



Harker Heights Parks and Recreation Frost Fest Vendor Application 2022-2023



***Frost Fest
Harker Heights Community Park
1501 East FM 2410
Friday, December 9, 2022
5:30 pm – 9:30 pm***

Return completed application at least 2 business days before date of event to

Sara Gibbs, Activities Coordinator
Activities Center,
400 Indian Trail
Harker Heights, TX 76548

P: 254.953.5493

F: 254.953.5467

sgibbs@harkerheights.gov

A completed application and appropriate licenses must be submitted and approved by staff before applicant is eligible to participate and/or sell at any event. Applications can take up to 2 business days to be approved. An approval e-mail will be sent upon acceptance.

Participation and application are free.

Vendor Type:

All Frost Fest Vendors are to submit the following items:

- ☐ *Harker Heights Frost Fest Vendor Application*
- ☐ *Harker Heights Frost Fest Vendor Acknowledgement*
- ☐ *Supplemental items based on vendor type (listed on page 2)*

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Please check items which apply to you and your products that are listed on page 2. Preference is given to vendors whose products are comprised of Texas grown/made ingredients and sustainable packaging.

SUPPLEMENTAL ITEMS

HOLIDAY MARKET VENDORS

Farmer/Rancher – Selling fruit & vegetables, raw meat, or honey. This product must be grown or raised in Texas by you or someone affiliated with your business.

Examples: Herbs, nursery products/plants, fruits/veggies (practicing organic), fruits/veggies (certified organic), fruits/veggies (non-organic), honey, raw meat

- ☐ No additional supplemental items needed.

Value Added – Food based products that have changed the form, flavor, blend and/or the substance of raw products and/or are crucial for refrigeration (such as eggs).

Examples: Eggs, jerky, beverages, food for animals, sauces, salsa. Butters & pickled items with pH higher than 4.6.*

- ☐ Owner/Manager – current Food Manager's Certification (Not required for food for animals)
- ☐ All Agents – current Texas or Bell County Food Handler's Permit/Card
- ☐ Texas Ingredients List

**Food for animals only need to submit Texas Ingredients List and Food Handler's Permit for owner/manager and all agents.*

Cottage Food – Selling non-potentially hazardous foods that are made in the home and fall under the Texas Cottage Food law.

Examples: Candy, granola, food mixes, baked goods. Jams, jellies, butters, pickled fruits/vegetables with pH of 4.6 or less.

- ☐ Owner/Manager & All Agents – current Texas or Bell County Food Handler's Permit/Card
- ☐ Texas Ingredients List

Hand Crafted – Selling art and items that are "hand crafted" by the vendor or a member of the vendor's craft unit. The use of stencils, Cricut, or other machines for mass production are not allowed.

Examples: Art, woodworks, soaps & lotions, paper products, hair accessories, hand painted items, hand/machine sewn items, pottery, jewelry, candles, furniture, purses, quilts, other fiber arts

- ☐ Photos of product combined on 1 – 2 pages.

FOOD COURT VENDORS

Prepared Foods & Food Trucks - Selling products that are freshly prepared and/or kept hot/cold on-site.

Examples: Popcorn, Meat, Sandwiches

- ☐ Harker Heights Food Booth Permit or Harker Heights Mobile Food Vendor Permit
- ☐ Owner/Manager – current Texas Food Manager's Certification
- ☐ All Agents – current Texas or Bell County Food Handler's Permit/Card
- ☐ Texas Ingredients List

ACTIVITY VENDORS (Please note that these vendors will be separate from the Holiday Market)

Business or Organizations Vendors – Business or organizations that offers an added component to the event. i.e., providing a game, activity, or a themed photo op. These components must be in line with the events theme and approved by City Staff.

