



STURGIS MOTORCYCLE RALLY 2023 VENDING GUIDE



CITY OF
STURGIS
SOUTH DAKOTA

August 4-13, 2023

Department of Planning & Permitting
City of Sturgis
(605) 347-4422, option 3

Information is subject to change by South Dakota Legislative Session, Meade County ordinance updates and/or City of Sturgis ordinance updates. We make every effort to keep this manual updated, but all links to sources outside the City of Sturgis (i.e. Meade County, State of South Dakota) are not maintained by us and may be updated without our knowledge.
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Welcome Vendors!

Dear Vendor,

On behalf of the City of Sturgis, I would like to thank you for choosing to be a vendor at the 2023 Annual Sturgis Motorcycle Rally. We are proud to host one of the oldest and largest motorcycle events in the world and recognize that vendors contribute greatly to our success. We are excited for you to join us from August 4th—August 13th, 2023 for the 83rd annual Sturgis Motorcycle Rally.

While the City of Sturgis Motorcycle Rally offers an excellent business opportunity, we know it is an incredible commitment on your end. We have compiled material from the City of Sturgis, Meade County, South Dakota Department of Health, and the South Dakota Department of Revenue to help you navigate through the process and provide you with the information necessary to participate as a vendor in 2023.

I encourage you to read this material carefully so you will be prepared. If you should have any questions, don't hesitate to contact the City of Sturgis; we are here to help.

