



Making a difference...together

SALT SPRING ISLAND MARKET ADVISORY GROUP

Notice of Meeting on **Wednesday, August 31, 2016 at 6:00 PM**

Portlock Park Portable Meeting Room, 145 Vesuvius Bay Road, Salt Spring Island, BC

Malcolm Legg (Chair-Public)

Sean Goddard (Vendor)

Bree Eagle (Vendor)

Donna Johnstone (Fabric)

Julia Grace (Island Natural Growers)

Wendy Squirrell (Pottery)

Donna Cochrane (Basketry)

Rob Pingle (Coordinator)

Rosemary Trump (Public)

Tye O'Connor (Vendor)

Garth Hendren (PARC) (r) - Jon Suk, Alternate

Alvaro Sanchez (Jewelry)

Janet Clouston (Chamber of Commerce)

Grant Wickland (Woodworkers)

Rosalie Matchett (SS Arts Council)

(r) = Regrets

AGENDA

1. Approval of Agenda

2. Adoption of Minutes of November 4, 2016

3. Presentations/ Delegations

3.1 Brian Paterson

3.2 Amy Sandidge

3.3 Aaron Hailman

4. Reports-Chair

5. New Business

5.1 Review of Market Issues (Staff Report)

-Farmer Priority Placement

-Farmer Qualifications

-Market Partnerships

That the Market Advisory Group recommends to PARC that staff:

- a. Update Bylaw 3795, Section 13(7) by deleting "Easement Area A and B" and replacing it with "Easement Area C and D"; and, update the guidelines to allow a maximum of 25 10'x10' farm vendor booths or equivalent.
- b. Update farmer definition to include: Classification of Land as a Farm (Class 9), where farmers are selling product(s) that fall under "Qualifying Agricultural Uses", as defined under Section 23 of the Assessment Act and the Farm Class Regulation (Appendix B); or, where farmers qualify and can produce a Certificate of Exemption as a farmer under BC Ministry of Finance. (Appendix C)
- c. Partnerships established at the time of entry into the Market must provide proof of partnership in the form of an agreement, bank account, Federal Business Registration and Provincial Sales Tax Registration. New partnerships must be approved by the Market Advisory Group.

5.2 Absentee Points

That the Market Advisory Group recommends to PARC that Section 15 Absent Points from the 2014 Vender Guidelines be reinstated and reflected as:

15. Days Off/Absent Points

Day Vendors, who have vended in the current season, can be absent and still be eligible to acquire points from the Market for four Saturdays during the Market Season if he/she wishes. This can be done by paying the day fee, for each of up to four Saturdays missed, to the Market Coordinator. Absent points may only be purchased for the current season.

6. Outstanding Business

7. Correspondence

8. Next meeting TBA

9. Adjournment



Making a difference...together

Minutes of the Salt Spring Island Market Advisory Group
Held November 4, 2015 at the School Board Meeting Room, 112 Rainbow Road, Salt Spring Island, BC

DRAFT

Present: **Chair:** Malcolm Legg (member of the public)
Committee Members: Bree Eagle (member at large), Donna Cochrane (basketry), Donna Johnstone (fabric), Alvaro Sanchez (jewelry), Robert McKay (woodworkers) Garth Hendren (PARC).
Staff: Dan Ovington, Parks and Recreation Manager, Rob Pingle, Market Coordinator, Tracey Shaver, Recording Secretary
Absent: Sean Goddard, Mark Meredith, Tye O'Connor, Peter Vincent

Public Gallery: Julia Grace, Andrea Leborgne, Grant Wickland, Don Montieth, Dorothy Price, Anne Byrne, Janet Clouson, Li Read, Vera Robinson, Simon Harris.

Chair Legg called the meeting to order at 7:10 pm.

1. Approval of Agenda

MOVED by Garth Hendren, **SECONDED** by Donna Johnstone,
That Salt Spring Island Market Advisory Group agenda of November 4, 2015 be approved with the addition of Item 6.7 Absent Points and Item 6.8 Market Vendor Guidelines.

CARRIED

2. Adoption of Minutes

MOVED by Donna Johnstone, **SECONDED** by Donna Cochrane,
That the minutes of the Salt Spring Island Market Advisory Group meeting of January 21, 2015 be approved.

CARRIED

3. Presentations/Delegations

There were no formal presentations or delegations requested.

4. Reports – Chair

Chair Legg referenced the year end market survey results and the feedback he has received over the summer months as indicators of another successful year.

5. Outstanding Business

No outstanding business to discuss.

6. New Business

6.1 2016 Call for Members

Manager Ovington reported that letters were sent out to the various guilds to seek appointment of representatives to participate on the Market Advisory Group for 2016.

The following is confirmation of Membership for 2016:

Vendors at large	Bree Eagle
Basketry	Donna Cochrane
Fabric	Donna Johnstone
Jewelry	Alvaro Sanchez
Pottery	Anne Byrne
Island Natural Growers	Julia Grace
SS Chamber of Commerce	Janet Clouston
Members of Public	Malcom Legg

The remainder of positions will be confirmed with current members and staff will follow up on any openings.

6.2 Review of Changes

Rob Pingle reviewed the process he performs with the attendance of seasonal vendors and placement of day vendors for each Saturday. The goal of the system is to keep all the spaces filled and accounted for prior to the start of the market each Saturday. Seasonal permit holders are now only required to attend 50% of the market season, previously it was 50% of each month. This past summer the seasonal vendors whom did not coordinate their attendance by the Thursday prior to the market were not charged for their space. A charge for not releasing the vending space will be implemented next season to assist with the workload created by same day vacancies.

Day vendors no longer have the option of purchasing absent points. This change was debated with key points considered.

- The primary day vendor is only required to attend 50% of the vending days allowing them to hire staff to run the booth should they need to be away.
- The current fees and charges bylaw does not identify absent points.
- Points are assigned by attendance and only benefit the vendor collecting them.

No motion was brought forward to reinstate absent points, however a request was made for the market coordinator to provide a written notice of explanation.

The assignment of all the vending spaces to seasonal permits allows for additional farmers to be added each season as the farmers have priority over the space allowed. There are a few seasonal permit holders from this past season who will potentially lose their permits for 2016 as new farmers apply. These seasonal vendors would then become Day Vendors keeping their seniority points for placement into any vacant spaces each Saturday.

A suggestion was proposed to limit the size of all vending spaces to 8 ft maximum in the future which might enhance the walking space and allow a few more vendors into the market. It was confirmed that all of the allowable space in Centennial Park for vending has been mapped out and allocated in a synergetic manner. The Parks and Recreation Commission is in process of hiring a consultant to development a master plan for Centennial Park. This plan will include community consultation, market operations and best possible use of the limited community space.

6.3 Separation Between Day Vendor Points and Farmer Points

The Market coordinator sought direction for a potential conflict. What to do with a Farmer who has been allocated a Seasonal Permit but decides to no longer vend farming items,

however wants to continue vending products under their seasonal status? The Market Advisory Group requested to address such instances on an individual bases due to the complexity.

6.4 Vendor Survey

Manager Ovington reviewed the results of the paper/online market vendor survey. Highlights included positive responses for the cleanliness of market area and washrooms, continuation of buskers and to recommend that the Sunday long weekend trial markets be discontinued.

6.5 Busker Policy

Discussion of some of the challenges of managing and enforcement of the busker policy resulted in the following recommendation.

MOVED by Bree Eagle, **SECONDED** by Robert McKay,

That the Market Advisory Group requests that staff amend the busker guideline to reduce the number of performers from a maximum of three to two for the spaces allowed and to exclude the use of any percussion or amplification.

CARRIED

Additional request was made for assistance with the enforcement of the length of performances. Suggested that a traffic cone with the busking policy be placed at each busking location to assist the volunteer vendors whom monitor the performances.

6.6 Sunday Long Weekend Markets

MOVED by Alvaro Sanchez, **SECONDED** by Donna Johnstone,

That the Market Advisory Group recommend that the Salt Spring Island Parks and Recreation Commission not continue the Sunday Long Weekend Markets in 2016.

CARRIED

6.7 Absent Points

Discussed earlier in the meeting under item 6.2.

6.8 Market Guidelines

A request was brought forward by Donna Johnstone from a vendor who volunteered to overhaul the vendor guidelines. It was confirmed by the Market Advisory Group that this document evolves as the market does and that staff will be directed to make any future adjustments.

7. Next meeting TBA

8. Adjournment

The meeting adjourned at 8:45 pm.

CHAIR

SENIOR MANAGER



Making a difference...together

RULES GOVERNING THE HEARING OF INDIVIDUALS OR DELEGATIONS BY THE CAPITAL REGIONAL DISTRICT COMMISSIONS

- Under the CRD Procedural Bylaw, the Commission may, by *resolution*; allow an individual or a delegation to address the meeting **on the subject of an agenda item**, provided written application has been received by the Salt Spring Island Administration Office no later than 4:30pm two (2) calendar days prior to the meeting.
- If you miss this deadline, you may still submit this form; however such requests will require *unanimous* approval of the Commission members at the intended meeting.
- Each address should be limited to five (5) minutes unless a longer period is agreed to by unanimous vote.
- Each delegation should provide the number of copies of their written submission, as determined by the Salt Spring Administration Staff.

Submit form to Salt Spring Island Administration

E-mail: saltspring@crd.bc.ca

Fax: (250) 537-4456

Capital Regional District, 145 Vesuvius Bay Road, Salt Spring Island, BC V8K 1K3

I wish to address the:

MAG

☐ Parks and Recreation Commission ☐ Transportation Commission

☐ Community Economic Development Commission

AT THE MEETING OF Aug. 31, 201 6 at 6 AM/PM
ON AGENDA ITEM Buying Points at the market

NAME BRIAN PATERSON

ADDRESS 165 EAGLE RIDGE DR.

I REPRESENT Vendor.
(Name of Organization if applicable)

AS _____

TELEPHONE 537-4866 (Capacity/Position) FAX _____

E-MAIL _____

My reason(s) for appearing is (are) and the substance of my presentation is as follows:

To ask that buying⁴ points program be reinstated.

(If more space is required, please attach an additional page to this form.)

Aug. 23/16
Date

[Signature]
Signature



Making a difference...together

RULES GOVERNING THE HEARING OF INDIVIDUALS OR DELEGATIONS BY THE CAPITAL REGIONAL DISTRICT COMMISSIONS

- Under the CRD Procedural Bylaw, the Commission may, by *resolution*; allow an individual or a delegation to address the meeting **on the subject of an agenda item**, provided written application has been received by the Salt Spring Island Administration Office no later than 4:30pm two (2) calendar days prior to the meeting.
- If you miss this deadline, you may still submit this form; however such requests will require *unanimous* approval of the Commission members at the intended meeting.
- Each address should be limited to five (5) minutes unless a longer period is agreed to by unanimous vote.
- Each delegation should provide the number of copies of their written submission, as determined by the Salt Spring Administration Staff.

Submit form to Salt Spring Island Administration

E-mail: saltspring@crd.bc.ca

Fax: (250) 537-4456

Capital Regional District, 145 Vesuvius Bay Road, Salt Spring Island, BC V8K 1K3

I wish to address the:

☒ **MAG**

☐ Parks and Recreation Commission ☐ Transportation Commission

☐ Community Economic Development Commission

AT THE MEETING OF August 31, 2016 at 6 AM/PM

ON AGENDA ITEM Saturday Market In the Park

NAME Amy Sandidge

ADDRESS 2161 Fullford Ganges rd.

Salt Spring Is. BC V8K 1Z7

I REPRESENT myself,

AS day vendor at Saturday market. (Name of Organization if applicable)

(Capacity/Position)

TELEPHONE 778 817 0135 FAX _____

E-MAIL sandidgeamy2@gmail.com

My reason(s) for appearing is (are) and the substance of my presentation is as follows:

I would like to discuss the need
for transparency + openness between
Park and market vendors.

(If more space is required, please attach an additional page to this form.)

August 26 . 2016 Date [Signature] Signature

RECEIVED AUG 24 2016

Aug 24, 2016

Salt Spring Market in the Park
Market Advisory Group (MAG)

Attached is a copy of a letter, along with the supporting signatures of 101 Market Vendors, which was sent to Dan Ovington of PARC on Aug 15.

I am submitting this letter to be included in the next MAG agenda, on August 31.

Thank you for your attention to these matters.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Amy Sandidge', with a large, stylized loop at the end.

Amy Sandidge

RECEIVED AUG 16 2016

Aug 15, 2016

Via: Registered mail and email.

Amy Sandidge
2161 Fulford Ganges Road
Salt Spring Island BC V8K

Mr. Dan Ovington
Manager
Salt Spring Parks and Recreation Commission (PARC)
145 Vesuvius Bay Rd,
Salt Spring Island, BC V8K 1K3

cc: ✓ Ms. Karla Campbell – Senior Manager CRD
Mr. Rob Pingle – Market Coordinator

Dear Mr. Ovington:

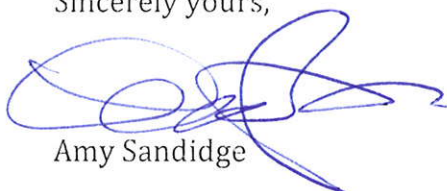
Attached is a document dated Aug 12, 2016, outlining vendor concerns along with over 100 of their signatures. Of those that signed 79 out of 101 agreed with all 7 issues. I believe I could have received many more signatures if I had another week to distribute the final draft and discuss issues, including some from several farmers who want to see change in the guidelines to prevent problems from arising like this year.

Please take some time to consider these issues. To discuss them in detail, a small delegation of vendors would like to meet with you on either August 23 or 24, at 1:30 PM. If those times do not work for you, please provide some alternatives.

We heard there is a MAG meeting to be held on August 31, which has not been officially announced to craft vendors or farmers. It is important that we meet before then.

Please respond to Amy Sandidge via email: sandidgeamy2@gmail.com,

Sincerely yours,



Amy Sandidge

RECEIVED AUG 16 2016

Aug 12, 2016

Via: Registered mail and email.

Mr. Dan Ovington
Manager
Salt Spring Parks and Recreation Commission (PARC)
145 Vesuvius Bay Rd,
Salt Spring Island, BC V8K 1K3

✓ cc: Ms. Karla Campbell – Senior Manager CRD
Mr. Rob Pingle – Market Coordinator

Dear Mr. Ovington:

The Saturday Market in the Park is a famous Salt Spring attraction. It is a draw for tourists coming to the island. As such it is a valuable economic and community resource. It only makes sense to create and maintain a positive environment so our Market and its visitors, craft vendors, farmers and buskers will flourish in the years to come.

