



**Downtown Business  
and Property Owners Association**  
2000 K Street, Suite 120  
Bakersfield, CA 93301

# **Downtown Business and Property Owners Street Faire Rules and Regulations**

## ***Mission***

“The DBA serves as the advocate and promoter of business and economic interests in the downtown area.”

## ***Vision***

“The DBA will be viewed as the leader in making the downtown a destination for shoppers, diners, and residents.”

## **1. Purpose, Goals, and Structure**

**A.** The Street Faires are organized by, administered by and paid for by the Downtown Business and property Owners Association (DBA). The DBA administers the Street Faires in order to:

- Create a positive image of Downtown Bakersfield
- Expose community members to retail stores and services offered Downtown
- Generate foot traffic on Thursday nights
- Provide a forum for community activities
- Maintain the Downtown as the center of retail, social, and civic activities
- Enhance the community as a whole.

All activities must be consistent with these goals.

**B.** The DBA Board of Directors urges members to participate in the Street Faires, both to enhance the event and to benefit their own businesses.

**C.** It is the goal of the DBA to schedule activities on Thursday nights that promote a wholesome, family atmosphere. Events should appeal to all ages, and provide a consumer mix that reaches all aspects of the marketplace. DBA members should politely report infractions of any rules to the DBA office.

**D.** All activities are under the auspices of the Street Faire Committee (Committee), which reviews applications, plans events and promotions, and enforces all rules and regulations. These rules and regulations may be revised at the discretion of the DBA Board of Directors

## **2. Definitions**

The following definitions refer to commonly used terms throughout the Rules and Regulations and serve to clarify the meaning of key terms.

**DBA** - Downtown Business and Property Owners Association

**Retail Business** - The business must hold all required City of Bakersfield, County of Kern and State of California permits.

**Member in Good Standing** - A member in “good standing” is defined as a DBA member who has all the necessary permits to operate a business within Bakersfield and has paid the DBA membership fees for the current year.

**Street Faire Official** - Any member of the DBA staff, Board of Directors, Street Faire Committee, City of Bakersfield Police or Fire Departments can be designated as a Street Faire official for enforcing the rules and regulations of the Street Faires.

**Fundraising** - the solicitation of funds in return for merchandise or services.

**Presence on the Market** - Participants are expected to leave display booth or usual type of setup in assigned space until 9:30 p.m. No early takedowns are allowed.

### **3. MEMBER PARTICIPATION**

**A.** Members wishing to participate in the Street Faires must file an application with the DBA. Vendors must have all required City, County and State permits as required by law.

**B.** If food items are to be sold, members must apply to, and have the necessary written approval from, the Kern County Health Department one week prior to the scheduled Street Faire.

**C.** A DBA member's business cannot act as a sales agent for a non-member business. The participant must be a DBA member in good standing.

**D.** Members must participate once space is allocated. Non-use may result in that space being reassigned. Members must have a valid permit for each date of attendance. Members not participating in all scheduled Street Faires on a pre-paid continuous basis must secure a valid permit for each date of attendance by coming to the DBA office and paying the required fee one week prior to date of attendance.

**E.** If participating in all scheduled Street Faires and space permitting, the Committee will attempt to place vendors in front of their places of business.

**F.** Members participating in all scheduled Street Faires will be able to secure the same location each month. All others will be assigned space as available.

**Participants are not guaranteed space in the location of their choice.**

**G.** Permits may be revoked for the following reasons:  
(The same rules of revocation apply to all participants).

1. Non-compliance with DBA, City of Bakersfield Police Department, Fire Department or County Health Department regulations.
2. Non-payment of prescribed fees within the designated time period.
3. Poor attendance. Vendors may miss no more than one night due to emergency.

Appeal of Street Faire Committee determination shall be made in accordance with "Appeal Process" in General Rules.

**H.** Businesses who have not applied for and received a permit for Street Faire(s) will not be allowed to participate and are subject to removal.

I. Participants shall keep their area clean during Street Faires and leave the space and surrounding area clean afterward. Failure to do so may result in additional fees.

J. Participants will be required to reimburse the Downtown Association for any costs incurred relating directly to their activity.

K. Except for approved entertainment use, no amplification is allowed.

L. Participants may not harass, follow, or intimidate Downtown visitors or Downtown Association staff. Activity that impedes the flow of pedestrian traffic is not allowed. Applicants must stay within their assigned space. Activities that are conducted in such a manner as to interfere with the goals or purposes of DBA may result in immediate revocation of the permit.

#### **4. Fund Raising for/By Not-for-Profit Organizations**

A. At the discretion of the Committee, a Not-For-Profit organization may be permitted to participate if the Committee determines that the organization's participation will provide a public service or will serve to promote the purposes and goals of DBA.

