ORDINANCE NO. 2018-10

AN ORDINANCE PROVIDING FOR THE POLICIES AND PROCEDURES FOR THE OPERATION OF THE CITY OF CANTON'S FIRST MONDAY TRADE DAYS; PROVIDING FOR THE COLLECTION OF RENT AND PROCEDURE FOR PAYMENT, RESERVATION AND RENEWAL OF VENDOR SPACES, MERCHANDISE, SALES, SOLICITATIONS, AND SET-UP ON THE PREMISES, AND TRAFFIC AND PARKING ON THE PREMISES; PROHIBITING SUBLEASING, SELLING AND TRANSFERRING LOTS; PROVIDING FOR PENALTIES FOR FAILURE TO COMPLY WITH SUCH ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS THAT:

The City Council hereby adopts this ordinance, to supercede previous ordinances, declaring as follows:

Section 1. Title. This ordinance shall be referred to as the First Monday Policies & Procedures ordinance.

Section 2. Adoption of Policies and Procedures. The City Council of the City of Canton has previously adopted, on an annual basis, certain "Policies & Procedures" concerning the operation of the City's First Monday Trade Days. Portions of the said policies are incorporated into a brochure for distribution to the public. The policies set out in the attached Policy Manual are hereby adopted and incorporated herein by reference as if cited herein verbatim.

Section 3. Ratification of Adoption of Policy and Procedures for Termination of Lot Rentals. On April 18, 2017, the City Council adopted the policy manual regulating all aspects of First Monday. By this Ordinance, the following policy attached as Exhibit "A" hereto is hereby ratified and confirmed and incorporated into this Ordinance:

Section 4. Amendments, Revisions, and Rescission. The City's "First Monday Policies & Procedures" and the "Policy and Procedure for Termination of Lot Rentals" may be amended, revised, or rescinded by the City Council of the City of Canton at any properly noticed meeting of the Council at which a quorum is present.

Section 5. Gender and Number. In this ordinance, unless the text otherwise requires, words in the singular number include the plural and in the plural include the singular; words of the masculine gender include the feminine and the neuter; and when the sense so indicates, words in the neuter gender may refer to any gender.

Section 6. Penalties. Failure to comply with the policies and procedures referred to herein may result in removal and/or eviction of violator and/or violator's employer, invitor, or licensor from the premises and/or loss of or eviction from the lots rented, subject only to the provisions of Section 3 above.

Any person found guilty for violating, disobeying, omitting, neglecting, or refusing to comply with, or resisting or opposing the enforcement of any of the provisions of the "First Monday Policies & Procedures", may be cited and, upon conviction thereof, shall be punished by a fine of not less

than Fifty Dollars ($50.00) nor more than Two Hundred Dollars ($200.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 7. Severability of Provisions. If any provision, clause, sentence, paragraph, section, or part of this ordinance, or application thereof to any person, firm, corporation, public agency or circumstance, shall for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provisions to other persons, firms, corporations, public agencies, or circumstances, but shall be continued in its operation to the provisions, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, public agency, or circumstances involved. It is hereby declared to be the legislative intent of the City Council that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not be included.

Section 8. Repeal. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed to the extent of such conflict.

Section 9. Effective Date. This ordinance shall become effective and in full force and effect after its passage.

DULY PASSED by the City Council of the City of Canton, Texas, on the 17th day of April, 2018.

APPROVED:

Lou Ann Everett, Mayor

CITY OF CANTON, TEXAS

ATTEST:

Debra Johnson, City Secretary

FIRST MONDAY OPERATING MANUAL

4/17/2018

The following rules apply to each vendor (and visitor, when applicable) on the First Monday grounds owned by the City of Canton. Each vendor shall also be responsible for the compliance with such policies and procedures by the agents, employees, invitees and licensees of vendor.

Failure to comply with any policy or procedure may result in eviction and/or loss of lots.

Nothing contained in these policies and procedures shall be construed to impose upon the City of Canton any duty or obligation to enforce the policies and procedures against any other vendor or any employee, agent, invitee or licensee of any other vendor. The City of Canton will not be liable to any vendor for violation of the policies and procedures made by any other vendor or such other vendor's employees, agents, invitees or licensees.

The City Manager, First Monday Operations Supervisor and/or the Parks Operation Supervisor have the authority to deviate from the listed procedures in the event of an unforeseen circumstance as they deem necessary without further approval.

The City of Canton reserves the right to refuse admission to any vendor or refuse to rent/renew rental of lot/lots at its sole discretion. The City of Canton reserves the right to amend or change the policies and procedures without prior written notice.

I. General Rules

A. The Trade Days are open the Thursday through Sunday before the First Monday of every month.

B. All vendors/shoppers must comply with all city, state and federal laws, rules, regulations, as well as all other rules and regulations pertaining to First Monday.

C. <u>Merchandise, Sales and Solicitations</u>

1. Vendors are required to have an active Texas sales tax permit (no fee). To obtain a permit, contact the Texas Comptroller at 800-252-5555.

2. The vendor is solely responsible for his/her merchandise, property and business transactions. Merchandise left unattended is done so entirely at the owner's risk.

3. Management reserves the right to restrict the sale, display or distribution of any printed materials, photographs, books, paraphernalia or other representations in order to maintain a proper moral, wholesome environment.

4. Lots may not be used for games of skill, lotteries, raffles, palm readings, auctions or any purpose which is carnival-related.

5 The sale or exhibit of animals prohibited.

6. No explosive devices or devices with offensive odors, i.e., stink bombs, smoke bombs, snaps, etc. allowed.

7. The sale, display or distribution of any gruesome, obscene, indecent, or shocking printed materials, photographs, books, paraphernalia, or other representations inconsistent with a proper moral, wholesome, environment is prohibited.

