



# 2017 Information & Market Regulations

## Certified Growers

### DCBA CONTACT INFO:

**Office Hours:** 9am-5pm, Monday-Friday  
**Ph:** (530)345-6500   **Fax:** (530)345-3277  
**Address:** 330 Salem Street, Chico, CA 95928  
**E-mail:** TNM@downtownchico.com  
**Web:** www.downtownchico.com

### EVENT DETAILS:

**Dates:** Every Thursday, April 6 - September 28  
**Location:** Downtown Chico on Broadway b/t 2nd & 3rd plus 3rd St. b/t Salem & Main  
**Market Hours:** 6:00-9:00pm (5:15 set up)  
**Tear Down Hours:** 9:00-10:00pm

### INTRODUCTION:

Thank you for your interest in participating in the Thursday Night Market (TNM) in Downtown Chico. The TNM is managed, operated, and controlled by the Downtown Chico Business Association (DCBA). The DCBA is a non-profit organization dedicated to enhancing and maintaining Downtown Chico as a vital and thriving retail area and cultural destination. The information and rules that follow were established by the DCBA Board of Directors and staff in collaboration with City of Chico, Butte County and State of California agencies and have been written to ensure the safety, integrity, and well-being of the market and the market's customers. The DCBA shall implement and enforce all rules in a fair and equitable manner. All market participants, their families and their employees are responsible for adhering to the rules presented in this document.

The TNM welcomes applications from California Certified Producers. All products must be grown in California and be listed on the farmer's Certified Producer Certificate. Only the farmer, a designated family member, or an employee is permitted to sell at a Certified Farmers Market. Certified Farmers must grow all products offered for sale on land controlled (owned, rented, leased, or sharecropped) by the certified farmer. Because the TNM is certified as a direct marketing outlet, producers may sell their agricultural products directly to consumers without meeting the usual size, standard pack, container and labeling requirements for such products. However, all produce must meet minimum quality standards. All producers must comply with all applicable federal, state and local laws, ordinances and regulations and obtain all necessary licenses, permits and registrations. The market is operated in accordance with regulations established in the California Code of Regulations (Title 3, Division 3, Chapter 1, Subchapter 4, Article 6.5, § 1392 et seq). All producers are expected to be familiar with the provisions of the direct marketing regulations and these market rules.

Participants are responsible for ensuring that all documentation on file with the market manager is kept current. Certified Growers/Producers will also be referred to as "vendors" throughout this document.

### Want to participate opening night (April 6, 2017)?

Creating the layout for the first market is a tedious process, requiring significant time and preparation. Producers interested in participating on April 6 must submit a completed application, fees, and any necessary permits **by March 24**. Applications received after March 24th may not be eligible to participate on opening night. Applying for and then cancelling/postponing an opening night reservation after March 24th will result in the forfeit of booth fees for that market.

### APPLICATION/PARTICIPATION/CANCELLATION INFO:

1. Only certified growers are permitted to sell in the Certified Market Area of the TNM.
2. All prospective grower/vendors must complete an application each year.
3. Applications are not accepted at the Thursday Night Market. Please drop off, mail, or scan & email to the DCBA office along with fees and any applicable supporting documents.
4. Incomplete applications or those missing required documentation will not be processed until all required items are submitted.
5. All items intended for sale must be listed on the application and only those items approved can be sold. Approved growers already selling at the market that wish to add new produce to their approved list must first secure approval by the market manager prior to offering these items for sale.
6. If application is accepted and space is not immediately available, vendors will be placed on a waiting list and contacted when an opening becomes available.
7. **During the season, cancellations must be made by 5:00pm on Tuesday** in order to roll over fees for future use.

Four-week pre-pay and Full Season discount rates are based on consecutive weekly attendance. Therefore, special arrangements must be made in order to roll over fees or process refunds as the result of a cancellation (no more than two per season will be granted). Also note, the Tuesday cancellation policy does not pertain to the opening night market. The cancellation deadline for the first market is March 24th.

