

POLICY

Effective Date: May 2005

Approved By: Viking Union/Associated Students

Authority: RCW 28B.35.120

Cancels prior policy on Sale of Goods and Services 01/20/93, 01/20/95, 03/02/00 See Also:

POL-U8650.02 SALE OF GOODS AND SERVICES

This policy applies to vendors of goods and services on campus as described below.

Purpose:

The purpose of this policy is to regulate the on-campus sale of goods and services to members of the University community while providing a campus market atmosphere. This policy shall not apply to the sale of goods and services by a person pursuant to a written agreement, involving the long-term lease, rental or use of University facilities, or to an activity that is part of a University-sanctioned program (e.g., art sales, crafts fairs, etc.). This policy shall not apply to private sales between individuals, which do not involve a general or public offer of goods or services for sale.

Policy:**1. Sales Prohibited**

No person shall offer for sale, or sell, goods or services on the campus of Western Washington University except at tables, located in the Viking Union Plaza, which have been designated for vending purposes.

No person shall offer for sale, or sell arrangements/agreements for future goods or services that may or may not be subject to approval from another, non-university party. This includes, but is not limited to, such contractual agreements as credit cards, internet service providers, cellular phone/pager service, etc.

2. Standards

The sale of goods and services on the campus of Western Washington University shall be consistent with the aims of the University, shall enhance the campus environment, and shall not interfere with the University's normal operation.

3. Procedures**1. Table Designation**

- A fixed number of tables shall be designated by the Viking Union Administration for quarterly, weekly and daily sales, respectively, provided that not all tables will be designated for quarterly use.

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- Depending upon anticipated demand, full, or half-tables may be assigned for rental.
- Temporary tables may be authorized on a short-term basis for special events, such as Orientation
- Scheduling and assignment of tables shall be the responsibility of the Viking Union Administration.

2. Reservations

Tables shall be available only on an advanced reservation basis as indicated below:

- Quarterly
As determined by the Viking Union Administration using, but not limited to, the criteria of service to the University community, diversity of offerings, quality of product, and proof of ability to provide proposed service. In the event a reserved table is not used for a period of one work week, that reservation shall be forfeited without refund.
- Weekly
On a space available basis on the work day before commencing sale. A lottery is done every Friday prior to the week requested. The reservationist accepts requests between 8:00 a.m. and 11:00 a.m. on that day and does a lottery drawing, if necessary. If all tables aren't reserved for the next week, reservations are available on a daily basis.
- Daily
On a space available basis on the work day before commencing sale. If space is available on the day of sale, a table may be reserved at the full daily rate, but may not be utilized until after the reservation process is completed. If a reserved space is not taken by 10:00 a.m. on the day reserved, the reservationist may resell that table.
- University and Non-Profit, Charitable Groups
These groups may reserve tables on a space available basis for bonafide, fund-raising activities of these groups, provided that such reservations may be made up to two weeks in advance of the scheduled use and may be for no longer than one week per use or activity. Groups may not use reservation privileges to "front" for other individuals or businesses.

3. Table Availability/Access

- Tables may be accessed by reservee no earlier than 7 a.m., on school days.
- If events requiring special permits for sales are held on holidays or weekends, all vendors shall be required to obtain those permits.
- Access for delivery and removal of equipment, supplies and materials shall be as directed by the VU Administration.

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4. Permit Privileges

Vending permits shall entitle a vendor to vend under the terms and conditions of this policy only, and shall not grant or imply any other rights or privileges nor relationship with the University or Viking Union. Permits are not transferable, and are valid only to the vendor to whom issued. Permits may be revoked for refusal to abide by the terms of this policy and subsequent regulations, subject to appeal to the Facilities and Services Council.

5. Licenses, Registrations, and Permits

Prior to acquiring a permit and reserving a table, vendors must provide all necessary business and health licenses, registrations and permits for the type of businesses they are conducting. Non-profit groups may also be required to show proof of their non-profit status.

6. Fees

- Establishment
Rates shall be established by the Facilities and Services Council on an annual basis during the budgeting process and shall include differential rates for full and half-tables.
- Payment
Daily and weekly fees must be paid in advance. Daily or Weekly vendors must pay prior to 10:00 a.m. on their first reservation day. Quarterly fees must be paid in advance or two equal payments, one prior to the quarter and one no later than the beginning of the sixth week of the quarter.

4. Liability

1. Western Washington University shall not be responsible for the quality, fitness or merchantability of goods or services in accordance with the provisions of this policy. No vendor shall advertise, represent or claim to be an agent or employee of Western Washington University.
2. Depending upon the nature of goods or services being sold, the University may require proof of a specified level of insurance as a condition for receiving a vending permit.

5. Taxes

Each person or organization selling goods or services on the campus of Western Washington University shall be responsible for the payment of any sales taxes, income taxes or other taxes resulting from the sales.

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6. Traffic Flow

The sale of goods and services on the campus of Western Washington University shall not interrupt the University's normal flow of traffic.

7. General Conduct

1. The conduct of persons or organizations selling goods or services on the campus of Western Washington University is expected to be polite and non-obtrusive. Aggressive selling or harassment of members of the University community or the general public will result in revocation of an individual's or organization's registration as deemed necessary by the Viking Union Administration.
2. Noise shall not be above the ambient level, nor interfere with adjacent University activities or offices.
3. Vendors shall not smoke in the vending area.
4. Each person or organization selling goods or services on the campus of Western Washington University shall prominently display a current registration card issued by the Viking Union.
5. This registration card shall be used only in conjunction with the table for which it was provided

8. Health and Safety

1. All vending shall be conducted in accordance with appropriate rules and ordinances governing a particular type of activity.
2. Portable power, such as, but not limited to, propane, storage battery or generator, shall not be permitted.
3. Open flames shall not be permitted.
4. Any potentially unsafe or hazardous conditions shall result in termination of vending privileges.

9. Interpretation and Enforcement: VU Administration