City of Rochester

Department of Recreation and Human Services
280 North Union Street
Rochester, New York 14609
www.cityofrochester.gov/publicmarket

2021-2022 City of Rochester Public Market Application Packet

Please review all enclosed information carefully.

It contains:

- Application for Space
- Tuesday / Thursday Call-In Sheet for Daily Vendors
- Schedule of Rates
- Rules and Regulations
- City of Rochester Fire Department Space Heater Guidelines

We currently only have daily vending spaces are available.

The Market is open to vendors **Tuesdays and Thursdays from 6:00 am to 1:00 pm and Saturdays from 5:00 am to 3:00 pm.**

To become a vendor, we will need the completed application, a copy of your Tax I.D. and all applicable paperwork that applies to your product **at least one week prior** to you being able to start doing the Daily Vendor Call-in.

If you have any further questions or concerns, please contact the Market Office **Tuesday through Friday 7:00 am to 12:00 pm.**

Thank you for your interest in becoming a vendor.

~The Office Staff at the City of Rochester Public Market

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APPLICATION FOR SPACE - PLEASE PRINT CLEARLY

NAME: _____

ADDRESS: _____

CITY / STATE / ZIP: _____

PHONE: _____ CAN WE GIVE THIS NUMBER OUT? **Y** **N**

E-MAIL: _____

BUSINESS NAME: _____

BUSINESS ADDRESS: _____

CITY / STATE / ZIP: _____

PHONE: _____ CAN WE GIVE THIS NUMBER OUT? **Y** **N**

E-MAIL: _____

TYPE OF PRODUCT: _____

All Vendors must provide a **physical copy of a Tax ID.**

Vendors with live plants, herbs, shrubs, trees, potted flowers, etc. must provide a **physical copy of a Nursery Registration Certificate and a Tax ID.**

Vendors with prepared foods must provide a **physical copy of a City of Rochester Vending Permit OR Monroe County Health Certificate, a Tax ID, Fire Safety Training certificate, proof of Insurance in the amount of $ 1,000,000.00 (Naming the City of Rochester as additional insured), photo of vehicle (including length) and copy of proposed menu.**

VENDOR SIGNATURE ON THIS DOCUMENT VERIFIES THAT THE VENDOR HAS CAREFULLY READ, UNDERSTANDS, AND AGREES TO ALL PROVISIONS IN THE VENDOR PACKAGE.

SIGNATURE: _____ **DATE:** _____

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To obtain a location for Daily Vending:

Vendors including license holders wishing to relocate or needing additional locations, must call the Market Office starting at 6:00 PM on Tuesday for a location on Thursday, and starting at 6:00 PM on Thursday for a location on Saturday. You will press **prompt #2** to connect to the ***Daily Vendor Call-In Request Line***.

Leave a short message which includes:

1.) Your first name, last name and phone number
2.) What you are selling and category

You should arrive at the Market Office no later than 5:45 am on the day you plan on vending. At/or around 6:00 am, we will walk through the sheds to take attendance and assign locations based on availability according to the categories listed below.

Daily vendor call- in requests will be assigned by the following categories:

1.) **License holder Farmers** – requesting relocation for the number of locations(s) currently licensed.
2.) **Daily Farmers** – includes license holders requesting additional locations.
3.) **License holder Other Foods** - requesting relocation for the number of locations(s) currently licensed.
4.) **Daily Other Foods** - includes license holders requesting additional locations.
5.) **License holder Crafts** - requesting relocation for the number of locations(s) currently licensed.
6.) **License holder Prepared Foods** - requesting relocation for the number of locations(s) currently
7.) licensed.
8.) **License holder General Merchandise** - requesting relocation for the number of locations(s) currently licensed.
9.) **Daily Crafts** – includes license holders requesting additional locations.
10.) **Daily Prepared Foods** - includes license holders requesting additional locations.
11.) **Daily General Merchandise** - includes license holders requesting additional locations.

Note: Vendors selling a mix of agricultural and non-agricultural merchandise will be considered a "General Merchandise" vendor regardless of the percentage of mixed products sold.

