



# Downtown Beaumont Market Night

## Rules and Regulations

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**PURPOSE:**

Our purpose is to create a bi-weekly, vibrant, community market night with a family atmosphere for residents and visitors.

**GOALS:**

- Provide a venue for community activities and organizations
- Create a positive image of downtown Beaumont
- Provide a diverse selection of arts, crafts, entertainment, and food
- Promote downtown as a center for social, civic and retail activities
- Expose residents and visitors to downtown stores, services and businesses
- Enhance the community

**STRUCTURE, OVERSIGHT, AND SCHEDULE:**

DBMN takes place in downtown Beaumont on Beaumont Avenue between Sixth Street and Eighth Street the first and third Thursday night of the month from April through July. The street is closed to vehicular traffic and then transformed into a festive, pedestrian market. Vendor booths are set up on both sides of the street, and visitors are able to stroll through the traffic-free event.

DBMN oversight is provided by the City of Beaumont. City staff will evaluate each application to ensure that proposed activities meet the purpose and goals mentioned above.



## LOCATION AND CONTACTS

Event Location: Beaumont Avenue between Sixth Street and Eight Street

Event Hours: April through July 6:00 p.m. to 9:00 p.m.

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### **General information and questions:**

City of Beaumont: Economic Development Department  
550 E. 6<sup>th</sup> Street  
Beaumont, CA 92223  
Telephone: (951) 769-8520  
E-Mail: [Kylew@beaumontca.gov](mailto:Kylew@beaumontca.gov)  
E-Mail: [Ddiaz@beaumontca.gov](mailto:Ddiaz@beaumontca.gov)

Web Address: [www.BeaumontCA.gov](http://www.BeaumontCA.gov)

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

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Health Department: Riverside County Department of Environmental Health  
554 S. Paseo Dorotea  
Palm Springs, CA 92264  
Telephone: (760) 320-1048  
or  
4065 County Circle Drive  
Riverside, CA 92503

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CalFire: Clay Shepard, Fire Safety Supervisor  
550 E. Sixth Street  
Beaumont, CA 92223  
Telephone: (951) 769-8520  
[cshepard@beaumontca.gov](mailto:cshepard@beaumontca.gov)



## I. PROCESS FOR VENDORS

The following are the steps in the application process:

Submission of completed application and payment of any required fees must be provided at City Hall. Incomplete applications will not be processed.

City Hall office location is listed on the Contacts page. The fees necessary for submission may be paid by cash, money order, credit card (MasterCard, Visa or Discover), or by check made payable to the City of Beaumont; A valid identification with picture shall be required as proof of identity.

Applications must contain the names, addresses, telephone numbers, web address (if applicable) and signatures of the responsible persons.

Review of application by City staff

City staff will screen and review the application.

Rejection of the application

City staff will accept, reject, or recommend modifications to the applicant's application based on the following guideline questions. The City of Beaumont does not discriminate on the basis of race, religion, creed, color, gender, sexual orientation, national origin, or political persuasion.

- Does this vendor qualify under the approved DBMN Rules and Regulations?
- Are the proposed vendor's merchandise and/or service beneficial to the purpose and goals of DBMN?
- Are the proposed merchandise and/or service unique to DBMN, as opposed to merchandise and/or services already offered at DBMN?
- Is the proposed booth design within the guidelines established by the DBMN?
- Has the proposed vendor provided City staff with recent photographs of his/her booth setup, signage (appropriate signage including business name in a minimum size of twelve inches high by eighteen inches in length or 12" H x 18" L) **Maximum?**

Upon the approval by City staff and/or City Council, and receipt of payment of applicable fees, City staff shall issue a DBMN permit. The new vendor is subject to the availability of spaces within particular categories.



## II. APPLICATION PROCESS FOR VENDORS

- A. Vendors may be required to submit an application to maintain status as a vendor. City staff will review the history of the applicant, and determine whether or not:
  - 1. The vendor consistently followed the DBMN Rules and Regulations
  - 2. The vendor received prior written warnings
  - 3. DBMN Staff has had complaints about the vendor's products or services
  - 4. The vendor's necessary permits, insurance, and licenses are up-to-date

## III. FEES AND PERMITS

- A. Vendors must remain current with the following documents:
  - 1. City of Beaumont business license
  - 2. Liability insurance, or private insurance with the City of Beaumont named as additional insured
  - 3. Seller's permit
  - 4. Riverside County Health permit (for food service vendors ONLY)
  
- B. To obtain these permits, see Location and Contacts list on page four.

