



RULES AND REGULATIONS

APPLICATION

FEE SCHEDULE


(Effective January 1, 2009)

Welcome
to
VillageFest

VillageFest is Southern California's most popular and longest-running weekly festival. Every Thursday evening, Palm Canyon Drive is closed to traffic and transformed into a vibrant, pedestrian street fair, unique to Southern California. A diverse array of artists, entertainers, and purveyors of all sorts of fresh fruits and vegetables, flowers, jewelry, snacks and sweets. Add all that to great shopping, restaurants, clubs and entertainment venues located along world-famous Palm Canyon Drive and the result is Palm Springs.

May 1, 2007


VILLAGEFEST BOARD MEMBERS



Scott Meredith, Chair



Patrice Romeo, Vice Chair



Denise Jacobs, Board Member



Thomas Bianco, Board Member



VillageFest

PURPOSE STATEMENT

PURPOSE:

The purpose of Palm Springs VillageFest is to create a wholesome community event with a family atmosphere for residents and tourists of the Coachella Valley. The event is organized and administered by the City of Palm Springs.

GOALS:

All VillageFest activities must be consistent with the following goals:

- Provide a forum for community activities.
- Create a positive image of downtown Palm Springs.
- Provide a diverse selection of arts, crafts, entertainment, and international cuisine vendors for the cultural enrichment of the community.
- Maintain the downtown as the center of social, civic and retail activities.
- Expose community members and visitors to retail stores and services available in the downtown area.
- Enhance the community as a whole.

STRUCTURE:

VillageFest takes place in downtown Palm Springs on Palm Canyon Drive every Thursday night. The perimeter of the event consists of Indian Canyon Drive to the east and Belardo Road to the west.

VillageFest is under the auspices of the Palm Springs VillageFest Board and administered by the VillageFest Coordinator. The VillageFest Board is comprised of current retail merchants or those who have significant retail experience, or, in the alternative, one member may be a representative of the community-wide tourism industry. The VillageFest Board is appointed by the City Council.

The VillageFest Board reviews all applications to determine whether the proposed activity fits within the VillageFest purpose, goals and structure. All VillageFest Board meetings are posted and open to the public, and interested parties are encouraged to attend.



VillageFest

LOCATION AND CONTACT INFORMATION

VillageFest Event Location: Palm Canyon Drive between Amado Road and Baristo Road

Event Day/Times: Year round every Thursday night, except holidays
Season 1 (Fall/Winter - October through May): 6:00 p.m. to 10:00 p.m.
Season 2 (Summer - June through September): 7:00 p.m. to 10:00 p.m.

VillageFest Coordinator: Jasmine Waits
Telephone: (760) 320-3781
E-Mail: Jasmine.Waits@palmsprings-ca.gov

Information and Applications;
Fee and Application Payments: City of Palm Springs Leisure Center (Sunrise Plaza)
401 S. Pavilion Way
Palm Springs, CA 92262
Telephone: (760) 320-3781
www.VillageFest.org

Business License and
VillageFest Insurance: City of Palm Springs Leisure Center (Sunrise Plaza)
401 S. Pavilion Way
Palm Springs, CA 92262
Telephone: (760) 320-3781
www.VillageFest.org

Seller's Permit: State Board of Equalization
35-900 Bob Hope Dr., Ste. 280
Rancho Mirage, CA 92270-1768
Telephone: (760) 770-4828
www.boe.ca.gov

AS NEEDED:

Health Department: Department of Environmental Health
554 S. Paseo Dorotea
Palm Springs, CA 92264
Telephone: (760) 320-1048

Fire Department: 300 N. El Cielo Road
Palm Springs, CA 92262
Telephone: (760) 323-8181



VillageFest

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RULES AND REGULATIONS

GENERAL INFORMATION

All prospective vendors must present a completed application to the VillageFest Coordinator prior to being placed on the agenda for appearance at the bimonthly VillageFest Board meeting for approval. Failure to provide all information may keep applicants from participating.

All applicants must be approved for a specific status at VillageFest: Annual, Season 1, Season 2, or Standby. Even if applicants are not able to participate on a continual basis at VillageFest, they may apply for Standby Vendor spaces.

Determinations on vendor applications shall be based upon the application of a set of criteria further described in the VillageFest Rules and Regulations. Important factors considered in the issuance of vendor permit applications include:

NEW VENDORS

- Are the proposed vendor's merchandise and/or service to be provided likely to be beneficial to the purpose of VillageFest?
- Are the proposed merchandise and/or service unique to VillageFest as opposed to other merchandise and/or service already offered for sale?
- Is the proposed booth setup within the guidelines established by the VillageFest Board?
- Has the proposed vendor provided the VillageFest Board with recent photographs of his/her booth setup and merchandise?

