

Taylor's Heritage Square Farmers Market Rules & Regulations

Introduction:

The City of Taylor is proud to establish the "Taylor's Heritage Square Farmers Market" (referred to henceforth as the "Market.") The Market is scheduled to operate every Saturday morning from 10:00 am – 2:00 pm starting the first Saturday of March through the third Saturday of December. The Market operates in accordance with all City, County, State, and Federal laws pertaining to its operation. The mission of the Market is to provide Taylor and surrounding areas with locally grown foods and farm products and to attract customers to the Taylor area. The Market is a project sponsored by the City of Taylor Main Street Program. The focus of the Market is locally grown produce and farm products from Williamson County and its adjacent counties. It may also host a limited amount of ready to eat and value-added products, as well as craft products, to support local artisans, downtown Taylor businesses, and food-based entrepreneurs.

VISION: To establish and support activities in the downtown area that create a sense of community, social gathering and foster economic growth.

MISSION: To operate a "Farmers' Market" located in downtown Taylor that promotes and supports the local food economy; local artisans, artists and crafters; and local entrepreneurs.

PURPOSE: To enhance the quality of life within our community and to promote continuing development for the City of Taylor.

Please make sure you read the contents of this packet before applying.

All vendors must complete and submit:

1. Vendor Application
2. Indemnity Agreement

Food vendors (not including produce or cottage food producers) must also complete and submit:

1. Data sheet of Temporary Food Establishments
2. Any required licenses, permits, or other documents needed by the Williamson County Health Department.

**Forms should be directed
to: Jan Harris
Main Street Manager; City of
Taylor 400 Porter Street
Taylor, Texas 76574
P: 512-352-3463
E: jan.harris@taylortx.gov**

Market Operations:

Market season is scheduled to operate Vendors may arrive as early at 9:00 am. All vendors must wait until 10:00 am to begin selling to the public. Vendors may sell to another vendor, the vendor's employees or physically challenged shoppers for 15 minutes prior to opening. All Vendor's must depart the selling area no later than 2:45 pm.

General Vendor Guidelines

1. The market is located at 400 East 4th Street, Taylor, TX 76574 otherwise known as Heritage Square Park Pavilion.
2. Hours of operation are every Saturday morning from 10:00 am – 2:00 pm starting the first Saturday of March through the third Saturday of December.
3. Vendors should arrive no earlier than 9:00 am and should be set up and ready to greet customers for the opening of the market at 10.00 am.
4. Booths are assigned by the Market Manager, with priority given to returning vendors at the beginning of the season. Participants wishing to change booth locations can put their names on a waiting list.
5. Vendors are responsible for bringing their own tables, chairs, tents, signs, and/or other equipment. Tents must be weighted with a minimum of 30# weights for each leg.
6. Vendors are responsible for their own booth set-up and tear-down. All trash must be disposed of in the dumpster located at the southeast corner of City Hall.
7. All signs must be kept within the boundaries of assigned booth space.
8. No refunds or credits for inclement weather – the Market is rain or shine.
9. The Market Manager Representative maintains order at the Market.
10. The City of Taylor will have final approval of all vendor participation and final authority on site to interpret and enforce rules and regulations.
11. 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.
12. The City of Taylor 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 at the Main Street Office located in City Hall and on the City's website (www.taylortx.gov).
13. Vendors agree to comply with the rules of the Market and abide by the final decisions of the City of Taylor.
14. All agricultural products sold through the Market are to be grown in Williamson County or the counties adjacent to it (Bell County, Milam County, Lee County, Bastrop County, Travis County and Burnet County).
15. Texas Department of Agriculture requires two or more vendors must be farmers selling their own product.
16. Vendors shall sell only items that have been approved on the submitted application. The Market has sole discretion to add or delete items from the list, and merchandise of unacceptable quality will not be sold at the Market.
17. No retail selling or recruiting for business purposes is allowed at the Market. No produce purchased at any retail outlet, even at a reduced cost, can be sold at the Market.

