

Montrose Thieves Market

Market Rules, Regulations & Requirements

Effective January 1, 2012

The Montrose Harvest Market and its adjacent Thieves Market is a weekly promotional event sponsored by the Montrose Shopping Park Association (MSPA) and its member businesses. The MSPA reserves the right to define and enforce its policies and make changes to the Market as it deems necessary and prudent. Participation in the Thieves Market shall be determined by the Thieves Market Manager in accordance with the policies of the MSPA Board of Directors.

The Montrose Thieves Market is a market in an adjacent circumscribed area in which certain types of non-agricultural products and services may be sold or offered for sale. The exclusive purpose of the Thieves Market is to provide a venue for limited commercial activity by community groups and local businesses.

1. Definitions of Offerings.

- The offerings of the Thieves Market include antiques, collectibles and memorabilia which are meant to be of a “vintage” nature, along with certain artisan-produced crafts that you, the vendor, are actively engaged in creating within your booth.
- We do not allow homemade crafts per se, and all artisan-produced items are subject to the jury process established by the MSPA Board.
- We do not allow wholesale merchandise, commercially-produced merchandise or new merchandise offered for resale.
- Offerings which directly compete with existing vendors or with existing MSPA businesses may be excluded at the discretion of the Thieves Market Manager and the Harvest Market Oversight Committee.
- Fine artists, community service booths, non-profit organization booths, and those offerings representing a professional discipline or service are necessarily limited in number. Duplication of such activities shall not be permitted within a particular Market day.
- Retail offerings are limited in number and restricted to products that fall within the following categories:
 - Food-related
 - Environmental
 - Healthy Living
 - Educational
 - Children’s Interactive
- Vendors which do not fit within the criteria here described shall not be permitted to reserve space in the Thieves Market.
- Franchised-type products such as Avon, Tupperware, etc. shall not be permitted in the Thieves Market.

- All vendor merchandise is subject to the jury process established by the MSPA. Any offerings determined to fall outside the parameters of this criteria shall be immediately removed by the vendor at the direction of the Thieves Market Manager.
- All decisions resulting from the jury process are the prerogative of the Harvest Market Oversight Committee in conjunction with the Thieves Market Manager and may only be appealed as follows:

Any vendor may appeal an action of the Thieves Market Manager to the Harvest Market Oversight Committee by submitting a written notice of appeal stating the reasons therefore, within ten days of the Thieves Market Manager's action. The written notice of appeal shall be submitted to:

Montrose Shopping Park Association
P.O. Box 782
Montrose, CA 91020

Within 30 days of receipt of the notice of appeal, a hearing shall be scheduled with the Harvest Market Oversight Committee to review the vendor's case, unless both parties otherwise extend such time. Written notice of the hearing shall be provided to the Producer at least ten (10) days prior to the hearing. Final decisions concerning any action by the Thieves Market Manager, and the reasons therefore, shall be set forth in writing and shall rest with the Harvest Market Oversight Committee.

II. Vendor Eligibility. In addition to meeting the criteria for vendor offerings in Section I, the following criteria also apply:

- No vendor may reserve booth space for any representative business that does not serve the Montrose/Foothill Communities area.
- Home-based professional businesses that do not have an actual business address within the community will not be considered.
- Thieves Market vendors must apply for and be approved by the Thieves Market Manager on a weekly basis in advance in order to secure a reserved booth space. Assignments of booth spaces are not guaranteed week-to-week and are at the sole discretion of the Thieves Market Manager.

III. General Policies and Procedures

1. Thieves Market Hours. Set up begins at 7 am. No vehicles may enter after 8:30 am. As this is an off-loaded Market, all vehicles must be removed from the Market area no later than 9 am. The Montrose Harvest Market takes place on Sundays from 9 am to 2 pm. Though the Harvest Market operates "rain or shine," the Thieves Market is subject to complete closure during weather extremes. The Thieves Market Manager may also close a Thieves Market early due to developing weather issues at his or her sole discretion. At Market end, no vehicles may enter before 2 pm. All booths and equipment shall be packed up and the area cleaned prior to 4 pm.