8. No one shall distribute on the grounds any leaflets, photographs, circulars, brochures or handbills.

9. Advertisements may be posted at designated locations only.

10. No HAWKING allowed.

D. Payments

1. Accepted forms of payment are: personal checks with proper ID, cash, cashier's check, money order or credit/debit card. A 3% transaction fee will be charged on all credit card payments.

2. Payments may be mailed to: First Monday, PO Box 665, Canton, TX 75103

3. The office will not cash checks or accept two-party checks.

4. There is a $30 charge on all returned checks.

5. There will be no payment refunds, credits or transfers.

E. Receipts / Passes

1. Receipts clearly state our policy of no refunds or transfers. Transfers in this case would mean transferring payments to another month or person. A vendor may transfer locations with management's approval, within the same show dates.

2. First Monday lot receipts and tags are issued for the sole purpose of admitting said vendor only on the grounds. Identification may be periodically requested. (NOT A SHOPPING PASS)

3. Vendors will receive one Vendor Pass per open air lot (maximum TWO per location) for each show. The pass must be visible at all times in any vehicle entering the grounds or parked on appropriate lots.

4. Upon request, vendors selling large or heavy merchandise will receive Gate Pass Requests. Vendors are responsible for completing these requests and issuing them to their customers. Customers must present the request at the gate. If completed correctly, the gate attendant will give the customer a Gate Pass, which is for a maximum of 30 minutes.

5. Customers may drive directly to the vendor's booth, pick up their merchandise, and exit through the same gate to turn in their pass.

6. Vendors leasing from a building owner other than the City of Canton must rent parking, one vehicle and pass per parking space.

F. Set-Up

1. Set-Up Times for Vendors

5:00 p.m.	Tuesday	If paid early entry
8:00 a.m.	Wednesday	Covered Pavilions, Food Vendors, Civic Center and Paid Early Entry
9:00 a.m.	Wednesday	Lots in the Reserved Section
10:00 a.m.	Wednesday	Log Cabin Reserved Section
11:00 a.m.	Wednesday	Lots in Unreserved Section

2. No trailers or merchandise are allowed on the grounds before Wednesday, except those who have paid for Early Entry at 5:00 p.m. on Tuesday and food concessions, which are allowed to set up after 12 noon on Tuesday.

3. Management designates selling areas (lots), and each vendor shall conduct business only within the confines of his/her lot(s) and during designated show dates

4. Vendors may bring tables, canopies and displays, or they may rent from approved tent and table vendors on the grounds.

5. No permanent structure or construction is allowed without the prior consent of Management.

6. Hay is a fire hazard and may not be used as groundcover.

G. Subleasing, Selling Lots, Lot Transfers

1. The sale, assignment, sublease or offer to sell, assign or sublease lots is prohibited.

2. Identification and receipts will be checked periodically.

3. Lots may not be transferred without management consent.

4. Personal addresses may only be changed with proper ID.

5. The name of the vendor must match the Tax ID number on file.

6. Management reserves the right to relocate a vendor.

H. Traffic & Parking

1. Vehicles parked on a lot not assigned to the individual will be towed and/or ticketed at the owner's expense.

2. Merchandise is to be displayed across the front of all rented lots. Parking is permitted on the back of an outdoor lot behind displayed merchandise or on lots specifically designated by management for parking.

3. Free vendor parking with a vendor pass is available west of the Log Cabin.

4. Vendor passes are required (visibly posted) in every vehicle in the park.

5. There is a 5 mph speed limit throughout the park.

6. Traffic should be kept to a minimum for safety reasons.

7. Only city-owned and operated golf carts are allowed.

8. Only motorized scooters manufactured specifically for the handicapped and of the type approved by management are allowed. Scooters will only be rented to someone 18 years of age with a valid driver's license or have proof of handicap to operate a handicap scooter. Only one person per scooter is allowed.

9. Scooters cannot be modified to be used by multiple passengers.

10. No golf carts, ATV's, motorcycles, bicycles, roller blades, skates, skateboards, scooters, other motorized vehicles or wheeled devices.

11. No trailers are allowed on the grounds on Tuesday night, except those who have paid for Early Entry & food trailers.

I. Restrictions

1. Photographing merchandise is prohibited without owner's consent.

2. No concealed weapons, drugs, alcohol, loud music, amplifiers, hawking or vulgar language are allowed on the grounds.

3. Only domestic animals allowed and must be on a leash and attended at all times. They are not allowed in the Civic Center or eating areas. Owners are fully responsible for their pets' actions and must clean up after their pets. The City shall in no way be held responsible for the actions of any pet brought on the grounds. No exotic animals.

4. In accordance with State law, waste water of any type may not be discharged into, or flow into a public place, gutter, street, creek, etc.

5. Offices page for small lost children and medical emergencies only.

J. Holding Area

1. Dealers are not allowed on the First Monday Holding Area until after 9:00 a.m. on Monday, the week of First Monday weekend.

2. Restrooms will be opened on Monday.

3. No dealer will be allowed to park two vehicles side by side in the holding area.

4. If a trailer is dropped off, it is permissible to rope off 25 feet in front of the trailer to allow space for hooking back up. ALL OTHER ROPES WILL BE REMOVED.

