



Rules and Regulations:

Welcome to Downtown SLO Farmers' Market (The Market), also commonly referred to as the Thursday Night Promotions (TNP) and "World Famous Farmers Market". The Market is organized by, administered by and paid for by the San Luis Obispo Downtown Association (DA) under contract with the City of San Luis Obispo. This document contains the rules and regulations that apply to all applicants and participants. The Downtown SLO Farmers' Market Committee (The Committee) governs this weekly event and has developed these rules and regulations to assist you in planning your activity at The Market.

The San Luis Obispo DA is proud of the growth and popularity of The Market, one of the most successful promotions in Downtown SLO and emulated by communities everywhere. The Market has earned a reputation as a well-rounded event featuring a Certified Farmers' Market, food and product vendors, community outreach, as well as offering quality entertainment. Through its success, The Market has and continues to bring national visibility to both the Central Coast and Downtown San Luis Obispo.

If you are interested in applying to participate in The Market, please visit our Frequently Asked Questions at the following link: <https://downtownslo.com/market-participants/-faq>. This page includes our eligibility criteria and detailed instructions on the application process. If you have determined you are eligible, we encourage you to review this document prior to applying and require that **all** participants be familiar with the rules and regulations prior to participating in a Market event. This document addresses many questions that arise in preparation for participating in The Market. In addition, a Farmers' Market Manager is available at the contact information below to guide you through the process. Included in this document are general rules of conduct for both participants and visitors at The Market that help to maintain a family friendly atmosphere. We encourage those interested in coming out to visit to review that section and the [DA website](#) for additional details on what to expect at The Market. We thank you for your interest in The Market and hope you will come out to *Discover Local Flavor*.

The Downtown SLO office is located at:
1135 Chorro Street
San Luis Obispo, CA 93401
(805) 541-0286
Farmers@downtownslo.com
www.downtownslo.com

Table of Contents

1. Mission, Goals and Structure.....	3
A. Mission.....	3
B. Goals.....	3
C. Structure of DA and The Market.....	3
2. Definitions.....	4
3. General Rules and Regulations.....	5
A. Application.....	5
B. Account and Permit.....	5
C. Fees and Payment.....	6
D. Required Documentation.....	6
E. Space and Equipment.....	6
F. Street Closure and Safety.....	7
G. Sales and Vendor Activity.....	8
H. Cancellation Policy.....	8
I. Participant/Visitor Conduct at The Market.....	8
4. Additional Rules and Regulations by Vendor Type.....	9
A. DA Members.....	9
B. Non-Member Vendors.....	9
C. Not-for-profit Organizations.....	9
D. Entertainment.....	10
E. Media.....	10
F. Barbecue Vendors.....	10
G. Novelty.....	11
H. Brewery.....	11
I. Political Organizations.....	12
5. Appeal Process.....	11

****The Table of Contents is linked to take you directly to that section of the Rules and Regulations. For example, you can click on “Application” and it will take you directly to that section of the document****

1. MISSION, GOALS, and STRUCTURE

A. **The mission of The Market is to provide a vibrant and safe weekly gathering that builds community and supports local businesses Downtown.**

B. Goals

- Create a positive image of Downtown San Luis Obispo
- Expose community members to retail stores and services offered Downtown
- Generate foot traffic on Thursday nights
- Provide a forum for community activities
- Maintain Downtown as the center of retail, social and civic activities
- Enhance the community as a whole

All activities of those participating in The Market must be consistent with these goals.

C. Structure

The Committee and DA-The Committee works in collaboration with the Board of Directors of the DA, a 501c6 not-for-profit corporation. All of The Market activities are under the auspices of DA, which include review of applications, planning events, coordinating promotions, as well as enforcing all rules and regulations. The Committee meets on the second Wednesday of each month or as directed by the Committee Chair. All rules and regulations submitted by The Committee are subject to final approval by the DA Board of Directors.

