



City Clerk's Office, 9229 W Loomis Rd, Franklin, WI 53132
(414) 425-7500

Transient Merchant Permit Application

St Martin's Fair 2023

September 3 & 4, 2023

St. Martin's Fair Food Vendors:

Enclosed are the application forms for St. Martin's Fair 2023. Also enclosed is a Transient & Mobile Food Vendor Information Sheet. This form and fee structure correspond to the current Wisconsin Department of Agriculture Trade & Consumer Protection (DATCP) licensing of transient and mobile food vendors. If you have questions specific to food sales, please contact the Franklin Health Department at (414) 425-9101.

Please note that there has been a change of date to which a late fee will apply. The deadline for application materials is now Thursday, August 31st, at 5:00pm.

You must complete and return ALL pages to this office with the correct fee. A notary public is available at the City Clerk's Office at no charge. Non-notarized applications will be returned.

Permit applicants must provide full name, address and Wisconsin Seller's Permit number. If you do not have a Wisconsin Sellers Permit, a social security number or federal employer identification number is required on the Wisconsin Temporary Event Vendor Information form.

Wisconsin Seller's Permits may be obtained by contacting:

State of Wisconsin Department of Revenue

819 N. 6th Street, Room 408

Milwaukee WI 53203

Phone (608)266-2772

For information and forms, go to <http://www.revenue.wi.gov>

The City does not provide spaces for your booth at the Fair, nor does it keep a list of available spaces. You are responsible for contacting landowners in the Fair area. The permit issued by the City of Franklin is for a maximum of 30' frontage. Additional space is available for an extra fee.

All out-of-state vendors are required to pay by cash, money order, or cashier's check if payment is made less than three weeks prior to the Fair.

If you have any questions, please call this office at (414) 425-7500.

Checklist of Materials to Return:

- Transient Merchant Permit Application (front/back)
- Wisconsin Temporary Event Vendor Information form (S-240)
- St. Martin's Fair Mobile & Transient Inspection Application (front/back)
- General Permit Requirements for All St. Martin's Fair Transient Merchants
- Copy of non-expired State Identification or Driver's License

License Year: 2023

Merchandise

Food



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Transient Merchant Permit Application
St Martin's Fair 2023
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- 15 Feet \$90 00
- 30 Feet \$180 00
- Additional Feet Beyond 30' (\$5/ft) - \$5 00 x _____ ft = \$ _____
- Late Fee (**Applies after 5:00pm on Thursday, August 31st, 2023**) \$100 00

Total \$ _____

Applicant Name _____
(First) (Middle) (Last)

Date of Birth _____ Age _____ Place of Birth _____

Home Address _____
(House Number & Street) (Apt/Unit #)

(City) (State) (Zip Code)

Phone Number: _____ Email _____

List Aliases, Maiden, or Previous Name(s) Used _____

How long have you lived at the above address? _____ (If less than a year, please list your previous address) _____

List any other state(s) you have resided, other than Wisconsin _____

Business/Corporation Name _____

Business Address _____
(if different than above) (House Number & Street) (Apt/Unit #)

(City) (State) (Zip Code)

Please list ANY arrests, convictions, and pending charges of any violation of law by any court of law (include ALL local, state, and federal), list relevant dates, details, and dispositions. If you have never been arrested or charged with a crime, please indicate not applicable (N/A)

Vehicle used for conducting business

Year _____ Make _____ Model _____ State/License Plate # _____ / _____

Type of Products or Services to be Sold (be Specific) _____

****If you are selling any type of food product, you MUST speak with the Health Department and then complete and return a Transient & Mobile Vendor Information form****

Wisconsin Seller's Permit Number _____

Location (Address) of Space Rented _____ Franklin, WI 53132

State of Wisconsin)

Milwaukee County)

I, (PRINT FULL NAME HERE) _____ AM THE PERSON NAMED IN THE PRECEDING APPLICATION I HAVE ACCURATELY TO THE BEST OF MY KNOWLEDGE COMPLETED THE APPLICATION AND UNDERSTAND THAT ANY FALSE OR OMITTED INFORMATION MAY LEAD TO DENIAL OR REVOCATION OF MY TRANSIENT MERCHANT PERMIT ADDITIONALLY I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE APPLICATION AND AUTHORIZE THE CITY OF FRANKLIN TO CONDUCT A BACKGROUND CHECK OF MY NAME

APPLICANT UNDERSTANDS AND AGREES THAT THIS PERMIT IS NOT TO INSURE NOR INDEMNIFY AND SHALL NOT BE CONSTRUED AS SUCH APPLICANT FURTHER AGREES THAT APPLICANT WILL INDEMNIFY AND HOLD HARMLESS THE CITY OF FRANKLIN FOR ANY & ALL CLAIMS ARISING FROM THE SERVICE OR GOODS PROVIDED UNDER THIS APPLICANT OR PERMIT