5. No dealer is allowed to rope off or hold space.

6. Vendors are asked to park on either side of the roads, but NOT on the roads.

7. All vehicles entering the holding area should enter from FM 859 (First Monday Lane)

8. Anyone caught setting up before the appropriate time will be removed.

9. Once allowed in the Unreserved section, a dealer MAY NOT save spaces for other dealers.

10. Vendors should make sure they DO NOT set up on more spaces than what their receipt indicates.

11. There is a $5 per day charge to any vendor in the holding area that hooks up to water and/or electric.

12. Dealers who do not abide by the rules will be asked to leave the grounds with NO REFUND granted.

K. Trash

All vendors are responsible for their own trash, including packing trash, and keeping their area clean.

L. Utilities

1. There is a per show fee for Climate Controlled lodging capability for all Vendors on the grounds.

2. Vendors must provide their own hoses and extension cords (12/3) 20 amp only.

3. There is a one-time installation charge of $100 for 30 or 50 amp service, if approved.

M. Check Out

1. RV spaces must be vacated by 2:00 p.m.

2. All vendors must vacate the park by 8:00 a.m. Tuesday following the sale. Anyone remaining will be charged $25 per day.

3. Unattended vehicles or trailers will be impounded at the owner's expense.

4. All trash should be bagged and stacked next to the street prior to departure. Vendors in structures must sweep their area clean of all debris.

N. Vendor Termination

1. Upon determination by First Monday Management that a vendor has failed to comply with First Monday Policies and Procedures as adopted by the City Council, management shall notify the vendor verbally or in writing, addressed to the last known address provided by the vendor, that the vendor space rental will not be renewed for the following market. The written notice shall:

   a. Describe the vendor's violation of First Monday Policies and Procedures; and

   b. Inform the vendor of his or her right to appeal management's decision to the City Manager in writing addressed to City Hall within ten days from receipt of the written notice.

2. Upon receipt of a written appeal, the City Manager, at his or her option, may schedule a meeting with management and the vendor to review the matter. The City Manager, upon advice from the First Monday Committee, shall notify the vendor, in writing, of the determination of the appeal.

O. Media

1. The Sales Media generally sell advertising or placement and may include newspapers, magazines, television or internet. Direct sales to First Monday vendors are involved.

2. The Marketing Media generally provide First Monday exposure to consumers at no cost to the City and are to be supported by staff, as appropriate. Marketing media may include newspapers, magazines, television or internet. No sales to First Monday vendors are involved.

3. The Chamber of Commerce membership will serve as fees paid. If a member of the Sales Media chooses not to become a Chamber of Commerce member, the fee is $150 per month payable to First Monday.

4. Sales and Marketing Media will be required to obtain a Texas sales tax identification permit and to provide a copy to First Monday management and to ensure that all sales taxes on products and services sold are paid. All sales tax reports should reflect the location of sale as Canton, Van Zandt County, Texas. Copies of sales tax reports filed with the State of Texas will be provided to First Monday management upon request. (Newspapers are exempt from this requirement.)

5. Sales and Marketing Media must comply with all First Monday guidelines with the following exceptions:

a. Sales Media will be allowed to sell their products or services booth-to-booth on **Wednesday and Sunday of the show only**. If the Sales Media personnel receive any complaint from any First Monday vendor to discontinue their sales efforts, the Sales Media will discontinue those efforts immediately. Any written complaint received by First Monday staff will be addressed with the Sales Media. If continued complaints persist, Sales Media will lose their privileges on the grounds.

b. Badges will be provided for Sales Media to wear and are required to be worn visibly while on the grounds. For Chamber of Commerce members, the Chamber will provide the badges. For non-Chamber members, First Monday will provide the badges.

P. Referrals

Any City of Canton First Monday vendor who recruits a new vendor will receive a $50 credit toward the next month's rent. A new vendor is defined as someone who has not rented a First Monday lot from the City of Canton within the previous twelve months.

II. Open Air (Outdoor) Lots

(100 acres on the east side of FM 859, 2 blocks north of downtown)

A. Reserved

1. Reservations for open air (outdoor) lots begin on the second Tuesday (Super Tuesday) after First Monday. Open lots may be reserved **in person** beginning at 8:00 am at the Log Cabin or **by phone** after 1:00 pm. Reservations can be made by calling 903-567-6556.

2. Lots are rented on a monthly basis. After Super Tuesday, lots may be rented Monday through Friday from 8:00 a.m. to 5:00 p.m.

3. Open Air Lots are approximately 12' x 20' in size. They are rented for $50 per show.

4. When a space is rented in person, full payment is due at that time. Cash, checks, money orders and credit card payments are all accepted. A 3% transaction fee will be charged on all credit card payments.

5. If reservations are made by phone, payment can be made by credit card or by mail. A 3% transaction fee will be charged on all credit card payments.

6. The deadline for advance reservations is 5:00 p.m. Friday before the sale. Payment can be mailed to: PO Box 665, Canton, TX 75103.

7. All payments are non-transferable and non-refundable. NO EXCEPTIONS

8. Open air lots can also be rented during the show.

9. The deadline for renewing lots is Friday after the sale. All payments must be

received by that date or lots will be released.

10. Renewal payments may be made during First Monday at the following:

    Main Gate (Groves Street @ Capitol Street)
    Wednesday - Sunday 8:00 a.m. – 5:00 p.m.

    West Gate Office (Log Cabin off FM 859)

Monday - Tuesday	8:00 a.m. – 5:00 p.m.
Wednesday – Friday	8:00 a.m. – 10:00 p.m.
Saturday	7:00 a.m. – 10:00 p.m.
Sunday	7:00 a.m. – 6:00 p.m.

    Payments may also be mailed to PO Box 665 Canton, TX 75103.

11. The Log Cabin office is open during the month Monday through Friday from 8:00 am to 5:00 pm.

12. Current vendors wanting to add an adjoining lot should call 903/567-6556 beginning at 3:00 pm on Monday one week after the sale to see if it is available. ONLY available lots ADJOINING those already in the vendor's name will be rented on this date.