B. Fundraising materials must be pre-approved by the Committee.

C. Participants shall limit sales to items specified on the approved application.

D. Organizations wishing to raise funds during Street Faires must have a Not-For-Profit status. Verification must be provided at the time of application. Reasonable documentation, such as meeting minutes, by-laws, articles of incorporation, communication from the Secretary of State, tax payer documentation or other indication of non-profit status will be accepted as verification.

Note: Student clubs and organizations must provide written authorization from their advisor(s).

E. All monies generated by sales or solicitations, excluding direct material costs, must go to the Not-For-Profit group, not to individuals within the group. The Committee may request a full accounting.

F. Upon review and approval by the Committee and payment of fees, a space will be assigned. Participants are not guaranteed space in the location of their choice.

G. If food items are to be sold, the organization must have the necessary written approval from the Kern County Health Department prior to receiving a permit.

#### **5. Political, Religious, and Other Informational Groups**

A. Approved applicants will be given space on a first-come, first-served basis according to space availability. Participants are not guaranteed space in the location of their choice. Additional spaces may be temporarily provided for special events or occasions, e.g. election season.

B. All groups or individuals wishing to disseminate information, pass petitions, or promote political, religious, or personal beliefs are strongly encouraged to submit a

signed application no less than three (3) weeks in advance of the date desired. Upon review and approval of the application by the Committee the applicant's name will be added to the list desiring space. The Committee will not discriminate on the basis of race, religion, creed, color, gender, political beliefs, national origin, age, physical disability or other basis prohibited by law.

**C.** Applicants whose format is determined to be entertainment shall not be eligible for a space allocation under this section, but shall be regulated by Section 7.

**D.** Handbills may only be posted with City or property owner approval.

**E.** Except for approved entertainment use, no amplification is allowed.

## **6. Entertainment**

**A.** The committee shall select the type of entertainment best suited to promote the goals of DBA. Auditions, demo tapes or CDs may be required. Entertainers will perform the type and style of entertainment exhibited during audition.

**B.** Entertainers must keep sound levels within the City of Bakersfield guidelines. Guidelines will be available when permit issued.

**C.** Power connections are the responsibility of the entertainer. Entertainers must treat merchant property with great care. Any abuse will result in immediate revocation of permit and cancellation of additional performances. Electrical hook-ups are subject to Fire Department regulations.

**D.** Entertainers are subject to appropriate fees, which must be paid when permit is issued.

**E.** Entertainers are subject to space availability and assignment as determined by staff.

**F.** The DBA requires that all music performed during Street Faires be original and/or music in the public domain.

## **7. Media (Radio, Television, Newspaper)**

Cooperation between DBA and the local media is encouraged to promote DBA. Media organizations may apply to participate during Street Faires and observe the guidelines listed below.

- No amplified music unless authorized by the Street Faire Committee.
- All giveaways (non-adhesive material only) must be pre-approved by the Committee. No adhesive materials of any kind will be allowed.
- Promotion/Advertising shall be for the applicant only, not for special events or non-member businesses.

## **8. Applications, Permits, Space Allocation**

**A.** Those wishing to participate in Street Faires must submit an application three (3) weeks prior to the desired attendance date. It is the applicant's responsibility to contact

the DBA office regarding the status of their application. Upon approval by the Street Faire Committee, staff will assign a specific space or location and issue a permit reflecting the space allocation. The space will not be considered reserved until the appropriate fees are paid and required insurance and permits are received by the DBA.

**B.** The person in charge of any activity must be in possession of a valid permit at all times. The permit is to be conspicuously displayed during operation.

**C.** All approved applicants will receive a space assignment only if the fee(s) are paid. The space corresponds to a street address. **PARTICIPANTS MUST STAY WITHIN THEIR ASSIGNED SPACE AND OUT OF FIRE LANES AT ALL TIMES.** It is the participant's responsibility to be aware of the fire lanes, as specified by the Street Faire Coordinator.

**D.** The Street Faire Coordinator has the authority to assign or to reassign spaces. Participants are not guaranteed space in the location of their choice. Vendors are limited to one assigned space per event unless authorized by the Committee.

**E.** Spaces not to exceed the following dimensions:

**Direct Sales**

10' x 10'

Food 10' x 12'

Barbecue fees based on square footage used, booth not to exceed 15' in depth

**Direct Sales -**

Not-for-Profit 10' by 10'

Informational 10' by 10'

Media 10' by 10'

## **9. Approval or Denial of Street Faire Application**

**A.** Under the Street Closure or other relevant permits issued by the City of Bakersfield, the DBA and the Street Faire Committee have full discretion concerning use of the area designated for Street Faire. Applications submitted will be reviewed by the Street Faire committee for approval or denial. It is the applicant's responsibility to contact the DBA office for this determination. If an application is denied, the basis for denial shall be given upon request.

