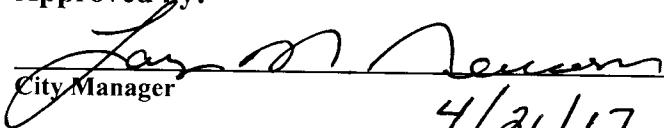


# CITY OF FLAGLER BEACH POLICY/PROCEDURE

<b>EFFECTIVE DATE</b>	<b>POLICY NUMBER</b>  COFB 2017-001	<b>PAGE NUMBER</b>  1 of 4	<b>SUPERSEDES POLICY</b>  Dated: N/A
<b>Subject: FIRST FRIDAY POLICY</b>		<b>Approved by:</b>  _____ City Manager	
		_____ Date: 4/21/17	

**1. Purpose:**

- A. The establishment of this policy is to provide clear direction to staff, management party, and proposed vendors as to the City’s requirements for vendor participation during the Community Redevelopment Agency event known as “First Friday”.
- B. This policy will clearly identify the requirements for any and all entertainment, food, or other vendors, and all other activities that will interact with the general public for this reoccurring event. All other events regardless of location will proceed with the special events process in place.

**2. Background:**

The City of Flagler Beach as part of the adopted Community Redevelopment Agency documents (2002) enacted an event known as “First Friday” to promote “Business and Community” activity within the Community Redevelopment Area (CRA). The goal is to encourage the general public to visit the “core” city area. The First Friday of each month, unless cancelled by the City Manager, will provide an area within the designated court yard and adjacent streets for “LOCAL” retail, restaurants, food vendors, and other businesses to showcase their product. The definition of Local may be limited to the Flagler Beach City Limits, or may include the County Area.

**3. General Information:**

Timeline and Set up Requirements:

- A. First Friday, unless cancelled due to weather, will begin at 6:00 PM and end at 9:00 PM. The time of the event may be modified by direction of the City Commission, by vote, prior to the scheduled event.
- B. All Vendors must be set up and ready to operate and serve by 5:45 PM, or 15 min prior to the event starting.
- C. Vendor set up will be allowed beginning at 4:30 PM, or 1.5 hours prior to event, unless otherwise posted by the City of Flagler Beach. Vendors are responsible for securing their tents, tables, and mobile vending vehicles at all times, including preparation for weather and security.

- D. All vendor vehicles must be removed from the designated areas determined and approved by the City. The designated areas as a standard will be South Central Avenue between South 2<sup>nd</sup> and South 3<sup>rd</sup> Streets, Veterans Park and the surrounding parking areas. Other areas may be designated for temporary road closure to provided additional vendor space or safety, as determined by the city's safety officers.
- E. The City will provide restrooms, either portable or otherwise, when the City is the manager of the event. If a private event coordinator is manager, a separate contract will define the responsible party to provide restroom facilities. Cost/fees will be associated with services and will be clearly written in any contract for event management.
- F. The City will not provide any equipment for private vendors. Connection to the electrical outlets is at a cost to the vendor described in the "Fee's" section of this policy. Advanced notice is required for a vendor space with access to electric.
- G. Entertainment is limited to the musical variety acts in Veterans Park, no vendor is permitted to have musical entertainment, amplified or non-amplified.
- H. Payments by credit card via the telephone are permitted, after the applicant has received approval, by calling (386) 517- 2000, ext. 221. Payments must be made before the start of the event.
- I. The City will accommodate any special need requirement (ADA) for all event employees and staff. Parking will be provided for designated disabilities and parking will be moved to the south side of City Hall. Two spaces will be designated in front of City Hall if requested and additional space will be in the parking lot South of City Hall.

