



**CITY OF SAN ANTONIO**  
**POLICY AND GUIDELINES FOR**  
**MARKET SQUARE**  
**WORKING ARTISTS PROGRAM**

**REGISTRATION:**

Registration of all Working Artists, Craftsmen, Photographers and Shoe Shine Persons will be conducted on an annual basis. All Working Artists, Craftsmen, Photographers and Shoe Shine Persons interested in temporary outdoor vending may apply in person on the Tuesday of the second week of each January. Final approval and placement of Working Artists, Craftsmen, Photographers and Shoe Shine Persons will be determined upon the type of handcrafted merchandise and on a space available basis.

All persons registering will be required to bring the following:

- A properly filled out application and*
- For Working Artists/Craftsmen: All products to be considered for sale in the plazas of the Market Square area.*
- For Photographers & Shoe Shine Persons: Only application is necessary.*

**APPROVAL CRITERIA:**

The type of handcrafted merchandise, the ability of the Working Artists, Craftsmen, Photographers and Shoe Shine Persons to be at Market Square a minimum of six (6) continuous months, as well as payment history, will be part of the criteria for approval.

**GENERAL:**

**I. WORKING ARTIST/CRAFTSMEN**

In general, Working Artists/Craftsmen will be approved based on the handcrafted merchandise and/or products to be sold. Once the Market Square Facilities Operations Coordinator has approved the merchandise and/or product line, there can be no addition of new merchandise and/or products. Any additions are strictly prohibited and will be cause for termination of set-up privileges. Inspection of merchandise and/or products for sale will be conducted frequently to ensure compliance of criteria.

**II. PHOTOGRAPHERS AND SHOE SHINE PERSONS**

Photographers and Shoe Shine Persons will be approved on a space available basis.

All persons approved to set-up on a temporary basis in the plaza areas of Market Square will comply with all criteria and regulations.

## **TEMPORARY VENDING ITEM RESTRICTIONS:**

The following items are restricted from being sold in any area of Market Square during any time of the year and during any outdoor event.

1. Novelties, souvenirs, posters or similar items. The decision of what constitutes a novelty, souvenir or similar item is based on the generally accepted definition and the decision of the Market Square Facilities Operations Coordinator is final.
2. Piñatas and Mexican curios. The decision of what constitutes Mexican curios is based on the generally accepted definition and the decision of the Market Square Facilities Operations Coordinator is final.
3. No laser/computer photographs or stationery photographers.
4. Canned beverages and mobile raspa vending.
5. "Poppers" and "Match-Stick" fire crackers.
6. Any type of clothing apparel, to include all and any types of dresses, shirts, blouses, hats, and/or tee shirts.
7. Any type of clothing accessory or accessory item will not generally be permitted to be sold unless the clothing accessory or accessory item is handcrafted, as per the definition of Working Craftsmen.
8. Solicitation in the areas of Market Square at any time is restricted by the Market Square Facilities Operations Coordinator.
9. Jewelry  
EXCEPTION: Persons who use raw and natural products which have not been commercially pre-altered or pre-modified in any way, and who do not use pre-manufactured components, pre-cast pieces, cast hand-crafted every component of the jewelry piece, and who will demonstrate their craft on premise.

## **DEFINITION OF WORKING ARTIST/CRAFTSMEN:**

Working Artists/Craftsmen is defined as:

Those persons using raw and natural products, which have not been commercially pre-altered or pre-modified in any way, and who do not use pre-manufactured components, pre-cast pieces, to include findings, and who hand craft every component of their product, and who demonstrate their craft on premise at all times.

**DEFINITION OF ARTISANS:**

Artisans are defined as: Portrait artists, painters, sketch artists and brass initial ring makers.