## IV. COMPLIANCE WITH FEDERAL, STATE, LOCAL LAWS AND STATUTES

The acceptance and use of any selling space at DBMN constitutes an agreement by any and all vendors, and persons helping or working with such vendors, to comply with all DBMN Rules and Regulations and all city, state, and federal laws.

- A. DBMN vendors must comply with all federal, state, and local laws and statutes concerning child labor. Unlawful employment of minors, under any federal, state, or local laws is prohibited. Such violation shall be deemed as noncompliance with DBMN Rules and Regulations.
  
- B. DBMN vendors and their employees must comply with the Americans with Disabilities Act



(ADA), which provides for equal access and opportunity for individuals with disabilities in public accommodations.

- C. All vendors must understand and comply with any and all federal and state 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. Not understanding the law will never be an adequate excuse used by vendors for violating a law.
- D. Vendors must work professionally, cooperatively, and reasonably with both the customer and DBMN Staff to resolve complaints. Vendors must also fully comply with DBMN Rules and Regulations and are required to sign the acknowledgement contained on the application.
- E. Vendors must participate once their space is allocated. DBMN shall proceed as scheduled, unless a weather emergency is declared. There shall be no fee credit given to a vendor if he/she decides not to participate on any night for whatever reason. There also is no fee credit given should DBMN be cancelled due to city holidays, rain, wind, or any other unforeseen circumstances. **This applies only if fees are charged to participate in DBMN**
- F. A vendor who wants to change or add products to his/her approved list must request approval from City staff prior to selling any new items.
- G. It is the responsibility of the vendor to notify the City Staff, **in writing**, no later than the Monday before the next DBMN, if he/she will be absent from that event.

A vendor who fails to notify City staff prior to an absence shall be charged with an unexcused absence. A vendor with one or more unexcused absences in one (1) month period or two (2) or more unexcused absences within a three (3) month period shall be subject to suspension, and possible revocation of his/her participation in DBMN.

- H. When a vendor has decided to terminate participation in DBMN, he/she must notify the City staff, **in writing**, before the first Thursday of the month of the departure. No fee credit or refund shall be given if a vendor notifies City staff of departure after the first Thursday of the month.
- I. Sales privileges and spaces cannot be sold, sublet, assigned or transferred.
- J. Power cords must be completely taped down to limit liability for the vendor, and conform to City of Beaumont safety requirements. Additionally, power cords must take the shortest route from the receptacle to the booth to minimize tripping hazards.



- K. Power must be supplied from (quiet generators) as approved by staff.
- L. All vendor lighting shall be fluorescent, LED, or low voltage halogen.
- M. Crock pots, rice cookers, coffee brewers, electrical skillet, heat lamps, portable air conditioners, portable electrical heaters, etc., or anything a city employee deems to have a large wattage draw, must be provided power by a “quiet generator” approved by staff.
- N. All booth lighting shall be confined to the booth and designed to prevent spillage into other booths or glare into the eyes of visitors.
- O. No alcoholic beverages are to be consumed or sold within a booth.
- P. 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, tree or utility pole.
- Q. Vendors are not guaranteed a specific booth location. City staff has the authority to assign and reassign spaces. Any vendor requesting reassignment of booth space must notify the staff, **in writing**. City staff reserves the right to refuse assignment of space to any vendor or applicant.
- R. Dimensions of the space allocated to each vendor are twelve feet wide and twelve feet from the curb (12 ft. wide x 12 ft. from curb). Booth height: twelve feet (12 ft.) maximum. Vendors shall not move into the middle of the street with their booths, this is a violation of health and safety regulations.
- S. The vendor shall provide maximum visibility and access to merchant businesses that remain open during DBMN hours. Therefore, a vendor’s booth height will be a major consideration in booth space allocation. Contact City staff if any booth modification is desired.
- T. All trailers need to be approved by the staff and should fit within the DBMN booth dimensions of twelve feet wide and twelve feet from the curb (12 ft. wide x 12 ft. from the curb). One (1) additional booth space may be granted to accommodate a larger trailer subject to space availability. Trailers should be clean and must present an attractive, professional image consistent with the goals and purposes of DBMN.
- U. 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.
- V. Vendors shall identify their booths with appropriate signage (including business name) within



the dimensions of twelve inches in height by eighteen inches in length (12 in. H. x 18 in. L.). The signage with a drawing, photograph or sample for review by City staff should be included in the application.

