



## 2017 Rules and Regulations

**Mission:** The mission of the Waxahachie Downtown Farmers Market is to provide fresh, locally grown and produced foods and products to families, friends, neighbors, and visitors. By doing so, we hope to create a sense of community and social gathering and foster a sustainable economy.

### General Vendor Guidelines

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1. The market is located at 410 S. Rogers Street (behind FRESH MARKET).
2. Hours of operation are 8 am to 1 pm every Saturday, rain or shine, from April 22, 2017 through October 28, 2017. Vendors should arrive no earlier than 6:30 am and should be set up and ready to greet customers for the opening of the market at 8 am.
3. The City of Waxahachie and/or the market president/vice-president will have final approval of all vendor participation and final authority on site to interpret and enforce rules and regulations. Vendors not complying with instructions or rules of the market will be considered in material breach and default of the agreements, and may be asked to vacate their premises immediately.
4. The City of Waxahachie may at its sole discretion revise the Rules and Regulations, and may alter operations of the market at any time. Current rules will be available in the market information booth on site.
5. Vendors agree to comply with the rules of the market and abide by the final decisions of the market president/vice-president and/or the City of Waxahachie.
6. The City of Waxahachie reserves the right to reject any application.
7. For the safety of our customers, there will be no vehicular traffic inside the market area from 8 am to 1 pm on market days. Vendors are required to have all vehicles moved from the load/unload area no later than 7:45 am. **NO EXCEPTIONS!** If you arrive late or need to leave the market early, please park in the lot south of the parks building/north of the market area. Merchandise may be hand carried into the market area from that lot.
8. Vendors may park along the fence line south of the market area or in the above mentioned lot.
9. Vendors shall sell only items that have been approved on the application submitted. The market has sole discretion to add or delete items from the list, and unacceptable merchandise quality will not be sold at the market.
10. No produce purchased at any retail outlet, even at a reduced cost, can be sold at the market.

11. **All vendors must submit weekly sales totals to the Downtown Director.** This can be done by phone (469-309-4111), e-mail ([abrown@waxahachie.com](mailto:abrown@waxahachie.com)), or text (972-672-3035). Vendor sales are reported to the City Council mid-season and at the end of the season as an aggregate total to keep them informed of the progress of the market and as justification for future funding. Vendors who fail to report sales will be considered in material breach and default of the agreements and can be expelled from the market.
12. All vendors, without exception, must sign the Indemnity Agreement before they can sell at the market.

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### Required Fees

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All vendors must receive a permit to participate in the Waxahachie Downtown Farmers Market. The City of Waxahachie Health Department issues permits for all approved vendors. Food vendors must meet additional Health Department requirements and submit an additional fee. Space rental fees are used to cover market expenses including, but not limited to, advertising, promotional materials, and special events. All market funds are reinvested back into the market. Fees are as follows:

- Full Season: \$150 (\$120 space fee; \$30 permit fee)
- Temporary Food Permit: \$60 (covers the entire market season)

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### Market Conduct

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The Waxahachie Downtown Farmers Market is a city-owned and operated facility. The City's minimum expectations for all market vendors are that they be reliable, be set up to greet customers for the opening of market by 8 am, and keep a good, positive attitude for the duration of the market hours each and every Saturday. Market vendors are expected to meet these expectations, in addition to complying with the market rules and regulations, to be allowed to continue to participate at the market. Incidents of unruliness and verbal disdain will not be tolerated and will result in immediate and permanent expulsion from the market.

If you have a concern or complaint, you may discuss it with the market president or vice-president either before or after market hours. If for any reason they are unable to resolve the issue, they will contact the Downtown Director to discuss possible solutions.

1. Vendors are required to wear shoes and shirts at all times. Vendors should wear clean clothing and present a professional appearance.
2. Vendors may not smoke in any vendor area.
3. Foul language, profanity, or other rude behavior is not permitted.
4. Possession of firearms or consumption of alcohol or use of drugs, or operating under the influence is not permitted and is grounds for permanent eviction from the market.