The Market-Under the Street Closure or other relevant permits issued by the City of San Luis Obispo, The DA and The Committee have full discretion concerning use of the area designated for The Market. The Committee and Board of Directors oversee the eligibility criteria to participate in The Market and reserve the right to deny participation to any applicant. The Committee and DA Board of Directors also reserve the right to limit sales of items in direct competition with those items of Downtown merchants. In support of local businesses, **DA member businesses have priority over non-member businesses in all categories.** The Committee and DA Board aim to schedule activities that promote a wholesome, family atmosphere.

San Luis Obispo County Farmers' Market Association (FMA)-FMA participates in The Market at the invitation of and under contract with the DA. FMA schedules and has oversight over farmers selling both produce and specialty products. FMA operates under state regulations and those set by FMA Board of Directors. Farmers who fall into this vendor type who are wishing to participate in The Market must contact FMA directly to apply prior to contacting the DA. The DA does not issue permits or space assignments for FMA and does not issue variances or exceptions to FMA's rules. Call 805-544-9570 for information about the FMA or visit their website at www.slocountyfarmers.org. Upon approval by FMA to participate in the The Market, vendors shall create an online account on ManageMyMarket. Vendors who do not have access to the internet can request a hard copy from the DA and our staff will assist in creating an online account. Any FMA approved applicant is also required to review this document to be familiar with the rules and regulations set forth for The Market.

2. DEFINITIONS

The following definitions refer to commonly used terms throughout the Rules and Regulations and serve to clarify the meaning of key terms.

Commercial Business - A business that occupies an approved commercial space. Commercial businesses must operate during regularly established business hours as defined below on a year-round basis. The business must hold all required City of San Luis Obispo, County of San Luis Obispo and State of California permits. Vending machines, newspaper/magazine racks, P.O. boxes, snack boxes and other similar businesses that primarily involve machines or do not encompass personal contact are excluded from this definition.

Business Hours - Established hours of operation for consecutive days during a business week. Minimum hours of operation are five consecutive days for five consecutive hours per day. An example of this could be Monday - Friday 10:00 a.m. - 3:00 p.m. and business must be open to the public during the established hours.

Good Standing - A participant is in good standing when they have all the necessary permits to operate within the City of San Luis Obispo, required documentation for The Market, paid the appropriate fees, no violations and is actively using their assigned space at The Market.

Market Representative - DA staff/interns/volunteers, DA Board of Directors, The Committee and City of San Luis Obispo Police or Fire Departments can be designated by the event manager as a Market Representative for enforcing the rules and regulations of The Market.

Fire Lane- 20' wide unimpeded path for use by fire, police and medical vehicles, the location of which is determined by the Fire Department and the Farmers' Market Manager. The fire lane in the 700 block of Higuera Street will be designated by the parking markers on the street for both sides of the block. The center lane striping will designate the fire lane in all other blocks of Higuera Street.

Fundraising - The sale or offering of merchandise or services to solicit funds for charitable organizations or political campaigns.

Credit – This refers to a credit that will be given on participants' ManageMyMarket account that can be utilized to pay for future participation in The Market or deducted from future invoices. Credits for the purposes of this document **do not** imply a refund to a credit card.

Roll over Bye- For Barbecue vendors only, a roll over bye is offered when a barbecue has not used a bye in a given quarter. Roll over byes can be used in the subsequent quarter, but cannot be banked for use thereafter.

DA Member - A business within the legally recognized and formally delineated DA boundaries that pays an assessment fee; OR a business within the boundaries that is exempt by state or federal mandate

from paying an assessment fee, which makes a voluntary contribution to the organization (voluntary member). A map of DA boundaries is posted on the DA website.

Non-Member - Non-member vendor is a business that is **not** located within the DA boundaries, but meets all criteria listed above in the definition of a commercial business.

Brewery - A local brewery with a Type 01 or Type 23 license that also meet the criteria of a commercial business in the above definition.

Winegrower - Licensed winegrowers who sell wine that is produced entirely from grapes or other agricultural products grown and bottled by the winegrower (estate wines). These applicants must apply through the FMA to be a part of the Certified Farmers' Market section.

Not-for-Profit- Organization that does not earn a profit for its members and all money generated is utilized to maintain the objectives.