8. Two or more consecutive cancellations or absences may result in space reassignment and/or loss of fees.

## **FEES & PAYMENT INFO:**

**Application Processing Fee** -- \$ 50 (One time fee. Must be submitted with application. Non-refundable.)

**Stall Fee (3 options)** --       \$ 40 per week (due by the Tuesday prior)  
  \$ 144 per 4-consecutive week pre-pay (10% discount)  
  \$ 832 full season pre-pay (20% discount - must be paid in full by 4/30/17)

1. Prices are based on a single 15 x 20 stall space. Two stalls = double the price. (Adjacent stalls may not always be available.)
2. Applications and fees must be submitted by Tuesday at 5:00PM in order to be considered for participation in that week's market.
3. A \$10 late fee per stall space may be charged to vendors who pay after the deadline (and space may be reassigned).
4. Spaces are assigned each Wednesday morning and only new vendors or those whose space is being reassigned will be contacted by market management.
5. Acceptable forms of payment include: Cash, check (payable to DCBA), WIC Vouchers, EBT Tokens, and Credit Card.
6. Payment methods include:
  - a. Drop-off or Mail to: DCBA, 330 Salem Street, Chico, CA 95928 so that it is received by Tuesday.
  - b. Phone: Credit Card payments can be made by calling the DCBA office at 345-6500. Arrangements can also be made for automatic credit card payments throughout the season.
  - c. Market night: Pay for the following week at the Event Headquarters booth located at 3rd & Broadway between 6:00-9:00PM.

## **LICENSES, PERMITS & DOCUMENTATION:**

### **Required Documents:**

- ✓ Certified Producer Certificate (CPC) - (Producing County Dept. of Ag.)
- ✓ Electronic Benefit Transfer (EBT) Contract - (DCBA)
- ✓ Proof of FMNP/WIC Certification for approved food items - (CDPH)

### **Additional Documents (to the extent applicable):**

- ✓ Avocado Inspection Certificate/Permit - (CDFA)
- ✓ Egg Handlers Registration Form - (CDFA)
- ✓ License to Sell Nursery Stock - (CDFA)
- ✓ Organic Producers/Handlers/Processors Registration if produce will be labeled organic - (CDFA)
- ✓ Processed Food Registration (PFR) - Required for growers selling pre-packaged, non-potentially hazardous or processed foods (i.e. nuts, jam, salsa, etc.) processed using their own certified produce - (CDPH)
- ✓ Proof of Producership for Non-Certifiable Ag Products - (Producing County Dept. of Ag.)
- ✓ Seller's Permit/Resale License - flowers and non-edible plants only - (CA State Board of Equalization)

Please contact the DCBA if you need more information on where to obtain these certifications/permits.

**“Second Certificates” are not permitted at this market.**

## **SPACE ASSIGNMENTS:**

1. All stalls are **15' wide x 20' deep**.
2. All space is provided as a privilege. All applications will be carefully reviewed and selection of market vendors is at the discretion of management. Management reserves the right to refuse or reassign space at any time.
3. Vendor selection and space assignments are based upon many factors, some of which include: booth presentation/product appeal, past participation, history of compliance with federal, state, county, and market regulations, supply and demand, application date, uniqueness of product, space availability, diversity of the marketplace and overall market objectives, etc.
4. Booth assignments are not solely dependent on previous market participation and no booth space/location is ever guaranteed.

## **SET-UP/TEAR-DOWN:**

1. **Set up is from 5:15 to 6:00pm**, but vehicle entry is only permitted until 5:30pm.
2. Certified Growers' vehicles may only enter the market through the Zone 1 entrance (3rd & Main St.).
3. Vehicles should display Yellow ZONE 1 pass on dashboard.
4. **If a vehicle is parked in your assigned stall space, please allow 15 minutes for vehicle owner to return before setting up around the vehicle or requesting to be moved.** We are aware that this is an inconvenience, but it is important that downtown guests are given ample time to remove their vehicles.
5. Merchandise and supplies may not be unloaded until 5:15pm AND STREETS ARE CLOSED TO GENERAL VEHICLE TRAFFIC. No exceptions - violators may be fined.
6. Vehicles authorized to remain within the market may not park on curbs or sidewalks and must fit within designated stall space. **(If your truck or van is longer than 15' and you only pay for one booth space, you will not be able to park parallel to the curb!)** Please discuss other options with market manager in this case.
7. Sales are not permitted until stalls are fully set up, with signs, certificates, and prices posted.
8. Vendors must remain set up for the duration of the market. Tear-down can begin at 9:00pm and no sooner without authorization from market management. Tear-down must be completed in a timely manner so that streets can re-open no later than 10:00pm per city permit conditions. Failure to comply may result in a fine or may affect opportunity to vend in future markets.