## Space Assignment

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There are a limited number of booth spaces available under the pavilion. In keeping with our goal of providing a wide variety of goods at the market, the following rules will apply to space assignment:

1. Season vendors with a history of good attendance at the market will be given first priority and will receive a regular assigned space. Reserved spaces not occupied 30 minutes prior to the opening of the market may be re-assigned.
2. Requests for additional spaces will be contingent on history with the market and demonstrated sales. Generally, a vendor must demonstrate at least \$400 per week in sales to warrant a second assigned space.
3. New vendors are allowed to purchase one booth space only.
4. All booth spaces not assigned to regular season vendors will be on a first come, first served basis on market days. A map showing unassigned/available spaces will be posted at the market.
5. If all the spaces under the pavilion are taken, vendors may set up outside the pavilion on the north side of the market area.
6. A vendor forfeits their reserved space if three markets are missed without notifying the Downtown Director and/or market president.

## Vendor Rules

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1. All vendors must complete and submit a Waxahachie Downtown Farmers Market Vendor Application which includes acceptance of the Market Rules and Regulations, and adherence to related governmental rules and permit requirements.
2. Required applications, permits, licenses, and fees must be complete before vendors will be allowed to participate in the market.
3. All vendors must display a sign in their stall clearly identifying the name of the vendor and their location (county or city). Other information, such as telephone number/ website may be included.
4. Vendors must provide their own table, chairs, signs, and refrigeration (if needed).
5. Electricity is available in the covered spaces. Vendors must supply their own extension cords and mats or tape to cover any portions of the cord that lie in any walking area used by market customers.
6. Vendors who require electricity to comply with health department requirements have priority over electrical uses not required to ensure product safety.
7. Vendors and their employees are responsible for informing themselves about and complying with federal, state, and local health regulations and licensing requirements governing the production, display, distribution, sampling, and sale of their products. Vendors providing

samples of their products must comply with the rules governing market sanitation and health issues from the City of Waxahachie Health Department or other authorities.

8. Manufactured food products must meet City of Waxahachie Health Department requirements, including licensing and permitting rules. "Cottage food" producers must meet all requirements of HB 970.
9. All foods must be properly labeled. No un-labeled packaged or processed foods are allowed. For information on the sale of manufactured canned or other processed foods contact Mary Del Buono, Environmental Health, 469-309-4132.
10. Vendors wishing to provide food samples may do so within the guidelines of the City of Waxahachie Health Department.
11. The vendor is solely responsible for any damages resulting from the sale of unsafe, unapproved, or unsound goods.
12. Vendors must supply all materials and containers for customer sales.
13. The Waxahachie Downtown Farmers Market welcomes artisans and vendors who offer unique and quality handmade or handcrafted work or products. The City of Waxahachie will determine eligible participation. All decisions are final.
14. Vendors are responsible for obtaining a Sales Tax Number if required by the State of Texas and collecting and paying any sales tax that may be assessed on their products. The vendor shall be responsible for filing any and all returns required by the State of Texas with respect to sales tax collection. The Waxahachie Downtown Farmers Market does not involve itself in collection, audit, or other related sales tax activities.
15. Trash must be placed in suitable containers. The market provides trash barrels for vendor convenience. Boxes that are left at the market for disposal must be broken down and placed near the trash receptacles. No trash should be left in the market area.
16. The Waxahachie Downtown Farmers Market is not a controlled climate environment.
17. Restrooms are available on site (inside FRESH MARKET).
18. The market offers space, when available, to city and community organizations at no cost for educational and outreach purposes only. *Fundraising opportunities are also available for non-profit organizations. Items offered for sale will be by approval only.*
19. It is the responsibility of the prospective vendor to complete, sign, and return all required paperwork and fees. Incomplete packets will not be processed.

**NOTE:** Your permit to participate in the Waxahachie Downtown Farmers Market is valid only for the Farmers Market in the area designated for that use and any other area negotiated for Farmers Market activities. If you wish to participate in any other downtown event, you must apply through the proper channels for the event and pay any vendor fees required for that event.