**NON-DUPLICATION– WORKING ARTISTS/CRAFTSMEN PRODUCT:**

Market Square is mandated to not duplicate merchandise offered in the Mercado and the Farmers Market Plaza buildings. EI

**RENTAL RATES:**

Rental rates for Working Artists/Craftsmen will be:

\$ 25.00 Daily  
345.00 Monthly (30 days)

Rental rates for Photographers and Shoe Shine Persons will be:

\$ 6.25 Daily  
125.00 Monthly

**All fees must be paid in full on the TUESDAY prior to set up date(s). Payment can be either mailed in or hand delivered to the Market Square Office during the following hours: 9:30am-11am and 2pm-4pm. Payments should be made in check or money order to the City of San Antonio. Cash will not be accepted. Payments will not be entitled to inclement weather credit.**

**LIABILITY INSURANCE REQUIREMENT**

All Working Artists, Craftsmen, Photographers and Shoe Shine Persons must provide to the City an original completed Certificate of Insurance, which shall be completed by an agent authorized to bind the vendor and their company to the required coverage, limits, and termination provisions

- o Commercial General Liability (Broad Form), which will include Products and Completed Operations, Independent Contractors in the amount of \$500,000 per occurrence for Bodily Injury and Property Damage.

All insurance contracts and Certificate of Insurance shall name the City and its officers and employees as additional insured as respects operations and activities of, or on behalf of, the named insured and shall provide that the coverage for the named insured shall be primary and non-contributory as to any insurance available to the City as an additional insured.

## **CRIMINAL BACKGROUND CHECK**

1. All Working Artists, Craftsmen, Photographers and Shoe Shine Persons are required to submit a completed criminal background investigation as part of the application process.
2. The criminal background investigation shall include local, state, and federal records.
3. Working Artists, Craftsmen, Photographers and Shoe Shine Persons must request completion of the criminal background check in person at the San Antonio Police Department records division located at 214 W. Nueva, Room 123 Monday through Friday from 8:00 a.m. to 4:00 p.m., except for City Holidays.
4. Working Artists, Craftsmen, Photographers and Shoe Shine Persons must complete and provide a consent form to San Antonio Police Department (SAPD) records division at time of request.
5. Working Artists, Craftsmen, Photographers and Shoe Shine Persons shall be responsible for all costs or fees associated with this criminal background investigation. All fees are non-refundable. Applicable fees and payment restrictions can be obtained by contacting SAPD Identification Division at 210-207-7605. Separate fees are payable as follows:
  - 5.1 \$25 payable to the City of San Antonio. Money orders only will be accepted.
  - 5.2 \$15 payable to the Texas Department of Public Safety. Money orders only will be accepted.
  - 5.3 \$18 payable to the U.S. Treasury Department. Money orders only will be accepted.
6. Working Artists, Craftsmen, Photographers and Shoe Shine Persons are advised that a criminal background investigation may take up to 45 days for completion of the federal records check, and it is the working artists, non-contracted street performers and shoe shine persons responsibility to provide said completed criminal background check for the application to be complete.
7. The Downtown Operations Department will consider an application complete with the submission of Local criminal background check and a Clearance Letter provided by SAPD.
8. The requirement to submit completed State and Federal criminal background checks shall continue for each approved Working Artists, Craftsmen, Photographers and Shoe Shine Persons.

9. Working Artists, Craftsmen, Photographers and Shoe Shine Persons acknowledge and agree that criminal conviction for any felony offense, any sexual offense including misdemeanors, offense to a child including misdemeanors, any offense requiring registration as a sexual offender will result in denial of application, without limitation.

10. In the event that a criminal conviction as stated in the above is discovered during the approved permit period, said Working Artists, Craftsmen, Photographers and Shoe Shine Persons shall immediately lose their permit, as well as forfeit any and all fees paid to the City.

### **REGULATIONS:**

1. All Working Artists, Craftsmen, Photographers and Shoe Shine Persons must pay the current set-up fee a day PRIOR to setting up in the plaza areas. Fees are paid in the Main Office of Market Square. All Saturday/Sunday and Holiday fees must be paid the previous Friday before 4:30 p.m. or name will not appear on the Approved List of Vendors and will not be permitted to set up.