There are no guarantees that a location will be available any Market day.

Some locations that become available are located outside or adjacent to the sheds so we suggest that you bring with you a tent for shelter.

All Vendors must provide a physical copy of a Tax ID.

Vendors with live plants, herbs, shrubs, trees, potted flowers, etc. must provide a **physical copy of a Nursery Registration Certificate and a Tax ID.**

Vendors with prepared foods must provide a **Monroe County Health Certificate, a Tax ID, Fire Safety Training certificate, proof of Insurance $ 1,000,000.00 (naming the City of Rochester as additional insured), photo of vehicle (including length) and copy of proposed menu.**

If you need further information and/or guidance on the above please call:

City of Rochester - City Clerk	**(585) 428-6617**
City of Rochester - Fire Safety Training	**(585) 428-9344**
Monroe County Dept. of Health	**(585) 753-5065**
NYS Dept. of Agriculture & Markets	**(800) 554-4501** - Albany
NYS Dept. of Agriculture & Markets	**(585) 427-2273** Food Safety / **(585) 427-0200** Farm Products
NYS Dept. of Taxation	**(800) 698-2909 / (518) 485-2889**

For the purposes of the City of Rochester Public Market:

1. **NYS FARMERS** - Vendors who grow Agricultural Products in New York State. Agricultural products include: vegetables, fruit, meats, fish, dairy and related products, including honey and syrup, livestock, live plants, herbs, spices and live flowers.

2. **OTHER FOODS** - Vendors of Other Foods such as Agricultural Products (as defined above) **not grown** in New York State and other edible items including: baked goods, jams, jellies, etc....

3. **ARTS & CRAFTS** - Vendors of Handmade Arts and Crafts. All products being sold **must** be handmade by the vendor.

4. **PREPARED FOODS** - Vendors of Prepared Foods. Prepared foods are limited to specialty items, intended to be consumed on-site. ***Note:** Additional vendors of hot dogs, hamburgers, sausage, or traditional breakfast items will not be considered for placement.

5. **GENERAL MERCHANDISE** - Vendors of **new** General Merchandise. General Merchandise products include but not limited to: clothes, purses, toys and all other non-edible items.

Any questions or concerns, please contact the City of Rochester Public Market Office:

Tuesday through Friday 7:00 am until 12:00 pm.

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City of Rochester Public Market Schedules of Rates

Effective: May 1, 2021 through April 30, 2022

Daily Vendor Rates		
Tuesdays		
Outdoor covered Sheds	May 1, 2021 – Dec. 31, 2021	$ 20.00
- Prepared Food		$ 35.00
Outdoor covered Sheds	Jan. 1, 2022 – April 30, 2022	$ 10.00
- Prepared Food		$ 20.00
Thursdays		
Outdoor covered Sheds	May 1, 2021 – Oct. 31, 2021	$ 40.00
- Prepared Food		$ 50.00
Outdoor covered Sheds	Nov. 1, 2021 – Dec. 31, 2021	$ 30.00
- Prepared Food		$ 40.00
Outdoor covered Sheds	Jan. 1, 2022 – April 30, 2022	$ 20.00
- Prepared Food		$ 30.00
Saturdays		
Outdoor covered Sheds	May 1, 2021 – Oct. 31, 2021	$ 80.00
- Prepared Food		$120.00
Outdoor covered Sheds	Nov. 1, 2021 – Dec. 31, 2021	$ 50.00
- Prepared Food		$ 80.00
Outdoor covered Sheds	Jan. 1, 2022 – April 30, 2022	$ 30.00
- Prepared Food		$ 55.00
Winter License January 2022 – April 2022		
A Shed	$530.00	$145.00
Prepared Food	$955.00	$260.00
Outside No Cover	$475.00	$130.00
C Shed	$475.00	$130.00
Prepared Food	$850.00	$235.00

2021 – 2022 City of Rochester Public Market
Schedule of Rates Explanatory Notes:

Payments:

- Daily fees must be paid on the date that the location(s) are occupied.

