



Vendor Application, Contract, and Regulations

MARKET MANAGEMENT

Market management may vary during the season. This is a volunteer position. The current Market managers are Jason Funkhouser and Amber McComish. Market rules and eligibility are compiled by the Market managers and Darlington Chamber/Main Street.

ELIGIBILITY

All agricultural products, processed foods, and artwork must be produced in Wisconsin by the vendor or his/her employees.

Agricultural and food products will comprise no less than half of vendors, with the balance of products consisting of select artisan products.

The vendor committee reserves the right to determine if a particular product or set of products is consistent with the purpose of the Market and approve or deny products based on this determination. The permit holder will list the items they plan to sell and agree to all the regulations set forth in this contract.

In certain cases, vendors may be allowed to supplement their offerings with items not grown/produced by the vendor provided that:

- The “supplemental product” is grown/produced in Wisconsin.
- Existing vendors do not currently grow/produce the supplemental product.
- The supplemental product does not exceed 50 percent of the seller’s offerings during the season.
- The supplemental product is clearly labeled with the producer’s name and contact information.

Vendors must receive approval prior to re-selling any product.

Vendors may not use the word “organic” to describe their product unless they have been certified organic by a federally recognized agency.

Vendors must request approval prior to selling new products outside their approved product category.

Products grown/harvested/produced outside the state of Wisconsin may be allowed if the product cannot be grown/harvested/produced in Wisconsin, and the product is consistent with the purpose of the Market. Each item will be reviewed by the vendor committee to determine appropriateness.

Examples include seafood, coffee beans.

PERMITS AND FEES

All individuals wishing to sell products at the Market must obtain a permit from the Market Managers prior to vending. *Please note: all vendor application materials must be received by the Market at least one week prior to the week the vendor intends to sell. We do not accept walk-ins.* No sharing of permits or space is allowed unless the Market managers grant prior approval. A permit allows you to sell on Market days only. Vendors may purchase a **full-season permit** or a **daily vendor** permit.

Full-season permit holders must commit to vending at least 75% of Market days (18 of the 24 possible days). Full-season permits can be purchased for \$100. Vendors may choose to contribute more if they like. All funds are used strictly for advertising and promotion of the market. Checks can be made payable to the Darlington Chamber/Main Street. No refunds will be given.

Daily vendors will be charged \$8 per day.

STATE, COUNTY, AND LOCAL GUIDELINES AND REGULATIONS

Each vendor must comply with ALL State of Wisconsin, Lafayette County, and City of Darlington laws governing health, packaging, labeling, taxes, scales, weights, and measures. For example:

- All processed foods must be prepared in a certified kitchen per state law. Some exemptions exist for highly acidified home-canned products as outlined in Wisconsin's "pickle bill". In addition, Wisconsin's "cookie bill" allows for the sale of "not-potentially hazardous" baked goods directly to consumers. Vendors who wish to sell products described in these laws must demonstrate their understanding and adherence to these laws prior to approval. See links for more information: https://datcp.wi.gov/Pages/Programs_Services/FSHomeCannedFoods.aspx, <https://www.wisconsincottagefood.com/>
- Vendors with "potentially hazardous" products or processed foods (as defined by the Department of Agriculture, Trade, and Consumer Protection) must display their Retail Food License or Food Processing Plant License.
- Vendors selling non-food items are responsible for obtaining a Seller's Permit, if determined necessary by the Department of Revenue. Sales tax collection and reporting is the responsibility of the vendor.

If you are required to obtain a permit(s) or license(s), a photocopy of the permit(s) or license(s) must be on file with the Market managers prior to participation in the market. If you have questions regarding the necessary permit(s) or license(s), contact the Wisconsin Department of Agriculture, Department of Revenue, or appropriate agency. Failure to obtain all necessary permit(s) or license(s) will result in dismissal from the market.

Covid-19 Precautions: Vendors must adhere to all state, county, and local regulations for best practices at farmers' markets. Failure to do so will result in dismissal from the market.

DATES AND HOURS OF OPERATION

The 2021 Darlington Market will begin on Saturday May 1, 2021 and be held each Saturday. The market will end on Saturday October 30, 2021 (weather permitting).

Additional late-season Saturday markets **may be held indoors at a local business. If additional late-season markets are held, it is up to the participating vendors to manage and advertise for those markets and additional fees may be required.*

Official market hours are 8 a.m. to Noon.

- Vendors are encouraged to be ready for sales by 7:30 a.m. and remain set up until noon unless other arrangements are made prior.
- All vendors must arrive by 7:45 a.m. Those arriving late may need to forfeit their usual location.
- All vendors must have the area cleared by 1 p.m.

SPACES AND LOCATION

The market is located in the festival grounds adjacent to Casey's gas station. Spaces will be assigned to full-time vendors and will remain constant for the duration of the season. Daily vendors will be assigned a space the day of the market based on seniority. Daily vendors may not exceed 10 linear feet for their display. Daily vendors may be asked to set-up in different locations from week to week, but an effort will be made to maintain consistent location.