**B.** If an application is denied, and the applicants disagrees with the basis for denial, an appeal may be made by applicant, first to the Street Faire Committee, then to the DBA Board of Directors.

## **10. Street Closure**

The City of Bakersfield Police Department begins barricading the streets at approximately 5:30 p.m. Approved participants may begin setting up at this time. **Support vehicles must be unloaded and off the street by 6:15 P.M. Vehicles left inside the barricaded area are subject to towing at the owner's expense.** All activities end at 9:30 p.m. and participants must clear their area entirely by 10:00 p.m. at which time barricades are removed and traffic flow resumes. A presence of the

permittee must be maintained in the space assigned until 9:30 p.m. No early take downs are allowed.

## **11. Health, Fire and Police Regulations**

While the DBA is not an enforcement body for the Health, Fire and Police Departments, cooperation with these agencies is essential. Participants shall be aware of code requirements and comply. Only “people” events will be permitted in the fire lanes. No tables, risers, or any other equipment will be allowed. Specific questions regarding the codes should be directed to the appropriate agency.

## **12. Equipment and Services**

The DBA is under no obligation to provide power, water, or any equipment to participants. An applicant needing specific services must make these needs known in the application. The DBA’s only obligation is to provide a space on the street. It is the applicant’s responsibility to provide all necessary equipment for operation of his/her booth. Power cords, when used, must be taped down and conform to City requirements.

## **13. Fees**

Participation in Street Faires is a privilege for both businesses and Not-For-Profit organizations. Since there are substantial costs (such as janitorial, trash removal, street closure and insurance) involved with sponsoring these weekly events, the DBA has established permit fees in the following categories:

1. Barbecue vendors
2. Food/restaurant vendors
3. Direct Sales
4. Not-For-Profit groups
5. Information/Political groups
6. Entertainment
7. Media

A fee schedule, subject to annual review, is available in the DBA office. There will be no refunds or credits unless the Street Faire is officially canceled.

**FEES FOR PERMITS MUST BE PAID WHEN THE PERMIT IS ISSUED  
THE PERMIT MUST BE DISPLAYED DURING THE EVENT.**

## **14. Food Vendors (Barbecuers)**

**A.** Barbecue operation must be kept within the space assigned.

**B.** All barbecues must be set up in their assigned space prior to lighting the barbecue. No “live” or lit barbecues can be transported into or out of the Street Faire area. During lighting, the barbecue is to be surrounded by barriers set five (5) feet away to protect pedestrians from flames. (This may require temporary placement of barriers on sidewalk areas). Standard starter fluid or propane wands can be used to start barbecues. All vendors using open flame must operate in accordance with all fire code regulations. Each barbecue must have an approved fire extinguisher on site.

**C.** Support vehicles must be moved away from the barbecue area by 6:00 p.m.

**D.** A waiting list of members who wish to barbecue is kept in the Downtown Association office. Any space that becomes available will be reserved for the member at the top of that list. To be placed on the waiting list, a member must file a Street Faire application and the member must show that they are qualified in all respects.

**E.** Barbecue users are required to participate at every Street Faire unless the Street Faire is officially canceled. The DBA office will notify barbecue participants on the status of the Street Faire by 2:00 p.m. the day of the Street Faire if the event is canceled. Failure to participate will cause the permit to be reviewed by and possibly revoked the committee.

## **15. The Farmers Market**

The Farmers' Market participates in Street Faires at the invitation of and under contract with the DBA. The Farmers' Market operates under State and local regulations. Certain guidelines have been established by the Farmers' Market and the DBA addressing specific needs of the Street Faires. All people wishing to sell their agricultural products directly to the public must contact the Farmers' Market Association, as the Downtown Association does not issue permits or space assignments for Farmers' Market, and issues no variances to circumvent Farmers' Market rules.

## **16. General Rules for Participants**

**A.** Participants in the Street Faires shall be appropriately dressed (e.g. shirts and shoes), and conduct themselves with proper decorum.

**B.** The committee reserves the right to limit sales of items that are in direct competition with those items of Downtown merchants.

**C.** All participants must conspicuously display the name and location of their business or organization on a sign with the minimum size being approximately 400 sq. inches (14" x 30"). Merchants' show windows may not be obscured at any time by boards, banners or other large displays.

**D.** Lighting on booths should be used for illumination of the booth and display purposes only. Strobing, flashing and/or rotating lights are not permitted.

**E.** No person shall deface or otherwise abuse the Downtown buildings or plants including stickers, paint or graffiti.

**F.** Amplification is NOT allowed without previous written approval from the Street Faire Committee.

**G.** All applications for the Street Faires must contain name, address, phone number, and signature of applicant or applicant's authorized agent. This person must be the contact person. The applicant shall acknowledge the participant's liability for damages (including costs for clean-up and damages to property belonging to merchants or tenants).