Regards,

David Smith
Director, Planning & Permitting
(605) 347-4422, option 3

Tammy Even-Cordell
Sturgis Rally & Events Director
605-347-4422, option 2



www.sturgismotorcyclerrally.com

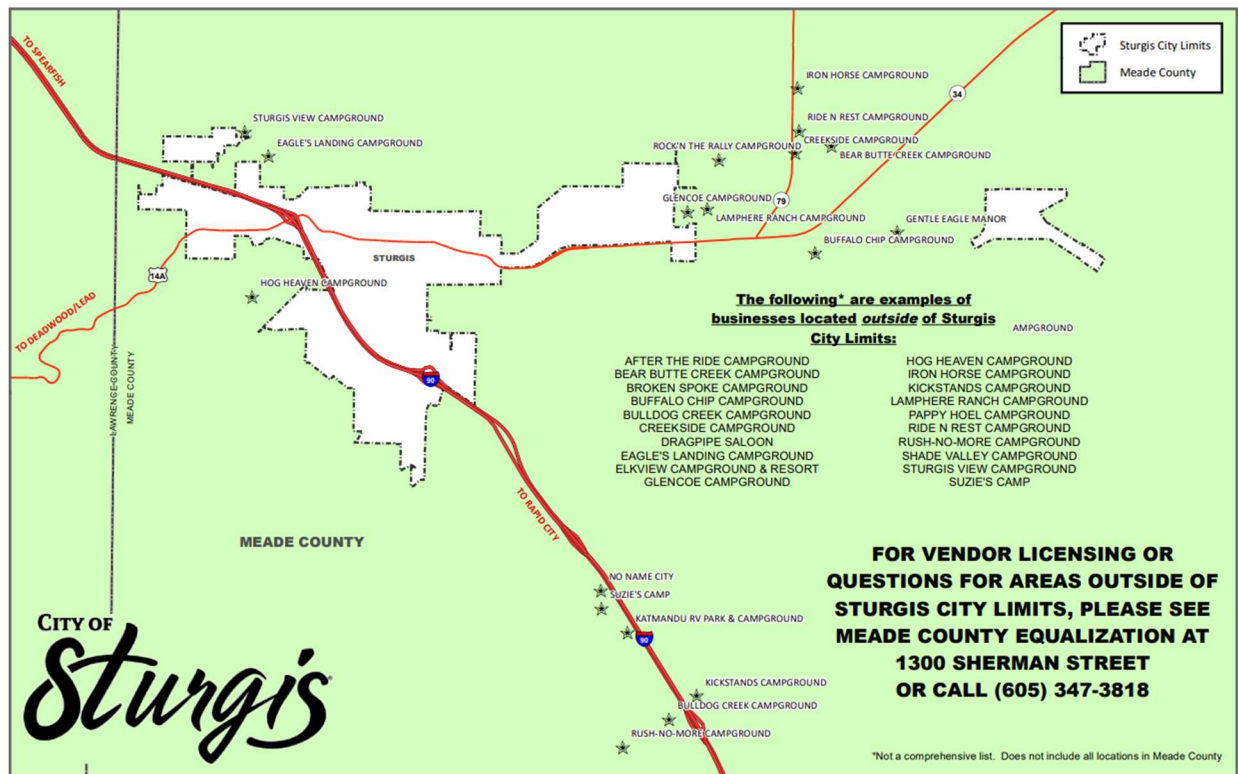
Regulatory Entities

State of South Dakota – Department of Revenue, Department of Health, Cosmetology Commission, and Board of Massage Therapy. Their regulations govern ALL VENDORS, regardless of where their vending location is.

City of Sturgis – City vending and Rally ordinances govern all vendor with vending locations INSIDE CITY LIMITS.

Meade County – Meade County ordinance govern all vendors with vending locations OUTSIDE CITY LIMITS.

Pennington County, City of Hill City, City of Hot Springs, etc. will have even different vending regulations and are not included in this manual.



Choosing a Vending Property

- The first step to becoming a vendor at the City of Sturgis Motorcycle Rally is obtaining a **permanent or fixed vending location**. If you move permanent vending locations, you must inform the Department of Revenue, the City and/or County.
- The City highly recommends that you visit your target vending location during a Rally to assess whether the location, footprint, foot traffic, etc. will meet your needs.
- To lease a permanent vending location, you must contact landowners directly and rent from them. **Lease rates are set by the landowner.**
- You can find contact information for many landowners on the City's official Rally website: <https://www.sturgismotorcyclerrally.com/vendor-property/>
- Vendors must have a fixed or "permanent" vending location. Consider this your "home base". No mobile sales are allowed.
- Vending is only permitted in certain zoning designations. In the City of Sturgis, you cannot use a private residence as a permanent vending location. Your vehicle cannot be a permanent vending location.
- To walk around and distribute informational materials or free samples, you must first have a permanent vending location and a vending license. Once you have those, you can purchase an additional Mobile Merchandising license. **NO MOBILE SALES ALLOWED.**
- You cannot vend in the City right-of-way or on City property.

South Dakota Department of Revenue – Temporary Sales Tax License

Step 1: Apply for a Temporary South Dakota Sales Tax License from the Department of Revenue.

- All Vendors must have a Temporary South Dakota Sales Tax License for selling or displaying a product or for providing services at the City of Sturgis Motorcycle Rally. **You must complete a new application each year.**
 - Everyone must have a Temporary Sales Tax License, including non-profit entities, wholesalers, and those who are “display only”.
- If you have a permanent South Dakota Sales Tax license, but are operating in a temporary location, you still need to apply for the Temporary South Dakota Sales Tax license.

Step 2: Determine if You Need to Post a Bond

- If you are a first-time vendor, you must post a \$500 bond to the South Dakota Department of Revenue.
- If you attended last year’s Rally, filed, and paid your taxes on time, you do not need to post a bond.
- If you filed or paid your taxes after the due date in the prior year, you will need to post a bond. Please contact the Department of Revenue at 605-394-2332 to determine the bond amount.
- If you were a vendor in the past but did not attend in the prior year, you will need to post a \$500 bond.
- The Department of Revenue reserves the right to assess a bond to other returning vendors on a case-by-case basis.
- The SD Department of Revenue accepts cash, cashier’s check, money order or credit card (2.45% processing fee).
- Bond is held as a deposit and will be mailed back to you when the rally has ended, **and** your final sales tax return has been filed and proper sales tax has been paid.

