

WELCOME TO THE DOWNTOWN FULLERTON FARMERS MARKET

The 33rd annual Downtown Fullerton Market opens for the new 2024 season on **Thursday, April 4th through Thursday, August 29th**. The hours of the Downtown Fullerton Market are **4:30 pm – 8:30 pm**.

The DOWNTOWN FULLERTON MARKET is a program of the Recreation Division of the City of Fullerton's Parks & Recreation Department. The DOWNTOWN FULLERTON MARKET provides an opportunity for local farmers, artisans, merchants, and non-profit organizations to offer their unique products and services in a fun and festive atmosphere. The market includes a variety of features including fresh produce, prepared food, arts and crafts, jewelry, novelty and gift items, live entertainment, as well as family and children's activities.

The Market is conveniently located in the heart of downtown Fullerton at 125 E. Wilshire Ave., between Pomona and Harbor Blvd.

Free parking is available for the Market in the Wilshire Parking Structure (located on Wilshire Ave), the Chapman Parking Structure (located on Chapman behind the plaza), the Fullerton Transportation Center lots (located at Commonwealth and Pomona), and all public streets.

This GUIDE & APPLICATION packet has been prepared to provide you with information regarding the application and participation process for the DOWNTOWN FULLERTON MARKET.

IF YOU ARE INTERESTED IN BECOMING A VENDOR, PLEASE READ THIS ENTIRE MARKET GUIDE FOR ALL POLICIES AND PROCEDURES RELATED TO VENDOR PARTICIPATION.

CATEGORIES OF VENDORS

The DOWNTOWN FULLERTON MARKET extends participation to vendors in several categories but places a preference on handcrafted items, food items, and certified produce. Limited space is available to non-handmade, or business vendors based on a review of the items and space availability at the Market. Products may be rejected based on necessity. In addition, the MARKET absolutely does not guarantee the exclusivity of a product to any vendor. The MARKET has the right to limit the number of spaces containing duplicate and/or similar items or services.

Any questions regarding the acceptance of your product or service for the DOWNTOWN FULLERTON MARKET should be directed to the Market Coordinators at (657) 683-4667.

CERTIFIED FARMERS

The Downtown Farmers Market operates at the FULLERTON MARKET under State and County regulations. Prospective farmers will be referred to the Market Manager.

ARTISTS & CRAFTERS

Handcrafted items include but are not limited to wearable crafts, jewelry, decorative items, fine art, clothing, and seasonal items. No commercial items are allowed unless you are a Fullerton storefront business.

NON-PROFIT ORGANIZATIONS

(Registered 501-C3 organizations only)

Fundraising and membership drives are encouraged for Fullerton-based groups. All materials sold and/or distributed by the non-profit organization must be for classes, programs, or items already sold or conducted directly by the organization and must not compete with the sales of current Market vendors. Each non-profit organization must represent their own organization only and not any other organization. Activities must be directly related to the services provided by the organization as stated by their mission. If selling food or handing out food, please see "FOOD VENDORS" below (food items must be approved prior to participation.) All revenues generated, excluding direct material costs, must go directly to the non-profit organization.

FULLERTON BUSINESSES

Fullerton-based retail storefront businesses with a Fullerton Business License may participate. Space activity must be for the express purpose of selling and/or promoting the goods and/or services that are directly related to the licensed business. Limited space is available for non-handmade or commercial items, duplicate businesses, or services.

