

March 05, 2015

City Council Work Meeting

Staff Report from Planning and Business Licensing Department concerning Farmers Market proposed changes to the policy

Farmers Market is a great community event! It a great way for crafters and artists to market their creativity, talents and skills. The Planning Department recommends consideration of the following to improve the market.

- FEES:** Leave the fees the same as they were. Planning Department does not recall having the Farmers Market included in the Fee Study. Three years ago Planning and Business Licensing staff did a fee study in covering the costs of the market. At \$100 per vendor for the season (\$125 for those requiring electricity) it was determined that the city was still not covering the costs of the market but it put us in a better position to contribute to the music, staff (planning, animal control and police). Heber Valley Farmers Market has the lowest vendor fee from any other market. Park Silly is between \$145 and \$300 per vendor. Oakley is \$150 for applications received prior to Feb 24, \$175 for applications received after February 24. The Tuacahn Saturday Market is \$100 for a 6 week punch card. Their market is year round. Pioneer Saturday Market is between \$300 and \$600 plus a \$25 application fee. To encourage vendors to participate the full season, staff would like to give \$25 refund to those vendors who set up every week!

At a market meeting held yesterday with the Dwight Hill (Wasatch County Health Department) Paul Askins (music), Tony Kohler, Mark Anderson, Suzanne Hansen, it was learned that the concerts in the park is underfunded. The city was asked to contribute \$500.00 more, bringing the total amount from the city to \$1500.00. This does not include staff time, (planning department and parks) police calls, animal control, other. The market is asking to increase the fee to \$125.00 per vendor without electricity, \$150.00 per vendor with electricity. Staff would also like to have all money paid before the market starts, eliminating handling money at the park.
- CUT OFF DATE June 1:** Including a cutoff date on when applications will be accepted until will lessen the workload of the Planning Department. The market manager is at the park a lot of the time during the week before the first market; marking spaces, repainting numbers, etc. When this occurs the planning department is left to take applications, help customers, etc.
- ATTENDANCE:** Ask vendors to attend the full season (with the exception of produce because it is typically not ready until July), allowing vendors to miss 1-2 times due to family vacation or illness. When vendors sign up for one or two weeks it becomes a difficult task to place new vendors in a good location for only one week, then have empty spaces the next week.
- PAYMENT:** Ask money to be paid prior to the market beginning. Last year, the total revenue collected after the market started was \$2415. Out of this money, \$930 collected was from non crafters, non produce and non-food vendors. That leaves \$1485 collected from vendors that paid weekly or every other week. There were a few vendors from whom money was never collected.
- FARMERS MARKET VALUES:** Go back to the roots of a true Farmers Market, which includes produce, crafts, artists, food for immediate consumption (typically not prepackaged food).

Fundraising and political booths have not been allowed to have a booth as they detract from the farmers market experience. Information/ business promoting booths fall into this category. This will open spaces for crafters, artists, produce growers and food for immediate consumption. I have attended several markets that are very strict about only allowing produce, food for immediate consumption (made by the individual—not prepackaged) and artists items. There was a group who tried to push for a true farmers market last year. If we keep our market open for produce, handmade crafts, art work, food prepared on site, or at a cottage kitchen, this will make more spaces available for the local farmers who would love to participate in our market.

The past few years there has been a growing number of vendors participate in our market that are not crafters, artists, produce or jewelry makers such as:

1. Aspen Glow (Solar Systems) \$100
2. LauraBellas (Womens premade clothing---not by the vendor) \$100
3. Avon \$100
4. BACA (Bikers against Child Abuse) No fee
5. Bad Dog Computing (Computer repair information) \$100
6. Friends of Wasatch Mountain State Park (promote membership in Wasatch Trails Alliance) \$50
7. Paws For Life (Community awareness of animal shelter and pet adoption) \$100
8. Winder Farms (Sign up new customers, sample lemonade, other drinks) \$100
9. Habitat for Humanity \$20
10. Boy Scouts (selling jamboree tickets) \$20
11. Applegate Homecare & Hospice (Promote services offered by Applegate) \$100
12. Prepackaged ice cream bars, sandwiches (one week) \$20
13. Breastfeeding Coalition (Breastfeeding Café) \$20
14. Voter Registration (have paperwork for people to register to vote) \$100
15. Rotary Club No Fee *
16. Wasatch County Fair (rodeo ticket sales) No Fee*

16 vendors: \$930

Out these 16 vendors, 6 of them signed up between 1 and 6 weeks after the market started, 4 of them showed up at the market and set up without submitting applications.

WE have typically accepted applications all summer long. Last year vendors had to submit their application at least one week prior to the week they wanted to attend. This tends to prolong the chaos of the application process. The following are benefits to adopting these proposed changes.

1. Less workload on the Planning Department.
2. Less vulnerability of having money at the park.
3. Improves the overall collection rate of fees.