We the undersigned vendors of the Salt Spring Market in the Park are troubled about recent changes in policies at the market. These changes have adversely affected many long time vendors, and they are understandably concerned about their ability to survive on the island. As part of the written policy changes made over the last two years, the elimination of absentee points has been one factor that has made the market full most Saturdays this year. This, along with the displacement of 6 seasonal craft vendors by "New Farmers" has created several unintended results: the inability of new day vendors to get any market space; and long term vendors getting undesirable, low traffic locations.

The market coordinator has been in a difficult position for the last two years. He is doing a good job considering the pressure he is under dealing face-to face with so many stressed, upset, and angry vendors.

We feel that the depth of concern is sufficient to warrant immediate attention and a meeting between PARC, MAG and vendors to discuss and resolve these issues. We are providing, attached as Appendix C market vendor names and signatures, which support this initiative.

In no particular order of priority, the issues to be addressed are:

1. Market openness and transparency

The changes of the last two years were announced at the beginning of each season. These changes were made without the awareness of the majority of vendors nor any visible consultation. We are requesting that the market be run with transparency and openness.

2. Market Advisory Group (MAG)

According to the Market Guideline Handbook, The MAG is "appointed by the Chairman of PARC Commission" whose purpose is to "make recommendations to the Parc Commission on all policy matters relating to the Market... The Group meets twice a year, in the spring and in the fall, and any other time throughout the Market season if required." The MAG are "y(our) representatives." This year a spring (May) meeting of MAG was not held by PARC. We request that PARC commits to having these meetings as stated in Guideline book. We further request that the MAG list be kept up to date and that market vendors appoint 50% of the MAG members.

3. Absentee Points

As stated earlier, one of the policies contributing to vendor dissatisfaction is the lack of freedom to miss any markets without a negative effect on seniority ranking. As part of the changes made two years ago, the elimination of absentee points has resulted in a situation where vendors must attend every market to maintain their seniority level. This has created unreasonable stress for many vendors who have no option but to be away for some days to deal with personal emergencies, family or other off island commitments. We are requesting that vendors be permitted to purchase up to 4 absentee points per season at a cost of their regular permit fee. This was the practice prior to the 2015 market season.

4. Definition of vendor types.

Two types of vendors are identified in the handbook: Day Vendors and Seasonal Vendors. However, in practice, there seems to be two types of Seasonal Vendors: Those who became seasonal in the last two years; and those who became seasonal prior to that. On the seniority list, some have years next to their names and some have points. We would like clarity on how a vendor goes from points to a year classification.

5. Priority and Placement given to Farmers

The market handbook states that "farmers have been given special considerations at the market" but does not define those special considerations, nor do they appear in the CRD Bylaws. This year a new clause appeared in the Handbook (section 1G) stating "Farmers are given priority when seasonal permits are assigned." There was no consultation on this matter, and we request that this clause be removed.

Bylaw 3795 part 13(7) refers to farmers being given priority in Easement areas A and B: "Use by vendors of Easement Areas A and B... shall be primarily by vendors under subsections 13(5)(a) farm produce and products including fruits, vegetables, herbs, and edible flowers" and 13(5)(c) cultivated plants and flowers, including cut flowers."

These 2 Easement Areas are in fact not part of the market and not being assigned to farmers as outlined in 13(5)(a) and (c) from the handbook. Please see Appendix A for the easement survey and Appendix B for the comparable aerial photograph.

6. Clarification of farmer categories

Some farmers are selling value added products, which are not in keeping with the content rules of the market. We request that the rules be clarified and enforced. If a farmer does not have products that will comply with the regulations, they should not vend that day.

Section 5. ("Farmer/Grower" c.) states: Are 90% value-added products whose contents are, by volume, at least 50% grown on land that he/she owns. For a number of years, there have been some farmers that we feel are not complying with the requirement for grown content. We request that PARC/CRD enforce these rules. We are requesting that "Farmers" should be defined solely as those who grow and sell their perishable produce, flowers, meat or cheese at the market. Those "Farmers" that are selling value added products should be subject to the seniority point system as all food and craft vendors are, and not be given seasonal status on their first year in the market, as has happened this year.

7. Market Partnerships and Transfers.

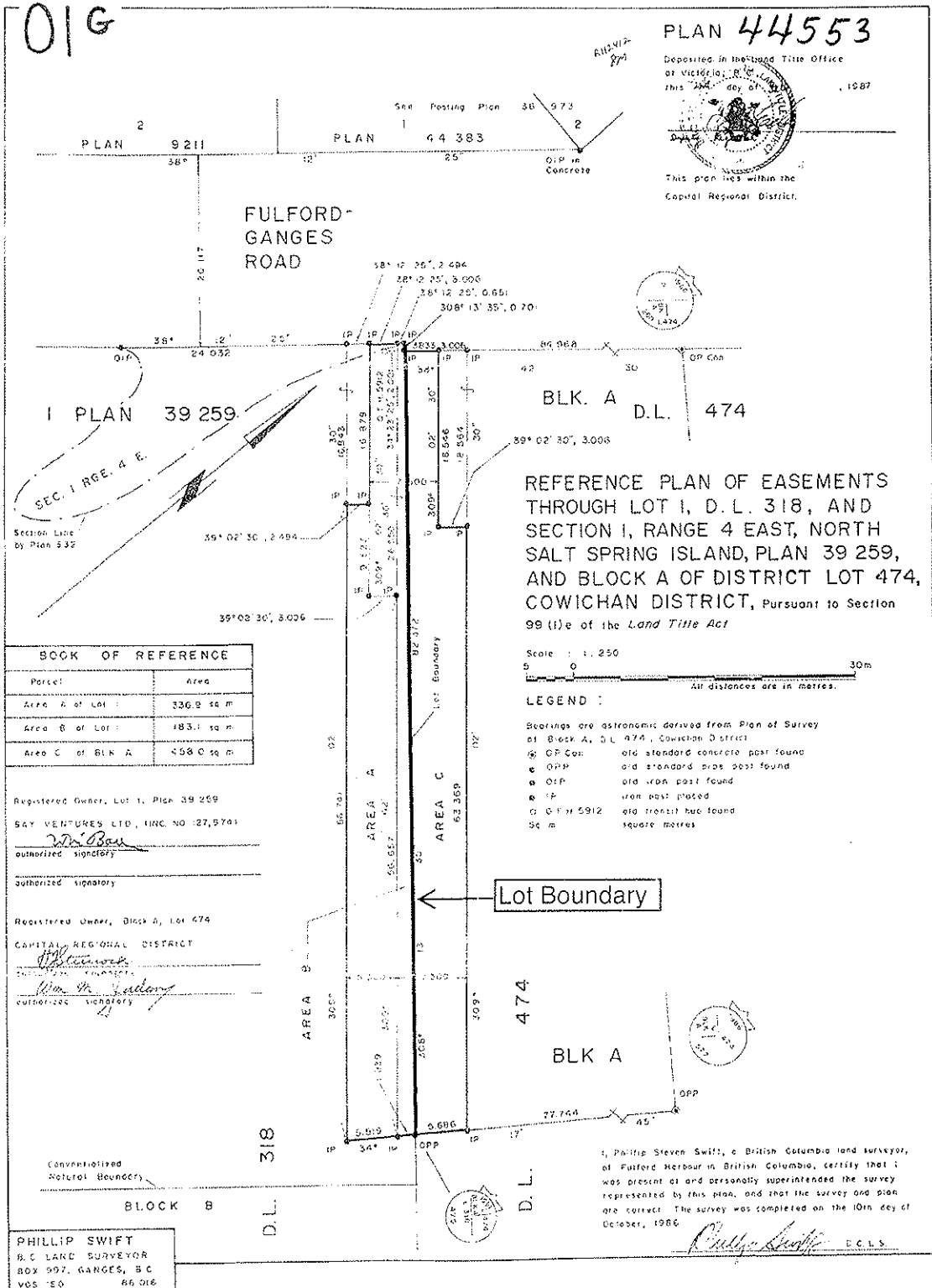
The handbook states (11. b) that a new legal partnership must be in existence for 5 years before the new partner can inherit the business solely. "Proof of partnership is required in the form of an agreement, Bank Account, Federal Business registration, or provincial sales tax registration." It does not appear that these requirements are being enforced, as some vendors have "sold" their business along with their market spot. This is against the intent of the handbook, and the spirit of the market. We are requesting that a formal process be in place to oversee and approve such "transfers". It should be clearly stated that when an individual sells their business, the market points do not go along with the business. We are looking for enforcement of the rules regarding proof of partnership and the "inheritance" of market permits.

Appendix A - Easement Survey

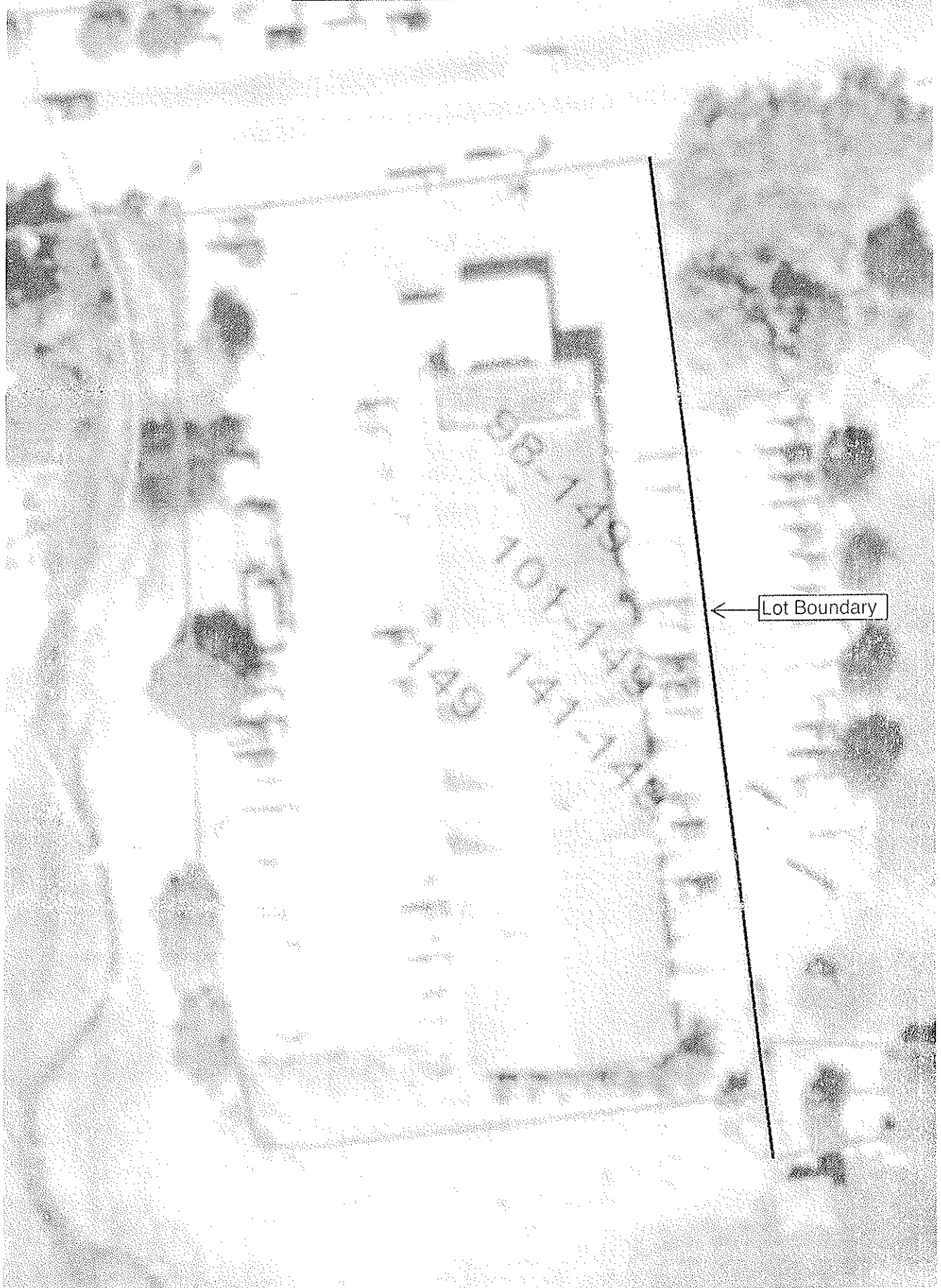
Status: Filed

Plan # 44553 App of N/A C.M.F.

RCVD: 1998-02-02 ROST: 2015-06-25 11:31:05



Appendix B - Aerial Photograph



13

Appendix C - Signatures

I, a vendor of the Market In The Park support the letter to PARC/CRD dated Aug 12, 2016

I agree with issues (either initial
All or only those you support)

Name	Signature	All	1.	2.	3.	4.	5.	6.	7.
BENIE GROSS	<i>[Signature]</i>	✓							
John Quinn	<i>[Signature]</i>	✓							
Darlene Lane	<i>[Signature]</i>		✓	✓			✓	✓	
Gas, me find	<i>[Signature]</i>	✓							
Longachie (Sgt)	<i>[Signature]</i>	✓		✓				✓	✓
CER VANDER GAST	<i>[Signature]</i>	✓	✓	✓			✓	✓	✓
Tracy Carmel	<i>[Signature]</i>		✓	✓	✓	✓	✓	✓	✓
GILLIAN GANDROSS	<i>[Signature]</i>	✓					✓	✓	✓
Painbow May	<i>[Signature]</i>								
LOVE E. (Sgt)	<i>[Signature]</i>								
GAD, WYNNERS	<i>[Signature]</i>		✓	✓	✓	✓	✓	✓	✓
NEAL MILLER	<i>[Signature]</i>	✓							
STANLEY MILLER	<i>[Signature]</i>	✓							
Don Felt	<i>[Signature]</i>	✓							
Jessica Wilson	<i>[Signature]</i>		✓	✓	✓	✓		✓	
TOBY FOLKS	<i>[Signature]</i>		✓	✓	✓			✓	✓
JOHN HAN GEMSON	<i>[Signature]</i>		✓	✓	✓	✓		✓	✓
CHERYL REZPH	<i>[Signature]</i>	✓							
Hannah Jacobson	<i>[Signature]</i>		✓	✓	✓	✓			
Rees Atkinson	<i>[Signature]</i>	✓							
Sonoma Kays	<i>[Signature]</i>	✓							

Appendix C - Signatures

2

I, a vendor of the Market In The Park support the letter to PARC/CRD dated Aug 12, 2016

I agree with issues (either initial
All or only those you support)

