



~~2017~~2018/~~2018~~2019

Daystall Rules & Regulations

for the

**Pike Place Market
Preservation and Development Authority**

Approved: 3/30/2017

- 2) Performers may receive donations and recordings by musicians can be available for sale; however, performers are prohibited from active solicitation of donations and from active sale of any product associated with the performance.

5. Seniority

Seniority means the number of years a farmer or craftsperson has maintained a permit to sell in the Market and the frequency of attendance of the permit holder, as further defined in the Daystall Rules and Regulations. Seniority is an administrative tool used in the assignment of Daystall space and the calculation of seniority may differ by priority group. Seniority shall not confer a guarantee of space or specific Daystall location to the permit holder. Seniority shall rest with the permit holder based on compliance with rules and regulations as such, may not be assigned, shared or transferred other than as permitted in the Daystall Rules and Regulations.

6. Week

Week for the purpose of determining seniority means the seven-day period that begins with Sundays and ends with Saturdays.

C. Rates & Fees

1. Permits

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|--------------|--|
| a. Farmers | \$35 annual permit
<i>This is paid with permit application.</i> |
| b. Crafts | \$35 annual permit-due March 1 st of each year.
\$35 off-season permit-due January 2 nd of each year. |
| c. Performer | \$30 annual permit. |

2. Rental Rates for Day Tables

	<u>Monday – Thursday</u>	<u>Friday</u>	<u>Saturday</u>	<u>Sunday</u>
a. <u>Off-Peak Rates</u>	\$7.10 <u>\$7.31</u>	\$15.91 <u>\$16.39</u>		
	\$23.45 <u>\$24.15</u>	\$14.83 <u>\$15.27</u>		
	<i>(January-March)</i>			
b. <u>Shoulder Season Rates</u>	\$12.62 <u>\$13.00</u>	\$24.31 <u>\$25.04</u>		
	\$35.28 <u>\$36.34</u>	\$24.31 <u>\$25.04</u>		
	<i>(April-May) & (October-December)</i>			
c. <u>Peak Season Rates</u>	\$13.70 <u>\$14.11</u>	\$32.55 <u>\$33.53</u>		
	\$38.01 <u>\$39.15</u>	\$35.90 <u>\$36.98</u>		
	<i>(June-September)</i>			

3. Other Fees

- a. Returned check fee \$25.00 for each instance plus bank charges.

4. Change in Rates and Fees

- a. Rental rates are subject to change annually effective April 1st of each year.
- b. Permit fees may be adjusted annually effective January 1st of each year.

- d. Nails, thumb tacks, and screws may not be used to attach displays to Market property.
- e. All tape must be completely removed at the end of the day.
- g. Use of Utilities
 - 1) *Electricity*: Electrical outlets or other sources of electricity near Daystalls may be used only with permission of the Marketmaster. The Marketmaster may deny such use if it results in excessive circuit loads and may also require an additional fee for such use. These outlets are intended for lighting fixtures, farmer scales and credit card machines only. Plug-ins may not exceed 300 watts per outlet. Heaters or fans are NOT permitted.
 - 2) *Light fixtures*: Permit holders and their agents may not remove or replace any of the lights from any fixture in the area encompassed by Market Daystall tables (the 2nd and 3rd sections, the Dry and Wet Sides of the North Arcade, the Desimone Bridge, the Inside Slabs and the Dog Leg).
 - 3) *Phone Outlets*: The phone jacks behind Market day tables are for credit card purchase verifications and 911 emergencies only.
- h. The Marketmaster may, in his or her discretion, require removal of a display or a temporary display structure.
- j. All vendors erecting canopies or umbrellas must securely anchor each canopy leg or umbrella with no less than 24 pounds.
- k. Due to limited space behind the tables, when both adjoining tables are occupied the vendor on table 23 on the Bridge must sell in front of the table.

2. Sanitation Requirements

- a. *Applicable Laws and Ordinances*: All places where food is stored, sold, or handled in the Market shall be constructed, maintained and operated in a sanitary manner in accordance with the requirements of all applicable state laws, city ordinances, and Rules and Regulations of the Authority.
- b. *Cleanliness*: Daystall tenants shall keep the premises in a neat, clean and sanitary condition.

