



ALEMANY FLEA MARKET

RULES AND REGULATIONS

MARKET AUTHORIZATION

The City and County of San Francisco (City) owns the property at 100 Alemany Boulevard which is under the jurisdiction and management of the Director of Property and Real Estate Division of the City Administrator's Office. The San Francisco Board of Supervisors has authorized the City to operate a Flea Market ("Market") on the property pursuant to Chapter 9B of the San Francisco Administrative Code.

WHO MAY SELL AT THE MARKET

ANTIQUES & COLLECTIBLES MARKET. At least 50% of goods being offered for sale by each individual Vendor must be vintage, antiques, collectibles, and handcrafted artisan works.

FOOD & BEVERAGE VENDORS. The Market office cannot and does not approve food vendors. Food vendors, including temporary food facilities, must go through a Request for Proposals (RFP) selection process managed by the City and County of San Francisco, Real Estate Division.

FLOWER & PLANT VENDORS: The sale of fresh flowers and plants will be limited to two Vendors per Market day, issued on a first come, first served basis.

PERMISSION TO SELL

New Vendors applying to sell at the Market must meet the following criteria:

APPLICATION. Every person has the right to apply for the privilege to sell at the Flea Market provided that the prospective vendor meets certain terms and conditions. All prospective Vendors must complete and submit an application, available in the Market Office or on-line.

- Vendors selling items twice a year or less do not need a California Seller's permit or to register as a San Francisco business.
- Vendors selling between 2 – 6 days in a calendar year are required to have a valid California Seller's permit.
- Vendors selling for more than 7 days in a calendar year must have a California Seller's permit and should register their business in San Francisco.

California Seller's Permit: <https://www.cdtfa.ca.gov/formspubs/pub73.pdf>

San Francisco Business Registration: sftreasure.org/business/register-business

Market Staff have the right to request to see and demand a copy of the Vendor's California Seller's Permit after noting a Vendor has been selling more than twice at the Flea Market.

IDENTIFICATION. Vendors must present a current driver's license, or other government-issued picture ID, to be copied and retained for our files.

GENERAL OPERATING RULES AND PROCEDURES

FEES

- Each Vendor at the Flea Market shall pay a daily fee of \$50.00 per stall for each day on which the Vendor sells.
- Cash only, no credit cards are accepted.
- Exact change should be sealed in an envelope with the Vendor's name and stall number written on the front of the envelope.
- Vendor fees are payable no later than 10:00 AM on day of the Market.
- Once fees are paid, no refunds or rain checks will be given.

HOURS OF OPERATION

- Selling hours are from 7:00 AM to 3:00 PM each Sunday.
- Vendors may drive vehicles into the center selling area before 7:00 AM to set up, and **after** 3:00 PM to clean up.
- Vendors must be parked, set up, and ready to sell by 7:00AM.
- Vehicles are prohibited in the center selling area, and in the pedestrian pathway behind the even-numbered stalls, from 7:00AM to 3:00PM.
- All Vendors must vacate the Market premises by 4:00PM.
- If a Vendor is not present at 7:00 AM or failed to notify Management of late arrival. Management may charge the Vendor the stall fee of \$50.00.

STALL SIZE: All stalls are 10 feet by 12 feet, whether marked or not. If a Vendor takes more than the allotted space, the Vendor must move their display to conform to the allotted space. A Vendor who is uncertain about the boundaries of their stall should ask Management for assistance before setting up.

STALL ASSIGNMENTS: Management shall assign stalls on a weekly basis,

subject to availability. Under no circumstances may Vendors set up in a stall without an assignment from Market Management. Vendors may not transfer, sublet, or inherit stalls. Vendor absences must be timely noticed to Market Management. Failure to do so may result in loss of stall assignments.

PARKING: With the exception of center spaces, Vendors are entitled to one parking space for the purpose of parking their vehicle on Market property for each stall rented. Vendors must make sure that their vehicles fit into the parking spaces completely. Failure to do so is a violation of Market rules. The parking spaces are not to be used to sell merchandise and are not large enough to accommodate trailers or mobile homes.

CANCELLATIONS: Vendors who will not be attending the Market must notify Management by email (alemany.market@sfgov.org) or telephone at (415) 647-2043 by 12:00 pm on the Friday before the Market day. Management has the duty to keep all stalls occupied each week and will assign unused stalls to other Vendors.