Rental:

- Rental on a daily basis is subject to availability and approval by Market Supervisors.

Fees:

- A **Late Payment fee of $40.00 per location** will be charged on all outstanding Public Market payments not received by the 15th of each month. **Should the 15th fall on a day the Market Office is closed, it is the responsibility of the vendor to make arrangements to make payment before the 15th.**

- There will be a **$20.00 fee for all Dishonored Checks**, no exceptions. If two checks are returned within a season, vendors will have to pay with a certified check or cash for the remainder of the current Market year.

- Daily vendors whose payment(s) are in **arrears** will not be allowed to vend until payment is up to date.

Prepared Food:

- Prepared Food is limited to **"specialty"** items only.

- Any vendor selling prepared food, including canned or bottled beverages to be consumed on site, will be charged at the Prepared Food rate.

Daniele Lyman-Torres

2/10/21

Daniele J. Lyman - Torres
Commissioner
Recreation and Youth Services

Date

City of Rochester

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280 North Union Street
Rochester, New York 14609
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APPENDIX A: CITY OF ROCHESTER PUBLIC MARKET RULES AND REGULATIONS

Issued December 31, 2020

ADDENDUM TO CITY CODE CHAPTER 91, AS AUTHORIZED BY SECTION 91.10K

A. Stall areas are to be left clean and free of litter at the end of each market day. Stalls are inspected one hour after the closing of the Market (2:00 pm Tuesday & Thursday; 4:00 pm on Saturday). Kiosk operators must maintain a 10 foot perimeter of cleanliness around their structure.

B. There will be absolutely NO WAREHOUSING of any products in the enclosed shed. Absolutely NO STORAGE of tables/stands/etc. in the outdoor sheds during non-market days. Limited set up may be permitted the evening prior to market operation with permission from Market staff.

C. Vendors must contain all sale items and vehicles within the stall side of the traffic lines and within stall boundary lines, which are established by Market Staff. If vehicle parking area in stall(s) is utilized for display or sales, vehicles must be removed and parked outside of Market grounds.

D. The Market is not responsible for the security of any items on site at any time.

E. No tractor-trailers are allowed on the Market between the hours of 6:00 am and 2:00 pm on Saturdays.

F. Vendors are prohibited from hawking, shouting, using music, etc. to attract customers.

G. All selling must stop promptly at 1:00 pm on Tuesdays and Thursdays, and at 3:00 pm on Saturdays, in order to allow proper clean-up procedures.

H. All pushcarts and food-type vending wagons will be assigned a location. Under no circumstances will vendors be allowed to circulate throughout the Market. Food vendors holding a City Vending License are not allowed to vend on Market property unless assigned a location by the Market Supervisors and the daily fee is paid.

I. Operators of tow motors, any other type of power operated trucks and/or any motorized equipment must be in compliance with all local, state and federal laws, statutes, rules, regulations, ordinance, certifications and standards. Operators who have been drinking alcoholic beverages and/or are under the influence of illegal drugs will be barred from operating any equipment on Public Market property. Tow motors not allowed in all selling areas between 7:00 am – 2:00 pm on Tuesdays, Thursdays and Saturdays.

J. All vendors and their staff must maintain civil conduct with each other, the public and Market Staff.

K. All signage is subject to approval by Market Staff. Traffic control signage, parking signage, and other traffic control apparatus are to be installed or removed only by Market Staff.

L. Display tables and fixtures are subject to inspection by Market Staff for safety, functionality, and consistency with Market design standards. Items which are determined to be unsafe, non-functional, and/or in conflict with Market design standards must be removed and/or brought into compliance within five (5) calendar days of notification of non-compliance.

M. Vendors must be in compliance with all local, state and federal laws, statutes, rules, regulations, ordinances, certifications and standards that apply to their product. This includes NO SMOKING by license holders and their personnel under the sheds or in the buildings where products are being sold.

