



40th Annual York Summerfest

Saturday, August 26, 2023

Food Vendor Application

York Summerfest is back and celebrating 40 years of music, food and fun in beautiful, historic Downtown York!

We appreciate your interest in being a food vendor for the 2023 York Summerfest, on Saturday, August 26, 2023. Please read the information below in its entirety before submitting your application.

APPLICATION REQUIREMENTS: In order for your application to be complete, please submit the following items:

1. Completed Application
2. Menu List with Prices
3. Picture of Set-up/Food Truck
4. Complete Dimensions (width & depth) of space, including food truck, trailer, canopies, tents, trailer tongues, etc.

**Applications that do not include the above items will not be considered.*

APPLICATION DEADLINE:

Monday, June 26, 2023

VENDOR FEE:

\$135 (includes \$75 fee + \$60 Hospitality tax deposit*)
DO NOT send payment in with application.

If approved, applicants will be notified of approval the week of July 10, 2023.

PAYMENT:

Once notified of approval, payment should be made to:

City of York
Attn: York Summerfest
P.O. Box 500
York, SC 29745
(Make checks payable to City of York)





BUSINESS LICENSE

All vendors selling food, products, and/or services must have a City of York Business License. This is **NOT** the same as a *South Carolina Retail License*. Please see the section on South Carolina Retail Licenses for more details. To learn more about obtaining a City of York Business License, please call (803) 684-2341.

INSURANCE

All vendors must carry general liability insurance. In the Certificate Holder Section of the COI, both the City of York and York Summerfest must be listed as an additional insured. Your insurance company should mail a copy of the COI to us at the address above or a copy may be emailed to events@yorksc.gov. COI due with payment.

HOSPITALITY TAX

***APPLICABLE FOR ALL FOOD VENDORS:** Per *Ord. No. 03-387, § 3, 11-4-2003; Ord. No. 09-493, 5-5-2009* vendors, for a period of one day during a special event, shall pay in advance to the city the amount of \$60.00 as estimated local hospitality tax for the one day. Within 15 calendar days following the special event, the vendor shall report to the city the amount of monetary proceeds received during the special event and pay any additional amount of hospitality tax in the event the sales exceed \$3,000.00 or receive a refund if the sales do not exceed \$3,000.00. Failing to make such a report before expiration of the 15-day period, the vendor forfeits the right for any refund, but remains liable for any additional amount due.

HOURS OF OPERATION

Vendors are required to stay the entirety of the festival, scheduled from 9:00AM – 6:00PM. Vendors must be set up by 8:00AM and cannot break down until the conclusion of the event at 6:00PM.

UTILITIES

Electricity and water will not be provided at York Summerfest. If electricity is needed to operate your vendor booth, vendors will be responsible for providing their own power/generator. Must be a "Quiet Generator" (60-50 DBA). Generators over decibel limit will NOT be permitted to run and will be required to be turned off. **NO EXCEPTIONS.**

ICE

Ice will NOT be provided. Please make arrangements if you need ice for your vendor space.



FOOD VENDORS

Food vendors are required to comply with all provisions of South Carolina Department of Health & Environmental Control (SCDHEC) Regulation 61-25: **Retail Food Establishments**, which are applicable to its operation. The health authority may augment such requirements when needed to ensure the service of safe food may prohibit the sale of certain potentially hazardous food and may modify specific requirements for physical facilities when in the opinion of the health authority, no health hazard will result.

CITY OF YORK FESTIVAL CODES & REGULATIONS

All vendors are reminded that there must be a minimum of three (3) feet clearance on both sides of fire hydrants for a total of six (6) feet clearance around all hydrants.