**H.** Street Faire participants must have proof of liability insurance with minimum coverage of \$1,000,000 and workers compensation insurance for all employees participating in the Street Faires. Participants are required to have their insurance carrier notify the DBA staff in writing of their insurance status. Further, only business owners or immediate family member may operate vendor booths without providing proof of workers compensation coverage; if family members are working the booth, a letter must be on file with the DBA indicating this intention. All other workers are assumed to be employees and must be covered by workers compensation and proof of such will be provided to the DBA prior to approval of application.

**I.** The DBA, the Street Faire Committee, its agents or staff are not responsible for theft or damages to property belonging to persons participating in The Street Faires. The DBA assumes no responsibility for items left unattended during or at the conclusion of the Street Faires.

**J.** No person participating in the Street Faires shall state, imply or otherwise suggest that DBA, or any of its member businesses endorses, sponsors or supports the views of applicant's business or organization.

**K. Alcoholic beverages or affiliated promotional products may not be sold during The Street Faire.**

**L. Tobacco products and merchandise may not be sold, promoted or advertised during the Street Faire.**

**M.** Tattooing, permanent cosmetics and body piercing may not be performed or administered during the Street Faire. Body piercing does not include piercing the leading edge or earlobe of the ear.

**N.** The Committee reserves the right to refuse participation to any applicant.

**O.** The Committee will not discriminate on the basis of race, religion, creed, color, gender, political beliefs, national origin, age or physical disability or any basis prohibited by law.

**P.** Any vendor, club, group, or persons participating in the Street Faires must comply with all of the rules. Non-compliance, including offensive conduct, may result in immediate revocation of the permit. If a permit is revoked an appeal may be made, first to the Street Faire Committee, then to the DBA Board of Directors. During the appeal process a space will be held for the participant providing that all fees are paid.

**Q.** The Committee reserves the right to revoke the permit and/or order the removal of all equipment and material (belonging to a participant) from the street for any reason deemed necessary by the Committee to better meet the goals and purposes of Street Faire or for public health, safety and welfare.

**R. Participants are not allowed to use vehicles within the designated Street Faire area during Street Faire hours. For special events or promotions, however, the Street Faire Committee may approve vehicles on an exclusive basis. The Street**

**Faire Committee reserves the right to limit or prohibit the number of support vehicles per event. Set Up begins at 5:30 PM, at which time vendors may drive onto the Street Faire area to their assigned space (they may enter barricaded area), unload their items and remove their vehicle from the Street Faire area until 9:30 PM takedown time. At 9:30 PM, vendors may then again return through the barricades to their spaces and load their vehicles. Barricades will be removed at 9:30 PM and streets are reopened for public vehicular access. Drivers must proceed with caution. The following guidelines, given to all participants for set up and take down, state (in part):**

The Street Faires officially begin at 6:30 PM and ends at 9:30 PM. Chester Avenue is barricaded from all side entries and at both ends at approximately 5:30 PM, at which time vendors may begin setting up. - Do NOT stop vehicles or set up booth space until after 5:30 PM. - **NO VEHICLES ARE ALLOWED ON CHESTER AVENUE BETWEEN 6:30PM and 9:30PM.** If vendor is running late or wants to leave early, all equipment must be carried in/out. - Drivers must exercise extreme caution and drive at a low rate of speed during the 5:30 – 6:15 PM set up and 9:30 – 10:00 PM take down. Drivers must heed all directions issued by the Street Faire Coordinator regarding safety. In no case may a vendor, visitor or any person drive, move or operate a vehicle onto the Street Faire area during the 6:30 – 9:30 PM Street Faire activity.

**S.** Permits may be revoked for the following reasons: (The same rules for revocation apply to all members.)

1. Non-compliance with DBA, City of Bakersfield or County of Kern Health Department regulations
2. Non-payment of prescribed fees within the designated time period
3. Poor attendance

## **17. Appeal Process for Permit Revocation**

Any participant or applicant denied a permit or whose permit is revoked may appeal the denial/revocation in the following manner: File formal complaint within 10 (ten) days of the denial/revocation stating nature of complaint and requesting appeal to be agendized at the next earliest or desired meeting date of the Street Faire Committee. If complainant disagrees with determination of Committee, complainant may then repeat the procedure appealing that decision to the DBA Board of Directors.

All giveaways (non-adhesive material only) must be pre-approved by the Committee. No stickers or adhesive materials of any kind will be permitted to be sold, distributed, given away or offered.

**PLEASE OBTAIN YOUR PERMIT FROM THE DBA OFFICE PRIOR TO THE THURSDAY NIGHT YOU WISH TO PARTICIPATE.**

For more information, please call (661) 325-5892

Email: [dbassociation@gmail.com](mailto:dbassociation@gmail.com)

Web page: [dba.localispace.com](http://dba.localispace.com)