ATTENDANCE AT MARKET

Full-time vendors agree to participate in the market for a minimum 75% of market days and receive a permanent vending location. All vendors must notify the market managers 3 days in advance if they will be absent from attending their regular schedule—family and personal emergencies exempt. Chronically absent full-time vendors will be asked to surrender their stall and move to a daily vendor location.

MAINTENANCE

Each vendor will furnish their own tables, chairs, bags, extension cords, tent canopies, and any other necessary supplies. Electricity is accessible. Each vendor is responsible for cleaning up all refuse around their booth and making sure that any debris in the festival grounds is cleared. Vendor-generated refuse must be brought home with the vendor and not placed in garbage cans at the park.

Vendors must move their vehicles to a side street or alternate parking area immediately after unloading and prior to setting up to allow for market goers parking. No vehicles may be driven on the grass areas, no exceptions.

PRICES

Each vendor is responsible for their own pricing. Prices should be readily visible to customers. Vendors may use one large sign or smaller signs placed beside each product or by individually pricing items.

MARKET PROMOTION

Advertising for the Darlington Market is supported solely through vendor fees and consists of posters, banners/signs, and advertising via social media and radio.

HOLD HARMLESS CLAUSE

All authorized vendors participating in the Darlington Market shall be individually and severally responsible to the City of Darlington and market organizers and volunteers for any loss, personal injury, deaths, and/or any other damage that may occur as a result of the vendor's negligence or that of its servants, agents, and employees. All vendors hereby agree to indemnify and save the City of Darlington and the Darlington Market organizers and volunteers harmless from any loss, cost, damages, and other expenses, including attorneys' fees suffered or incurred by the City of Darlington by reason of the vendors' negligence or that of its servants, agents, and employees; provided that the vendors shall not be responsible nor required to indemnify the City for negligence of the City, its servants, agents, or employees. No insurance is provided by the City of Darlington or the Darlington Market to participants in the Market.

Individual vendors are strongly encouraged to purchase their own product liability insurance.



Application for 2021 Full-Season Vendors

(Vendor must attend 75%, or 18 of 24 market days.)

Name: _____

Address: _____

Telephone: _____

Email: _____

Substitute: _____

Address: _____

Telephone: _____

Email: _____

Please list **all** the products you plan to sell at the 2021 Darlington Market. **All** new products must be reviewed and approved.

I HAVE READ AND AGREE TO ABIDE BY THE REGULATIONS GOVERNING THE DARLINGTON MARKET, THE HOLD HARMLESS CLAUSE, AND INSURANCE STATEMENT

Vendor Applicant Signature Date: _____

Market Manager/Chamber Director Signature Date: _____

Please return this page, your \$100 fee, and a copy of any permits that may be required for your product type to:

Darlington Chamber/Main Street
447 Main Street
Darlington, WI 53530

Checks made payable to Darlington Chamber/Main Street.



Application for 2021 Daily Vendors

(Vendor must attend 75%, or 18 of 24 market days.)

Name: _____

Address: _____

Telephone: _____

Email: _____

Please list the products you plan to sell at the 2021 Darlington Market.

If you know the date(s) you wish to sell at the 2021 Darlington Market. Please circle them below.

May:	1	8	15	22	29	August:	7	14	21	28	
June:	5	12	19	26		September:	4	11	18	25	
July:	3	10	17	24	31	October:	2	9	16	23	30

I HAVE READ AND AGREE TO ABIDE BY THE REGULATIONS GOVERNING THE DARLINGTON MARKET, THE HOLD HARMLESS CLAUSE, AND INSURANCE STATEMENT

Vendor Applicant Signature

Date: _____

Market Manager/Chamber Director Signature

Date: _____

Part-time vendors will be granted permission to sell at the Darlington Market if:

- The applicant pays an \$8 fee for each market day (payment may be made day of market if vendor is unsure of days they will be selling)
- The vendor committee approves of the product(s) to be sold and to ensure a diverse mix of products
- The applicant abides by all the regulations set not only by the market committee, but also state guidelines.

Please return this page, and a copy of any permits that may be required for your product type, to:

Darlington Chamber/Main Street
447 Main Street
Darlington, WI 53530

Checks made payable to Darlington Chamber/Main Street.



Application for 2021 Night Market Vendors

Name: _____

Address: _____

Telephone: _____

Email: _____

Please list the products you plan to sell at the 2021 Darlington Night Market.

Please circle the date(s) you wish to sell at the 2021 Darlington Night Market below

May 19 • July 21 • September 19

I HAVE READ AND AGREE TO ABIDE BY THE REGULATIONS GOVERNING THE DARLINGTON MARKET, THE HOLD HARMLESS CLAUSE, AND INSURANCE STATEMENT

Vendor Applicant Signature

Date: _____

Market Manager/Chamber Director Signature

Date: _____

Please return this page, and a copy of any permits that may be required for your product type, to:

Darlington Chamber/Main Street

447 Main Street

Darlington, WI 53530

Checks made payable to Darlington Chamber/Main Street.