



**Old Town Lewisville Farmers Market
Farmer/Vendor Application
Saturdays - May 15 - October 30, 2010
(excluding Saturday, Sept. 25)**

I have received and understand the Old Town Lewisville Farmers Market Rules and the Addendum to the Rules. **After I have been approved by the Vendor Approval Committee**, I understand that I will be an authorized vendor at the Old Town Lewisville Farmers Market and agree to abide by all the Rules and Addendum to the Rules and may be required to have a Farmers Market Food Permit. Should I wish to sell NEW products not listed on this form, I must submit them for approval before an intended sell date.

If a Farmers' Market Food Permit is required, I further agree that after approval by the Vendor Approval Committee, I will complete the Farmers' Market Permit Application and submit to the Lewisville Health and Code Department, Othel Ross, P.O. Box 299002 Lewisville, TX 75029 or ross@cityoflewisville.com I will work with Mr. Ross (972-219-3565) to complete all permit requirements. After his approval, I understand that I will then be eligible to sell at the Old Town Lewisville Farmers Market.

PLEASE PRINT

Business Name _____ Contact Name _____

Address _____

Street No. & Name _____ City _____ State _____ County _____ Zip _____

E-mail _____ Cell _____ Alternate Phone _____

Website _____ Drivers License number _____

Business type (check all that apply) (Farm) _____ Fruits/Vegetables _____ Dairy _____ Meat _____ Fish _____

_____ Eggs

_____ Baked goods _____ Value Added* _____ Nursery Products _____ Honey _____ Herbs (dried or cut)

_____ Other * Value added products are products that are food-based from locally grown produce, eg. Salsas, jellies, soaps with herbs, etc.

Please circle the dates that you plan to attend the market:

May 15, 22, 29 June 5, 12, 19, 26 July 3, 10, 17, 24, 31 August 7, 14, 21, 28 September 4, 11, 18

October 2, 9, 16, 23, 30

* No market on Sept. 25

Booth Fees

Booth Space (10X10) \$12 per week x _____ # of weeks \$ _____

Electricity (only if required by health and code – market representative will contact you for more information on electrical needs

TOTAL \$ _____

*Note: \$12 per week is only if paid in advanced. Please see Rules & Regulations on pricing.

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I _____ will be selling what is listed below (attach additional sheets if needed).

I expect to be re-selling other grower's/vendor's products: _____ No _____ Yes

If yes, please list growers/producer's name and location. At least 40% of all agricultural products sold must be grown in Texas.

Crop/Product	My farm	Re-sell grower's/producer's name and location
Fruits, vegetables		
Plants, flowers, herbs		
Eggs/poultry		
Meats		
Fish/Seafood		
Breads		
Other		

Farmers: Growing practices

_____ Certified organic

_____ Sustainable (using same methods of certified organic ALL THE TIME but not certified)

_____ Partially sustainable (using almost always – methods of certified organic practices, but still using limited synthetic (which are prohibited in certified organic methods), fertilizers, pesticides and herbicides).

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Ranchers: _____ Beef _____ Pork _____ Lamb _____ Chicken

For growing practices definitions on meat, see included Ranchers Growing Practices Information

_____ Pastured/Grass fed _____ finished _____

_____ Hormone free/antibiotic free

_____ Conventional

Other Vendors 1) list any Texas grown ingredients used in your products or where obtained 2) briefly explain how and where you make your product (use back of sheet if more room is needed):

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 and the Health and Code Department permit is issued. 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.

- 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.
- The permit/application is effective for the Farmers Market season – May 15 through October 30, 2010 unless sooner revoked for a cause. (excluding Saturday, September 25)
- The permit is not transferable and must be available on site each Saturday.

Signature of Applicant

Date

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) in Wayne Ferguson Plaza. The market times will be from 8 a.m. until 12 p.m., with check-in time: 7:00 a.m. each Saturday.

1. A standard vendor space is 10 foot X 10 foot. (All payments for the market can be paid after April 6, 2010.)
 - 2010 vendor cost is \$12 per 10 foot X 10 foot space per market day if paid 10 days in advance.
 - 2010 vendor cost is \$15 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 \$12 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 = \$48. Potential savings is \$60
 - If a vendor pays for (1) 10 foot x 10 foot vendor space for the entire market season (24 market days) paid by May 1, the cost is \$213. A \$75 savings. If a vendor pays for (2) 10 foot x 10 foot vendor space for the entire market season (24 market days) paid by May 1, the cost is \$426. A \$150 savings.
 - Starting on May 2 if a vendor pays for (1) 10 foot x 10 foot vendor space for the entire market season (24 market days) paid in advance the cost is \$216. A \$72 savings. If a vendor pays for (2) 10 foot x 10 foot vendor space for the entire market season (24 market days) paid in advance the cost is \$432. A \$156 savings. Vendor fees for this option must be received by May 5, which is 10 days prior to the first market day.
 - Recyclable shopping bags (100) will be given to vendors who pay in advance for the entire market season to promote the Old Town Lewisville Farmers Market.
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.
3. 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 of the Farmers Market, meet the guidelines established in the Old Town Lewisville Farmers Market addendum 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.**
4. A shade structure will be provided. Vendors need to provide their own tables, chairs, signs, refrigeration and storage. The City of Lewisville provides access to portable water and restrooms, along with a hard surface for the Market.
5. 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.
6. 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.
7. 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.
8. Lewisville Health Division Farmers Market Permit must be visible during each market day.
9. Non potentially hazardous, prepackaged or whole produce or products are permitted for sale.