Entertainment- Entertainment includes performers such as musicians, dancers and marching bands.

Media-Media includes organizations such as radio, television, newsprint and internet/social media organizations.

Barbecues- This vendor type is assigned to specific food vendors utilizing an open flame for food preparation on site and is based on information indicated in the application. If you have questions about whether you are considered a barbecue vendor please contact our office. Within the current boundaries of The Market (Higuera Street between Nipomo and Osos streets), there shall be no more than nine barbecues, each with a reserved space assigned.

Novelty-Novelty may include other forms of entertainment such as face painting, balloon artists, caricature artists or other acts that charge a set price for a product or participation.

Political Organizations- Organizations that are involved in the political process such as political advocacy groups, institutions, parties and interest groups.

3. GENERAL RULES AND REGULATIONS FOR THE MARKET

Any participant in The Market must comply with all of the rules and regulations outlined in this document. Non-compliance, including offensive conduct, may result in immediate revocation of the permit by a market representative. Market representatives also reserve the right to order the removal of a participant (this includes all equipment and material) from The Market for any reason deemed necessary to better meet the mission and goals of The Market or for public health, safety and welfare. If a permit is revoked an appeal may be made.

A. Application

Applications are reviewed by the Committee (DA Members are exempt) for approval or denial based on their established criteria and it is the applicant's responsibility to contact the DA office for this determination. If an application is denied, the basis for denial shall be given upon request. The Committee or any market representative will not discriminate on the basis of race, religion, creed, color, gender, political beliefs, national origin, age, physical disability or any basis prohibited by law.

- i. Those who are eligible and wish to participate in The Market must submit an application at **least three weeks** prior to the desired attendance date. Eligibility is posted on [The Market FAQ's](#).
- ii. By completing the online application through [ManageMyMarket](#) and submitting an electronic signature, all applicants are acknowledging participant's liability for damages (including costs for clean up and damages to property belonging to merchants or tenants).
- iii. Participant activities are limited to the items listed on their application. Participants must indicate all merchandise and food items they hope to distribute at The Market on their application, which are subject to approval by the Farmers' Market Manager and The Committee.
- iv. All participants must include contact information for their authorized agent or representative. The person listed as the contact will be responsible for follow up on any correspondence with the DA.
- v. Current participants in The Market are expected to renew their applications through the [ManageMyMarket](#) system each year in order to maintain an active permit. The window to renew an active application is May 1st – June 30th of the current active year. Active participants who do not renew their application during that window may risk losing their space at The Market and will have to reapply as a new applicant.
- vi. Food trucks are not permitted to participate in The Market at this time, but may be invited to participate in special events produced by the DA.

B. Account and Permit

All participants' accounts are subject to review every six months by the Farmers' Market Manager or representative to ensure that they are in compliance. However, a participant/applicant may be subject to removal at any point for non-compliance with The Market rules and regulations.

- i. Participants are responsible for notifying the DA of a change to their contact person or information by updating their [ManageMyMarket](#) account or by contacting the DA office directly.
- ii. Participants in The Market must notify the Farmers' Market Manager directly if there is a closure, sale, or transfer of their business including change in management. Closure or transfer of a business may result in revocation of their permit (exceptions may be made for businesses undergoing renovations that do not exceed 60 days.)
- iii. No entity will be allowed to participate in The Market without a **valid** permit. An approved participant's placement on the [ManageMyMarket Map](#) acts as their permit once payment is received for the fees owed. Each permit is only valid for one event and is officially recognized by the placement of that participant on the [ManageMyMarket Map](#).
- iv. Participants must have a valid permit for each date of attendance. Once a permit has been issued to participate in The Market and spaces/dates have been reserved, participants must show up on time in order to maintain validity of their permit. No-shows may result in that space being reassigned and revocation of permits to participate with The Market in the future.

C. Fees and Payment

Participation in The Market is a privilege for all participants. Since there are substantial costs (such as janitorial, trash removal, street closure and insurance) involved with sponsoring these weekly events, the DA has established fees that are reviewed annually. Fees are based on vendor type and can be found on [The Market FAQ's page](#).

