

I.B. Beautiful's
Imperial Beach Certified Farmers' Market
Located at the Pier Plaza, 10 Evergreen Avenue, Imperial Beach, CA 91932
619.397.1917 info@imperialbeachfarmersmarket.org

Market Rules and Regulations

Published February 4, 2010 Revised February 23, 2013
Revised September 21, 2018 Revised 2/1/2019

Market Times

- Summer Hours: April - September Time: 2:00 p.m. – 7:00 p.m.
- Winter Hours: October - March Time: 2:00 p.m. – 6:00 p.m.
- Vendor Setup: Vendor set up begins at 12:00 p.m. to 1:30 p.m. It is preferred that all vendors are set up by 1:30 p.m. ½ hour before the market opens.
- Vendor Breakdown: Vendor breakdown begins promptly at 6:00 p.m. in winter and 7:00 p.m. in summer. No vendor shall breakdown early without prior authorization from the Market Manager and only in an emergent situation.
- Vehicles on Plaza: Vendors may drive onto the plaza to drop off equipment (not set up) and pick up equipment (not break down) during hours of set up and breakdown. All vehicles on plaza must have a drip pan, or other protective cover, under the vehicle while on the sidewalk plaza. No vehicles are permitted on plaza during hours of operation. Vehicles may **NOT** park in the MTS Bus line at anytime.

I.B. Beautiful (IBB) and the management of the Imperial Beach Certified Farmers' Market (Market) shall implement and enforce all the following rules and regulations in a fair and equitable manner.

Admission of any producer to the Market must follow the requirements and rules herein:

1) Fees:

Minimum booth space fee or 10% of **gross** sales, ***whichever is greater*** is due to the non-profit at the end of each market day. Payment along with any paperwork required must be turned in to the Market Manager on site within 30 minutes after the close of the Market.

2) Permits and Sales:

- a) **Farmers/Vendors shall have all appropriate certificates, business licenses, proof of liability insurance and permits.** Sellers must conspicuously post all required permits, licenses, and certificates per City, County and State regulations, prior to commencing sales. **The Market Manager will ensure that each Vendor has the required permits and licenses prior to participation in the Market:**
- i) I. B. Business License (www.imperialbeachca.gov)
 - ii) Additional location Seller's Permit from the State Board of Equalization (www.boe.ca.gov) with the location 600 Palm Ave #222, Imperial Beach, CA 91932
 - iii) Proof of Insurance with the following as "additionally insured.":

- (1) IB Beautiful, Inc and Imperial Beach Certified Farmers Market
- (2) City of Imperial Beach
- (3) Port of San Diego
- iv) Temporary Food Facility Permit (if applicable)
<http://www.sdcounty.ca.gov/deh/food/foodhandler.html>
- v) Health Certificate (if applicable) <http://www.sdcounty.ca.gov/deh/food/tempevents.html>
County Operations Center - 5500 Overland Ave, Suite 170. San Diego, CA 92123
- vi) Agricultural Permit (if applicable) DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURE, 9325 Hazard Way, Suite 100, San Diego, CA 92123
Phone: (858) 694-2739 FAX (858)467-9697 <http://www.sdcawm.org>

3) **Rules for Certified Producers (Farmers)**

- a) A certified producer shall not represent, nor be represented by more than two other certified producers in a 12-month period.
- b) Each certified producer's certified agricultural products to be sold or offered for sale shall be separated and identifiable by each certified producer's valid certificate at the point of sale.
- c) The name of the certified producer for whom another certified producer is selling shall appear on the certificate of the certified producer that is conducting sales.
- d) The name of the certified producer who is selling the products of another certified producer shall appear on the certificate of the person or entity for which the certified producer is selling.
- e) The certified producer selling for another certified producer shall be selling or offering for sale, at the same certified farmers' market on the same day, certified agricultural products which the certified producer conducting the sales has produced and which are in greater volume than the volume offered for sale for the other certified producer. The volume shall be measured by the weight or dollar value of the products at the time and point of sale. This volume requirement shall apply only at the beginning of each day of sale.
- f) The producer applying for certification shall obtain and submit to the agricultural commissioner, prior to certification, written authority from said or other certified producers on their behalf.
- g) A certified producer who sells certified agricultural products on behalf of another certified producer or whose products are sold by another certified producer shall keep for a period of not less than three years, the following records relating to such products:
 - i) Date of transfer to seller and accurate number of products, by weight, dry measure, or count, transferred. Each separate product and amount shall be recorded according to variety.
 - ii) Date of sale and accurate number of products, by weight, dry measure, or count, sold. Each separate product and amount shall be recorded according to variety.
 - iii) Names of both certified producers involved.
- h) A certified producer subject to this subdivision shall produce, for inspection, records required by this section upon demand of a representative of the department or county agricultural commissioner.