18. All vendors must represent their products in an honest manner, written or verbal.
19. Leashed pets are allowed at the Market. Please be a responsible pet owner and clean up after your pet.
20. Propane burners for hot food may only be used outside of the Pavilion and may ONLY be used when a burn ban is not in effect for Williamson County.
21. The Market Manager maintains current and accurate records of each vendor.
22. All vendors must submit weekly sales totals to the Main Street Manager. This can be done by phone, e-mail, or text. Vendor sales will be used to determine the market's effectiveness.
23. The Market Manager promotes and advertises the Market through paid and free media, including public service announcements, local businesses, civic groups, neighborhood associations, and general public, using all venues available to the City's Public Information Officer.
24. Any organization wishing to do cooking or healthy eating habits demonstrations will be approved and scheduled accordingly by the Market Manager.
25. All vendors, without exception, must sign the Indemnity Agreement before they can sell at the market.
26. The Market Manager reserves the right to reject any and all applicants to participate in the Heritage Square Farmers Market.
27. Situations not covered in this document will be handled at the discretion of the Market Manager and the Main Street Manager.

Required Permits and Fees

All vendors must receive a "Market Vendor Permit" to participate in the Heritage Square Farmers Market. There is no charge for this permit as it is included in the participation fee. Food vendors must meet additional Health Department requirements and submit an additional fee.

Market Code of Conduct

The Heritage Square 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 10 am, and keep a good, positive attitude for the duration of the Market hours. Market vendors are expected to meet these expectations, in addition to complying with the Market rules and regulations, in order to be allowed 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.

Concerns or complaints may be discussed with the Market Manager on-site either before or after Market hours – NOT during the Market. If for any reason they are unable to resolve the issue, they will contact the Main Street Manager to discuss possible solutions.

Code of Conduct, cont.

1. The market and immediate vicinity is a “Family Friendly” area and all are expected to act appropriately.
2. Vendors are always required to wear shoes and shirts. Vendors should wear clean clothing and present a professional appearance.
3. No smoking by vendors or others within 50’ of the vendor area.
4. Foul language, profanity, or other rude behavior is not permitted.
5. Unlawful 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.
6. The Market Manager has the authority to issue warnings and take appropriate action against participating sellers/vendors who violate the rules contained in this document.
7. The Market Manager has the power to immediately suspend or remove any vendor for any health, safety, and liability risks by any violation.

Space Assignment:

The City will work to ensure all vendors have an appropriate booth space. Our goal is to provide the citizens of Taylor with a wide variety of goods at the Market. The following rules will apply to space assignment:

1. Vendors with a history of good attendance at the Market will be given 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. Each vendor will be assigned one 10’ X 10’ space.
3. Vendors acting as a CO-OP will be assigned one 10’ X 10’ space.
4. Requests for additional spaces will be contingent on history with the Market and demonstrated sales.
5. Booth spaces not assigned to regular season vendors will be on a first come, first served basis on Market days by the market manager.
6. A vendor forfeits their reserved space if three Markets are missed without notifying the Market Manager.

Vendor Rules:

1. All vendors must complete and submit a 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. Vendors must also display their Heritage Square Farmers Market permit and all other required permits.
4. Vendors must provide their own table, chairs, signs, tents (10' X 10' tents only – tents must be anchored with 30# weights at each leg), and refrigeration (if needed).
5. Assume electricity is not available unless verified by the City. If electricity is available, 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.
8. Vendors providing samples of their products must comply with the rules governing market sanitation and health issues from the Williamson County Health Department or other authorities.
9. Manufactured food products must meet Williamson County Health Department requirements, including licensing and permitting rules.
10. Foods and food products produced by “Cottage Food Producers” may be sold at the Farmers’ Market pursuant to the rules and regulations established by the State of Texas Department of Health.
11. All foods must be properly labeled. No un-labeled packaged or processed foods are allowed.
12. For information on the sale of manufactured canned or other processed foods contact the Williamson County Health Department – (512) 238-2121
13. The vendor is solely responsible and liable for any claims and damages resulting from the sale of unsafe, unapproved, or unsound goods.
14. Vendors must supply all materials and containers for customer sales.
15. Artisans and vendors who offer unique and quality handmade or handcrafted work or products are welcome to perform or sell at the Farmers’ Market.
16. The City of Taylor will determine eligible participation. All decisions are final.
17. In Texas, most food items are not subject to sales tax. However, some food items like candy and snacks are taxable. The best thing to do is contact the Comptroller directly to ask if you need a permit, and whether your product is taxable. 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 Heritage Square Farmers Market will not involve itself in collection, audit, or other related sales tax activities. (<https://texascottagefoodlaw.com/charging-sales-tax/>)

