AZ 86442

Any person or organization sponsoring, promoting or engaging in a **FOOD SHARING** event at a public park must provide a completed Food Sharing Event application a minimum of **five business days** and a maximum of sixty calendar days prior to the proposed event date. This **USE PERMIT** from the Bullhead City Business License office must be displayed during the event and is non-transferrable. (See back for definitions and explanation of required attachments.)

FOOD SHARING EVENT FEES

EVENT USE PERMIT: \$30.00 per event
(Fee does not include applicable vehicle entry or parking fees for event sponsor/promotor, staff, volunteers, or participants.)

REFUNDABLE DEPOSIT: \$250.00 per event

NAME OF THE EVENT: _____ DATE: ___/___/___ HOURS: _____ TO _____
(Maximum one day per month.) (Maximum two hours per event.)

DESCRIPTION/PURPOSE: _____

LOCATION OF EVENT: _____
(Name of park and address)

PROPERTY OWNER: NAME: **CITY OF BULLHEAD CITY** PHONE NUMBER: **928-763-9400**

ADDRESS: **2355 TRANE RD., BULLHEAD CITY AZ 86442**

NAME OF SPONSOR/PROMOTER: _____

NAME OF CONTACT: _____ PHONE: _____

EMERGENCY CONTACT DURING EVENT: NAME _____ PHONE: _____

Important Notices:

By signing above event sponsor/promotor agrees to indemnify, hold harmless and defend the City from claims arising from negligent acts, omissions or reckless or willful conduct of the permittee or permittee's employees, agents or volunteers related to permittee's activities pursuant to the permit; and provide a refundable deposit in the amount of \$250.00 for maintenance and cleaning costs and agree to reimburse the City for maintenance and cleaning costs in excess of the deposit.

Per A.R.S. § 9-495. Employees providing assistance; identification; communication:

A. In any written communication between a city or town and a person, the city or town shall provide the name, telephone number and email address of the employee who is authorized and able to provide information about the communication if the communication does any of the following:

1. Demands payment of a tax, fee, penalty, fine or assessment.
2. Denies an application for a permit or license that is issued by the city or town.
3. Requests corrections, revisions or additional information or materials needed for approval of any application for a permit, license or other authorization that is issued by the city or town.

B. An employee who is authorized and able to provide information about any communication that is described in subsection A of this section shall reply within five business days after the city or town receives that communication.

SIGNATURE OF EVENT SPONSOR/PROMOTER: _____ DATE: _____

ATTACH THE FOLLOWING (See attached explanations):

Date Due

- | | |
|---|-------------------------|
| 1. Proof of Insurance (event is on City or Government owned property) | Submit with application |
| 2. Refundable deposit of \$250 | Submit with application |
| 3. Copy of all Mohave County health permits (no alcohol permitted) | Submit with application |
| 4. Site plan and description of signs for event per attached guidelines | Submit with application |

FOR OFFICE USE ONLY	
BUS LICENSE:	Use Permit <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED BY: _____ DATE: _____
RISK MGMT:	Insurance <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED BY: _____ DATE: _____
MC HEALTH:	<input type="checkbox"/> Copy of Food Handling Permit Received
PARKS DEPT:	<input type="checkbox"/> Notified _____ DATE: _____
	<input type="checkbox"/> Refund of deposit \$ _____ approved by: _____ DATE: _____
	<input type="checkbox"/> Additional fee for damages due \$ _____ by: _____ DATE: _____
POLICE:	<input type="checkbox"/> Notified _____ DATE: _____
FIRE:	<input type="checkbox"/> Notified _____ DATE: _____

ANY PERSON REQUIRED TO PAY A LICENSE TAX FOR TRANSACTING AND/OR CARRYING ON ANY BUSINESS WITHIN THE CITY OF BULLHEAD CITY SHALL REMAIN SUBJECT TO THE REGULATORY PROVISIONS OF OTHER SECTIONS OF THE CITY CODE, ESPECIALLY AS THEY APPLY TO ZONING USE, BUILDING AND FIRE REGULATIONS.

FOOD SHARING EVENTS (5.36.010):

Outdoor food sharing events take place frequently in public parks. A number of the people served are homeless, but many are also people with very limited economic means who are not homeless but whom are able to avoid homelessness in part by accessing food from these events. Private persons and organizations have engaged in the distribution of prepared foods to those in need without having to obtain permits or operate under regulations that control the manner in which food is prepared, stored, transported, or served. City departments have been repeatedly called to address public nuisance and other illegal behavior, clean-up human waste, litter, trash and other debris left over from the food sharing events. These activities have resulted in a deterioration of the condition of public property and negatively affect use of parks by other patrons. The purpose of this chapter is to protect public health, safety and welfare by requiring all persons or organizations that sponsor, promote or engage in food sharing events at public parks to obtain a permit issued by the city prior to engaging in such activity, and requiring compliance with applicable Mohave County health regulations regarding food preparation and distribution; to accommodate competing interests and uses for park space and to ensure that events taking place in public parks are consistent with the intended primary uses of the parks.

DEFINITIONS (5.36.020):

"Public park" for purposes of this chapter means those public lands as defined under Section 12.12.010 of the Bullhead City Municipal Code.