FOOD VENDORS

The following are considered food vendor categories for the Fullerton Downtown Market:

- 1. NON-PROFIT ORGANIZATION FOOD SALES/FUND-RAISER:** Any non-profit organization can sell 3 times within a 90-day period. Food items that compete with the sales of current vendors may not be allowed. To participate, please contact the Market Coordinators at (657) 683-4667 for the non-profit permit packet from the Orange County Department of Health.
- 2. FOOD VENDORS:** Vendors must submit a copy of their license issued from the Orange County Department of Health with their application (see pages 5-6). Food vendors must commit to the entire season. The cart/trailer must be able to fit in a 10' x 10' space and must have a valid sticker in plain view. Market staff reserves the right to inspect and dismiss any vendor. If found to be in violation, you will be removed from the site, forfeit any payment, and be reported to the County. Please call the Market Coordinators at (657) 683-4667 before March 1, 2024, for details.
- 3. COMMERCIAL FOOD VENDORS:** Food vendors must turn in a Market application to be considered for participation. Please call the Market Coordinators at (657) 683-4667 before March 1, 2024, to discuss any food sales. Commercial food vendors must commit for the entire season; Market staff reserves the right to inspect and dismiss any vendor in violation of health code or Market regulations at any time during the season. Pre-packaged foods and food prepared on-site are acceptable food vendor items.

Food vendors who cancel before the end of the season will forfeit all previously paid fees.

NOT ACCEPTABLE VENDORS

Commercially produced items commonly available in retail stores, i.e., housewares and certain types of clothing (i.e., screen print) are not acceptable at the Fullerton Downtown Market. Also not allowed are home distributorship or “pyramid” type company products. “Umbrella” non-profits are not allowed to share booth spaces with other companies, non-profits, or “umbrella” non-profits. Drive-up and stand-by applicants are not permitted.

To be considered for participation, you must complete the application process listed on the following pages.

APPLICATION PROCEDURE

1. Please read this in its entirety!

2. Complete and submit a FULLERTON DOWNTOWN MARKET APPLICATION

Be sure to follow **ALL** the APPLICATION INSTRUCTIONS.

All vendors, including returning vendors, must fill out a complete application.

3. ENCLOSE REQUIRED DOCUMENTS

Unless otherwise noted below, all applicants must submit:

- (1) Copy of California Seller's Permit w/Fullerton address (See "PHONE NUMBERS & MARKET ADDRESS" (Page 10)
- (2) Photographs or samples of all products to be sold or handed out
- (3) Completed VENDOR APPLICATION
- (4) Completed INDEMNIFICATION CLAUSE

4. PAYMENTS

Payments will need to be collected before your participation start date. Accepted payments are cash, money order, cashier's check, and checks payable to "City of Fullerton"

5. WHERE TO SUBMIT YOUR APPLICATION

Access the application online at www.cityoffullerton.com/cityevents --> Thursday Market

- (1) Email to DowntownFullertonMarket@cityoffullerton.com
- (2) Mail or Drop off to:

**Fullerton Community Center
Attn: Thursday Downtown Market
340 W. Commonwealth Ave.
Fullerton, CA 92832**

6. APPLICATION DEADLINE

Applications must be filed at least 7 days before the desired date of participation. Please note that there is often a waiting list for vendors. **Upon approval of your application, the market coordinators will contact you to confirm participation dates.**

Craft Vendors

Craft vendors should submit all items mentioned above under "Enclose Required Documents".

Fullerton Businesses

In addition to the documents listed above under "Enclose Required Documents" Fullerton businesses must also submit a copy of their Fullerton Business License

Food Vendors

In addition to the items listed above under "Enclose Required Documents," once approved to participate at the Market, food vendors must apply for a health permit from the Orange County Department of Health and a copy of the permit must then be submitted for final approval to participate as a vendor (as indicated under section "HEALTH PERMIT" - see page 10).

Certified Farmers

Farmers should submit their VENDOR APPLICATION and a copy of their certified farmers' agricultural permit only (obtained through the California Department of Food and Agriculture—CDFA). All farmers will be contacted by the Farmers Market Manager and will go through a separate approval process. Please call the Market Coordinators at (657) 683-4667.