APPLICANT FURTHER UNDERSTANDS AND AGREES THAT APPLICANT APPOINTS THE MUNICIPAL CLERK OF THE CITY OF FRANKLIN TO ACCEPT SERVICE OF PROCESS IN ANY CIVIL ACTION BROUGHT AGAINST THE APPLICANT ARISING OUT OF ANY SALE OR SERVICE PERFORMED BY THE APPLICANT IN CONNECTION WITH THE DIRECT SALES ACTIVITIES OF THE APPLICANT IN THE EVENT THAT THE APPLICANT CANNOT AFTER REASONABLE EFFORT BE SERVED PERSONALLY " CODE OF THE CITY OF FRANKLIN §237 4 D

(Sign only before a Notary Public)

Applicant Signature
(Must be Witnessed & Notarized)

SUBSCRIBED & SWORN TO BEFORE ME THIS

_____ Day of _____, 20_____

Notary Public County of Milwaukee State of Wisconsin

My Commission Expires _____

Seal

Office Use Only
Required Application Materials
 Application(s)
 Permit Fees
 Copy of WI Driver's License/State ID Card
 General Permit Requirements
 WI S-240 Form

WISCONSIN TEMPORARY EVENT VENDOR INFORMATION FORM

Form S-240

A. Wisconsin Temporary Event Report Instructions

Vendor Information

- **Wisconsin Seller's Permit Number:** A Wisconsin seller's permit number has 15 digits and begins with 456 (456-xxxxxxxx-xx). Sellers may apply for a Wisconsin seller's permit at tap.revenue.wi.gov/btr
- **SSN and FEIN:** The last 4 digits of the SSN are required. If the vendor has a FEIN, enter both numbers.
- **Exemption Code:** If the vendor claims an exemption from collecting and remitting sales tax, enter the exemption code number. Exemptions are limited to the following four reasons:
 - 1 **Exempt sales only or display only:** Exempt sales refers to nontaxable sales. Display only refers to a vendor advertising goods and services but not selling merchandise.
 - 2 **Multi-level marketing (MLM) company pays sales tax:** Multi-level marketing companies are those companies that sell their products through distributors. The department regards the multi-level marketing company as a retailer required to remit sales tax on sales to its distributors. Distributors for such companies may use this exemption code if the distributor only sells products for which the multi-level marketing company has already collected and remitted Wisconsin sales tax on the retail sales price of the products.
 - 3 **Nonprofit occasional sales exemption:** Sales by nonprofit organizations may qualify for exemption from Wisconsin sales and use tax. Refer to Fact Sheet 2106 or Publication 206, Sales Tax Exemption for Nonprofit Organizations, for more information.
 - 4 **Occasional sales exemptions:** A person is not required to hold a Wisconsin seller's permit if the person's taxable sales are less than \$2,000 in a calendar year. Refer to Publication 228, Temporary Events, for more information.
- **Legal Business Name:** If the vendor is a sole proprietor leave blank.
- **Doing Business As (DBA) Name:** The name commonly used by the business if different than the legal business name. Leave blank if not applicable.
- **Vendor/Contact Name:** Vendor's first and last name are required.
- **Mailing Address:** We may send confidential information to this address.
- **Email address and phone number:** Contact information for the vendor selling at the event.
- **Multi-Level Marketing Company Name:** Required if claiming exemption code 2. Enter name of company that remitted the tax.

B. Required S-240 Reporting Data

If the vendor does not have a Wisconsin seller permit number and claims their sales are tax exempt, enter the exemption code number provided by the vendor:

- | | |
|--|--|
| 1 – Exempt sales only or display only | 3 – Nonprofit occasional sales exemption |
| 2 – Multi-level marketing company pays sales tax | 4 – Exempt occasional sales |

Wisconsin Seller's Permit Number (15 digits starting with 456) 456- -		SSN (last 4 digits)	FEIN (last 4 digits)	Exemption Code
Legal Business Name (if not proprietor)		Doing Business As (DBA) Name (if applicable)		
Vendor Contact Name (Last)	Vendor Contact Name (First)		Vendor Phone Number	
Mailing Address		Email Address		
City	State	Zip	Multi-Level Marketing Company (if Code 2 above)	

Name of Food Stand:			Contact Person:
Address:			Certified Food Manager:
City:	State:	Zip:	Phone:
Name of Event:			Email:
Dates of Event:			

FOOD PREPARATION AND MENU

- Menu: Only food items listed below will be approved to serve. Approval for any changes must be requested at least two (2) business days before the event.
- Temperature Control: Any food found in the Danger Zone above 41°F and below 135°F will be discarded.

No home prepared foods are allowed.

All foods must come from a commercial approved source or a licensed facility.

Any questions - Call the Franklin Health Department at (414) 425-9101

MENU: Complete the table below. List all foods, beverages, and condiments that will be served. Use additional paper as needed.