N. Sub-licensing and/or sharing of stall(s) is not permitted.

O. License holders must occupy stall(s) by 6:00 a.m. *If for any reason, the license holder cannot arrive by 6:00 am, the Market must be notified prior to 5:45 am that morning in order for the space to be held*. If such notice is not provided, stall(s) will be assigned to daily vendors. The Market will offer alternative stall(s), if available, to the license holder at time of arrival. However, the Market does not guarantee that such accommodations will be made.

P. All license holders must occupy the location licensed to them on Saturdays from May 1 - October 31. During this time, any license holder wishing to change location on Saturdays must pay the daily rate.

At ALL TIMES during the year, license holders wishing to change locations MUST use the call-in procedure for Daily Rental and will be placed accordingly.

All vendors given the courtesy to come in late between 7:00am or 8:00am must call the Market Office by 5:45am the day of vending if they do not plan on utilizing the stalls.

License holders in the open air sheds who want to change their location on Tuesdays or Thursdays will not be charged but again MUST use the call-in procedure for Daily Rental.

Q. The Market Office will assign daily stall locations at 6:00 am according to the five (5) priority categories listed below and on the following page. All license holders who are interested in additional/daily stalls on Saturday MUST abide by the call-in procedure for Daily Rental. All vendors on the call-in list will be assigned stalls before walk-in vendors on Saturday regardless of sales category.

R. Stall Assignment Priority Categories:

1. **NYS FARMERS** - Vendors who grow Agricultural Products in New York State. Agricultural products include: vegetables, fruit, meats, fish, dairy and related products, including honey and syrup, livestock, live plants, herbs, spices and live flowers.

2. **OTHER FOODS** - Vendors of Other Foods such as Agricultural Products (as defined above) not grown in New York State and other edible items including: baked goods, jams, jellies and ready to eat snack items etc.

3. **ARTS & CRAFTS** - Vendors of Handmade Arts and Crafts. All products being sold must be handmade by the vendor.

4. **PREPARED FOODS** - Vendors of "non-snack Prepared Foods" intended to be consumed on-site. *Note: Applications for hot dogs, hamburgers, sausage, or traditional breakfast items will not be considered for placement.

5. **GENERAL MERCHANDISE** - Vendors of new General Merchandise. General Merchandise products include but not limited to: clothes, purses, toys and all other non-edible items.

S. Dual Licenses – Vendors will no longer be able to sign dual licenses with another vendor. More than one license for a particular stall is still an option but the licenses must be for specific and distinct time periods.

T. Vendors with 4 or more stalls – will not be considered for additional licensed stalls until all vendors in their particular category awaiting stalls has been served.

U. Vendors who are more than 60 days in arrears on their account cannot switch or get additional stalls on a daily basis until the account is brought up to date.

V. All vendors are required to recycle all empty cardboard boxes (including waxed) generated from your operation at the Market. **These items shall be separated and flattened and placed in the designated area near the compactor.** Please note: We cannot accept plastic banding, wood, or other packing materials. If you choose not to recycle your cardboard, you will be assessed a fee of $25.00 per stall licensed or rented per day for any cardboard left in your stall(s).

6. **FOOD TRUCKS AND FULLY MOBILE PREPARED FOOD VENDING**
Effective December 31, 2020 Food trucks and fully mobile vendors will be restricted to special events as designated by the Commissioner, and no longer be allowed on traditional Market operating days. Any "push cart or food type vending wagon" as described in section (H) above which was an existing annual or seasonal license holder at the Market prior to December 1, 2020 will be able to continue without an application to the Commissioner's Office (this does NOT include Food Trucks). Any and all exceptions to this rule must receive the Commissioner's written approval prior to vending.

FAILURE TO OBEY THE ABOVE LISTED RULES AND REGULATIONS MAY RESULT IN FINES AND/OR TERMINATION OF LICENSE AND/OR DENIAL OF DAILY VENDING PRIVELEGES.