- ☐ Application

A. Business / Organization Information:

Name of Applicant: _____

Business / Organization Name: _____

Address: _____ City: _____ Zip: _____

Phone: _____ Website: _____

Email: _____

Does your set up use a propane grill, charcoal grill or gas/battery generator? Yes_____ No_____

B. Vending Information (please check which type of vendor you are):

☐ Holiday Market ☐ Food Court ☐ Food Truck / Prepared Foods ☐ Other Vendors

What type of component(s) will you offer and please describe? (Please check all that applies. If more room is needed, feel free to attach a separate sheet).

☐ *Selling items / food items:* _____

☐ *Providing activity:* _____

☐ *Handing out items:* _____

For Department Use Only:

Confirmed By: _____ Date: _____ Photos: _____ Acknowledgement: _____

Ingredients: _____ HH Food Booth/Mobile Food Permit Exp: _____ Food Manager's Exp: _____

Food Handler's Exp: _____ Other Supplemental Items: _____

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Business/Organization Name:

_____, (herein referred to as "Vendor") acknowledge that I am applying to become a vendor at the Harker Heights Frost Fest and agree to the rules and regulations created and enforced by the City of Harker Heights. Vendor and agents acknowledge selling only those items for which they have been approved. Vendor and agents understand it is the policy of the Harker Heights Frost Fest that products sold must be grown by me and/or those affiliated with my operation, prepared by me or crafted by me and/or those affiliated with my operation, unless vendor is a non-profit or organization participating in a fundraiser. Businesses or organizations who are not selling acknowledge that they are to provide a component to the event for which they have been approved. Any business or organization who are not selling items will not be guaranteed a booth in the Holiday Market. Further, vendor and agents understand that Frost Fest staff and/or authorized Vendor Representative designee may perform site inspections. Also, vendor and agents release sponsors, (CITY OF HARKER HEIGHTS) from any and all injury, liability, loss or damages that may occur to property or self, while on the premises. Vendor and agents hereby agree to indemnify and hold harmless the CITY OF HARKER HEIGHTS for any action or liability which may arise from this event. It is also understood that vendor will comply with all applicable local, state and federal laws, and failure to do so may result in immediate forfeiture of vendor status. Upon approval, vendor acknowledges that they will be present.

Vendor has read and agrees to Rules and Regulations and is responsible for all employees/agents.

Professional Code of Conduct

In the spirit of professionalism, participants shall conduct themselves in a manner that represents the City of Harker Heights with honor, dignity, and respect. The participants shall demonstrate the qualities of civility and professionalism at all times. Participants will refrain from using vulgar, abusive, racist, sexist, demeaning or intimidating language at any time. Participants will support fellow vendors and staff in a positive manner and will treat vendors, staff, and Frost Fest customers with courtesy and respect.

I have read and agree to adhere to the Professional Code of Conduct and the rules and regulations for Frost Fest 2022. (*Please Initial*) _____

Point of Contact Printed Name: _____ Date: _____

Point of Contact Signature: _____

Point of contact is responsible for all employees/agents that represent their business/organization or that handle money. All food vendors must submit Food Handlers cards for all agents and, per law, those agents must have their cards on them at all times.

Introduction

Frost Fest is scheduled to operate at the City of Harker Heights Community Park (1501 East FM 2410) on Friday, December 9, 2022 and operates in accordance with all city, county, state, and federal laws pertaining to its operation. Frost Fest is a project sponsored by the City of Harker Heights.

Products to be sold and/or provided

Products to be sold include agricultural produce such as vegetables, fruits, plants, herbs, raw meat, cut flowers, nuts, refreshments, and other specialty items that supplement produce sales such as honey, eggs, baked and canned goods. All items must be grown and/or produced in Texas. The resale of produce, value added goods or artisan products that are purchased from another business or farm is not allowed.

Businesses and/or organization vendors may have a booth by providing added component to the event (providing a game, activity, themed photo op, etc.) that must be in line with the events theme and approved by City Staff. Businesses and/or organizations can sell products and/or services as long as these are specifically themed for the event and approved by City Staff.