All food vendors who prepare items for consumption on-site will be inspected through the City of York Fire Department Inspector and requirements must be met before vendor will be allowed to operate:

Fire Code IFC 904.12.5, 904.12.5.1, 904.12.5.2 & 906: all food vendors utilizing cooking equipment involving vegetable or animal oils shall be protected by a Class (K) rated portable extinguisher. Portable fire extinguishers shall be provided within a 30-foot (9144 mm) travel distance of commercial-type cooking equipment. Cooking equipment involving solid fuels or vegetable or animal oils and fats shall be protected by a Class (K) rated portable extinguisher in accordance with Section 904.11.5.1 or 904.11.5.2, as applicable.

- ⇒ **Section 904.12.5.1** – all solid fuel cooking appliances, whether or not under a hood, with fireboxes 5 cubic feet (0.14 m³) or less in volume shall have a minimum 2.5-gallon (9L) or two 1.5 gallon (6L) Class (K) wet-chemical portable fire extinguishers located in accordance with Section 904.11.5.
- ⇒ **Section 904.12.5.2** – when hazard areas include deep fat fryers, listed Class (K) portable fire extinguishers shall be provided, as follows:
 1. For up to four (4) fryers having a maximum cooking medium capacity of 80 pounds (36.3 kg) each – one Class (K) portable fire extinguisher of a minimum 1.5-gallon (6L) capacity.



2. For every additional group of four (4) fryers having a maximum cooking medium capacity of 80 pounds (36.3 kg) each – one additional Class (K) portable fire extinguisher of a minimum 1.5-gallon (6L) capacity shall be provided.

3. For individual fryers exceeding 6 square feet (0.55 m²) in surface area – Class (K) portable fire extinguishers shall be installed in accordance with the extinguisher manufacturer's recommendations.

All other non-food vendors shall have at minimum one (1) 10-pound ABC fire extinguisher.

Fire Code IFC 6103.1 & NFPA 58/5.2.1.4: all LP-gas equipment shall be installed in accordance with the International Fuel Gas Code and NFPA 58, except as otherwise provided in this chapter. Containers that show excessive denting, bulging, gouging, or corrosion shall be removed from service.

Fire Code IFC 6103.1 & NFPA 58/6.6.2.1: all LP-gas equipment shall be installed in accordance with the International Fuel Gas Code and NFPA 58, except as otherwise provided in this chapter. Cylinders shall be installed only aboveground and shall be set upon a firm foundation or otherwise be firmly secured. The cylinder shall not be in contact with the soil.

Fire Code IFC 6103.1 & NFPA 58/5.9.6: all LP-gas equipment shall be installed in accordance with the International Fuel Gas Code and NFPA 58, except as otherwise provided in this chapter. All gas lines shall be in good shape; cracked lines, and any other non-conformities will not be allowed.

Fire Code IFC 906.1: all vendors equipped with portable generators and where flammable or combustible liquids are stored, used or dispensed shall be provided with an approved portable fire extinguisher. All portable fire extinguishers shall have a minimum rating of 2-A: 10-B:C and be provided with an approved annual maintenance tag.

SOUTH CAROLINA RETAIL LICENSE

South Carolina Department of Revenue requires every person who engages in business in the state of South Carolina as a retailer must obtain a *South Carolina Retail License* before making any sales. **THIS IS NOT THE SAME AS OBTAINING A CITY OF YORK BUSINESS LICENSE.** If you have more than one business outlet, you must have a separate retail license for each location. Under South Carolina Department of Revenue's categories,



this festival is considered a RETAIL EVENT, for which an admissions fee is NOT required for entering the event. If you are operating at a Retail Event, you will be required to register for a retail license to collect and remit the South Carolina sales tax.

If you are an exempt organization devoted exclusively to public or charitable purposes (aka "non-profits"), you are exempt from the sales tax and the retail license requirements. You may be required to complete and submit an application for Sales Tax Exemption (Form ST-387).

