

VENDOR APPLICATION
ELKO DOWNTOWN BUSINESS ASSOCIATION'S FARMER'S MARKET

Second Saturdays, July - October

Located on Railroad Street, between 5th and 6th streets, Elko (Next to WFC)

Application due by the 1st day of the month of the event or by July 1st for all four events.
Health Dept, DBA and City fees due after approval of application.

NAME OF BUSINESS: _____

CONTACT PERSON: _____ E-MAIL ADDRESS: _____

MAILING ADDRESS: _____ CITY/STATE: _____

ZIP: _____ PHONE: _____ FAX: _____

STATE OF NEVADA RESALE TAX PERMIT # (ONLY IF REQUIRED): _____

Check one category:

- Grower Packaged Food Nonprofit
 Prepared Food Artisan/Crafter

Check the dates you would like to participate:

- July 10 August 14 September 11 October 9 All markets

Provide a concise description of booth setup, items to be sold, information that will be passed out, anything that applies to your booth. Please be specific _____

BOOTH SIZE IS 10'X10' UNLESS OTHER ARRANGEMENTS ARE MADE.

Booth Fees - \$10/market or \$30/all markets if purchased in advance.

In addition to the booth fee, if you do not currently hold a City of Elko business license you are required to pay a one-time \$28.75 temporary merchant fee, payable to the DBA.

If you will be providing samples or selling value-added products a health department fee may also be applicable.

MAKE CHECKS PAYABLE TO ELKO DBA

Send all that apply after approval of application.

- Completed Application Proof of Nonprofit Status (**only** if required)
 Signed Hold Harmless/Indemnification Agreement Payment (Make check payable to Elko DBA)
 Proof of insurance (**only** if required) Copy of Elko Business License

Mail to: Elko DBA Farmer's Market
Attn: Amber Overholser
273 Fir Street
Elko, NV 89801
elkofarmersmarket@yahoo.com
(775) 340-7730



Elkodowntown.org

**HOLD HARMLESS / INDEMNIFICATION AGREEMENT
ELKO DBA SATURDAY FARMERS MARKET**

In consideration of the Elko Downtown Business Association's ("Elko DBA") and Elko DBA's acceptance of the applicant's ("Applicant") application to participate in the Elko DBA Farmer's Market, ("Event"), the Applicant (its officers, directors, agents, employees, representatives, and/or members) agrees to indemnify, hold harmless, protect, and defend the Elko DBA as well as entities' agents, employees, and/or representatives, from and against any and all loss, claim of loss, injury (including, but not limited to, personal injury), damage (including, but not limited to, property damage), liability, or other expense (including, but not limited to, reasonable attorneys' fees and court costs), claimed by or resulting from a claim by a third party or the Applicant (or any officer, director, agent, employee, representative, and/or member of the Applicant), that arises out of, or is in any manner, related to any act or failure to act by the Applicant (its officers, directors, agents, employees, representatives, and/or members) in connection with the Applicant's participation in this Event.

I / We hereby affirm that I / we have read and understand the *Rules and Regulations, and the Hold Harmless / Indemnification Agreement* and agree to the terms expressed therein.

The undersigned has read this Agreement carefully and represents that he or she has the authority to execute this Agreement on behalf of the party for whom he or she is signing.

Name of Business or Organization (Please print)

Applicant(s) Signature

Date

Elko Downtown Business Association
Elko DBA Farmers Market
RULES & REGULATION*S

GENERAL RULES (APPLICABLE TO ALL VENDORS):