The business or organization's mission statement and goals may not conflict with those of the City of Harker Heights. The City of Harker Heights reserves the right to deny the acceptance of any business or organization.

Acceptance to Frost Fest:

Potential vendors submit a completed Harker Heights Frost Fest Vendor Application, Acknowledgement form, and supplemental items (see vendor requirements on application) to the Market Coordinator via email (sgibbs@harkerheights.gov), mail or drop off in person (Harker Heights Activities Center, 400 Indian Trail, Harker Heights, TX 76548). PLEASE NOTE – Filling out an Application does not guarantee acceptance or participation in Frost Fest.

Types of Vendors:

Texas Farmer/Producer/Rancher: Sells fruits and vegetables that **have been grown in Texas**. Rancher sells raw meat or honey that has been raised in Texas. This product must be grown or raised by vendor or any other Texas Farmer/Producer/Rancher that is affiliated with vendor (ie. Co-Op or neighborhood farm). Resale of produce is prohibited. All agricultural products must be of merchantable quality. All vendors must post a sign at their booths advertising their produce as either “organic”, “non-organic”, or “practicing organic”.

Value Added: Sells food based products that have been changed in form, flavor, blend, and/or the substance from raw products and/or are crucial for refrigeration (such as eggs). Preference is given to vendors whose products are comprised of Texas grown/made ingredients and sustainable packaging.

- a. Manager/Owner must have a **current Texas Food Manager's Certification** (<https://bellcotx.foodmanagerclasses.com/> or <https://www.learn2serve.com/>) (not required for animal food vendors)
- b. All agents must have a current Texas or Bell County Food Handler's Permit/card. (<https://www.learn2serve.com/>, or <https://bellcotx.foodhandlerclasses.com/default.aspx>)
- c. Vendors complete a Texas Ingredients List form.

Cottage Food: Sells non-potentially hazardous foods that are made in the home and fall under the Texas Cottage Food law (<https://www.dshs.texas.gov/foodestablishments/cottagefood/default.aspx>). These baked and prepared foods do not need refrigeration. Preference is given to vendors whose products are comprised of Texas grown/made ingredients and sustainable packaging.

- a. Owner/Manager & agents must have a current Texas or Bell County Food Handler's Permit/card. (<https://www.learn2serve.com/>, or <https://bellcotx.foodhandlerclasses.com/default.aspx>)
- b. Vendors complete a Texas Ingredients List form.
- c. Cottage foods must follow labeling requirements. All cottage food products must have a label with the following information:
 - ❖ Name and physical address of the cottage food production operation;
 - ❖ The common or usual name of the product;
 - ❖ If a food is made with a major food allergen – such as eggs, nuts, soy, peanuts, milk or wheat – that ingredient must be listed on the label; and
 - ❖ The following statement: "This food is made in a home kitchen and is not inspected by the Department of State Health Services or a local health department."
- d. The label must be legible.
- e. The label must be attached to the package. For large or bulky items that are not packaged, you must provide an invoice or receipt that has the same information.

Prepared Foods & Food Truck: Sells products that are freshly cooked on-site or kept hot on-site. Preference is given to vendors whose products are comprised of Texas grown/made ingredients and sustainable packaging.

- a. For Prepared Foods, vendors must have Harker Heights Food Booth Permit (https://harkerheights.gov/images/PDF/Harker_Heights_Food_Vendor_Requirements_RV_2018.pdf)
- b. For Food Trucks, vendors must have Harker Heights Mobile Food Vendor Permit. (https://harkerheights.gov/images/PDF/Harker_Heights_Food_Vendor_Requirements_RV_2018.pdf)
- c. Owner/Manager must have a **current Texas Food Manager's Certification.** (<https://www.learn2serve.com/> or <https://bellcotx.foodmanagerclasses.com/>)
- d. All agents must have a current Texas or Bell County Food Handler's Permit/Card. (<https://www.learn2serve.com/> or <https://bellcotx.foodhandlerclasses.com/default.aspx>)

Hand Crafted: Sells art and items that are "hand crafted" by the vendor or a member of the vendor's craft unit. Commercial or resale items are not allowed. Products must be of **original**, excellent workmanship in quality and design and show incapacity for mass production. *Crafted items must not be produced or embellished using automated equipment or digitally rendered materials.* Photos of products must be submitted with application. Please provide photos that are the best representations of the items you wish to sell in a 1-2 page collage. Photos must be printed or sent via email.

