

Downtown Johnstown Christmas Market 2021 Vendor Application

Please return the completed application, and registration fee before **November 19th, 2021** to:

City of Johnstown
Attention: Jacob Zerby
401 Main Street
Johnstown, PA 15901

Should you have any questions, please contact Jacob Zerby by phone at (814) 539-2504 Ext 114
or by email at jzerby@cojtw.com

<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Business Name

<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> First Name	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> MI	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Last Name	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Suffix
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Street Address		
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Street		
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> City	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> State	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Zip

Mailing Address (if different than above)		
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Street		
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> City	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> State	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Zip

Contact Information	
(____) _____ - _____	_____
Phone	Email

Will require electricity at the Market for the production of your product or food safety purposes?	
Yes: _____	No: _____

NOTE: Electric spaces are limited and will be assigned based on the needs of the Market organizers.

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Please check which category of goods you will primarily sell.	
Produce: _____	Flowers: _____
Cheese: _____	Herbs/Relishes: _____
Meats: _____	Soaps/Lotions/Candles: _____
Baked Goods: _____	Jams/Jellies: _____
Hot Foods: _____	Ice-cream: _____
Drinks: _____	Other: _____

Are you are certified to accept PA Department of Agriculture produce vouchers?	
Yes: _____	No: _____

List all goods to be sold at the market.

NOTE: If you plan to sell goods that are not produced by you and you are not an existing city business, you will be required to get a City of Johnstown vendor license.

I am applying to be a vendor at the 2021 Downtown Johnstown Christmas’s Market. I agree to follow all the rules and regulations of the Market. I understand I will need to produce a copy of my completed Mercantile License, Indemnity Agreement, and any other required documents once accepted before I can participate in the market. I acknowledge that it is my sole responsibility to obtain any required license, permit, certificate, and/or certification.

_____ Signature

_____ Date



City of Johnstown Indemnity Agreement

In consideration for the granting of permission by the City of Johnstown, Pennsylvania, to the undersigned organization for the use of the following described property:

MAIN STREET EAST GARAGE, JOHNSTOWN, PENNSYLVANIA AND THE FACILITIES AND INFRASTRUCTURE CONTAINED WITHIN AND SURROUNDING, INCLUDING BUT NOT LIMITED TO; PARKING SPACES, STREETS, SIDEWALKS, ELECTRICAL SYSTEMS, WATER SYSTEMS, STRUCTURES, LANDSCAPING, EQUIPMENT, ETC.

For the following purpose only:
Downtown Johnstown Christmas Market

On the following date(s):

December 3, 2021	December 4, 2021		
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The undersigned organization agrees:

(a) To the fullest extent permitted by law, Organization shall defend, indemnify and hold harmless the City of Johnstown, Pennsylvania and its agents, employees and representatives from and against all liabilities, claims, damages, losses and expenses, including, but not limited to: (i) claims of property damage; (ii) claims of personal injury to Organization's employee, agents or invitees; (iii) claims of personal injury to other parties; and (iv) reasonable attorney's fees, whether incurred as the result of a third party claim or to enforce this Agreement; arising out of or resulting directly or indirectly from the use of the premises or the enforcement of this Agreement, irrespective of whether there is a breach of a statutory obligation or rule of apportioned liability.

(b) The above indemnification obligations shall not be limited in any way by any provision of insurance by any party or by any limitation on the amount or type of damages, compensation or benefits payable by or for the Organization under workers' compensation or other employee benefits act.

Name of Organization: _____ Witness Name: _____

Printed Name: _____ Witness Signature: _____

Title: _____ Dated this _____ day of _____ 2021

Signature: _____

Dated this _____ day of _____ 2021

Downtown Johnstown Christmas Market Vendor Certification

Business/Establishment/Entity Name

Street Address

City

State

Zip

I certify that I am fully and legally authorized to sign on behalf of the above named business/establishment/entity. I further certify that I have received and reviewed a copy of the Downtown Johnstown Christmas Market Rules and Regulations. I agree to follow these rules and regulations put forth and understand that any violations of these rules and regulations may result in the removal of the above named business/establishment/entity from the market and suspension from reentering for a term to be determined by the organizers. I certify that all employees, agents, contractors, and/or representatives above named business/establishment/entity shall also be subject to these rules and regulations.

Printed Name: _____

Signature: _____

Dated this _____ day of _____ 2021

Downtown Johnstown Christmas Market 2021 Rules and Regulations

Organizer

The organizer is the City of Johnstown as represented by City Staff.