Step 3: Send Application and Bond (if needed) to SD Department of Revenue

- **Pre-registration is available from April 1—July 20, 2023.** If you apply between those dates, your packet will be mailed to you. Bond (if needed, see step 2) must be received prior to the license card and packet being mailed.

You apply for the [Temporary Sales Tax License online](#) on the South Dakota Department of Revenue website.

South Dakota Department of Revenue – Motor Vehicles

If a vendor is displaying or selling motorcycles, off-road vehicles, trailers, cars, trucks or RVS, you must buy a Special Event Permit from the Motor Vehicle Division.

The application can be found at this link: <https://sddor.seamlessdocs.com/f/1406>

South Dakota Department of Revenue – Cigarettes and Other Tobacco Products

There are additional regulations concerning the sale of cigarettes, cigars and other tobacco products. Please contact the SD Department of Revenue to obtain the proper forms and ensure compliance with State regulations.

South Dakota Department of Revenue – Frequently Asked Questions

- **Can I deduct the tax owed from the bond?** No, you must pay your taxes according to the filing schedule. Bond is held as a deposit and will be mailed back to you when the rally has ended, and your final sales tax return has been filed and proper sales tax has been paid.
- **What is the tax rate? (Rates affective July 1st, 2023)**
 - ⇒ Sturgis, Deadwood, Lead, Spearfish, Custer, Hill City, Whitewood, Keystone, Rapid City, Hot Springs & Belle Fourche:
 - General Rate: 7.7%
 - Food & Alcohol: 8.7%
 - Motorcycle Rental: 12.5%
 - Newell, Piedmont: 7.7% for both food and other items
 - ⇒ If you are outside of any city limits:
 - General Rate: 5.7%
 - Food & Alcohol: 5.7%
 - Motorcycle Rental: 10.5%
- **When and where do I pay my taxes?** You may pay directly to the Department of Revenue at Sturgis City Hall during the week of the rally. If you are in Rapid City or in the Southern Black Hills other arrangements may be made. You may also make payment via credit card. Online filing is also available through the EPath filing system at <https://apps.sd.gov/rv23epath/login.aspx>
- **Can I pay on my last day?** No, you are required to pay according to a schedule of collection days. If you leave early, you must pay your final taxes before you leave.
- **Can I get one license for all of my locations?** No, a license is required for each location *but* only one bond.
- **What kind of records do I need to keep?** Inventory, daily cash sheet, cash register tape, credit card receipts, deposit slips, purchase invoices, sales

receipts and supplier lists. *Revenue auditors may stop at your location to review your records.*

[SDCL 10-45-88](#) states that temporary vendors in South Dakota may be subjected to reviews without notice and shall have all records available at all times for review. Failure to maintain records is a Class 1 misdemeanor and can result in arrest and the immediate revocation of the temporary license.

City of Sturgis Vending License - General Information

- When stocking or taking delivery of merchandise, suppliers, wholesalers and vendors are not permitted to park delivery trucks or other large vehicles on Main Street between July 15th and August 15th.
- Non-profit entities, “display only” vendors, food vendors, and vendors must all get a Temporary Vendor License. Temporary Vendor Licensing fees may vary for non-profit religious, charitable or benevolent entities that can provide written documentation of their IRS 501(c)3 status.
- Your Temporary Vendor License must be posted in a visible location to be seen easily by City inspectors. The City of Sturgis inspection teams will visit every vendor location within the city limits. They make certain all inspection requirements are adhered to.
- All temporary structures **MUST** be licensed and in operation within seven days of the **SET UP** of the structure.
- Temporary motorcycle oil change locations **MUST** have a pre-inspection prior to receiving a vending license. Requirements and inspection forms will be available at the City of Sturgis.
- All temporary motorcycle car/motorcycle washes **MUST** have a pre-inspection prior to receiving a vending license. Requirements and inspection forms will be available at the City of Sturgis.
- Tire change locations **MUST** provide the City of Sturgis with the name & contact information of the recycler that will be removing all used tires prior to receiving a vending license.
 - You **CAN'T** stack/place or store any new/used tires in the right of way or in any way that interferes with the sight triangle of any intersection.
- All setbacks **MUST** be followed. If you are unsure of the setback, call before you set up or you may be required to move.
- Each ATM Machine **MUST** have its own Temporary Vending License.