Name	Signature	All	1.	2.	3.	4.	5.	6.	7.
Natasha Ayton		✓	✓						
Christine Johnston		✓							
Chiquen Sato		✓							
Yukihiro Shibata		✓							
Hideki Shibata		✓							
Miki Kikuchi		✓							
James Lee		✓							
R. Brant		✓							
Wendy Squawall		✓							
Judy Eason		✓	✓				✓	✓	✓
Samuel Eason									
Wendee Brummet		✓							
NANCY VAN PATTEN		✓							
Frank Thompson		✓							
Diana Thompson		✓	✓	✓	✓	✓	✓	✓	✓
Angelika Brundt		✓							
ANTONY MURRAY		✓							
James Butler		✓							
CERHA JOE		✓	✓	✓	✓		✓	✓	✓
Faye Courtney		✓					✓	✓	✓

[illegible]

Appendix C - Signatures

I, a vendor of the Market In The Park support the letter to PARC/CRD dated Aug 12, 2016

I agree with issues (either initial
All or only those you support)

Name	Signature	All	1.	2.	3.	4.	5.	6.	7.
Christina Surbey	Christina Surbey	CS							
Nicole Kelly	N Kelly	NK							
J Boisclair	J Boisclair	JB							
S BIANCHI	S. Bianchi	SB							
ANNA PROBSCHI	Anna Probschi	AP							
DEYIS JAMES	D James	DJ							
Karen Mazzoni	Karen Mazzoni	Ka							
B. GONZALEZ	B Gonzalez	BG							
Ken SQUIRREL	K Squirrel	KS							
ODD MONTEITH	O Monteith	OM							
Rachel Hughes	R Hughes	RH							
J DePasquale	J DePasquale	JD							
Catherine GARDINER	C Gardiner	CG							
MICHAEL CURTIS	M Curtis	MC							
April Curtis	A Curtis	AC							
Dora Claydon	D Claydon	DC							
Sharon Batten	S Batten	SB							
Virginia Midgett	V Midgett	VM							
Arielle Paterson	A Paterson	AP							
Catherine Shaw	C Shaw	CS							

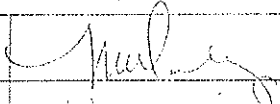
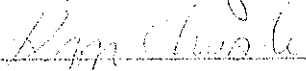
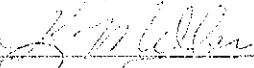

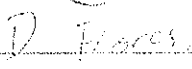
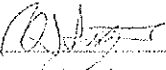
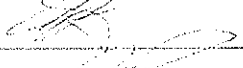

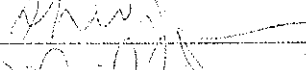
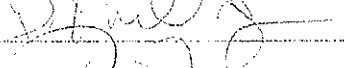
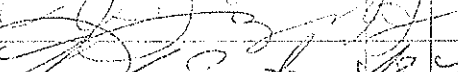
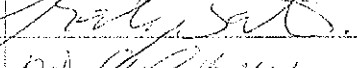
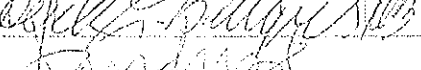
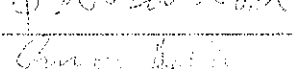
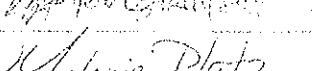
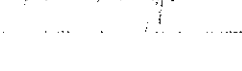
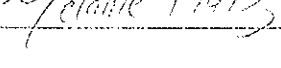
Appendix C - Signatures

I, a vendor of the Market In The Park support the letter to PARC/CRD dated Aug 12, 2016

I agree with issues (either initial
All or only those you support)

Name	Signature	All	1.	2.	3.	4.	5.	6.	7.
GRANT WICKLAND	Grant Wickland	✓							
Clyde H. Smith	Clyde H. Smith	✓							
CHEYENNE GOTT	Cheyenne Gott	✓							
ZOC FOX	Zoc Fox	✓							
PIERRE BOIES	Pierre Boies	✓							
Tamar Goggin	Tamar Goggin	✓							
TERENCE WARBEY	Terence Warbey	✓							
DAVID MACGREGOR	David Macgregor	✓							
J. Kelly	J. Kelly	✓							
Aki Olsen	Aki Olsen	✓							
Jane Allen	Jane Allen	✓							
Shirley Lin	Shirley Lin	✓							
BRUNO GONZALEZ	Bruno Gonzalez	✓							
Diana Johnson	Diana Johnson	✓							
Peter Price	Peter Price	✓							
Terri-Ann Dunning	Terri-Ann Dunning	✓							
MARK MEREDITH	Mark Meredith	✓							
Ann Ferguson	Ann Ferguson	✓							
Anne Buckley	Anne Buckley	✓							
Melissa Searcy	Melissa Searcy	✓							

I agree with issues (either initial
All or only those you support)

Name	Signature	All	1.	2.	3.	4.	5.	6.	7.
M. Warbey		MW							
K. Christie		KC							
R. Miller		RM							
R. Funk		RF							
D. Flores		DF							
A. Dutcher		AD							
A. Bance		AB							
B. Peterson		BP							
A. Shira		AS							
D. Milligan		DM							
J. Janzen		JJ							
Kaleigh Barton		KB							
Peter Burgess		PB							
DAVID WOOD		DW							
John 		J							
Melanie Platz		MP							



Making a difference...together

RULES GOVERNING THE HEARING OF INDIVIDUALS OR DELEGATIONS BY THE CAPITAL REGIONAL DISTRICT COMMISSIONS

- Under the CRD Procedural Bylaw, the Commission may, by *resolution*, allow an individual or a delegation to address the meeting **on the subject of an agenda item**, provided written application has been received by the Salt Spring Island Administration Office no later than 4:30pm two (2) calendar days prior to the meeting.
- If you miss this deadline, you may still submit this form; however such requests will require *unanimous* approval of the Commission members at the intended meeting.
- Each address should be limited to five (5) minutes unless a longer period is agreed to by unanimous vote.
- Each delegation should provide the number of copies of their written submission, as determined by the Salt Spring Administration Staff.

Submit form to Salt Spring Island Administration

E-mail: saltspring@crd.bc.ca

Fax: (250) 537-4456

Capital Regional District, 145 Vesuvius Bay Road, Salt Spring Island, BC V8K 1K3

I wish to address the:

MAG

☐ Parks and Recreation Commission ☐ Transportation Commission

☐ Community Economic Development Commission

AT THE MEETING OF August 31, 2016 at 6 AM/PM

ON AGENDA ITEM _____

NAME

Aaron Hailman

ADDRESS

589 Mt. Belcher Hts

Salt Spring Island V8K 2J3

I REPRESENT

Elizabeth Smith

(Name of Organization if applicable)

AS

a Vendor

(Capacity/Position)

TELEPHONE

250-538-0018

FAX

E-MAIL

aaron@tagi.ca

My reason(s) for appearing is (are) and the substance of my presentation is as follows:

to read Elizabeth's statement
concerning absentee points

(If more space is required, please attach an additional page to this form.)

Aug 25, 2016

Date

Signature

Absentee Points

At the beginning of the 2015 market season significant changes were made to the organization of the market. One of these changes was the creation of "New Seasonal Vendors". With this change, "absentee points" were eliminated. The New Seasonal and remaining Day Vendors were given no advance warning of this change and in fact had to wait until mid season to be informed that absentee points were no longer in effect. The subsequent fall MAG meeting supported the decision and the Market Co-ordinator sent out a detailed e-mail on Nov. 18th 2015 discussing removal of absentee points.

It seems that there have been some anticipated and unintended consequences to this decision and the overall changes to the market.

Three issues are:

1. There are many New Seasonal Vendors who see it is necessary to attend every market. They are unable to miss any markets, due to the seniority system, and the competition for spots in the market. Not every vendor can afford to hire a staff person to attend their booth and there are unplanned situations that prevent market attendance. There are New Seasonal Vendors who will fall below three or more other vendors if they miss a single market. For some this could make securing a seasonal spot next year difficult. This situation is occurring to vendors with over 6 years of hard work. In the present market structure it is very possible, as a craft or food vendor, despite constant attendance and dedication to making a good product, to move "backwards".
2. The fact most New Seasonal Vendors are reluctant to

miss any markets creates an unintended situation where established Day Vendors are finding it increasingly difficult to find spots each week. The quality of these spots seems to be poor and some vendors feel their lower sales this year are due to the fact that currently better spots are hard to find. The real danger is that Day Vendors with interesting new products will simply give up on the market. New vendors and new work are what keeps the market alive. A vibrant market serves the entire community. It is one of the economic drivers of Salt Spring. We should not be complacent. There are many attractive tourist destinations on the mainland and Vancouver Island that do not include an expensive ferry ride.

3. Presently, those vendors who became "Seasonal/Permanent" Vendors prior to 2015 are able to miss up to 50% of Markets without incurring any penalty. In the Market Coordinators e-mail of November 18, 2015 he states:

"In the retail world not being available to open your store has consequences that carry over to the market environment. To provide the fairest system for all attendance to the market matters and should be recorded as such without the ability to purchase absent points. In this system all vendors are treated equally ..."

In fact not all vendors are being treated equally under the present system. It seems totally inequitable to have one class of vendor whose only consequence of missing a market is lack of sales while another equally dedicated vendor with a proven track record could lose their market position in addition to sales.

As a solution to these three issues I support consideration of the Market Coordinator's suggestion:

"Give seasonal vendors the points for the year and have them pay for all the markets even the ones they miss. Keep the part where they have to attend 50% of the markets but ditch the absent points idea because you got all your points when you paid for the seasonal permit".

This, as well as a chance for established Day Vendors to purchase up to 4 absentee points will result in more equal treatment of all vendors.

Elizabeth Smith



Making a difference...together

REPORT TO MARKET ADVISORY GROUP MEETING OF WEDNESDAY, AUGUST 31, 2016

SUBJECT REVIEW OF MARKET ISSUES

ISSUE

The Saturday Market has been operating at capacity for a number of years and vendors are circumventing the spirit of the market by stretching the interpretation of the market vendor guidelines to gain entry. Three main issues have emerged during the current market season:

- a) The Bylaw states that farmers are given priority placement in Area A and B of Gasoline Alley. Currently farmers have been given priority placement in all areas of Gasoline Alley, and there is no maximum to the number of farmers, causing the displacement of long term seasonal vendors.
- b) Since farmers are given priority placement in Gasoline Alley, new vendors are modifying their products to meet the requirement of a farmer and are given priority placement.
- c) Vendors are listing themselves as partners on booths that they have sold or are no longer working in; circumventing the guideline that states vendors cannot transfer their seasonal permit or seniority points to a secondary vendor.

BACKGROUND

The Saturday Market has been operating at capacity for a number of years. Vendors are issued seasonal permits based on a historical points system. Day Vendors, new and existing are placed on a wait list and are only able to earn points if a seasonal vendor is absent or a seasonal vendor spot becomes available. Day vendors may have to wait several years before they qualify for a seasonal vendor permit.

- a) Under CRD Bylaw No. 3795 (Juan de Fuca and Salt Spring Island Community Park Regulations) farmers are given priority placement in Easement Areas A and B, in Gasoline Alley, as defined on the survey attached to the Easement Agreement between the Capital Regional District and Bay Ventures Ltd. dated December 1986. A recent overlay of an updated survey shows that area A and B in Gasoline Alley do not match the original survey attached to the agreement. For this reason the areas outlined in the bylaw giving farmers priority placement need to be updated. A maximum number of farmers for priority placement could also be introduced to reduce the displacement of long term seasonal vendors.
- b) Farmers are defined as a resident whose products:
 - i) Include at least 90% unprocessed food items grown on land he/she owns or leases;
 - ii) Are at least 90% cultivated plants and/or flowers grown on land he/she owns or leases;
 - iii) Are 90% value-added products whose contents are, by volume, at least 50% grown on land that he/she owns or leases,
 - iv) The 90:10 ratio is based on display area.

The addition of food carts and other value-added products that qualify as farmers has moved away from the original intent of the farmer definition in the Market in the Park guidelines. For this reason the farmer definition needs to be updated.

- c) There are two types of businesses at the market, a Sole Proprietor and a Partnership. In a Partnership business, proof of is required in the form of an agreement, bank account, federal business registration or provincial sales tax registration.

New partnerships, where an existing Seasonal Vendor takes on a new legal partner, must be in existence for five years before the new partner can inherit the permit solely. (Vendor Guidelines, 2016, p. 13) There is currently no way to monitor or track these new partnerships. For this reason the guideline for new partnerships needs to be updated.

ALTERNATIVES

That the Market Advisory Group recommends to PARC that staff:

- 1)
 - a. Update Bylaw 3795, Section 13(7) by deleting "Easement Area A and B" and replacing it with "Easement Area C and D"; and, update the guidelines to allow a maximum of 25 10'x10' farm vendor booths or equivalent.
 - b. Update farmer definition to include: Classification of Land as a Farm (Class 9), where farmers are selling product(s) that fall under "Qualifying Agricultural Uses", as defined under Section 23 of the Assessment Act and the Farm Class Regulation (Appendix B); or, where farmers qualify and can produce a Certificate of Exemption as a farmer under BC Ministry of Finance. (Appendix C).
 - c. Partnerships established at the time of entry into the Market must provide proof of partnership in the form of an agreement, bank account, Federal Business Registration and Provincial Sales Tax Registration. New partnerships must be approved by the Market Advisory Group.
- 2)
 - a. Provide no priority placement of farmers in the Market
 - b. Make no changes to the farmer definition
 - c. Make no changes to new partnerships
- 3) Refer back to staff for further review

CONCLUSION


The Saturday Market has been operating at capacity for a number of years and vendors are circumventing the market vendor guidelines to gain entry. In addition a recent overlay of an updated survey does not meet the intended purpose of giving farmers priority in Gasoline Alley.

RECOMMENDATION

That the Market Advisory Group recommends to PARC that staff:

- a. Update Bylaw 3795, Section 13(7) by deleting "Easement Area A and B" and replacing it with "Easement Area C and D"; and, update the guidelines to allow a maximum of 25 10'x10' farm vendor booths or equivalent.
- b. Update farmer definition to include: Classification of Land as a Farm (Class 9), where farmers are selling product(s) that fall under "Qualifying Agricultural Uses", as defined under Section 23 of the Assessment Act and the Farm Class Regulation (Appendix B); or, where farmers qualify and can produce a Certificate of Exemption as a farmer under BC Ministry of Finance. (Appendix C)
- c. Partnerships established at the time of entry into the Market must provide proof of partnership in the form of an agreement, bank account, Federal Business Registration and Provincial Sales Tax Registration. New partnerships must be approved by the Market Advisory Group.



Dan Ovington
Parks and Recreation Manager

Carin Perrins
Administrative Secretary IV

DO/ctp

Appendix A – Market in the Park 2016 Vendor Guidelines

Appendix B – BC Assessment Act Chapter 20, Section 23

Appendix C – BC Ministry of Finance PST Bulletin for Farmers, Pages 1-2 "Qualifying Farmers" for Certificate of Exemption

Appendix D – Survey from the Easement Agreement between the Capital Regional District and Bay Ventures Ltd. dated December 1986

Appendix E – Islands Trust overlay of the survey, from the Easement Agreement between the Capital Regional District and Bay Ventures Ltd. dated December 1986, on aerial photo of Centennial Park and Gasoline Alley.