- W. All tables used within a booth space must be covered. Farmers Market vendors may use table skirts in lieu of full table covers. Covers or table drapes should be neat and clean and should not touch the ground.
- X. A weighted canopy is recommended for use by all vendors. Nails or anchors cannot be driven into the pavement, structures, utility poles or trees. A canopy without the top (or a tent) is not allowed to be erected without approval from staff and must serve a viable purpose.
- Y. No rolling clothing racks will be allowed without approval from City staff.
- Z. Vendors must remove all boxes and containers used in the transportation of their merchandise BEFORE DBMN begins for the evening. Empty boxes may be stored under tables as long as they are NOT visible from all sides (e.g., under a drape).
- AA. Vendors must display a valid DBMN permit at all times during setup, operation, and tear down.
- BB. If the booth involves food sales, the vendor must clearly display all relevant documents or permits demonstrating compliance with Riverside County Department of Environmental Health regulations.

## V. ON-SITE STANDARDS OF CONDUCT

- A. DBMN vendors, employees and family members shall be appropriately dressed. Clothing must be neat, clean, in good repair, and appropriate for on the job appearances at all times.
- B. No person shall deface or otherwise abuse the downtown buildings, plants, trees, utility poles or city property.
- C. No person or business participating in DBMN shall state, imply, or otherwise suggest that the City of Beaumont endorses, sponsors, or supports the views of his/her/its organization, candidate, product, or service.
- D. Non-entertainment vendors shall neither use amplified sound nor play music or make loud noises that can be heard outside their assigned spaces.
- E. Vendors shall not solicit customers from outside their selling spaces.





- F. Hawking, selling outside of booth, loud, or aggressive behavior is strictly prohibited.
- G. Any entertainer performing on the street shall maintain the volume of the music so as not to disturb his/her surrounding vendors.
- H. It is each vendor's responsibility to report to the onsite DBMN Staff any hazardous condition they observe in or around the vendor's booth. If the problem cannot be remedied immediately, the vendor shall be relocated temporarily to another space.
- I. A vendor who violates a city, county, state, or federal regulation is subject to automatic permit revocation. This includes, but is not limited to, illegal/inappropriate public behavior, traffic regulations, and threats to public safety.
- J. Vendors are responsible for the actions of their employees, associates, volunteers and independent contractors working for them. Vendors shall be courteous to other vendors, the public, and DBMN staff.

#### VI. BOOTH SETUP, LOAD-IN, AND LOAD-OUT PROCEDURES

- A. Setup begins one hour prior to the event start time. The city begins barricading the streets at approximately 5:00 p.m.
  - 1. Vendors must not park on the closed street after that time.
  - 2. Vendors may unload vehicles ½ hour prior to setup onto the sidewalk as long as they do not impede required ADA accessible pathways, safe pedestrian flow or vehicular traffic. However, they MAY NOT begin to setup or unpack items on the curb.
  - 3. Vendor vehicles may be unloaded and then moved and parked outside of the event perimeter prior to the scheduled event start time.
  - 4. By NO LATER THAN 10:00 p.m. vendors are to be packed up and out of the traffic lanes.
  - 5. A vendor shall be in violation of DBMN procedures if his/her booth is not ready for business at the start of the event, or if he/she closes down before 9:00 p.m., the official end of the event.
  - 6. A vendor shall receive one (1) Vendor Pass for his/her vehicle. The Vendor Pass must be displayed in the front windshield to gain entry to DBMN. Setup and tear down shall go as follows:



1. Vendors must park their vehicles in their assigned location and unload onto the sidewalk.
  2. Vendors must move their vehicles off the street immediately after unloading.
  3. Vendors may not set up their booth while their vehicle remains parked on the street.
  4. A vendor's canopy or tent must be dismantled and their booth items must be packed up and on the sidewalk *before* their vehicle is allowed on the street for load-out.
- B. Vendors shall enter the closed off sections of Beaumont Avenue from the intersections of Beaumont Avenue and Seventh Street or Beaumont Avenue and Eight Street. Vendor vehicles must head **SOUTH ONLY** on Beaumont Avenue at all times when entering and leaving the event. Citations shall be issued to violators of these rules.
- C. Vendors and their employees shall park outside the perimeters of the event.
- D. DBMN vendors who in their application submitted to the City staff have demonstrated a need to park inside the perimeters of the event, and have received approval, may be exempt from (C) above.
- E. No vendor shall bring his/her vehicle onto Beaumont Avenue from the time the event has started until the time it ends.
- F. DBMN shall notify all vendors, in advance, when changes in event hours go into effect.
- G. Vendors must not, at any time, move any traffic control devices, such as barricades, bollards, signs, or delineators. Citations shall be issued to the violators of these rules.
- H. 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 booth space, all vendors must clean their own spaces of all debris. If a space is left in poor condition, the vendor will be in violation of DBMN procedures and may be charged for any clean-up cost. **City will comply with SB1383**

