



Gorge Days Vendor Packet

The Gorge Days Event Committee is proud to announce the annual Gorge Days Festival kicking off with the Patriotic Parade on Tuesday, July 4th. Events will continue Friday, July 7th through Sunday, July 9th, 2023 at North Bonneville City Park. We would love to invite you to participate in this event! The weekend includes local food and craft vendors, the Best Car Show by a Dam, community-wide garage sales, two days of live music and 21+ tent, and much more, all within our scenic Gorge community!

The maintenance fee for one 10x10 vendor space is just \$10 for the day. If you need electricity, the cost is an additional \$25 per day. Vendors must be to spots and beginning setup no later than 8:30 am. The official vendor start time is no later than 9 am, but you are welcome to open as early as you wish.

****See language on the last page for Business License (obtainable through DOR/BLS) and insurance requirements.****

We will provide park vendors:

A beautiful park setting for your display on Saturday- 9am to 10pm, and Sunday- 9am to 5pm
Electricity to a limited number of spaces for an additional cost of \$25.00 per day
Picnic tables and other seating areas for customers
Event marketing and promotion via web, posters, flyers, and print ads

The vendor should bring:

Their own tables, chairs, garbage bags, tents, canopies.. (No stakes, sandbags or weights only)
Signs, banners, and/or promotional materials if desired
Items for sale and servers, if necessary

To reserve your space today, please return your agreement and your check made out to City of North Bonneville for your vendor space/electricity no later than **June 16, 2023**.

Gorge Days Vendor Application

Applicant/Business Name: _____

Phone #: _____ Other Contact #: _____

Mailing Address: _____

Email Address: _____

License # of vehicle(s) conducting business(if applies): _____

Location(s) where you propose to do business: _____ CBD MALL AND NB CITY PARK _____

Description of the type(s) of goods to be sold: _____

Maintenance Fee (\$10 per 10X10 space/day) \$ _____

Electricity Needed (\$25/day) \$ _____

***Please make checks out to The City of North Bonneville**

Must provide proof (prior to event) of auto liability if in a vehicle (\$1,000,000) and general liability insurance (\$1,000,000), including product/completed operations coverage with an endorsement naming the City as an additional insured.

*Applicant shall defend, indemnify and hold harmless the City of North Bonneville, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of the use of the Premises, except only such injury or damage as shall have been occasioned by the sole negligence of the City of North Bonneville.

Applicant Signature: _____ Date: _____

If you have any questions, please contact Deanna Syron, Event Manager, at (360)949-3347 or gorgedaysfestival@gmail.com

Please see attached for additional information and requirements

Requirements and NB Municipal Code

5.06.030 License – Required. It is unlawful for an itinerant business operator or vendor to engage in business within the City of North Bonneville except when licensed as a stationary or mobile vendor in compliance with the provisions of this chapter. A separate license shall be required for each location of a stationary vendor and for each vehicle or other conveyance engaged by a mobile vendor. The licenses required by this chapter are separate from, and in addition to the general business license issued under Chapter 5.04 NBMC, which may also be required when applicable. (Ord. 1135, 2021; Ord. 1011, 2012) 5.06.040 Exemptions. The following activities, businesses, and/or persons, as such are commonly known, shall be exempt from coverage of this chapter, but this exemption shall not be construed to limit or restrict the application of other laws and regulations pertaining to such activities, businesses and/or persons: A. Newspaper couriers; B. Lemonade stands; C. Delivery or distribution of food, goods or products ordered or purchased by customers from a source or point of sale other than a mobile vehicle operated for the purpose of soliciting customers while travelling or while located on city streets or property; D. Delivery or distribution of food or goods by or for any not-for-profit organization, governmental agency, or other charitable organization, including without limitation Meals on Wheels and the Food Bank; and E. Concessionaires as defined in this chapter, except that concession agreements with the city shall include health, sanitation and insurance requirements generally conforming to those established for similar businesses and vendors covered by this chapter. (Ord. 1011, 2012)

5.04.020 Engaging in Business – Defined “Engaging in business” A. The term “engaging in business” means commencing, conducting, or continuing in business, and also the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators thereof hold themselves out to the public conducting such business. B. This section sets forth examples of activities that constitute engaging in business in the City, and establishes safe harbors for certain of those activities so that a person who meets the criteria may engage in de minimus business activities in the City without having to pay a business license fee. The activities listed in this section are illustrative only and are not intended to narrow the definition of “engaging in business” in subsection (A). If an activity is not listed, whether it constitutes engaging in business in the City shall be determined by considering all the facts and circumstances and applicable law. C. Without being all inclusive, any one of the following activities conducted within the City by a person, or its employee, agent, representative, independent contractor, broker or another acting on its behalf constitutes engaging in business and requires a person to register and obtain a business license. 1. Owning, renting, leasing, maintaining, or having the right to use, or using, tangible personal property, intangible personal property, or real property permanently or temporarily located in the City. 2. Owning, renting, leasing, using, or maintaining, an office, place of business, or other establishment in the City. 3. Soliciting sales. 4. Making repairs or providing maintenance or service to real or tangible personal property, including warranty work and property maintenance. 5. Providing technical assistance or service, including quality control, product inspections, warranty work, or similar services on or in connection with tangible personal property sold by the person or on its behalf. 6. Installing, constructing, or supervising installation or construction of, real or tangible personal property. 7. Soliciting, negotiating, or approving franchise, license, or other similar agreements. 8. Collecting