13. Vendors who have three insufficient funds checks may be required to pay by cash, money order, cashiers' check or credit/debit cards for future rentals. Fees assessed by the bank for handling will be the responsibility of the vendor.

14. Insufficient checks must be paid for by cash, money order, cashiers' check or credit/debit card.

15. Upon departure, all vendors are required to leave their space clean and their trash bagged.

B. Unreserved Open Air (Outdoor) Lots

1. The unreserved section is located at the West Gate (off FM 859).

2. There is a $5.00 per night electrical charge to hook up in the holding area.

3. Unreserved open air lots are $50 and can be paid by cash or credit card at the Log Cabin upon arrival. A 3% transaction fee will be charged on all credit card payments.

4. Lots are available on a first come, first serve basis.

5. Vendors will not be allowed in the holding area until 9:00 am on Monday, the week of the show. At this time, they will line-up in the holding area directly in front of the Log Cabin. Line up order is posted on the sign in front of the Log Cabin, and by request at the Log Cabin.

6. Passes and receipts must be visible at all times in any vehicle entering or parked on the appropriate lots.

7. Spaces must be paid for at the Log Cabin prior to entering the grounds on Wednesday.

8. Vendors who set up on more spaces than paid for will be asked to leave.

9. Upon departure, all vendors are required to leave their space clean and their trash bagged.

C. Log Cabin Reserved

1. Starting lineup begins on the Monday before First Monday in the holding area located across from the Civic Center RV park at 9:00 a.m. (west side of the entrance road from Hwy. 64)

2. Holding area electrical usage ($5.00 per night) must be paid at the Log Cabin.

3. Log Cabin Reserved vendors can renew their lots on Thursday, Friday and/or on Saturday (no later than 5:00 p.m.) in order to be valid for the next month. All payments must be made at the Log Cabin.

4. For first time reservations, the vendor must let someone at the Log Cabin know the name and space number between Thursday at 9:00 a.m. and no later than Saturday at 5:00 p.m. to place their name and space number on the Sunday morning sign-up list.

   On Sunday morning between 9:00 am and 12:00 pm, a staff member will come by the vendor's lot (if the vendor is on the sign up list) and verify space numbers and collect for the reservation. The vendor must be set up on the lots for the current month to be able to reserve the lot/lots for the next month.

   The City will not "hold" any lots for the Log Cabin Reserved vendors that do not enter the grounds on time (10:00am). If vendors are not on their lot/lots by 11:00 am on Wednesday morning, the lot will be considered "open". At this time an unreserved vendor may set up on the lot.

5. At 11:00 a.m., all unoccupied lots will be considered "open". Any "late" Log Cabin Reserved Vendor will have to find an alternate lot for the current month. However, the "late" Log Cabin Reserved Vendor does have the first option to renew the space for the following month. If the lot is not renewed by the original vendor, the vendor occupying the lot may reserve the lot by using the First Time Reservation process explained herein.

6. Lots may be paid for three months in advance, but no further.

7. No unreserved tickets may be purchased by Log Cabin Reserved until the last Unreserved Vendor vehicle has pulled out of the Unreserved vendor holding area at 11:00 a.m.

8. Passes and receipts must be visible at all times in any vehicle entering or parked on the appropriate lots.

9. Upon departure, all vendors are required to leave their space clean and their trash bagged.

10. Tent and Table Rules for Log Cabin Reserved:

    a. Vendors may enter on Tuesday to place their own tents

    b. Tent and Table Vendors may set up vendor's tents on Tuesday after picking up a confirmation list at the Log Cabin.

11. ***SUBLEASING WILL NOT BE TOLERATED***

III. Trade Centers

A. Sales

1. Spaces in the Trade Centers are reserved by application only. Applications may be obtained online at www.firstmondaycanton.com or in person at the Log Cabin.

2. Space rental in the Trade Centers is restricted to the merchandise accepted on individual applications. Management approval is required for any changes or additions to the type of merchandise that was originally accepted.

3. Each tenant is required by Texas Law to have a Texas Sales Tax Permit. Call 800-252-5555 for information.

4. Update the First Monday management with any address changes. Proof of the new address will be required. Phone number updates can be made at either the Log Cabin office, the Main Gate office, or by phone.

5. Management reserves the right to reject applications, monitor merchandise and displays, and to decline renewal to any vendor in violation of the Vendors Policies and Procedures or the Trade Center Guidelines.

B. Space Rental

1.

Trade Center I	14' x 14'	$175
Trade Center II	14' x 14'	$175
Trade Center III	10' x 20'	$175
Trade Center IV	10' x 20'	$175

Vendors should check with the coordinator regarding lot rent. Some premium spaces are rented at a higher rate.

2. Tenants must display and operate their assigned space every First Monday weekend. Emergency absences will be handled on an individual basis; however, excessive absences will not be tolerated and the space will be reassigned. Tenants are not permitted to sell other people's merchandise or to sub-lease a vendor space.

3. Payment for space renewal must be received no later than the Friday following

First Monday weekend. Spaces not renewed by that date will be assumed open and then reassigned. All payments are non-refundable and non-transferable.

C. Building Hours

Open to Vendors:	Tuesday 8:00 a.m. Wednesday All day Thursday	Booth set ups only, no merchandise (merchandise set-up) Vendors are encouraged to be open, but not required.
Mandatory Hours:	8:00 a.m. – 5:00 p.m. 9:00 a.m. – 4:00 p.m.	Friday and Saturday Sunday

Longer hours are encouraged

D. Set-Up and Displays

1. Vendors are responsible for maintaining attractive, orderly displays.

2. Tables must be draped to the floor and the booth should be defined with a decorative backdrop.

3. Vendors on an outside wall are REQUIRED to have a decorative backdrop. (Center aisle spaces in Trace Center I and II do not require a decorative backdrop, as there is no wall.)