#### 4. Vendors:

##### Non-Food Vendor Policy:

- A. Businesses upon presentation of a current Flagler Beach Local Business Tax Receipt (LBTR) will receive first priority.
- B. All Vendors must be registered with the City of Flagler Beach prior to each event.
- C. Businesses located within Flagler County must submit application along with required documentation including proof of registration with the Florida Department of Revenue to collect and remit sales tax; a County or City issued local business tax receipt, required insurance, registrations and purchase an Itinerant Merchant License a minimum of five (5) business days before the event.
- D. Not-for-Profits will not be required to pay the Itinerant Merchant fee, but are required to show proof of not-for-profit designation by submitting their IRS designation letter and pay fees for any additional services as described in the "Fee's" section of this policy.
- E. Depending on the available space and required area needed to operate, there will be decisions by staff and City Manager or in coordination with an event manager regarding the maximum allowable number of non-food vendors.
- F. A Non-Food Vendor will not be guaranteed a space for each event unless the Flagler Beach City Commission has approved a contract.
- G. If similar services are submitted by Non-Food Vendors, Flagler Beach Local Business Tax Receipt (LBTR) holders have priority. If more than one Non-Food Flagler Beach LBTR Vendor with similar services applies, there will be a rotation of services for each monthly event, without an approved contract by the Commission. There will be a maximum of three similar Non-Food Vendors within the rotation.

- H. The City, for convenience of vendors will allow registration via electronic mail and payment by phone. Phone number (386) 517-2000, ext. 221.
- I. Representatives of products or services in the nature of network/multi-level/relationship/direct sales marketing and the like, are not the focus of this event; however, a limited number may be permitted to participate if the total allotted spaces for this event are not filled and if the event coordinator feels the vendor's product or service is compatible with the overall focus of the event.

**Food Vendors Policy:**

- A. City will provide a space for applicants until designated spaces are occupied.
- B. Not-for-profits shall be exempt from the Itinerant Merchant fee, but will be responsible for fees for additional services or the fee for food vending as described in the "Fee's" section of this policy and will also be required to provide their Not-for-Profit IRS designation letter.
- C. Flagler Beach Businesses or not-for-profits with a valid Local Business Tax Receipt (LBTR) will be offered first priority to participate. They must register and pay associated fees a minimum of seven (7) working days before the scheduled event.
- D. Businesses and not-for-profits located within Flagler County must submit application along with required documentation including proof of registration with the Florida Department of Revenue to collect and remit sales tax; a County or City issued local business tax receipt, required insurance, registrations and purchase an Itinerant Merchant License a minimum of seven (7) business days before the event.
- E. Late registrations will be reviewed. Space is limited to 6-10.
- F. Vendors will be required to designate products for purchase. The City will record the product. There will be no duplications of products for sale by vendors; however, drinks may be duplicated.
- G. All Vendors will be required to market as designated and not deviate from allowed menu or product Failure to follow this requirement may result in suspension of said vendor. Notice will be issued in writing.
- H. Flagler County licensed Food Vendors will be reviewed as second priority, if space allows, and must pay all associated fees as described in the "Fee's" section of this policy.
- I. All equipment is the responsibility of the vendor.
- J. Needs of the Food Vendor must be identified at registration to evaluate available locations.
- K. Grease from Food Vendors must be disposed of safely and taken away from the site of the event after First Friday is over. **Under no circumstances can any grease be disposed of in city sewers.**

**5. Insurance, Fees, and Licenses:**

**Fees:**

- All Food Vendors \$25.00 participation fee
- Food Vendors without a Flagler Beach Local Business Tax Receipt \$35.00 Itinerant Merchant Fee
- Non-Food Vendors with a Flagler Beach

- Local Business Tax Receipt Free
- Non-Food Vendors without a Flagler Beach Local Business Tax Receipt \$35.00 Itinerant Merchant Fee
- Identified Not-for-Profit Waiver of Itinerant Merchant Fee
- Use of Electric \$10.00
- Use of Water \$5.00 for retail vendors
- Amusement rides using water will be billed for usage, utilizing the cities current rates for commercial use. The meter will be read before and after the event.

**Insurance:**

Food and amusement ride vendors are required to provide the City with a certificate of insurance with the City listed as additionally insured. Proof must be identified at application process.

- Commercial General Each occurrence \$1,000,000.00

Note: In the event the City chooses to use an “Events Manager” a separate contract will be approved by the City Commission and signed by the Mayor. The City Manager and City Attorney will assist in the preparation of the needed documents.