* Vendors did not submit application

Recommendation: Staff is recommending the City Council to consider adopting these policy changes listed above. Notices are sent out in March. Any policy changes need to be approved as soon as possible.

Mayor: Alan W. McDonald
Council: Robert L. Patterson
Jeffery M. Bradshaw
Erik Rowland
Heidi Franco
Kelleen L. Potter
March 10, 2015

HEBER CITY CORPORATION

75 North Main
Heber City, Utah 84032

Phone (435) 654-0757
Fax (435) 657-2543

Dear Vendor:

Heber City Corporation is now accepting applications for the 2015 Heber Valley Market. The market starting date is June 11. It will be held every Thursday, ending August 27. Enclosed is the application for the 2015 season and the park/market rules.

**Applications must be received prior to June 01, 2015.
LATE APPLICATIONS WILL NOT BE ACCEPTED!**

Vendor space will be assigned depending on the following criteria:

1. Timeliness in which the completed application is returned to Heber City Corporation;
2. Vendor history of compliance with state and local rules and regulations;
3. Vendor history of market participation. Significant weight, priority and preference should be given to vendors returning from previous seasons;
4. Electricity requirements
5. If the vendor brings his/her own generator; and
6. Previous seasons attendance record.

All food vendors will also need to send a copy of their Health Permit from the Wasatch County Health Department. **A Copy of this permit must be turned in with the application before a space will be issued.** The person to contact at the Wasatch County Health Department is Dwight Hill, (435) 657-3261, 55 South 500 East, Heber City, UT 84032.

All produce vendors must meet the guidelines issued from the Utah State Department of Agriculture. They can be reached at (801) 538-7124.

The Farmers Market hours are from 4:00 p.m. - 9:00 p.m. Food vendors are allowed to arrive by 2:30 p.m. to set up. All other vendor must arrive no sooner than 3:00 p.m. to set up. **If you arrive late, your spot will not be held for you.** If you know you will not be able to attend a certain market day, please notify the Heber City Planning Office at least 24 hours prior to the date you will not be able to attend; failure to do so may result in your space being issued to another vendor for the rest of the season. The number to call is (435) 657-7899.

The Concert in the Park begins at 6:30 p.m. The band will play until approximately 8:30 p.m.

HEBER CITY CORPORATION

Suzanne Hansen, CBLO
Heber City Business License Administrator

2015 Heber Valley Market Rules and Instructions

1. All Applications must be received prior to June 01, 2015. Late applications will not be accepted.
2. Vendors are encouraged to regularly attend the market as this tends to increase the vendors success.
3. All vendors must provide proof of liability insurance with Heber City listed as additional insured.
4. Vendors who arrive at the market without an approved application will not be permitted to set up.
5. All prospective vendors must have items that are handmade by the applicant or under the direction and control of the applicant. Merchandise imported from outside of the United States will not be permitted. Produce must be grown in the United States. "MADE OR GROWN IN THE USA" is the concept of the market! Items made or grown outside of the United States will not be allowed at this market! **ALL PRODUCE GROWERS MUST CONTACT THE UTAH STATE DEPARTMENT OF AGRICULTURE.** They can be reached at (801)538-7124.
6. Farmers Market begins June 11, 2015 and will be held every Thursday until August 27, 2015. Market time is from 4:00 p.m. - 9:00 p.m. All food vendors need to arrive by 2:30 pm to set up. Craft vendors need to begin setting up no earlier than 3:00 pm. Most craft vendors need to be prepared to unload their merchandise and park their vehicles either across Main Street in the Police Station parking lot, or parking in one of the nearby parking lots. Vendors who arrive earlier than these designated times interfere with the Parks Department maintaining the lawns. Because of the growing number of vendors who wish to participate, if you are not in the space issued to you by 3:30 p.m. your space will not be held.
7. Individual vendors are required to obtain all permits required by state and local agencies. A copy of these permits must be included with the vendor application before a space will be issued (Wasatch County Department of Health (435-654-657-3261) for all food items, Utah State Department of Agriculture for produce (801-538-7124).
8. All vendors are required to collect sales tax. The tax rate for retail in Heber City is 6.25%, produce is 3.25 %. And food for immediate consumption is 7.25%. A Special Events Temporary Sales Tax Number will be issued to each vendor along with the permit for a booth from Heber City Corporation. Each vendor is responsible to submit the appropriate sales tax collected to the Utah State Tax Commission.
9. **Fund-raising activities, Political booths, and information booths are not permitted.**
10. The cost to be a vendor for the entire season is \$125.00 for a space without the use of electricity, or \$150.00 for a space using electricity. If more than one outlet is needed, extra fees may incur. Weekly payments will not be accepted. If a check is returned as "NSF", a \$20.00 fee will be added to the total.
11. Food vendors must obtain an "Extended Temporary Food Permit issued from Wasatch County Health Department. **A copy of this certificate must be turned in with the vendor application.** Vendors who do not submit this with their application will **not** receive a space **until** it is received by Heber City Business License Administrator. It must be received by Heber City Business License Administrator no later than one week before the market begins. Additional fees will be charged by the Wasatch County Health Department along with an application for a "Health Permit". This application can be obtained at 55 South 500 East, Heber City. The contact person

is Dwight Hill. He can be reached at (435) 657-3261. An alternate number is (435) 657-3264, ask for Carolyn. All Health Department fees are the responsibility of the individual vendor.