Appendix F – Survey, Polaris Land Surveying Inc., dated July 14, 2015.

Vendor Guidelines



for the
Saturday

Market in the Park



Welcome to the Market

Every Saturday from April through October, rain or shine, approximately 160 vendors display their handmade or homegrown products in Centennial Park in Ganges.

The vendors arrive early in the morning, setting up their stalls, hoping the weather will cooperate. Shortly after this, the buyers begin to arrive. Crowds descend on the Market and from that point on, Centennial Park hums with all sorts of activities. The mixture of the exotic textures and aromas coupled with an explosion of colours leaves the visitor intoxicated by the end of the day.

The Market has been referred to as “a small community” and as this community continues to grow as a result of its ever increasing popularity, guidelines are needed to help maintain the appeal of this small jewel of the island.

Throughout the interviews and the collection of information for this guidebook, some vendors have expressed the need for rules and regulations for the operation of the Market while others suggested that rules and regulations are what they are “trying to get away from” and that the Market should be an “organic organization of bodies with no rules and regulations”. Unfortunately, with the continued growth of the Saturday Market and the increase in the demand from island residents to become vendors, there is a need for guidelines. We have certainly tried to keep them to a minimum.

This guidebook is an attempt to address everything you the vendor needs to know to have a positive experience at the Market and to assist you in your understanding of the requirements for being a Market vendor.

The Market is a very visible conduit to display our “island culture and spirit” to the visitor. For many, this is the first meeting point of island residents and the impressions made at the Market reflect our island.

Numerous local businesses started at the Market and some have gone on to full time operations in other parts of British Columbia by having received exposure at the Saturday Market. Others have been involved in the market since it began and continue to use the venue as a main source of revenue.



Table of Contents

Welcome to the Market.....	2
Table of Contents	3
1. Contact Information	4
2. Philosophy of the Market	4
3. Location of the Market	4
4. History	5
5. Definition of Terms Used	7
6. Who Administers the Market ?.....	9
7. The Market Season	10
8. Products	11
9. Residency Requirements	11
10. How to Become a Vendor at the Market	12
11. Application for Vendors.....	13
12. Vendor Schedule of Fees	14
13. Payment of Fees.....	15
14. How Space is Assigned	15
15. Special Notes for Vendors	16
16. Leaves of Absence	18
17. Equipment.....	18
18. Vendor Parking	19
19. Loading and Unloading.....	19
20. Clean Up.....	20
21. Market Etiquette.....	20
22. Animals	21
23. License and Special Requirements.....	21
24. Liability.....	21
25. Concerns and Suggestions.....	22
26. Enforcement and Disputes.....	23
Appendix A - Complaint/Suggestion Form.....	24
Appendix B – Vendor Dispute Resolution Policy	25
Appendix C – Market Coordinator’s Duties and Responsibilities	27
Appendix D – Capital Regional District Bylaw No. 3795	27

1. Contact Information

Market Coordinator: Rob Pingle
Monday to Thursday 10:00am – 2:00pm
Email: marketinthepark@crd.bc.ca ; Phone 250 537 6292

Salt Spring Island Parks and Recreation (CRD) Office:
ssiparc@crd.bc.ca ; Phone 250 537 4448; Office Hours M-F 8:30am to 4:30pm

2. Philosophy of the Market

The Market in the Park operates as a local producer based market. Island Residents are offered permits for vending in the Market on a point rating system discussed under Section 10.

The philosophy of the Market is:

"Make it, Bake it, Grow it"
&
"Vendor Produced and Sold"

3. Location of the Market

The location of the Market is the plaza bordering Fulford - Ganges Road in Centennial Park and occupying some of the parking lot commonly known as "Gasoline Alley".

The parking lot is divided by an east-west property line. The north side of the line is part of Centennial Park and the south side of the boundary line belongs to the "Gasoline Alley" complex.

Market vendors can only occupy the side of the parking lot that is on the park side or the north side. There is a joint use agreement in place that allows PARC to use the private portion of the parking lot to within 18 feet from the building front for Saturday Market activity only. The 18 feet, from the wall of the building outwards, is intended for access by emergency response vehicles. Currently Gasoline Alley businesses use this area for their own stall or sublet this area to individuals. These individuals are NOT part of the Market in the Park.

4. History

The origins of the market are grounded in our farm community and as such, farmers have been given special considerations at the market.

The origins of a semi-organized market in Centennial Park can be traced back to around 1975 --- a time where, in the history of the Market, "anything" could be sold by "anyone". Vendors would come from all over, some even with truckloads of furniture. The market consisted of farm produce, "hardcore" crafts such as pottery, woodworking, jewelry, weaving and flea market type goods.

Vendors would park in the dirt parking area of Centennial Park and display their items on the hood of their vehicles while others would sell from the back of a truck or the trunk of their car. The population of Saltspring in 1978 was approximately 3,500 so the Market was a major social event for the community.

Statistically, to get an idea of the number of artists retailing on the island in the 1970s, the Studio Tour was created and noted that the "Farmers Market" was a venue. In 1979 there were about 15 artists. This number increased in 1981 to 19 and then 23 in 1985. Residents and Vendors spent many hours together, exchanging goods and news. It was a very social time.

Some members of the community thought that the Market was not the best use for a park. As the Market popularity increased, it became more and more difficult for Vendors to obtain a spot at the Market. Some vendors chose to "camp out" arriving in the wee hours of the morning to secure a spot. Complaints increased and the local vendors cited that vendors from off-island should be restricted and that the Market should be for island residents only.

Parking was a major issue causing congestion in the downtown core area. The local merchants were not happy about the fact that Market Vendors were exempted from paying property taxes and felt that the competition for client dollars was on an unfair playing field. The amount of "wholesale" type items, such as sunglasses, was increasing.

In November 1982, an Island wide referendum asked the public:

1. Are you in favour of limiting the Farmers Market to the sale of home produced goods, and
2. Would you be in favour of having the Farmers Market moved to a less congested and more spacious area, such as the Farmers Institute property or other?

The response was that 74.6% wanted home-produced goods, 22.7% didn't and 2.7% of the ballots were rejected.

For the second question, 50.7% showed that the residents did not want to change the location, 39.9% did and 9.4% were rejected.

In the 1990s there was a period of incredibly anxious and tense times. These times are referred to as "The Market Wars". There was continuous friction between the Merchants, the vendors, the Chamber, Parks and Recreation, the Market Vendors Association and the Government. It was a difficult time for all parties involved.

In 1990, there were several attempts to resolve the problems and Parks and Recreation put out a survey in the fall. 69% of respondents were in favour of a license or permit system for vendors and current hours of operations to continue; 76% limiting vendors to residents only; and 76% favours current market location.

In 1992, PARC instituted the permit system as a result of the survey in 1990, and the philosophy of "Make It, Bake It, or Grow It" was born.

The farmers-flea market had evolved to a farmers-craft market.

The "Make it, Bake it, or Grow it", policy affected many of the long term vendors of the market as they were no longer eligible to vend at the Centennial Park location since they did not produce their product on the island or were not residents of the island. In response to this and in support of these Vendors, many of the Salt Spring Island Market Vendors decided to start their own Market and secured a site adjacent to the Harbour House Hotel. They built infrastructure and remained at the site for two seasons. The site was far from the downtown core and the number of visitors did not provide the income the Vendors needed. Some returned to the Market in Centennial Park, producing in accordance with the market Philosophy and others no longer vended on the island.

Many successful island businesses such as Barbs Buns, Salt Spring Soap Works and Aroma Crystal Therapy started at the market and have gone on to operate their own stores.

Many vendors have established off-island contacts whom they wholesale to, who in turn carry their products in off-island stores.

The Market is promoted mainly by word of mouth although articles about it and individuals who vend at the market consistently appear in travel magazines, brochures, and television shorts.

The Market continues to evolve and flourish and our "island culture and spirit" will be maintained through the perceptions that linger on in the visitors mind after leaving the island.

Enjoy your experience!

5. Definition of Terms Used

This section deals with the definitions used within the guidelines.

“Busker” – A busker is a resident who provides entertainment and is paid by putting “the hat out”. Face painters, clowns, balloon artists, acoustic musicians, magic and juggling acts can fall into this category.

“Child” - A person, 12 years of age or under, that is resident of Salt Spring Island.

“Capital Regional District or CRD” - A form of local government, authorized under the Municipal Act of BC to provide region-wide services. The CRD provides some of the services that a municipality would. The Capital Region includes communities and rural areas on southern Vancouver Island and the Gulf Islands.

“Day Vendor Permit” - A receipt, issued by the Market Coordinator on behalf of the CRD, which allows a Vendor to set up and use a vendor stall for one market day;

“Farmer/Grower” – (Seasonal or Day Vendor) - A resident whose products:

- a. Include at least 90% unprocessed food items grown on land he/she owns or leases
- b. Are at least 90% cultivated plants and/or flowers grown on land he/she owns or leases,
- c. Are 90% value-added products whose contents are, by volume, at least 50% grown on land that he/she owns or leases,

The 90:10 ratio is based on display area.

“Local Producer” – A person who meets the residency requirement and who produces, prepares, makes, assembles or creates a product in accordance with the Market Philosophy.

“Market Advisory Group” - Representatives of the community appointed by the Chairman of PARC to provide advice and recommendations to the Commission concerning Market policies and operational matters.

“Not-for-Profit Groups” – A resident group that is a Registered Society or can show proof of the following:

- A mandate that includes serving the community and an advocacy role for its membership.
- Membership that is open to any resident.

- Written procedures/bylaws that include:
 - a membership registration process
 - a general meeting process and notification
 - an election process for directors and officers
 - a requirement of majority vote by quorum
 - a requirement to keep records
- Directors and Officers elected at a general meeting.
- General meetings that are held in a public place.

“Off Season Permit” – A permit issued by PARC to those vendors who have participated in the current years' regular market season (April to October) and who apply to extend their operation in the “off season” (November to March) at the Market location.

“Parks and Recreation Commission or PARC” - A volunteer commission, appointed by the Board of the CRD, empowered by the Local Government Act of BC, and mandated by the CRD through bylaw, to advise the CRD on the acquisition, development, operation and maintenance of parks and to undertake recreation programming on Salt Spring Island.

“Primary Vendor” - A local producer who meets the Market Philosophy of “Make it, Bake it, Grow it” and “Vendor Produced and Sold”, who is a resident and who is also considered by this definition to be the principle participant in the business operation.

“Seasonal Vendor Permit” – A permit issued annually by PARC allowing the vendor to participate at the Market.

“Secondary Vendor” – A local producer who has participated in the making, baking or growing of the product with a Primary Vendor and is a resident of Salt Spring Island.

“Vendors Point System” - For every market day attended by a vendor, a point is recorded by the Market Coordinator. The system is used to determine the order of placement at the market.

“Vendors Seniority List” - A list that is kept and maintained by the Market Coordinator identifying Vendors in the order of placement at the Market.

Youth – A person between the ages of 13 and 17, inclusively, who is a resident of Salt Spring Island

6. Who Administers the Market ?

The Saturday Market in the Park is operated by the Capital Regional District (CRD) under the auspices of Salt Spring Island Parks and Recreation Commission (PARC).

Market Advisory Group

A Market Advisory Group (MAG) is appointed by the Chairman of the PARC Commission. Vacancies will be posted for new members to apply. The Group meets twice a year, in the spring and in the fall, and any other time throughout the Market season if required. The purpose of the Committee is to make recommendations to the PARC Commission on all policy matters relating to the Market.

The Market Advisory Group are your representatives. MAG is currently made up of the Market Coordinator, a PARC Commissioner, members from the Chamber of Commerce and the Arts Council, 2 members of the public, as well as the following:

Vendors

Tye O'Connor
Bree Eagle
Sean Goddard

Representatives from community groups and guilds

Basketry	Donna Cochrane
Fabric	Donna Johnstone
Island Natural Growers	Julia Grace
Jewelry	Alvaro Sanchez
Potters	Anne Byrne
Woodworkers	Grant Wickland

Capital Regional District

The Capital Regional District has Bylaws that relate to the operation of the Saturday Market in the Park. Bylaw 3795, A BYLAW TO REGULATE THE USE OF JUAN DE FUCA AND SALT SPRING ISLAND ELECTORAL AREAS COMMUNITY PARKS AND TRAILS, specifically Section 13, outlines the rules for the operation of the Market. See Appendix D, of these Guidelines, for the complete bylaw.

Market Coordinator

The Market Coordinator is contracted by PARC to assist in the operation of the Market. The Coordinator's job is to organize all of the activities of the day to day functioning of the Market and to enforce Market policies and guidelines. The Coordinator also acts as a conduit of information from the vendors and customers to the Market Advisory Group and PARC Commission. Appendix C, of these Guidelines, outlines the roles and responsibilities of the Market Coordinator.

7. The Market Season

Season

These are the dates for the Market Season and for the Off Season.

Season	Start Date	End Date
Summer	1st Saturday in April *	Last Saturday in October
Off Season **	1st Saturday in November	Last Saturday in March *

* If Easter weekend occurs earlier than the first weekend in April then the Market Season shall start on the Saturday of the Easter weekend.

** Food vendors are not permitted to vend in the Off-Season unless they have a permit and their kiosk is self-contained and complies with Health Regulation. The wash-up area and power are not available.

Hours of Operation

The hours of operation for the Market are from 9:00 am until 4:00 pm. These are the 'usual' vending hours for the Saturday Market.

During Spring (April to June) and Fall (September to October) months, set up and take down hours will change as a result of the daylight hours. The Market Coordinator will advise you when and if this will occur.

8. Products

It is the responsibility of the Market Advisory Group in conjunction with the Market Coordinator to ensure that all the products being sold at the Market meet the Market philosophy. If there is any doubt by the Market Coordinator, that the product meets the Market Philosophy, the vendor may be subject to a jury process.

The goods offered for sale at the Market shall be products made or prepared by the vendor or made of components transformed or significantly altered by the vendor including:

- a) Farm produce and products including fruits, vegetables, herbs and edible flowers;
- b) Prepared foods and baked goods where the foods are approved by all appropriate government authorities, including Vancouver Island Health Authority;
- c) cultivated plants and flowers, including cut flowers;
- d) craft items that are of original, unique work or original design. In all items:
 - a) the handcraft component must dominate the commercial component,
 - b) the commercial components must be transformed in a way that makes the work unique
 - c) the starting material must be significantly altered and enhanced by the artisan, and
 - d) the product must meet basic expectations of product life, function and safety.
- e) clothing which has been hand or machine sewn, stitched, knit, embroidered, woven, silk screened, or painted;
- f) original works of art, or prints, photographs, replicas or audio or video tapes of original works of art, or books where the prints, photos, replicas, books or tapes are made by or at the direction or under the supervision of the artist.

