PHONE NUMBERS & ADDRESSES

Seller's Permit Address & Market Location

ALL VENDORS except food, must have a Seller's Permit. Please contact the **STATE BOARD OF EQUALIZATION** at (800) 400-7115 or visit http://www.boe.ca.gov/info/reg.htm for more information on how to obtain a California Seller's Permit. 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:**

FULLERTON MARKET
121 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 application for a temporary food facility permit.

Fullerton Market Mailing Address

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

Fullerton Market
Fullerton Museum Center
301 N. Pomona Avenue
Fullerton, CA 92832
(714) 738-3338

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

THANK YOU!

W E L C O M E

The 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, kids' activities and a beer and wine garden.

The FULLERTON MARKET is a program of the Cultural & Family Services Division of the City of Fullerton's Parks & Recreation Department. This GUIDE & APPLICATION packet has been prepared to provide you with information regarding the application and participation process for the 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.

The 23rd annual FULLERTON MARKET is open for the 2014 season on **Thursdays April 3rd through October 30th.** Hours of the FULLERTON MARKET are 4:00 p.m. to 8:30 p.m. The FULLERTON MARKET is conveniently located in the heart of downtown Fullerton at 121 E. Wilshire Ave., between Pomona and Harbor Blvd. To get to the Fullerton Market, take the 91 freeway to the HARBOR & LEMON exit and exit north to Fullerton. If traveling north on Lemon turn left onto COMMONWEALTH AVE and make a right on HARBOR. Once you get to HARBOR, continue north and turn right onto WILSHIRE.

Free parking is available for the Fullerton 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.

CATEGORIES OF VENDORS

The FULLERTON MARKET extends participation to vendors in a number of 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 Fullerton Market.** To be considered for participation, you must complete the application process listed on the following pages.

This event is not a "**SWAP MEET**." Products may be rejected on basis of quality. In addition, the FULLERTON MARKET absolutely does not guarantee exclusivity of product to any vendor. The FULLERTON MARKET has the right to limit the number of spaces containing duplicate and/or similar items or services.

Any questions regarding the appropriateness of your product or service for the FULLERTON MARKET should be directed to the Special Events Office at (714) 738-3338.

Acceptable Vendor Categories

The following is a list of acceptable categories of vendors:

Certified Farmers

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

PARTICIPATION GUIDELINES

Space Activity

- Activities of participating vendors must not disrupt or interfere with the operation of the FULLERTON MARKET, Staff or participating Vendors. If a situation is deemed disruptive to the Market operation the Market Manager will remove vendor at any time during the event. Vendors may appeal removal in writing to the Parks & Recreation Manager.
- 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 FULLERTON MARKET Staff.
- 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 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 at all times operate its business in compliance with all applicable regulations and requirements of all county, municipal, state, federal and other governmental law or regulations in effect during the term of this agreement.
- 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 for participation in subsequent weeks.

Electricity & Lighting Policy

- **Electricity is available for lighting only—no fans, heaters, computers, or large appliances allowed for any reason.**
- 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 FULLERTON MARKET is officially closed at **8:30 p.m. Tear down and vacating of your space may not begin prior to this time** as indicated under section "SPACE ACTIVITY" (page 11).
- You must dismantle your space **completely** prior to bringing your vehicle back into the site.
- **Vendors have one hour to clean their space and vacate the area.** A $50 fee may be assessed if a vendor requires the assistance of Market staff in order to vacate by 9:30 p.m.

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 FULLERTON MARKET will be held on a weekly basis regardless of the weather. **Vendors should not assume the event is cancelled.** 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.

Acceptable Vendor Categories (continued)

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 which are directly related to the licensed business. Limited space is available to non-handmade or commercial items, duplicate businesses or services.

Food Vendors

The following are considered food vendor categories for the Fullerton 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 offices at (714) 738-3338 for the non-profit permit packet from the Orange County Department of Health.

(2) FOOD CART/TRAILER: Vendors must submit a copy of their license issued from the Orange County Department of Health with their application (see page 11). **Food cart/trailer vendors must commit for the entire season.** The cart/trailer must be able to fit in a 10′ x 10′ space. The cart/trailer must have a valid sticker in plain view. Market staff reserves the right to inspect and dismiss any cart/trailer in violation. 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 offices at (714) 738-3338 prior to March 5, 2014 for details.

(3) OTHER COMMERCIAL FOOD VENDORS: Food vendors must turn in a Market application in order to be considered for participation. Please call the Market offices at (714) 738-3338 prior to March 5, 2014 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 prior to the end of the season will forfeit all previous paid fees.

Not Acceptable

Commercially produced items commonly available in retail stores, i.e. house wares and certain types of clothing (i.e. screen print) are not acceptable at the Fullerton Market. Also not allowed are home distributorship (Tupperware, Cookie Lee Jewelry, Avon, Vitamins, Medical Products etc.) 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.

APPLICATION PROCEDURE

1. Please read this in its entirety!

2. Complete & submit a
FULLERTON MARKET APPLICATION

Be sure to follow ALL of 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 12)
(2) Photographs or samples of **all** products to be sold or handed out
(3) Completed VENDOR APPLICATION
(4) Completed INDEMNIFICATION CLAUSE

Craft Vendors

Craft vendors should submit all items mentioned above.

Fullerton Businesses

In addition to the documents listed above Fullerton businesses must also submit a copy of their Fullerton Business License.

Food Vendors

In addition to the items listed above (with the exception of #1), **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 12).

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 offices at (714) 738-3338 or meet with Kae Thomas on Thursdays during Market hours.

