



**CHURCH
STREET
MARKETPLACE**

**Church Street Marketplace
Non-Profit Tabling License, Rules and Regulations**

For Fiscal Year 2010

The Church Street Marketplace District Commission offers non-profit organizations a non-profit tabling license on the Marketplace at designated locations, for the purpose of promotion, disseminating information, and/or receiving donations. Sales of goods and services (this includes but is not limited to raffle tickets, t-shirts, food, beverages, water, etc.) are not allowed under the license, as those activities are considered commercial in nature and require a commercial vending license from the Marketplace. We do not permit the free distribution of food, beverages and water in consideration of our Street's many eating establishments.

FOR NON-PROFIT ORGANIZATIONS ONLY: Because non-profit organizations create and build a strong civic culture in our community, and because they need public awareness and support, the Church Street Marketplace issues tabling licenses to non-profit organizations. Licensing is required to protect people who come in contact with those organizations, from fraud. The purpose for licenses and for requesting the information in the licensing application is to enable Marketplace staff to:

- a) contact you in the event of a change or emergency.
- b) help staff coordinate the placement of your table location with other events, activities, parades, demonstrations and/or unanticipated events and emergencies that could affect the free flow of pedestrian traffic or the public's safety.
- c) protect consumers from fraudulent activities.

Non-profit organizations are defined as those organizations organized and operated exclusively for charitable, educational or religious purposes and no part of whose income inures to the benefit of its members, directors, or others (except as compensation for services actually performed).

For profit businesses may contact the Marketplace about a commercial vending license pursuant to the Ordinance Section 23-15 and the rules and guidelines of the Church Street Marketplace Commission.

LOCATIONS: The Marketplace offers a total of 8 locations available 365 days per year, with the exception of programmed events and activities (see **TABLING LICENSES ARE NOT ISSUED AT SPECIFIC TIMES ON SPECIFIC DAYS**). We do not guarantee organizations a particular location. The eight locations are available on a first-come, first-served basis, booked a minimum of 7 working days in advance of the date requested:

Block 1 (between Main and College)

- In front of City Hall, near flagpole, six feet west of center line and no further west than curb line.
- In front of alley between Firehouse Center for Visual Arts and 131 College Street (old Merchant's Bank Building) six feet west of center line and no further west than curb line

Block 2 (between College and Bank)

- At the south end of Sprout (110 Church Street) outside canopy line, and six feet east of the center line.
- In front of Yankee Candle (106 Church Street), outside canopy line six feet east of center line and aligned with the light pole

Block 3 (between Bank and Cherry)

- At south end of Pompanoosuc Mills (50 Church Street) outside canopy line six feet east of center line.
- At south end of Hatley (59 Church Street) aligned with where buildings join, outside of canopy line and six feet west of center line.

Block 4 (between Cherry & Pearl)

- At north end of Eddie Bauer (11 Church Street), outside canopy line, perpendicular to the light pole and six feet west of center line.
- At south end of Tina's Home Design (21 Church Street), outside canopy line, six feet west of center line.

SIZE OF TABLING AREA: The specific tabling space provided is 32 square feet (4' x 8'). Organization's must confine its activities to that 32 square foot space (4' x 8'). Tables and chairs only – please no sandwich board signs, additional signs, additional displays, etc. Tables must be placed in the designated areas described above. Height may not exceed 4 feet. You **MAY NOT** place a table within the nine-foot pedestrian right-of-way (the area that extends 9 feet from Marketplace building fronts) or in the center of the street (six feet on either side of the center line of the street).

APPLICATION PROCESS: Application for a tabling license must be made at the Church Street Marketplace office, 2 Church Street, Suite 2 A, Burlington, Vermont, seven (7) business days in advance of the date requested and all requests are on a first-come, first-served basis for the seven available spots. Organizations may request up to four licenses at a time. Licensees will be rotated through the designated locations in order to give all organizations an equal opportunity for full exposure on the Marketplace. Licenses are issued by appointment. Contact our permits and licensing manager at 865-5384 to arrange for an appointment. You may also make a request by fax at 802-865-7252.

You are required to fill out an application, and provide the following information:

- Organization name and individual contact name and address, day and evening telephone number.
- Description of activity at the table.
- If your organization is registered with the state as a tax exempt organization under the Internal Revenue Service code.
- If anyone participating at your table has been convicted of a crime, and if yes, what and when.

DURATION: Licenses are valid for the date(s) issued. Licenses are non-transferable.

FEES: Daily, \$2

HOURS FOR YOUR TABLING: Monday through Sunday, 11:00 a.m. to 9:00 p.m. For your safety, start time occurs immediately following the end of truck deliveries and closing of Marketplace gates at 11 a.m.

TABLING LICENSES ARE NOT ISSUED AT SPECIFIC TIMES ON SPECIFIC DAYS: The Marketplace has determined that tabling licenses will not be issued at locations where there are programmed events and activities because of the potential for: a) overcrowding of Church Street leading to congestion of pedestrian traffic flow and b) public safety concerns and availability of adequate public safety resources.

