

City of Gaithersburg Presents



Oktoberfest

A t T h e K e n t l a n d s

Food Vendor Information and Regulations

Please Keep for Your Reference (pages 1 - 3)

Interpretation of the following information and regulations is at the discretion of the City

VENDOR CONTACT

Jennie Cottrell
301 258-6350 (ph.)
301-948-8364 (fax)
jcottrell@gaitthersburgmd.gov

FESTIVAL DATE, LOCATION, HOURS:

Sunday, October 9, 2016
Kentlands Old Farm and Downtown
Noon - 5 p.m.

EVENT DESCRIPTION

The 25th annual Oktoberfest at the Kentlands is expected to draw 30,000 attendees to the Old Farm and downtown areas of the Kentlands in Gaithersburg. Fall-themed activities for families, a Business Expo, Artisans, Wine Terrace, Beer Garden, delicious food, and multiple stages of live entertainment featuring traditional Bavarian music and dancing, and local, regional and national talent will delight attendees throughout the day. Admission, shuttles and parking are free to the public.

APPLICATION DEADLINE, NOTIFICATION and SELECTION

The application deadline is **August 27, 2016**, with final selections to be made by mid- September.

All applications must include payment. Applications **postmarked after August 27, 2016 must include the \$25 LATE FEE.** Late applications that do not include the late fee will not be considered.

Late applications will be accepted for consideration through close of business on September 6, 2016.

No application postmarked after September 6, 2016 will be considered.

Applicants will receive a confirmation e-mail upon receipt of application with payment, and another in September regarding acceptance status. Oktoberfest is an extremely popular festival for food vendors and fills up quickly. Selection will be dependent on space available, quality, appeal, and variety of food items offered.

IMPORTANT VENDOR INFORMATION

All vendor applications **must include** fee, photo of concession stand or vehicle and menu with prices. A current certificate of insurance naming the City of Gaithersburg as certificate holder must be provided upon acceptance into the Festival and prior to September 23, 2016. Food items or drinks may be sold by pre-authorized food vendors only. Food vendors must also contact the Montgomery County Health and Human Services Department at 240-777-3986 to obtain a permit. To keep the event eco-friendly, please refrain from using polystyrene (Styrofoam[™]) products and use sustainable goods instead. This is a requirement in Montgomery County and will be enforced beginning January 1, 2017.

RESIDENT vs. NON-RESIDENT FEES

Resident rates apply only to those individuals and businesses that reside/are located within the corporate City tax limits of Gaithersburg. A Gaithersburg mailing address does not necessarily mean the address is within the City corporate tax limits.

RAIN/CANCELLATION/REFUND POLICY

This is an outdoor, RAIN or SHINE event. You are responsible for covering and securing your property in the event of rain or wind. If the City cancels the event due to public safety concerns such as severe weather conditions, a refund will be issued. Otherwise, there will be **no refunds after 9/23/2016.** Refunds are subject to specific guidelines and a processing fee.

SALES TAX

The State of Maryland requires any person selling used or new products to charge 6% sales tax. If you do not have a Maryland tax ID #, you **DO NOT NEED TO APPLY FOR ONE.** Vendor names will be submitted to the Maryland State Comptroller's Office and a temporary Tax ID # will be automatically assigned to you by the State after the Festival.

Oktoberfest Food Vendor Information and Regulations (cont.)

Please Keep for Your Reference (pages 1-3)

Interpretation of the following information and regulations is at the discretion of the City

FESTIVAL REGULATIONS FOR ALL PARTICIPATING VENDORS

- 1) Vendors are required to arrive, set-up and breakdown at the times and locations designated in the vendor load-in documents, communicated via e-mail prior to the Festival. Vendors are required to notify festival organizers in advance if they unexpectedly find they are unable to attend the event.
- 2) No food items or drinks may be sold by any vendor except for festival-approved food vendors pre-authorized by the Montgomery County Health Department.
- 3) No unauthorized alcoholic beverages, pets (with the exception of service dogs) or weapons, real or facsimile, are permitted.
- 4) City staff members reserve the right to have vendors remove unacceptable or inappropriate items, and to relocate or remove any vendor who does not comply with the festival regulations, is uncooperative with event staff, or is disruptive to the Festival. Disruption is defined as disturbing other vendors, interfering with event programming, behaving aggressively toward event attendees or staff, damaging property, or engaging in behavior that threatens the safety of others.
- 5) City staff members reserve the right to deem ineligible for participation in future events any vendor who does not comply with the Festival regulations, is uncooperative with event staff, or is disruptive to the festival.

