

CHAPTER 51
VENDING AND SERVICE MACHINES

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51.01 REGULATION OF VENDING MACHINES. No vending machine may be placed upon County property without full compliance with the provisions of this Chapter.

51.02 DEFINITIONS. The following words and phrases shall have the meanings set forth:

(a) "Vending Machine." A dispensing device which provides a product or service to a customer in exchange for payment of consideration.

(b) "County Property." All lands and buildings owned by Sheboygan County and all land and buildings leased and operated by Sheboygan County, except the property under lease to the University of Wisconsin Regents for operation of the University of Wisconsin-Sheboygan Center.

51.03 APPROVAL OF INSTALLATION. No vending machine may be installed or used upon County property without advance approval of the appropriate oversight Committee as follows:

PROPERTY UTILIZED BY:	TO BE APPROVED BY:
Highway Department	Transportation Committee
Health Care Centers	Health Care Centers Committee
Planning Department	Resources Committee
All other Departments	Property Committee

No vending or service machine shall be installed or used upon County property unless the same shall first have been approved by the Property Committee.

51.04 VENDING CONTRACTS. The Committee with oversight set forth above may enter into contracts with private firms for the placement of vending machines on County property provided that the contracts include the following provisions and such further provisions as the Committee may require:

- (a) Ownership of all machines shall remain with the vending company.
- (b) All maintenance, repairs, and upkeep of the machines shall be the responsibility of the vending company.
- (c) Each machine supplied shall be equipped with a One Dollar- (\$1.00-) bill validator.
- (d) The contract shall specifically describe each machine to be supplied along with a complete list of the specific products to be dispensed.
- (e) The contract shall set forth the specific commission rate, and the commission shall be computed and paid to the County monthly.
- (f) Each machine shall be equipped with a label identifying the name of the vending company and listing a local or toll-free telephone number for service malfunctions or other complaints. Each such notice shall be placed in a prominent location on the front of the machine.

(g) The vending company shall service each machine as frequently as needed to ensure a fresh and wholesome product and to minimize the risk of running out of stock of a particular product. At a minimum, the vending company shall service each machine at least twice per week.

(h) The vending company shall agree to indemnify Sheboygan County from any claims arising from injuries sustained by way of operation of the machine or as a result of consuming spoiled or unwholesome product dispensed by the machine. The oversight Committee shall require the vending company to provide proof of liability insurance with minimum single limits of \$1,000,000.00 or such higher levels as the Committee may determine.

(i) The term of the contract shall be for no more than three (3) years with the provision that either party may cancel the contract without cause upon ninety (90) days' advance notice to the other party and that either party may cancel for cause at any time.

51.05 PROCEEDS FROM OPERATION. All commission payments from the vending company shall be sent to the County Treasurer. In no case may the proceeds from a machine be retained by the County Department at which the machine is located without the express prior approval of the Committee with oversight and of the Finance Committee.

51.06 EXPENSES OF OPERATION. All expenses for the operation, maintenance, and repairs of all vending machines shall be paid by the owner of the machine, except that the County shall provide electrical service.

51.07 COMPLIANCE. All Department Heads are directed to assure compliance with this Ordinance.