## **CLEAN UP:**

The DCBA is responsible for the overall cleanliness of the event area following the market. This is a huge job and we rely on your help!

1. Before a vendor may leave the market, the stall and the surrounding areas must be totally free of all debris (**including produce and flower trimmings**) and freshly swept. All trash and waste water must have been properly disposed. Trash receptacles will only be available for customer's waste and not for the vendor's waste. No trace of vendor should be left. Sweepers are available to borrow from the event headquarters booth.
2. Any vendor leaving behind an unclean stall or surrounding area is subject to a fine. Verbal warning for first offense; \$25 fine for the 2nd offense; \$50 for the 3rd offense, \$100 for the 4th offense. More than four of such violations are grounds for dismissal from the market.

## **STALL APPEARANCE/DISPLAY:**

1. Stall set-up, signage and table displays must be neat, orderly and aesthetically pleasing.
2. All produce and other items for sale must be displayed on a table, rack, shelving, etc. Tables must be covered with a tablecloth (fabric or vinyl) and table skirting is recommended. Tables must be sturdy and not overloaded.
3. Vendors are responsible for providing furniture and all other equipment needed. Everything must be contained within the designated booth space, including vehicle, tables, canopies, product, signs, staff, etc. Displays shall not protrude into the common customer circulation area and samples may not be handed out from the common customer areas. **NO EXCEPTIONS.**
4. Booth lighting is encouraged, especially during early spring and late summer months. Battery powered or propane lanterns (accompanied by a fire extinguisher) or the use of a battery and inverter are acceptable options. The use of generators is not permitted in the certified grower area of the market.
5. No open flames. No burning of candles, incense, sage or other aromatic products.
6. Vendors may not provide music or entertainment in booths unless prior approval is granted by market management.
7. Sharing booth space with other farmers/growers is prohibited and may result in loss of fees and opportunity to vend in future markets. Second certs are not permitted at this market.
8. All vendor booths will periodically be reviewed by DCBA staff to ensure compliance with all guidelines.

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## **STALL SIGNAGE, PRICING & LABELING:**

1. **All producers must display conspicuous signage identifying their business name or the name of their establishment, the city or town and county where their production occurs, and a statement that clearly represents that the producer is only selling product which they have grown.**
2. CPC must be prominently displayed and only items listed on the CPC may be sold.
3. FMNP/WIC signs must be prominently displayed.
4. All producers must post clear, readable identification of price per unit for each commodity being sold. Collusion and deceptive pricing practices are prohibited. Bargaining with the consumer is allowed.
5. Only certified growers with Organic Certification from CA Dept. of Food and Agriculture may post signs advertising organic products, unless signs clearly state "not registered or certified" organic products. Terms such as "No Spray", "No Chemicals" and "Pesticide Free" may not be used unless organic certification is clearly posted AND on file with market management.
6. All pre-packaged food products must be labeled with the following: name of product, name and address of producer, ingredients, and weight.
7. All signage is subject to management approval.