- Each transportation services vehicle **MUST** have its own transit license; however, there is a license available that will cover all vehicles.

City of Sturgis Vending License – Vending within City limits

- Every vendor located within the city limits of Sturgis is *required* to operate under a vending license from the City of Sturgis. You can purchase a license starting January 15, 2023. If you purchase your license prior to the event, you can print it and have it with you. If you choose to wait until you arrive to purchase your license, you will be required to do so electronically; computer kiosks will be available for your use.
- Cost of a 2023 license is based on actual square footage as follows:
 - \$560: 100 square feet or less
 - \$850: 101—400 square feet
 - \$1,000: 401—800 square feet
 - \$1,200: 801—1,200 square feet
 - \$1,500: 1,200+ square feet

This license DOES NOT allow for mobile vending.

- A Temporary Vendor License is good for 12 days. You are allowed to purchase a maximum of two licenses for each location.
- The first day you can have a vendor license is July 24, 2023.
- To walk around and distribute promotional material or free samples, a **Mobile Merchandising License** must be purchased (You **CAN'T** walk around and sell anything) The cost for this additional license is \$365. You **MUST** first have a vending license before you can obtain the Mobile Merchandising License.

[City of Sturgis Vending License Application](#)

(Within City Limits)

If you are a past vendor and cannot remember your log-in information, please contact the Planning & Permitting Department for assistance.

City of Sturgis Vending License – Tattoo & Body Piercing

Tattoo and Body Piercing Artists have different licensing requirements within the City of Sturgis. They are not considered “temporary vendors” and do not purchase a temporary vendor license. However, they must have a permanent location, they must pass a health inspection and they must be issued a Tattoo & Body Piercing License. The combined fee for the license application and the health inspection is \$660.

- Tattoo/Piercing Artists, please refer to the [Tattoo & Body Piercing Licensing Manual](#) for specifics on licensing as a tattoo and/or body piercing artist with the City of Sturgis.

[City of Sturgis Tattoo & Body Piercing License Application](#)

(Within City Limits)

City of Sturgis Vending License – Pedi Cabs & Taxis

For vendors providing transportation services (pedi cabs and taxis), you must be licensed by the Finance Office. Please contact them at (605) 347-4422, option 1 for specific information.

Unfortunately, Uber and Lyft have not met the City of Sturgis's licensing requirements to allow their drivers to pick-up fares within City limits.

City of Sturgis – Malt Beverage, Wine and Liquor Licenses

The City of Sturgis does not have any available full on-sale liquor licenses.

Mobile sales of alcohol is prohibited by State law.

For questions about malt beverage and wine licenses and their availability, please contact the City Finance Office at least 2 months prior to the Rally.

The City does have open container during the Rally in the designated downtown corridor. But, alcohol must be in the designated event cup. Vendors can sell the Event Cups without an alcohol license.

