

SANTA ROSA WEDNESDAY NIGHT MARKET

Dear Farmer's Market Vendor:

Thank you for your interest in the **2019 Santa Rosa Wednesday Night Market**. The 2019 Santa Rosa Wednesday Night Market Season will run every Wednesday from **May 15 to August 28 from 5:00-8:30 pm**

The Santa Rosa Wednesday Night Market provides vendors, as well as market-goers, a wonderful event bringing the community together to enjoy a variety of food, arts & crafts, fresh produce, non-profit agencies, entertainment and activities. The Market has drawn more than one million people to Downtown Santa Rosa over the past thirty years and will continue to attract thousands each night this season.

PLEASE READ through each page and initial at the bottom. The last page requires a signature. The application processes and deadlines are as follows:

- Enclosed you will find a **2019 Application Form and Rules and Regulations for Market Vendors**. We recommend submitting the application, a **\$25 non-refundable application fee** and the initialed Rules and Regulations as soon as possible to be considered for the first Market on May 15th. Applications submitted will be considered as availability allows on a first come first served basis. Applications are accepted throughout the Market Season. Please allow for up to 2 weeks for processing once the Market has begun.
- Vendor required permits, licenses and other applicable data is indicated on the application – these documents must be received by the Market Manager for all approved Vendors.
- Additionally, your first week's booth payment or full season's pre-payment is due on April 26th, 2019.
- **PLEASE NOTE** All Vendors will be required to pay their booth fees one week in advance of each Market night attending. Vendors who are delinquent on their payments **will not be allowed to set-up their booth**.
- **PLEASE NOTE** Any Vendor who is two (2) weeks or more delinquent in payments is considered failing in fulfilling the applicant's obligations and all future reserved Market booth spaces will be cancelled.
- **Credit Card payments** are accepted online. Once a booth space is approved, invoices will be sent by email and an online payment option will be available on the invoice. Credit Card payments will also be accepted at the Information Booth at the Market for future weeks.
- **Vendors must notify the Market Manager no later than 48 hours before the Market if they will not be attending at a given Market or they will be charged for the space. They may call or text (707) 524-2123 or email market@sonic.net 48 hours in advance of non-attendance.**
- Once your permits, licenses, other applicable data and payment have been received you will be notified by email with a Market driving map, general information and your assigned booth location.
- Each Vendor is responsible for all parking fees or fines – no vehicles are allowed to park within the Market area (except for select Farmers).
- The Market participates in the Supplemental Nutrition Assistance Program (SNAP) for fresh farmed goods. See our frequently asked questions website page for more information.
- **Electrical power is not provided to Market Vendors.** Please be prepared to supply your own power. (Silent generators must be used no louder than 80 decibels).

Please include the following along with your completed application:

- \$25.00 non-refundable application fee. (Checks payable to: Wednesday Night Market).
- Initialed Rules and Regulations and Signed Agreement
- All required permits and/or documents as noted on application
- If new to the Market, photographs of the items, you propose to sell and a diagram or photo of your booth set-up (photos will not be returned).

Specific requests for booth spaces included on applications will be considered however the overall scope of the Market may limit our ability to accommodate all requests.

Mail Applications to:

Wednesday Night Market
613 Fourth Street, Suite 205C, Santa Rosa, CA 95404

Send Questions to Market@sonic.net

Any application sent via email will not be reviewed until the application fee of \$25 is received. Thank you for your time and interest. We look forward to receiving your application.

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2019 GROWERS & FARMERS APPLICATION

A Farm Vendor sells certifiable products; fresh fruits, vegetables, nuts, eggs, honey, flowers, and nursery stock. Non-certifiable agricultural products such as dried fruits, vegetables, beans, juices, jams, fresh meats, fish and shellfish grown in controlled aquaculture facilities may also be sold.

Step 1 – Application

Name of Business _____

Owner/Manager _____

Specific Items to be sold and price range (all items sold or promoted MUST be listed. No products outside of approved categories may be sold).

1) _____ \$ _____ 4) _____ \$ _____

2) _____ \$ _____ 5) _____ \$ _____

3) _____ \$ _____ 6) _____ \$ _____

Email Required _____ (most correspondence will be via email)

Mailing Address _____ City _____ State _____ Zip _____

Work Phone _____ Cell Phone _____

Have you participated in the Downtown Market before? Yes No If yes, when? _____

Certified CA Farmer? Yes No Certified Producer Certification # _____ A copy of your current certification is required.