VENDOR POLICIES & PROCEDURES

Vendor Entrance & Arrival

- Vendors must enter from Harbor and Wilshire Ave (east of Harbor).
- Farmers enter from Pomona and Wilshire Ave.
- Vendors may arrive for set-up between **2:00 & 3:15 p.m. Check-In hours for the vendors will be strictly enforced.**
- Vendors arriving prior to 2:00 pm will not be allowed into the event area until check-in has begun.
- Vendors arriving after 3:15 p.m. must enter at the Wilshire parking structure off of Harbor and Wilshire to unload their items; vehicles will not be permitted to enter the Market area after 3:15 pm.
- **All vehicles must be removed from the Market area by 3:30 p.m.**
- Vendors must have all items set-up and **ready to sell by 4:00 pm** as indicated under section "LATE FEE" (page 8).

Vendor Set-Up

- Staff will direct you to your space upon arrival to the event.
- When arriving to 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).
- **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.

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 at your space is not permitted unless authorized by FULLERTON MARKET Staff.
- Vendors must bring their own canopies to set up. **Canopies are NOT provided by the FULLERTON MARKET. Food vendors must have a 10′ x 10′ booth in compliance with OC Health Regulations.**

Equipment

Vendor is responsible for providing all equipment necessary for their space operation including: tables, chairs, lights, extension cords, etc. **Equipment is NOT provided by the FULLERTON MARKET.**

Additional Vendor Fees

Absences -

In order to receive a **credit** for a cancelled reservation, you must call the Market Offices at (714) 738-3338 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. **NO REFUNDS** will be given, only credit for an available opening for the 2014 season.

Season Package & Food Vendors - No credits or refunds are given.

Late Fee

There will be a $15.00 late fee charge if you are not ready to sell all items by 4:00pm.

Additional Food Vendor Fees

Absences

Food vendors must call the Market Offices at (714) 738-3338 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 (in addition to the prepaid $45 rental fee) 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.

Late Fee

There will be a $15.00 late fee charge if you are not ready to sell all food by 4:00pm.

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, cashiers 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 FEDChex, 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 post date checks. Checks may be cashed by the City of Fullerton within 30 days.

Non-profit Organizations

In addition to the items listed above in "Documents Required" (with the exception of #1), non-profit organizations must submit proof of their 501 c-3 non-profit status. Any one of the following documents is acceptable:

- IRS letter showing organization to be tax exempt
- State Tax Franchise Board letter showing group is tax exempt
- Certificate of Registration w/Registry of Charitable Trusts
- Articles of Incorporation of Organization

4. Payment

1. Enclose fees as specified in "PARTICIPATION FEES" (pages 6 & 7)
2. Make check, money order, or cashier's check payable to **"City of Fullerton"** as indicated under section "Check Policy (Page 8).

5. Where To Submit Your Application:

1. Mail or drop off to:

   Fullerton Museum Center
   Fullerton Market
   301 N. Pomona Avenue
   Fullerton, CA 92832

6. Application Deadline

Applications must be filed at least 7 days prior to the desired date of participation. New vendors will not be considered for participation with less than 7 days notice and are not guaranteed a space when their application is submitted. Please note that there is often a waiting list for vendors. The Market Manager will contact you to confirm participation dates upon approval of your application.

REMINDER!!!

FOOD VENDOR AND SEASON VENDOR APPLICATIONS ARE DUE BY WEDNESDAY, MARCH 5, 2014.

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 $945.00**, a discount of 10%, for a total of 30 Thursday markets and a guaranteed booth space for each market (vendors may be bumped and relocated to a different space during the season). **The amount due must be paid in FULL by Wednesday, March 5, 2014**. Offer expires on February 28th, and discounts are no longer available after this date. 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.

- **Standard Booth Fee** - $35.00 per Thursday. Absolutely no refunds will be given for cancellation of a reserved space; however credits for the 2014 season may be given (see cancellation policy page 8).
- **Standard Booth Fee (Non-Fullerton Business)- $55.00** Per Thursday. Absolutely no refunds will be given for cancellation of a reserved space.

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.

At any point during the Market season a weekly vendor may reserve their space by paying for the remainder of the season; doing this will guarantee their space each Thursday.

3. CERTIFIED FARMERS - 7% of GROSS earnings plus 60 cents for the CDFA fee which 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.

PARTICIPATION FEES

Fee Structure & Options for Participation *continued*

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 2014 Season must submit all paperwork and fees by Wednesday, March 5, 2014. All other food vendors will be placed on a waiting list. (LIMITED SPACES AVAILABLE)

- **Pre-packaged foods, carts/trailers and cold food (i.e. ice cream, shaved ice, smoothies, etc) fees**: 10% of GROSS earnings collected at the close of each Market (minimum fee of $55 per 10′ x 10′ space, per Thursday). Vendors must submit a minimum of one weeks fees ($55) with their vendor application.

- **On-site prepared/hot food**: 10% of GROSS earnings collected at the close of each Market (**minimum fee of $55 Per Thursday**).

  - In addition, vendors must pay a **$45 per week rental fee for their space (total of $1,350).**

  A 10% discount will be given for vendors who pay the full season rental fee by Wednesday , March 5 (**total of $1,215**). This fee must be paid when the vendor application is submitted. ***Offer expires on March 5th and discounts are no longer available after this date. Make sure to take advantage of this offer!***

  - Vendors who choose not to pay the season fee in advance, must submit 50% of the fee **($675) by Wednesday, March 5,** with their vendor application. The remaining 50% of the balance **($675) will be due by Thursday, June 28th**. Vendors who do not pay the remaining balance of $675 by June 28th will be asked to leave the Market and will be replaced with another vendor.