Examples of appropriate and inappropriate items:

- a. **Appropriate:** Hand/machine sewn clothing, dolls, hand bags; soaps & lotions comprised of locally grown herbs, oils or milk products; hand braided jewelry; hand blown glass wares; hand painted items on any medium; artisan jewelry; hand/machine sewn quilts and any other items which clearly reflect originality of design and incapacity for mass production.
- b. **Inappropriate:** Copies of photographs and postcards; prints; printed materials; screen printed items; tracings of paint by number; ceramics or pottery from commercial molds; alcohol items; wood carvings using duplicating machines; picture transfers on fabrics, cups, glass, wood or any other medium (ie. printing a picture from a computer; using a "Cricut" or other cutting machine or hand cutting vinyl and applying it to a store bought item such as a piece of wood, wine glass, plastic cup, etc.); store bought items embellished with other store bought items (ie. decorating a store bought or mass produced canvas bag, t-shirt, wood item, or basket with beads, sequins, jewels, transfers, etc.); gift baskets that do not contain anything that is hand crafted by the vendor; items made from kits; soaps and lotions made from store bought items; items made or embellished using stencils to paint or draw on any medium.

Business or Organization Vendors: A business or non-profit that offers an added component to the event. i.e., providing a game, activity or themed photo op. A business or organization is permissible to hand out marketing items and/or have a “contact me later” list at their booth location, as long as they are providing an approved component. These components must be approved by City Staff and be substantial enough to add value to the event. They shall not conduct business or sell items/services unless it is specific to the event and/or approved by City staff. The business or organization's mission statement and goals may not conflict with those of the City of Harker Heights. The City of Harker Heights reserves the right to deny the acceptance of any business or organization.

Event Logistics

Harker Heights Community Park, 1501 East FM 2410, Harker Heights, TX 76548. There is no fee to be a Frost Fest vendor.

Event hours are from 5:30 pm – 9:30 pm.

Vendor set up starts at 3:30 pm and need to be ready to sell by 5:30 pm.

No vehicles are permitted in the Market Area after 5:15 pm.

Vendors must stay till 9:30 pm. Vehicles will be allowed in the Market Area starting at **9:45 pm once the crowd has cleared.**

Vendor locations will be e-mailed on Thursday, December 8, 2022 by 5:00 pm.

Setup Requirements

The vendor is responsible for any and all equipment needs including tables, chairs, electrical, sacks, boxes, set up, tear down, staffing, materials, lighting if needed, keeping area clean, disposing of trash, etc. The event will be outside and it will get dark. There are light poles but lamps are suggested for vendors that wish to showcase particular items. There are no electrical capabilities. **Due to limited space; vendors will only be given 10 ft. x 10 ft. space in the Holiday Market.**

Each vendor must provide and post their vendor signs in each stall visible to the public.

Vendors must have business name, product and price visible to the consumer. Vendor must ensure that no trash or any other items be left behind. Space should be returned in the condition in which it was found. All vendors must provide a visible trash can. **No smoking, vaping, chewing, or any tobacco products of any kind are permitted by vendors and/or their agents.** No pets or other live animals may be sold or accompanied by vendors at Frost Fest unless they are used as a service animal or it is previously approved by the Market Coordinator.

Only approved vendors may participate in Frost Fest. Vendors may advertise their own related business/organization within their stall space.

