

Berlin Farmers & Artists Market Inc

2023 Policies and Procedures

The Berlin Farmers & Artists Market Inc exists as an opportunity to give support to local producers & artisans. The market strives to be a valuable community experience to locals & tourists. The market will start on June 6th and end on September 26th, meet on Tuesdays, 4:00-7:00 pm in Nathan Strong Park (East Side Park) in Berlin. In order to better plan the season we are asking vendors to provide the dates they plan to be in attendance. You will find spaces to mark these dates on the signature page of this document.

1. For the 2023 season, registration and approval from the Market Committee is required before a vendor will receive a spot. Copies of all licensing & required legal papers should accompany registration. Registration 24 hours prior to any market date is required unless otherwise approved. The City of Berlin reserves the right to prohibit anyone from selling at the market.
2. The Market Committee will assign vendor spots. Vendors are asked to park on side streets **ACROSS** from the park - as to leave space for customer parking. Vendors may arrive for set-up as early as 2:00 p.m., and sales may start at 4:00 p.m. (All vendors are required to be at the park & set up no later than 4:00 pm so that the market can be sustainable for the community.) Tear down should be no sooner than 7:00 pm. Vendors should consult with the Market Committee for any exceptions.
3. The market will take place every Tuesday if the weather allows. If in question, feel free to check the Berlin Farmers & Artists Market Facebook page for any official cancellations. Vendors should inform the Market Committee of any dates they will be unavailable. * Vendors will be invited to several local events by other non profit organizations. Details will be distributed as they become available.
4. Vendors will bring their own tables, chairs, tents, etc. to the spots assigned. Each space is 10 feet of sidewalk “frontage” and 10 feet deep to be placed 3 feet back from the sidewalk. Space dimensions must be adhered to. It is important that the market appears clean & orderly and all vendors treat customers & each other in a courteous & appropriate manner (as required by the City of Berlin). All vendors are strongly encouraged to display items on a table covered in tablecloth or have a pop-up style tent under which they place their tables & displays.
5. Wisconsin seller’s permits are required for any vendor that has a total annual sales (in any venue) of \$2,000 or more & that permit number is required on their application.
6. **PRODUCE & VEGETATION:** Should be grown in WI. Approval from the Market Committee for out-of-state or wholesale produce must be obtained prior to market sales. **ALL PRODUCE AND VEGETATION VENDORS MUST HAVE A SIGN STATING WHERE FOOD IS GROWN.**
7. **ARTISTS MARKET:** Handmade items of most kinds are allowed, as well as many repurposed or up-cycled items. A limited amount of resale items are allowed but may not exceed 25% of the booth's total products. All items are subject to the approval of the Market Committee & City Clerk. Direct Sales Businesses are welcome at the market but will require a separate registration/fee for the season. The Market is currently assigning Direct Sales spaces at a 3/1 ratio. For every three artisan/produce spaces we are accepting one direct sales business. We will continue to add direct sales businesses from a wait list as more artisan/produce vendors register.

8. Honey & maple syrup may be sold with the proper labeling as defined by the state regulations & must be processed by the vendor.

9. Eggs, meat, baked goods, dairy products & canned tomatoes must be processed by the vendor and must abide by all state requirements with licensing & regulations. Please review the Dept. of Ag., Trade & Consumer Protection Farm Market Handbook.

10. Canned items that are either naturally acidic or are acidified by pickling/fermenting may be sold at the market. (Examples: salsas, pickles, jellies & jams.) Proper labeling according to state regulations is required, according to the WI Pickle Bill. Labels must include, in this order: Name & address of person who did the canning, date of canning, the statement “This product was made in a private home not subject to state licensing or inspection” & all ingredients in descending order of prominence (including the common name for any ingredient that originate from milk, eggs, fish, shellfish, tree nuts, peanuts, wheat or soybeans.)

11. PROHIBITED ITEMS INCLUDE, BUT ARE NOT LIMITED TO:

- Rummage, second-hand, or flea-market-type items at the market.
- Potentially hazardous foods as described by the state without the appropriate labeling & permits.
- Pets or animals of any kind.