EXISTING VENDORS

- Were any of the vendor's previously tendered checks returned by the bank because of insufficient funds?
- Has the vendor made any late payments, and, if so, were all applicable late fees paid in a timely manner? Is the vendor's VillageFest account now current?
- Has the vendor consistently followed the VillageFest Rules and Regulations?
- Have there been any complaints about the vendor and/or his/her services or merchandise? If so, were these complaints resolved in a timely and equitable manner?
- Has the vendor provided VillageFest with all necessary permits, such as City business license, insurance, and health permits? Did the vendor keep these permits current throughout the last season without needing to be reminded by the VillageFest Coordinator or VillageFest Board?
- Has the vendor violated any of the VillageFest Rules and Regulations and/or issued any citations?

Vendors must work professionally, cooperatively and reasonably with both the customer and VillageFest staff in resolving complaints.

VillageFest complies with all federal and state laws and statutes concerning child labor and prohibits the unlawful employment of a minor by any vendor that is in violation of any law. Such violation shall be deemed as not complying with VillageFest Rules and Regulations.

VillageFest also complies with the Americans with Disabilities Act (ADA), which provides for equal access and opportunity for individuals with disabilities in public accommodations. All vendors and their employees must comply with the ADA.

All vendors must understand and comply with any and all state and federal laws relating in any manner to their goods and services. For example, vendors of artwork must understand and comply with all copyright and/or trademark laws that may govern the reproduction and/or sale of such artwork. It is never an adequate excuse that the vendor did not understand the law.

The acceptance and use of any selling space at VillageFest constitute an agreement by any and all vendors, whether Annual, Season 1, Season 2, or Standby, and persons helping or working with such vendors to comply with all VillageFest Rules and Regulations and all state and federal laws.

RULES AND REGULATIONS

I. VENDOR PARTICIPATION

Each VillageFest vendor must meet the criteria of one of the following categories, governed by the following specific rules:

A. General Vendor

1. Art, crafts, jewelry, or wearable art vendors may not sell items that are commercially available, have been purchased wholesale, or have not received approval from the VillageFest Board. In its decision to approve or disapprove an article, the VillageFest Board may also consider the factors described at Section II.C. below.
2. Seventy-five percent (75%) of any craft, jewelry or wearable accessory item(s) offered for sale must be the handcrafted work of the artist selling the wares at the booth. Items that are merely hand-assembled of commercially-available manufactured parts shall not be considered handcrafted for the purpose of VillageFest. The artist must be present unless a representative has been approved by the VillageFest Coordinator and/or the VillageFest Board.
3. A vendor may not receive merchandise, directly or indirectly, from any current or former vendor who has been suspended and/or had his/her selling rights terminated.

B. Food Service Vendor

1. During each VillageFest event, all food service vendors must stay in their specified booth spaces, which shall exclude curbs and pavers. VillageFest food service vendors [except produce or one hundred percent (100%) prepackaged, not-potentially-hazardous specialty food vendors] shall own a restaurant or get approval from the Riverside County Department of Environmental Health to operate out of an approved local food establishment (a commissary). If a food service vendor operates out of an approved commissary, all food and related products are to be stored at the commissary. At no time shall food or related products be stored at home or other unapproved locations. Participating restaurants shall be subject to the same application and review process as all other food service vendors.
2. As indicated by the VillageFest Coordinator, all food service vendors must have adequate trash containers for refuse, which shall include at least two (2) trash cans, and shall clean and remove any trash or debris from their booth areas and surrounding areas before leaving the VillageFest event.
3. Hand-washing facilities approved by the Riverside County Department of Environmental Health must be provided within the temporary food facilities.
4. Food service equipment shall be equipped with tightfitting closures to prevent the entrance of insects. These screens must be three-sided.
5. Facilities for sanitary disposal of all liquid waste are required and subject to the approval of the Riverside County Department of Environmental Health.
6. All condiments are to be individually wrapped or dispensed from sanitary pour, pump or squeeze-type devices.
7. All food service vendors must comply with requirements imposed by the Riverside County Department of Environmental Health, including securing and continuously maintaining a yearly Riverside County Department of Environmental Health food permit.

8. Vendor vehicles must be moved out of the event perimeter prior to commencement of the event.
9. All areas must be kept neat and clean at all times.
10. No food preparation may take place outdoors, except the cooking of foods on burners that do not produce smoke.

C. Certified Farmer's Market

See the VillageFest Coordinator to obtain the rules and regulations governing VillageFest's Certified Farmer's Market.

D. Farmers' Market

1. The Farmers' Market operates under the California Department of Food and Agriculture regulations. Certain guidelines have been established by the Farmers' Market and the City with respect to specific needs of the event. Permits must be current and displayed at the point of sale at all times.
2. All people wishing to sell their crops directly to the public must contact the VillageFest Coordinator. Permits and assignments shall be made after the application review is completed.
3. Vendors shall not display or advertise items that they are not permitted to sell.
4. Vendors must clean up their assigned spaces before leaving the event and must provide their own refuse containers. City trash containers shall not be used for vendor debris.
5. All fruit and produce to be sold shall be subject to the California Department of Food and Agriculture regulations.
6. Any vendor reselling produce or nursery products must obtain a permit from the California Department of Food and Agriculture. A photocopy of a valid permit must be turned in to the VillageFest Coordinator with the vendor's application. This permit must also be posted in the vendor's booth and clearly visible to the public. Any questions regarding this permit shall be directed to the California Department of Food and Agriculture at (916) 654-1237.
7. Any vendor selling products by the pound must have a scale certified by the Riverside County Department of Weights & Measures. Without a certification sticker, no vendor may sell products by the pound. For information, call (760) 863-7705.