2. Appropriate Market Conduct. Vendors and their representatives shall conduct themselves in a safe and courteous manner at all times.

- All boxes, containers, etc. must be housed within the assigned space.
- All umbrellas, canopies, signs and banners shall be maintained in good condition.
- Displays shall be safe and presented in an approved and wholesome fashion.
- Vendors must be courteous to other members as well as to the public at all times and shall maintain a neat and clean personal appearance.
- No vendor shall engage in solicitation, collection drives, political or religious activities.
- Smoking is prohibited in the Market as well as in public venues within the City of Glendale.
- Consumption of alcoholic beverages, illegal drugs and other behavior modifying substances is forbidden.
- No music can be played from radios or other similar devices (i.e. compact disc players, tape players, etc.), which can be heard outside of Producer's selling space.

8. Suspension or Expulsion from the Market.

- Any language or behavior considered to be deleterious to the normal operation of the Market will be grounds for expulsion from the Market.
- No vendor shall be permitted to make public comments in any form or format of a derogatory, harmful or inflammatory nature with regard to fellow Market vendors, member businesses of the MSPA, their owners or employees, the MSPA Board of Directors or its contractors or agents. Violations of this regulation will result in a first warning, followed by expulsion from the Market.
- Suspension or expulsion of members shall be enforced by the Thieves Market Manager and the MSPA Board of Directors in a fair and equitable manner.
- Membership may be revoked upon documentation of repeated Market rule violations.

9. Participation at Discretion of the MSPA. No Vendor shall acquire any property or other right to continue to participate in the Thieves Market. Participation, including the decision of the products and offerings to be presented at the Thieves Market by a Vendor, is at the sole discretion of the Thieves Market Manager. The MSPA (through its Thieves Market Manager), in its sole discretion, and based on the MSPA's judgment regarding which Vendors will best serve the consumers at the Thieves Market, may disallow continued participation by a Vendor in the Thieves Market. Vendors are required to apply weekly for the privilege of reserving booth space in the Thieves Market.

10. Incompatible Activities. The following activities are prohibited within the Thieves Market: campaigning for or against any electoral candidate or ballot measure; campaigning for election to any public office; circulating an initiative or referendum petition; and unauthorized solicitation. For purposes of this prohibition, "unauthorized solicitation" means solicitation that is unrelated to the Thieves Market and is not conducted from an authorized selling space or both. This prohibition does not preclude any person or organization from conducting such activity during Thieves Market hours on sidewalks or other public property adjacent to the Thieves Market. Violation of this prohibition may result in expulsion from the Thieves Market for the remainder of that Market day.

III. Fees and Taxes

1. Booth Fee. For participation in the Thieves Market, vendors shall pay the MSPA a standard weekly booth fee of \$35.00, payable at the end of the Market day to the MSPA's Promotional Coordinator or to his or her designee. Exceptions to the \$35.00 booth fee are:

- MSPA member businesses in good standing, \$25.00
- Non-profit organizations and Community service groups, "no charge"

2. Sales Tax. Vendors are responsible for complying with applicable sales tax laws. Vendors selling taxable items must display a Board of Equalization permit authorizing sales at the Thieves Market.

IV. Selling Space

1. Number of Spaces. No Vendor can sell at two separate spaces in the Thieves Market. Only one community group, non-profit organization booth, or those offerings representing a professional discipline or service will be allowed per Market day, at the discretion of the Thieves Market Manager.

2. Size. Vendors' selling space size in the Market Annex is up to the sole discretion of the Thieves Market Manager. No portion of a Vendor's display may extend into the fire lane. The Market Manager may, at any time, adjust the Vendor's selling space size. During peak season, the maximum frontage allowable shall not exceed ten (10) feet per Vendor, unless otherwise determined by the Thieves Market Manager.

3. Equipment. Vendors must supply their own canopies, tables, chairs, tablecloths, etc. Access to electricity for the Vendor's selling space may be made available at the discretion of the Thieves Market Manager.

4. Signage. Each Vendor's selling space must have its firm name prominently displayed within the Vendor's canopy. Signs may not extend beyond the perimeters of the canopy. The Market Manager may specify sign sizes, types or other characteristics.

