



Food Vendor Rules and Regulations

By submitting an application to Downtown Tempe Foundation, the vendor agrees to the rules, regulations and legal information below and on the 6th Street Market webpage. The Rules and Regulations are subject to change based on City, Fire and Health Codes.

TYPES OF VENDORS

Note: Downtown Tempe Foundation has the discretion to not accept vendors whose menu directly competes with Mill Avenue restaurants.

Food Concession Vendors fast food that includes a variety of foods like churros, fried noodles, etc. These vendors cook food onsite.

Snack & Beverage Vendors: Snack foods include kettle corn, chocolate dipped foods, fudge, caramel apples, nuts specialty beverages, etc.

Food Trucks: fast food (sweet and savory) operating out of a truck.

PAYMENTS & FEES (after acceptance)

Flat Fee – fee you pay for your space at the event. See event specific page for fees per event.

Payment is due on the Wednesday prior to the Sunday you plan to attend.

Cancellation: Things come up and we realize you may need to cancel sometimes. We ask that you do this with as much notice as possible. We do not guarantee a refund. If cancellations become a concern for us, it's possible that you may not be invited back.

CERTIFICATE OF INSURANCE

Please provide a certificate of liability insurance for \$1,000,000.

Description of Operations (please use this exact wording)

The Downtown Tempe Authority, Inc. dba The Downtown Tempe Foundation it's agents, employees, volunteers and sponsors and The City of Tempe in association with the **EVENT NAME** event. (**EVENT DATE**)

Certificate Holder (please use this exact wording)

Downtown Tempe Foundation
310 S Mill Ave Suite A-201
Tempe, AZ 85281

HEALTH PERMIT

All Food Vendors must apply and be approved for a Temporary Food Service Establishment Permit through the Maricopa County Health Department. You will not be allowed to vend without this permit.

For more information and questions on the permit, please visit

<http://www.maricopa.gov/3977/Mobile-Food-Establishments>, call (602) 506-6872 or email SpecialEvents@mail.maricopa.gov for the Maricopa County Environmental Services Department.

CREDIT CARDS

All Food Vendors must accept at least 1 of the following credit cards in addition to cash from customers in addition to cash from customers at the event: Master Card, Visa, AMEX.

ELECTRICITY

FOOD TRUCKS: We are unable to supply power. You must bring your own generator. It must be quiet and not emit heavy fumes.

CONCESSIONS: We are unable to supply power. If you have a quiet generator that does not emit heavy fumes, we might be able to place you near a food truck.

FIRE EXTINGUISHERS

Food Concessions: all vendors deep frying must have CURRENT K-Type fire extinguishers with current service tags.

Snack and Beverage Vendors: must have current 2A10BC minimum-rating fire extinguishers.

Food Trucks: must have a minimum of 1 2A20BC and 1 K rated fire extinguisher.

Food trucks with cooking appliances that produce grease laden vapors are required to have a Type 1 hood protected with an approved automatic fire-extinguishing system.

A maximum of 2 LP gas containers with a total aggregate water capacity of 25 gallons is permitted on a single food truck.

PROPANE TANKS

All vendors with propane tanks are required to bring all necessary equipment to properly secure them. Parking meters, street signs, and trees are not usually available to secure propane tanks.

SAFETY & SECURITY

Applicants shall sell and serve food at their own risk.

Applicants must obey all pertinent safety codes and laws, including, but not limited to fire, safety and parking regulations.

Downtown Tempe Foundation reserves the right to shut down any vendors not meeting cleanliness and food storage safety codes and materials.

Canopy tents must be fire retardant; open flames must be located a minimum of 10' away from all canopy materials.

All canopies, tents and other temporary structures must be weighted before you are permitted to open, with the equivalent of 40 pounds per pole minimum. Booths may not open until properly weighted. Downtown Tempe Foundation may shut you down for not having proper weights.

WASTE

No grease or gray water disposal is available.

No water is provided by the event.

Food Vendors are responsible for removing debris and ensuring the general cleanliness of the area.

Cardboard recycling is required and dumpsters will be provided.

No Styrofoam food containers including cups, plates, etc. will be allowed.

