

2012 Market Days Vendor Information and Rules

All Wimberley Market Days vendors must abide by these rules and comply with the following terms:

- 1. 2012 MARKET DAYS DATES:** Market Days will occur in 2012 on the first Saturday of each month, March through December. The specific dates are: March 3, April 7, May 5, June 2, July 7, August 4, September 1, October 6, November 3 and December 1.
- 2. 2012 BOOTH SPACE RENTAL FEE:** The Booth Space Rental Fee for the 2012 season will be \$520 for the first space rented and \$490 for each additional booth rented by the same vendor.
- 3. TEXAS SALES AND USE TAX PERMIT:** You must possess a current, valid *Texas Sales and Use Tax Permit*, and display it at your booth during hours of Market Days operation. Pursuant to Rule 3.286, Part 1, Title 34 of the Texas Administrative Code, every person, or entity, who sells or transfers ownership of taxable items at a flea market, mall, or trade day event, is required to have an active sales tax permit displayed at their booth. You must provide the Wimberley Lions Club Annual Leasing Manager a copy of your *Texas Sales and Use Tax Permit* or a letter of exemption from the Comptroller's Office prior to the issuance of a booth space contract. If the address on the Tax Permit is other than Wimberley, you must advise the Texas Comptroller's Office that you will be selling merchandise in Wimberley. The tax to be collected and the Local Govt. reporting Codes are as follows: State of Texas - 6.25% (No code), Hays County - .50% (4105004), Wimberley Village Library - .50% (5105503), Village of Wimberley - 1.00% (2105095). The total tax to be collected and paid is 8.25%. If Market Days Management is officially notified by the Comptroller's Office of a vendor's delinquency, the vendor's rights to sell at Market Days will be suspended until he/she is restored to good standing with the Comptroller.
- 4. HOURS OF OPERATION:** You should be prepared to commence business by 7:00 a.m. You are expected to maintain continuous operation thorough the day until at least 4:00 p.m. Gates to the Field will be locked until 4:00 p.m. for security reasons, and you are not permitted to leave earlier than 4:00 p.m. without the approval of Market Days management. Market Days management reserves the right to close operation earlier than 4:00 p.m. if necessary in cases of weather conditions, extreme heat or other events that may threaten public safety.
- 5. REPORT YOU ARE PRESENT:** You must announce that you are present and ready for business on each Market Day by 7:00 a.m. You can make this announcement by reporting to staff at the entrance gates to the field. If you arrive before staff is present at the entrance gate (i.e. the night before the market) you must go to one of the gates to report your attendance to the staff before 7:00 a.m. on Saturday. If you know that you will be arriving late because of some unforeseen event, you must telephone (512) 847-2391 and report your delay to

the Lion answering the telephone. If you know prior to the Thursday before Market Day that you will be absent, you may notify the Lions by email at info@shopmarketdays.com or by contacting your Market Days Ambassador (contact information is on our website.) We encourage this choice so that your Ambassador is aware of your absence and can pay special attention to your booth. If you do not report you are present and your booth is assigned to a day renter, you may not be able to occupy your booth for that Market Day and will be assigned another.

6. VENDOR ATTENDANCE: Our vendors and customers have expressed disappointment and frustration with “empty booths” on Market Days. In order to address this serious issue, we require that you comply with the rules pertaining to attendance, hours of operation, and reports of attendance. We urge you to occupy your booth on each Market Day.

7. SAFETY & SECURITY: Each booth space must have an openly displayed, working 2.5 pound all-purpose fire extinguisher. Please exercise appropriate safety measures at all times, and report any hazard, unsafe condition or security concern to one of the Wimberley Lions working during Market Days. The Wimberley Lions Club cannot, and will not, assume responsibility for your property on the Field during Market Days nor items afterward left in your booth, even if your booth is locked. Please keep, where possible, the front, back and sides around your booth space clear to allow access at all times, particularly during Market Days. After Market Days, all items must be stored inside your booth or within the confines of your rental space.

You cannot operate your vehicle on Lions Field during Market Days between the hours of 9:30 a.m. and 4:00 p.m. All vehicles parked or operating on the field must display a valid parking pass. A few of the booth spaces provide adequate room to park a vehicle in order for us to accommodate those vendors who have some disability or handicap. In each of these, a vehicle must be parked within the boundaries of that vendor’s booth space and display a gate pass with that booth number duly noted on the pass. Please exercise caution at all times when operating your vehicle on the field. This issue and all matters pertaining to safety on are our highest priorities. We urge each of you to be vigilant. Please advise the management of any unsafe conditions or security threats of which you become aware.

8. GATE PASS/PARKING PERMIT: A "hang-tag" gate-pass/parking permit is issued to all vendors. Hang the tag inside your vehicle on the rear view mirror and insure that it remains with the vehicle at all times. Your pass permits you to park one vehicle in the vendors parking area, Lots 2 and 3, without paying a parking fee. If you have more than one vehicle, you must pay the parking fee for the second vehicle, or you may purchase an additional gate-pass/parking permit for \$30 from the Annual Leasing Manager.

9. PARKING: Vendor parking is permitted in Lots 1, 2 and 3 until 6:00 a.m. on Market Days. After 6:00 a.m., all vendors must move their vehicles to the Vendor Parking Area or Lots 2 and 3.