5. Cleanliness. Each Vendor shall maintain its selling space in a clean condition. Vendors are responsible for bagging and hauling their own trash at the close of the Market day and may not leave any item or trash at the Thieves Market. Vendors leaving trash behind will be given a verbal warning and will be charged a clean up fee of \$50.00 for the second offense and \$100.00 for the third offense. After the third offense, Vendors may be suspended or expelled in accordance with Section VI of these Thieves Market Rules.

6. Nonattendance. A Vendor who is unable to attend an assigned selling space for a reason unrelated to inclement weather must notify the Thieves Market Manager at least one week prior to the date of absence, unless special prior arrangements are made. A Vendor who is unable to attend an assigned selling space due to inclement weather must notify the Thieves Market Manager by 9:00 a.m. of that Market day. Failure to comply may result in suspension or expulsion in accordance with Section VI of these Thieves Market Rules.

7. No Shows. Vendors who are a “no show” more than once will have to pay a \$35.00 booth fee before being allowed back into the Thieves Market. We will consider a vendor to be a “no show” if the Thieves Market is in operation and we have not heard from you.

8. Representatives. Each Vendor’s representatives at the Thieves Market shall remain at the Vendor’s selling space during Market hours.

9. Booth Assignments. Booth space assignments are NOT on a first-come, first-served basis. Vendors are grouped together based on product categories and in an effort to accommodate type and size of product and product displays. Assignments are made on Saturdays and are made available to vendors upon arrival at the Thieves Market beginning at 7:00 am on Sunday. Vendors must communicate with the Thieves Market Manager concerning their desire to reserve space from week to week. Reserving your space is YOUR responsibility, not the responsibility of the Thieves Market staff.

V. Safety.

1. Tables and Canopies. Tables and overhead canopies must be maintained and used in a safe manner. Canopies must be tied down or weighted.

2. Removal of Canopies. By determination of the Thieves Market Manager, removal of canopies may be required at any time during Market hours due to wind. Canopy removal shall take precedence over sales activities. Frame assemblies may remain in place as long as they are securely tied down.

3. Market Safety. All Vendors must comply with the daily Market safety program, which requires:

- No display tables filled over carrying capacity
- Tables must be free of splinters
- Product arrangements must be stable and not ready to fall
- Canopy assemblies must be tied or weighted down
- No pets
- No vehicles shall be parked in the Thieves Market

4. Arrival and Departure. Vendors shall arrive no later than thirty (30) minutes before the Thieves Market’s scheduled opening time. A vendor may not leave the Thieves Market until the close of Market. If there is an emergency, a vendor may leave early, but only with the prior approval of the Thieves Market Manager.

VI. Violations.

1. Violations & Penalties. A vendor who violates any provision of these Thieves Market Rules may be given a verbal or written warning, fined (for violations of Section IV (5)), suspended or expelled from Thieves Market at the discretion of the Thieves Market Manager. Any verbal warning shall be followed by written notice of such action within seven (7) days. A vendor is responsible for the actions of its employees.

2. Customer Complaints. A customer wishing to file a complaint concerning treatment by a vendor may file a written complaint with the Thieves Market Manager. Written complaints will be investigated by the MSPA Harvest Market Oversight Committee, and may result in issuance of a penalty as set forth above. In any dispute between the consumer and vendor, the decision of the MSPA shall prevail.

3. Removal from Thieves Market. While under investigation for a violation of these Thieves Market Rules, vendors may be temporarily removed from the Thieves Market at the discretion of the Thieves Market Manager to protect the public health, safety or welfare.

4. Fair Application of Thieves Market Rules. All Thieves Market Rules shall be applied in a fair and equitable manner.

Agreement:

I hereby state that I have read, understand and agree to follow all rules and procedures outlined in the Thieves Market Rules for the Montrose Harvest Market. I also understand that failure to conform to said rules may result in financial penalties, and/or suspension or expulsion from the Market Annex.

_____ Local Business _____ Community Organization

Business/Org Name: _____

Applicant Name (Print): _____

Signature: _____

Date: _____