## VII. EMERGENCY PROCEDURES FOR INCLEMENT WEATHER CONDITIONS

- A. City Staff shall inform vendors if the event must be canceled due to dangerous weather conditions.



- B. DBMN shall remain open until emergency weather conditions are declared. Vendors are prohibited from driving their vehicles onto the closed street early, or depart early, due to weather conditions, unless directed by the City Staff.
- C. The decision to call an emergency shutdown of DBMN is at the exclusive discretion of the City of Beaumont City Manager or their designee.
- D. Credit and refunds shall not be given to vendors when weather emergency is declared. **This would only apply if the City implements a fee to participate in DBMN.**
- E. When an emergency has been declared, vendors shall immediately cease operations.
- F. It is the vendor's responsibility to provide his/her own coverings to protect merchandise and products from weather-related conditions.

#### VIII. HEALTH, FIRE, AND POLICE REGULATIONS

- A. Cooperation with local health, fire, and police departments is essential. Vendors must be aware of and comply with code requirements. Specific questions regarding the interpretation of codes should be directed to the appropriate agency listed in the Location and Contacts list on page four (4).
- B. Any furniture or equipment used within the booth space must first be approved by the City staff. Any vendor selling combustible products, using propane or other combustibles, or performing open-air cooking, must provide a fire extinguisher (2A-1 OBC Type) and receive the approval of CalFire.
- C. Propane users require a fire department permit. All use of propane in conjunction with cooking, heating, crafting, or demonstrating gas-fueled merchandise, must be pre-approved by the CalFire before a permit can be issued.

#### IX. COMPLIANCE AND ENFORCEMENT

- A. DBMN vendors must comply with DBMN purpose, goals, rules and regulations.
- B. DBMN is an event for the enjoyment of citizens and visitors who contribute to the area's tourism industry. Vendors shall not antagonize or offend residents, visitors or other vendors and shall do everything possible to encourage and promote the festive nature of DBMN.
- C. Noncompliance with any DBMN rule or regulation, including offensive conduct, or conduct which is noncompliant with the rules, regulations or applicable law is grounds for



suspension or revocation of the DBMN permit.

- D. A suspension or permit revocation of the DBMN permit shall be issued by City staff, in writing, specifying the effective date of, and grounds for, the suspension or revocation.
- E. Products not approved by the DBMN Board are PROHIBITED. A citation will be issued for violation of rules and regulations, and all noncompliant items must be removed immediately.
- F. Vendors who receive more than one written warning shall not be permitted to operate their booth until cleared by City staff.

#### X. APPEALS FOR APPLICATION DENIAL

- A. If an application is denied an appeal may be made, in writing, to the City of Beaumont, City Manager, who shall reconsider the denial. The appeal must be filed within fifteen (15) days of the denial date. The City Manager's decision shall be final.

#### APPEALS FOR SUSPENSION / REVOCATION

- B. Upon suspension or revocation of a DBMN permit, the vendor shall have the right to appeal the suspension or revocation to the City Manager. 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 the time designated in the suspension is exhausted or overturned on appeal. The City Manager shall review the appeal and issue a decision within 5 working days. The City Manager's decision shall be final.

#### XI. VENDOR PARTICIPATION & GUIDELINES

Each DBMN vendor must meet the criteria of one of the following categories:

##### A. GENERAL VENDOR

1. At least fifty percent (50%) of any art craft, jewelry or wearable item(s) offered for sale must be the handcrafted work of the artist who will be selling the wares at the booth. Items that are merely hand-assembled, and comprised only of commercially-available manufactured parts, shall not be considered handcrafted for the purpose of DBMN. The artist must be present unless a representative of the artist has been approved by City staff.
2. A vendor's merchandise shall be reviewed and evaluated according to the goals and guidelines of DBMN. Staff shall also evaluate the quality of the items, raw materials, workmanship, uniqueness, and appropriateness of the items for DBMN. It is within the



discretion of City staff to deny applications based upon these criteria.