City of Sturgis - Raffles

- All persons wishing to conduct a Raffle, shall provide to the City of Sturgis a Raffle Application **WITHIN** 30 days prior to the start of the Raffle.
- MUST provide a current statement from the state of South Dakota showing non-profit status.
- You should review [ORDINANCE 25](#) for lotteries/Raffles within the City of Sturgis.
- Under SMC Ordinance 25 any applicant not demonstrating that its primary non-profit purpose is to provide benefit to the Sturgis community, or which does not have its organization headquarters located within the City of Sturgis, shall demonstrate in its application it will meet the significant local benefit requirement of 25.02.02 herein by designating a qualifying local charity or non-profit organization located and operating with the greater Sturgis community with which applicant shall affiliate during the conduct of the bingo/raffle/lottery activity.
- Any such application asserting that significant local benefit will occur through such local affiliation shall show consent by the local affiliate by providing its signature on the application or providing similar documentation of consent by the local affiliate, acceptable to the City of Sturgis Finance Officer.
- All Raffles **MUST** submit to the City of Sturgis an After Rally Report within 20 days of the close of the raffle.
- Upon receipt of the *After Rally Report*, \$75 of the \$100 application fee will be refunded.
- No person shall be compensated in connection with the Raffle in excess of \$60 or minimum wage.
- No separate organization or professional person can be employed to conduct or assist with the Raffle.

City of Sturgis – Temporary Camping at Residences & Lodging

- There are a variety of lodging options to meet vendor needs. You can find campgrounds, hotels & private housing listings - [CLICK HERE](#)

The City ordinance that governs temporary camping at a residence within City limits is Title 11.08.01.

Link to [Title 11](#)

City of Sturgis – Other Vendor Resources

- An important part of vending in Sturgis is finding the right location to set up. You can find contact information for many landowners here: [VENDING PROPERTY](#).
- There are a variety of lodging options to meet vendor needs. You can find campgrounds, hotels & private housing listings - [CLICK HERE](#)
- **Rent tables, chairs & linens:**
 - ⇒ Table 4 Décor Party Rental & Design: 605-341-6705
 - ⇒ Timeless Wedding & Events: 605-342-8966
- **Long Term Parking Permits:** Please contact the City Finance Office at 605-347-4422, option 1.
- Wholesalers may be exempt from the vendor fee. Please contact the Planning & Permitting Department to discuss your particular situation.

Meade County – Vending Licenses within Meade County / Outside Sturgis City Limits

- If you intend to be a vendor within Meade County but **OUTSIDE** the city limits of Sturgis, you must purchase a transient vendor license through the Meade County Equalization and Planning office.
- Vendors doing business in Meade County (outside city limits) must obtain a license for each location, ATM, tattoo artist, transportation service vehicle, or vendor.
- Your license is good for 12 days.
- **For a comprehensive listing of Meade County Vendor resources, please go to <https://www.meadecounty.org/rally>.**

Meade County – Licensing Fees

Vendor Booth/Artist/Distributor/Seller

- \$700 - 1st booth
- \$650—each additional booth

Transportation Services

- \$200 - 1st unit
- \$150 each additional unit (\$950 maximum)

ATM fee

- \$125 per machine

Tattooing and/or Piercing—in addition to the vending license

- \$150 per artist (state inspection fee)

[Meade County Vending License Online Application](#)

South Dakota Department of Health - Temporary Food Service Requirements

- Temporary Food Service is any food service establishment which operates at a fixed location for a temporary period of time, in connection with a fair, carnival, public exhibition, or similar transitory gathering.
- Every Food Vendor is required by the South Dakota Department of Health to obtain a Temporary Food Service License.
- Applications MUST be submitted at least 14 days prior to beginning operations.
- To determine compliance with all safety requirements set by the South Dakota Department of Health, an inspection will be conducted at each location by a state inspector with the SD Department of Public Safety or the South Dakota Department of Health.
- Food Service License Fee—\$38

[Temporary Food Service Application](#)

[Food Safety Brochure](#)

State of South Dakota - Temporary Campground Permit Application

If you are seeking a campground license for a temporary event, you must submit a Temporary Campground License Application to the State of South Dakota.

Temporary Campgrounds are permitted by the State Department of Health pursuant to Administrative Rules of South Dakota 44:02:12.

[Temporary Campground Permit Application](#)

[Administrative Rule 44:02:12](#)

South Dakota Cosmetology Commission

The South Dakota Cosmetology Commission oversees the practice of cosmetology in the State of South Dakota.