9. Residency Requirements

To vend at the Market, a vendor must show two (2) items that prove that their primary residence is on Salt Spring Island. Proof of residency can be in the form of a drivers' license, hydro bill, rent receipt or phone bill in the vendor's name.

10. How to Become a Vendor at the Market

The Market Coordinator will review your registration to determine that your product meets with the Market Philosophy of "Make It, Bake It, Grow It"; that you are a Salt Spring Island resident; and that the product is locally produced.

Seasonal Vendors (Farm/Non Farm)

A Seasonal Vendor is a long term vendor or farmer who has obtained seasonal status by the acquisition of seniority points over a long period of time.

Seasonal vending positions are limited and in demand. As such, all of the seasonal positions are filled.

Either the Primary or the Secondary Vendor, as listed on the Permit, must be present for at least 50% of the season.

Seasonal Vendors must reapply annually, by the end of February, for the coming season. If approved, Seasonal Vendors must pay a seasonal fee to secure their spot. Farmers are given priority when seasonal permits are assigned.

Seasonal permit holders will be required to meet the guidelines related to seasonal vendors and have paid any outstanding accounts to PARC from the previous Market season prior to a permit being issued. Seasonal vendors will be pre-registered for their allocated space during each of the Saturday markets during the regular season. See pages 13-14 for information on payment of fees.

Seasonal permit holders are required to contact the Market Coordinator by 10:00am on the Thursday prior to any given Saturday if they are not going to attend or they will be charged their regular daily fee. See Section 1 of these guidelines for contact information.

Day Vendors (Farm/Non Farm)

Day Vendors are required to contact the Market Coordinator or the PARC office to be placed on a point-based waiting list for each Saturday they wish to participate. See Section 1 of these guidelines for contact information.

Day Vendors who are on the waiting list, for any given Saturday, will be contacted by Thursday at 4pm if a space is available. Placement is at the discretion of the Market Coordinator.

Last minute registration for Day Vendors will take place every Saturday of the Market season at the time of set up. Placement is at the discretion of the Market Coordinator and waitlisted vendors will be given priority. There is no guarantee

that a space will be available.

11. Application for Vendors

A maximum of 2 vendors' names can appear on the application for the Market; the primary vendor and a secondary vendor. The two names that you put on the application must be the ones that will tend to the stall at the Market. These two vendors must participate in the making, baking or growing of the product.

There are two types of businesses at the market, a Sole Proprietor and a Partnership.

- a. For Sole Proprietorships, the first name that you put on the permit is the Primary Vendor and the second name is the Secondary Vendor. The first name is considered the Sole Proprietor and "owner" of the permit.

If you are working with someone else, it is important to consider who the first person named on the permit will be, as the Primary Vendor cannot transfer their Seasonal Permit or their seniority points to the Secondary Vendor, nor to anyone else. The second person named on the permit may be changed by the Primary Vendor at any time. The secondary vendor must participate in the making, baking, growing of the product.

- b. In a business that is a Partnership, both of the names that appear on the Vendor Application are considered Primary Vendors and "co-owners" of the business.

Proof of partnership is required in the form of an agreement, Bank Account, Federal Business registration, or provincial sales tax registration.

New partnerships, where an existing Seasonal Vendor takes on a new legal partner, must be in existence for 5 years, before the new partner can inherit the permit solely.

- c. If a partnership dissolves, the points will be split 50:50, or as stipulated by a dissolution agreement, or by the courts.

12. Vendor Schedule of Fees 2015 (includes applicable taxes)

PERMITS	
Seasonal (Farm/Non Farm)	\$204 per season
Day (Farm/Non Farm)	\$6.50 per day
Not-for-Profit	\$1 per season
Youth Vendor	\$1 per season
Busker	\$7.25 per day
Off-Season	\$25.50 per off-season
LINEAR FOOTAGE FEES Maximum 8 feet frontage, unless grandfathered or a farmer	
Seasonal (Non Farm)	\$2.05 per frontage foot per day
Day (Non Farm)	\$2.05 per frontage foot per day
Farm (Seasonal and Day)	\$2.05 per frontage foot per day
OTHER	
Power**	\$25.50 per season (where available)
Wash Station / Water***	\$35.75 per season

* Please note that linear footage refers to the front footage measurement only. Many booth areas are not as deep as they are wide. Please discuss your potential vending spot with the Market Coordinator before purchasing any tents or canopies.

** Where available, a vendor using power shall pay a supplemental fee. This service is not available in all areas of the Market.

*** Vendors that make use of the Market Wash-up Area shall pay a supplemental fee for water.

13. Payment of Fees

Seasonal Vendors (Farm/Non Farm)

Seasonal Permit Fees are due at time of application/renewal.

Linear footage charges for each month will be prepaid at the start of each month through the CRD/PARC office. Credit card information or post-dated cheques must be left at the CRD office, and will be processed at the beginning of each month for all Saturdays in that month. A credit will be issued at the end of the season for each Saturday missed if notice was given to the Market Coordinator by 10:00am on the Thursday immediately prior to that market day.

If there are any arrears resulting from the prior year, they must be paid in full before current year's Seasonal Permit is issued.

Day Vendors (Farm/Non Farm)

Fees shall be paid each Saturday to the Market Coordinator.

14. How Space is Assigned

Seasonal Vendors are guaranteed their designated space each week for that season. In the event that they do not attend the Market on a given Saturday, the Market Coordinator will assign that space to a waitlisted Day Vendor. The Seasonal Vendor cannot transfer their space to another vendor or person.

A seniority point based system is used to establish the order of placement of the vendors. Each time a vendor is successful in being assigned a space to vend in for that day, he/she receives 1 point. The Market Coordinator records these points and they accumulate over time. The order of placement for the stalls begins with the vendor on the waitlist with the highest number of points, until all the spaces are occupied. If a vendor is not successful in getting a location, the vendor will not accumulate a point for that day.

A limited number of spots in the centre front aisle are available to Child/Youth Vendors and Non-Profits, on a first come, first served basis. Maximum size in the centre front aisle for these spots is 3' x 3'.

During the busy months of the Market Season, additional vendor spaces will be available in the wide area of the boardwalk only, for overflow. These spaces will be allocated by the Market Coordinator, if and only if the usual Market area is full.

See **Section 10 Day Vendors** for more information on the day vendor waitlist.

15. Special Notes for Vendors

Food Vendors

Vendors selling prepared foods must follow the Vancouver Island Health Authority Guidelines for the Sale of Foods at Temporary Food Markets.

All food items determined to be high risk will require a health permit from the Vancouver Island Health Authority. Applicants must re-apply to the Health Authority if any changes are made to the process or composition of the food(s), or for any new foods proposed for sale. For further information see <http://www.viha.ca/mho/food>. Any questions can be directed to the District Environmental Health Officer, Chris Laughlin, at 250-519-3401.

The Market Coordinator is responsible for ensuring that food vendors have obtained approval from the local Health Authority for the sale of higher risk foods, and will not allow sales by vendors unless they have produced a Letter of Confirmation or a copy of their Permit/Licence to operate.

Vendors are required to have taken the Food Safe Level 1 program or MarketSafe.

Home prepared/packaged food may be subject to Canadian Food Inspection Agency and Health Canada (CFIA) requirements for allergens, labeling, weights and measures. Vendors are advised to check with their local CFIA office to ensure their packages/labels comply with applicable federal requirements.

Child and Youth Vendors

Children, 10 years and under, may vend for a maximum of 4 hours, and must be accompanied by an adult at all times.

Children, ages 11 and 12, may only vend a maximum of 4 hours per Saturday unless accompanied by an adult.

Youth, between the ages of 13 to 17 inclusive, may vend for the current hours of operation.

Child/youth vendors are expected to make change, when necessary, from the purchase of their goods. Any child/youth selling food products must follow the Vancouver Island Health Authority Guidelines for the Sale of Foods at Temporary Food Markets and have taken a FoodSafe Level 1 or MarketSafe course. Please see the 'Food Vendor' section above, for more information.

Please remember that your child must be protected from the sun and prepared for inclement weather. Adequate water and nourishment must also be provided.

The Market Coordinator/CRD Staff are not responsible for any unattended children.

Buskers

The Market Coordinator will assign the three available spots for buskers. Buskers are permitted to perform a maximum of 20 minutes in each of the three allocated spaces, once per Market day, and only between the hours of 11am and 4pm.

A maximum of 2 performers may busk together in any one of the allocated spaces.

An individual may only perform once in each allocated busker space, no matter how many groups they belong to.

No percussion or amplification is permitted.

The Market Coordinator has the authority to determine the acceptability of busker performances and refuse space when considered necessary.

Child Buskers

Child buskers singing and/or playing music will be approved at the discretion of the Market Coordinator. A child musician will be required to have two songs memorized and when a Child Busker first starts out they will only be allowed to play for 10 minutes. A letter from the Childs' music teacher may be requested. A Child Busker must be accompanied by an adult at all times.

Non Profit Organizations

Space for Non Profit Organizations shall be allocated by the Market Coordinator, usually in the centre of the front aisle of the Market. Placement shall be made on a first come basis and only if space is available. Maximum space allotment in the centre aisle is 3' x 3'.

16. Leaves of Absence

Any vendor that has attended the Market for a minimum of three years and has earned a minimum of 75 seniority points can apply for a leave of absence of up to one year. For extensions past this one year, a letter can be written to the Market Advisory Group. MAG shall review the request on an individual basis for extenuating circumstances such as medical, maternity, family emergency, education in their related Market field, etc.

During this period of absence, the Vendor will retain the points they have accumulated up to this time, but will not acquire any new points during the period of absence. For example, if you left the Market Season with 100 Points, when you return as a vendor you will still have 100 points. Please be aware that your place on the seniority list will more than likely decrease upon your return, as other vendors who continue to attend the Market will continue to gather points during your absence.

17. Equipment & Product

Vendors are required to supply their own equipment such as tables, canopies and market umbrellas. Canopies may not exceed the size of your approved stall. Note that footage refers to front footage measurement only. Many booth areas are not as deep as they are wide. Please discuss your potential vending spot with the Market Coordinator before purchasing any tents or canopies.

Vendors, themselves, all their equipment and product must be within their allocated vending space.

If you are selling by weight you must provide your own certified scales. If you do not own a scale, we suggest that you price your product by the unit (ie. The ear, the pint, head, bushel, bundle, peck, basket etc.)

Gasoline, diesel powered, and other noisy generators are prohibited at the Market.

Power cords may be permitted at the discretion of the Market Coordinator but must not create a hazard.

Spritzers, atomizers or any similar equipment may not be used to promote a product at the Market.

18. Vendor Parking

In order to increase the amount of parking available for Market customers there is no vendor parking anywhere within the downtown core area including the creek side of Gasoline Alley.

Vendor parking is available in the upper parking lot of ArtSpring on Seaview Avenue, along Seaview Avenue, Jackson Avenue and Rainbow Road.

Parking is not permitted in the area in front of Centennial Park along Fulford Ganges Road on Saturdays. This area can be used by vendors for loading and unloading (See Section 19 for Loading/Unloading procedures).

19. Loading and Unloading

Front Bricked Area

- Arrive at the Market early to help alleviate the congestion as a result of unloading.
- The area in front of Centennial Park along Fulford-Ganges Road may be used by vendors for loading and unloading as long as you do not double park and you keep the length of stay short.
- Unload your vehicle and, **prior to setting up**, move your vehicle to one of the approved parking locations outside of the Ganges core. Please do not leave your vehicle in the market area while running personal errands or setting up, as others are waiting to unload.
- At the end of the day, **pack up everything ready for loading** prior to bringing in your vehicle.

Gasoline Alley Vendors

- No vehicles are permitted in Gasoline Alley between 8:00am – 4:00pm.
- Unload your vehicle and, prior to setting up, **move** it to one of the approved parking locations outside of the Ganges Core.
- Keep the access to Gasoline Alley and the gasoline pumps clear when loading and unloading.
- At the end of the day, **pack up everything ready for loading** prior to bringing in your vehicle, as space is limited in Gasoline Alley.

20. Clean Up

It is the responsibility of all Vendors to leave their vending space free of any garbage at the end of the day. Vendors are responsible for removing their own personal trash or debris, and taking it home. The Market garbage cans are for customers only.

In the event that the Vendor does not clean up, a \$32.30/hour cleaning fee will be charged to the Vendor.

Vendors must pay the cleaning fee by the next Market Day or a stall may not be assigned.

21. Market Etiquette

- a. As a general rule of consideration, a vendor will not do anything at or near a vendors stand or elsewhere in the Market that will cause a nuisance to other vendors or the public, whether by noise, debris, smell or otherwise.
- b. Spritzers and atomizers shall not be used at the Market to promote products.
- c. Use your space without infringing on your neighbors.
- d. If you have an 8 ft stall and an 8 ft table don't expect your neighbor to provide access through their market stall to your booth.
- e. Please be aware that most 8 ft stalls are not 8 feet deep, so an 8 ft tent or canopy will not fit within the booth area. In addition, many 8 ft tents are 8' x 8' at the top, but have legs that extend out to the side past 8 feet. Please discuss your potential vending spot with the Market Coordinator before purchasing any tents or canopies.
- f. Please work from within your allotted space. Vendors, themselves, all their equipment and product must be within their allocated vending space.
- g. In the case where samples are provided, ask customers if they are interested in a sample, while remaining within your market stall. When offering samples please provide napkins and a garbage container for the refuse.
- h. If you have visitors to your market stall please try to keep the visit length short or have the visitor come around the back of the booth for longer chats. This will help to improve the traffic flow and visual access.
- i. Vendors are required to provide a clean and sanitary environment.
- j. No alcohol or illegal drugs are to be brought to, sold or used at the Market.
- k. Pets must be left at home.
- l. Provide proper childcare for young children.
- m. If you sell out, and are leaving early, please do so with a minimum of disruption to your neighbours and their customers. If possible, pack up and leave your tables, etcetera, in place until the end of the Market day.

22. Animals

In accordance with CRD Bylaw 3795, domestic animals are not allowed anywhere in Centennial Park, except the SPCA Doggie Daycare area, when staffed. This includes the Market Area and vendor booths. Please leave your pets at home.

The sale of or giving away of animals at the Market is strictly prohibited.

23. License and Special Requirements

- a. Vendors are responsible for informing themselves about and complying with Regional, Provincial, and Federal health, taxation and licensing requirements governing the production, display, distribution, sampling and sale of their products.
- b. Vendors selling high risk foods must have a current approval of the Vancouver Island Health Authority. Food vendors are also required to have taken a Food Safe course. See Section 15 for more information.