Food Item	How purchased at store? (raw or pre-cooked)	Prepared in Booth or Approved Kitchen?	Transport item hot or cold? What type of equipment for transport?	Cold holding equipment used at event? (41°F or below)	Cooking/reheating equipment used? Final cook/reheat temperature?	Hot holding equipment used? (135°F or above)
<i>Example: Hamburger</i>	<i>Raw</i>	<i>Booth</i>	<i>Cold/ Ice Chest</i>	<i>Ice Chest</i>	<i>Grill 155°F</i>	<i>Grill/Steam Table</i>

Where will food be purchased? (Examples: Walmart, Pick 'N Save, Reinhardt, etc.)

I, the applicant, understand that the:

- City of Franklin field inspection report is required to operate in the City of Franklin.
- Permit to operate may be suspended or revoked if serious conditions exist.
- Inspection fees cannot be accepted by environmental health specialists in the field.
- Inspection fees are not refundable.
- Fees must be submitted 48 hours in advance to avoid the late fee.

I certify that I am familiar with the Temporary Food Service Requirements - as required in the Wisconsin Food Code and the above establishment will be operated and maintained accordingly.

APPLICANT SIGNATURE

DATE

Are you currently licensed as a Mobile or Transient Food Vendor?

Yes – Please fill out the sections below and return this form, a copy of your current license, and payment to the City of Franklin Health Department.

No – Please return this form to the City of Franklin Health Department (see address below) and **contact us at (414) 425-9101** to obtain a **Local Temporary Food License**

Location of License:	Name of Service Base:
License Type:	License Number:
Address:	

***An original current license must be presented and available at all events.**

Inspection Fee Schedule for St. Martin's Fair	
<input type="checkbox"/> Transient/Mobile Retail Not Serving Meals.....\$40	<input type="checkbox"/> Transient/Mobile Retail Serving Meals.....\$75
<input type="checkbox"/> Late Fee (less than 48hrs. Prior to event).....\$100	
<i>Not for profit organizations should discuss permitting requirements for exemption with the Environmental Health Specialist.</i>	
<i>Submit the completed application and inspection fee in the form of check or money order payable to:</i>	

City of Franklin
Health Department
9229 W. Loomis Rd
Franklin, WI 53132
(414) 425-9101

PLEASE INCLUDE A COPY OF YOUR CURRENT LICENSE WHEN SENDING BACK THIS APPLICATION.

**GENERAL PERMIT REQUIREMENTS
FOR ALL ST. MARTIN'S FAIR TRANSIENT MERCHANTS:**

1. Permit will be issued to applicant, upon payment of required fees and upon signature of applicant to follow rules governing operation at St. Martin's Fair.
2. All operations that serve and/or sell food and non-beverage items, except for unprocessed food, are required to obtain and display this permit. **Unprocessed food** includes farm products that are grown/produced by the farmer/seller on the farmer/seller's property (e.g. honey if unprocessed must be appropriately labeled and does not require a permit).
3. All property owners selling space to vendors are responsible to notify vendors of permit requirements and regulations of St. Martin's Fair.
4. All food and beer stands shall provide plastic liners for the trash barrels which they use, and they shall change the liners as the barrels are filled.
5. No stakes shall be placed in any public asphalt or concrete walkway or street.
6. ~~Nonintoxicating beverages can only be sold if the vendor has indicated on the Transient Merchant application and has paid the additional fee.~~
7. Animals must be restrained or fenced, and kept reasonably away from public reach.

FOOD OPERATION

1. All food vendors must be properly licensed according to ATCP 75.
2. All mobile food vendors must comply with Chapter 9 of the Wisconsin Food Code.
3. All transient food vendors must comply with Chapter 10 of the Wisconsin Food Code.
4. All food vendors must fill out the "**Transient & Mobile Food Vendor Information Sheet for St. Martin's Fair**" and return it to the Franklin Health Department, along with applicable inspection fees and a copy of current licenses.
5. Selling and serving of home-baked, home-canned, or home-processed food is prohibited, except those specifically exempted by the State of Wisconsin Department of Agriculture. **Please contact the City of Franklin Health Department with questions regarding exemptions at 414-425-9101.**
6. All Time/Temperature Control for Safety (TCS) foods must be mechanically refrigerated.
7. All food vendors must be located at least 50 feet away from port-a-johns and animals.
8. Operations not meeting Wisconsin Food Code requirements are subject to closure by the Sanitarian upon inspection during the Fair.

FIRE PREVENTION & SAFETY

1. All food peddlers who are cooking food must have a currently certified ABC (2A10BC) and K fire extinguishers readily available on site.
2. All open flame cooking must be done outside of either a tent or a canopy structure.
3. A tent or a canopy used in cooking shall be flame retardant and NFPA 701 verifiable.
4. Food peddlers must provide a minimum of 10 feet between tents or canopies used in cooking.
5. No cooking shall be done within 10 feet of a combustible wall or surface.
6. No cooking is permitted under a tent where patrons assemble or are seated.
7. Flammable liquids or gasses may not be stored within 10 feet of any ignition source.
8. Generators or any internal combustion power source must be separated by a minimum of 5 feet from any tent or temporary membrane structure.

TESTIMONY OF READING:

I hereby state that I have read the above rules and agree to abide by them:

Signature of Applicant

Date