Their website is <https://dlr.sd.gov/cosmetology/default.aspx>

Hair, nail and esthetics services can only be performed in a salon licensed by the South Dakota Cosmetology Commission.

All salons must be inspected / passed for safety and sanitation rules and regulations by the South Dakota Cosmetology Commission. Salons must be located at one physical location – **There are no licenses for mobile salons or for special events.**

Demonstrations of any products used on or for hair, nails, make-up or skincare in a vendor situation can be done without a license if the vendor does not use live models. Wigs or mannequins can be used for demonstrations.

Codified Law 36-15-2, License required to practice cosmetology—Acts constituting practice of cosmetology. —No person may engage in the practice of cosmetology unless the person is licensed by the commission. A person is engaged in the practice of cosmetology if that person, for compensation, a fee, or any valuable consideration, engages in any of the following practices with hands, chemicals, or any mechanical or electrical apparatus or appliance for beautifying or cosmetic purposes:

- 1) Hair care by styling, wrapping, arranging, braiding, twisting, weaving,

extending, fusing, dressing, curling, waving, permanent waving, singeing, cleansing, shampooing, cutting, bleaching, setting, coloring, straightening, relaxing, fitting, massaging, or similar work upon the hair, scalp, wigs, or hairpieces of a person.

- 2) Nail technology
- 3) Esthetics
- 4) Removal of superfluous hair by nonpermanent means

South Dakota Board of Massage Therapy

A SD Massage Therapy License is required by anyone attempting to practice massage therapy in this State. SD maintains a mandatory practice law. Any Rally Vendor wishing to provide massage services during the City of Sturgis Motorcycle Rally must qualify for a SD license first, even if they hold another State's License.

Their website is <https://doh.sd.gov/boards/massage/>

Massage Therapy in South Dakota is defined as such:

36-35-1. Terms in this chapter mean:

(1) "Board, the Board of Massage Therapy

(2) "Licensee," a person who meets the qualifications for licensure pursuant to this chapter and holds a valid license to practice massage therapy

(3) "Massage," the systematic mobilization of the soft tissues of the body through the application of hands, feet, or devices for the purposes of therapy, relaxation, or education through means which include:

- Pressure, friction, stroking, rocking, kneading, percussion, compression, or stretching
- External application of water, heat, cold, lubricants, or other topical agents; or
- The use of devices that mimic or enhance the actions of human hands or feet; and
- "Practice of massage therapy," the performance of massage for a fee or other compensation or holding oneself out to the public as performing massage.

36-35-10. Practice of massage without license / employment of unlicensed person as misdemeanor

Any person who engages in the practice of massage or holds himself/herself out to the public as engaged in the practice of massage without a license issued pursuant to this chapter, or owns, operates, or manages a business which knowingly employs or contracts with any unlicensed person to offer or provide massage therapy, is guilty of a Class 1 misdemeanor. The board may bring a civil action to enjoin any violation of this chapter.

You can review the South Dakota Massage Therapist Codified Law—[CLICK HERE](#)

Directory

- **City of Sturgis Vendor License Applications/Inspections/Compliance**
Director of Planning & Permitting - 605-347-4422, ext 227
Building Inspections - 605-347-4422, ext 214
- **City of Sturgis Raffle applications, long-term parking permits, Transit Licenses**
City Finance Office
605-347-4422, option 1
- **Rally & Events Department - General Questions**
605-347-4422, option 2
info@sturgismotorcyclerrally.com
Sturgismotorcyclerrally.com
- **Meade County Vendor License Applications**
Meade County Equalization/Planning
605-347-3818
Meadecounty.org/equalization_planning
- **South Dakota Department of Revenue**
605-394-2332
dorrally@state.sd.us
- **South Dakota Department of Health (Food & Lodging)**
605-394-5288
Charlotte.Johnson@state.sd.us
- **South Dakota Cosmetology Commission**
605-773-7175
cosmetology@state.sd.us
- **South Dakota Board of Massage Therapy**
605-773-3440
massagetherapy@state.sd.us