## **ADDITIONAL INFO. PERTAINING TO CERTIFIED MARKETS:**

1. Only employees and/or family members of the Certified Producer are permitted to sell at the market. Records showing proof of employment may be requested by market management. No commission sales are allowed per State of California regulations. Vendors caught reselling will be subject to a harsh penalty schedule and may permanently lose their space at the market.
2. Certified producers selling nursery products must have performed the propagation, germination, planting, cuttings, and division work for all potted plants, trees, or nursery starters being offered, and all in compliance with applicable California and other laws and regulations.
3. All food, food storage containers, and utensils must be stored/displayed at least 6 inches above the ground at all times.
4. Samples must be prepared and packaged according to Butte County Dept. of Public Health Guidelines. Samples must be individually portioned (i.e. toothpicks or sample cups), served on a tray with a cover to protect them from dust, bugs, etc., and may not come into direct contact with the servers' hands. **All vendors offering samples must have a hand washing and utensil washing station. If you have further questions about safe food handling or sampling at the market, please contact the Butte County Dept. of Public Health directly at 530-891-2727.**
5. When any agricultural product is sold by weight, the type of scale used shall be approved, tested and sealed by the County Agricultural Commissioner, Sealer of Weights and Measures. All scales must have a valid and current seal at all times.
6. Grower's Load Lists must be filled out weekly and returned to the Event Headquarters Booth by 9:00pm. Load Lists must list the name of the producer, CPC Number, identity of each product sold (including varieties), and quantity sold. Varieties listed must match varieties that appear on growers' CPC. Load Lists are subject to inspection by the county Ag. Commissioner's inspectors.
7. In an effort to increase access to local, fresh, healthy food, growers selling approved food items must participate in the **FMNP/WIC** and **USDA/SNAP (EBT)** Programs. The WIC certification is good for three years and must be current before grower can participate in TNM. (WIC Checks can be redeemed to pay for stall fees, or deposited directly into bank account. All WIC checks must include current 6-digit WIC ID# before being submitted to DCBA .) The SNAP/EBT program uses specially designed wooden tokens. These tokens can be exchanged for a check at the market (between 8-8:30pm) or used to pay future stall fees. **Vendors are required to accept WIC checks and EBT tokens in a courteous and respectful manner.**

## **INCLEMENT WEATHER POLICY:**

1. **The Thursday Night Market takes place Rain or Shine.**
2. **If the chance of rain between the hours of 5-10pm is greater than 50%, the market will be deemed "Weather Optional" for vendors. What this means:**
  - a. Management will declare a "weather optional market" by 1pm on the day of the market. (The DCBA uses several reputable weather sources to make this determination.)
  - b. Vendors are responsible for calling the DCBA Office AFTER 1pm on market day to find out the status. This may be a recorded outgoing message. The DCBA will make every effort to also send out an email update, but this is not a guarantee.
  - c. If vendor chooses not to participate due to the forecast, booth fees will be rolled over to the NEXT MARKET. If vendor has a scheduling conflict and cannot participate in the next market, it is the vendor's responsibility to contact the DCBA by

Tuesday at 5pm in order to schedule a make up date.

d. If vendor chooses to participate, they assume all responsibility for equipment, food or other items that may be affected or damaged by inclement weather. Fees will not be refunded or rolled over for future use.

### **GENERAL EVENT RULES:**

1. California Retail Food Code prohibits animals within 20 feet of any certified farmers market or food facility. For the benefit of our guests, the DCBA has adopted this “no pets” policy event-wide (including the Community Area of the market.) **Vendors are not permitted to sell to a customer who is in possession of a live animal (registered service dogs excluded).** Vendors witnessed intentionally disregarding this rule may be fined. If you are interested in learning more about this policy (i.e. how to recognize a service animal), please contact market management.
2. Children of vendors (ages 12 and under) must be accompanied by an adult at all times while participating in the market.
3. Smoking is not permitted in or near vendor booth spaces or within 20 feet of the entrance to any downtown business per City of Chico No-Smoking Ordinance. Additionally, City Plaza is a smoke-free zone.
4. Vendors are not permitted to consume alcoholic beverages within the event boundaries. (California AB 774 does permit some sampling by customers but vendors are excluded from consuming.)
5. Photographs taken of vendors, customers, and performers during the TNM are often used for future promotion of the event through printed materials, electronic media and website. It is understood that there is no compensation for use of these photo images and subjects in photos may not be alerted prior to use of images.
6. Public restrooms are available in City Plaza and 3rd Street near Salem (portable unit with handwashing station). Please DO NOT use downtown merchant restroom facilities unless you are a paying customer that night.

