2017 Vendor Information & Regulations (Non-Grower Vendors)

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 3rd & 5th St., incl. City plaza
Market Hours: 6:00-9:00pm (5:00 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 DCBA welcomes applications from a variety of business types. Priority will be given to DCBA members followed by non-members wishing to sell handcrafted items, locally processed/prepared edibles, and other unique or specialty wares. Those wishing to offer family-friendly activities and services are also strongly encouraged to apply. For a more complete list of the types of vendor businesses that are suitable for this market (as well as those that are not suitable), please contact market management. Not all applications will be accepted.

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

Creating the layout for the first market is a tedious process, requiring significant time and preparation. Vendors 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 an opening night reservation AFTER March 24th will result in the forfeit of booth fees for that market.

APPLICATION/PARTICIPATION/CANCELLATION INFO:

1. All prospective vendors must complete an application each year.
2. Applications are not accepted at the Thursday Night Market. Please drop off, mail, or fax to the DCBA office along with fees and any applicable supporting documents.
3. Incomplete applications or those missing required documentation will not be processed until all required items are submitted, ***including photos of proposed booth display*** (required for all NEW vendors or those who do not regularly participate).
4. All items intended for sale must be listed on the application and only those items approved for sale may be sold. Vendors already selling at the market that wish to add new products to their approved list must first secure approval by the market manager prior to offering these products. ***Sales of certain types of items that are deemed not suitable for this market will not be permitted***.
5. 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.
6. During the season, **cancellations must be made by 5:00pm on Tuesday prior to that week's market** 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). Cancellation for opening night is different - see info inside box above.
7. Two or more consecutive cancellations or absences may result in space reassignment and/or loss of fees.

VENDOR TYPES & REQUIRED DOCUMENTATION:

DCBA Member

Those businesses located in Downtown Chico with a current business license AND that pay the Downtown Parking & Business Improvement Assessment (DPBIA) tax. **Booth space at market must represent the type of business that is being conducted in the downtown location listed on the license**. Churches, financial institutions and non-profit organizations located downtown are exempt from the DPBIA tax and therefore are not classified as DCBA Members for the market.

Non-Profit/Political

Not-for-profit organizations such as churches, schools, community service agencies, charities, political organizations, city/county agencies, etc. IRS Registered non-profit tax ID# must be provided on application.

Required Permits (to the extent applicable): Most non-profits will not require permits unless selling food, merchandise, or raffle tickets as fundraisers. In these cases, the following permits may be required:

- ☑ Seller's Permit/Resale License
- ☑ Butte County Environmental Health Permit - (Prepared food may be sold a maximum of once per month without this permit.)
- ☑ State of California Non-Profit Raffle Registration - There are some exemptions to this requirement - please consult website.

Arts/Crafts

Handcrafted items that are 100% produced, crafted, or created by the applying artist. If the artist has employees, the Artisan must be in complete control of all aspects of production. Artisans may not sell work produced with commercial kits, models, patterns, plans, prefabricated forms, or other commercial methods. Those types of items fall into the Commercial Vendor category for this market.

Required Permits:

- ☑ Seller's Permit/Resale License

Commercial

Any business selling or promoting a product or service. Includes the resale of arts/crafts, clothing, etc. as well as businesses solely distributing information. Includes home-based businesses that do not fall into the "corporate" category as well as vendors selling pre-packaged or processed foods from an off-site facility that are intended for consumption at a later date (jam, spreads, bread, pies, etc.).

Required Permits (to the extent applicable):

- ☑ Seller's Permit/Resale License – Only if actual sales take place at the market.
- ☑ Processed Food Registration (PFR) - Only if selling pre-packaged, non-potentially hazardous or processed foods (i.e. candy, jam, salsa, etc.)
- ☑ Electronic Benefit Transfer (EBT) Contract for approved food items
- ☑ Certificate of General Liability naming DCBA as additional insured (Required for food sales and potentially dangerous activities only)

Prepared Food

Any business serving prepared foods primarily intended for consumption while visiting the market.