Location

The Downtown Christmas's Market will be located at Central Park. Vendor spaces will be placed in the parking spots along Main Street, Franklin Street, and Gazebo Place sides of the park. Other locations may be utilized at the discretion of the organizer

Permits and Fees

Each participating vendor must pay a non-refundable registration fee of 100.00 to participate in the market. This fee will be applied to the operational and administrative costs of the market. Each vendor shall be responsible for ensuring they have all required Permits, Licenses, and/or Certifications.

- 1) The preferred method of payment for registration fee is Check
- 2) Checks may be made payable to: **The City of Johnstown**
- 3) Should you need to pay the registration fee by other means contact the Organizer prior to submitting the payment to ensure that the method of payment will be accepted.

Every vendor will be required to receive the following licenses:

- 1) City of Johnstown *and* Greater Johnstown School District mercantile license/tax

Any entity doing business within the City of Johnstown for profit must obtain a mercantile license and pay the corresponding mercantile tax on annual gross revenues.

To obtain this mercantile license go to www.HAB-INC.com on the red banner at the top of the page click on **Form Overview** in the drop down box click on **Business Privilege Tax Forms** where it states **Employer Registration For Business Privilege/Mercantile** click on the button that says **Online** fill out the form and hit **Submit**.

Should you have any questions about the Mercantile License, contact Berkheimer Tax innovations at 1-610-599-3140

- 2) City of Johnstown vendor license, **if** selling goods that are not produced by one's own self.

Additional Documentation

- 1) Signed City of Johnstown Indemnity Agreement
- 2) City of Johnstown 2021 Christmas Market Vendor Certification Form
- 3) Any and all state required documentation (Vendors are responsible for acquiring and maintaining all documentation.)

Dismissal

Any vendor in violation of these rules and regulations during the market may be removed from the market at the discretion of the Organizer and barred from City events for a time to be determined by the Organizer.

Market Practices

- 1) Fraudulent, dishonest or deceptive merchandising, or collusion to set prices among vendors will be grounds for forfeiture of the right to do business of any kind in the market for a length of time to be determined by the market organizers.
- 2) It is the sole discretion of the organizer to allow or disallow the selling or solicitation of any goods, products services, and or charitable contribution at any time for any reason.
- 3) Vendors may not claim to represent the City of Johnstown in any capacity.
- 4) Vendors may not disparage or defame the Johnstown Christmas Market, its organizers, the City of Johnstown, or the other vendors of the Market.
- 5) The organizer reserves the right to amend these rules and regulation at any time for any reason.
- 6) Vendors shall may not have more than one unexcused absences or three excused absences. Vendors may start the market later in the season or finish the season early if the organizer gives prior approval
 - o An excused absence shall be an absence where the vendor either notifies the organizer with at least 24 hours or has a justifiable reason that 24 hours' notice could not be given.
 - o An unexcused absence shall be any absence where no notice or justification is given

Vendor Spaces

- 1) The City of Johnstown will assign vendor spaces to those whose applications have been approved and who have paid the registration fee.
- 2) Assigned spaces shall be determined based on the needs of the organizers.
- 3) Vendors can only sell from the space assigned to them by the City of Johnstown.
- 4) Vendors must set up a booth and/or tent in their space, as selling from vehicles is prohibited (unless special permission is granted by the organizer). Displays should be raised at least 24 inches from the ground. This structure must not impede the traffic on Main Street, Franklin Street, or Gazebo Place in any way.
- 5) The organizer reserves the right to move and reassign vendor spots to enhance or facilitate market operations.
- 6) Vendors are responsible for cleaning their spaces before leaving.
- 7) Vendors must display a sign which states the producer's name and address.
- 8) All prices should be visibly displayed in all booths/tents.
- 9) Generators may be used so long as they are contained within the space provided and noise, exhaust fumes, heat, and/or wiring do not create a hazard or nuisance. Generators must be stopped and/or removed at the request of organizer for any reason.

Document Checklist

Documents may not be altered or amended by any party other than the Organizer.

Any Documents that have been found to be altered will not be accepted and vendors will be barred from participating in the Market until an unaltered document has been submitted.

The following must be provided to the City prior to participation in the market.

- _____ **Application**
- _____ **Mercantile License**
- _____ **Vendor License (If selling products not produced by one's own self)**
- _____ **Downtown Johnstown Christmas Market Vendor Certification Form**
- _____ **Indemnity Agreement**
- _____ **Payment**