



## Legislation Text

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Farmers Market Operating Rules - Proposed Change to Vendor Application Annual Procedures  
The current Market operating rules were adopted by City Council in July of 2007. Staff, after recently reviewing the rules, is proposing modifications that will improve the annual application and payment process.

Currently, the annual procedures as outlined in section III.1.A states:

Annual Vendors and existing Daily Vendors must have completed a vendor application or application update for the upcoming fiscal year by May 15<sup>th</sup>. Applications and updates shall include a list of all products that will be offered for sale at the Market, copies of all current licenses and inspections pertaining to the business and operations of the vendor, a signed and notarized affidavit, and other relevant information as determined by the Market Manager. If the application or update is incomplete or received after the application deadline, the Market Manager shall suspend the vendor's attendance at the Market and shall revoke the vendor's Annual Vendor status and seniority. Any vendor who has missed the application or update deadline may reapply at any time as a new Daily Vendor with a new seniority date.

Section III.2.A states:

Annual Vendors shall pay their annual stall and parking fees by June 1st and shall submit payment to the Market Manager along with their vendor application or application update. Annual Vendors whose stall and parking fees are not received by June 1st shall lose their annual seniority and shall be placed in the last position of seniority on the Daily Vendor List.

Since this provides two different dates for when vendors should submit an application or application update staff is proposing the following changes to the identified sections, so there are clear dates for when the application is due and for when payment is due (proposed changes in bold and italics):

Section III.1.A:

Annual Vendors and existing Daily Vendors must have completed a vendor application or application update for the upcoming fiscal year (July 1<sup>st</sup> to June 30<sup>th</sup>) **by March 1<sup>st</sup>**. Applications and updates shall include a list of all products that will be offered for sale at the Market, copies of all current licenses and inspections pertaining to the business and operations of the vendor, a signed and notarized affidavit, and other relevant information as determined by the Market Manager. ***Vendors whose application or application update is not received by the Market Manager by March 1st shall forfeit their vendor status effective July 1<sup>st</sup> of the upcoming fiscal year.*** Any vendor who has missed the application or update deadline may reapply at any time as a new Daily Vendor with a new seniority date.

Section III.2.A:

***Annual Vendors shall submit payment for annual stalls and parking fees by June 30th. Annual Vendors whose stall and parking fees are not received by June 30th shall lose their annual seniority and shall be placed in the last position of seniority on the Daily Vendor List.***

These changes will help to provide clearer direction to vendors while also providing staff the necessary time between the application deadline and payment deadline to review and approve vendor applications.

For the 2013 season, staff will extend the application deadline to April 15<sup>th</sup> to help provide time for vendors to make the transition to the new application deadline date. The March 1<sup>st</sup> application deadline will go into effect in 2014.

These proposed rule changes have been shared with and endorsed by the Public Market Advisory Commission.

Per Chapter 31 of the City Code, the Community Services Administrator may promulgate Market operating rules relating to the operation and management of the Market. The operating rules shall take effect 30 days after they are filed with the City Clerk, unless City Council acts by resolution to change the operating rules. The updated rules for the Public Market were filed with the City Clerk on February 4, 2013, and have been reviewed by the City Attorney's Office.

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