LICENSES WILL NOT BE ISSUED to non-profit organizations at specific tabling locations where there are programmed events and activities. Also, **LICENSES WILL NOT BE ISSUED** to non-profit organizations from Noon to 5 p.m. on certain blocks during programmed events and activities such as Sidewalk Sale, Marketfest, Discover Jazz Festival, the Vermont City Marathon (the Marketplace is on the race course); Magic Hat Mardi Gras Parade; First Night Burlington and other events. A complete list of events, dates and times when locations are limited for non-profit tabling licenses is available from the Marketplace office.

SALE OF GOODS AND SERVICES ARE NOT PERMITTED: Sales of goods and services are not permitted at non-profit tables (this includes but is not limited to raffle tickets, t-shirts, food, beverages, water, etc.). We do not permit the free distribution of food, beverages and water in consideration of our

Street's many eating establishments. **EXCEPTION:** The sale of newspapers and other literature IS permitted. Organizations may receive donations. If an organization is offering goods in return for donations the organization must be willing to give the goods away with or without a donation. Licensees may not aggressively solicit donations per the city's aggressive solicitation ordinance.

MARKETPLACE SPONSORED EVENTS: A marketing budget and strategy is developed each year by the Church Street Marketplace District Commission to promote Church Street and increase pedestrian traffic and merchant sales. At various times throughout the year, and as part of its marketing budget and strategy, the Marketplace sponsors or co-sponsors activities and events on the Marketplace that involve non-profit organizations. These marketing relationships are strictly business in nature and are designed to either build the Marketplace's brand and/or increase pedestrian traffic with specific, target markets identified for their potential to increase sales on the Marketplace. These activities will occur in locations on the Marketplace separate from the eight designated locations for non-profit tabling.

DISPLAY OF LICENSE: Organizations must display their license while at their table so that it can be easily seen by Marketplace personnel or the Burlington Police Department. If the organization does not, it will be assumed that the table has no license and the police or Marketplace staff will ask the organization to leave the Marketplace or face fines, pursuant to ordinances.

VOLUME CONTROL: Amplified sound and drumming of any type are not permissible at tables. Amplification and drumming produce a sound and vibration level on the canyon-like, right-of-way of the Church Street Marketplace that negatively impacts both our businesses and residents.

COMPLIANCE: By signing the license, the organization understands these rules and regulations and will comply with relevant rules, regulations or ordinances of the City of Burlington and/or State of Vermont. Licensees agree to move if requested by Marketplace staff or Burlington Police for reasons of public safety. Licensees may not aggressively solicit donations per the city's aggressive solicitation ordinance.

DENIAL, SUSPENSION AND REVOCATION A LICENSE

Marketplace staff may deny, suspend or revoke a license, for reasons including:

- Misrepresentation of the application
- Threat to public safety & access
- Non-compliance with City ordinances and/or Marketplace rules and regulations
- Evidence of consumer fraud

No license may be suspended or revoked unless the organization is provided a public hearing concerning that revocation. Written notice will be given to the organization at least 7 days prior to the public hearing. The written notice will set forth the facts constituting the basis for the proposed revocation. A hearing panel comprised of three Church Street Marketplace Commissioners or their designees will hear oral testimony, receive written evidence and send a proposed written decision to the full Marketplace Commission for its consideration. The hearing panel's written decision must be provided to the non-profit organization at least three days before the Commission meeting.

One or more members of the hearing panel will present the decision at a regularly scheduled meeting of the Church Street Marketplace District Commission. Marketplace staff and/or the non-profit organization may explain in writing or orally to the full commission where they disagree with the decision, but may not present new evidence. The full Commission has the right to accept, reject or alter the decision from the hearing panel, as long as the decision is supported by the law and evidence introduced to the hearing panel. A majority of the full Commission must support the final decision of the Commission. If a license is revoked, an organization may apply for a new permit in one year from the date of revocation.



**CHURCH STREET MARKETPLACE NON PROFIT TABLING PERMIT
DAILY APPLICATION \$2.00 PER DAY**

FOR NON PROFIT ORGANIZATIONS TO SET UP A TABLE ON THE MARKETPLACE FOR
NON COMMERCIAL PURPOSES

(See Non Profit Tabling Permit Rules & Regulations for complete details)

Date of application _____

Full name of person applying _____

Name of organization _____

Your position within the organization _____

Address of organization _____

Telephone () _____ Email Address _____

Is your organization registered with Vermont Secretary of State? _____ Yes _____ No

Date and time requested to be on the Marketplace _____

Description of the activity the application proposes to undertake (space to be used cannot exceed **thirty-
two square feet**) _____

Has anyone participating at your table been convicted of a crime? _____ Yes _____ No

If yes, what and when: _____

I (we) declare that either the applicant named above or the applicant's specified designee
(name(s): _____ **)** will be
present at the proposed activity for the duration of the permit and will have the **certificate displayed at
all times** during the permit period As consideration for not being required to obtain liability insurance
pursuant to Section 23-15 (C) (5) and (6) of the Burlington Code of Ordinances, I (we) further agree to
hold and save the City of Burlington, its agents, employees and offices, harmless for any and all liability
arising out of or in connection with the activity above described. Any misrepresentation may result in the
revocation of the permit and subject the persons of the table to the full extent of penalties allowed by law.

Applicant's signature and date _____