Prohibited items may not be displayed, bartered, or given away at the market. The City of Berlin reserves the ability to decide what is a prohibited item.

12. LICENSES & PERMITS: It is the responsibility of the vendor to obtain & provide copies of all licenses & permits required by law for the sale of their products at the market. This is to be done with registration.

13. WEIGHTS & MEASURES: All produce sold in the market will be sold by legal weights & measures. Vendors are responsible for obtaining the required scale & keeping them certified for compliance annually. All vendors need to post prices and keep scales visible to customers. Please review the Dept. of Ag., Trade & Consumer Protection Farm Market Handbook.

14. LIABILITY: All vendors and customers are responsible for their own personal and product liability. The Berlin Farmers & Artists Market, The City of Berlin and volunteer helpers assume no liability for injuries resulting from the use of the market or products sold there. Vendors will maintain their stalls in safe conditions and will indemnify and hold harmless the Berlin Farmers & Artists Market, the City of Berlin and volunteer helpers from injuries or damages, or claims of injuries or damages, sustained by any person in the vendor’s stall.

15. CLEANLINESS: All vendors are asked to help keep the market area of the park clean. It is the vendors’ responsibility to leave their spot clean as they found it. Vendors are asked to **STEP AWAY FROM ALL BOOTHS FOR SMOKING BREAKS, OUT TO THE ROAD** out of respect to other vendors and their products.

16. VIOLATION: If a vendor is in violation of any of the policies above, they will receive a warning from the Market Committee in an effort to help them adhere to the guidelines. If the vendor continues to violate the policy, the vendor may be suspended or removed from the market. Vendors are encouraged to let the Market

Committee know if violations occur. We want the market to be a positive experience for all involved & for the City of Berlin to allow the market to continue at the park & in the community for many years to come.

17. ATTENDANCE POLICY: Our attendance policy is a ‘two strikes and you can be moved’ rule. Every Vendor is expected to inform the market via their initial agreement what weeks they are planning to attend the market. If you are not able to attend for any reason a week you are slated to attend, we expect you to inform the market committee by noon the day of that market by emailing berlinfarmersandartistsmarket@gmail.com, message the BFAM Facebook Page, or texting/calling Catrina at (920)229-9860. After your first no-call-no-show event, you will be reminded of this rule and upon the second occurrence we reserve the right to reassign your location.

18. PARKING & SET UP: Please note that all vendors are expected to move their vehicle from the “park side” of the streets surrounding the market after you’ve unloaded. Also note, when the road closure signs are up on North Church Street for our special events, you are not permitted to drive or park on North Church street at any time - this includes unloading. **VEHICLES MUST BE MOVED BY 4PM! ANY VEHICLES WITH TRAILERS MUST PARK ON SIDE STREETS- NOT ON THE PARK BLOCK.** Parking is also available at the Saving Grace Parking Lot NE of the park! ****See Map!**



2023 Berlin Farmers & Artists Market Inc. Registration Form

| | | | | |
|--|-----------------------------|--|--|----------------|
| Wisconsin Seller's Permit Number (15 digits starting with 456) 456- - | | SSN (last 4 digits) | FEIN (last 4 digits) | Exemption Code |
| Legal Business Name (if not sole proprietor) | | Doing Business As (DBA) Name (if applicable) | | |
| Vendor/Contact Name (Last) | Vendor/Contact Name (First) | | Vendor Phone Number | |
| Mailing Address | | Email Address | | |
| City | State | Zip | Multi-Level Marketing Company (if claiming Code 2 above) | |

Due to the State of Wisconsin adding a new Event Reporting Law, we will now require vendors to fill out the above information so we can file monthly with the state of Wisconsin. Below are the Vendor Information instructions per the State of Wisconsin to help fill out the section above. (Form S-240 Wisconsin Temporary Event Reporting)