If a vendor chooses to use a tent, that tent must be clean and in good shape. We prefer vendors to have a 10 x 10 EZupTent or ZShade Tent.

Most accidents at events involve pop up tents. Please minimize the risks. **All tents must be weighed down with at least 25 lbs. of weight per leg (100 lbs. per tent).** Gallon water jugs and single bricks are not acceptable. Professional grade tent weights including pvc pipe filled with concrete or tent weight sandbags are safe ways to weigh down tents. Strong gusts come up without warning at any time before, during, or after Frost Fest. Tying tents to tables, coolers, or any other objects that are not intended to be weights constitute tripping hazards and are not allowed. Vendor and customer safety is paramount.

ACCEPTABLE WEIGHTS (Must be 25 lbs. on each leg = 100 lbs. per tent)



NOT ACCEPTABLE WEIGHTS



Instructions for making these weights:

1. Use a 5 inch pvc pipe cut 30 inch long, purchase 2 end caps for each section along with a long eye hook.
2. Drill a hole in one of the ends to allow the bolt end of the eyehook to go through it.
3. Using an adhesive for pvc pipe, seal one end.
4. Fill the tubes with the bags of Quickrete®, add water to the pipes. The moisture will set the Quickrete®.
5. Secure the end cap with the hole, again using adhesive and stick the bottle end of the eyehook through the hole making sure it inserts into the Quickrete®.
6. Stand the pipe up to allow curing.
7. Use tie down straps or bungees with hooks on both ends that allow you to adjust the heights for your weights. This keeps the weight tensions tight.

Vendor Logistics & Setup Requirements

No charcoal, battery, generators, or propane grills are allowed on the grass. If vendor set up requires a grill, battery, generators, or sternos, vendor must always have a Class ABC or K (depending on set up) rated fire extinguisher on site and within reach of the booth during Frost Fest. The fire extinguisher must have current inspection and be fully

charged. Grill, battery, or generator must be set up on the parking lot or secured to a 4 ft. x 4 ft. plywood. There are no electrical capabilities. You may bring your own generator if needed, and you must notify Market Coordinator at least three business days (**Tuesday, December 6, 2022**) before the Frost Fest day.

Vendors must **immediately** unload and then move their vehicles to a designated vendor parking spot marked on the setup map. This will allow room for other vendors to unload.

Vendor Sales

Sales or representation of your business/organization by yourself, other family members, and/or employees, also known as “agents” are permitted. Frost Fest is based on an honesty system. If any vendor feels that another vendor is not being honest in his/her products, value, or pricing please contact Market Coordinator.

PARK'S & EVENT'S PROHIBITED PRACTICES

1. Use or possess any glass beverage bottle in City parks.
2. Alcoholic beverages or intoxicated behavior in park and athletic facilities is not permitted (use of alcohol subject to council approval).
3. Parking in undesignated areas.
4. Fires in undesignated grills or fire pits.
5. Indecent or abusive language, or any activity, which creates a public nuisance.
6. Removing or damaging plants, grass, or otherwise disturbing any part of the environment.
7. Improper disposal of litter, to include pet waste.
8. Swimming in ponds.
9. Vandalizing or defacing any structures, facilities, or natural features.
10. Firing or discharging any fireworks, air powered weapon, archery device, firearm, or other weapon.
11. Unleashed pets, except in designated areas. Removal of animal waste is required.
12. Failure to observe posted signs in parks and along trails.
13. Leaving a vehicle or cart unattended.
14. Operating a motor vehicle within a park, except on roads and parking lots (unless approved by Coordinator/Staff).
15. Smoking, vaping, chewing, or any tobacco products of any kind by vendors and/or their staff/volunteers in event area.
16. Have pets or other live animals for sale or accompanied by vendors (unless approved by Coordinator/Staff).

VIOLATIONS – Failure to follow the rules & regulations stated or required for permits may result in consequences or dismissal. Severity of consequences or dismissal will be decided on a case-by-case bases.