4. Displays must be complete and open to the public during the above-listed mandatory operating hours.

5. All displays must be complete and open to the public during the above-listed mandatory operating hours.

6. Deliveries and loading/unloading are not permitted during the mandatory operating hours.

7. Unloading and removal of extra vehicles from the premises must be completed 30 minutes before the opening hour each morning.

8. Do not block streets or entries around the building while loading/unloading.

9. Vendors must keep their booth and aisle in front of the booth swept and clean.

10. Vendors may drive in the building for the sole purpose of setting up on Wednesday beginning at 8:00 a.m. and for tearing down on Sunday after 5:30 p.m. with one vehicle per vendor at any one time. **No vehicles are allowed in the buildings Thursday, Friday, Saturday or prior to Sunday at 5:30 p.m. Vendors are responsible for cleaning up any mud, leaks, etc. caused by their vehicle.**

11. Vendors are expected to be courteous of each other when bringing vehicles into the building. Any mud, leaks, etc. caused by a vehicle must be cleaned up and the vehicle should be removed as quickly as possible, taking extra efforts

not to block or delay another vendor's set-up.

12. Vendors are required to keep their booth and aisle in front of their booth swept and clean. Upon departure, the assigned area must be swept clean and all trash bagged and placed in the trash barrels located around the buildings. Ties, tacks, nail, wires, etc. should not be left in the area.

13. All displays, merchandise and seating must remain within the designated lines of the rented space.

14. Permanent fixtures and/or display items may not be placed in the Trade Centers.

15. Vendors must use a 3-prong extension cord when utilizing electrical outlets. Extension cords must be kept out of public walkways to avoid accidents.

16. Do not have deliveries sent to the Log Cabin or Main Gate offices. There is no space for storing them.

E. Vehicles and Parking

1. Vendors will be issued a pass each month for the purpose of identifying vendor vehicles. The number of passes issued are limited to two per location, and one per paid parking space, unless otherwise approved by a supervisor and each vehicle must have a pass visible when entering and while parked in the grounds.

2. Trade Center vendors may reserve marked parking spaces outside the Trade Centers for vehicles, merchandise storage, trailers or (with approval) extended booth space. The spaces may not be used for motor homes, travel trailers, or oversized vehicles. A grandfather clause is included for spaces utilized for motor homes and/or travel trailers prior to October 1, 1998. The rent is $50 per parking space.

3. Other regular outside lots MAY NOT be used for vehicle parking unless they are designated as a parking booth.

4. Illegally parked vehicles will be ticketed and/or towed at the owner's expense and may result in the loss of rented space(s).

5. Free vendor parking (with a vendor pass) is available in the City of Canton's Vendor parking lot located at the West Gate Entrance (off FM 859). Free vendor parking is limited to vendors that have selling spaces rented from the City of Canton.

6. Customer gate pass request forms are available upon request at the Log Cabin Office and the Main Gate Office. Vendors must complete a request and give it to the customer needing to enter the grounds to pick up merchandise. The customer will have 30 minutes to pick up the merchandise and then exit the grounds. Time will be documented on the pass when it is presented to the customer. Passes must be properly displayed where the information is visible.

7. Red pickup passes are not shopping passes!

8. Unauthorized use of vendor passes or gate passes is strictly prohibited. Violations may result in the loss of space(s)

F. Overnight Stays

Vendors are not allowed to spend the night in any rented space in the Trade Centers. This building was not intended to house vendors overnight, and there are no accommodations for same.

IV. Civic Center

A. Sales

1. Spaces in the Civic Center are reserved by application only. Applications may be obtained online at www.firstmondaycanton.com or in person at the Log Cabin.

2. Space rental inside the Civic Center shall be for the sale of antiques and collectibles only. No reproductions or new merchandise will be allowed. Eighty percent (80%) of the collectibles must be at least 20 years old. No merchandise currently available wholesale or retail is allowed. Management reserves the right to restrict the sale/and display or any items.

3. Each vendor is required to have a Texas Sales Tax Permit. Contact 800-252-5555 for more information on how to obtain a Texas Sales Tax Permit and the correct way to file for sales made in Canton.

4. Vendors should update the coordinator with any address changes. Proof of the new address will be required. Phone number updates can be made at either the Log Cabin office, Main Gate office, or by phone.

B. Space Rental

1. Spaces are rented on a monthly basis. To apply, an application must be submitted in person or mailed to First Monday, P O Box 665, Canton, TX 75103.

2. Rates in the Civic Center for First Monday weekend (including electricity in the booth) are as follows:

10' x 10'	$125.00
10' x 12'	$150.00
10' x 14'	$175.00

Vendors should check with the coordinator regarding pricing as some premium lots might have a higher rental rate.

3. Spaces may be reserved by phone. Payments may be mailed to First Monday, P.O. Box 665, Canton, TX 75103 or paid by credit card. A 3% transaction fee will be charged on all credit card payments.

4. To check on availability of spaces, call 903-567-6556 beginning Tuesday, one week after First Monday. Once a vendor has been given a permanent location, that vendor will have the first option to renew the space.

5. The deadline for space renewal is Friday following First Monday. Spaces will be released if payment is not received by the deadline. A vendor must pay renewal in order to hold the space. Management should be notified as soon as possible once a vendor decides not to renew.