E. Religious and Nonprofit Organizations

1. Approximately six percent (6%) of spaces shall be available for religious and nonprofit organizations. Applicants shall be given space at the event on a first-come, first-served basis and have that space on a rotation basis for a maximum of four (4) weeks per rotation. Participation shall not be based upon the background or qualifications of a group or individual or the content of the message involved.
2. Organizations raising funds during the event must have a current nonprofit [501(c)] status. Verification must be provided at the time of application.
3. All monies generated by sales or solicitations, excluding direct material costs, must benefit the nonprofit group. A full accounting of the nonprofit group's activities shall be provided to the VillageFest Coordinator on a yearly basis by June 30.
4. Giving away merchandise or food items comparable to those that have been approved for sale by other VillageFest vendors shall not be allowed.

5. No loudspeaker or public address system shall be used by the vendors during VillageFest. Vendors shall not harass, follow or intimidate downtown visitors. Activities that are conducted in such a manner as to interfere with the goals or purposes of VillageFest may result in immediate revocation of the permit.
6. Nonprofit organizations raising money through donations, except community services organizations, described in Section I.E.7. below, are governed by and shall adhere to all VillageFest Rules and Regulations as if such organizations were general VillageFest vendors, although they are entitled to a reduced space rental as provided by resolution of the City Council.
7. Nonprofit organizations that service the community of Palm Springs by returning any collected monies to nonreligious organizations and causes that predominately benefit the City of Palm Springs shall be entitled to sell items for such purposes, unless otherwise prohibited by City Council.

F. Miscellaneous

Additional miscellaneous categories for VillageFest participation include the following:

1. Antiques (50 years old or more).
2. Comic books must bear the seal of the Comic Code Authority or be published prior to the establishment of the Comic Code Authority.
3. Books. An author, illustrator or crafter must be present at the booth unless otherwise approved by the VillageFest Coordinator and/or VillageFest Board.
4. Collectibles appearing in a collector's guide, which guide must be presented to the VillageFest Board for prior approval. Also included are modern collectibles produced before 1960.
5. Entertainment. Entertainers wanting to perform at VillageFest must contact the VillageFest Coordinator and be juried by the VillageFest Board. Community and non-commercial entertainers may be approved on a limited basis by the VillageFest Coordinator.
6. Therapeutic/massage. The vendor must be a certified therapist, and each individual therapist working with the vendor must have his/her own separate City of Palm Springs business license. All licenses must be posted inside the booth at all times.
7. Political vendors. A limited number of spaces shall be available for political organizations. An applicant shall be given space at VillageFest on a first-come, first-served basis for a maximum of eight (8) weeks, with all fees being paid in advance. Participation shall not be based upon the background or qualifications of a group or individual or the content of the message involved.
8. Corporate sponsorship. A business that does not meet the proper criteria under category guidelines may become involved with VillageFest by becoming a VillageFest sponsor and setting up a booth. However, no direct sales shall be allowed during VillageFest. Examples of potential corporate sponsors shall include radio stations, newspapers, etc. Interested applicants shall contact the VillageFest Coordinator for more information regarding sponsorship packages.
9. Commercial vendor. A business that does not meet the proper criteria under category guidelines may become involved with VillageFest by becoming a commercial vendor and setting up a booth. However, no direct sales shall be allowed during VillageFest. Examples of potential commercial vendors shall include real estate firms, timeshare companies, and other Coachella Valley businesses. Interested applicants shall contact the VillageFest Coordinator for more information regarding commercial vendor packages.

10. Retail Merchant vendor. Any merchant located within the Historic Village Center, as defined by the Palm Springs Zoning Code, or as separately approved by the VillageFest Board, is allowed to distribute information regarding that merchant's service or products, but is not allowed to sell any products. A maximum of five (5) retail merchant vendors shall be allowed to participate at VillageFest each week.
11. Attraction vendor. Any bona fide cultural, entertainment or sporting venue located in the Coachella Valley is allowed to participate in VillageFest, but preference will be given to Palm Springs-based attractions. A maximum of five (5) attraction vendors shall be allowed to participate at VillageFest each week and applicants shall be given space at the event on a first-come, first-served basis.

II. APPLICATIONS FOR NEW PROSPECTIVE VENDORS

A completed application must be delivered to the VillageFest Office at least fourteen (14) days before the next regularly-scheduled VillageFest Board meeting. Incomplete applications cannot be considered for approval. The VillageFest Coordinator shall advise the applicant of the VillageFest Board meeting date and time when attendance by the applicant is required and the application shall be reviewed and evaluated.