- i. Fees for permits must be paid for the week before participating in The Market (by Friday or last business day of the week). Fees for permits can be pre-paid on a monthly or quarterly advanced billing cycle, which is arranged with the Farmers' Market Manager. Permits for The Market may not be reassigned or sold under any circumstances.
- ii. Any returned check will be subject to collection for the amount of the check plus a twenty-dollar

return check fee. A permit issued to a participant whose check has been returned will be canceled until the full amount plus associated fees are paid. Payment for return checks can be made in cash, cashier's check or by credit card. Future checks will not be accepted if there is any history of returned checks.

- iii. If a credit card is charged for a permit and it is declined, an additional fee of \$5 will be charged to the participant to account for additional staffing time and bank charges to run the card twice.
- iv. Participant activity requiring additional maintenance or assistance not covered in the initial fee will be required to reimburse the DA for those costs.

D. Required Documentation

The following are required to participate in The Market and may vary based on the participant's vendor type, which is posted on [The Market FAQ's](#). The documents outlined below will be requested once an application has been approved and are not needed to submit an application. Once approved, it is expected participants keep all documents active and current or they will be subject to removal from The Market.

- i. City of SLO Business Tax Certificate.
- ii. Proof of Liability Insurance with a minimum coverage of \$1,000,000 (one million dollars). Applicants are required to have their insurance carrier notify the DA in writing of their insurance status. The DA and City of San Luis Obispo are to be named "Additional Insured". Please reference this [sample](#).
- iii. Proof of Workers' Compensation Insurance must be provided for any person working at The Market who is not a direct owner or an immediate relative of a direct owner of the business. A business owner will provide a written statement acknowledging any immediate family members who are working. All other workers are assumed to be employees and must be covered by Workers' Compensation.
- iv. Seller's Permit from the [California State Board of Equalization](#) is required for any applicant who wishes to sell a product (more information at link above).
- v. Temporary Food Facility Health Department Permit is required for any applicant who wishes to distribute food, whether selling or for fundraising purposes (contact number 781-5552).
- vi. Organizations wishing to participate with a not-for-profit status shall provide reasonable proof in the form of documentation such as their organization's IRS Tax Exempt Status notification.

E. Space and Equipment

Upon approval of the application the Farmers' Market Manager will assign a specific space or location noted on the invoice sent to participants. Approved applicants will be given space on a first-come, first-served basis according to space availability. Participants are not guaranteed space in the location of their choice.

- i. Participants in The Market must maintain their setup and remain open and accessible in the assigned space until 9:00 p.m. **Absolutely no early takedowns are allowed.**
- ii. Participants wishing to maintain the same location continuously must be on a monthly or quarterly billing cycle and submit payment by the first market of that month or quarter. The Farmers' Market Manger will attempt to accommodate specific space requests, but do not guarantee a specific space assignment under any circumstance.
- iii. Vendors are limited to one assigned 10' x 10' space (this excludes Barbecues) per event unless authorized by The Committee. The Farmers' Market Manager has the authority to assign or to reassign spaces. Additional spaces may be temporarily provided for special events.
- iv. Participants' activity at The Market must be kept in their assigned booth space. City property (trees,

- parking meters, etc.) may not be used to hang signage or any other materials.
- v. Food vendors are required to list all equipment they would like to bring out to The Market in their application. If participants wish to bring additional equipment after the approval of their application, they must make a request by email or phone to the Market Manager. The Market Manager will present it to the Fire Department and may approve or deny at their discretion.
 - vi. The DA is under no obligation to provide power, water or any equipment to participants and is only under obligation to provide a space on the street for approved participants. An applicant needing specific services must make these needs known in the application and pending availability, may be assigned a space with available electrical hook-ups.
 - vii. It is the participant's responsibility to provide all necessary equipment for operation of his/her booth. Power cords must conform to safety standards as described below. Generators or power pack may be used only if pre-approved by the Farmers' Market Manager prior to the event.
 - viii. Vendors using electricity will comply with standard procedures for accessing and connecting to electrical sources, which can be found on [OSHA's website](#). All power cords must be securely fastened to the ground by tape, carpet or cord protectors. Participants are responsible for removing all tape from the street and sidewalk at the completion of the event.
 - ix. Lighting on booths should be used for illumination of the booth and display purposes only. Strobing, flashing and/or rotating lights are not permitted. All lighting must be electrical, battery or solar powered only.
 - x. All participants must conspicuously display the name and location of their business or organization on a sign with the minimum size being approximately 400 sq. inches (14" x 30"). Participants may not block surrounding businesses' display windows at any time with boards, banners or other large displays.