County produce is sourced from to be displayed at your booth: _____

Please circle the dates you wish to participate at the Market (or select "all"):

May 15 22 29

June 05 12 19 26

July 03 10 17 24* 31

August 07 14 21 28

ALL

Applications will be accepted throughout the Season. To be considered for the first night of the Market we recommend submitting your application as soon as possible.

*Due to Ironman Santa Rosa in Courthouse Square 7/24 the WNM layout will be reduced and space will be limited.

PLEASE CHECK ONE PAYMENT OPTION:

BOOTH RATES for one (10' x 10') booth space:

EARLY BIRD RATE - FULL SEASON - \$475 (16 weeks) paid **BY** April 26th, 2019

WEEKLY - \$40

BOOTH RATES for one (10' x 20') booth space:

EARLY BIRD RATE - FULL SEASON - \$900 (16 weeks) paid **BY** April 26th, 2019

WEEKLY - \$70

Please note – If the Early Bird Rate is chosen and not paid by April 26th, 2019 – Vendor rate will automatically revert to weekly rate as of 4/29/2019.

Payments may be made by check to **Wednesday Night Market** via mail to the Address indicated below, or online via credit card (**invoices with online payment option will be sent via email once a booth space has been approved**). Weekly payments may be made at the Information Booth at the Market for future weeks with cash, check, or credit card.

Step 2 – Required with Application

_____ \$25 Application Fee – application will not be processed without \$25 application fee.

_____ Certified Producer Certificate.

_____ Organic Produce Certificate (if applicable).

_____ A certificate of vehicle insurance (if your vehicle will be at your booth).

_____ Nursery License (if applicable).

_____ A photograph or diagram of your booth design.

_____ CA Sellers Permit.

_____ Santa Rosa Tax Certificate (Business License).

• A Certificate of Insurance (\$1,000,000) naming as additionally insured the Thursday Night Market Association, Inc. and the City of Santa Rosa is required if application is approved.

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2019 GROWERS & FARMERS RULES AND REGULATIONS

PURPOSE OF MARKET: The Santa Rosa Wednesday Night Market Certified Farmer's Market (hereinafter "Market") is certified by the Sonoma County Agricultural Commissioner as a direct marketing outlet for producers of fruits, vegetables, nuts, eggs, honey, flowers, and nursery stock. These producers may sell directly to consumers at the Market without meeting the usual size, standard pack and container requirements for such products, under the auspices of the Direct Marketing regulations of the California Department of Food and Agriculture. Non-certifiable agricultural items may also be sold at the Market. Although the state direct marketing rules do not apply, the same producer-to-consumer philosophy applies.

Agricultural products may only be sold by those who produce them.

COMMODITIES OR PRODUCTS SOLD

1. **FARMERS:**
 - a. Certifiable products; fresh fruits, vegetables, nuts, eggs, honey, flowers, and nursery stock may be sold. Non-certifiable agricultural products such as dried fruits, vegetables, beans, juices, jams, fresh meats, and fish and shellfish grown in controlled aquaculture facilities may also be sold.
 - b. All products sold as **ORGANIC** must be grown, produced, or processed in accordance with the California Organic Products Act of 2003. In addition, a copy of the **ORGANIC REGISTRATION** must be supplied with the application.
2. **NON-AGRICULTURAL PRODUCTS:**
 - a. Baked goods or prepared foods may also be sold at the discretion of the Market. Processed Food Vendors are a separate category of vendors who apply separately and pay different fees than Certified Farmers or Food Vendors. A Processed Food Vendor wholly produces, manufactures, and packages products for sale that are not ready-to-eat. A Processed Food Vendor may sell baked goods providing that the vendor produces the majority of the ingredients of that product. They will use the Pre-Prepared Food Vendor application.
 - b. All products sold at the Market shall meet the requirements of the California Agricultural Code, Title 3, Article 6.5 and the California Health and Safety Code. Packaged products must be labeled with the name of the farm or producer, ingredients, address, and weight of contents. High quality, vine-ripened, fresh produce is expected. Lower grade produce must be marked as such and priced accordingly. **Scales or balances are required for commodities that must be weighed. These must be certified and sealed by the County Sealer at the Department of Weights and Measures on an annual basis.**