Applicants must obey all pertinent safety codes and laws, including, but not limited to fire, safety and parking regulations.

Downtown Tempe Foundation reserves the right to shut down any vendors not meeting cleanliness and food storage.

MENU

Food Vendors are only allowed to sell menu items that were submitted during the event application process and approved during the selection process. Additional menu items not approved during the selection process need prior written approval from the Downtown Tempe Foundation before they are eligible for sale.

Prices of menu items are approved during the selection process. Changes to menu pricing are not allowed without prior written approval by the Selection Committee.

SPACE

Food Vendors will abide by event staff requirements regarding location(s). The Event Managers reserve the right to change a vendor location at any time.

Food Vendors will provide all required equipment for operations and sales.

Signs placed on the streets are not allowed. Signs placed within the foot print of the event are at the discretion of the market manager. Food Vendors are liable for any injury or damage caused by signs.

Any Food Vendors that fry must be a food truck or food concession. No snack vendors are permitted to fry.

WEATHER

All events will take place rain or shine. Applicants agree to be present despite weather conditions. Though rain is not common in the Desert Southwest, each participant is responsible to prepare their displays to withstand weather fluctuations including rain and wind.

PHOTOGRAPHY & PROMOTION

Event participants agrees to allow use of video and photography taken by event organizers at the event for promotional purposes.

Any photos taken by the event are the property of Downtown Tempe Foundation.

EVENT SPECIFIC INFORMATION

LOAD-IN & SET-UP

Food Vendors load-in information will be provided via email no later than the Saturday prior to the Market. You will follow the load-in and load out guidelines for ALL 6th Street Market Vendors at www.downtowntempe.com.

LEGAL

FOOD AND SNACK VENDORS ARE INDEPENDENT CONTRACTORS

Vendors execute this Agreement as independent contractors and shall at all times have complete supervision, direction and control over the services to fulfill requirements. Vendors execute this agreement as independent contractors, not as an employee of Downtown Tempe Authority or the event. Vendors will assume responsibility for appropriate payment of payroll taxes and charges under applicable federal and local law. Vendors agree to take complete responsibility for paying the appropriate federal and state taxes as independent contractors.

MUNICIPAL CODES, LICENSING & TAXES

Applications will obey all pertinent codes, laws, ordinances and regulations.

State of Arizona and Tempe Transaction Privilege Taxes (Sales Tax) are reported and paid directly to the Arizona Department of Revenue (AZDOR). You must register and apply with AZDOR directly at www.AZTaxes.gov or <http://www.tempe.gov/city-hall/internal-services/finance/sales-tax-business-licenses>.

Installation and operation of any exhibits not meeting event approval are prohibited.

LIABILITY DISCLAIMER

Applicants must comply with all Festival, municipal and state rules, regulations and policies listed in this application, or policies included in the applicant acceptance notification. Any noncompliance will cause elimination and applicant may be immediately removed from the event with no refund of fees or compensation for expenditures. Applicants also may be barred from acceptance to future Downtown Tempe Foundation, Inc. events.

Downtown Tempe Foundation, Inc., in their sole discretion, may reserve the right to refuse participation by any applicant, entertainer, food vendor or any other such participant for any reason.

Downtown Tempe Foundation, Inc., is not liable for refunds of any other liabilities whatsoever for applicant's failure to obey the rules and regulations or due to the unstable condition of the area in which the event is produced, caused by, but not limited to, weather, fire or other calamity, any act of nature, public enemy, strikes, statutes, ordinances of any legal authority or any other cause beyond DTF's control.

By fulfilling application and engaging in participation, all applicants release and hold harmless Downtown Tempe Foundation, Inc., the City of Tempe, Maricopa County, the State of Arizona, and all event sponsors from any and all liability, as outlined in the rules and regulations.

Applicant will initiate any legal proceedings arising from violations of these terms and conditions in Maricopa County, Arizona.

Applications and/or acceptance notifications are not contracts.

By submitting a food vendor application to Downtown Tempe Foundation, you agree to the above rules, regulations and legal information on this document as well on the 6th Street Market webpage.