Upon acceptance of the application by the VillageFest Coordinator, the prospective vendor shall immediately pay the application fee at the Palm Springs Leisure Center. The fee shall be paid by cash, money order, credit card (MasterCard or Visa), or a check made payable to the City of Palm Springs; no out-of-state checks will be accepted. A valid California driver's license with picture identification shall be required for proof of identity.

- A. Prospective vendors must attend a VillageFest Board meeting with representative samples of their merchandise, including intended selling prices, for each item to be sold at VillageFest. Prospective vendors shall have the burden to establish that the items to be sold meet the requirements set forth in these Rules and Regulations.
- B. All applications must contain the names, addresses, telephone numbers, and signatures of the responsible persons.
- C. Vendor Permit Determinations. New vendor permit applications shall be approved or denied based upon the application of the following set of criteria to each application:
 1. A vendor's merchandise shall be reviewed and evaluated by the VillageFest Board according to the goals and purposes of VillageFest as well as subjective considerations as to quality of the items and raw materials used, workmanship, uniqueness, and appropriateness of the items for VillageFest. It is within the discretion of the VillageFest Board to deny applications based upon these criteria;
 2. The merchandise and/or service are deemed unique in some specific way to VillageFest in contrast to other merchandise and/or service already offered for sale by VillageFest vendors, or otherwise possess a high degree of quality in raw material, workmanship, and presentation;
 3. The proposed booth setup is within the guidelines established by VillageFest;
 4. The proposed vendor has provided the VillageFest Board with recent photographs of his/her booth setup and merchandise;
 5. The application proposal presents other significant factors not specifically listed in these criteria demonstrating a substantial contribution toward the promotion of the goals and purposes of VillageFest.

Any additional products introduced by a vendor without authorization by the VillageFest Board must be removed from the booth immediately upon notification by the VillageFest Coordinator.

- D. The VillageFest Board reserves the right, in its discretion, to prohibit the sale or display of those items or services characterized as pornographic, illegal, or hazardous.
- E. All new vendors, depending upon the start date, shall be assigned as an Annual, Season 1, Season 2, or Standby Vendor.

III. APPLICATIONS FOR CURRENT VENDORS

- A. Every year, each vendor shall be reviewed for possible re-jury with the VillageFest Board to maintain his/her status as a vendor, and he/she must complete an application packet.
- B. For an Annual Vendor, that jury period will occur prior to October 1 to maintain his/her Annual status.
- C. A Season 1 Vendor (October through May) shall have to re-jury prior to October 1 to maintain his/her Season 1 status.
- D. A Season 2 Vendor (June through September) shall have to re-jury prior to June 1 to maintain his/her Season 2 status.
- E. All vendors must complete a new application packet yearly and return it to the VillageFest Coordinator prior to the start of the season for review by the VillageFest Board.

IV. FEES AND PERMITS

- A. All vendors must obtain/maintain the following to participate at VillageFest:
 - 1. VillageFest business license;
 - 2. City of Palm Springs liability insurance;
 - 3. Seller's permit;
 - 4. Health permit (for food service vendors ONLY)

To obtain these permits, see "VillageFest Location and Contact Information" in the front of these Rules and Regulations for addresses and telephone numbers. Vendors who have a Palm Springs business should contact the VillageFest Coordinator for further details.

V. GENERAL RULES FOR VENDORS

- A. Vendors must participate once space is allocated. VillageFest shall proceed as scheduled, rain or shine. There shall be no fee credit given to a vendor if he/she decides not to participate on any night for whatever reason.
- B. Standby Vendors: These vendors shall be allotted spaces when current vendors will not be participating on any given evening. A Standby Vendor shall contact the VillageFest Coordinator no later than twenty-four (24) hours before a VillageFest event to ascertain if any space is available for the following Thursday. If a space is available, the Standby Vendor must pay his/her space fee at the Palm Springs Leisure Center and bring his/her receipt to the VillageFest event. An approved Standby Vendor shall park at the corner of Tahquitz Canyon Way between Belardo Road and Palm Canyon Drive to await direction of VillageFest staff as to the location of his/her space. The Standby Vendor shall adhere to all notification of absence rules as specified in Section V.C. below.