6. Vendors must display and operate their assigned spaces EVERY First Monday weekend. Should there be a need for non-emergency absences, the vendors shall make arrangements to have someone set up and operate the vendor's booth with the approved vendor's merchandise. **Excessive absences may result in loss of space/spaces.**

7. Double end caps will not be rented to any one vendor.

8. Unauthorized sharing of space or sub-leasing by a vendor is prohibited.

C. Building Hours

Open to Vendors:	8:00 a.m. – 8:00 p.m.	Wednesday (setup only)
	7:30 a.m. – 6:30 p.m.	Thursday – Saturday (Thursday encouraged, but not required)
	7:30 a.m. – 8:00 p.m.	Sunday
	8:00 a.m. – 5:00 p.m.	Monday
Mandatory Hours:	9:00 a.m. – 4:00 p.m.	Friday - Sunday

1. All vendors must be set up by 8:00 a.m. Friday.

2. Vendors must remain open from 8:00 a.m. to 5:00 p.m. each day from Friday to Saturday and on Sunday from 9:00 a.m. to 4:00 p.m. Thursday is optional, however we do encourage vendors to be open on Thursday from 8:00 a.m. to 5:00 p.m.

3. All merchandise must be removed from the premises by 5:00 p.m. Monday. If extra time is needed for packing, longer hours are available on Sunday evening by request.

4. Preparation of any kind for early departure is against Civic Center policy. Vehicles should stay in designated parking spaces until after 4:00 p.m. on Sunday.

D. Set-Up and Displays

1. Vendors are responsible for maintaining attractive, orderly displays. Management has the right to monitor merchandise allowed in booths, as well as displays of booths.

2. All displays, merchandise and seating must remain within the designated lines of the leased space.

3. Building Fire Codes requires aisles and exits to be kept open and free from obstructions.

4. Management is not responsible for merchandise hung on wires provided by the City of Canton.

5. 8' or 6' tables and chairs may be rented from management for the weekend at $5 per table and $1 per chair, if ordered prior to the Friday before the show. After that date, tables are $10 each and chairs are $2 each. (City of Canton is not responsible for merchandise due to table breakage.)

   Tables ordered in advance will be at the designated space upon arrival.

6. Vendors are responsible for furnishing table covers. Tables must be draped to the floors.

7. No staples, tacks, nails, etc. will be used in the building's walls or on poles. Individuals are responsible for any damage they cause to the building (above normal wear and tear). Remember that tape, wire and leaning objects will damage paint. Please help us keep the building in good condition.

8. Vendors must us a 3-prong extension cord when utilizing electrical outlets. **Please turn off or unplug all lights, lamps, etc. every night.** Outlets are located on the walls or in the floor between every other space. Please keep all extension cords out of public walkways to avoid accidents.

9. Upon departure, all vendors are required to leave their space clean and their trash bagged.

E. Loading Zones

1. Any entrance may be used for loading and unloading on Wednesday, Thursday and after 4:00 p.m. on Sunday.

2. No vehicles are allowed to park or load on the East Side of the building beginning Friday morning until 4:00 p.m. Sunday. Vehicles may park next to the curbs during loading times only.

3. Parking on the concrete lot surrounding the building is for Civic Center vendors only. Parking for additional vehicles, trailers and oversized vehicles is available south of the building in the parking lot under the trees.

4. Fence line parking on the east side of the building is prohibited at all times.

5. Do not block driving lanes and allow space for dollies and carts to pass through entrances. Please only park at entrances and curbs long enough to get merchandise into the building. Carts are available at the doors for vendor use.

6. Vehicles illegally parked will be ticketed and/or towed at the owner's expense.

F. Vehicle Passes and Parking

1. Vendors will be issued parking passes each month for the purpose of identifying vendor vehicles. Each vehicle must have a pass visible when entering and while parked on the First Monday Grounds.

2. Each vendor will be allowed one vehicle pass per rented vendor space (maximum two per location). Parking for additional vehicles, trailers and oversized vehicles is available south of the building parking lot under the trees.

3. Merchandise Pick-Up Passes will be issued at the vendor's request. These passes are to be given to customers purchasing large or heavy merchandise, allowing them to drive to the Civic Center for the sole purpose of picking up their merchandise.

4. Unauthorized use of Vendor and Merchandise Pick-Up Passes is strictly prohibited.

G. Camping

1. Starting the Monday before First Monday, the northernmost row of the Civic Center parking lot is reserved for small campers, vans and trucks requiring electricity and water hook-ups. The space may be rented on a first come, first serve basis and the cost is $20 for six nights. Additional nights are available, if needed, for $5 per night. NO OVERSIZED VEHICLES ALLOWED.

2. Vendors may reserve RV space in the Canton RV Park on the West side of the building by calling (903) 567-6556 one month in advance beginning the Tuesday after First Monday weekend.

3. Cable is not included. For service, call East Texas Cable at 903-567-2260.

H. Building Security

1. The building is locked daily from 6:30 p.m. until 7:30 a.m. with a security guard on duty.

2. The City of Canton is not responsible for the loss or damage of any merchandise or property located on the premises. Merchandise left unattended is done so entirely at the owner's risk.

I. Overnight Stays

Vendors are not allowed to spend the night in any rented space in the Civic Center. This building was not intended to house vendors overnight, and there are no accommodations for same.

J. Building Restrictions

1. No smoking inside the building.

2. No alcoholic beverages in the building or on the premises.

3. No pets inside the building.

4. No vehicles inside the building.

5. Scooters are allowed in the building for the use of the handicapped or disabled only.

V. Dry Creek Landing

A. Sales

1. Spaces in Dry Creek Landing are reserved by application only. Applications may be obtained online at www.firstmondaycanton.com or in person at the Log Cabin.