Non-profit organizations falling within the exemption are:

- ⇒ Public libraries and churches
- ⇒ Charitable trusts and foundations
- ⇒ The American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, Fleet Reserve Association, and the Marine Corps League or any similar Veterans' Organization chartered by the Congress of the United States
- ⇒ The Young Women's Christian Association (YWCA), Young Men's Christian Association (YMCA) and the Salvation Army
- ⇒ The Boy Scouts of America and The Girl Scouts of America
- ⇒ The South Carolina Association of Future Farmers of America
- ⇒ Any fraternal society, corporation, or association
- ⇒ Any religious, charitable, educational, or literary society, corporation, or other association
- ⇒ Volunteer fire departments and rescue squads
- ⇒ All community owned recreation facilities opened to the general public and operated on a non-profit basis
- ⇒ All non-profit or community theater companies, symphony orchestras, county and community arts councils and commissions and other such companies

It is the vendor's responsibility to withhold and remit all applicable state and federal taxes. For further information, please contact the South Carolina Department of Revenue at (803) 896-1350 or email at TaxRegistration@dor.sc.gov.

Thank you for your interest in York's Summerfest Event! Should you have any questions regarding the event, feel free to contact the Community Events Manager at (803) 792-8678 or via email at events@yorksc.gov.



40th Annual York Summerfest

Saturday, August 26, 2023

Food Vendor Application

Application Deadline: Monday, June 26, 2023

Vendor Name: _____

Contact Name: _____

Street Address: _____

City: _____ State: _____ ZIP: _____

City of York Business License: _____ SC Retail License: _____

| | |
|---------------------------------------|---|
| Cooking with Grease? Yes No | Past York Summerfest Vendor? Yes No |
|---------------------------------------|---|

| | |
|---|--|
| Total Dimensions (Required): Space based on a 10'x10' layout | Generator: <i>Must be a quiet generator (60-50 DBA)</i> Yes No |
|---|--|

Number of Spaces: _____ Total: \$ _____ (\$75 per 10'x10' space + 1 \$60 Hospitality Tax Deposit)

- Along with your completed application, please be sure to submit the following:**
1. Menu List with Prices
 2. Picture of Set-up/Food Truck
 3. Complete Dimensions (width and depth) of space, including food truck, trailer, canopies, tents, trailer tongues, etc.

I hereby agree to indemnify, save, and hold harmless the City of York, its subsidiaries, agents, volunteers, sponsors, and/or any other persons or representatives from any and all liability arising out of or in any way relating to my participation in York Summerfest on Saturday, August 26, 2023. The City of York reserves the right to reject any application and refuse admittance to any persons or vendor which in our sole opinion is not keeping with the quality or safety of the festival. I also understand my failure to comply with the rules and regulations of York Summerfest will terminate my right to continue to participate as a vendor in York Summerfest. I hereby release all sponsors, promoters and officials of the City of York, and York Summerfest from any claims of injury or damages resulting from participation in this event.

_____ (initials)

South Carolina law requires vendors conducting sales in South Carolina to have a valid SC retail license, report and pay the applicable sales tax.

_____ (initials)

Food vendors must comply with South Carolina's Department of Health and Environmental Control's Regulation 61-25 Retail Food Establishments. You are responsible for obtaining and reviewing a copy of SC DHEC's Regulation 61-25 Retail Food Establishments.

_____ (initials)

By signing below, the vendor agrees to abide by the rules and regulations set forth by the City of York and assumes complete responsibility for installing, handling, and staffing its space allocated during York Summerfest.

PRINT NAME: _____

SIGNATURE: _____ DATE: _____

| FOR OFFICE USE ONLY | | | | | APPROVED? (Circle One) Yes No |
|---------------------------------|------------------------------|-----------|-------------|--------------------|--|
| Total Due: | \$ _____ | Received: | Date: _____ | Received by: _____ | |
| Form of Payment (Circle One) | Cash Money Order Check | Check # | _____ | _____ | |
| Balance: | \$ _____ | Received | Date: _____ | Received by: _____ | |
| Form of Payment (Circle One) | Cash Money Order Check | Check # | _____ | _____ | |
| Space Number _____ | | | | | |