- C. It is the responsibility of the vendor to notify the VillageFest Coordinator no later than the Monday before the next VillageFest event, by phone or e-mail or in writing, if he/she will be absent from that event. A vendor failing to notify the VillageFest Coordinator prior to an absence shall be charged with an inexcusable absence. A vendor with two or more inexcusable absences in a one (1) -month period or two (2) or more inexcusable absences within a three (3) -month period shall be subject to a fine, suspension, and possible revocation of his/her VillageFest permit.
- D. When a vendor decides to terminate participation in VillageFest, he/she must notify the VillageFest Coordinator, in writing, before the first Thursday of the month of the departure. No fee credit or refund shall be given if a vendor notifies the VillageFest Coordinator of departure after the first Thursday of the month.
- E. Sales privileges and spaces may not be sold, sublet, or transferred in any way.
- F. VillageFest vendors, their employees and family members shall be appropriately dressed, e.g., shirts and shoes, and conduct themselves in an orderly and businesslike manner.
- G. No person shall deface or otherwise abuse the downtown buildings, plants or landscape. Power cords must be completely taped down to limit the liability for the vendor and conform to City safety requirements. Power must be supplied from public light poles rather than private connections. These power poles have a maximum limit of two (2) amps per vendor. Should a vendor's connection cause consistent power outages, the vendor shall be required to redesign his/her power needs to be self-sustaining and utilize the power poles for lighting ONLY. No halogen lights are allowed; ONLY incandescent and fluorescent lights are allowed.
- H. No person or business participating in VillageFest shall state, imply or otherwise suggest that the City of Palm Springs endorses, sponsors or supports the views of his/her/its organization, candidate, product or service.
- I. Vendors must police all streets, curbs, sidewalks and areas surrounding their booths and remove all litter and stains that result from their activities. When removing or dismantling setups, all vendors must clean their own spaces of all debris. If a space is left in poor condition, the vendor will be charged Twenty-Five Dollars (\$25) for the cleanup.
- J. No alcoholic beverages are to be consumed or sold within a booth.
- K. Merchants' windows may not be obscured at any time by vendors' boards, banners or other large displays or equipment. Vendors are not allowed to prop up or hang any merchandise on any wall, building or trees along the street.
- L. The City shall provide maximum visibility and access to merchant businesses that remain open during VillageFest hours. Therefore, a vendor's booth height will be a major consideration in booth space allocation. Proposed increases in a vendor's booth height may require booth relocation. Contact the VillageFest Coordinator if any booth modification is desired.
- M. Vendors are not guaranteed space in the location of their choice. The VillageFest Coordinator has the authority to assign and reassign spaces. Any vendor requesting reassignment of selling space must notify the VillageFest Coordinator in writing. The VillageFest Coordinator reserves the right to refuse assignment of space to any vendor or prospective vendor on the basis of any lawful reason.
- N. Dimensions of the space allocated to each vendor are sixteen (16) feet wide and twelve (12) feet from the curb. Vendors shall not move into the middle of the street with their booths, which is in violation of health and safety regulations.
- O. All trailers shall fit within the existing VillageFest booth dimensions of sixteen (16) feet wide and twelve (12) feet from the curb, or one (1) additional booth space may be purchased to accommodate a trailer that is thirty-two (32) feet wide and twelve (12) feet from the curb. Trailers should be clean and must present an attractive, professional image consistent with the goals and purpose of VillageFest.

- P. Vendors must stay within their assigned spaces and out of fire lanes at all times. It is the vendor's responsibility to be aware of the fire lanes, as specified by the VillageFest Coordinator.
- Q. Signage.
- All vendors approved for VillageFest participation before May 1, 2007, shall identify their booths with appropriate signage (including business name) in a minimum size of twelve (12) inches by eighteen (18) inches by submitting a drawing, photograph or sample to the VillageFest Coordinator for approval by the VillageFest Board on or before October 1, 2007.
- R. All tables used within a booth space must be covered and draped with a fire-retardant fabric, which may be either a disposable or nondisposable material. Farmers may use skirted tables in lieu of using full table covers. The covering or draping should be neat and clean and should not be more than two (2) inches from the ground on all sides. All covering or draping must be treated to be fire retardant. A canopy is recommended to all vendors.
- S. Vendors must be in possession of a valid VillageFest permit card at all times during setup, operation and dismantling. The permit is to be conspicuously displayed in the booth during operation. Additionally, if the activity involves food sales, the vendor must also have all relevant documents or permits, demonstrating compliance with Department of Environmental Health regulations.
- T. Vendors must remove all boxes and containers used in the transportation of their merchandise BEFORE VillageFest begins for the evening. Empty boxes may be stored under tables as long as they are not visible, e.g., under a drape.
- U. Street Closure; Parking
1. The City begins barricading the streets at approximately 5:00 p.m. during Season 1 and 6:00 p.m. during Season 2 on Thursdays. Vendors must not park in the traffic lanes until that time. Vendor vehicles must be unloaded and parked outside of the event perimeter prior to the scheduled time for commencement of the event. Vendors must be cleared off the street NO LATER THAN 11:00 P.M. A vendor shall be fined Twenty-Five Dollars (\$25) if his/her setup is not complete at the start of the event or he/she closes down before the end of the event at 10:00 p.m. A vendor shall receive one (1) Vendor Pass for his/her vehicle. The Vendor Pass must be displayed in the vehicle's front windshield to gain entry to VillageFest.
 2. Vendors shall only be allowed to enter the event from the intersections of Amado Road, Tahquitz Canyon Way, and Arenas Road at Palm Canyon Drive. Vendor vehicles must head **SOUTH ONLY** on Palm Canyon Drive at all times when entering and leaving the event. Citations shall be issued to violators of these rules.
 3. Vendors and their employees shall park outside of the event perimeter, except for Farmers' Market vendors.
 4. No vendor shall bring his/her vehicle onto the street from the time the event has started until the time it ends. The VillageFest Coordinator shall notify all vendors, in advance, when changes in event hours go into effect.
 5. Vendors must not, at any time, move any traffic control devices, such as barricades, signs or delineators. Citations shall be issued to violators of these rules.