Fine Schedule:

1st Offense	Verbal warning
2nd Offense	Written warning
3rd Offense	$100.00 fine added to your account
4th Offense	$200.00 fine added to your account
5th Offense	Loss of Market Privileges for 1 month
6th Offense	Termination of ALL Market Privileges

Daniele Lyman Torres

Daniele J. Lyman - Torres
Commissioner
Recreation and Youth Services

2/10/21

Date

City of Rochester

Fire Department
185 Exchange Boulevard, Suite 665
Rochester, New York 14614-2124
www.cityofrochester.gov

Fire Safety
Division

GENERAL FIRE SAFETY REQUIREMENTS

Public Market

1.) The Fire Marshal or his or her designee will inspect all propane tanks, portable generators, grills, fryers, electrical appliances, fire extinguishers and other market structures or equipment as required by the NYS Fire Code.

2.) Proper separation and placement of booths, tents, canopies and other market structures is required to ensure:

a.) Access for responders, emergency vehicles and their equipment.
b.) Unobstructed public ways to permit proper escape.
c.) Maintenance of the means egress from the booths, tents, and other structures.

3.) All vendors using a heat source (e.g. space heaters, fryers, griddles, grills) shall provide a certificate from an approved testing laboratory certifying that tents, canopies and other membrane structures (e.g. sidewalls, tarpaulins and drops) are composed of flame retardant material.

4.) All vendors using a heat source shall have a portable fire extinguisher. Fire extinguishers shall have a minimum 2A:10BC rating. An additional Class K extinguisher, with a minimum 1.5 gallon (6L) capacity shall be required whenever there is cooking that produces grease laden vapors (e.g. fryers, griddles.) *Portable extinguishers require a current inspection tag or proof of purchase within 1-year.*

5.) "Cooking" vendors are required to attend a RPD/RFD Safety Class. Please call 585-428-7037 or email FireMarshal@cityofrochester.gov for additional information and exemptions.

6.) Proper separation shall be maintained between cooking appliances, the public and public way.

7.) Vendors must comply with all manufacturers' specifications for cooking appliance installation and use.

8.) U.L. listed appliances and power cords shall be checked for wear.

9.) Propane tanks will be inspected to ensure that they provide the following:

a.) Hoses are appropriate for L.P. gas
b.) Hoses and fittings are free from leaks
c.) Tanks are properly secured or fenced

10.) Portable generators will be inspected to ensure they provide the following:

a.) Proper U.L. listing or equivalent
b.) Location and barrier installation to keep public way clear
c.) Minimum 14 gauge, 3-wire heavy duty power cords. 50' maximum length and rated for outdoor use
d.) Power cords do not create a trip hazard.
e.) Proper storage of fuel
f.) No refueling during event
g.) Fire Extinguisher with a minimum 2A:10BC rating is located near the portable generator

GENERAL FIRE SAFETY REQUIREMENTS

Public Market - continued

SPACE HEATER REGULATIONS

1.) For the safety of all vendors and customers, the following regulations apply to the use of portable heaters at the Rochester Public Market:

a.) All vendors using a heat source (ex. portable heater) shall provide a certificate from an approved testing laboratory certifying that tents, canopies and other membrane structures (e.g. sidewalls, tarpaulins and drops) are composed of flame retardant material.

b.) All heaters must be U.L. listed and comply with manufacture specifications.

c.) Any vendor that uses a heater shall have at least one fire extinguisher with a minimum 2A:10BC rating.

d.) All heaters must be contained in areas separate from the public. Distance separation from tents, canopies and other membrane structures shall be approved by the Fire Marshal or his designee.

e.) Electric heaters are not allowed on market grounds without prior approval from the Public Market staff, the Fire Marshal or his designee.

f.) The Fire Marshal or his or her designee reserves the right to disallow any heating device deemed inappropriate.

The City of Rochester Fire Department will be inspecting the Public Market site at least once per month. You are responsible for correcting any violations and/or paying any resulting fines.

Please send your questions and comments to FireMarshal@cityofrochester.gov or call the general Fire Safety office at 585-428-7037.

Thank you in advance for your cooperation.