12. Glass containers, and drinks in glass bottles will not be allowed.
13. Produce is excluded from the County Health Department regulations. All produce must be sold in raw, whole, fresh, unprocessed and not prepackaged form. For more information concerning the State requirements please contact the Utah State Department of Agriculture at (801) 538-7124.
14. If a vendor sells food by weight, a certified scale must be issued. (Utah State Weights & Measures)
15. All Vendors are responsible for providing their own booth, table and supplies with a canopy **no larger than 10" x 12"**. Food trucks /carts that are required to park on the road are exempt from having a canopy. Vendors who require more space must pay for the extra space. (Example: 30 feet wide is 3 spaces, 10 ½ feet wide is two spaces.) Canopies must have weighted anchors to protect from wind damage. Stakes in the grass are not permitted in order to protect the sprinkler system in the park.
16. All sales must take place from your assigned booth. Roving sales are not permitted. The booth and displays must be confined to the booth space and not encroach on the walkways, or on the sides and rear of the allotted space.
17. Vendors are responsible to keep the area around their booth safe and clean, garbage picked up, etc. Vendors are required to take their own garbage to the large dumpster, and not fill up the public garbage cans. If garbage is left in your space, a warning will be given for the first offense. A second offense will result in the vendor not being allowed to set up the following week.
18. VEHICLES MUST STAY OFF THE GRASS.
19. Pets are not allowed in the park, (This means dogs, cats, birds, snakes, and other animals).
20. Extension cords must be maintained in good condition without splices, deterioration, or damage and have a "UL Listing"
21. The market manager will advise vendors when duplication occurs and may make recommendations on bringing something else to avoid duplication.
22. Smoking is prohibited. Heber City follows the "Utah State Clean Air Act", which prohibits smoking in public places. This includes electronic cigarettes.
23. Heber City Corporation shall be indemnified from any accident or incident which may occur during Farmers Market.
24. Applications received the day of market will not be allowed to set up the same day.

I look forward to working with you on this fun event.

HEBER CITY CORPORATION

Suzanne Hansen
Heber City Business License Administrator



2015 Heber Valley Market
Vendor Application (Incomplete applications will not be processed)
Applications will not be accepted after June 01, 2015

Applicant Name _____

Business Name _____

Address _____

City _____ State _____ Zip _____

Home Phone _____ Work Phone _____

e-mail _____

SSN and/or SALES TAX # or TAX EXEMPT # _____
(This information must be provided in order to be a vendor at Heber Valley Market)

Market Dates are:

June	July	August
11	02	08
18	09	13
25	16	20
	23	27
	30	

FEES: Vendor space will not be guaranteed until all fees are paid

entire season without electricity	\$125.00
entire season with electricity (per outlet)	\$150.00

I will be selling:

_____ Intermountain West grown produce, honey, or flowers (Must contact Utah State Department of Agriculture)

_____ Crafts that I handmade. **Items made outside of the United States will not be accepted.**

_____ Processed foods (must be in compliance with all Utah State Department of Agriculture rules)

_____ Food prepared at the Heber Valley Farmers Market (A copy of your Wasatch County Department of Health Extended Temporary Food Permit must be included with this application)

Heber City Farmers Market is strictly for crafters, artists, produce and food for immediate consumption. **All vendors must obey the rule of made or grown in the USA.**

If what you propose to sell does not follow this rule, you will not be allowed to have a booth at this market.

Please list all products that you have grown, created, or would like to sell at the market: (Be Specific)

(Vendor & product eligibility and acceptability will be determined by Heber Valley Market Management)

I am applying for a space in the 2015 Heber Valley Market.

I have read the rules and instructions and agree that Heber City Corporation shall be indemnified from any accident or incident.

Signature _____ Date _____

For Office Use Only

Accepted Yes No Date Received _____

Check # _____

Cash _____

If you have questions, please contact Suzanne Hansen, Heber City Business License Administrator at (435) 657-7899.

REFUND SCHEDULE

Before June 10, 2015	Full Refund
June 11,-August 27, 2015	No Refund

Applications can be mailed to:

HEBER CITY CORPORATION
c/o Suzanne Hansen
75 North Main Street
Heber City, UT 84032