10. PRODUCT SALES GUIDELINES: The Wimberley Lions Club is solely responsible for determining whether or not the products sold are appropriate for

this Market. The primary objective of the Market is to attract vendors who sell antiques, collectibles, handmade products, plants, unique items, arts and crafts. Vendors are required to list on their booth application the specific products to be sold. Vendors must obtain any certificates and/or licenses for products or services that are required by the State of Texas, City of Wimberley or other authorities.

FOOD AND BEVERAGES: Vendors may not sell food or drinks to be consumed on Lions Field without written approval by the General Manager.

FIREARMS: Vendors cannot display nor sell guns that are in violation of Federal or State laws. Displayed guns must have open breeches or clip/magazine removed, as appropriate. Absolutely no ammunition allowed.

FIREWORKS: No fireworks or explosive charges may be brought onto Lions Field.

OBSCENE AND OBJECTIONABLE ITEMS: No visual or written pornographic materials, or other creations or images which, in the sole opinion of the Management Team, are objectionable, may be sold or exhibited at Lions Field.

ANIMALS: No animals are to be sold, given away, or kept at anytime on Lions Field. No pets are allowed on the Field during Market Days. This rule will be strictly enforced.

POLITICS: You are prohibited from engaging in activities which promote political parties, candidates, agendas, or controversial and divisive issues.

11. UNAUTHORIZED USE: You may not sublet your booth space in whole or part. You may authorize another person or entity to use your booth space on a Market Day with the approval of the Annual Leasing Manager. To acquire that approval, you may either send to us by regular mail, or email, the name under which your booth is rented, the number of your booth and the name of the person or entity you authorize to use your booth. You may also telephone us with that information on Market Day at (512) 847-2391 before 7:00 a.m. The party using your booth on Market Day must report to the Annual Rental Manager at 7:00 a.m. and pay the current daily rental rate.

You may not operate a business or make sales from your booth space on any days other than the ten (10) Market Days in 2012. Operation during the week or on other weekends when Market Days does not operate is prohibited.

12. COMMUNICATIONS: You may have difficulty contacting the General Manager, Field Manager, or Annual Leasing Manager by telephone since all of these individuals are volunteers. The Managers are available, however, on market days. You may contact us through the Annual Leasing Manager's station next to the Information Booth. If you need to reach us during the month, please write to us at the address on this letterhead or send an email to info@shopmarketdays.com. You may also contact your Market Days Ambassador; all are listed on our website: www.shopmarketdays.com.

13. ELECTRICITY: You will find that one 7.5 amp electrical circuit is provided at each booth space. Electric Heaters and Air Conditioners are prohibited, as they require more than the 7.5 amps available. You must unplug any electrical cords and appliances at the conclusion of Market Day and arrange them in your booth so that maintenance is not hampered.

14. BOOTH CONSTRUCTION AND IMPROVEMENTS: You may erect a structure on your booth space. All structures, however, must comply with the

minimum standards of the Market Days Management and construction. The Field Manager must approve remodel plans before construction begins. Once approved, a construction project must be performed safely and completed within a reasonable period of time. You may not demolish nor remove any structure on a booth space. You may, however, sell or transfer your booth space if your rental agreement is current, with the approval of the Annual Leasing Manager.

15. SALE OR TRANSFER OF BOOTHS: Booths may not be exchanged, transferred, or sold without the approval of the Annual Leasing Manager. Transfer documents are posted on the Vendor section of our website, www.shopmarketdays.com, or you may request copies in writing or by email at info@shopmarketdays.com. A fee of \$25.00 is required for a transfer to a new party. Wimberley Lions Club is not involved or cannot assume any responsibility for transactions between you as a seller and a buyer. Please take care if you sell to ensure that you get good funds before authorizing a transfer.

16. ADVERTISING: Signs advertising your products, booth, or special sales event cannot be posted anywhere on the field except within the boundaries of your booth space or in common spaces designated for vendor advertising by the Lions Club.

17. CONFLICT RESOLUTION: In the event conflicts arise between Vendors, Market Days Customers and/or Lions Club members or its volunteers, Market Days Management will work with the parties to resolve the conflict through negotiation. Should such negotiation be unsuccessful, the ultimate decision of Market Days Management will be binding upon all parties.

18. UNLAWFUL OR UNETHICAL CONDUCT: All Market Days vendors shall conduct themselves in accordance with all federal, state and local laws and according to ethical business practices. Should Market Days Management become aware of violations of appropriate ethics or laws, the contract between vendor and Lions Market Days will be terminated without refund of the rental fee.

19. MARKET DAYS VENDOR DIRECTORY: The Wimberley Lions Club contracts with an outside provider each year to produce the annual vendor directory. This directory is produced solely as a marketing service used to promote Market Days. Payment of the lease fee to the Lions does not entitle vendors to any rights pertaining to the directory. Any listing provided is done so as a courtesy. Information provided for the directory comes directly from the Annual Rental Agreement, which should be carefully completed by each vendor. The Wimberley Lions Club will make every effort to ensure that the information provided for the directory is accurate, however it is not responsible for any errors.