



## Legislation Details (With Text)

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### Wednesday Evening Market Proposed Operating Rule Changes

The current Wednesday Evening Market operating rules took effect in May of 2011. Staff, after recently reviewing the rules, is proposing modifications that will help provide clarification and improve the overall operation of the market.

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 Wednesday Evening Market were filed with the City Clerk on March 18, 2013, and have been reviewed by the City Attorney's Office.

Currently, the Wednesday Evening Market is classified throughout its operating rules as a "Pilot" market. Entering into its third year, the market has outgrown its pilot status. Staff proposes that the word "Pilot" be removed from the Wednesday Evening Market operating rules.

Furthermore, the market season length as outlined in Section IV.I states:

"The market shall be open: May 1-September 30  
Dates: Wednesdays  
Hours: 4:30-8:30pm"

In response to customer, vendor and staff feedback regarding the market season, staff proposes the following changes be reflected in Section IV.I:

"The market shall be open Wednesdays from 4-8pm during the months of June through October."

These changes will help to provide better alignment between the growing season and market season.

Section III.2.B of the Wednesday Evening Market operating rules currently states:

“If a vendor does not notify the Market Manager at least 48 hours prior to an absence, he/she is responsible for a cancellation fee for each stall equal to the daily stall fee, and cannot return to market as a vendor until the cancellation fee has been paid.”

The cancellation fee currently serves as a deterrent to interested applicants. Staff is recommending that this rule be deleted. The disincentive to absence from market is the vendor’s loss in revenue and the corresponding perception that the vendor is inconsistently available to his/her customers.

Section IV.2.A. Wednesday Evening Market operating rules currently states,

“Vendors will be notified of their stall assignments at least one week prior to the market date.”

Based upon varying vendor attendance due to weather, conflicts, and other unforeseen circumstances, staff is proposing the deletion of this item from the rules. Instead the determination of stall assignments would rely solely upon Section IV.2.B which states:

“Stall assignments shall be made at the discretion of the Market Manager.”

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

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