4) **Scales:**

Scales used in the Market must have currently valid inspection seals from the County agent in charge of weights and measures.

5) **Attendance:**

- i) Vendors are required to be set-up and ready to sell 30 minutes before market opens unless prior arrangements have been made with the Market Manager.
 - ii) Only persons listed as employees or authorized sellers for a vendor may assist any vendor (see #2 Permits and Sales).
 - iii) Vendors and all equipment must vacate area within two hours of the close of the Farmers' Market.
 - iv) Producers/sellers are asked to notify the Market Manager if they will not be attending the next week's Market.
 - v) Producers/sellers or their representative must notify the Market Manager before
 - (1) 9 p.m. the day prior to Market day if they are unable to participate on that given day.
 - (2) Failure to comply will cause vendor probation.
 - vi) A vendor that misses two consecutive markets has forfeited their space in the Market and Market Manager will place a new vendor as available in the space. Vendors who miss two consecutive markets must obtain prior approval from the Board of Directors before reentering the market unless prior written arrangements were made with the Market Manager. The vendor can address the Board of Directors at their next regularly scheduled public meeting to request reentry into the Market. The Market, nor IBB, can guarantee reentry will be granted to the Market after an extended leave of absence whether noticed or not.
 - vii) Vendors that arrive after market opens will not be allowed to set up without prior approval from the market manager.
 - viii) Vendors may not break down booth before the end of market day unless prior arrangements are made with market manager.
- 6) **Rain or Shine Market:**
- (1) "The New Farmers' Market" book by Vance Corium, Marcie Rosenzweig & Eric Gibson: Rain or Shine states:
 - (i) "Building loyal customers and farmers is dependent upon each knowing the other will come consistently rain or shine. Especially from a distance, farmers in sun may be unaware of rain across the hills. Conversely, a lengthy downpour may prevent farmers from harvesting while the market is sunny. With all but a very small market, it would be impossible to notify farmers and customers that a market day is canceled. Build customers' faith that farmers are depending on them to come and you'll probably have about two-thirds of your normal balance. Everyone will do okay and you will have kept the continuity." Conversely, we are a rain or shine market and expect our vendors to be there for our customers.
 - (2) Rainy Day Discounts: In San Diego County only light rains may pass;
 - (i) discounts are at the discretion of the Market Manager on site and are given for severe weather impeding the foot traffic at the market.
 - (ii) discounts are 10% of total sales or \$20.00 respectively.
- 7) **Products/Merchandise:**
- Farmers/Vendors may not sell any item not listed on their certified producer certificate, load sheet or application without prior approval of the Market Manager. All products must be clearly marked as to price.

- (a) Any person selling organic products or representing products as organic shall
 - (i) conspicuously post at the point of sale a photocopy of the represented certified producers' current State of California organic registration and, if applicable, documentation of the represented certified producers' organic certification. Prior to posting organic documents, it is permissible to conceal from public view acreage and dollar amounts pertaining to annual sales. A complete photocopy of the original, unaltered, current organic document(s) shall, upon the request of an enforcement officer, be made available for review at any time during participation in the market.
- (b) A certified producer shall
 - (i) not sell or represent sprouts as his or her own production resulting from practicing the agricultural arts if less than 50 percent of the seeds, legumes or nuts in any package or container have sprouts that have emerged from the seed, legume or nut coat, husk, pericarp or other type of covering.