3. Conduct of Business

a. Business Hours

1) Opening Times:

Farmers are required to set up on Market Daystalls by 9:00 am May through December or 9:30 am January through April, (except Saturday which will remain at 9:00 am), or they will forfeit their space. If a farmer has reserved space to sell for the day, they are required to establish a visible presence at their table or have called the Marketmaster cell phone by 8:00 am ~~June through September~~ or 8:30 am May through December or 8:30 am ~~October~~ January through MayApril. All craftspeople must be set up at their tables by 11:00 AM or forfeit their space. At that time, unused space reverts back to the PDA and can be reassigned by the Marketmaster.

2) Closing Times:

Farmers are required to be open for business until at least 4:00 PM or until product is sold out. Craftspeople are required to be open for business at least until 4:00 PM each day.

All vendors are to complete business and clear their area for daily clean up by building staff no later than 6:00 PM.

3) Summer Season Closing Times:

During the months of June, July, August, and September, all vendors are to complete business and clear their area for daily clean up by building staff no later than 7:00 PM. On Thursdays, Fridays and Saturday of these months, craft businesses shall remain open for business until at least 5:00 PM.

- b. Roll call shall be held every day on which the Market is open, at the north end of the North Arcade.

From January 1 through April 30, roll call will be held at:

9:30 AM on Sundays and weekdays, and
9:00 AM on Saturdays.

From May 1 through December 31, roll call will be held at:

9:00 AM every day.

- c. All Daystall tenants must dismantle their displays without interfering with normal lock-up and cleaning procedures (6:00 PM October - May; 7:00 PM June - September).

d. Standards for Behavior

These standards apply to craftspeople, farmers and agents. Behavior standards for performers are included in Section V. Specific Requirements for Performers.

1) 1) — All Daystall tenants are expected to treat others in the Market in a civil and respectful manner. No Daystall tenant or his/her agent shall treat any person in a manner that is demeaning, rough, menacing, vulgar, profane or abusive, or in a manner that involves discrimination or harassment based on race, ethnicity, gender, sexual orientation, age, disability or national origin.

a. RE. Sexual Harassment: Daystall permit holders and their representatives shall not harass any person in the Market because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

b. Although this rule doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment shall not be tolerated when it is so frequent or severe that it creates a hostile or offensive work environment in the Daystalls.

- 2) Babies and children are permitted behind Daystalls while their parents sell as long as they do not create a nuisance or disturbance to others.
- 3) No animals are allowed behind Daystalls.
- 4) Trading of assigned tables must be approved by the Marketmaster.
- 5) No Daystall tenant or his/her agent shall smoke in covered arcades or drink alcoholic beverages behind the Daystalls. Permit holders and their agents may not smoke within 25 feet of an open Daystall business or the roll call board.
- 6) No Daystall permit holder, agent or performer shall be under the influence of illegal drugs or alcohol while selling or performing at the Market.
- 7) The Marketmaster may do all things necessary and proper to enforce and carry out these Rules and Regulations.
- 8) Permit holders and their representatives are expected to immediately comply with requests of the Marketmaster and Market Security.

2. Suspension and Revocation of Daystall or Performance Permit

- a. *Procedure*: In making a finding that a permit holder has violated the terms of these rules and regulations, the Marketmaster shall comply with the following procedure:

1) Notice of Grounds for Belief that Violation Has Occurred:

When the Marketmaster has reasonable grounds to believe that a violation has occurred; he/she shall notify the permit holder in writing of the suspected violation. Such Notice shall specify the nature of the violation, the section of these Rules and Regulations that applies to the violation and the date or dates of the violation. To the extent that the Marketmaster is relying upon witnesses to the violation other than the Marketmaster, the Notice shall identify those witnesses.

- a) The Notice shall inform the permit holder that a finding of violation may result in suspension of the permit for a period of time as specified under Section I.H.2.b) or, if the violation is of a nature that may result in revocation of that permit, that a finding of violation is of a nature that may result in revocation of that permit. If the Marketmaster intends to consider prior findings of violation in setting the appropriate penalty, the Notice shall specify those prior findings of violation. The Notice shall inform the permit holder of the permit holder's right to a hearing before the Marketmaster in which the permit holder may present explanations, objections, or defenses.
- b) Notice shall be delivered to the permit holder or his/her agent if either is present at the Market. If deliver is to an agent, the Marketmaster shall also mail a copy to the permit holder at the address on file with the Marketmaster. If neither the permit holder nor his/her agent is at the market, the Marketmaster shall mail a copy of the Notice to the permit holder at the address on file with the Marketmaster.