10. All items intended for human consumption must be kept off the ground above six (6) inches at all times and be in safe and sound condition. The seller is solely responsible for damages resulting from the sale of unsafe, unapproved or unsound goods. Sellers supply all materials and containers for customer sales.
11. 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.
12. Once the market has begun, no moving vehicles are allowed within the Farmers Market area as a safety precaution.
13. 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). Electricity may be available, on a limited first-come first-serve basis, by vendors not required by the Health Division to have electricity for refrigeration, equipment, oven, etc. This is if no vendors are required to have electricity.
14. Sellers determine the pricing and display of their products.
15. 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.
16. Sellers who already maintain food or agricultural retail operations in the city shall not be eligible to sell at the Old Town Lewisville Farmers Market.
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.



HEALTH DIVISION

FARMERS MARKET 2010

Requirements for Food and Produce Vendors

1. All foods must be commercially produced prepackaged items from a licensed facility or commissary.
2. A Manufacturer's License from the Texas Department of State Health Services and copies of product labels shall be submitted to the City of Lewisville Health Division.
3. All foods must be sold retail only. Without proper wholesale manufacturing licenses, sales to restaurants are prohibited.
4. All prepackaged foods must be properly labeled.
 - a. **Egg Products:** An egg producer that sells only un-graded eggs from their own flock may be exempt from licensing from the Texas Department of Agriculture, but must be permitted by the Department of State Health Services or the local food authority. The eggs must be stored under mechanical refrigeration at 41°F or less, and meet specific labeling requirements. (Safe Food Handling Instruction; Name and Address of distributor or packer)
 - b. **Meat Products:** Any vendor interested in selling meat products must have the meat processed under USDA regulations. Specific labeling requirements must also be met. (Safe Food Handling Instruction; Name and address of distributor or packer) Meat must be stored in a mechanical freezer at 0°F or less.
 - c. **Milk Products:** Fluid milk, dry milks and milk products complying with Grade A standards shall be obtained pasteurized. The milk must be stored under mechanical refrigeration at 40°F or less and meet specific labeling requirements. (Safe Food Handling Instruction; Name and Address of distributor or packer)
 - d. **Produce:** Source/location must be documented.
 - e. **Seafood:** All seafood must be prepackaged. Specific labeling requirements must also be met. (Safe Food Handling Instruction; Name and Address of distributor or packer) Seafood must be stored in a mechanical freezer at 0°F or less.
5. All refrigerated foods must be maintained below 41°F using mechanical refrigeration.
6. Only approved non-potentially hazardous food may be sampled, in prepackaged containers from an approved source. No cut produce or product sampling will be allowed.
7. Absolutely no food preparation on site. This includes cutting, slicing, dicing, etc. Sampling is allowed *only* if the food or produce has been prepared in a licensed facility, then placed into a prepackaged container.

Absolutely no unlabeled foods or foods from any source other than the documented commissary may be sold to the public from a food vendor. Any unlabeled foods, improperly labeled foods or foods that are found being held at improper temperatures may be detained or immediately condemned by the inspecting officer. Product must be from the original source and location. Violations may result in citations being issued to the operator and/or owner.

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HEALTH DIVISION

F A R M E R S M A R K E T 2 0 1 0

Guidelines for Selling Frozen Meat at the Farmers Market

1. Only frozen packaged meat will be allowed. All meat must come from an approved source. (USDA stamp or Texas Department of State Health Services – Meat and Safety Assurance)
2. All meat items must be stored and displayed in a mechanical freezer at 0°F. An accurate, visible thermometer is required in the freezer.
3. All labeling requirements must comply with USDA and Texas Department of State Health Services rules and regulations.
4. The processing plant must be USDA inspected unless it has a small producer exemption. A small producer must provide proof of exemption and meet labeling requirements. The producer shall provide either a grant of inspection or exemption.
5. The meat storage facility must provide proof that it is a licensed facility under the Texas Department of State Health Services.
6. If the meat is stored in a facility other than the processing plant, a copy of the latest health inspection by the local regulatory authority shall be provided.
7. The following must be provided to the City of Lewisville Health Division prior to operation at the Lewisville Farmers Market:
 - a. Completed application
 - b. Equipment inspection
 - c. Processing license (or proof of exemption)
 - d. Storage license
 - e. Copy of product labels
 - f. Manufacturer’s license

*****HEALTH PERMITS ARE NOT TRANSFERABLE*****

The permit issued is valid only for the operator indicated on the permit.

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