V. Health, Fire and Police Regulations

1. Cooperation with local health, fire and police departments is essential. Vendors must be aware of and comply with code requirements. Only pedestrian traffic will be permitted in the fire lanes. Specific questions regarding the interpretation of codes should be directed to the appropriate agency.
2. Any furniture or equipment to be used within the booth space assigned must first be approved by the VillageFest Coordinator. Any drapes, curtains, drops, or decorative materials must be treated with a flame retardant in accordance with Palm Springs Fire Department regulations. Any vendor selling combustible products or doing open-air cooking must provide a fire extinguisher (2A-I OBC Type).
3. All use of propane in conjunction with cooking or heating must be pre-approved by the Palm Springs Fire Department before a permit can be issued.

W. Event Hours

Season 1 (October through May) - 6:00 p.m. to 10:00 p.m.
Season 2 (June through September) - 7:00 p.m. to 10:00 p.m.

- X. A vendor wanting to change or add products to his/her current list must re-jury before the VillageFest Board for approval prior to putting new items on the street for sale.
- Y. It is the vendor's responsibility to report any hazardous condition that is found to be in or around the vendor's booth to the VillageFest Coordinator. If the problem cannot be remedied immediately, the vendor shall be relocated to another space until such time that the hazard can be corrected.
- Z. A vendor violating a city, county, state or federal regulation will be automatically terminated for cause. This includes, but is not limited to, public behavior, traffic regulations, and public safety.

AA. Weather Days

1. The VillageFest Coordinator shall announce when the event is canceled due to poor weather, wind, or extreme heat conditions. The decision to call a weather day is within the sole and exclusive discretion of the VillageFest Coordinator. Credit and refunds shall not be given to vendors for any weather day. When a weather day is called, vendors shall stop selling and immediately shut down their operations.
2. VillageFest shall remain open until a weather day is called by the VillageFest Coordinator. Vendors shall not be allowed to bring their vehicles into the street early or leave early due to weather conditions unless directed by the VillageFest Coordinator.
3. It is a vendor's responsibility to provide his/her own coverings to protect merchandise and products from weather-related conditions.
4. On days when there are ominous weather conditions and vendor participation may be lessened, vendors shall not park their vehicles in unoccupied spaces.

BB. Vendors shall not play loud music or make loud noises that can be heard outside their assigned spaces. Hawking is strictly prohibited. Vendors shall not solicit customers outside their selling spaces.

CC. Any entertainer performing on the street shall maintain the volume of the music so as not to disturb his/her surrounding vendors. A verbal warning shall be given for the first (1st) offense. A second (2nd) warning shall result in a written citation. Should a second (2nd) citation be warranted, the vendor shall be removed from the event. If a vendor chooses to appeal the removal, he/she shall make the appeal before the VillageFest Board for a decision on whether his/her privileges shall be restored and he/she is able to return as a vendor at VillageFest.

- DD. No vendor shall conduct any type of raffle or other form of gaming or gambling activity.
- EE. Vendors are responsible for the actions of their employees, associates, and any independent contractors working for them. Vendors shall be courteous to other vendors, the public, and VillageFest staff and management. Vendors shall engage in prudent customer relations and customary business practices.

VI. ENFORCEMENT AND APPEALS

A. Issuance of Permits

1. The VillageFest Board shall review all VillageFest applications and product samples to determine whether they meet VillageFest criteria. The VillageFest Board shall not discriminate on the basis of race, religion, creed, color, gender, or national origin.
2. Upon the VillageFest Board's approval of a vendor permit and payment of applicable fees, the VillageFest Coordinator shall then issue a VillageFest permit, subject to availability of spaces within particular categories.
3. If the application is denied, an appeal may be made, in writing, to the VillageFest Board, who shall review the denial. The appeal must be filed within fifteen (15) days of the denial date. The VillageFest Board will make a determination.

If a vendor desires to appeal the VillageFest Board's determination, an appeal must be made, in writing, to the City Manager within fifteen (15) days of the VillageFest Board's determination. The City Manager shall render a decision regarding the appeal. The City Manager's decision shall be final.