2) Hearing on Violation

The permit holder shall have the right, within five (5) working days of delivery of the Notice to the permit holder, or within seven (7) working days of mailing if the Notice is mailed to the permit holder, to request a hearing before the Marketmaster. The hearing shall be held within three working days of the day the Marketmaster receives the request, and, to the extent practicable, shall be at a time agreed to between the Marketmaster and the permit holder.

- a) At the hearing, the Marketmaster shall set forth the basis for his/her belief that a violation has occurred. The Marketmaster is not required to present witnesses, but, rather, may relate what the Marketmaster has been told by witnesses and the Marketmaster's understanding as to the basis for the witnesses' statements. The permit holder shall be entitled to give explanations, objections, and defenses and, within the reasonable time limits set by the Marketmaster, shall be entitled to present witnesses.

3) Decision

Within two (2) working days of the hearing, or within ten (10) business days of mailing of the Notice of Violation if no hearing is requested, the Marketmaster shall make a written decision finding that a violation has or has not occurred and, if he/she finds that a violation has occurred, setting forth the penalty. The decision shall be personally delivered to the permit holder or his/her agent if either is present at the Market, and shall be mailed to the permit holder at the address on file with the PDA. On appeal, the Marketmaster's findings of fact will not be overturned unless they are unsupported by substantial evidence.

a) Penalties

- 1] **Warning:** The Marketmaster may issue a warning specifying the violation and the steps that should be taken to ensure that it does not reoccur and that appropriate limits on behavior are followed. The warning may include a requirement of certain special reporting requirements to allow the Marketmaster to ensure that the violation is not reoccurring.
- 2] Monetary sanctions may be assessed in cases where the nature of the violation results in increased costs of operation of the Daystalls. Such sanctions may initially be low (under \$25.00) but can escalate in the case of frequent recurrence.
- 3] *Suspension:* For any violation of these Rules and Regulations, the Marketmaster may suspend the permit for a period of time. During the period of suspension, the permit holder may not work as a permit holder or as an agent for another permit holder. The suspension period shall not be considered an absence in determining the permit holders seniority and compliance with attendance requirements. 4] *Revocation of Permit Improperly Obtained:* The Marketmaster may revoke any permit secured by fraud, concealment or misrepresentation of fact.
- 5] *Other Ground for Revocation:* For any violation involving deceptive marketing, or for any violation of city ordinances or state law, or for any two violations of any type within a 12 month period (which two violations need not be of the same rule or regulation), the Marketmaster may revoke the permit. If the permit is revoked, the permit holder may not reapply for a permit for twelve (12) months after the revocation. A prior revocation or abandonment of permit may be taken into consideration when reviewing an application for return to the Market. Egregious instances of behavior toward others that are demeaning, rough, menacing, vulgar, profane or abusive, including discrimination or harassment based on race, ethnicity, gender, sexual orientation, age, disability or national origin, may also result in revocation if they are deemed by the Marketmaster to be especially malicious, injurious or disruptive to Market functions.
- 6] *Rule Intent and Application:* The sale and/or display of non-permitted merchandise is a deceptive marketing practice. The Marketmaster may assess a penalty of permit revocation if any Daystall tenant is found to be in violation of these rules due to sale of non-permitted merchandise.
- 7] The Marketmaster may require that suspected non-permitted merchandise be removed from displays pending re-inspection of the farm or studio. This will assist in making sure that all farmers sell only what he or she grows or produces on his or her land, and will insure that all craftspeople strictly adhere to Section VI. *Standards for Permitted Arts and Crafts Merchandise*.
- 8] *Effective Date of Decision:* Except as provided in Section I.H.3. *Suspension Pending Decision*, the decision of the Marketmaster shall be effective five working days after it is mailed to the permit holder.