### **VIOLATIONS AND PENALTIES:**

It is our goal to offer a safe, family-friendly, convenient and fun community event while complying with all city, county, and state conditions pertaining to farmers markets and community events.

1. All commodities and products shall be subject to inspection at any time by the County Ag. Commissioner, Butte County Environmental Health and/or the market manager. Refusing to cooperate with inspectors and comply with requests shall result in a market violation, which is grounds for immediate dismissal from the market with reinstatement contingent upon the satisfaction of the conditions determined by the market manager.
2. The market manager and any other agent assigned to do so, has the right to issue warnings and take appropriate action against vendors who violate these market rules and all other applicable regulations and laws. Penalties may include fines, suspension of selling privileges, or loss of space. Verbal warnings will be followed with a written warning for any violation prior to a fine, suspension or expulsion.

***Thank you for your interest in supporting Downtown Chico by participating in the Thursday Night Market!***

***Please be sure your e-mail server is set to allow messages from [TNM@downtownchico.com](mailto:TNM@downtownchico.com). E-Mail is our primary method of communication with vendors throughout the market season.***





# 2017 Certified Grower Application

Farm/Business Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Anticipated Start Date: \_\_\_\_\_ # of Stalls: 1 or 2

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Primary Phone: \_\_\_\_\_ Alt. Phone: \_\_\_\_\_ e-mail: \_\_\_\_\_

Certified Producers Certificate (CPC) # \_\_\_\_\_ \*\*\* FMNP/WIC ID# \_\_\_\_\_ \*\*\* **(REQUIRED)**

Please list ALL items you wish to sell at the market. (All items must be listed on CPC and additional documentation may be required.)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### Fees & Documentation:

The following items are required at time of application:

- Application Fee (\$50.00)
- Space Fee -- (Please circle: 1-week | 4-weeks | Season)
- Certified Producers Certificate (CPC)
- SNAP Electronic Benefit Transfer (EBT) Contract

Additional Permits/Certifications (to the extent applicable):

- Avocado Inspection Certificate/Permit
- License to Sell Nursery Stock
- Processed Food Registration (PFR)
- Seller's Permit/Resale License - (Flowers and non-edible plants only - - Permit #: \_\_\_\_\_ )
- Egg Handlers Registration
- Organic Producers/Handlers/Processors Reg.
- Proof of Producership for Non-Certifiable Ag Products

The undersigned certifies that he/she understands and will adhere to the TNM Rules & Regulations as well as all applicable federal, state and local laws, ordinances and regulations pertaining to participation in a CA Certified Farmers Market. The undersigned also certifies that he/she is authorized 1) to execute on behalf of the farm/business and 2) accept legal process on behalf of the farm/business. The undersigned agrees to indemnify and hold harmless the Downtown Chico Business Association, its officers, directors, employees and volunteers, building owners, tenants, and the City of Chico from and against all loss, damage, liability, claims, suits, costs and expenditures, including attorney's fees and costs of defense, regardless of the merit our outcome of any such claim or suit, which may occur in connection with Vendor's participation in the Thursday Night Market.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Print name**

\_\_\_\_\_  
**Date**

<b>FOR OFFICE USE ONLY</b>	
Date Rec'd: _____	Staff Initials: _____
<u>Start-Up Fees:</u>	<u>Payment Info:</u>
Application Fee:           \$ _____	<input type="checkbox"/> Cash <input type="checkbox"/> Check (payable to DCBA) <input type="checkbox"/> Visa/ MC / Discover
Space Fee:                   \$ _____	Ck. or CC#: _____
Total Amount due:         \$ _____	Exp. date (mm/yy): _____ CVC#: _____ Billing ZIP: _____
Market Dates this fee covers: _____	<input type="checkbox"/> Please keep this card on file for the 2017 TNM season. (No charges will be made without proper authorization.)
<b>Notes/questions/concerns:</b>	