F. Street Closure and Safety

The Market is a special experience for people of all ages—residents, tourists and participants alike. Your cooperation is greatly appreciated in helping maintain the family- and community oriented atmosphere so essential to The Market's continued success. Because of the many participants and thousands of visitors who attend, it is important the rules as set forth below be strictly observed throughout the entire event. All traffic laws shall be obeyed regardless of street closure throughout The Market event as well as during set up and break down.

- i. **Under no circumstance are vehicles allowed to move within the barricaded area during The Market hours of 6:00 p.m. - 9:00 p.m. even in the circumstance of rain, unless approved by the Farmers' Market Manager or market representative.**
- ii. No stopping vehicles or setting up in booth space until after 5:30 p.m.
- iii. No blocking the center lane of Higuera Street at any time; pull to the side lane and unload your vehicle (Barbecue Vendors see Section 4F for special instructions).
- iv. Support vehicles must be unloaded and off the street by 6:00 p.m. Participant's vehicles left inside the barricaded area after 6:00 p.m. are subject to towing at the owner's expense. If vendor is running late all equipment must be carried in/out.
- v. All activities end at 9:00 p.m. and participants must clear their area entirely before 9:30 p.m. at which time barricades are removed and traffic flow resumes.
- vi. Drivers must exercise extreme caution and drive slowly during the 5:30 p.m.-6:00 p.m. set up and 9:00 p.m. -9:30 p.m. take down. Drivers must heed all directions issued by any Market Representative regarding safety.
- vii. While the DA is not an enforcement body for the Health, Fire and Police Departments, cooperation with these agencies is essential. Participants shall be aware of and comply with code requirements. Specific questions regarding the codes should be directed to [San Luis Obispo County Fire](#)

Department.

- viii. The Farmers' Market Manager will review booth configuration at the time of application for compliance with the fire lane regulations. No tables, risers, or any other equipment will be allowed in designated fire lanes. All booths must conform to this requirement.

G. Sales and Vendor Activity

- i. Merchandise sales at The Market are limited to those items sold from an established inventory within the normal scope of each participant's daily business. Food items must be the same type as are sold on the daily menu at the business unless otherwise authorized by The Committee. In regard to both merchandise and food, all items distributed at The Market must be indicated on the application and pre-approved by the Farmers' Market Manager and The Committee.
- ii. No product legally prohibited to use by individuals under the age of 21 shall be sold, distributed, or promoted at The Downtown SLO Farmers' Market unless in a designated area or **with prior written approval** by the Committee.
- iii. Vendors are not to serve beverages and food items in expanded polystyrene (EPS or white plastic foam) containers per SLO city ordinance section 08.06.010 (2015)
- iv. Single use containers are not allowed to be used in the serving of beverages and food per [San Luis Obispo city ordinance. 8.07.020](#)

H. Cancellation Policy

- i. The Farmers' Market Manager and/or appointed market representative reserves the right to cancel The Market at any time including during the event.
- ii. In the instance of rain or inclement weather, The Farmers' Market Manager or representative will decide whether or not to cancel The Market by 3:00 p.m. of that event day. If the event is canceled by a Market Representative, a message will be sent through the [ManageMyMarket](#) system to the email address on file and it is the participants' responsibility to check that inbox for updates. Participants may also visit the DA website and/or Facebook page for an update or check the DA Farmers' Market phone line after 3:00 p.m. by calling 805-541-0286 (option 1).
- iii. If The Market is canceled by a Market Representative, a rain credit will be given to participants signed up for that night. No rain credits will be given unless a Market Representative has officially canceled (Barbecue vendors see Section 4F for special instruction on cancellations).
- iv. Credit may be issued if approved participant cancels 24 hours in advance of The Market by contacting the DA Office and requesting a credit. No credits will be issued for no-shows or late cancellations. No refunds will be issued in any case.