ADMISSION OF PRODUCERS AND PRODUCTS TO THE MARKET

1. Admission to sell at the Market shall be at the discretion of the Vendor Selection Committee. In making any determination in this regard, the Committee shall consider the following:
 - a. Producer's positive or negative history of compliance with State, local government and Market rules and regulations.
 - b. Producer's history of Market participation. When practical, significant weight, priority, and preference should be given to member growers returning from previous seasons.
 - c. The competitive availability and number of sellers of producer's product present within the Market, and the relative quality of the product offered for sale. If practical, monopolies and surfeits should be avoided.
 - d. The number of unreserved spaces and other limitations of the Market. Admission of a producer may be conditioned by period of attendance time and type of product allowed limitations.

ASSIGNMENT OF SELLING SPACE

1. The producer's location, space size and other factors of assignment of selling space within the Market shall be at the reasoned discretion of the Market Manager, in accordance with the policies, rules and regulations established by the Santa Rosa Wednesday Night Market. In making any determination in this regard, the Market Manager shall consider the following:
 - a. The maintenance of present and past consumer-producer relationships.
 - b. The maintenance of good product mix and consumer traffic flow.
 - c. The principles of good Market and product promotion.

STALL RULES

1. **STALL SPACES:** Growers/Vendors must accept the space assigned by the Market Manager, booth location is subject to change per the Market Manager. No entry into the Market after 4:45pm. All operations must be within the marked space for your booth. No activities are allowed on sidewalks, sidewalk peninsulas between parking bays, or within the fire lane area of the street, unless specifically designated by the Market Manager.
2. **STALL FEES:** Vendors must notify the Market Manager no later than 48 hours before the Market if they will not be attending at a given Market or they will be charged for the space. They may call or text (707) 524-2123 or email market@sonic.net 48 hours in advance of non-attendance.
3. **PRICES:** Prices of all commodities must be clearly marked.
4. **CLEANLINESS:** Growers/Vendors must maintain the space assigned to them in a clean and sanitary condition, and when vacating the premises must remove from the area all equipment, produce, trimmings, wrappings, and containers. All trash must be cleaned up.
5. **LIVE ANIMALS:** No dogs or live animals are allowed at or within 20' of booths – the only exception are guide dogs, signal dogs or service dogs when used in a manner specified in Section 54.1 of the Civil Code. As a Food Vendor, if you are in need of having a guide, signal or service dog at your booth you must communicate this to the Market Manager in writing prior to being/setting up your food booth.
6. **PRODUCTS:** In accordance with the new California Direct Marketing Rules & Regulations, certifiable and non-certifiable agricultural products will be clearly separated from non-agricultural products.
7. **VEHICLES:** Vehicles parked behind Vendor booth cannot exceed the size of the booth purchased. Vehicles that do not fit will be asked to move immediately and park outside of the Market footprint.
8. Vendors are responsible for providing own tables, chairs, etc. – and people to set-up/take down.
9. All Vendors are required to operate customer lines parallel to Market traffic, and in such a manner as to avoid interference with access to other Market Vendors.
10. **SIGNAGE:** **There are no A-frame sandwich board signs, umbrellas or stations allowed outside of your designated area**