24. Liability

Vendors are strongly encouraged to obtain general liability insurance. The Capital Regional District does not insure the Vendor nor the Vendors Products.

25. Concerns and Suggestions

Please do not lodge any complaints during the time of the Market Set-Up to the Market Coordinator. As you can appreciate, this is an extremely busy time of day. Voice your concerns later in the day when all the vendors are settled.

If the Market Coordinator is unable to deal with your concern, you will be asked to submit your complaint or suggestion to the Market Advisory Group in writing with a signature. Please write a letter or use the form provided in Appendix B. This may be handed in to the Market Coordinator, mailed it to the PARC Office at 145 Vesuvius Bay Road, Salt Spring Island, BC, V8K 1K3, or emailed to ssiparc@crd.bc.ca.

Your suggestions and concerns will be considered as soon as possible by the Market Coordinator and/or Market Advisory Group as applicable. Please remember that the Market Advisory Group is a volunteer group and that regularly meets twice per year --- once in the spring, once in the fall. Additional meetings may be called during the market season if and when required, so please be patient in waiting for a resolution.

Neighbour Vendor Disputes

If your neighbour or neighbour's customers do something that you don't agree with or like, wait until the customer leaves before speaking to your neighbor. Speak quietly and rationally. Try to come to a mutual agreement. If you cannot resolve the issue, ask the Market Coordinator to assist you both in the resolution. If this process cannot achieve mutual satisfaction, then the Dispute will be resolved using the 'Vendor Dispute Resolution Policy' as found in Appendix B.

Questionnaire

Market Surveys are periodically distributed to all vendors. This is another opportunity to voice your concerns and offer suggestions that can help to improve the market operation in the coming years.

Your comments are valued and appreciated.

26. Enforcement and Disputes

The Market Coordinator has the authority to enforce Market guidelines and policies on behalf of PARC. The CRD Bylaw Enforcement Officer has the authority to enforce CRD Bylaws.

The Market Coordinator may enforce Market policies and guidelines with respect to vendor behavior, parking during Market hours, types of goods being sold in the Market, litter control and all other written policies and guidelines on the basis of:

1st Offence - verbal warning

2nd Offence - written warning

3rd offence - market privileges cancelled

If the Vendor does not comply with the guidelines established by PARC, the Market Coordinator may take any reasonable action, including immediately barring the vendor from the Market for that day and any future days.

The vendor may appeal any decision of the Market Coordinator, concerning violation of these rules, in writing to the PARC staff. PARC staff may send appeals to the Market Advisory Group for a recommendation.

The decision of staff shall be final.

Appendix A - Complaint/Suggestion Form

PARC would like to deal with your concerns in a fair and equitable manner. Therefore, all complaints or suggestion must be in writing and signed. As the Market Advisory Group is a volunteer group your complaint will be dealt with in due course. Your completed form may be handed in to the Market Coordinator, mailed to the PARC Office at 145 Vesuvius Bay Road, Salt Spring Island BC, V8K 1K3, or emailed to ssiparc@crd.bc.ca.

Your Concern:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Signed: _____ Date: _____

Appendix B – Vendor Dispute Resolution Policy

1.0 Purpose

- 1.1 The purpose of this Policy is to ensure that there is a procedure for resolving differences that may arise between Vendors at the Market in the Park (the "**Market**") or to deal with a contravention by Vendors of Market Rules and Policies.

2.0 Dispute Resolution Process

- 2.1 If the Market Advisory Group becomes aware of a breach of Market Rules and Policies or receives a complaint which it considers to be serious regarding the conduct of a Market Vendor, then it shall invite the Market Vendor to a meeting to attempt to resolve the issue. If possible a complainant or a representative of a complainant should be given an opportunity to attend the meeting.
- 2.2 Following the meeting, the Market Advisory Group should confirm in writing any agreements or solutions which have been accepted by the Vendor or, if applicable, the complainant. If no agreement is reached during the course of the initial meeting and if no further meetings are thought useful to attempt to reach an agreement, then the Market Advisory Group should advise the Vendor that it will be making recommendations to the Salt Spring Island Parks and Recreation Commission (the "**Commission**") regarding the action to be taken to resolve the situation.
- 2.3 A letter should be sent from the Market Advisory Group to the Vendor advising the Vendor what action the Market Advisory Group will recommend be taken by the Commission if the issue is not resolved by a date established by the Market Advisory Group.
- 2.4 If the problem has not been resolved by the date set out in the letter from the Market Advisory Group, then the Market Advisory Group should recommend to the Commission that a letter be sent from the Commission, directed to the Vendor, setting out what steps are needed in order to ensure compliance with the policies established by the Commission for the running of the Market.

2.5 The Commission should meet to consider the issue. The Vendor should be notified of the date, time and location of the meeting and should be permitted to make representations to the Commission. After consideration of the issue, the Commission, if it so chooses, may send a letter to the Vendor setting out the specific actions to be taken or the specific conduct to be stopped by a particular date (or immediately) and warning the Vendor that if action is not taken in the time limit specified:

- (a) the Vendor risks having its Market permit revoked (Option A); or
- (b) the permit will be considered to have been revoked (Option B).

2.6 Finally, if the deadline established by the Commission for remedial action passes without any resolution to the conflict, then if Option A has been selected, the Commission should decide whether it wishes to revoke the Vendor's Market permit, or if the Commission has selected Option B, the Market Advisory Group may advise the Vendor that the licence has been revoked. (Revocation is a decision of the Commission itself. The Market Advisory Group can merely advise Vendors.)

3.0 Confidentiality of Complaints

3.1 Complainants will be asked whether there is any reason to keep their identity confidential. Reasons to preserve the confidentiality of the identity of the Complainant should relate to reasonable expectation that the Complainant will be subjected to an unduly aggressive or hostile reaction or a violent response from the Vendor about whom the complaints have been made.

Appendix C – Market Coordinator's Duties and Responsibilities

On-site coordination of activities is required during all hours the Market is in operation, as well as off-site administration activities provided before and after Market hours, by the Market Coordinator Contractor. The following duties and responsibilities are required. The Contractor will:

- review all new vendor applications, ensure they qualify under the "Make it, Bake it, Grow it" guidelines and refer applications to PARC staff if necessary
- annually coordinate the assignment of seasonal vendor spaces within the designated Market area to account for the seniority of Farmer and Craft Vendors
- coordinate the placement and relocation of vendors within the designated Market area on a weekly basis to account for Seasonal Vendor absences and Day Vendor replacements
- collect day vendor fees, based on the fee schedule established by PARC; issue receipts; and, deposit all funds at the PARC office, together with copies of receipts, on a weekly basis
- provide a written weekly report, including a summary of fees collected and attendance figures for each vendor category, as well as a synopsis of the day's events during the official market season
- maintain a seniority list of Vendors; and assign any permanently vacated Seasonal Vendor locations based on the seniority lists
- ensure that all food vendors abide by Vancouver Island Health Authority (VIHA) regulations and have VIHA approval prior to vending
- regulate Children Vendors and Non-profit Organizations in the Market area
- monitor the three busking areas to ensure buskers are following the market guidelines. (There is no requirement for the market coordinator to collect busker fees or ensure that they have paid fees)
- ensure that Market signs are in place and supervised each Market day, and returned to storage at the end of the day
- provide direction and monitor the loading and unloading of vendors
- notify PARC staff about vendors who are deemed not to be adhering to the market by-laws, policies and regulations
- respond promptly to telephone/fax/mail/email inquiries regarding the Market philosophy, guidelines, rules and operations
- liaise with PARC representatives, PARC staff, the business community and VIHA representatives as required
- assist PARC staff to prepare Market Advisory Group (MAG) meeting agendas, attend MAG meetings, provide reports on activities and other matters as requested and follow up on assigned tasks
- hand out notices to vendors as and when required by PARC
- ensure copies of all records and correspondence are filed at the PARC administration office as requested
- monitor off season vending during the months of November and December to ensure that vendors are registered

Appendix D – Capital Regional District Bylaw No. 3795

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3795

CAPITAL REGIONAL DISTRICT

COMMUNITY PARKS REGULATIONS

(JUAN DE FUCA AND SALT SPRING ISLAND ELECTORAL AREAS)

BYLAW NO. 1, 2012

*A bylaw to regulate the use of Juan de Fuca and Salt Spring Island electoral areas
community parks and trails.*

TABLE OF CONTENTS

	Page
1. Definitions	3
2. Administration of Bylaw and Enforcement Powers	6
3. Penalties	7
4. Public Conduct	8
5. Responsibility for Actions of Minors	9
6. Camping	10
7. Preservation of Natural Features, Wildlife and Park Features	10
8. Animals in Community Parks	12
9. Firearms and Hunting	13
10. Motor Vehicles	13
11. Commercial Services, Activities or Demonstrations	14
12. Playgrounds and Courts	15
13. Salt Spring Island Farmers' Market	15
14. Park Use Permits	18
15. Fees	20
16. Severability	20
17. Repeal	20
18. Citation	20

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3795

**A BYLAW TO REGULATE THE USE OF JUAN DE FUCA AND SALT SPRING
ISLAND ELECTORAL AREAS COMMUNITY PARKS AND TRAILS**

WHEREAS:

A. By supplementary Letters Patent dated the 28th day of August 1975, as amended, the power to acquire, develop, operate and maintain community parks within the electoral areas was conferred on the Capital Regional District;

B. By Supplementary Letters Patent dated the 3rd day of October 1975, as amended, the power to undertake community recreational programming within the electoral area was conferred on the Capital Regional District;

C. By Salt Spring Island Parks and Recreation Facilities Local Service Establishment Bylaw No. 1, 1996, the CRD converted the service of recreational programmes, equipment and facilities to a service established by bylaw in the Salt Spring Island Parks and Recreation Facilities Local Service Area for the provision of parks and operation of recreational programmes, equipment, facilities and acquisition of land.

D. The Electoral Areas of Salt Spring Island and Juan de Fuca each have a community parks and recreation commission;

E. The Capital Regional District wishes to adopt a Bylaw to regulate the use of community parks and trails within the Electoral Areas of Salt Spring Island and Juan de Fuca.

NOW THEREFORE, the Board of the Capital Regional District in open meeting assembled, enacts as follows:

1. DEFINITIONS

In this Bylaw, unless the context requires otherwise, the following definitions apply:

"animal" means a mammal, reptile, amphibian, bird, fish or insect;

"authorization" means a written authorization for use of a community park;

"barbecue and camp stoves" means a portable apparatus with non-combustible legs and covered screen that utilizes gasoline, propane or briquettes for the purpose of providing heat for cooking;

"Board" means the Board of Directors of the Capital Regional District;

"business" means any trade, industry, employment, occupation, activity or special event carried on in a park for profit, gain, fund raising or commercial promotion, and includes an undertaking carried on in a park by a charitable organization, or by an organization or individual on a non-profit basis;

"Caretaker" means a person having an agreement or contract with the CRD to provide on-site services in respect of one or more community parks;

"Commission" means the Parks and Recreation Commission as appointed by the Board of the CRD for community park function purposes in an electoral area;

"contaminants" means any explosives, radioactive materials, asbestos materials, urea formaldehyde, chlorobiphenyls, hydrocarbon contaminants, underground tanks, pollutants, contaminants, hazards, corrosive or toxic substances, special waste or waste of any kind or any other substance the storage, manufacture, disposal, treatment, generation, use, transport, remediation or release into the environment of which is prohibited, controlled, regulated or licensed under environmental laws;

"CRD" means the Capital Regional District;

"community park" means the parks and trails listed in Schedule "A" and any other lands dedicated as park by bylaw or by a subdivision, reference or other plan, land owned or acquired in fee simple, held under a lease or an interest in land held by the CRD by way of an easement, statutory right of way or licence and managed as a community park;

"Community Parks Manager" means a manager delegated by the CRD to manage community parks;

"cycle" means a device having any number of wheels that is propelled by human power and on which a person may ride and includes a motor assisted cycle, but does not include a skate board, roller skates or in-line roller skates;

"dangerous dog" means any dog that:

(a) has killed or injured a person; or

(b) has killed or injured a domestic animal, while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog; or

(c) a park officer reasonably believes is likely to kill or seriously injure a person,

but does not include a dog performing law enforcement work.

"domestic animal" means any animal kept as livestock or pet;

"electoral area" means those areas of the CRD within the Electoral Areas of Juan de Fuca and Salt Spring Island;

"environmentally sensitive area" means an area or a park that, because of it sensitive, rare or endangered native flora or fauna, slope or soil conditions is not able to reasonably sustain overnight camping use by homeless persons without damage to the environment;

"firearm" means any gun using, as a propellant, compressed air, explosives or gas;

"footpath" means a way, thoroughfare, street, road, or sidewalk within a park that is set apart and improved by grading, gravelling, or other means for the use of pedestrians;

"General Manager" means the Capital Regional District's General Manager for Parks and Community Services;

"homeless person" means a person who has neither a fixed address nor a predictable safe residence to return to on a daily basis;

"licence" means a written licence of use of a community park;

"liquor" means:

(a) fermented, spirituous and malt liquors; or

(b) combinations of liquors; or

(c) drinks and drinkable liquids that are intoxicating,

and includes beer, or a substance that, by being dissolved or diluted is capable of being made a drinkable liquid that is intoxicating and that is declared to be liquor under the *Liquor Licensing and Control Act* (British Columbia);

"motor assisted cycle" means a motor assisted cycle that meets the requirements of the Motor Assisted Cycle Regulation, B.C. Reg. 151/2002 made pursuant to the *Motor Vehicle Act* (British Columbia);

"motor vehicle" means a vehicle, not run on rails, that is designed to be self-propelled but does not include a motor assisted cycle;

"natural park feature" means a tree, shrub, herb, flower, grass, turf, or other plant or fungus and all soil, sand, silt, gravel, rock, mineral, wood, fallen timber, or other park resource in a regional park;

"park officer" means an employee of the CRD Electoral Area Parks and Recreation Department or a person under contract to provide bylaw services with the CRD;

"park use permit" means a park use permit issued under this Bylaw;

"peace officer" means a peace officer defined from time to time in the Criminal Code of Canada;

"permit fee" means the applicable special event or activity fee to carry out a special use event or activity, as permitted by a park use permit and prescribed in Bylaw No. 3623, Capital Regional District Recreation Service and Facilities Fees and Charges;

"picnic area" means any area designated as a picnic area by the Community Parks Manager or General Manager or by sign;

"posted notice" means a written notice affixed to a notice board or sign post by the CRD in a community park or set out in a brochure, map or CRD website relating to one or more community parks;

"special use" means any activity in a community park defined as a Special Event or Activity in Bylaw No. 3623 cited as, "Capital Regional District Recreation Services and Facilities Fees and Charges Bylaw No. 1, 2009";

"waste" means garbage, trash, refuse, cans, bottles, papers, ashes, cuttings, or other waste of any kind that is not generated by an individual in connection with reasonable park use;

"wildlife" means raptors, threatened species, endangered species, game or other species of vertebrates prescribed as wildlife under the *Wildlife Act*.