8) **Booths:**

All booth locations are assigned by Market Management.

~~Required for all booths: 2A:10B:C fire extinguisher with annual California State Fire Marshal certification tag affixed.~~ **Vendors with generators and fuel powered equipment shall have a 4A:60B:C rated fire extinguisher with annual California State Fire Marshal certification tag affixed.**

All food vendors will have a protective covering placed on the ground directly under their canopy/work area. If sampling is done in front of booth vendor will place additional protective covering in front of booth to avoid spills onto the sidewalk plaza. If a substance meets the pavement, it will be cleaned by vendor immediately. Any oil spills are to be reported to Market Management and public works immediately. Any costs associated with the cleanup of spills made by vendors or their immediate customers will be the sole responsibility of the vendor (i.e. customer drops food while sampling).

9) **Tents/Canopies:**

All tents/canopies must be tied down securely and weighted. No exceptions. Non-compliance will result in termination from the market.

10) **Food Vendors:**

Cooking Booths: Where cooking appliances are present, canopies shall be flame retardant treated with an approved State Fire Marshal seal attached Acknowledgement of IB Beautiful Imperial Beach Certified Farmers Market Rules and Regulations and FIRE DEPARTMENT REQUIREMENTS- FARMERS MARKET. The use of charcoal and lighter fluid is prohibited and shall not be used for any reason.

Smoking or open flame devices, such as candles, tiki torches, etc. shall not be permitted within or adjacent to canopies or tents.

Propane: All vendors utilizing propane shall always maintain all tanks in a secure and upright position. The use of approved tank stands is recommended. Bulk storage of propane tanks must be in preapproved location with approved signage and security.

Cooking or Heating Appliances: All cooking and heating appliances are to be of an approved type and in good working conditions. All cooking and heating devices must be vented to the outside by approved means. Where vents or flues are used, all portions of the canopy or tent shall be no less than 12 inches from the flue or vent. Cooking and heating appliance shall not be placed near to tent or canopy walls, netting, cover, etc.

Ground covering: All food booths will have protective ground covering. No exceptions.

Food Samples: All food samples must be kept covered. Vendors are responsible for covering

the sidewalk and protecting the plaza from all spills caused by sampling or food preparation stations (i.e. a condiment station). Just like in a restaurant, any customer spills must be cleaned up immediately by the vendors. All costs associated with cleanup of any vendor booth location will be the responsibility of the vendor. Keep your location clean.

Fire Extinguishers: 4A:60B:C rated fire extinguisher with annual California State Fire Marshal Certification tag affixed. (See #9 Fuel Powered Equipment) are mandatory and to be kept in an easy access location within the booth space.

Electrical Shut Off: All electrical cooking or heating appliances shall be plugged in to an outdoor approved power tap. The power tap is to be located within 6 feet of the appliance, be easy to access and will be used if an emergency shut off the appliance is necessary.

Fuel Powered Equipment: Generators and Fuel powered equipment shall have a 4A:60B:C rated fire extinguisher with annual California State Fire Marshal Certification tag affixed mounted near the equipment, within the operator's control. Generators are to be at least 20 feet from any canopy with a 3-foot fence structure around the generator for fire and safety compliance.