3. Suspension Pending Decision

- a. Where the Marketmaster determines, in his/her discretion, that the interests of the PDA or the public require suspension of a permit pending the decision set forth in Section 1.H.2.a.3.a) above, the Marketmaster may so require in the Notice of Violation. In such

queue). Positions in line at a performance location are established on an honor system in which performers line up (queue) in person to establish and maintain their position in the line (queue)

- g. Performances are limited to one hour when another performer is in line (and present in line) at the time the previous performer finishes their performance. A performer may not play longer than one hour when another performer is in line and present at the time at which that hour ends.
- h. If you are next in queue to perform and are not present when the play spot becomes available you will be allowed a five (5) minute grace period before you forfeit your place in line to perform.
- i. A performer may play less than one hour, or someone else in the queue may forfeit his or her spot in the queue. For this reason, it is imperative for performers to monitor their place in the line (queue), in order to avoid forfeiting their position in the line (queue). If a performer is next in line to perform, and for any reason that performer is not present when the performer spot becomes available, that performer then forfeits their place in line and must go to the end of the line. In this instance, the next performer in the line (queue) assumes the next position in line. If no performers are present in the line (queue), any permitted performer may perform at that location and all positions in the former line (queue) are forfeited.
- j. Performers may not mark a place in queue for more than one location at a time; this is termed "double marking" and is not permitted. One performer may not play in the same location for more than one (1) hour, even if they are part of two separate "groups," if any other performer is in queue.
- k. Performers are expected to comply with these rules as a condition of their permit.

D. General Provisions

1. Standards for Behavior

- a. Donations for performances may be accepted passively in an instrument case or other receptacle provided for that purpose by the performer. The receptacle may include a written sign, which informs the public that such donations are sought. In line with City of Seattle Ordinance 117104 no performer shall solicit donations in a manner that is aggressive or confrontational.
- b. All buskers are expected to treat others in the Market in a civil and respectful manner. No performer shall treat any person in a manner that is demeaning, rough, menacing, vulgar, profane or abusive, or in a manner that involves discrimination or harassment based on race, ethnicity, gender, sexual orientation, age, disability or national origin.
- c. Children are permitted to accompany performers as long as they do not create a nuisance or disturbance to others.
- d. No animals are allowed inside buildings or covered arcades.
- e. Trading or selling of performer permits is not allowed.
- f. Drinking of alcoholic beverages or performing while intoxicated is prohibited. Smoking in covered arcades and at designated performance locations is prohibited.
- g. Performers are responsible for moderating the volume of their performance to a level appropriate to the designated activities of the market. Performers are responsible for respecting reasonable requests of nearby merchants regarding performance volume and crowd control.

Company: may be applied to all public areas of the Pike Place Market Historical District .

B. Standards for Behavior for Tour Guides

1. Tour Guides are responsible for having a knowledge of the generally documented history of the Pike Place Market, important persons and events and the mission of the Market PDA and Market Historical Commission. Tour guides will be expected to correct mis-statements of fact when informed.

Unless specifically permitted by a licensing agreement with the PDA, not donations may be solicited on site nor tickets for guided tours sold within the Pike Place Market Historical District.

2. No electronic amplification of sound is permitted. Tour narrations by wireless headsets is permitted.
3. Guided tours narrated by voice shall be at a volume that is not disruptive of other commercial activity. Group size should not exceed 10 persons per guide.
4. Tour guides using wireless headsets for narration are responsible for making sure that persons they are escorted are aware of traffic and safety issues, especially when on the streets. Group size should not exceed 16 persons per guide..
5. Each tour guide is responsible for maintaining a reasonable separation of their group from others that may be operating at the same time. A reasonable separation would be a distance of 20 feet and/or five minutes between groups.
6. No tour guide shall treat any person in a manner that is demeaning, rough, menacing, vulgar, profane or abusive, or in a manner that involves discrimination or harassment based on race, ethnicity, gender, sexual orientation, age, disability or national origin.
7. Pet animals are not allowed inside buildings or covered arcades .
8. Trading or selling of tour guide permits is not allowed.
9. Drinking of alcoholic beverages or conducting tours in the District while intoxicated is prohibited.
10. Smoking in covered arcades or within 25 feet of any business, entrance or window is prohibited.
11. Tour guides are responsible for moderating the volume of their performance to a level appropriate to the designated activities of the market.
12. Tour guides are responsible for respecting reasonable requests of nearby merchants and PDA security regarding volume of narration and minimizing congestion.
13. Tour guides are responsible for ensuring that their audience does not block vehicle traffic, access to Market buildings or to merchant businesses, or cause a safety hazard.
14. Tour guides are responsible for ensuring their escorted groups do not interfere with designated performance spaces.
15. Tour guides shall immediately comply with requests of the Marketmaster and Market Security.