"Food sharing event" means a non-social gathering that is planned, organized, promoted or advertised by a private group or organization at a public park where prepared food requiring distribution in a timely manner or temperature control for safe consumption is served or distributed for charitable purposes at no cost, or for a nominal charge, to any member of the public.

"Prepared food" does not include, sealed pre-packaged foods readily available from retail outlets and intended for consumption directly from the package.

UNLAWFUL ACTIVITY (5.36.30):

It is unlawful for any person or organization to sponsor, promote or engage in a food sharing event at a public park in violation of the provisions of this chapter. Any violation of this chapter is a class 2 misdemeanor.

EVENT REGULATIONS (5.36.050):

- A. Permittees shall be prepared to show proof of a valid permit issued pursuant to this chapter upon request by any police officer or code enforcement officer of the city.
- B. Permittees shall be prepared to show proof of compliance with all applicable Mohave County regulations relating to food preparation, handling and distribution upon request by any police officer or code enforcement officer of the city.
- C. Permittees shall not conduct an event on any other publicly owned or controlled property except for the public park for which the permit was issued.
- D. Permittees shall hold no more than one event per month, regardless of location. No location will host more than one event per month.
- E. No food sharing event may continue for more than two hours.

REVOCAION OF PERMITS (5.36.060):

- A. Any permit granted pursuant to the provisions of this chapter may be revoked by the city manager or city manager's designee for any violation of this chapter, any applicable provision of the Bullhead City Municipal Code or laws and regulations of the County of Mohave or State of Arizona related to food sharing.
- B. Revocation shall be made only after written notice of the city's decision to revoke has been provided to the permit holder and upon a hearing granted to the holder of the permit so revoked as specified in this chapter. A permit holder may not sponsor, promote or engage in a food sharing event once written notice of the permit revocation has been issued.

APPEAL (5.36.070):

- A. An applicant or permit holder may appeal the denial of a permit application or revocation of a permit by completing a notice of appeal to the city manager's office within ten days from the date of being notified of the denial of the application or revocation of the permit. The city manager's office shall forward the notice to the Bullhead City Municipal Court upon receipt. The applicant or permit holder shall be entitled to a hearing pursuant to the provisions of this chapter.
- B. The Bullhead City Municipal Court has jurisdiction to decide the denial or revocation of a permit under this chapter. The court shall conduct the hearing within five business days of written notice of the appeal from the city manager's office. Failure to request the hearing in a timely manner constitutes a waiver of the right to challenge the denial or revocation of the permit. At the hearing the city has the burden of establishing by a preponderance of the evidence that a basis existed for the decision. The magistrate may admit any reliable and relevant evidence, but the rules of evidence shall not be strictly applied. If the magistrate finds that the denial or revocation is supported by a preponderance of the evidence, the denial or revocation shall be sustained. The magistrate's decision may be appealed to the superior court within ten business days of the magistrate's decision.

EXEMPTIONS (5.36.080):

The provisions of this chapter do not apply to permitted farmer's markets or special events/activities where commercial food distribution takes place or to events on private property.

EXPLANATION OF REQUIRED ATTACHMENTS:

1. **Proof of Insurance:** Sponsor/promoter shall provide a certificate of liability insurance from an insurance company licensed to do business in the state of Arizona with a good "Best" or "Moody" rating and that the promoter has in effect insurance to protect the public, the promoter, and as additional insured, the City of Bullhead City, its elected officials and employees from general liability for losses and/or damages arising out of the activity which is the subject of the special event permit. The specific policy, form, certificate of insurance with limits and endorsements shall reflect the type of activity anticipated by the sponsor and shall be approved by the City Manager or his/her designee as a condition of issuing the special event permit. The minimum limits are \$1,000,000 general aggregate liability, \$1,000,000 per occurrence, \$1,000,000 personal injury and any other requirements needed to protect the City of Bullhead City and/or the general public.
2. **Refundable Deposit:** A refundable deposit of \$250 as the event is put on deposit with the City Finance Department to ensure the location is left in compliance with all City and State laws. This is refundable if the location is left in compliance with all City codes within 5 days of the conclusion of the special event. Charitable organizations must also comply with this requirement or may seek a reduction in the amount from the City Manager that will still guarantee cleanup.
3. **Mohave County Health Permits:** Copies of all health permits, and/or requests for waivers are required at time of application.
4. **Site Plan and Description of Event Signage:** A site plan and description of event signage is required. The site plan must show all utilities, buildings, event areas and all structures to be used or temporarily constructed including pedestrian and traffic access ways with an estimate of the number of people anticipated attending a parking/traffic plan for the anticipated attendees. Police and fire department and other government inspections and/or investigations will be conducted when necessary to enforce the Uniform Fire Code and other laws that protect the health, safety and welfare of the public. **The special/commercial/promotional/itinerant event may be denied if the site plan and/or location is inadequate for the special event or the location is inadequate for the attendance expected, or any other defect in the requirements of Chapters 6, 7, or 9 of the Bullhead City Municipal Code that will jeopardize the health, safety, or welfare of the general public.**