

Punta Gorda Historical Society
History Park Sunday Market
Vendor Agreement
January 1, 2023 to December 31, 2023

The Market operates every Sunday from 9:00 a.m. to 1:00 p.m. (**RAIN or SHINE**) with set-up beginning at 6:30 a.m. Vendors are to vacate the area by 2:00 p.m., unless changed by the Market Manager with the City of Punta Gorda approval.

Each vendor will be assigned a designated area to display and sell merchandise. The Market Manager may relocate any vendor to another designated area. The vendor will not extend his operation beyond the area assigned, except as may be permitted by the Market Manager.

Vendor will unload vehicle upon arrival and remove vehicle from the Park. Vendor must have unloaded and removed vehicle no later than 8:00 a.m. Vendor will park their vehicle behind the Library in rows 4 and beyond (the first 3 rows are customer parking).

Vendor will not set up their area while unloading. Set up will be completed no later than 8:30 a.m.

Vendor will NOT break down before 1:00 p.m. Upon complete break down of vendors area, vendor can then bring their vehicle into the Park for loading, however, vehicles will not be permitted into the Park prior to 1:15 p.m. for the safety of pedestrians and other vendors.

The terms of this agreement shall commence upon the execution by both parties of the agreement. The vendor recognizes that the presence of each vendor is beneficial to all other participants in the History Park Sunday Market.

If any vendor shall be absent from the market for more than two consecutive Sundays without notifying the Market Manager, the rights of the vendor may be terminated under this agreement. Chronic absences may either jeopardize the location of your space or possible termination from the market. Vendors must call or text the Market Manager, Sandy Moon (262-442-0709) no later than Saturday morning (prior to noon) if they will not be attending Market. Forty-eight (48) hour or more notice of absence is preferred.

Fees for the market are calculated on a monthly basis and will be due and payable on the 1st Sunday of the month. The full months fee is due whether the vendor is in attendance or not. Check payments should be made to the order of: Punta Gorda Historical Society.

No vendor may share his/her designated area with any other vendor or any person not employed by vendor, without prior approval of the Market Manager.

Each vendor shall keep his/her designated area in a reasonably neat and clean appearance during the operating hours of the market and shall be responsible for seeing that his designated area is cleaned up at the close of the market. Vendor is prohibited from damaging the park or street, which includes: (1) driving stakes into the park area, (2) no damage to irrigation system, (3) any damage to the designated area is the sole responsibility of the vendor.

Each vendor shall be required to maintain his/her designated area in a safe condition and shall not create any hazardous conditions or allow any such conditions to continue.

Neither vendor nor vendor's employees will park their vehicles in a "no parking" zone during the hours of operation.

Removal of trash or rubble generated is the responsibility of each vendor during the operation of the market, trash will not be disposed of or left behind at History Park.

Operation of the History Park Sunday Market shall be solely within the discretion and control of the Market Manager.

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All vendors shall comply with all statutes, ordinances, rules, and regulation of the City of Punta Gorda, County of Charlotte, and State of Florida, including specifically, the Charlotte County Health Department.

The Market Manager shall have the right to cancel any market day on a seven-day notice to vendors or 4 hours prior to a Market if weather is a threat and jeopardizes the safety of the vendors and customers.

In the event any vendor shall fail to conform to any of the terms, covenants, and conditions of the agreement or rules and regulation of the History Park Sunday Market Vendor Agreement, as they may be made from time to time, the Market Manager shall have the right to immediately terminate vendor's rights in the agreement without waiving any other rights or remedies of the Market Vendor Agreement.

If the vendor decides to terminate participation in the History Park Sunday Market and terminate agreement, he/she will do so in writing and give a two-week notice.

Vendor shall indemnify and hold the History Park Sunday Market, the History Park Market Manager, the City of Punta Gorda, Punta Gorda Historical Society, and those associated with the History Park Sunday Market harmless from any and all actions, fines, suits, proceedings, claims or costs related to vendor's participation in the History Park Market or arising out of or occurring within the area comprising the History Park Market. Vendor shall procure and maintain commercial general liability insurance with limits of not less than \$1,000,000 per occurrence, naming the City of Punta Gorda & Punta Gorda Historical Society Market as additional insured covering vendor's participation in the Market.

Charges for each designated area assigned to vendor shall be payable monthly, in advance of the first Sunday of the event, to the Market Manager. Space size is approximately 10 feet deep by 10 feet wide. **No refunds or credits will be given for Non-occupancy due to any cause whatsoever.** No vendor shall assign or sublet his/her designate area without the advance notice to the Market Manager. No assignment or sublease shall be to anyone except by approval of the Market Manager.

All Market Vendors agree to be bound by the terms of the Vendor Agreement and the Market Vendor Rules and Regulations dated January 1, 2023 to December 31, 2023.

Vendor Booth Name: _____

Vendor Requested Start Date: _____

Please indicate number of spaces you will need:

One Space **Two spaces**

County Occupational License. # _____

Liability Insurance Carrier _____

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Liability Insurance Policy Number: _____

Vendor Signature Name & Date _____

Home Phone: _____ Cell Phone: _____

Email: _____

Approved: _____ Market Manager

New Vendor Start Date: _____