I. Participant/Visitor Conduct at The Market

The following apply to all participants in The Market and visitors where applicable. Noncompliance may result in immediate removal from The Market.

- i. Activity that impedes the flow of pedestrian traffic is not allowed in any circumstance and participants in The Market must stay within their assigned space.
- ii. No person may harass, follow or intimidate visitors, participants or market representatives.
- iii. No person shall deface or otherwise abuse Downtown property including, but not limited to buildings, signs, parking meters, trashcans, newsstands or plants with any material. Any give-away or promotional material distributed at The Market must be pre-approved by The Farmers' Market Manager or representative. **No stickers or adhesive materials of any kind can be sold, distributed, given away or offered at The Market**
- iv. No participant in The Market shall state, imply or otherwise suggest that the DA, Market Representatives or any of its member businesses endorses, sponsors or supports the views of

- participants' business or organization.
- v. **Any form** of amplification, including playing music, is NOT allowed without previous written approval from the Farmers' Market Manager or a representative.
 - vi. Participants in The Market shall be appropriately dressed (e.g. shirts and shoes) and conduct themselves with proper decorum.
 - vii. No pets/animals are allowed at The Market without pre-approved authorization and are only permitted in limited and controlled circumstances. Animals certified to assist and/or support any person at The Market are permitted.
 - viii. Unless communicating with other staff or agency members within vendor's designated space, yelling is prohibited.
 - ix. The DA is not responsible for theft or damage to property belonging to persons participating in The Market or items left unattended during or at the conclusion of the event.
 - x. Entertainers who have not been approved to perform at The Market are not allowed to play music within boundaries of the event.

4. ADDITIONAL RULES AND REGULATIONS BY VENDOR TYPE

The following rules and regulations are specific to the vendor type of each participant in The Market. If you are uncertain about the vendor type that applies to you, please review definitions and/or contact the DA Office. **Each participant must also be in compliance with the rules and regulations in Section 3 or risk revocation of their permit and denial of future participation in The Market.**

A. DA Members

The DA Board of Directors urges DA members to participate in The Market both to enhance the event and to benefit their own businesses. DA members should report infractions of any rules to the Farmers' Market Manager directly. DA members are prioritized over non-members in any category. DA Members must comply with the following and the rules and regulations in Section 4F if the business meets the criteria of a barbecue vendor.

- i. DA members must be in good standing in order to participate in The Market.
- ii. All food vendors must have a business and full service commercial kitchen.
- iii. Upon request and space permitting, the Farmers' Market Manager will attempt to place member participants in close proximity to their places of business. Member participants are not guaranteed space in the location of their choice.
- iv. A member business cannot act as a sales agent for any other entity. This includes selling inventory or conducting activities not part of that member's business
- v. Participating DA members must be current on membership payments to the DA.

B. Non-Member Vendors

Non-member vendors are subject to approval by The Committee. At the discretion of The Committee, non-member businesses **may** be permitted to participate in The Market if determined that their participation will provide a public service or will serve to promote the goals and purposes outlined in this document. Non-member vendors must comply with the following conditions and the rules and regulations in Section 4F if the business meets the criteria of a barbecue vendor.

- i. Non-member vendors must meet criteria of a commercial business and be in good standing.
- ii. All food vendors must have a full service commercial kitchen.
- iii. Non-member vendors who miss two or more consecutive markets will be required to reapply as a new applicant and may be subject to review by The Committee.

C. Not-for-profit Organizations

Please see Section 2 to determine if criteria are met to apply as a not-for-profit participant. Applicants whose format is determined to be entertainment shall not be eligible for a space allocation under this section, but shall be regulated by Section 4D. All not-for-profit organizations are expected to comply with the following conditions and the rules and regulations outlined in Section 4H if the organization meets the criteria of a political organization.

