



2020 HERNDON FESTIVAL STATEMENT OF UNDERSTANDING

Description of Event: The Herndon Festival is an annual four-day community festival at NWFCU. The event is free and includes food, carnival, 3 areas of entertainment, crafts, Business Expo, and community groups. A limited number of food trucks will be permitted. Below are the detailed guidelines, but unique elements for Herndon Festival food vendors include: all menu items must be approved and vendors must sell beverages in Festival cups, except for bottled water. Photographs of actual booths are required.

Please retain this statement of understanding for your records.

I. FOOD VENDOR HOURS

Thursday, May 28 6:00 – 9:30pm

(Must be ready by 5:00pm for health inspection)

Friday, May 29 5:00 – 10:30pm

Saturday, May 30 10:00am – 10:30pm

(Must be ready by 9:00am for health inspection)

Sunday, May 31 10:00am – 6:00pm

The Department of Parks and Recreation staff is on duty three hours prior to the start of the Festival each day to allow adequate set-up time. The Festival will run rain or shine. If severe weather persists, the Festival may close for a short period of time and then reopen. All vendors are expected to reopen once a decision has been made. If a food vendor leaves the Festival and/or does not reopen at the time decided, the Festival committee reserves the right to dismiss the vendor without refunding any and all fees, etc.

II. BOOTHS AND RESTRICTIONS

A. Space Size: All food vendors are expected to run their entire operation within the space provided. If any vendor exceeds the space provided they will be asked to move within the defined area assigned. NOTE: Only one food vendor per booth will be allowed.

B. Booth: Vendors MUST provide an appropriately decorated booth from which to conduct food and beverage sales. Booth sizes should not exceed the provided space. The height of the booth (including banners and displays) should not extend more than 15' from the ground to the top of the booth. A booth may consist of banquet type tables, with side tables to create a horseshoe effect. Tables must have coverings (whether paper or cloth) to the ground all the way around. Table coverings should be decorated and festive, with décor appropriate to the food served.

C. Tents: Both non-cooking booths and cooking booths must have a flame-resistant treatment tent with an NFPA 701 rating. Certificate of flame-resistance must be present at the event. Note Certificate rating CA-85 does not meet this certification. Please send copy of or picture of certificate with application. Vendors who fail to comply with this code may be shut down by the Fairfax County Fire Marshal until such time as the issue has been resolved. No refunds will be given due to failure to comply with fire codes.

D. Power/Electricity: Each vendor is provided with one 20 amp, 110 volt circuit as part of the booth fee. Electrical needs for storage, preparation and operation must be listed on the Food

Vendor Application. 110 volt, GFI (Ground Fault Interrupters) receptacles are utilized on site. Vendors must be able to use GFI receptacles. Request for additional electrical needs are to be noted in the Electrical Services portion of the Food Vendor Application. Pending availability, each additional 20 amp, 110 volt circuit will cost \$75 each and be invoiced accordingly. Extension cords ARE NOT available from the Parks and Recreation Department. Only heavy-duty, outdoor, UL listed extension cords may be used. NOTE: See Health Department regulations. The Festival will consider generator requests based on the booth location and set-up. Generator requests must be made in writing at the time of application and include need for generator, and specific generator make and model.

E. Propane/Grills: The use of gas/propane is permitted. Food Vendors using grills MUST provide a means for smoke abatement.

F. Water: Water will be available at a limited number of sites on Festival grounds. Vendors need to provide their own food grade hoses, which meet Fairfax County health code requirements.

G. Souvenir/Branding: Souvenir items or items used for advertisement purposes are not permitted to be distributed or sold (i.e. t-shirts, bumper stickers, balloons, buttons, cups, etc.)

III. FOOD, MENU & PRICING

A. Health Department permit: Food vendors must apply for a temporary food permit through the Fairfax County Health Department, Food Safety Section, 10777 Main Street, Suite 11, Fairfax, VA, 22030. Telephone: (703) 246-2444 Fax: (703) 385-9568. Foods prepared in the home other than baked goods are not acceptable. Food vendors will be expected to strictly adhere to all provisions stipulated by the permit. No refunds will be given due to failure to comply with Health Department codes.

