

RESOLUTION NO. 2016-91

AMENDING CHAPTER 1092, "FOOD AND BEVERAGE SALES POLICY" OF  
THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND  
REGIONAL TRANSIT AUTHORITY

WHEREAS, pursuant to Resolution No. 1989-176, the Board of Trustees the Authority codified the resolutions establishing its policies and procedures; and

WHEREAS, over the years, many of the resolutions have been amended; and

WHEREAS, at the present time, the Authority deems it necessary to review, revise and update the codified rules and regulations; and

WHEREAS, the Authority has conducted a review and determined that certain portions of Chapter 1092, Food and Beverage Sales Policy, must be revised.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That Section 1092.01 is hereby amended to read as follows:

1092.01 PURPOSE.

The purpose of the policy set forth in this chapter is to regulate the sale of food and beverage at Authority facilities. The Authority's policy strives to balance providing customer amenities and revenue generation with increased safety and maintenance responsibilities created by such activities.

Section 2. That Section 1092.02 is hereby amended to read as follows:

1092.02 APPLICATION.

The policy set forth in this chapter shall govern the sale of food and beverages at Authority facilities. This policy shall apply to all present and future bus and rail passenger facilities, including rapid transit stations, park-n-ride lots and transit centers. (Res. 1996-124. Passed 9-17-96. . Res. 2016-xxx. Passed xx-xx-16)

Section 2. That Section 1092.03 is hereby amended to read as follows:

1092.03 POLICY.

(a) The sale of food and beverages at Authority facilities shall be governed by the following policy:

- (1) The sale of food and beverages to the general public will be allowed from lunch counters, restaurants and food service areas inside the facility that are part of the Authority structure.
- (2) The sale of food and beverages from vending machines will be permitted at operating facilities for employee usage. The installation of vending machines at passenger facilities will be permitted on a case-by-case basis, as determined by the CEO, General Manager/Secretary-Treasurer.
- (3) All lessees and/or licensees of Authority facilities which operate as a

food service must post signs at the point of vending or cash register and exit door(s) that the consumption of food and beverages on Authority vehicles or within posted areas of passenger facilities is prohibited by law.


(4) The sale of food and beverages to the general public from cars, vans, wagons, movable stands, etc. at Authority passenger facilities, may be permitted on a case by case basis, as determined by the CEO, General Manager/ Secretary-Treasurer.

(b) The consumption of food and/or beverages in areas where they are clearly marked as being prohibited is a criminal offense of misconduct involving a public transportation system, pursuant to Ohio R.C. 2917.41.

Section 2. That this resolution shall become effective immediately upon its adoption.

Adopted: September 27, 2016

  
\_\_\_\_\_  
President

Attest:   
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

TITLE/DESCRIPTION:  AMENDING CHAPTER 1092, "FOOD AND BEVERAGE SALES POLICY" OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY	Resolution No.: 2016- 91
	Date: September 22, 2016
	Initiator: Legal
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE/SCOPE: This resolution will amend Chapter 1092 of the Codified Rules and Regulations ("Code") of the Greater Cleveland Regional Transit Authority.
- 2.0 DESCRIPTION/JUSTIFICATION: The Policies and Procedures of the Board of Trustees were codified in 1989, pursuant to Resolution 1989-176. The code book has been updated periodically. It is now time for a comprehensive review and update so that the updated Code will conform to the current structure and operations of the Authority.  
  
Chapter 1092 is being updated to conform to the current practice of permitting vending machines in Authority facilities. It is also being revised to permit the sale of food and beverages from cars, vans, wagons, movable stands, etc. at Authority facilities on a case by case basis, as determined by the CEO, General Manager/Secretary-Treasurer.
- 3.0 PROCUREMENT BACKGROUND: Does not apply.
- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: Does not apply.
- 5.0 POLICY IMPACT: Adoption of the resolution will result in a clear, accurate and current policy.
- 6.0 ECONOMIC IMPACT: Does not apply.
- 7.0 ALTERNATIVES: Not adopting this resolution. Not adopting this resolution would result in Chapter 1092 remaining out of date.
- 8.0 RECOMMENDATION: It is recommended that this resolution be adopted.
- 9.0 ATTACHMENTS: Redline copy of revisions to Chapter 1092.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer

CHAPTER 1092  
Food and Beverage Sales Policy

- 1092.01 Purpose.
- 1092.02 Application.
- 1092.03 Policy.

CROSS REFERENCES

Misconduct involving a public transportation system - see Ohio R.C. 2917.41

1092.01 PURPOSE.

~~The purpose of the policy set forth in this chapter is to regulate how food and beverage items are sold at Authority facilities in a consistent manner throughout the entire Authority system, regardless of mode. Additionally, its purpose extends to balancing the desires of the Authority to provide customer amenities and the generation of income with the increased maintenance and safety responsibilities created by such activities.~~ the sale of food and beverage at Authority facilities. The Authority's policy strives to balance providing customer amenities and revenue generation with increased safety and maintenance responsibilities created by such activities.

(Res. 1996-124. Passed 9-17-96. Res. 2016-xxx. Passed xx-xx-16)

1092.02 APPLICATION.

The policy set forth in this chapter shall govern the sale of food and beverages at Authority facilities. This policy shall ~~include~~ apply to all present and future bus and rail passenger facilities, ~~such as including~~ rapid transit stations, park-n-ride lots and transit centers. (Res. 1996-124. Passed 9-17-96. Res. 2016-xxx. Passed xx-xx-16)

1092.03 POLICY.

(a) The sale of food and beverages at Authority facilities shall be governed by the following policy:

- (1) The sale of food and beverages to the general public will ~~only~~ be allowed from lunch counters, restaurants ~~or~~ and food service areas inside the facility that are part of the Authority structure.
- (2) The sale of food and beverages from vending machines will be permitted at operating facilities for employee usage. ~~Vending machines will not be permitted at rail stations.~~ The installation of vending machines at other passenger facilities will be permitted on a case-by-case basis, as determined by the CEO, General Manager/Secretary-Treasurer.
- (3) All lessees and/or licensees of Authority facilities which operate as a food service must post signs at the point of vending or cash register and exit door(s) that the consumption of food and beverages on Authority vehicles or within posted areas of passenger facilities is

prohibited by law.

~~(4) The sale of carry out food items will be discouraged through the Request for Proposals for these facilities, as well as in leases and/or licenses to operators and/or concessionaires.~~

~~(354) The sale of food and beverages to the general public from mobile cars, vans, wagons, movable stands, etc. at Authority passenger facilities, may be permitted on a case by case basis, as determined by the CEO. General Manager/Secretary-Treasurer is hereby prohibited.~~

~~(b) This policy shall apply to all existing Authority facilities upon the expiration of current leases and/or licenses as well as to all new facilities.~~

~~(eb) The consumption of food and/or beverages in areas where they are clearly marked as being prohibited is a criminal offense for of misconduct involving a public transportation system, pursuant to Ohio R.C. 2917.41. The policy/law prohibiting the consumption of food and beverages on Authority vehicles, namely Ohio R.C. 2917.41, and its enforcement in posted areas, shall be unchanged by this policy.~~

~~(Res. 1996-124. Passed 9-17-96. Res. 2016-XXX. Passed XX-XX-16.)~~