- i. Organizations wishing to participate with a not-for-profit status shall provide reasonable proof in the form of documentation such as their organization's IRS Tax Exempt Status notification. If status is pending: meeting minutes, bylaws, articles of incorporation, communication from the Secretary of State, taxpayer documentation or other indication of not-for-profit status will be accepted as verification.
Note: Student clubs and organizations must provide written authorization from their institution in order to participate. Please complete this process prior to applying to participate in The Market. Cal Poly students can reference specific instructions [here](#).
- ii. Not-for-profit organizations may conduct direct sales no more than four times per year, once per quarter and not more than two consecutive weeks. Sponsorship from DA members may not be solicited to circumvent this rule.
- iii. Fundraising dates and materials must be pre-approved by The Committee.
- iv. Participants shall limit sales to items specified on the approved application. Merchandise or related fundraising items can be at the participant's booth on approved fundraising dates only and may not be displayed at any other time.
- v. All monies generated by sales or solicitations, excluding direct material costs, must go to the not-for-profit group, not to individuals within the group. The Committee reserves the right to request review of full accounting records.

D. Entertainment

All applicants applying to participate in The Market as an entertainer are subject to approval by The Committee. Entertainers who are approved to perform at The Market must comply with the following conditions.

- i. **A 20-foot fire lane must be observed down the middle of the street or on one side or the other.** Permission may be granted by a Market Representative to allow entertainment that does not require any equipment or solid objects in the fire lanes.
- ii. Links to recordings, demo tapes/cd's and/or auditions at the request of the Farmers' Market Manager are required at the time of application.
- iii. Entertainers requiring electrical power for the night of The Market must indicate their specific needs on their application, which are subject to approval by the Farmers' Market Manager. Any changes to the electrical power needs indicated on the application must be pre-approved by the Farmers' Market Manager prior to the night of the performance at The Market.
- iv. The night of The Market entertainers must perform the type and style of entertainment exhibited during the application process.
- v. **Entertainers must keep sound levels within the following guidelines: 75 decibels at Garden Street and 80 decibels at all other assigned spaces.** Entertainers may not use generators. Violation of decibel level guidelines will result in a warning followed by electrical disconnect and/or removal from The Market.
- vi. Power supply is arranged and provided by the Farmers' Market Manager. However, entertainers are responsible for all necessary electrical hook-ups for their equipment and these are subject to Fire Department regulations.

- vii. Entertainers may actively solicit donations at The Market during their performance.
- viii. **Entertainers must stop performing at 8:45 p.m. to begin break down, ensuring that the road will be cleared by 9:30 p.m.** (exception to rule in Section 3E regarding early take down).
- ix. Entertainers may obtain up to four parking passes from the DA for the night of their performance at The Market. Parking passes are non-transferable and not available for reuse.

E. Media

Media includes radio, television, internet/online and print outlets. Cooperation between the DA and the local media is encouraged to promote The Market; fees may be waived in exchange for advertising. Arrangements must be agreed to in writing with the Farmers' Market Manager.

- i. As outlined in Section 3, amplified music and all giveaways (non-adhesive material only) must be pre-approved by The Committee.
- ii. Promotion/advertising shall be for the applicant only, not for special events or non-member businesses.

F. Barbecue Vendors

A waiting list of applicants who wish to participate as a barbecue vendor is kept in the DA Office. If approved, any space that becomes available will be reserved for the applicant at the top of that list. To be placed on the waiting list for The Market, barbecue vendors must fulfill applicable requirements outlined in this document. Barbecue vendors are expected to comply with all of the following rules and regulations as well as those listed under either Member or Non-member vendor depending on the location of the business.