FESTIVAL POLICY FOR POLITICAL CANDIDATES AND THEIR REPRESENTATIVES

Candidates and/or their representatives may purchase a booth space in the section designated for political candidates. Candidates may walk within the Festival to meet and greet people but are not permitted to use amplifiers, speak from Festival stages, carry signs, or in any way impede pedestrians who wish to move around the Festival. Candidates and/or their representatives may not post campaign signs except within assigned booth space, and may not attach stickers to any public property or signage.

SET-UP / BREAK-DOWN

Instructions, passes and directions will be e-mailed the week before the Festival. You will be assigned an arrival time somewhere between 8 and 10:30 a.m. **Only one vehicle per vendor will receive a pass to enter the Festival area to unload.** Please contact Jennie Cottrell if you will need additional passes. Vendors must **unload quickly, move vehicle to assigned parking, and then return to set up.** We suggest that you bring someone to stay with your equipment and merchandise while you move your vehicle. Booths must be dismantled promptly at 5 p.m., **and not before.** Event staff are not available to assist with your set-up or break-down. **Streets will close to all vendors at 11 a.m., and vehicles will not be allowed to re-enter the Festival area at the end of the event until police open the roads.**

VENDOR SPACE

All food vendor spaces are 20' wide and 10' deep. All vendors must provide and are responsible for their own equipment including generator, canopy, tables and chairs, and must stay within their assigned space. Booths must be dismantled promptly at 5 p.m., but not before.

PARKING

Parking is not within sight of booth locations and will require a shuttle bus ride back. Booth staff arriving later in the day should take the shuttle from the Festival parking lot.

TRASH / ELECTRICITY / WATER

No electricity or water is available. Vendors are responsible for their own trash, cooking oil and waste water removal. Vendors who do not adhere to this regulation will be subject to a fine and may be prohibited from future participation.

PHOTOS

Photographs submitted with application may be used to promote the Festival. Also, please note that photographs taken during the event may be used in future promotional materials.

CITY RESOLUTION # R-73-05 / SPECIAL EVENTS

RESOLUTION OF THE MAYOR AND CITY COUNCIL AMENDING R- 30 -92, THE POLICY SETTING FORTH STANDARDS FOR EXHIBITORS, VENDORS, ENTERTAINERS, AND SOLICITORS AT CITY- SPONSORED EVENTS

WHEREAS, the City of Gaithersburg sponsors a myriad of special programs, festivals, and events throughout the year which are well attended by citizens of all ages;

and

WHEREAS, exhibitors, vendors, entertainers and solicitors are invited to participate in these community functions;

and

WHEREAS, these events are held on public property and /or within and along public ways necessitating the closing of streets and specific areas to ensure that all events will be carried out in a manner which protects the public health, safety and welfare of visitors thereto;

and

WHEREAS, the City of Gaithersburg established a standardized policy, as directed by Resolution No. R-30-92, for exhibitors, vendors, entertainers and solicitors to participate on the premises of City-sponsored events;

and

WHEREAS, the standardized policy was established to ensure peaceful assembly, to protect persons and property, to exercise efficient control of crowds and to offer equitable and uniform treatment of exhibitors, vendors, entertainers and solicitors;

and

WHEREAS, the Mayor and City Council have determined that it is in the best interest of the community that amendments to the policy be made from time to time in order to improve the quality of the City's special programs, festivals and events: NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Gaithersburg, that amendments be made to Resolution No. R- 30 -02, establishing a standardized policy for each exhibitor, vendor, entertainer and solicitor, participating in a City-sponsored event be and they hereby are as follows:

1. The City will not permit any person or organization to solicit and /or distribute information or goods or offer food, goods or services for sale or entertain within any public right-of-way or public property associated with a City-sponsored event unless a completed application to participate in the specific event has been filed with the City of Gaithersburg and approved by the City Manager or his designee.
2. The City will accept applications prior to the application deadline and reserves the right to reject any application which is incomplete or where the applicant's proposed activity during the event will disrupt other exhibitors or the peaceful assembly of attendees or damage or injure persons or property, or interfere with the planned special events, or is rejected for failure to meet stated selection criteria.
3. The City reserves the right to establish and enforce written rules and regulations as to other criteria which City staff deems pertinent to carry out a special public event or exhibit, provided such rules, regulations and criteria are approved by the City Manager or his designee.
4. The City shall have the right to remove any exhibitor or exhibit or other participant from the event limits who does not comply with the aforementioned requirements or the terms set forth in the approved application.
5. If the City determines to remove an exhibitor or other participant from the event limits pursuant to its authority under paragraph 4 of this Resolution, notification will be made in person by a City staff member. If exhibitor or other participant disregards the staff member's request to leave the event, law enforcement will be contacted to remove the exhibitor or participant. It shall be unlawful for any person participating in a City event to fail to obey a law enforcement request to leave the event area. The area reserved for a City event will be clearly defined and available upon request at the time an exhibitor or participant is requested to leave the event.

