



AMERICAN UNIVERSITY
WASHINGTON, DC

On-Campus Vending Rules and Regulations

The following rules and regulations have been formulated for the safety and well being of all the students, faculty, staff, guests, vendors and customers of the university. Every vendor is entitled to a safe occupancy, with minimal annoyances. Adherence to these rules and regulations will assist both the vendor and American University in reaching that goal. Violation of these rules and regulations by any vendor that continues after notice from the university may be considered an event of default under the On-Campus Vending Agreement.

The university may, upon request by any vendor, waive the compliance by such vendor of any of the following rules and regulations, provided that (a) no waiver shall be effective unless signed by the university or the university's authorized agent, (b) any such waiver shall not relieve the vendor from the obligation to comply with such rule or regulation in the future unless expressly consented to by the university, and (c) no waiver of a rule or regulation granted to any vendor shall relieve any other vendor from the obligation of complying with the rule or regulation unless such other vendor has received a similar waiver in writing from the university.

1. Permission granted to the vendor to conduct sales, distribute goods, register or enroll persons for services, disseminate information, or place orders for goods or services, is limited to the specific location and times stipulated on the On-Campus Vending Permit. Vendors may not change their vending location or vending times without written consent of the university.
2. The vendor does understand and agree that the vending area shall be used for no other purpose than that specified in the On-Campus Vending Agreement without written consent of the university. It is further understood that the university has absolute and arbitrary discretion as to approval of any proposed change of the use specified.
3. Each vendor shall keep its vending area in a clean, well-maintained, safe, appealing, and professional manner. Each vendor will provide all materials, supplies, and equipment necessary to provide the services required under their agreement. Each vendor or its agent(s) shall maintain all materials in a manner consistent with good maintenance practices.
4. There shall be no marking, painting, drilling into or other form of defacing or damage of any part of the university's property. No boring, cutting or stringing of wires shall be permitted. No vendor shall construct, maintain, use or operate any electrical device, wiring or apparatus in connection with a loud speaker system or other sound system. No awnings, tents, canopies, or other projections shall be attached to university property without the prior written consent of the university. No inflammable, combustible or explosive fluid, chemical or substances shall be brought or kept upon the university's campus.
5. No nuisances shall be allowed, nor shall any activity be allowed which is a source of annoyance or embarrassment to the university or other vendors, or which is deemed by the university as not in keeping with the character of the campus, nor shall the vending area be used for any unlawful, immoral, or improper purpose. Without limiting the generality of the foregoing, in no event shall the vending area be used as a so-called "adult bookstore" selling obscene or pornographic books or magazines, or for the sale of drug paraphernalia or related items.

6. No vendor shall make, or permit to be made, any disturbing noises or disturb or interfere with occupants of the building or neighboring buildings or vending area or those having business with them, including but not limited to the use of any musical instrument, radio, tape recorder or unruly or loud behavior.
7. The sidewalks, entrances, passages, courts, elevators, vestibules, stairways, corridors or halls or other parts of the vending area not occupied by any vendor ("common areas") shall not be obstructed or encumbered by any vendor or used for any purpose other than ingress and egress to and from the vending area. The university shall have the right to control and operate the common areas and the facilities furnished for the common use of the vendors in such manner as the university deems best for the benefit of the vendors generally. No vendor shall permit the visit to its area of persons in such numbers or under such conditions as to interfere with the use and enjoyment by other vendors of the common areas.
8. Vendors, their employees, agents, suppliers, etc., shall park personal and business vehicles in approved areas only. Vendors and their employees shall not park on the streets adjacent to the university's campus, in service vehicle parking areas, sidewalks, roadways, or other prohibited areas. Vendors and their employees shall not drive vehicles on sidewalks, the Quad, or other prohibited areas without the approval of the university's Public Safety department.
9. Each vendor shall be responsible for all its employees, agents, suppliers, contractors, and the like, and shall be liable to the university for all acts of such persons. The university reserves the right to exclude from the campus at all times any person who is not known or does not properly identify himself to the university or its agents.
10. Vendors shall be responsible for the conduct of their employees. All operations shall be conducted in strict conformance with university's rules and regulations governing safety, security, dress code, etc. Vendors shall not employ, on university's campus, any persons using or under the influence of drugs and/or alcohol.
11. Upon written or verbal notification from the university that the vendor or vendor's agent, employees, or invited guests have engaged in disruptive, illegal, or other behavior which is in violation of these rules and regulations or the agreement between the parties, the university may request that the individual guilty of such behavior be immediately removed from the university's campus. At the university's sole option, the offending individual may be permitted to return to the university's campus.
12. The university shall have the right to prohibit any advertising by any vendor which, in the university's opinion, tends to impair the reputation of the university, and upon written notice from university, such vendor shall refrain from or discontinue such advertising.
13. Each vendor shall clearly display at its vending area a price list for goods and services offered for sale at the vending area and their return/refund policy. Each vendor shall make available to each customer a sales receipt that clearly indicates date, time, and dollar amount of purchase.
14. Payments are due and payable to Auxiliary Services (in check form) in advance of the On-Campus Vending activity, including the pre-payment of guaranteed commissions. Commission payments above the guaranteed minimum are due and payable to Auxiliary Services, in check form, within 48 hours of the conclusion of sales activity.
15. All merchandise sales must be reported daily to Auxiliary Services, and must be supported by evidence such as cash register tapes or other easily verifiable records.