

BAY CREEK OPEN AIR MARKET

A calendar for displaying reserved dates as well as open dates will be maintained at Town Hall.

Licensing and applicable fees will be processed through the building department at Town Hall.

Park rules will be displayed at Town Hall, the Park and the Town's web page.

PARK REGULATION-

The Town of Edisto Beach has sole ownership and control over management and policies governing the operation of the Park. The Town Police and Colleton County Sheriff's Department have jurisdiction over this property.

HOURS OF OPERATION-

- The open space of the Park including the dock will be open year round to the general public under normal weather conditions from 6:00 am until 10:00 pm daily.
- The Market Building will be open from 9:00am until 4:00 pm on Wednesdays.
- The Park will not be open to the general public during special events days unless permitted by lessee.
- The Town may close the Market during some winter months or inclement weather. In the case of inclement weather closings a rain check will be provided. No refunds.
- Market trash cans and dumpsters are for use by vendors and visitors to the park.

VENDOR CONDUCT-

Any infraction will result in forfeiture of all market fees. Vendor can also be barred from Bay Creek Open Air Market.

- Neither vendors nor their staff may smoke in the park area.
- Vendors will conduct themselves courteously. Vendors may not verbally call attention to their space by calling out beyond the borders of their space.

- Vendors are requested to work and drive as quietly as possible while in the market area.
- Sampling may only occur within the confines of vendor's booth or directly in front of the booth. Sidewalk area is not permitted. The sampling must insure that customers have clear access to the vendor on opposite sides of him or her and in no way intrude on that vendor's space.
- Vendors will provide a trash can for any refuse from the distribution of samples.
- Vendor applications and information is strictly confidential, subject to FOIA.
- Priority for vending spaces will be given to local residents of Edisto Beach/Edisto Island. All products must be grown, harvested or crafted locally. No products will be of a resale nature, for example, bought from another source and resold at this market. Vendors must produce 100% of what they sell. Any exceptions to this rule must be discussed and approved by the Town prior to the opening of market season. This rule is set to provide unique and unusual items to the public not found in retail establishments and will enhance the market and community.

MARKET OPERATIONS-

- Vendors must be prepared for operation at the start of the market. Booths must be staffed during market hours. Vendors may not disassemble booths before market is closed without permission from the market manager.
- Vendor loading and unloading: Vendors are not permitted to drive into the market. Vendors arriving late should park their vehicle outside of the marker area and carry their supplies to the booth space.
- Space assignments will be assigned to the Vendors by the Town Building Department. Every effort will be made to accommodate vendor's needs. No booth location is guaranteed on an on-going basis. Vendors may be asked to change booth space locations for demographic reasons. Reserved stalls not occupied at the start of the market day may be reassigned to another Vendor.
- The Town has the ultimate authority for a vendor's booth location within the market.
- Vendors are responsible for their own booths, tables and weather covers. Vendors are responsible for securing canopies against hazards such as wind and with concern for the safety of the public and other market vendors (weights or other approved method).
- Water and power are the responsibility of individual vendors.
- Selling before the opening market hours is strictly forbidden.

- Vendors are to keep their stalls or booths clean during market hours.
- Inside spaces will be clearly marked.

ONLY TAP WATER MAY BE Poured INTO STREET DRAINS.

LIABILITY-

The Bay Creek Park open air market does not assume responsibility for product liability. Vendors are encouraged to purchase liability insurance and are required to do so for processed and restaurant vendors.

PREPARED FOOD VENDORS- (must have DHEC approval)