PARTICIPATION FEES

Fee Structure & Options for Participation

1. VENDOR SEASON DISCOUNT (does not apply to food vendors) - A vendor may purchase a season package for only \$756 a discount of 10%, for a total of 21 Thursday markets and a guaranteed booth space for each market (vendors may be relocated to a different space during the season). The amount due must be paid in FULL by Friday, March 1, 2024. Make sure to take advantage of this offer! Season vendors are not guaranteed a "season space" until approved by the Market manager. Market staff reserves the right to inspect and dismiss any vendor in violation of Market regulations at any time during the season. **REFUNDS WILL NOT BE GIVEN TO SEASON VENDORS WHO END THE SEASON EARLY.** (LIMITED SPACES AVAILABLE)

2. WEEKLY VENDOR - Vendors can pay for an available space on a weekly basis. These vendors, however, will NOT be guaranteed a space, cannot reserve a particular space, and may be bumped from their reserved space.

- **Fullerton Resident/Business Fee** - \$40.00 per Thursday.
- **Non-Fullerton Resident/Business Fee** - \$55.00 per Thursday
- **Absolutely no refunds will be given for cancellation of a reserved space;** however, credits for the 2024 season MAY be given (see cancellation policy page 6).

Participating WEEKLY vendors of the Market must reserve their space for each week, at least one week in advance. The Market Staff will not ASSUME a Vendor is attending the following week, nor will they reserve the same space for a Vendor without prior notice no matter how long the Vendor has occupied the space.

3. CERTIFIED FARMERS - 7% of GROSS earnings plus \$2.00 for the CDFA fee will be collected at the close of each Market. Farmers are assigned spaces based on availability and seasonal items; Farmers may not be guaranteed a space from week to week.

4. FOOD VENDORS - ALL FOOD VENDORS MUST COMMIT FOR THE ENTIRE SEASON. Food vendors are not guaranteed a "season space" until approved by the Market Manager. Market staff reserves the right to inspect and remove any vendor in violation of Market regulations at any time during the season. **REFUNDS WILL NOT BE GIVEN TO FOOD VENDORS WHO END THE SEASON EARLY.** Food vendors

who wish to be considered for the 2024 Season must submit all paperwork by **Friday, March 1, 2024**. All other food vendors will be placed on a waiting list. (LIMITED SPACES AVAILABLE)

- **Pre-packaged foods and carts/trailers fees:** 10% of GROSS earnings collected and \$2.00 for the CDFA fee which will be collected at the close of each Market (**minimum fee of \$57 per 10' x 10' space, per Thursday**). Vendors must submit a minimum of one week's fees (\$55) with their vendor application.
- **On-site prepared/hot food:** 10% of GROSS earnings collected and \$2.00 for the CDFA fee which will be collected at the close of each Market (**minimum fee of \$57 per Th.**).
 - **In addition, vendors must pay a \$45 per week rental fee for their space (total of \$945 two-payment option available – see details below).**

A 10% discount will be given for food vendors who pay the full season rental fee by Friday, March 1st (total of \$850.50). This fee must be paid when the vendor application is submitted. **Offer expires on March 1st and discounts are no longer available after this date. Make sure to take advantage of this offer!**

PAYMENT OPTION FOR FOOD VENDORS ONLY:

Vendors who choose not to pay the season fee in advance must submit 50% of the fee (**\$472.50**) by **Friday, March 8th**. The remaining 50% of the balance (**\$472.50**) will be due by **Thursday, July 11th**. Vendors who do not pay the remaining balance of \$472.50 by July 11th will be asked to leave the Market and will be replaced with another vendor.

Additional Vendor Penalty Fees

Absences/Cancellations

To receive a credit for a canceled reservation, you must call the Market Coordinators at (657) 683-4667 by NOON on the TUESDAY prior to the date of participation. Credit will be applied to the next available space (specific date not guaranteed) in the following weeks of the Market unless other arrangements have been approved by the Market Manager.

Food vendors must call the Market Coordinators at (657) 683-4667 and give at least 7 days advance notice when they will not be able to attend. A \$55 cancellation fee will be charged for the missed week, and you may not participate until all fees have been paid. After the second absence, the food vendor may be asked to leave the Market and re-apply the following year or pay the missed week's fee.

NO REFUNDS will be given, only credit for an available opening for the 2024 season.

