

**I.B. Beautiful, Inc.’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**

Market Times

Summer Hours:	April - September	Time: 12:00 p.m. – 7:30 p.m.
Winter Hours:	October - March	Time: 12:00 p.m. – 6:00 p.m.
Vendor Setup:	Vendor set up begins at 10:30 a.m. to 11:30 p.m. It is preferred that all vendors are set up ½ hour before the market hour begins at 12:00 p.m.	

I.B. Beautiful, Inc. (IBB) and the management of the Imperial Beach Certified Farmers’ Market (Market) shall implement and enforce all of 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:

Payment along with any paperwork required must be turned in to Market Manager on site 30 minutes prior to the close of Market.

2. Permits and Sales:

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. B. Business License (www.cityofib.com)
- Business Tax Certificate (www.ftb.ca.gov)
(Also www.irs.gov/businesses/small)
- Seller’s Permit from the State Board of Equalization (www.boe.ca.gov)
with the location 10 Evergreen, Imperial Beach, CA 91932
- Proof of Insurance with “IB Beautiful, Inc., the Imperial Beach Certified Farmers Market and the City of Imperial Beach named as additionally insured.”
- Temporary Food Facility Permit (if applicable)
<http://www.sdcounty.ca.gov/deh/food/foodhandler.html>
- 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

- 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>

- A certified producer shall not represent, nor be represented by more than two other certified producers in a 12 month period.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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:
 - Date of transfer to seller and accurate amount of products, by weight, dry measure, or count, transferred. Each separate product and amount shall be recorded according to variety.
 - Date of sale and accurate amount of products, by weight, dry measure, or count, sold. Each separate product and amount shall be recorded according to variety.
 - Names of both certified producers involved.

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.

3. Scales:

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

4. Attendance:

- 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.
- Vehicles may not travel through Market area during open hours.

- Only persons listed as employees or authorized sellers for a vendor may assist any vendor (see #2 Permits and Sales).
- Vendors and all equipment must vacate area within two hours of the close of the Farmers' Market.
- Producers/sellers are asked to notify the Market Manager if they will not be attending the next week's Market.
- Producers/sellers or their representative must notify the Market Manager before 9 p.m. the day prior to Market day if they are unable to participate on that given day. Failure to comply will cause vendor probation.
- 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.
- Vendors that arrive after market opens will not be allowed to set up without prior approval from the market manager.
- Vendors may not break down booth before the end of market day unless prior arrangements are made with market manager.
- Rain or Shine Market:
 "The New Farmers' Market" book by Vance Corum, Marcie Rosenzweig & Eric Gibson:
 Rain or Shine states:
 "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.
 - Rainy Day Discounts: Often in San Diego County only light rains may pass; discounts are at the discretion of the Market Manager on site and are given for severe weather impeding the foot traffic at the market. Discounts are 10% of total sales or \$20.00 respectively.

5. 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.

- Any person selling organic products or representing products as organic shall 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.

- A certified producer shall 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.

6. 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 at all times have a protective covering placed on the ground directly under their canopy/work area. If a substance comes in contact with the pavement, it will be cleaned by vendor.

7. Tents/Canopies:

All tents/canopies must be tied down securely or weighted. No exceptions. Tie downs will be inspected each Friday. Non-compliance will result in termination from the market.

Standard Vendor Tents/Canopies having an area in excess of 200 square feet and or canopies placed together in excess of 400 square feet or multiple tents and or canopies placed together equaling or greater than the above stated area, are to be used, they shall be flame-retardant treated with an approved State Fire Marshal seal attached. A permit from the Fire Department must be obtained. **All tents, canopies and temporary membrane structures shall be provided with a minimum (1) 2A:10B:C: FIRE EXTINGUISHER WITH ANNUAL CALIFORNIA STATE FIRE MARSHAL CERTIFICATION TAG AFFIXED.**

8. Food Vendors:

Cooking Booths: Where cooking appliances are present, canopies shall be flame retardant treated with an approved State Fire Marshal seal attached. Individual canopies or groups of canopies totaling 400 square feet shall be separated by a minimum of 20 feet from other canopies. 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 maintain all tanks in a secure and upright position at all times. 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 in close proximity 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.

Fire Extinguishers: Required: 2A:10B:C fire extinguisher with annual California State Fire Marshal certification tag affixed. No exceptions. Generators and Fuel powered equipment shall have a 4A:60B:C rated fire extinguisher with annual California State Fire Marshal Certification tag affixed. (See #9 Fuel Powered Equipment)

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 in the event that an emergency shut off of the appliance is necessary.

9. 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.

10. 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.

11. 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. Cans, bottles, paper and cardboard, or any other recyclable material, shall be properly recycled.

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.

Ground Cover -- Again, all food vendors will at all times have a protective covering placed on the ground directly under their canopy/work area. If a substance comes in contact with the pavement, it will be cleaned by vendor immediately.

All vendors shall receive a copy of Farmers' Market Best Management Practices and a copy of the City of Imperial Beach Best Management Practices for businesses brochure.

12. Public Safety

All vendors to be in compliance with 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.

13. Vendor Trucks on Plaza:

All vendors utilizing trucks on plaza MUST have protective drip pans beneath their truck. **NO EXCEPTIONS!**

14. Personal Code of Conduct:

- No smoking
- No drinking
- No illegal drug use
- Appropriate clothing (it can get very cool, windy and foggy by the beach).
 - Sales persons MUST wear CLEAN attire.
 - Sales persons must practice personal hygiene.
- Gossip, rumor spreading and general negativity among participants will not be tolerated.

15. 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.cityofib.com. 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.sdcounty.ca.gov/awm/farmers_markets.html.

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To become a food vendor please refer to the County of San Diego's Department of Health online <http://www.sdcounty.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. For the Imperial Beach Certified Farmers Market this location is 10 Evergreen, Imperial Beach, CA 91932.

We wish you every success in our Market.