2019 GROWERS & FARMERS RULES AND REGULATIONS (Continued)

SELLER RULES

1. CREDENTIALS: Permission to occupy a space and sell goods at the Market becomes effective only after the Market Manager has received all the following:
 - a. CERTIFIED PRODUCER CERTIFICATE: Available from the County Agricultural Commissioner, listing crops produced and additional information as required, embossed, and with original signatures. A copy must be supplied with the application.
 - b. PERMITS: All permits (Health, Agriculture, Food & Game, Nursery License) necessary to sell processed products must be on display in the Market and a copy included with the application.
 - c. VERIFICATION OF EMPLOYMENT: All employees of growers selling at the Market must be able to supply the Market Manager with proof of employment upon request.
 - d. COPY OF CONTRACTS OR AGREEMENTS: All partnership contracts or agreements must be legal documents and a copy supplied with the application.
 - e. LIABILITY: Vendors should be aware that the Market's liability insurance does **NOT** cover sellers. It is recommended you obtain your own liability insurance.
 - f. FARM VISITS: Seller recognizes that a representative of the Market may, by appointment, visit the farm or other locations as necessary to verify compliance with these regulations.
2. SECOND CERTIFICATES: Growers may sell the products of two (2) other growers, in addition to his or her own products, providing they supply the certificate noted above for themselves and the other grower(s), and a letter showing the permission of the other grower(s) for the sales. The additional grower(s) must also be listed on your certificate. The products of the two growers must be clearly separated on the table. A \$5.00 stall fee will be assessed for the second certificate.
3. PEDDLERS: No peddlers or unauthorized Vendors will be permitted to sell at the Market. Participants may not harass downtown visitors. Activities which are conducted in such a manner as to interfere with the goals or purposes of the Santa Rosa Wednesday Night Market may result in immediate removal from the Market without a fee refund.
4. CIVILITY: Sellers are expected to maintain high standards of honesty and to conduct themselves always in a courteous and business-like manner. Rude, abusive or other disruptive or offensive conduct will not be allowed in the Market at any time, and is cause for expulsion without fee refund.
5. COLLUSION: Collusion among sellers to raise prices, or exertion of any influence, pressure of persuasion to cause a seller to increase prices, is strictly forbidden. PRICES OF EVERY ITEM YOU SELL must be visibly displayed.
6. PRODUCT LABELS: YOU MUST HAVE your own label (or you must obliterate any other vendor's label) on any BOXES OR CONTAINERS ON YOUR TABLE or which contain products that you sell. This includes egg cartons. You may transport your products to the Market in used boxes, but these may not be displayed on your table.
7. FOOD SAMPLING: Sellers must abide by Sonoma County Health Department rules regarding sampling and tasting of produce or prepared food.
8. REFUNDS: All fees are non-refundable. There are no refunds for rained out Markets.

ADDITIONAL

1. GENERALLY: These regulations have been adopted by the Board of Directors of the Santa Rosa Wednesday Night Market to supplement the California Direct Marketing Regulations (California Agricultural Code, Title 3, Article 6.5). The Board has appointed a Market Manager to supervise the Market and to be helpful to the producers and consumers who use it. The Market Manager must act in accordance with the Board's decisions and policies.
2. NON-COMPLIANCE: Any variation from the foregoing regulations may preclude the seller's right to participate in the Market. The Santa Rosa Wednesday Night Market including its officers, directors, volunteers, agents and employees, have the authority to enforce these regulations and to suspend non-conforming sellers.
3. CHANGES: Vendor Rules and Regulations are subject to change and may be sent via email prior to the beginning of the 2019 Market Season. By signing below Vendor agrees to read and abide by all Rules and Regulations above and those sent at a later time by the Market Manager. Vendor also agrees each individual representing the Vendor at the Market will be made aware of and abide by the Rules and Regulations

AGREEMENT

The undersigned agrees that he/she has read and understood the Rules and Regulations of the Thursday Night Market Association, Inc. dba the Santa Rosa Wednesday Night Market and will be able to comply with all of the Rules and Regulations described. The undersigned understands non-compliance may, at the discretion of the Market, result in removal of the activity from the boundaries of the Market. The undersigned further certifies that he/she is the responsible person referred to in the Rules and Regulations and that he/she is authorized to 1) execute this application on behalf of the group, and 2) accept legal processes on behalf of the group.

Applicant agrees to defend, hold harmless, and indemnify the City of Santa Rosa, its officers, directors, employees and volunteers, and the Santa Rosa Wednesday Night Market, its officers, directors, employees and volunteers from and against any and all claims for damages and any or all loss, provided such claim, liability or loss arises in whole or in part by any act or omission of applicant or that of any employee or agent of applicant, and so applicant agrees, irrespective of whether such claim, damages or loss also arose from or were caused by a negligent omission on the part of the City of Santa Rosa, the Santa Rosa Wednesday Night Market or any of its officers, directors, employees or volunteers. Applicant has read the Santa Rosa Wednesday Night Market's Rules and Regulations, the entire Vendor Application, is familiar with the Hours of Market Operation, all applicable Regulatory Agencies, Fees for the Market Season, and the Section herein regarding applicant's specific area of participation, and applicant agrees to conform to the regulations contained therein. All operations must be within the allocated space. No activities are allowed on sidewalks, sidewalk peninsulas between parking bays, or within the fire lane area of the street.

Signature _____ Date _____