****Season Package, Pre-Paid Spaces & Food Vendors - No credits or refunds are given. ****

Late Fee

There will be a \$40.00 late fee charge if you are not ready to sell all items by 4:15 pm.

Staff Assistance Fee

A \$50 fee may be assessed if a vendor requires the assistance of Market staff to be set up and ready by 4:30 or needs assistance to vacate by 9:30 pm.

Check Policy

- You may pay by check only if you are paying at least 7 days in advance of the desired date(s) of participation. The vendor fee must be paid in cash, cashier's check, or money order if paying less than 7 days in advance.
- When you make your payment to the **City of Fullerton**, please be advised that if your check is returned for non-sufficient funds, it will be sent to the City's contract agent FED Chex, for collection. The handling fee for a non-sufficient funds check is \$25.00.
- You also may not resume participation in the FULLERTON MARKET until all fees have been recovered. If your check is returned, payment will be accepted by cash or a money order only. You may not postdate checks. Checks may be cashed by the City of Fullerton within 30 days.

Vendor Policies and Procedures

Vendor Entrance & Arrival

- Vendors may arrive for set-up between 2:30 pm - 4:00 pm. Check-in hours for the vendors will be strictly enforced.
- **Vendors arriving prior to 2:30 pm will not be allowed into the event area until check-in has begun. Event staff must close the street before vendors can enter the event space.**
- Vendors arriving after 4:00 pm must enter the Wilshire parking structure off Harbor and Wilshire to unload their items; vehicles will not be permitted to enter the Market area after 4:00 pm.
- **Vehicles must be removed from the Market area by 4:00 pm.**
- Vendors must have all items set up and ready to sell by 4:15pm as indicated under the section "LATE FEE" (page 6).

Vendor Set-Up

- Staff will direct you to your space upon arrival at the event.
- **When arriving at your space, off-load your vehicle directly in front of your space and then park in either the Wilshire Parking Structure or Chapman Parking Structure (free parking).** When parking in the Wilshire Parking structure please park on the ramp up and not on the first floor.
- **Please set up your space AFTER parking your vehicle to ensure there is enough space for all vendors to unload their items in a timely manner.**

Vendor Policies and Procedures Continued

Display Specifications

- Spaces are 10' x 10' and located throughout the Market area.
- Your set-up may not obstruct fire lanes (beyond 2' in front of or 2' behind booth).
- **All display items must fit in the 10' x 10' space assigned to you.**
- Sound amplification in your space is **not** permitted unless authorized by MARKET Staff.

- Vendors must bring their own canopies to set up. **Canopies are NOT provided by the DOWNTOWN FULLERTON MARKET. Food vendors must have a 10' x 10' booth in compliance with OC Health Regulations.**

Equipment

The vendor is responsible for providing all equipment necessary for their space operation including tables, chairs, lights, extension cords, canopy weights, etc. Equipment is NOT provided by the DOWNTOWN FULLERTON MARKET.

Electricity & Lighting Policy

- **Electricity is available for lighting only—no fans, heaters, computers, or large appliances allowed for any reason. These items will cause the breakers to trip.**
- Vendors must supply their own lighting.
- The use of low-watt fluorescent lighting is encouraged.
- Every 10' x 10' space has approximately 100 watts maximum capacity with two plugs.
- You may NOT plug in multiple outlet adapters (i.e., electrical strips).
- Other low-watt appliances, other than lights, must be approved prior to the market by the Market manager. Items that are not approved will not be allowed.

Flyers, Banners, Signs & More

- Do not post any materials, i.e., signs or banners, on trees, pillars, walls, etc. Materials can only be posted in vendor areas, on tables or canopies.
- No handwritten signs allowed.
- Do not pass out stickers of any kind.
- Do not pass out or use chalk in the Market area.