B. Menu: Any changes in menu must be provided in writing and approved by the Festival Committee. Due to the potential for duplication, **not all menu items will be selected.** We want to ensure that every food vendor has the highest potential for success. Vendors may only sell items agreed on by the Herndon Festival Committee. Vendors will be limited to a specified menu list, excluding beverages and sides. The sale of **popcorn, cotton candy, snow cones, and funnel cakes** will not be permitted unless prior approval has been given by the Herndon Festival Committee.

C. Prices: Prices are set by the individual vendors, but to ensure a successful and friendly sales atmosphere, the Festival Committee strongly urges vendors to charge fees that are in

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line with their event neighbors. Bottled water is sold at a price of \$2.00 per 16oz bottle, for uniform Festival pricing.

D. Festival Cups: Vendors are required to sell all 20oz beverages in the official Herndon Festival cups. Vendors must pre-order cups by completing the cup order form. Additional cups may be available for purchase on site, and must be used while quantities last.

The sale of bottled water is acceptable (12-16 oz) and must be sold at a uniform price of \$2.00 per bottle. Bottled water does not need to be dispensed in a Herndon Festival cup.

Vendors may sell larger-sized beverages using independent (non Festival) cups. Logo branded cups (Pepsi, Coke, Sprite etc.) and logo cups from other events are not permitted.

20oz Cups are available for purchase in quantity of 100, 500 or 1,000 cups. Lids are not provided.

Prices will be available in February 2020.

IV. LOGISTICS

A. Set Up: Vendors are responsible for providing their own set-up (i.e. tables, extension cords, chairs and tents). Since the event will be held as scheduled, regardless of weather, vendors should come prepared to protect themselves against the elements (i.e. sun, rain, wind, etc.). Forty pound (minimum) sand bags for each corner or comparable are mandatory to anchor tents, canopies, etc.

B. Motorized vehicles: Motorized vehicles ARE NOT permitted in the Festival area. Non-motorized campers or booths may be used for the sale of food and beverages upon prior approval. The only exception will be approved food truck(s) from which the food is prepared and sold.

C. Parking: Parking will not be allowed in the immediate event area. After quickly unloading, vendors will be given a parking pass and directed to their assigned parking area. Vehicle access to booths during the event will not be available.

D. Trash: Several large trash receptacles will be provided by the Herndon Parks and Recreation Department at key locations throughout the Festival area. Vendors are asked to provide trash bags or additional trash receptacles in their food vending areas to ensure adequate space for trash disposal. Vendors are responsible for placing their trash in dumpsters located on the Festival grounds. Food vendors are responsible for removing any and all trash from their areas each night and at the conclusion of the Festival. Those that do not adhere to this regulation and leave trash in their respective areas are subject to a **\$250 clean up fee** (deposit sent with initial payment).

E. Grease/Waste Water: *Vendors are not allowed to dump grease or wastewater on the street or in sewer drains at any time.* Vendors should have containers to manage their disposal and removal of grease and wastewater. It is required to have plywood placed underneath all booths using grease to prevent spillage onto the street. New Grease regulations.

Violators risk their clean up deposit.

V. FINANCES

A. Booth Fees: Refer to Food Vendor Application

B. Booth Deposit: A \$100 deposit is required with the Food Vendor Application. If accepted into the Festival, the deposit is deducted from the total balance, and becomes non-refundable. If not accepted, the deposit will be returned.

C. Balance of Booth and Cup Fees: All fees are due three weeks prior to the event and are to be determined by the Food Vendor coordinator. Vendors with balances due will not be allowed to setup until fees are paid. Vendors are committed to the number of cups on their application form. The Herndon Festival Committee does not buy back unused Festival cups.

D. Record Keeping: Food vendors will be required to keep an accurate record of food and beverage sales through the Festival. Accurate reporting of gross sales is expected to ensure future participation. Report and payment of commissions is made at the conclusion of the event.

E. Sales Tax: All vendors are required to pay the VA state sales tax on all sales made at the Festival to the Commonwealth of Virginia. Forms are to be sent directly to the Department of Taxation, 11166 Main St., Suite 300, Fairfax, VA 22030 and NOT to the Parks and Recreation Department. Vendors with questions about these forms or about the sales tax should contact the Field Office of the Department of Taxation at (703) 359-6715 ext. 200.

F. Except for the specific items detailed above, the Parks and Recreation Department will not accept the responsibility for any financial commitments and/or obligations undertaken by an individual organization.

G. Failure to adhere to these regulations will jeopardize participation in this event and future Festivals.

STAFF CONTACT

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