Required Permits (to the extent applicable):

- ☑ Seller's Permit/Resale License - Hot food items only
- ☑ Butte County Environmental Health Permit (Mobile Food Facility, Temporary Food Facility or Cottage Food)
- ☑ Processed Food Registration (PFR) - ONLY if selling pre-packaged, non-potentially hazardous or processed foods (i.e. candy, jam, salsa, etc.) in addition to other menu items.
- ☑ Electronic Benefit Transfer (EBT) Contract for approved food items
- ☑ Certificate of General Liability naming DCBA as additional insured

Corporate

Any business with a regional, statewide, or nationally recognized name/product/service/brand, etc. Home-based businesses and locally owned franchises are considered corporate if the company has offices nationwide and/or benefits from corporate branding (i.e. some real estate agencies, skin care lines, fitness chains, communications providers, etc.).

Required Permits:

- ☑ Seller's Permit/Resale License – Only required if direct sales take place at the market.

Please contact the DCBA if you need more information on obtaining these certifications/permits.

FEES & PAYMENT INFO:

A. Application Processing Fee -- $50 per season (One time fee. Non-refundable. Waived for DCBA Members.)
B. Space Fee -- varies by vendor type (See below)
C. Electricity Fee -- $5 per week (based upon availability)

Vendor Types	Weekly	4-Week Consecutive (10% Discount)	Full Season Prepay (20% Discount)
DCBA Member	$ 40	$ 144	$ 832
Non-profit/Political	$ 40	$ 144	$ 832
Arts/Crafts (Handmade by vendor)	$ 45	$ 162	$ 936
Commercial (Incl. all re-sale; processed foods)	$ 55	$ 198	$ 1,144
Prepared Foods	$ 60	$ 216	$ 1,248
Corporate	$ 70	$ 252	$ 1,456

1. Prices are based on a single (10' x 10') booth space. Two spaces = double price.
2. Applications must be submitted by Tuesday at 5:00pm in order to be considered for participation in that week's market.
3. Payment must be received by 5:00pm on Tuesday to reserve booth space for that week. A $10 late fee per booth 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. A reduced application processing fee of $10 is offered for groups that only intend to participate ONE time during the season.
6. Full Season Prepay must be paid in full by 4/30/17.
7. Acceptable forms of payment include: Cash, check (payable to DCBA), EBT Tokens, and Credit Card.
8. 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.

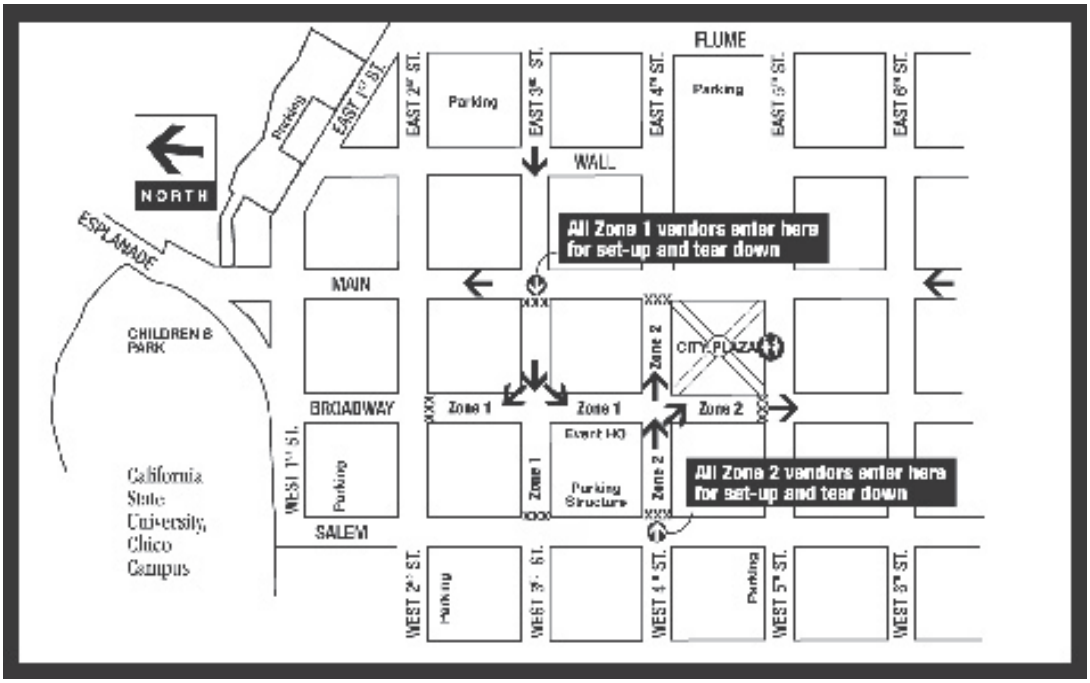
SPACE ASSIGNMENTS:

1. All vendor spaces are 10' x 10'.
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 assign 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 market rules, 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 particular booth space is ever guaranteed.
5. The need for electricity will affect booth location. Electricity is available in limited supply for an additional charge and will be granted based upon availability. Vendors may not access power from nearby businesses or city plaza without management approval.

SET-UP/TEAR-DOWN:

1. **Set up is from 5:00 to 6:00pm, but vehicle entry is only permitted until 5:30pm**. From 5:30 to 9:00pm, vehicle movement is not permitted within the event. All unauthorized vehicles must clear the streets by 5:45pm. Chico PD may cite offenders.
2. During set-up and tear-down, vehicles may only enter the market through assigned barricades (ZONE 1 entrance @ 3rd & Main Street; ZONE 2 entrance at 4th & Salem). Your ZONE is dictated by your vendor booth location so please contact the DCBA if you are unsure of the correct entry point. Vehicles should always display a vendor vehicle pass on the dashboard. Failure to comply with traffic laws within the market area may result in a fine or may affect opportunity to vend in future markets. (See map on next page for ZONES and entry points.)
3. Vehicles authorized to remain within the market may not park on curbs or sidewalks and must fit within designated booth space.
4. **If a vehicle is parked in your assigned booth space, please allow 15 minutes for 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 permitted ample time to remove their vehicles.
5. Merchandise and supplies may not be unloaded until 5:00pm AND STREETS ARE CLOSED TO GENERAL VEHICLE TRAFFIC. Once

streets are closed, vendors may then quickly unload and promptly remove vehicles to enable other vendor vehicle access. Sidewalks may not be used for storage at any time. No exceptions - violators may be fined.
6. 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 vendor's booth space and the surrounding area must be totally free of all debris and freshly swept, and all of vendor's trash must be 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 at the event headquarters booth for vendors to borrow.
2. Any vendor leaving behind an unclean booth space or surrounding area is subject to a fine – Verbal warning for first offence; $25 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.

BOOTH SPACE AND DISPLAY:

1. All displays, signs, and booth content must be neat, orderly, and aesthetically pleasing. (New vendors will be required to submit photos before application can be approved.)
2. Vendors are responsible for providing all equipment and booth furnishings needed to participate.
3. All merchandise must be displayed on a table, rack, shelving, in display case, etc. (some exceptions may apply - direct questions to market management). **Tables must be covered with a tablecloth** (fabric or vinyl) and table skirting is recommended.
4. All content must be contained within the designated booth space, including tables, canopies, merchandise, signs, staff, product demonstrations, etc. Displays shall not protrude into the common customer circulation area. NO EXCEPTIONS.
5. Booth lighting is encouraged, especially during early spring and late summer months. Battery powered lighting is preferred. The use of generators must first be approved by management for measure of noise and exhaust. Generators must not be audible to neighboring vendors or market goers.
6. No open flames. No burning of candles, incense, sage or other aromatic products.
7. Vendors may not provide music or entertainment in booths unless prior approval is granted by market management.
8. Aggressive sales tactics will not be permitted.
9. Sharing booth space with another business not listed on your application is prohibited and may result in loss of fees and opportunity to vend in future markets.

10. All signage is subject to management approval. Signs shall not exceed 9' tall and may not protrude out of designated booth space.
11. All booth content/display items must be considered "family-friendly" by market management.
12. All vendor booths will periodically be reviewed by DCBA staff to ensure compliance with the above guidelines.