current or delinquent accounts. 9. Picking up and transporting tangible personal property, solid waste, construction debris, or excavated materials. 10. Providing disinfecting and pest control services, employment and labor pool services, home nursing care, janitorial services, appraising, landscape architectural services, security system services, surveying, and real estate services including listing of homes and managing real property. 11. Rendering professional services such as those provided by accountants, architects, attorneys, auctioneers, consultants, engineers, professional athletes, barbers, baseball clubs and other sports organizations, chemists, consultants, psychologists, court reporters, dentists, doctors, detectives, laboratory operators, teachers, veterinarians. 12. Meeting with customers or potential customers, even when no sales or orders are solicited at the meetings. 13. Training or recruiting agents, representatives, independent contractors, brokers or others, domiciled or operating on a job in the City, acting on its behalf, or for customers or potential customers. 14. Investigating, resolving, or otherwise assisting in resolving customer complaints. 15. In-store stocking or manipulating products or goods, sold to and owned by a customer, regardless of where sale and delivery of goods took place. 16. Delivering goods in vehicles owned, rented, leased, used, or maintained by the person or another acting on its behalf. D. If a person, or its employee, agent, representative, independent contractor, broker or another acting on the person's behalf, engages in no other activities in or with the City but the following, it need not register and obtain a business license. 1. Meeting with suppliers of goods and services as a customer. 2. Meeting with government representatives in their official capacity, other than those performing contracting or purchasing functions. 3. Attending meetings, such as board meetings, retreats, seminars, and conferences, or other meetings wherein the person does not provide training in connection with tangible personal property sold by the person or on its behalf. This provision does not apply to any board of director member or attendee engaging in business such as a member of a board of directors who attends a board meeting. 4. Renting tangible or intangible property as a customer when the property is not used in the city. 5. Attending, but not participating in a "trade show" or "multiple vendor events". 6. Conducting advertising through the mail. 7. Soliciting sales by phone from a location outside the City. E. A seller located outside the City merely delivering goods in the City by means of common carrier is not required to register and obtain a business license, provided that it engages in no other business activities in the City. Such activities do not include those in subsection (D.). The City expressly intends that engaging in business include any activity sufficient to establish a nexus for purposes of applying the license fee under the law and the constitutions of the United States and the State of Washington. Nexus is presumed to continue as long as the taxpayer benefits from the activity that constituted the original nexus generating contact or subsequent contacts. (Ord. 1108, 2018)

5.04.030 License required. A. No person shall engage in any business or business activity as defined in Sec. 5.04.020 within the City without first being issued a Business License. B. Each person engaging in any business or business activity shall register with the City prior to commencing business in North Bonneville as provided in this chapter. C. A Business License is not transferable. A person acquiring an existing business in the City must obtain a new Business License prior to commencing business in the City under the acquired business. D. The Business License must be displayed in a conspicuous place on the premises identified on the License. E. This Section applies regardless of whether a fee is owed for obtaining a Business License as provided in this Chapter. F. A separate Business License must be obtained for each

separate location within the City at which the business is conducted. A separate Business License must be obtained for each different and discrete business conducted by any person, whether at the same location, within the City, as another licensed business, or at a different location within the City. G. To the extent set forth in this section, the following persons and business shall be exempt from the registration, license and/or license fee requirements outlined in this Chapter: 1. Any person or business whose annual value of products, gross proceeds of sales or gross income of the business in the City is equal to or less than \$2,000 and who does not maintain a place of business within the City shall be exempt from the general business license requirements of this Chapter. The exemption does not apply to regulatory license requirements or activities that require a specialized permit. 2. Bona fide religious organizations, as are automatically qualified for a federal tax-exemption under 26 USC § 501(c)(3), are exempted from all licensing requirements of this chapter but only while conducting their core religious services. All other non-profit organizations, including religious organizations conducting business activities outside of their core religious services, are still required to apply for and obtain a valid Business License and comply with all other provisions of this chapter. Provided, however, nonprofit organizations recognized by the Federal Government as a taxexempt organization under a provision of 26 USC § 501(c), and submitting proper documentation of such federal tax exemption, are exempted from the requirement to pay City business license fees associated with the issuance of a Business License as required by this Chapter. Applicants are required to provide one of the following: a. Form 1023, Application for Recognition of Exemption; or b. IRS Determination Letter; or c. IRS Affirmation Letter However, non-profit organizations are still required to apply for and obtain a valid Business License and comply with all other provisions of this Chapter. (Ord. 1133, 2021; Ord. 1108, 2018; Ord. 628 § 3 (¶ 1, 4), 1988) 5.04.035 Application for Business License. Application for the City business license is made through the Business Licensing Service, and must include all information required for all licenses requested, the total fees due for all licenses, and the application handling fee required by RCW 19.02.075. (Ord. 1133, 2021)