- 11) **Electricity:** Extension cords and power cables must be of an approved type, appropriately rated and sized for the intended use, amperage and length. Cords, cables are required to be rated for outdoor use. Electrical cords and cables are not allowed on walkways unless an approved protective mat or ramp or other device shall protect any electrical cords or cables that are exposed to pedestrian or vehicle traffic. All electrical appliances/devices must be plugged directly into an approved power tap which is a polarized or grounded type, equipped with (circuit breaker reset), and shall be listed in accordance with UL 1363. Providing an approved power tap appliance is the responsibility of every vendor using electricity.
- 12) **Trash/Waste** All vendors are required to notify Market Management of any spills on the Pier Plaza. Vendors must have trash receptacles and be responsible for removing any debris or trash that is generated by them or their customers. Cans, bottles, paper and cardboard, or any other recyclable material, shall be properly recycled.
- 13) **Water Disposal:** No water, or any liquid or material, will be disposed of down the storm drains, on adjacent plants, grass or trees, on the parking lot or sidewalk. All water must be disposed of down the drain directly located outside the public restrooms. See Market Manager for location and compliance. Again, no water dumping on Pier Plaza, on the plants, trees or grass, down storm drains or on the parking lot.
- 14) **Public Safety**
All vendors to follow the California Fire Code (CFC) 2007 edition and City of Imperial Beach Municipal Code. Fire hydrants shall not be blocked or obstructed at any time.
- 15) **Vendor Trucks on Plaza:**
 - a) All vendors utilizing trucks on plaza MUST have protective drip pans beneath their truck. **NO EXCEPTIONS!** No vehicles on plaza during hours of operation.
- 16) **Personal Code of Conduct:**
 - a) No smoking
 - b) No drinking
 - c) No illegal drug uses
 - d) Appropriate clothing (it can get very cool, windy and foggy by the beach).
 - i) Sales persons MUST wear CLEAN attire.
 - ii) Sales persons must practice personal hygiene.
 - e) Gossip, rumor spreading and general negativity among participants will not be tolerated.

17) At-Will Policy:

The Imperial Beach Certified Farmers Market is an at-will market. A vendor may contact the Market Manager at any time and choose not to continue vending at the Imperial Beach Certified Farmers Market without penalty. In the same, the Market Manager can choose to terminate or replace a vendor at-will.

18) Right of Appeal:

A vendor may appeal any decision regarding continued participation in the Imperial Beach Certified Farmers Market by submitting a notarized letter to IB Beautiful, Inc. at 600 Palm Avenue, Suite 222, Imperial Beach, CA. 91932. The letter must be received within 60 days of determination or incident, at which time the letter will be reviewed by the IBB Board and a finding will be made within 45 days in writing. A formal written decision/response will be mailed to participant no later than 10 days after receipt of the appeal decision.

To obtain a Business License with the City of Imperial Beach, go to City Hall located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 for applications and procession. Business Licenses can also be applied for online at www.imperialbeachca.gov. For more information on Business Licenses call 619.628.1423

The Imperial Beach Fire Department is located at 865 Imperial Beach Blvd., Imperial Beach, CA 91932. The fire marshal routinely does inspections at our market and he is available to answer any questions you may have regarding fire safety and compliance issues. The phone number for the Imperial Beach Fire Department is (619) 423-8223.

Additionally, for information on how to become a certified producer go to the County of San Diego online at http://www.sdcountry.ca.gov/awm/farmers_markets.html.

Department of Agriculture, Weights and Measure
9325 Hazard Way, Suite 100, San Diego, CA 92123
Phone: (858) 694-2739 FAX (858)467-9697 <http://www.sdcawm.org>

To become a food vendor please refer to the County of San Diego's Department of Health online <http://www.sdcountry.ca.gov/deh/food/tempevents.html> (858) 505-6809.

Seller's permits can be obtained at <http://www.boe.ca.gov>. Seller's permits are free, and vendors will more than likely hold more than one seller's permit. A seller's permit is required for each location that the vendor conducts business. The Imperial Beach Certified Farmers Market is located on the Portwood Pier Plaza, 10 Evergreen, Imperial Beach, CA 91932.

We wish you every success in our Market.

I.B. Beautiful
Imperial Beach Certified Farmers Market
Located at the Pier Plaza, 10 Evergreen Avenue, Imperial Beach, CA 91932
619.397.1917 www.imperialbeachfarmersmarket.org



fire engineering –fire prevention -fire education -disaster preparedness –fire code enforcement

IMPERIAL BEACH FIRE RESCUE DEPARTMENT, FIRE PREVENTION BUREAU
 865 IMPERIAL BEACH BOULEVARD, IMPERIAL BEACH, CALIFORNIA 91932
 (619) 423-8223 Fax (619) 628-1489

Acknowledgement of IB Beautiful Imperial Beach Certified Farmers Market Rules and Regulations and FIRE DEPARTMENT REQUIREMENTS- FARMERS MARKET

I, _____, am an owner/authorized representative of _____, and I certify that I have read the rules and regulations for IB Beautiful Imperial Beach Certified Farmers Market located on the website at www.imperialbeachcertifiedfarmersmarket.org and I will abide by and have all of my employees abide the rules and regulations set forth in this document.