2. ADMINISTRATION OF BYLAW AND ENFORCEMENT POWERS

(1) The General Manager is delegated authority to appoint park officers.

- (2) Peace officers and park officers are exempt from all provisions of this Bylaw when performing their duties.
- (3) When a park officer or peace officer finds, on reasonable grounds, that a person in a community park is contravening this Bylaw, a park use permit, or any other CRD enactment he or she may require that person to do one or more of the following:
 - (a) provide, immediately upon request, that person's correct name, address, and information about their destination, and proposed or actual activities in the community park;
 - (b) provide within a reasonable time identification verifying that person's correct name and address;
 - (c) if the person is or appears to be engaged in an activity that requires a licence, authorization or park use permit, produce a copy of the applicable current valid licence, authorization, or park use permit for the activity;
 - (d) stop contravening the Bylaw, the licence, authorization, park use permit, or other enactment immediately;
 - (e) leave the community park immediately; and/or
 - (f) not re-enter the community park for a period up to 72 hours.
- (4) Anyone who fails to comply with a requirement of a park officer or peace officer under this Bylaw commits an offence under the *Offence Act*.
- (5) A park officer or peace officer may, at any time, enter any area or facility in a community park to determine whether a person is in contravention of this Bylaw or a park use permit.
- (6) Except where a park use permit, licence, or other authorization allows such storage, a park officer or peace officer may remove or order the removal of all equipment or material from a community park and the cost of such removal may be charged to either the owner or person who placed the equipment or material within the community park.

3. PENALTIES

- (1) A person who contravenes any provision of this Bylaw commits an offence and is liable upon conviction to the penalties prescribed by the *Offence Act*, provided that the minimum penalty is not less than FIFTY (\$50.00) DOLLARS for the first

offence and for each subsequent offence to a minimum penalty of not less than ONE HUNDRED (\$100.00) DOLLARS.

- (2) The penalties imposed under subsection (3) hereof shall be in addition to and not in substitution for any other penalty or remedy imposed by the Bylaw.
- (3) A separate offence shall be deemed to be committed upon each day during and in which a contravention of this Bylaw occurs or continues.
- (4) A park officer or peace officer may, if he/she has reason to believe that an offence has been committed against this Bylaw, complete and leave with the alleged offender, or at the address of the alleged offender with someone who appears to be 16 years of age or greater, a ticket information pursuant to Bylaw No. 1857, Capital Regional District Ticket Information Authorization Bylaw, 1990 as may be amended or repealed and replaced from time to time indicating a penalty equal to the amount stipulated for such an offence.

4. PUBLIC CONDUCT

- (1) A person must not obstruct a park officer or peace officer who is performing his or her duties.
- (2) No person shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
- (3) Every person in a community park must obey all signs and posted notices in a community park.
- (4) A person must not possess or consume liquor in a community park without legally required permits, including a valid park use permit allowing that activity.
- (5) A person must not defecate or urinate in a community park, except in designated facilities.
- (6) A person must not enter into or remain in a community park when a community park is closed, according to hours posted at the entrance to a community park.
- (7) Subsection (6) does not apply to the following:
 - (a) a person who has a concession or lease granted by the CRD for a park purpose;
 - (b) a person who works under a CRD Stewardship or Management Agreement for a community park;

- (c) a person who works under a caretaker agreement or contract;
 - (d) a person who has a valid park use permit that allows entrance to the park;
 - (e) authorized CRD and emergency personnel; and
 - (f) a person or their house guests or contractors who must pass through the community park to reach their residence.
- (8) A person must not make or cause any noise or sound, including the playing of portable music devices such as, but not limited to: musical instruments, radios, tape players, compact disc players, MPS players, i-Pods or similar devices in a community park that, in the opinion of a park officer or peace officer:
- (a) disturbs, or is likely to disturb the peace, enjoyment, or comfort of persons in the vicinity; or
 - (b) disturbs or disrupts or is likely to disturb or disrupt wildlife in the community park.
- (9) A person must not operate equipment, motor vehicles, or machinery in a community park that, in the opinion of a park officer or peace officer:
- (a) disturbs, or is likely to disturb the peace, enjoyment, or comfort of persons in the vicinity; or
 - (b) disturbs or disrupts or is likely to disturb or disrupt wildlife in the community park.
- (10) A person must not interfere with the passage of any person or motor vehicle lawfully using a road or trail in a community park unless a valid park use permit allows that interference.
- (11) A person must not act in a way that in the opinion of a park officer or peace officer, is disorderly, dangerous, or offensive, including but not limited to: excessive and loud use of offensive language, drunkenness, nudity, and violent behaviour.

5. RESPONSIBILITY FOR ACTION OF MINORS

- (1) A parent, guardian, or person in charge of a person 16 years of age or less must not permit them to do anything that this Bylaw or other applicable enactments prohibit.
- (2) If an offence is being committed by a person 16 years of age or less, the parent,

guardian or person in charge of the person 16 years of age or less must take any control measures the park officer considers necessary to prevent or stop the contravention of this Bylaw.

6. CAMPING

- (1) No person shall remain overnight or camp in a community park.
- (2) Subsection (1) does not apply to a homeless person, where the person erects a temporary shelter in the community park only between the hours of 11:00 p.m. and 7:00 a.m. and removes the temporary shelter from the park between 7:00 a.m. and 11:00 p.m.
- (3) Despite subsection (2), a homeless person must not erect a temporary shelter in a playground, sports field, foot path, a road within a park, environmentally sensitive area, or any area within a park that has been designated for an event or activity under a valid and subsisting permit issued under the authority of this Bylaw.
- (4) Nothing in this section will permit any person to violate any other section of this Bylaw at any time.

7. PRESERVATION OF NATURAL FEATURES, WILDLIFE. AND PARK FEATURES

- (1) Unless they have the CRD's written authorization or a valid park use permit allowing the activity, persons must not do any of the following in a community park:
 - (a) cut, trim, dig up, excavate, deface, remove, damage, or in any way injure any natural park feature;
 - (b) build or otherwise create or alter any trails;
 - (c) remove, damage, or deface any building, structure, fence, bench, sign, posted notice, road, trail, facility, equipment, material, or thing that belongs to the CRD;
 - (d) build, place or install any permanent or temporary structures or facilities;
 - (e) climb, walk or sit upon any wall, fence, gate, sign, ornament or similar structure, or cross, travel or use any grass plot or land in any park where signs have been posted forbidding any such use;
 - (f) bring in and leave any dead or living plant material, any dead or living

- animal or release any animal;
- (g) molest, disturb, frighten, injure, kill, catch, or trap any wildlife except for fishing done in accordance with all enactments;
 - (h) feed any wildlife or deposit any substance that wildlife may eat except as permitted in section 7(3) or;
 - (i) introduce any contaminant into any part of a community park including, without limitation, any body of water, water system, or watercourse.
- (2) Subsection (1)(f) does not apply to a domestic animal brought into a community park where section 8 is complied with.
- (3) A person must not deposit any on-site refuse anywhere in a community park except in waste receptacles provide by the CRD.
- (4) A person must not:
- (a) dispose of any domestic, commercial, or industrial waste in a community park;
 - (b) deposit any material into waste receptacles provided by the CRD for onsite refuse other than waste reasonably generated by that person during his or her time in the community park.
- (5) A person must not light or keep lit any fire, stove, barbecue or other flame producing cooking device in a community park except:
- (a) in facilities that the CRD provides for fires or flame-producing cooking devices;
 - (b) in areas designated by signs or a posted notice; and/or
 - (c) if permitted by a valid park use permit.
- (6) A person must not leave unattended a fire, camp stove, barbecue or other flame producing cooking device of any kind while it is lit or turned on.
- (7) A person must not deposit on the ground in a community park any lighted match, cigar, cigarette, or other burning substance except as permitted in section 7(6).
- (8) A person must not smoke in community park areas, facilities or trails contrary to a sign or posted notice that prohibits smoking.

- (9) A person must not cut down, prune or remove any tree or any part of a tree in a community park without the written authorization of the CRD and then only in strict accordance with that authorization.
- (10) A person must not ride a cycle in a community park or on a trail if prohibited by a sign or posted notice.

8. ANIMALS IN COMMUNITY PARKS

- (1) A person with care and control of a domestic animal in a community park must:
 - (a) have the animal under control at all times;
 - (b) carry at least one leash not exceeding two meters, and one collar for each dog at all times; and
 - (c) leash dogs immediately when approaching horses.
- (2) A person with care and control of a domestic animal in a community park must not allow it to:
 - (a) damage any park property or vegetation;
 - (b) enter any area where that animal is prohibited, as indicated by a sign or posted notice;
 - (c) injure, disturb, or molest any person, domestic animal, or wildlife;
 - (d) be left or abandoned; or
 - (e) graze or roam at large.
- (3) A person with care and control of a dangerous dog must not permit the dangerous dog to enter a community park.
- (4) A person with care and control of a dog in a community park must immediately remove any faeces deposited by that dog.
- (5) Subsection (4) does not apply to a person who is legally visually impaired.
- (6) A park officer or peace officer may require the person with care and control of a domestic animal in a community park to remove it from that community park if, in the opinion of a park officer or peace officer, the domestic animal is:
 - (a) potentially dangerous;
 - (b) disruptive to other park users; or
 - (c) by its actions, demeanour or lack of control by the owner, causing alarm or concern to other park users, including without limitation, children under the age of twelve, elderly or disabled persons.

- (7) A park officer or peace officer may restrain and detain any lost animal located in a community park and bring that animal to a shelter, pound or other appropriate facility.

9. FIREARMS

- (1) A person must not possess or discharge any firearm in a community park.
- (2) A person must not possess or discharge any fireworks in a community park.
- (3) A person must not possess or discharge a slingshot in a community park.
- (4) A person must not possess or discharge a bow or crossbow in a community park.

10. MOTOR VEHICLES

- (1) A person must not operate, or permit to be operated, a motor vehicle in a community park except on a public highway or designated parking lot.
- (2) A person must not operate a motor vehicle in a community park unless that person and the motor vehicle are validly licensed and registered and conform to all applicable enactments.
- (3) A person must not park a motor vehicle in a community park except:
 - (a) in areas designated for parking;
 - (b) at times during which parking is permitted;
 - (c) for purposes associated with visiting the community park in which the motor vehicle is parked; and
 - (d) while the person is within the community park in which the motor vehicle is parked.
- (4) A motor vehicle:
 - (a) parked in areas prohibited by a sign or posted notice; or
 - (b) left unattended after the closing hours of the community park, may be towed away at the expense of the owner.

- (5) A person must not park a motor vehicle in an area, lot, or stall in a community park designated as handicapped parking, or service or emergency vehicle parking, except in accordance with a valid park use permit or a valid handicapped parking permit, or unless the vehicle being parked is a CRD vehicle or an emergency vehicle.
- (6) Without limiting the generality of any other provision of this Bylaw, a park officer or peace officer may ticket or order the towing away of any motor vehicles in violation of this Bylaw.
- (7) For public safety or convenience or to accommodate a special use or for purposes related to environmental protection or remediation, the CRD may close any park road, trail, or other area in a community park to public use.

11. COMMERCIAL SERVICES ACTIVITIES OR DEMONSTRATIONS

- (1) Unless he or she has the written authorization of the Community Parks Manager or General Manager or a valid park use permit allowing the activity, a person must not:
 - (a) sell, barter, donate, trade, busk or display for sale any goods, services, or materials, including food and refreshments in a community park;
 - (b) conduct any business or commercial activity, whether paid for in advance of, during, or after the activity;
 - (c) encourage any person to use a community park for any activity related to a business or commercial enterprise, whether or not the business or commercial aspect of the activity is carried out within the community park;
 - (d) install, post, deliver, paint, publish, broadcast or distribute any notice, advertisement, sign, placard, or handbill of any kind in a community park.
- (2) Subsection (1)(d) does not apply to:
 - (a) reasonable expressions of opinions on political, social or other matters provided that the notices, signs, placards or handbills:
 - (i) do not exceed 1 square meter in size and are removed prior to sunset;
 - (ii) are not displayed in the park on more than two days in each month; and
 - (iii) are not repetitions of the content of opinions expressed by the same person with the previous month.

12. PLAYGROUNDS AND COURTS

- (1) A person shall not play at any games on any tennis court in any park unless in accordance with any sign, instructions and rules that may be posted or prescribed by the CRD from time to time;
- (2) A person shall not damage or destroy any property, court, green, grounds or lawn in any park, or in any way interfere with or obstruct the free use thereof by those lawfully entitled to the use of same.

