



2010 Old Town Lewisville Farmers Market Rules & Regulations

The opening date for the Market will be Saturday, May 15, 2010 and will run through Saturday, October 30 (excluding Saturday, September 25). The market will be located in Wayne Ferguson Plaza and will run from 8 a.m. until 12 p.m., with check-in time: 7:00 a.m. each Saturday. There will be a kickoff event held on Saturday, May 15, 2009.

1. A standard vendor space is 10 foot X 10 foot. (All payments for the market can be paid after April 1, 2010.)
 - 2010 vendor cost is \$25 per 10 foot X 10 foot space per market day if paid 10 days in advance.
 - 2010 vendor cost is \$30 per 10 foot X 10 foot space per market day when paid less than 10 days in advance.
 - When an entire calendar month (4 or more consecutive Saturdays in a month) is paid 10 days in advance the cost is \$25 per 10 foot X 10 foot space per market day minus the last market day of that month. Example: June 5, 12, 19, 23, 30 = \$100. Potential savings is \$25
2. Booth spaces shall be assigned on a first come, first served basis according to approval of application and fee payment. Load-in will start at 7:00 a.m. on the morning of the market. Booth space assignments will be e-mailed out the Friday prior to the market day. Designation and allocation of selling spaces are the responsibility and at the discretion of the market representative.
5. Every Old Town Lewisville Farmers Market vendor must have the necessary permits and licenses from the Health Division (if applicable), must sign and comply with the Rules and Regulations of the Farmers Market, and must agree to follow the instructions of the Farmers Market staff. These signed forms must be returned to the Old Town Lewisville Farmers Market representative at least 10 business days prior to the first sale date and must be on file before set-up or any participation. **THERE ARE NO EXCEPTIONS TO THIS RULE.**
6. Vendors must provide their own tents, tables, chairs, signs, refrigeration and storage. All tables must be covered. The City of Lewisville provides access to portable water and restrooms, along with a hard surface for the Market.
7. Sellers wanting to reserve regular space for the full Farmers Market season shall so indicate on the Application form. The seller forfeits his/her reserved space if he/she misses three markets without notifying the market representative.
8. Sellers sell only items that the Old Town Lewisville Farmers Market Board has approved for sale. The board has the discretion to add or delete items from the list and has the duty to provide notice to sellers.
9. All sellers must abide by the health code restrictions of the City, and State of Texas. Providing “cut” or otherwise “open” samples for tasting, smell or texture is not permitted.
10. Non potentially hazardous, prepackaged or whole produce or products are permitted for sale.
11. Sellers supply all materials and containers for customer sales.

12. Hours of operations on each market day are from 8 a.m. until 12 p.m. Vendors may arrive no earlier than 7 a.m. to set up and ready to greet their customers for the opening of the market at 8 a.m. Violations of this rule are grounds for dismissal from the Old Town Lewisville Farmers Market.
13. Once the market has begun, no moving vehicles are allowed within the Farmers Market area as a safety precaution.
14. 110v (2 prong) electricity will be available on a limited first-come first-served basis by vendors required by the Health Division to have electricity for refrigeration equipment, oven, etc. 110v (2 prong).
15. Sellers determine the pricing and display of their products.
16. Sellers must clean up their areas at the end of each market. Sellers should not use public trash receptacles for disposal of produce boxes or unsold produce. There is a \$50 fee per 10 foot X 10 foot space when the Market Representative has to clean up the space at the close of the Market. That fee is payable, in cash, before the Participant can sell at the Market again.
17. Each Vendor is 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 Lewisville Old Town Farmers Market does not involve itself in collection, audit or other related sales tax activities.
18. No firearms, alcoholic beverages or drugs will be allowed at the Farmers Market.
19. Violations of the rules and complaints that arise shall be resolved by the Old Town Lewisville Farmers Market representative and, if necessary, the Old Town Lewisville Farmers Market board.
20. Sellers agree to abide by the final decision of the Old Town Lewisville Farmers Market representative/board.
21. Violation of any provision of the Old Town Lewisville Farmers Market rules shall be a material breach and default by the vendor. The vendor will be asked to vacate the premises immediately without refund of paid fees. Failure to vacate may subject the seller to civil and/or criminal remedies.
22. The Farmers Market board or its designee shall reserve the right to cancel any seller's participation at any time if and when the seller shall be found to be in violation of any market rule or eligibility requirements.
23. The Farmers Market board shall reserve the right to revise the Farmers Market rules and operations at any time it deems appropriate and shall post notice of such revisions for sellers.
24. All vendors, without exception, must sign the Indemnity and Release document before they can sell at the market.
25. All vendors shall conduct themselves in a professional manner while at the Market.
26. No pets with the exception of service animals.
27. Shoes and shirts are required at all times.
28. Vendors may not smoke in any vendor area.
29. No radios.
30. No commercial truckers allowed.
31. Chaining/tying/binding rental tents together is prohibited.

Agreement of Liability Waiver

I hereby release, waive, discharge, covenant not to sue and agree to hold harmless for any and all purposes The City of Lewisville, Texas, its officers, employees, successors, assigns, sponsors and volunteers (collectively "the City") from any and all liabilities, claims, demands, personal injury including death, or property damage that may be sustained by me while participating in the Old Town Lewisville Farmers Market event, including injuries or damages sustained as a result of the negligence of the City.

Venue

The Parties agree that if legal action is brought under this contract, exclusive venue shall lie in the Courts of Denton County, Texas, and its terms or provisions, as well as the rights and duties of the Parties hereunder, shall be governed by the laws of the State of Texas.

Contract Agreement

I have read the General Information regarding the 2010 Old Town Lewisville Farmers Market. Payment for vendor space will be made after approved by the Vendor Approval Committee. By paying the vendor fee, I have agreed to the conditions and terms of this contract. **I understand once approved payment must be received 10 business days prior to the next available market day.** It is understood and agreed by applicant that this entire document constitutes a contract between Vendor and Old Town Lewisville Farmers Market only when Old Town Lewisville Farmers Market Management confirms this contract. Confirmations may be mailed, faxed or emailed. Acceptance of money by Old Town Lewisville Farmers Market is not binding if fee is returned before acceptance and confirmation of this contract. Verbal agreements or promises made verbally and not specifically stated and confirmed in writing, as part of this Contract, will not be binding.

32. I attest that the information provided is true and accurate. I agree to comply with the City of Lewisville rules and regulations and understand that failure to do so may result in revocation or suspension of the permit/application.
33. The application is effective for the Farmers Market season – May 15 through October 30, 2010 unless sooner revoked for a cause. (excluding Saturday, September 25)
34. The permit is not transferable and must be available on site each Saturday.

Signature of Applicant

Date