2. Vendor space assignments are management decisions. Vendor space requests will be taken into consideration, but there is no guarantee.

3. Each vendor is required by Texas Law to have a Texas Sales Tax Permit. Contact 800-252-5555 for information.

4. Vendor spaces may not be subleased.

5. Payment for space renewals must be received no later than the Friday following First Monday weekend. Spaces not renewed by that date will result in a loss of the space.

6. Vendors should contact management in the event of any controversy.

7. Management reserves the right to reject applications, monitor merchandise and displays, and to decline renewal to any vendor not meeting the standards required.

B. Space Rental

1. Spaces are rented on a monthly basis. Space rental pricing may be reviewed annually.

2. Vendors should check with the coordinator regarding rent amounts. Space rent is figured by the amount of square feet rented.

3. To apply for a space, an application must be submitted. Once a vendor has been given a permanent location, that vendor has first option to renew the space for the next month.

4. Merchandise will be restricted to that which has been approved on individual applications. Management approval is required for any significant changes or additions to the type of merchandise originally accepted.

5. No refunds or transfers of payments will be allowed.

6. Vendors must display and operate their assigned space(s) every First Monday weekend. Should there be a need for a non-emergency absence, the vendor shall make arrangements to have someone set up and operate the vendor's booth with the approved vendor's merchandise.

7. Emergency absences will be handled on an individual basis; however, excessive absence cannot be tolerated.

C. Building Hours

Open to Vendors:	8:00 a.m.	Wednesday (set-up only) All day Thursday (not required)
Mandatory Selling Hours:	8:00 a.m. – 5:00 p.m.	Friday and Saturday
	9:00 a.m. – 4:00 p.m.	Sunday

Longer hours are encouraged

D. Set-Up and Displays

1. Interior walls, fixtures and extra electrical outlets will be at the cost of the vendor to standards pre-approved by management. Common wall costs are to be shared by vendors.

2. Permanent improvements and fixtures stay with the building.

3. Vendors are responsible for maintaining attractive, orderly displays.

4. Vendors are required to keep their booth and aisle in front of booth swept and clean. Upon departure, the assigned area must be clean and all trash bagged and placed in trash barrels located around the building. Walkways must be kept clear of vendor's merchandise.

5. Vendors must use a 3-prong extension cord when utilizing electrical outlets. Please turn off or unplug all lights and lamps every night. Please keep all extension cords out of public walkways to avoid accidents.

6. No HAWKING allowed.

7. No MARK DOWN signs allowed outside of the rented space.

8. Vendor's space must be stocked for selling during the show, unless otherwise approved. Exhibitors may take custom orders in addition to selling from at-show inventory, but not in lieu thereof. Vendor spaces must be attended at all times during the show.

9. Displays must be complete and open to the public during the above-listed mandatory operating hours.

10. Deliveries and loading / unloading are not permitted during mandatory operating hours.

E. Loading Zones

Unloading and removal of extra vehicles from the premises must be completed 30 minutes before the opening hour each morning.

F. Vehicle Passes and Parking

1. Paid parking spaces may be available to rent in the vicinity of Dry Creek Landing. Free parking with a vendor pass is available behind the Log Cabin office.

2. Pick up passes for shoppers to pick up their merchandise are available at the Log Cabin office. All vendors should fill out the gate passes so customers can ensure admittance on the grounds to pick up their merchandise.

3. Vendor passes will be issued each month for the purpose of identifying vendor vehicles. Vendor passes are not parking passes. The number of passes issued will be limited, and each vehicle must have a pass visible when entering and while parked in the First Monday Park.

4. No vehicles may be parked in front of any doors except for loading or unloading on designated set-up days. Parking is not allowed in front of the building during mandatory selling hours. Violators will be ticketed and/or towed.

5. Illegally parked vehicles will be towed and/or ticketed at the owner's expenses.

6. Unauthorized use of Vendor Passes or Gate Passes is strictly prohibited.

7. Vehicle and parking violations may result in fines and continued violations may result in loss of space.

G. Overnight Stays

Vendors are not allowed to spend the night in any rented space in Dry Creek Landing. This building was not intended to house vendors overnight, and there are no accommodations for same.

VII. RV Park

A. Reserved RV Spaces

1. The reserved RV area is located on Flea Market Road off Hwy. 64 west (west of the Canton Civic Center) and on Row 94 just inside the West Gate

Entrance. All of these sites are pull-through with full hook-ups.

2. Advance reservations will begin one month in advance beginning at 8:00 am on Tuesday following First Monday weekend. Reservations can only be made by calling 903-567-6556. There is a three-night minimum when making advanced reservations.

3. RV rentals are priced as follows:

Full Hookup	$35.00 per night for 30 amp $40.00 per night for 50 amp
Water/Electric Only Hookup	$25.00 per night

4. Payments are non-refundable and non-transferable.

5. Payments must be received in full by 5:00 p.m. Friday, one week before the show.

6. Sites may be renewed for the following month if paid by 6:00 p.m. Sunday during the show.

7. Requests for 10 or more spaces will be honored if:

   - They are received at least 30 days prior to the next month's RV Day
   - They are in writing (mail, email or fax)
   - Requests will be booked by the date order they were received
   - First Monday reserves the right to assign all spaces. We will attempt to fill "amp" requests within reason.
   - Any group found trying to "sell" extra reservations may be banned from future advance group reservations

8. Cable TV is not included. For service, call East Texas Cable 903-567-2260.

B. Unreserved RV Spaces

1. Unreserved RV areas are located inside the West Gate entrance off FM 859 (First Monday Lane). These spaces operate on a first come, first served basis.