Closing Procedures

- The DOWNTOWN FULLERTON MARKET is officially closed at 8:30 pm. Tear down and vacating of your space may not begin prior to this time as indicated under the section "SPACE ACTIVITY" (pg. 9).
- Vendors have one hour to clean their space and vacate the area.
- You must dismantle your space completely prior to bringing your vehicle back into the site.

Market Events

The Market hosts two or three special events throughout the season. During these events, reserved spaces may be subject to change temporarily.

Rain or Shine!

- The DOWNTOWN FULLERTON MARKET will be held on a weekly basis regardless of the weather. **Vendors should not assume the event is canceled. No credits will be given to vendors who do not check-in.**
- In the event of a natural disaster, extreme weather, or unexpected circumstance, the Market Staff will notify Vendors of event postponement and arrange any necessary credits. Refunds will not be given; credits will be arranged as available.

No credits will be given under any circumstances unless the Market Staff cancels the market.

PARTICIPATION GUIDELINES

Space Activity

- Activities of participating vendors must not disrupt or interfere with the operation of the DOWNTOWN FULLERTON MARKET, Staff, or participating Vendors. If a situation is deemed disruptive to the Market operation the Market Manager will remove the vendor at any time during the event.
- Any vendor requesting to sell or hand out additional items must complete an additional application and receive written approval from the Market Manager before selling or handing out additional items.
- **No applicant shall be permitted to deviate from the sale of retail goods or services or from the approved activity as described in their VENDOR APPLICATION without prior approval from the Market Manager.**
- The use of the rental space shall be limited to "Permitted Use" (the sale of approved items only). Any other use shall be subject to the City's prior written consent. Tenant shall not operate the premises for any illegal use or "prohibited use". Examples of illegal use include selling, storing, or transporting illicit drugs, drug-related paraphernalia, or other contraband, violation of any law or ordinance, or commission of a waste or nuisance on or about the premises. As used in this paragraph, "prohibited use" shall be defined to mean the sale of pornography or items depicting sex in any medium including but not limited to film, DVD, print material or statues and figurines, the sale of swords, knives or weapons of any kind, the sale of alcohol or any change of use from the Permitted Use unless the City has given its prior written consent. Tenant shall always operate its business in compliance with all applicable regulations and requirements of all counties, municipal, state, federal, and other governmental laws or regulations in effect during the term of this agreement.

Participation Guidelines Continued

- **Vendors agree to participate for the entire time of the event. If a Vendor vacates their space prior to the evening closing time (8:30 pm) or leaves their space unattended for an extended amount of time, that vendor will be prohibited from future participation in the Fullerton Market and will forfeit refund of any unused fees.**
- Failure to comply with "PARTICIPATION GUIDELINES" may result in immediate removal from the Market and/or denial of participation in subsequent weeks.

PHONE NUMBERS & ADDRESSES

Seller's Permit Address & Market Address

ALL VENDORS including food, must have a Seller's Permit. To obtain a free California Seller's Permit please contact the STATE BOARD OF EQUALIZATION at (800) 400-7115 or visit <https://www.cdtfa.ca.gov/services/permits-licenses.htm> for more information.

You must submit a copy of your Permit with your VENDOR APPLICATION. If you have a current Seller's Permit, the following address must be added to it. Your Seller's Permit should be issued for the following address:

**Downtown Fullerton Market
125 E. Wilshire Avenue
Fullerton, CA 92832**

Health Permit (Food Vendors Only)

IF YOU ARE A FOOD VENDOR you must call the Orange County Health Care Agency at (714) 433-6000 to obtain the permit for a temporary food facility permit.

Downtown Fullerton Market Mailing Address

Please mail or drop off your completed application with all the required materials/documents to:

**Fullerton Community Center
340 W. Commonwealth Ave.
Fullerton, CA 92832**

If emailing the application, please email all requirements to:

Christian.Hernandez@cityoffullerton.com

Please call (714)738-3330 if you have any questions regarding the DOWNTOWN FULLERTON MARKET. When leaving a message, please leave your name, address, phone number, the type of product you are vending, and the reason for your call. We will return your call as soon as possible.