B. Suspension and Revocation of Permits

1. All VillageFest vendors must comply with the purpose and goals of VillageFest and all VillageFest Rules and Regulations. All vendors shall bear in mind that VillageFest is an event for the enjoyment of City and Coachella Valley residents and visitors to the desert area who contribute to the tourism industry. VillageFest vendors shall not conduct their activities so as to antagonize or be offensive to residents or visitors and shall do everything possible to encourage and promote the festive nature of VillageFest. Noncompliance with any VillageFest rule or regulation, including offensive conduct, is grounds for suspension or revocation of the VillageFest permit.
2. Upon finding grounds for suspension or revocation, the VillageFest Coordinator shall suspend or revoke a vendor's permit for a period deemed appropriate in light of the violation's nature. Minor but repeated violations shall be grounds for longer suspensions or revocation of permits. The order of suspension or revocation shall be issued by the VillageFest Coordinator, in writing, specifying the effective date of and grounds for the suspension or revocation.
3. Generally, the first (1st) violation of the VillageFest Rules and Regulations shall result in a verbal warning, the second (2nd) in a written citation, and the third (3rd) in suspension or revocation of the vendor's VillageFest permit. Notwithstanding the foregoing, violations that, by their nature, are known or considered to be very serious may result in immediate revocation of the vendor's VillageFest permit regardless of the presence or absence of prior violations. The City reserves the right to immediately order the removal of all equipment and material belonging to a vendor from the street for any reason deemed necessary to secure the public health, safety and welfare.
4. Upon suspension or revocation of a VillageFest permit, the vendor shall have the right to appeal the suspension or revocation to the VillageFest Board. Such appeal must be made within fifteen (15) days of the issuance of the suspension or revocation, and any such suspension or revocation shall be effective until and unless overturned on appeal.

5. After receipt of an appeal, the VillageFest Coordinator shall schedule the matter for hearing at the next available VillageFest Board meeting at which the matter can be presented and shall provide the vendor with at least ten (10) days' written notice of the time and place of the hearing. The vendor shall have the burden to show cause as to why the suspension or revocation should be overturned. Technical rules of evidence shall not apply. Following the hearing, the VillageFest Board may approve, modify, or reverse the VillageFest Coordinator's order of suspension or revocation. Notice of the VillageFest Board's decision shall be given, in writing, to the applicant within fifteen (15) days of the hearing. The VillageFest Board's decision shall be final and binding.



Thursdays
7 p.m. - 10 p.m. (June through September)
6 p.m. - 10 p.m. (October through May)
Palm Canyon Drive
(between Avenida P.O. and Starline Rd.)
• Arts & Crafts • International Food
• Fine Art • Live Entertainment
For Information,
Call (760) 320-3781

VillageFest

CERTIFIED FARMERS MARKET

I. ADMISSIBLE PRODUCERS AND PRODUCTS

Producers and products fall in the following categories:

A. Agricultural Producers (farmers, fishermen):

1. **Certifiable Agricultural Products:** These are fresh fruits and vegetables, nuts in the shell, honey, eggs, nursery stock, and cut flowers, which have been produced or grown on property controlled by the producer. Product certification is made by the County Agricultural Commissioner in the county of production. Certifiable Agricultural Products can only be sold at the market by the producer who produced them, the producer's employees, or the producer's immediate family.
2. **Non-Certifiable Agricultural Products:** These include dried fruits and vegetables, processed nuts, juices, jams, pickled or smoked agricultural products, live animals, livestock, aquaculture, viticulture, vermiculture. These products may be dried, ground, roasted, juiced, smoked or otherwise altered in a one-stage process by a second party. Canned foods are permitted if processed in an approved facility. Products in this category must have been grown, bred, raised, cultivated, or collected upon land, which the producer controls.

B. Prepared Foods Producers (non-agricultural products):

Producers may sell products that are cooked, canned, preserved, or otherwise treated. Canned foods are permitted if processed in an approved facility. These non-agricultural products may not compete with products made by farmers from their own production.

II. PERMITS, LICENSES AND DOCUMENTATION

All sellers must comply with all applicable federal, state and local laws, ordinances and regulations and obtain all necessary permits. All certified and non-certified agricultural product sales shall be in conformity with the current State Direct Marketing Regulations for Certified Producers (California Code of Regulations Title 3, § 1392).

All sellers must also carry liability insurance provided by the City of Palm Springs.

A. Certified Producers (fresh fruits and vegetables, eggs, honey, nuts in the shell, nursery stock, and cut flowers) must provide the following:

1. A completed application.
2. The "hold harmless" page (last page of these rules) signed by the producer.
3. A current "Certified Producer's Certificate" listing those commodities the producer is offering for sale. Please mark on the certificate those products that you will bring to the market and the months during which you will sell them if they are different from the harvest months.
4. An "Employee Authorization Letter" printed on letterhead (or with return name, address and phone number) signed by the producer, naming each employee and family members who may sell for the producer. For family members, please indicate their relationship to the owner.

5. **Second Certificate:** If the producer sells the produce of a Second Certificate, each certificate must be referenced on the other producer's certificate. No more than two second certificates are allowed.
6. **Nursery Stock:** A "Nursery Stock License." (Note: Cut flowers are exempt.)
7. **Cut Flowers:** A "Seller's Permit" from the Board of Equalization (BOE) and a "Business License" from the City of Palm Springs.
8. **Organic Products:** An "Organic Certification" per the National Organic Program and the California Organic Products Act of 2003.