- i. Barbecues are not to be pulled onto the street or started in an assigned street space until after 4:00 p.m. and are not to extend into the street past the parking place marker until after 5:30 p.m. All barbecues must be set up in their assigned space prior to lighting the barbecue. No "live" or lit barbecues can be transported into or out of The Market area. During the lighting, the barbecue is to be surrounded by barriers set five feet away to protect pedestrians from flames and must be easily removable for emergency vehicle access (this may require temporary placement of barriers on sidewalk areas). Standard starter fluid or propane wands can be used to start barbecues.
- ii. All vendors using open flame must operate in accordance with all fire code regulations set forth by San Luis Obispo County Fire Department and have an approved fire extinguisher on site.
- iii. Barbecue vendors that are assigned to areas that include designated metered street parking spaces must post the DA issued signage on each meter stating "No Parking After 3pm" 24 hours in advance of the restricted time per City of San Luis Obispo regulations.
- iv. Each barbecue vendor must provide at least one 50-gallon container for refuse.
- v. Barbecue vendors are required to participate every Thursday, unless The Market is officially canceled by a Market Representative. Failure to participate will result in the barbecue vendor's permit to be reviewed and possibly revoked at the discretion of The Committee.
- vi. Barbecue vendors in good standing are eligible to receive a "roll over bye". To receive a "roll over bye" barbecue vendors must have **100% attendance** during said quarter. Therefore, the allocated one absence per quarter and second "bye" cannot have been used. **Roll over byes cannot be banked.** A second "bye" due to inclement weather may be granted to barbecue vendors by the Farmers' Market Manager.

G. Novelty

All applicants who apply under the condition of a novelty vendor will be reviewed by The Committee and, upon approval, will be assigned a space at The Market. There are no additional rules and

regulations that apply to this category but all novelty participants are expected to comply with the general rules and regulations outlined in Section 3.

H. Breweries

Local breweries with a Type 01 or Type 23 license have been approved to participate in The Market to sell sealed bottles of their beer and merchandise. At this time the committee has only approved Downtown members and SLO City breweries to attend. Breweries who are approved to participate in The Market must comply with the following conditions.

- i. DA members must be in good standing in order to participate in The Market.
- ii. All breweries will obtain a Type 84 ABC permit to sell pre-filled, sealed bottles of their beer at The Market to be consumed outside of the event.
- iii. One brewery per market will be allowed to offer tastings in an area next to the other breweries separated by an approved barricade. Member breweries will be given priority over non-members to host the instructional tasting. If there are openings for tastings, those dates will be opened up to the remaining breweries.
- iv. Tastings must not exceed 8 oz. per visitor and consumers are not allowed to leave the instructional tasting area with an open container of beer under any circumstances. Breweries are responsible for all activity within the instructional tasting area and for cleaning up any materials used during the instructional tasting.
- v. It is the responsibility of the brewery to familiarize staff working at The Market with all laws and regulations pertaining to selling beer at farmers' markets.
- vi. A member business cannot act as a sales agent for any other entity. This includes selling inventory or conducting activities not part of that member's business
- vii. Participating DA members must be current on membership payments to the DA.

I. Political Organizations

All applicants who apply under the vendor type of political organizations will be reviewed by The Committee and upon approval will be assigned a space at The Market. Political organizations must comply with the following as well as the general rules and regulations and Section 4C.

- i. Political organizations must provide proof of being an approved campaigning organization.

5. APPEAL PROCESS

Any participant or applicant denied a permit or whose permit is revoked may appeal the decision by following the steps outlined below in the order listed:

- A. Obtain an appeal form from the DA and return it to the office to file within ten days of the denial/revocation.
- B. State the nature of their appeal and request that the appeal be added to the agenda at the earliest or desired meeting date of The Committee (see DA Calendar for meeting dates). The appellant will be advised of the date, time and place of their meeting with The Committee.
- C. **Appellants who are unable to attend a meeting must contact the Farmers' Market Manager prior to the meeting to request another meeting date. If the appellant does not show up for their designated hearing, the appeal will be removed from the agenda and disregarded.**
- D. If the appellant disagrees with the determination of The Committee, the appellant may then repeat the procedure outlined above to appeal that decision to the DA Board of Directors. The decision of the DA Board of Directors is final.

Rules & Regulations updated
Approved by The Committee 01/13/16
Approved by The DA Board of Directors 05/10/16