- **Wisconsin Seller's Permit Number:** A Wisconsin seller's permit number has 15 digits and begins with 456 (456-xxxxxxxxxx-xx). Sellers may apply for a Wisconsin seller's permit at tap.revenue.wi.gov/btr.
- **SSN and FEIN:** The last 4 digits of the SSN are required. If the vendor has a FEIN, enter both numbers
- **Exemption Code:** If the vendor claims an exemption from collecting and remitting sales tax, enter the exemption code number. Exemptions are limited to the following four reasons:
 1. **Exempt sales only or display only:** Exempt sales refers to nontaxable sales. Display only refers to a vendor advertising goods and services but not selling merchandise.
 2. **Multi-level marketing (MLM) company pays sales tax:** Multi-level marketing companies are those companies that sell their products through distributors. The department regards the multi-level marketing company as a retailer required to remit sales tax on sales to its distributors. Distributors for such companies may use this exemption code if the distributor only sells products for which the multi-level marketing company has already collected and remitted Wisconsin sales tax on the retail sales price of the products.
 3. **Nonprofit occasional sales exemption:** Sales by nonprofit organizations may qualify for exemption from Wisconsin sales and use tax. Refer to Fact Sheet 2106 or Publication 206, Sales Tax Exemption for Nonprofit Organizations, for more information.
 4. **Occasional sales exemptions:** A person is not required to hold a Wisconsin seller's permit if the person's taxable sales are less than \$2,000 in a calendar year. Refer to Publication 228, Temporary Events, for more information.

Please check the dates you plan to attend the market this season:

| | | | | | | | |
|--|--------------------------|--------|------------------------------|--|-------------------------|--|--------------------------------------|
| | June 6 Military Night | N A | July 4 CLOSED for Holiday | | Aug 1 | | Sep 5 |
| | June 13 | | July 11 | | Aug 8 | | Sep 12 |
| | June 20 | | July 18 | | Aug 15 | | Sep 19 Customer Appreciation |
| | June 27 | | July 25 Christmas in July | | Aug 22 BFAM Car Show | | Sep 26 Closing Night/Harvest Fest |
| | | | | | Aug 29 | | |

Check the type of activity you plan on engaging in for this event: selling taxable merchandise/service
 selling exempt merchandise/service direct sellers, company name _____
 exempt under occasional sales rule display only nonprofit organization

Check the type of items you plan to sell:

Handmade Crafts Locally Grown Produce Food Vendor (*Limited spots available*) Direct Sales

Describe your products: _____

*(Please make sure to add *ALL items you plan on selling this season. Prior approval of added items after application is submitted, is needed from the BFAM committee before items can be sold.)*

For produce, provide growing locations: _____
 **Please refer to our policies & Dept. of Ag, Trade & Consumer Protection Farm Market Handbook for information on produce sales.

Vendor Space Options: Not for profit, info only booth, or free services = no fee
 one market day = \$15 (without electricity) one market day=\$25 (with electric, if available)
 Entire market season (single Space) = \$50 Entire market season with 20 Amp Electricity = \$100
 Entire market season (double space, side by side) =\$100 **If doing Direct Sales AND Vendor table select this.

How should we contact you in the event of a Weather Cancellation/Relocation:(circle one) call or text

Berlin Farmers & Artists Market Inc. Agreement: I have read & understand the Farmers & Artists Market policies & procedures & agree to comply with all of the rules & regulations they contain, as well as any decisions made by the market committee & City of Berlin. I will be responsible for & agree to pay for any property damage or cleanup costs caused by activities or anyone assisting me. The City of Berlin & the Berlin Farmers & Artists Market Inc. will not be responsible for any personal injuries or property damage caused by me or anyone assisting me. I agree to hold harmless and indemnify the City of Berlin & the Berlin Farmers & Artists Market Inc for any damages, injuries, or claims resulting from my use of the Farmers' Market, including any attorney fees and court costs.

Signature _____ Date _____

Make checks payable to Berlin Farmers & Artists Market Inc.
 Please mail fully completed form to:
 Attn: Annamae Caswell, Coulson's Tax Service
 P.O. Box 189
 Berlin WI 54923
 Questions? Contact the BFAM via Facebook,
 email berlinfarmersandartistsmarket@gmail.com,
 or contact Michele at (920)267-2755 or Catrina at (920)229-9860

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| Market Use Only: Date Payment Received: _____ Cash _____ Check # _____ Amount _____ |
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