I, _____, am an owner/authorized representative of _____, and I certify that I have been personally given the FIRE DEPARTMENT REQUIREMENTS – FARMERS MARKET rules and hereby state that I will follow these regulation requirements.

If, at any time, my business is not in compliance with these rules and regulations I understand that I or my employees will be asked to leave the market. Further, should there be any costs, fines, or fees to IB Beautiful caused by or associated with my business’ failure to follow these rules and regulations ***I agree that these ALL costs, fines, or fees will be the responsibility of my business and/or me as the business owner/representative.***

Business Name: _____ Date: _____

Business Owner/Representative: _____

Business Owner/Representative Signature: _____

_____ Initial – Understand IB Beautiful Imperial Beach Certified Farmers Market Rules and Regulations

_____ Initial – Understand IBFD Requirements for 1. Canopies and Tents Secured

_____ Initial – Understand IBFD Requirements for 2. Access

_____ Initial – Understand IBFD Requirements for 3. Temporary Power

_____ Initial – Understand IBFD Requirements for 4. Cooking within a Canopy Tent

_____ Initial – Understand IBFD Requirements for 5. Cooking Canopy / Tent Floor Material

_____ Initial – Understand IBFD Requirements for 6. Fire Extinguishers

IB Beautiful Representative/Market Manager: _____ Date: _____



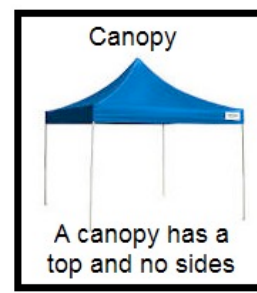
fire engineering –fire prevention –fire education –disaster preparedness –fire code enforcement

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FIRE DEPARTMENT REQUIREMENTS- FARMERS MARKET

1. CANOPIES AND TENTS

All temporary membrane structures including tents and canopies **shall be secured** to the ground at every point of contact using sandbags or similar weights; stakes are not permitted in parks.



2. ACCESS

Never block sidewalks, disabled access ramps, fire lanes, lifeguard emergency lanes or fire hydrants.

3. TEMPORARY POWER

Extension cords shall be secured and protected. No multi plug adapters are allowed without over current protection and outdoor use rating. Tread devices shall be used wherever cords come into contact with pedestrians or other traffic.

ADDITIONAL REQUIREMENTS FOR COOKING VENDORS

4. COOKING WITHIN A CANOPY OR TENT

No vendor is allowed to cook within a canopy or tent unless all of the material is labeled “flame retardant” with the California State Fire Marshal registered seal or is labeled NFPA 701 compliant (equivalent).

*Consumer grade tents and canopies are made specifically to be compliant with CPAI-84 (a test standard for camping tents not commercial cooking tents) and this standard does not apply to open flame or cooking appliances in proximity to material; if your tent or canopy label states CPAI-84 compliant or “KEEP AWAY FROM HEAT AND OPEN FLAME” it is not flame retardant and is **not** permitted to be used in proximity to open flame or cooking appliances at a permitted event.*



5. COOKING CANOPY / TENT FLOOR MATERIAL

Vendors that are required to provide a protective floor under a canopy / tent shall use approved flame retardant material. (See #4 for flame retardant material information)

6. FIRE EXTINGUISHERS

Each cooking vendor shall have a fire extinguisher for every applicable hazard below. If you have:

- Paper products, combustible liquids or electricity (**2A:10B:C Fire extinguisher**)
- Wok, fryer, kettle corn or cooking oil (**Class K Fire extinguisher**)
- Char coal or wood (**4A:60B: C: Fire extinguisher**)

Note – Char coal or wood cooking is not allowed at IB Farmers Market.

IBFD REVISED 8-2016