18. Trash must be placed in suitable containers. Heritage Square has trashcans for the convenience of the public. Boxes that are left at the market for disposal must be broken down and taken to the dumpster at the southeast corner of City Hall. No trash should be left in the Heritage Square and/or the Pavilion area.
19. Restrooms are available on site.
20. The Market offers space, when available, to city and community organizations at no cost for educational and outreach purposes only.
21. Fundraising opportunities are also available for nonprofit organizations. Items offered for sale will be by approval only.
22. 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 Heritage Square Farmers Market is valid only for the area designated for that use. If you wish to participate in any other event, you must apply through the proper channels for the event and pay any vendor fees required for that event.

Vendor Categories:

The Heritage Square Farmers Market groups vendors into four categories. Those categories are listed below and include examples of the type of products each can sell at the farmers' market:

1. Farm & Garden Produce: are those selling fresh garden produce, meats, eggs, flowers, and plants.
2. General Vendors (Artisans): are those who are selling items they've produced or created using locally sourced materials.
3. Cottage Food Producers: are those "home based" vendors selling food products cooked and prepared in their kitchen and meeting the special requirements established by the Texas Department of Health.
4. Temporary Food Establishments: are those vendors selling manufactured or prepared food products considered potentially dangerous. These require a special permit and are subject to special requirements by the Williamson County Health Department.

Questions about requirements for specific food items should be directed to the Williamson County Health Department at (512) 238-2121.

VENDOR REQUIREMENTS:

You, as a vendor at Taylor Farmers Market, are responsible for ensuring you are following all laws and have obtained all permits and certificates necessary to conduct your business. We can provide contact information and resources to help clarify any questions you may have regarding the applicable laws.

For a Farmer to become a vendor, you must:

- Fill out and sign a vendor application and indemnification statement annually.
- Agree to all terms contained in this document.
- Hold all required permits, licenses, last inspections of kitchen and insurance policies necessary for your business operations and provide copies to the Market Manager and the Main Street Manager.

For a Value Added or Crafter/Artisan to become a vendor, you must:

- Fill out and sign a vendor application and indemnification statement annually.
- Agree to all terms contained in the Market Rules.
- Hold all required permits, licenses and insurance policies necessary for your business operation and provide copies to the Market Manager and the Main Street Manager.
- Use local products (Williamson County or any of the Counties adjacent to it) when available.
- Produce your own product.
- *There will be no more than two of any specific type of non-produce vendors. The second potential vendor will be notified of the presence of another similar vendor during the application process. However products that are similar but uniquely different will be allowed on a case by case basis.*

Sales Tax:

- All vendors are responsible for collecting and paying Texas State Sales Tax as applicable to their product.
- You may obtain more information or a tax permit at the State Comptroller's website: www.window.state.tx.us or by calling 1-800-252-5555.

MARKET FEES: (Adjusted 5/2/2020)

There are two categories for vendors to participate in the Heritage Square Farmers Market - Voting Members and Non-Voting Vendors. Voting Members pay a \$50 Member Fee plus a \$125 Vendor Fee. Non-Voting Vendors pay \$10 on a per market basis.

1. Voting Members: \$50 Membership Fee + \$125 Vendor Fee = \$175*
2. Non-Voting Vendors (Weekly Basis): \$10 per attended market

By becoming a Voting Member not only do you pay less per market, but you help us kick-start our promotional/advertising efforts.

*Installment plan available on a case-by-case basis