1. All vendors must file an application. Applications must be completed in their entirety; appropriate attachments must be included or the application may not be approved. The members of the DBA (or committee) will approve or not approve the application at their next regular meeting.
2. Market hours are 10:00 a.m. – 3:00 p.m. Setup time begins at 9:00 a.m. each Market. Applicant must be ready to sell no later than 10:00 a.m. No selling is permitted after 3:00 p.m. For safety reasons and in cooperation with Elko DBA, tearing down and leaving prior to the close of the Market is prohibited and may be grounds for dismissal.
3. Applicant is responsible for all appropriate licenses/permits required by the City, County and State.
4. State sales taxes are the responsibility of the applicant. A sales tax book will be given to vendors during the course of the event. These coupons, and the appropriate taxes, must be returned to the Department of Taxation.
5. All Market vendors will be juried by the Elko DBA to assure that only top-quality, local products are represented. New vendors may be required to submit photos of their booth setup and/or samples or photos of their product for approval by the DBA.
6. Applicant may only sell or display items as listed on the application and approved by the Market management. New items (not on the application) introduced by an existing vendor must be approved, in advance, by the Elko DBA prior to being displayed or sold at Market.
7. Each vendor must provide their own table and equipment, which may include a canopy or awning. Everything must fit within the assigned 10' x 10' booth space. This is an outdoor market and it can get windy; canopies must be secured with ample weights.
8. Applicants requiring electricity must provide their own generators. It is recommended that your booth be as self-contained as possible. The Elko DBA will not be responsible for any loss or damage due to electrical problems.
9. Refund Policy: Refunds will not be issued for inclement weather or missed markets. Rain or shine, the market will be open for business on the predetermined dates.
10. A vendor may sell only within their assigned space. Roving peddlers are not permitted.
11. Applicant is required to contact the Market Manager if he/she is unable to attend the Market. Two missed Markets with no call will be grounds for removal from future Markets.
12. Applicant is required to remove trash and other articles from their booth area at the close of the Market.
13. Misstatements included in the application, willful or otherwise, may be grounds for cancellation of participation.
14. The Market management reserves the right to reject any application that is deemed inappropriate, does not meet the quality standards or is not in the best interest of the Market. The Market does not discriminate on the basis of race, color, religion, sex, national origin, age or disability.
15. Behavior by vendors that is verbally or physically abusive, dangerous or disruptive to Market activities will not be tolerated and may result in immediate removal of applicant from Market.
16. Violations to any of the rules and regulations listed herein may result in the removal of the applicant from the Market and disqualification for future Markets.
17. Sub-leasing of space to other businesses is not allowed.

FOLLOWING IS A LIST OF RULES APPLICABLE TO THE DIFFERENT VENDOR CATEGORIES WITHIN THE MARKET:

GROWER:

1. Applicant must not have purchased the produce for resale at the Farmer's Market, unless arrangements have been made with the Elko DBA..
2. Vendor agrees to comply with the regulations and bylaws of the Nevada Certified Farmers' Market Association (NSCMA) and the Elko DBA. A copy of these regulations and bylaws will be provided upon request.
3. Nevada and organic growers will be given first consideration for product and space. Out-of-state growers will be limited to a 300 mile radius of Elko. Special permission may be granted by the DBA for growers not meeting the mileage criteria. Exceptions to this rule must be in the best interest of the Market.
- a. Scales used in the Market must have a current valid inspection seal from the Department of Weights and Measures. The criteria for approved scales can be found by contacting Joan Holland at the Department of Agriculture, Elko Office, 4780 East Idaho Street, (775) 738-8076. Scales must be approved before the market opens.

FOOD (On-site preparation):

1. Applicant must have a State of Nevada Resale Tax Permit, Elko County Health Department food permit, and all other appropriate licenses and permits required by the City, County and State.
2. Vendors may not serve any consumable products in glass containers.
3. Vendors will be required to provide proof of liability insurance for \$1,000,000. **Elko Downtown Business Association** should be listed as additional insured on the insurance policy.

PACKAGED FOOD:

1. Applicant must have all appropriate licenses and permits required by the City, County and State. Applicant must have an Elko County Health Department food permit, if required by the agency.
2. Vendors will be required to provide proof of liability insurance for \$1,000,000. **Elko Downtown Business Association and Elko DBA** should be listed as additional insured on the insurance policy.

ARTISAN / CRAFTER:

1. All Artisan / Crafter applications will be reviewed and juried by the Market management.
2. Applicants must have created, sewn, constructed, or otherwise fashioned from component materials the item(s) they sell. The component materials must be sufficiently modified from their original state to demonstrate fine craftsmanship. Photographs or sample products may be required.
3. Buy/sell products are prohibited for artisan/crafter vendors.

NONPROFIT:

1. Applicant may only sell items or distribute information as listed on the application and approved by the Elko DBA. Applicant may be required to submit photographs or samples of items and/or copies of informational material for approval.
2. Applicant is required to submit proof of non-profit status with application.
3. Organization representatives will not interfere with Market operations by aggressively soliciting signatures, donations or attention. **All activities must take place inside of the booth area and cannot block walkways or access to assigned booth spaces.**
4. Organization must prominently display its name and must comply with all applicable Market Rules.
5. Nonprofit organizations will be allowed on a limited basis and must adhere to the market theme of healthy eating and lifestyles. Political campaigns of any type are prohibited.

Contact Names / Numbers for your Reference:

Market manager, Amber Overholser (775)340-7730
State of Nevada Department of Taxation, (866) 962-3707
Elko County Health Department, (775) 753-1138
City of Elko, Business License Department, (775) 777-7138
Weights and Measures, (775) 738-8076

* The Elko DBA reserves the right to change these terms and regulations at any time in the best interest of the Markets.

Revised March 2010