NON-PERMISSIBLE GOODS: Vendors may sell those goods listed on the Seller's Information Sheet on their applications only. Under **NO** circumstances may a Vendor sell the following item(s):

1. Guns, Ammunition or Weapons* of any type, including Self-Defense Products
2. Bicycles or Bicycles Parts
3. Alcohol, Tobacco, Drugs or related Paraphernalia
4. Motor Vehicles of any kind, or Automobile Parts
5. Counterfeit or Stolen Merchandise
6. Pornography
7. Fireworks
8. Live Animals

*Note: All knives being displayed for sale (including household, decorative, and vintage) must be encased to prevent public access.

Vendors who offer any of these listed products at the Market for sale may be suspended. Sales or the possession of some of these listed items are violations of local ordinances, state and/or federal laws.

Any Vendor who is uncertain about any item(s) that are not listed must ask Market Management for clarification and approval before setting up.

SALES TAX: Vendors are responsible for conforming to local, state and federal taxes. Vendors who sell at the Market more than two (2) times in a calendar year must obtain a Board of Equalization certification and provide a copy to Management. Failure to submit the certificate will result in suspension from the Market. Permits may be obtained from the California Department of Tax and Fee Administration, or on-line at

www.cdtfa.ca.gov/taxes-and-fees. For further information, please visit <https://www.cdtfa.ca.gov/formspubs/pub111/#additional>.

MUSIC: Loud music is not permitted. If a Vendor wishes to play music at their stall(s), the music must be audible in the Vendor's stall area only.

CONDUCT: Vendors and their employees or agents shall conduct themselves in a courteous and safe manner with customers, general public, vendors and Management. Violent and rude behavior will not be accepted or tolerated by Management and may result in suspension/expulsion from the Market.

NEAT AND ORDERLY DISPLAY: Each Vendor is responsible for keeping their stall space neat and clean. Whether displayed on tables, on the ground, or otherwise, goods should be arranged in an orderly manner.

CLEANING SELLING SPACE: All vendors are responsible for keeping their space(s) clean and orderly during Market hours. All Vendors must remove their trash at the end of the day for disposal at their own business location. Vendors are required to sweep their space at the end of the day. Vendors who fail to clean their space(s) shall be issued a written warning upon the first violation and thereafter subject to a 30-day suspension, and may lose selling privileges.

SAFETY: Vendors must conduct their business in a safe manner, which includes but is not limited to complying with the following rules:

1. Display tables must not be overloaded
2. Goods must be arranged for stability.
3. Table legs must be secured from collapse.
4. All shade set-up connecting rods must have secure fittings.
5. Canopy assemblies must be tied or weighted down.
6. Tarp poles must not obstruct the flow of traffic.
7. Vehicles and displays must not extend into the fire lane or driving lanes.
8. No use of alcohol and/or illegal drugs, and no smoking within 25 feet of a stall selling area.
9. No cooking, lighting of grills, or fire.
10. All prepared foods must be sold to go/for consumption at designated Market eating areas.

By determination of Management, removal of canopies may be required at any time during Market hours due to windy conditions.

MARKET VIOLATIONS

VIOLATIONS: Depending on the severity of a violation(s), Management (the Director of Property) has the right to issue warnings and take action up to suspension or

expulsion against any Vendor who violates Market Rules and Regulations. Violation notices and penalties may be issued as follows:

1. First Violation - Verbal Warning.
2. Second Violation – Written Warning.
3. Third Violation – 30-Day Suspension.
4. Fourth Violation – Suspension for 1 year.

APPEALS: Within twenty (20) days of receipt of the written notice of suspension/expulsion, any Vendor suspended/expelled from the Market may file a written appeal with the City Administrator. A written letter of appeal along with a copy of the suspension/expulsion notice should be sent to:

City Administrator's Office
1 Dr. Carlton B. Goodlett Place, Room 362
San Francisco, California 94102
Phone: (415) 554-4851
Fax: (415) 554-4849
Email: city.administrator@sfgov.org

With a copy to:
Real Estate Division
25 Van Ness Avenue, Suite 400
San Francisco, California 94102
RE: Alemany Flea Market
Email: alemany.market@sfgov.org

The City Administrator or the City Administrator's designee will set a time for hearing the appeal within seven days of the date of filing, unless there is mutual consent to a later date for the hearing. The Vendor shall be notified of the time and place of the hearing in advance thereof and shall be entitled to appear at the hearing and be heard. The City Administrator may uphold the action of the decision of the Director of Property, may modify the order by reducing the penalty, or may overrule the decision and order that the permission be immediately granted or restored. The City Administrator shall issue a brief, written statement of the decision, including findings supporting the decision. (SF Adm. Code, § 9B.9.)

FORMULATIONS AND APPLICATION

These Rules and Regulations are formulated for the Alemany Flea Market by the Director of Property pursuant to Section 9B.6, and will be applied in a fair and equitable manner.

Andrico Q. Penick
Director of Property

Date