2. A security officer will verify all permits and approved working artists. If name does not appear on Approved List or vendor does not have proper permit, set up will not be permitted - **no exceptions**.

3. Set-up during special events listed on the Market Square Special Events Calendar (including Fiesta Week and Primer Sabado) will be restricted. Vendors need to check with Market Square office prior to scheduled events and Fiesta week.

4. Set-up must be taken down no later than 6 p.m. the day prior to a special scheduled event to accommodate event set-up.

5. Approved Working Artists, Craftsmen, Photographers and Shoe Shine Persons will be allowed to set-up at 10 a.m. daily. No vending will be allowed before 10 a.m. or after 10 p.m.

### **VENDOR INFORMATION:**

1. A clean, well-groomed appearance. No offensive or political statements on clothing will be tolerated.
2. The use of offensive and/or abusive language (cursing and being argumentative) will not be tolerated.
3. There will be no consumption of any type of alcohol (beer, wine, wine coolers, hard liquor), while working.
4. No loud arguments with employees, fellow working artists, and especially, visitors to the area, will be permitted.

5. Under no circumstances will there be destruction to City property, including but not limited to fences, trees, plants, shrubs, flowers, pavers, building walls, electrical outlets, tree grates, etc.
6. No solicitation or hawking allowed.
7. Vendor space cannot be unattended.

### **SET-UP LOCATIONS:**

1. Locations are not to be considered permanent and are subject to change by the Market Square Facilities Operations Coordinator.
2. Each Working Artists, Craftsmen, Photographers and Shoe Shine Persons must set-up in the assigned location as approved by the Market Square Facilities Operations Coordinator.
3. No one Working Artists, Craftsmen, Photographers and Shoe Shine Persons will be permitted to take another vendors' location without that person's consent or by notification from the Market Square Facilities Operations Coordinator.
4. The approved set-up space for a Working Artists/Craftsmen shall not exceed 10x10 sq. ft and must be presentable, clean and clear of clutter.

### **GUIDELINES FOR EQUIPMENT SET-UP:**

Each Working Artists/Craftsmen must comply with the following guidelines upon approval of the application. Compliance of said guidelines is essential to the Working Artists program and the Market Square area in order to maintain a clean, uniformed and professional appearance of all set-up locations.

1. Set-up tables must be a folding type of a standard brown or white color.
2. Size of folding table must not exceed 8 ft. long.
3. Set-up chairs must be a folding type of a standard brown, gray or white color.
4. Set-up tables and chairs must be within the approved 10x10 sq. ft. area.
5. Tents: WHITE tents no larger than 10x10 sq. ft. are allowed for set-up.
6. Umbrellas: COLORFUL umbrellas are allowed for set-up. Umbrellas must be secured to table during set-up.

**STORAGE OF EQUIPMENT:**

All equipment must be removed from approved location on a daily basis. Failure to comply will result in termination of program participation. The Market Square office is not responsible for the storage and/or securing of any equipment belonging to a working artists, ring maker, shoe shine persons or non-contracted street performers. Storage space is not available for any type of equipment.

**TERMINIATION:**

The approval to set-up as a Working Artists, Craftsmen, Photographer and Shoe Shine Person is non-assignable and any attempt to assign this approval will terminate all rights and privileges granted to the artist.

Working Artists, Craftsmen, Photographers and Shoe Shine Persons may lose their set-up privileges in the areas of Market Square for a 12-month calendar period. Reasons for losing set-up privileges are:

1. Failure to pay in advance of setting-up.
2. Any violations of the Preferred Behavior regulations.
3. Any violation of the Set-Up locations regulations.
4. The addition of any merchandise/product without Market Square Facilities Operations Coordinator's written permission.
5. Number and severity of written complaints from the public, and/or fellow working artists.
6. Any violation of the storage regulations.

I have read and understand the above rules and regulations, which apply to the Market Square Working Artists Program. I understand that all approved Working Artists, Craftsmen, Photographers and Shoe Shine Persons must comply with said regulations.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_