- Prepared Food Vendors offer freshly made foods available for sale and immediate consumption on site. Cooking inside is prohibited except by special exception.
- All areas for cooking shall be segregated from traffic flow by at least a four (4) foot barrier to prevent injuries. No cooking is allowed in or under a tent unless it meets flame-resistant requirements. Flame-retardant floor coverings, such as rubberized matting, is required under all cooking areas and OSHA approved containers for the disposal of cooking grease shall be located adjacent to each cooking area. All floor covering and disposal containers are to be approved by the Town prior to use. Lessee is required to protect concrete and pavers from grease spills and resultant staining. If damage results from negligence, the town reserves the right to recoup the actual cost of restoration. Each vendor or concession that utilizes cooking shall be inspected before operation and shall also have DHEC approval.
- All food items must be accurately described on the menu.
- Prepared food vendors must meet federal, state, county and local health requirements and provide proof to the Town prior to the issuance of a booth permit.
- Vendors are responsible for cleaning their stalls and adjacent areas after the market closes.
- Vendors are responsible for the removal of all debris, refuse and unsold product from the market premises.
- Vendors will not cause or permit any nails, spikes, anchoring devices, lighting fixtures or communication devices to be driven or affixed to any tree, or any portion of the park.
- Water and electricity are the responsibility of the vendor.

- In consideration for being permitted to use the facilities of the Town of Edisto Beach, the Vendor agrees to indemnify and hold harmless the Town of Edisto Beach, its officers, employees and insure from and against all liability, claims and demands, which are incurred, made or brought by any person or entity, on account of damage, bodily injury, personal injury, sickness, disease, death or any other loss of any kind whatsoever, which arise out of, or are in any manner connected with the use of these facilities.

Prohibitions:

1. All open burning is prohibited in the park (including but not limited to charcoal grill, wood, oil paper, etc.
2. Dumping of any cooking grease is prohibited in the park.
3. No vehicles (car, motorcycles, trucks, golf carts, bikes, roller skates/blades and skateboards) allowed in park.
4. The use of fireworks is prohibited in the park and the Town of Edisto Beach.
5. No balloons of any type allowed in the park.
6. Children under 12 must be accompanied by an adult 18 years of age or older.

Space # _____

BAY CREEK PARK 2011 MARKET AGREEMENT

DATE OF BOOTH RENTAL _____

BUSINESS NAME _____

PHONE _____

CONTACT _____

ADDRESS _____

E-MAIL _____

PRODUCT DESCRIPTION _____

FEES PAID \$ _____ DATE PAID _____

Product category: Please check one

- | | | |
|---|--|---|
| <input type="checkbox"/> Handmade Items | <input type="checkbox"/> Farm/Plant/Produce | <input type="checkbox"/> Processed Food/Fresh Seafood |
| <input type="checkbox"/> Arts/Crafts | <input type="checkbox"/> Local Produce/Plants | <input type="checkbox"/> Syrups/Jellies/Baked Goods/Sauce |
| <input type="checkbox"/> Prepared Food | <input type="checkbox"/> If prepared food, type of product _____ | |

The Town maintains a file of vendor's products to establish a baseline of products to avoid duplication of items offered at the Market. Only products grown, made, harvested or processed by the vendor can be sold at the Market. No buy/sell items will be allowed. Vendor must provide table, water, and electricity if needed. Tables are not to exceed 8 feet in length. Prepared food vendors must attach current DHEC permit. All other food sales must present proper certification

I have read the vendor rules for the Bay Creek Park and open air market and agree to abide by them. I agree to hold harmless the Market staff; all market participants and the Town of Edisto Beach for any claims, loss or damage of any nature whatsoever, arising from this agreement or vendors use of premises.

Signature _____ Date _____

BAY CREEK PARK RULES

- **Park Hours 6:00 am to 10:00 pm**
- **Smoking is prohibited**
- **Pets must be on a leash**
- **Litter and pet waste must be picked up, bagged and discarded in trash containers**
- **No vehicles (car, motorcycles, trucks, golf carts, bikes, roller skates/blades and skateboards) allowed beyond parking area**
- **Children under 12 must be accompanied by an adult 18 years of age or older**
- **Open burning is prohibited in the park (including but not limited to charcoal grill, wood, oil, paper, etc.) unless special permit is obtained**
- **No contaminants including pesticides, cooking grease or cleaning agents may be dumped in the park**
- **Fireworks are prohibited in the park and the Town of Edisto Beach**
- **No balloons of any type allowed in the park**
- **Camping prohibited**
- **Sound devices must be used with headphones**
- **Bait disposal prohibited**
- **No water vessel launching**
- **Swimming not allowed**
- **Overnight parking is not allowed**
- **Trailer parking is not allowed**