B. Non-Certifiable Producers must provide the following:

1. A completed application.
2. The "hold harmless" page (last page of these rules) signed by the producer.
3. A current "Certified Producer's Certificate" listing those commodities the producer is offering for sale. Please mark on the certificate those products that you will bring to the market and the months during which you will sell them if they are different from the harvest months.
4. An "Employee Authorization Letter" printed on letterhead (or with return name, address and phone number) signed by the producer, naming each employee and family members who may sell for the producer. For family members, please indicate their relationship to the owner.
5. **Second Certificate:** If the producer sells the produce of a Second Certificate, each certificate must be referenced on the other producer's certificate. No more than two second certificates are allowed.
6. "No Pesticide" and "No Chemicals" Claims: An "Application Use Form."
7. If selling Non-Certifiable Agricultural Products (products resulting from a one-stage process of a certified product, such as jam, juice, dried fruits, etc.), the following must also be provided:
 - a. The "Certified Producer's Certificate" must list the certified product used to produce the non-certified product. For example: Jam producers must have a "Certified Producer's Certificate" listing the fruits used for jams.
 - b. A "County of Riverside Department of Environmental Health Permit" must be provided and displayed.
8. If selling Non-Certifiable Agricultural Products/Other Products (live animals, livestock, aquaculture, viticulture, and vermiculture), the following must also be provided:
 - a. A "Proof of Ownership." Producers may be asked to produce documentation or verification related to their production.

C. Second Certificate Producers:

Second Certificate Producers must also have their embossed certificate clearly posted. The producers are only allowed to sell for two additional certified producers, as listed on the producer's certificate. All produce must be separated so it can be identified by certificate.

III. POSTINGS

A. Product Information and Claims:

1. Sellers shall only display or advertise items that have been approved for sale.
2. Organic Products: No producer may use the term “organic” unless certified through the State of California organic program and the following language is posted:

“ORGANICALLY GROWN IN ACCORDANCE WITH CALIFORNIA ORGANIC FOOD ACT 2003.”

In addition, certification by an established organization that certifies organic farming practices, such as California Certified Organic Farmers (CCOF), may also be posted.

When an organic grower is also selling non-organic produce at the same stand, the non-organic produce must be clearly separated from the organic produce and clearly labeled “non-organic” in letters at least two (2) inches high.

A market violation will be issued to anyone who falsely advertises “organic” growing practices, either in signs or verbal claims.

The “Organic Registration Form” must be clearly posted at the stand.

3. “No Pesticides” and “No Chemicals” Claims:

Producers who are not certified organic and wish to claim “No Pesticides” or “No Chemicals” must identify on an “Application Use Form” (described below and available from the VillageFest Coordinator) any synthetically compounded product applied to the crop. The “Application Use Form” must be posted immediately adjacent to the “No Pesticides” or “No Chemicals” sign. The words “No Spray” are not permitted on any sign, as they are vague and do not identify compounds applied. A market violation will be issued to anyone claiming “No Pesticides” without an “Application Use Form” posted immediately adjacent to the sign claiming “No Pesticides.”

Application Use Form (sample only)

<u>Application</u>	<u>Name</u>	<u>Compound</u>
Fertilizer	Urea	Synthetic Nitrogen
Pesticides*	No	
Growth Regulator	No	

*These include fungicides, herbicides and rodenticides.

B. Packaged Products:

Packaged products must be labeled with the producer’s name, address, product name, ingredients, and net weight.

C. Scales:

All producers using a weighing device (scale) must have the scale registered and sealed within the previous twelve (12) months by County Weights and Measures. Producers must have the receipts for registration with them at all times to verify that their scales are registered. The county sticker indicating the scale has been sealed must be visible and current. Registration and seals from any county are valid in every county statewide.

IV. PRODUCT QUALITY

A. Standards:

All products will be expected to be of the highest quality, taste, freshness, or craftsmanship.

B. Minimum Grade:

All produce must meet USDA minimum grade requirements and represent a "field run" or better quality range. Additionally, all containers of produce offered for sale must not exceed California Department of Food and Agriculture (CDFA) tolerance for spoilage and waste. Containers of culls only will not be permitted for sale and will be immediately removed from sale with a warning issued unless the grower is also selling the same product at a "field run" standard or better. Culls must be clearly labeled as "culls," "overripe," "canning grade," and priced accordingly. Subsequent violations will be subject to additional penalties.

C. Product Inspections:

All commodities and products shall be subject to inspection at any time by the County Agricultural Commissioner, the Department of Environmental Services (Health Department), and/or the Market Manager.

V. FEES AND LOAD SHEET

Agricultural producers, both certified and non-certified, shall pay regular vendor fees (see VillageFest Fee Schedule). Each certified producer is required by law to pay sixty cents (60¢) as a State Agriculture Fee. These fees are to be paid to the VillageFest Coordinator at the end of the market with an accompanying completed Load Sheet. All Load Sheets must list commodities sold, commodity unit price, and accurate gross income per commodity.



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