



ADDENDUM TO RENTON FARMERS MARKET FARMER/PROCESSOR/PREPARED FOOD 2022 APPLICATION TO SELL FOR WINERY/BREWERY VENDORS PROVIDING ALCOHOL SAMPLING ON-SITE

Market Vendor agrees to comply with WAC 314-20-018 and 314-24-175, provided below, and as may be subsequently amended, and all other applicable laws, rules, guidelines or requirements regarding alcohol sampling* at the Renton Farmers Market (RFM). If Renton, at its sole discretion, determines that the sampling is not a good fit with the RFM, Renton may terminate the alcohol samplings with a minimum of one day's written notice (by letter, fax, or electronically) to the participating Market Vendor. Termination for alcohol sampling may be for one or all of the participating Market Vendors. There shall be no recourse for the Market Vendor as alcohol sampling is not a guaranteed RFM event.

Market Vendor's failure to comply with any requirement of this Addendum or the underlying Application (hereinafter "Agreement") will cause the sampling of alcohol from the Market Vendor to cease immediately. Additionally, the RFM will require the on-site servers to display valid MAST permits each market day.

Market Vendor must have complimentary food available for the duration of the alcohol sampling for consumers to eat or the alcohol sampling shall cease. Any issues on the day of sampling will be decided by the Market Manager and all decisions will be final and without recompense if alcohol sampling is ordered to cease.

In order to provide on-site alcohol sampling, Market Vendor agrees to comply with all terms of this Agreement and the following insurance provisions:

The Market Vendor shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the acts or omissions of the Market Vendor, and any Market Vendor agent, representative, employee, subcontractor, or volunteer. Market Vendor's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of the Market Vendor to the coverage provided by such insurance, or otherwise limit Renton's recourse to any remedy available at law or in equity.

The Market Vendor shall provide written evidence of the following insurance coverage to Renton's Risk Manager:

Commercial General Liability ("CGI") insurance with limits no less than \$1,000,000 for each occurrence and \$2,000,000 aggregate. The policy must specifically state that Market Vendor has Liquor Liability coverage for off-site alcohol events.

A copy of the Certificate of Insurance naming the City of Renton as a noncontributing additional insured shall be provided to Renton before the contract is finalized. The Certificate of Liability should state that the CGI policy covers the City of Renton for all dates of the market year that the vendor attends and includes Liquor Liability coverage. Renton reserves the right to request certified copies of any required insurance policies or increased limits if Renton determines that increased limits are justified. The Market Vendor's insurance shall be primary insurance with respect to Renton and any payment of deductible or self-insured retention shall be the sole responsibility of the Market Vendor. Please note that the City of Renton's insurance requirements do not constitute advice on insurance coverage. Market Vendors are responsible for insurance coverage in limits that are adequate for their own liability protection.

The Market Vendor shall provide Renton with written notice of any policy cancellation or alterations, within two business days of their receipt of such notice.

Failure on the part of the Market Vendor to maintain the insurance as required shall constitute a material breach of this Agreement, upon which Renton may, after giving five business days' notice if possible to the Market Vendor to correct the breach, immediately terminate this Agreement in part or its entirety.

WAC 314-20-018 Farmer's market beer and wine sampling.

(1) To conduct beer and wine tasting at a farmer's market, the following criteria must be met:

- (a) The farmer's market must be authorized to allow breweries, microbreweries, and wineries to sell bottled wine and/or beer at retail.
- (b) The farmer's market must hold an endorsement to allow sampling of beer and wine or both.
- (c) A brewery, microbrewery, or winery offering samples at a farmer's market must have an endorsement from the board to sell beer or wine of its own production at a farmer's market (see RCW 66.24.170, 66.24.240, and 66.24.244).
- (d) No more than three breweries, microbreweries, or wineries combined may offer samples at a qualifying farmer's market per day.
- (e) A brewery, microbrewery, or winery may advertise that it offers samples only at its designated booth, stall, or anywhere within the farmer's market.

(2) Samples of beer or wine may be offered only under the following conditions:

- (a) Each sample must be two ounces or less, up to a total of two ounces per customer per day.
- (b) Beer and wine samples are to be conducted at the booth or stall of the brewery, microbrewery, or winery with a barrier at least forty-two inches in height, where licensees are able to observe and control customers participating in the samples. The barriers may be moveable (an example would be ropes and stanchions).
- (c) A brewery, microbrewery, or winery must have food available for customers to consume while sampling beer or wine, or must be adjacent to a vendor offering prepared food.
- (d) Customers must remain in the designated sampling area while sampling beer or wine.
- (e) Brewery, microbrewery, or winery employees serving beer or wine during sampling events must hold a valid MAST permit.
- (f) The brewery, microbrewery, or winery is required to send a list of scheduled beer and wine samplings to the liquor control board at MIWenforce@liq.wa.gov at the beginning of each month. The date for each beer and wine sampling must be included.
- (g) The farmer's market is also required to send a list of scheduled beer and wine samplings to the liquor control board at MIWenforce@liq.wa.gov at the beginning of each month. The date for each beer and wine sampling, and the names of the brewery, microbrewery, and winery providing the samples must be included.
- (h) The farmer's market is required to provide a sketch to the licensing division of the area where beer and wine samples will be conducted and to any adjacent food booths.

WAC 314-24-175 Farmer's market beer and wine sampling.

(1) To conduct beer and wine tasting at a farmer's market, the following criteria must be met:

- (a) The farmer's market must be authorized to allow breweries, microbreweries, and wineries to sell bottled wine and/or beer at retail.
- (b) The farmer's market must hold an endorsement to allow sampling of beer and wine or both.
- (c) A brewery, microbrewery, or winery offering samples at a farmer's market must have an endorsement from the board to sell beer or wine of its own production at a farmer's market (see RCW 66.24.170, 66.24.240, and 66.24.244).
- (d) No more than three breweries, microbreweries, or wineries combined may offer samples at a qualifying farmer's market per day.
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- (d) Customers must remain in the designated sampling area while sampling beer or wine.
- (e) Brewery, microbrewery, or winery employees serving beer or wine during sampling events must hold a valid MAST permit.
- (f) The brewery, microbrewery, or winery is required to send a list of scheduled beer and wine samplings to the liquor control board at MIWenforce@liq.wa.gov at the beginning of each month. The date for each beer and wine sampling must be included.
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- (h) The farmer's market is required to provide a sketch to the licensing division of the area where beer and wine samples will be conducted and to any adjacent food booths.

By checking this box and typing my name below, I acknowledge that I am affixing my electronic signature(s) to this document.

RFM REGULATIONS: I have read the above addendum. My signature below indicates that I agree to abide by all policies and procedures of the Renton Farmers Market, this Agreement, and all applicable laws.

SIGNATURE: _____ DATE: _____

Printed Name of Person Signing Above (Must be 18 years of age or older)

COMPANY / BOOTH NAME

PUBLIC RECORDS DISCLOSURE NOTICE Signatory acknowledges that the City is an agency governed by the public records disclosure requirements set forth in Chapter 42.56 RCW; therefore, all documents/information furnished to the City may be subject to disclosure – unless exempted by law.

* To comply with Public Health Seattle-King County COVID-19 regulations, RFM may be required to alter plans to sample food or alcohol. Vendors should watch for possible changes to these regulations as the 2022 season progresses.