ADOPTED by the City Council on the 1st day of August, 2005.

SIDNEY A. KATZ, MAYOR and President of the Council
DAVID B. HUMPTON, CITY MANAGER

**2016 OKTOBERFEST AT THE KENTLANDS
FOOD VENDOR APPLICATION**

Please submit this portion (pages 4 - 5) with signature and payment

APPLICATIONS POSTMARKED AFTER AUGUST 27 MUST INCLUDE A \$25 LATE FEE. The final application deadline is SEPTEMBER 6, 2016. Incomplete applications will not be considered.

NOTE: Submitting an application with payment does not guarantee acceptance.

Fees for Food Vendor include: 10' x 20' space. *Does not include table, chairs, canopy, water or power.*

___ **\$200 City of Gaithersburg Business**

(Business must be located in the corporate city tax limits of Gaithersburg to qualify)

___ **\$250 Non-City of Gaithersburg Business**

___ **# of 10' x 20' spaces required**

Briefly describe the type of food that you offer:

A menu with prices and photograph of booth or concession vehicle must be attached to this application before it will be processed. **If accepted into the Festival, you will receive notice if your menu offerings need to be edited in order to avoid overlap.*

ACCOMMODATIONS FOR THOSE WITH A DISABILITY

The City of Gaithersburg is committed to making reasonable accessibility accommodations as required by the Americans with Disabilities Act. **All requests must be made by no later than September 9, 2016.**

ALL APPLICANTS

I certify that I have read, fully understand, and agree to comply with the Oktoberfest at the Kentlands Food Vendor Information and Regulations (pages 1 - 3), and that the information I have provided in this application is true. I will be personally responsible for ensuring that the use of my space is carried out in conformance with this application. I further understand that if I intend to sell anything at the Festival, **I am required to charge 6% sales tax and I will be assigned a temporary Maryland State Tax ID# by the MD State Comptroller's Office after the event, if needed.**

As a participant in the 2016 Oktoberfest at the Kentlands Festival, I agree that I, or anyone entitled to act on my behalf, together with the organization I represent (if any), hereby waive and release the City of Gaithersburg and the organizers of the Festival, plus all event partners, sponsors and volunteers, and their representatives, successors and assigns, from all claims and liabilities of any kind arising out of my participation in the Festival, even if that liability may arise out of negligence or carelessness on the part of the persons named in this waiver.

Participation in Oktoberfest at the Kentlands by groups or organizations other than City of Gaithersburg officials, departments or committees does not constitute City of Gaithersburg endorsement.

By signing this application, I authorize my check (if applicable) to be processed and deposited upon receipt.

I understand that if I am not accepted into the festival, a full refund will be issued.

SIGNATURE _____

DATE _____

CONTACT and PAYMENT

ORGANIZATION/BUSINESS NAME (as you would like it to appear in print):

CONTACT PERSON: _____ E-MAIL: _____

FULL BUSINESS ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE #: _____ DAY-OF-FESTIVAL CELL #: _____

WEBSITE/SOCIAL MEDIA URL: _____

Credit card payments are strongly preferred, and will only be processed upon acceptance into the Festival. **If submitting application via e-mail, we advise that you not fill in the credit card number. Instead, print and sign your name, e-mail the application, and call Jennie Cottrell at 301-258-6350 to provide a credit card number by phone.**

VENDOR PLEASE COMPLETE:

of spaces X Space Fee + \$25 Late Fee (req. if postmarked after 8/27) = Total fee
 _____ X \$ _____ + _____ = \$ _____

Total Paid: \$ _____ Cash Check # _____

Please make checks payable to: **City of Gaithersburg**

CREDIT: Circle one: VISA / MC / DISC / AMEX # _____

Exp. _____ / _____

Signature (required): _____

Print Name (required): _____

(Refunds are subject to City guidelines and a processing fee. No refunds will be given after September 23, 2016.)

E-MAIL SCANNED APPLICATION AND REQUIRED ATTACHMENTS TO:

Jennie Cottrell
jcottrell@gaithersburgmd.gov

OR

MAIL COMPLETED APPLICATION, AND ALL ALL REQUIRED MATERIALS TO:

Oktoberfest Vendor
 Attn: Jennie Cottrell
 506 S. Frederick Ave.
 Gaithersburg, MD 20877

FOR OFFICE USE ONLY: Oktoberfest Food Vendor: **45671**

\$200 Resident Food Vendor \$250 Nonresident Food Vendor
 \$25 Late Fee

Date Rec:
 Initials:
 Date Proc:
 Initials:
 # of Spaces:
 Conf. Sent
 A/R Sent