2. Full-hook ups are located north (in front) of the Log Cabin. These spaces must be assigned prior to hooking up.

3. Water/electric hook-ups are south (behind) the Log Cabin. These spaces do not need to be assigned prior to hooking up. Once hooked-up, the camper will need to specify space # and pay at the Log Cabin.

4. RV rentals are priced as follows:

Full Hookup	$35.00 per night for 30 amp $40.00 per night for 50 amp
Water/Electric Only Hookup	$25.00 per night

5. Tow vehicles are required to park in the designated tow car areas.

6. Generators may be used for dry camping only.

C. Overflow RV Spaces

1. Overflow spaces are available should the need arise. Most overflow spaces are water and electric only. Overflow spaces are available along the fence on the east side of the water and electric behind the Log Cabin and in front of the Log Cabin, (along Row 94 in front of the A, B, & C Rows). All spaces must be assigned by a First Monday employee.

2. A dump station is located on the Flea Market Road entrance. For honey wagon services, contact the First Monday office for a phone number.

3. Generators may be used for dry camping only.

VIII. Food Vendors

A. Rules

1. Food concessions are rented for $200 for the first lot and $50 for each adjoining lot.

2. Food concession lots are required for any food item sold for immediate consumption.

3. Food concessions allowed on designated lots only.

4. All food items for immediate consumption (including bottled water and canned drinks) may only be sold from a food concession lot.

5. Giving bottled water, other drinks or food for donations is not allowed.

6. Food concessions must meet the State of Texas Health Department standards.

7. A food service permit from the Canton Health Department (located at 24980 Hwy. 64 East) is required for each concession stand and for vendors sampling food. All stands are subject to periodic inspections by the Canton Health Department.

8. A food concession lot cannot sell fresh produce (fresh produce is not a taxable item and may only be sold on open air lots or in buildings, but not from food concession lots).

9. Texas Cottage Food Law products may only be sold on open air lots or in buildings. First Monday reserves the right to determine the quantity amount requirements

10. An ABC Fire Extinguisher is required in all food concessions.

B. Set-Up Times

Food Vendors may set up and sell food starting at 12:00 p.m. on Tuesday, and Wednesday after 8:00 a.m.

IX. Tent & Table Vendors

A. All tent & table vendors must be approved

B. All tent & table vendors must carry liability insurance with the City of Canton named as the certificate holder (amounts range from $500,000 to $1,000,000 depending on how many services are offered by the vendor)

C. All tent & table vendors must rent at least two lots from the City of Canton

D. Set up times are as follows:

Monday	All tent and table vendors are required to call 903-567-6556 on Friday before the show if they are requesting earlier (Monday) set up times. Do not plan to start before Tuesday if permission has not been previously granted.
Tuesday	7:00 a.m. until dark – Tents may not be set up until mowing is completed by the City and the First Monday Operations Supervisor or Parks Operations Supervisor has given approval
Wednesday	8:00 a.m. until dark
Thursday	8:00 a.m. until dark
Friday	8:00 a.m. until 1:00 p.m.
Saturday	8:00 a.m. until 10:00 a.m.

Tear Down is Sunday after 5:00 p.m.

X. Building on the Grounds

A. How to Build on the Grounds

1. To be considered for approval to build on the grounds, a vendor must be an established vendor at First Monday for at least 12 months prior to submitting a building plan.

2. No individual buildings for vendors shall be built north of Row 94.

3. All building proposals must be approved in advance by the Canton City Council. Then the plans will be presented to the City of Canton's building inspector.

4. Once all the requirements have been met and approved in writing, the vendor can then obtain a lease with the City of Canton.

5. After the lease has been executed, permits can be issued and following the inspectors instructions, building may begin.

6. Building is only permitted in designated areas and only with prior City Council approval.

7. The City of Canton reserves the right to deny any request for any reason.

8. **We ask that the vendor spend no money on the building until a lease has been signed.**

B. Building Guidelines

1. Building owners may have access to their buildings throughout the month. They will be provided two gate passes per location.

2. Vendors who lease from a building owner (other than City owned buildings) will not be provided gate passes unless they rent parking (starting at $15 per month). Vendors will have access during the month to their building, and are not required to rent parking if they do not require ingress and egress during the show.

3. The vendor is responsible for the upkeep and maintenance of the building and premises at all times.

4. First Monday management reserves the right to inspect and require repairs, if needed.

5. A vendor may not remove the structure without prior written consent from the First Monday management.

6. Should a tenant give up or lose his/her lots, the structure may be removed by the vendor according to the process stated in the lease agreement.

7. Removal must pass inspection by First Monday management.

8. Restrictions are based on the lease agreement entered into with the City of Canton.

9. Vendors are responsible for having electric service run to their building with a meter in their own name prior to opening. They are also responsible for having any other utility run to their building that is needed to conduct business on City grounds.

10. Specifications

    a. Minimum lot size 480 sq. ft. (2 lots)

    b. Minimum road frontage setbacks of five feet and minimum property line setbacks of two feet.

    c. Metal structures or management's written approval of materials - If buildings are prefabricated (with engineering seal), they must have prior City approval.

d. Must be made with new and/or approved materials

e. Open all sides, 7' minimum clearance-

   (1) Partial side panels are permissible if minimum clearance met.

   (2) All eaves, overhangs, and doors (open or closed) must be inside lot boundaries.

f. All buildings must have a complete gutter system installed on the building prior to opening.

g. Constructed so as not to impede flood waters.

h. Tenant is required to maintain building and grounds to management standards.

i. Building colors are subject to written management approval.

j. Construction of the building must meet all structural and storage related requirements by FEMA.