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 (PRE-PACKAGED)**

1. All pre-packaged Specialty Foods must comply with every state and federal packaging requirements.
2. For the purpose of DBMN, distributors of products are excluded.

## **C. NON-PROFIT ORGANIZATIONS**

1. Applicants shall be assigned space at the event on a first-come, first-served basis and may have that space on a rotational basis at the City's discretion.
2. Nonprofits must provide proof of their current nonprofit [501(c)(3) or (c)(4)] status including nonprofit number. Verification must be provided at the time of application.
3. Nonprofits may pass out informational materials promoting the nonprofit.
4. Nonprofits may accept donations on site.
5. Nonprofits must obtain Department of Justice letter for any raffles conducted at DBMN.
6. Nonprofits may sell event tickets for fundraising events benefiting the nonprofit.
7. Nonprofits may sell merchandise/items at their booth that represents the organization, i.e. calendars, mugs, t-shirts, etc.
8. City sponsored departments or organizations are exempt from nonprofit regulations as approved by City staff.

## **D. DOWNTOWN RETAIL MERCHANT VENDOR**

1. Retail Merchants located within the designated Downtown area shall be allowed to sell items regularly found within their stores.



2. No downtown retail merchant shall be given a preference of location.
3. All items sold at DBMN must be listed and approved City staff.
4. The number of vendors assigned in this category shall not exceed 20% of total number of DBMN vendors on any given month.

#### **E. FOOD SERVICE VENDOR**

1. DBMN is intended to be a walk-able event, and not a sit- down dining experience.  
(discussion on creating food court w/table & chairs) (near music)
2. DBMN food service vendors must comply with requirements imposed by the Riverside County Department of Environmental Health. These requirements include securing and continuously maintaining an annual Riverside County Department of Environmental Health food permit. Please contact City staff for additional information regarding a permit to sell food at DBMN.
3. All DBMN food service vendors and all support staff within the booth are required to have a Food Handlers Card on display in the booth.
4. Vendor vehicles must be moved out of the event perimeter prior to commencement of the event.
5. All areas must be kept neat and clean at all times.
6. No food preparation producing smoke may take place unless approved by the City staff.

#### **F. ENTERTAINMENT**

Entertainers who wish to perform at DBMN must contact the City staff to be screened and scheduled.

#### **G. THERAPUETIC MASSAGE**

The vendor must be a licensed therapist, and each individual therapist or masseuse working in the booth must have his/her own separate City of Beaumont business license. All licenses must be posted inside the booth at all times.



## **H. POLITICAL VENDORS**

Political organizations are subject to the same requirements as other vendors. An applicant will be given space at DBMN on a first-come, first-serve basis in compliance with the vendor variety requirement. All fees must be paid in advance. Participation shall not be based upon the background, affiliation, position, or qualifications of a group/ individual, or the content of the messages conveyed.

## **I. CORPORATE SPONSORSHIP**

A business that does not meet the criteria under any category guidelines may participate in DBMN by becoming a Corporate Sponsor. Examples of potential sponsors include radio stations, newspapers, etc. As a sponsor no direct sales shall be allowed during DBMN. Interested applicants shall contact City staff for more information regarding sponsorship.

## **J. COMMERCIAL VENDOR**

A business that does not meet the proper criteria under any aforementioned category guidelines may participate in DBMN by becoming a Commercial Vendor. Examples of potential commercial vendors shall include real estate firms, medical/dental offices, and other service businesses. No direct sales shall be allowed during DBMN by these businesses.

Interested applicants shall contact City staff for more information regarding vendor packages.

## **K. COLLECTABLES VENDOR**

The definition for DBMN purposes of a collectable is an item that is worth far more than it appears because of its rarity and/or demand. Common categories of collectibles include antiques, toys, coins, comic books, and stamps.

## **L. ANTIQUES VENDOR**

The definition for DBMN purposes of an antique is any work of art, piece of furniture, decorative object, or the like, created or produced in a former period, or, according to U.S. customs laws, 50 years or more before date of purchase.

## **M. VINTAGE VENDOR**

For DBMN purposes any products sold under this category are to be 50 years old or older. Sections L and M above – merchandise age verification process