INFORMATION FOR PREPARED & PRE-PACKAGED FOOD VENDORS:

1. All food must be prepared in your booth at the event or at a commercial or semi-commercial kitchen. (Exception: Charitable non-profit organizations may prepare non-potentially hazardous foods in a private kitchen up to once per month.)
2. All vendors must be in compliance with governing agencies and have proper permits in good standing before applying to vend. Some vendors selling only pre-packaged, non-potentially hazardous or processed foods *may be* covered under DCBA Event Permit and may not be required to apply for a Butte County Health Permit, *but may still need the Processed Food Registration and/or Seller's Permit.*
3. **All such permits must be conspicuously posted during selling hours and in clear view and/or reach of the customer.**
4. All food, food storage containers, and utensils must be stored/displayed at least 6 inches above the ground at all times.
5. 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.**
6. In an effort to increase access to local, fresh, healthy food, vendors selling "approved" food items must participate in the USDA/SNAP (EBT) program. These vendors agree to accept Thursday Night Market EBT tokens and have a signed EBT Vendor agreement on file with the DCBA.
7. Sales of processed food items and plants will only be permitted in the community (non-certified) area of the market if they are not available from a grower in the certified farmers market area (Examples: honey, almond butter, olive oil, succulents, etc.).
8. Food vendors must provide a garbage receptacle at booth and may not utilize public receptacles for disposal.

It is the vendors' responsibility to be familiar with the local, state, and federal regulations and permits that govern the products of which they sell. The notes & guidelines included in this document are included as a courtesy but do not take precedent over governmental policy. Additional information can be provided upon request.

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 for a status update. This may be a recorded outgoing message. The DCBA will make every effort to also send out an e-mail to vendors, 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 mobile or temporary food facility or certified farmers market. For the benefit of our guests, the DCBA has adopted this "no pets" policy event-wide. **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 event through printed materials, social 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 the image.
6. Public restrooms are available in City Plaza, and 3rd Street near Salem (portable unit with handwashing station). Please DO NOT use downtown merchant 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.
E-mail is our primary method of communication with vendors throughout the market season.

2017 Vendor Application (Non-Grower)

Type of Vendor: ❑ DCBA Member ❑ Non-Profit/Political ❑ Arts/Crafts (Handmade by Vendor) ❑ Commercial ❑ Prepared Food ❑ Corporate

Group/Business Name:_____

Contact Name:_____ **Anticipated Start Date:**_____ **# Booth spaces:**_____

Address:_____ **City:**_____ **Zip:**_____

Primary Phone:_____ **Alt. Phone:**_____ **e-mail:**_____

N/P Tax ID# (if applicable): _____

I need access to power at my booth.....Yes No
I would like to use my whisper-quiet generator.....Yes No

Complete description of booth content/product line/activity: (Prepared Food vendors please attach a proposed menu. Items not listed on menu may not be sold at market without prior authorization from DCBA.)

_____
_____
_____

Fees & Documentation:

The following items are required at time of application:

❑ Application Fee ($50)
❑ Electricity surcharge if requesting power ($5/week)
❑ Space Fee -- (Please circle: 1-week | 4-week | Season)
❑ Photo of booth/display (NEW applicants/occasional vendors)

Additional Permits/Certifications (to the extent applicable):

❑ Butte County Dept. of Health Permit (MFF/TFF)
❑ Processed Food Registration (PFR)
❑ SNAP Electronic Benefit Transfer (EBT) Contract
❑ Seller's Permit/Resale License # _____
❑ General Liability Insurance Cert.

The undersigned certifies that he/she understands and will adhere to the TNM Rules & Guidelines. The undersigned also certifies that he/she is authorized 1) to execute on behalf of the group/business and 2) accept legal process on behalf of the group/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**

FOR OFFICE USE ONLY

Date Rec'd: _____ Staff Initials: _____

Start-Up Fees:

Application Fee: $_____
Space Fee: $_____
Electricity Fee: $ _____
Total Amount due: **$**_____
Market Dates this fee covers: _____
Notes/questions/concerns:

Payment Info:

❑ Check (payable to DCBA) ❑ Visa/ MC / Discover ❑ Cash
Ck or CC#:_____
Exp. date (mm/yy):_____ CVC#: _____ Billing Zip _____
❑ Please keep this card on file for the 2017 TNM season.
(No charges will be made without proper authorization.)

Mail or drop off application and all supporting documents to: DCBA, 330 Salem St., Chico, CA 95928 or FAX to (530) 345-3277