13. SALT SPRING ISLAND FARMERS' MARKET

- (1) In this section:

"application form" means the application form required to be submitted annually by each Vendor wishing to renew a Seasonal Vendor Permit;

"Commission" means the Salt Spring Island Electoral Area Parks and Recreation Commission as appointed by the Board of the CRD for community park function purposes;

"day permit" means the receipt, issued by the Market Coordinator on behalf of the CRD, which allows a Vendor to set up and use a vendor staff for one market day;

"Farmers' Market" means the Salt Spring Island Farmers' Market conducted weekly on Saturdays from the earlier of the Saturday of Easter weekend or the first Saturday in April to the last Saturday in October, annually, in and adjacent to Centennial Park in Ganges, Salt Spring Island, known as "Market in the Park";

"local producer" means a person ordinarily a resident within the Electoral Area of Salt Spring Island who produces, prepares, makes, assembles or creates a product. This is generally referred to as the "Make It, Bake It, or Grow It" policy;

"market coordinator" means the person who provides on-site coordination services to regulate market day activities, including the issuing of permits, provides information and administers this Bylaw;

"offseason permit" means a permit issued by the CRD to those vendors who have participated in the current years' regular market season (April to October) and who apply to extend their operation in the "off season" (November to March) at the Market location;

"seasonal vendor permit" means a permit issued by the CRD allowing a vendor to set up and use a vendor stall on a weekly basis at the Market for the market season;

"vendor fees" means the schedule of fees set out in Bylaw No. 3623;

- (2) Despite anything to the contrary in this Bylaw, the Farmers' Market may operate in the park known as Centennial Park located in Ganges, Salt Spring Island. The operating name of this market is "Market in the Park".
- (3) The Farmers' Market shall be administered and operated by the CRD.
- (4) The operation of the Farmers' Market shall be subject to the following restrictions:
 - (a) the CRD shall operate the market as a local producer based market. Permits are to be offered on an islands first policy, primarily to local producers;
 - (b) the hours of the market shall be from 7 a.m. to 4 p.m. on Saturdays from the earlier of the Saturday of Easter weekend or the first Saturday in April of any calendar year, or if favourable weather conditions exist an earlier date as approved by the Commission, until the last Saturday of October of any calendar year inclusive;
 - (c) at the conclusion of the market each Saturday, every vendor who has participated in the market on that Saturday shall clean up that part of the park occupied by the vendor or within a radius of 10 feet of the vendor's location and shall remove all litter and refuse from within that area.
- (5) The goods offered for sale at the Farmers' Market shall be products grown, made or prepared by the vendor or made of components transformed or significantly altered by the vendor including:
 - (a) farm produce and products including fruits, vegetables, herbs, and edible flowers;
 - (b) prepared foods and baked goods where the foods are approved by all appropriate government authorities, including The Vancouver Island Health Authority;
 - (c) cultivated plants and flowers, including cut flowers;

- (d) craft items that are of original, unique work or original design. In all items:
 - (i) the handcraft component must dominate the commercial, nonhandcraft component;
 - (ii) the commercial components must be transformed in a way that makes the work unique;
 - (iii) the starting material must be significantly altered and enhanced by the artisan, and;
 - (iv) the product must meet basic expectations and minimum provincial and federal standards with regard to product life, function and safety.
- (e) clothing which has been hand or machine sewn, stitched, knit, embroidered, woven, silk screened, or painted;
- (f) original works of art, or prints, photographs, replicas or audio or video tapes of original works of art where the prints, photos, replicas or tapes are made by or at the direction or under the supervision of the artist.
- (6) Nothing in the section shall be interpreted as preventing the CRD from using a designation other than "Farmers' Market" for the market established under subsection 13(2).
- (7) Use by vendors of Easement Areas A and B under the Easement Agreement between the Salt Spring Island Regional District and Bay Ventures Ltd., dated December 18, 1986 shall be primarily by vendors under subsections 13(5)(a) and 13(5)(c), which shall be reflected in the issuance of permits to vendors for those areas.
- (8) The Commission shall establish an advisory group to be called the "Market Advisory Group" the purpose of which will be to make recommendations to the Commission on all policy matters relating to the Farmers' Market.
- (9) Vendor Permit Application:
 - (a) A person who wishes to become a vendor at the Market must apply for and obtain a permit.
 - (b) A seasonal vendor permit may be issued to a person who submits an application form and:
 - (i) held a Seasonal Permit the previous year; or
 - (ii) has previously applied for and received Day Permits, has reached the top of the Season Vendor waiting list and vacancies exist due to previous Seasonal Permit holders not wishing to return to the Market

- (10) Vendor Fees and charges set out in Bylaw No. 3623 are hereby imposed in relation to the use of Centennial Park by a vendor under this section.

14. PARK USE PERMITS

- (1) A person must not carry out, hold or participate in a special use or do anything that requires a park use permit under this Bylaw unless:
- (a) a park use permit has been issued for the special use; and
 - (b) the permit holder carries the park use permit during the event for which the permit has been issued and produces the permit for inspection upon request by a park officer or peace officer.
- (2) The CRD may issue a park use permit for a special use that requires a park use permit under this Bylaw.
- (3) The person obtaining the park use permit must pay a fee established under Bylaw No. 3623.
- (4) The CRD may amend, suspend, or revoke any park use permit:
- (a) for any violation of the terms and conditions of the park use permit;
 - (b) where the applicant for the permit made a material misrepresentation regarding the special use; or
 - (c) where the park use permit holder or a person participating in the special use contravenes a provision of this Bylaw, as determined by the CRD or a park officer or peace officer, acting reasonably.
- (5) The CRD is not obligated to issue any park use permit and, without in any way limiting the generality of the foregoing, may refuse to issue a park use permit to any person who has, in the opinion of the Community Parks Manager or General Manager, acting reasonably, contravened any previous park use permit or contravened this Bylaw or any other bylaw or enactment related to the use of a community park.
- (6) The holder of a park use permit is solely responsible for the conduct of the special use event, activity, or thing the park use permit authorizes.

- (7) Neither the CRD nor any of its elected or appointed officers, employees, servants, agents, contractors, licensees or representatives accepts or assumes any responsibility or liability for any claims, demands, proceedings, actions, suits, costs, expenses, fines, losses or damages in respect to death, injury, loss or damage to persons or property, however caused, arising out of or in connection with the issuance of a park use permit or a special use event, activity or thing for which a park use permit has been issued.
- (8) In the issuance of a park use permit, the CRD may impose one or more of the following conditions:
- (a) requiring that the permit holder provide security in an amount and form acceptable to the Community Parks Manager or General Manager to cover estimated clean-up costs following the event, activity or thing;
 - (b) requiring public liability insurance in an amount and form acceptable to CRD Risk Management;
 - (c) limiting the event, activity or thing to one or more specified community parks;
 - (d) limiting the event, activity or thing to one or more specified areas, locations or facilities within a community park;
 - (e) limiting the duration of the permit;
 - (f) limiting the number of participants (including staff and volunteers);
 - (g) requiring that the holder of the permit provide traffic control for the event, activity or thing;
 - (h) requiring that the permit holder remove all waste following the event, activity or thing;
 - (i) requiring the permit holder to provide specific facilities as services, including, without limitation, portable toilets, additional garbage cans and recycling bins or receptacles;
 - (j) limiting the type or nature of merchandise, items or services that may be made available for sale or consumption during the event, activity or thing;
 - (k) providing a copy of a research report prepared by the permit holder;

(l) requiring specific signage; and

(m) requiring that the permit holder comply with Vancouver Island Health Authority guidelines regarding food concessions.

(9) A person must not breach a condition of a park use permit.

15. FEES

(1) The Regional Board may from time to time establish fees and charges for services or issuing a park use permit.

16. SEVERABILITY

(1) If a section, subsection, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw.

17. REPEAL

(1) Bylaw No. 2408, "Community Parks Regulations (Sooke Electoral Area) Bylaw No. 1, 1996", and any amendments thereto is hereby repealed.

(2) Bylaw No. 2930, "Community Parks Regulation (Salt Spring Island) Bylaw No. 1, 2001", and any amendments thereto, is hereby repealed.

18. CITATION

This Bylaw may be cited as "Community Parks Regulations (Juan de Fuca and Salt Spring Island Electoral Areas) Bylaw No.1, 2012".

READ A FIRST TIME THIS 14th day of March, 2012

READ A SECOND TIME THIS 14th day of March, 2012

READ A THIRD TIME THIS 14th day of March, 2012

ADOPTED THIS 11th day of April, 2012

SCHEDULE "A"

Capital Regional District Community Parks

List of Community Parks, Park Reserves, Trails and Corridors

Juan de Fuca Electoral Area

Aspen Road Community Park	Otter Point Access Community Park
Amanda Place Community Park	Park Heights Community Park
Brotherstone Community Park	Priest Cabin Community Park
Carpenter Road Community Park	Seagirt Ponds Community Park
Copper Mine Community Park	Sherringham Point Community Trail
Corby Community Park	The Park in Port Renfrew Community
DeMamiel Community Park	Park
Eaglecrest Community Park	The Shores Community Park
Elrose Community Park	William Simmons Memorial Community
Elrose II Community Park	Park
Fishboat Bay Community Park	Wigglesworth Community Park
Kaulitz Community Park	Becher Bay Community Park
Otter Point Community Park	

Salt Spring Island Electoral Area

Parkland

Artspring Community Arts Centre Site(Mouat Park)	Bullock Lake Trail Linear Park No. 1
Bader's Beach Ravine Park Reserve	Bullock Lake Trail Linear Park No. 2
Beddis Beach Park	Centennial Park
Blackburn Road Park Reserve	Churchill Trail Linear Park
Buhlman Road Park Reserve	Churchill Road Linear Park
	Cormorant Crescent Park Reserve

Parkland (Cont'd)

Cudmore Heights Park Reserve	Meyer Road Trail Linear Park
Cyril Cunningham Trust Fund Joint Management Lands (Nature Reserve)	Monteith Drive Park Reserve
Desiree Drive Park Reserve	Mouat Park
Drummond Park	Mount Erskine Drive Linear Park Reserve
Duck Creek Park	Mount Erskine Upper Access Park Reserve
Dunbabin Park	Musgrave Point Park
Eagle Ridge Drive Park Reserve Lands (Madrona Bay)	Peace Park
Fern Creek Park Reserve	Peck's Cove Park
Forest Ridge Park Reserve	Peter Arnell Park
Fulford Ballpark	Portlock Park
Fulford Tennis Court	Quarry Drive Park Reserve
Gladys Pringle Farm Trail Linear Park	Rainbow Grove Phase I Park Reserve
Harrison Avenue Park Reserve Lands	Rainbow Grove Phase II Park Reserve
Highbridge Village Park (Channel Ridge)	Rainbow Road Recreation Centre
Isabella Point Road Park Reserve	Reginald Hill Park Reserve
Kanaka Road Reserve #1	Rotary Park
Kanaka Road Reserve #2	Sir Echoes Linear Park Reserve
Kanaka Road Skateboard Park	South Ridge Drive Park Reserve
Lawnhill Drive Park Reserve	Spring Gold Way Park Reserve
Long Harbour Road Park Reserve	Stewart Road Linear Park Reserve
Lyoness Linear Park	Bryant Hill Park Reserve ("80 AcrePark") ("Stewart Road")
Madrona Bay Park	

Parkland (Cont'd)

SunEagle Linear Park

Teal Place Park Reserve (Trail Corridor)

Trincomali Heights Linear Park

Vesuvius Beach Parkland Public Access

Webster Drive Park Reserve

Welbury Bay Park

Wildwood Crescent Park Reserve

Wilkie Way Park Reserve

Trails and Corridors

Canvasback Trail Corridor

Channel Ridge Southbridge Village

Channel Ridge Undeveloped Lands

Sandpiper Place Corridor

West Eagle Trail

Bayside Trail Corridor

Creekside Commercial Complex
Boardwalk

Gasoline Alley Corridor Area 1 & Area 2

Grace Point Boardwalk

Grace Point Trail Corridor

Gulf of Georgia Boardwalk

Meadowbrook Trail Corridor

Murakami-Mouat Trail Corridor

Rainbow Road Recreation Centre

Village Terrace Corridor

Armand Way Corridor

Baker-Harrison Trail Corridor

Cranberry Road Corridor

Drake Road School Reserve Trail Corridor

Mount Belcher Heights Trail Corridor

Spence Hill Drive Corridor

Liberty Hall Lane

ASSESSMENT ACT

[RSBC 1996] CHAPTER 20 (Excerpt)

Classification of land as a farm

23 (0.1) In this section:

"owner's dwelling" means the dwelling referred to in subsection (3.1) (a) (iii);

"retire" means retire from being actively involved in the day-to-day activities on a farm;

"retired farmer" means an individual

(a) who, at all times during a prescribed period or periods of time,

(i) occupied, as the individual's principal residence, a dwelling that was owned by the individual or the individual's spouse and was located on land that was

(A) owned by the individual or the individual's spouse,

(B) used for the dwelling, and

(C) classified as a farm, and

(ii) was actively involved in the day-to-day activities on land that was

(A) owned by the individual or the individual's spouse,

(B) classified as a farm, and

(C) part of the parcel or adjacent to the parcel on which the dwelling was located, and

(b) who has retired.

(1) An owner of land who wants all or part of the land classified as a farm must apply to the assessor using the application form, and following the procedure, prescribed by the assessment authority.

(2) Subject to this Act, the assessor must classify as a farm any land, or any part of a parcel of land, that meets the standards prescribed under subsection (3).

(3) The Lieutenant Governor in Council must prescribe standards for classification of land as a farm.

(3.1) Despite this Act and any regulations made under this Act except a regulation made under subsection (3.2), the assessor must, on receipt of an application from an owner of land in respect of a taxation year, classify the land as a farm for the taxation year if the following requirements are met:

(a) when the application is made, the owner

(i) is

(A) a retired farmer,

(B) the spouse of a retired farmer, or

(C) a person who was the spouse of a retired farmer at the time of the retired farmer's death,

(ii) has reached the prescribed age, and

(iii) owns a dwelling on the land and occupies the dwelling as the owner's principal residence;

(b) if the owner is a person referred to in paragraph (a)

(i) (B) or (C), the owner meets the prescribed requirements, if any;

(c) when the application is made, the land is used for the owner's dwelling;

(d) when the retired farmer retired,

(i) the retired farmer or the retired farmer's spouse owned the owner's dwelling,

(ii) the owner occupied the owner's dwelling as the owner's principal residence,

(iii) the land was classified as a farm, and

- (iv) the retired farmer met the prescribed requirements, if any;
- (e) the land is in an agricultural land reserve on October 31 of the year preceding the taxation year in respect of which the application is made;
- (f) the owner's dwelling is located
 - (i) on a parcel of land that, under subsection (2), is classified in whole or in part as a farm for the taxation year in respect of which the application is made, or
 - (ii) on a parcel of land adjacent to a parcel of land
 - (A) that is owned by the owner or the owner's spouse, and
 - (B) that, under subsection (2), is classified in whole or in part as a farm for the taxation year in respect of which the application is made;
- (g) the application is
 - (i) in the form prescribed by the assessment authority, and
 - (ii) received by the assessor on or before October 31 of the year preceding the taxation year in respect of which the application is made;
- (h) the requirements, if any, prescribed by regulation.

(3.2) The Lieutenant Governor in Council may make regulations respecting classification of land as a farm under subsection (3.1), including, without limitation, for the purposes of subsections (0.1) and (3.1).

(3.3) In making regulations under subsection (3.2), the Lieutenant Governor in Council may make different regulations for different classes of persons, classes of land, classes of places or classes of things.

(4) Land classified as a farm must, while so classified, be valued at its actual value as a farm, without regard to its value for other purposes.

(5) The actual value of improvements on a farm must be determined under section 19.

(6) If land classified as a farm ceases to meet the standards for that classification merely because the farm is reduced in area as a result of a portion being expropriated for a public purpose, the land continues to be classified as a farm until it no longer meets the standards in some other respect.

(7) For the purposes of valuing a farm under subsection (4), the assessment authority must prescribe land value schedules for use by assessors in determining the actual value of the land as a farm without regard to its value for other purposes.

(8) In subsections (9) and (10), "**assessed value**" means assessed value before exemptions.

(9) If the assessed value determined under section 19 (13) for any year of land classified as a farm exceeds the assessed value for the preceding year by more than 10%, its assessed value for that year is the total of

(a) 110% of the assessed value for the preceding year,
and

(b) 25% of the difference between the assessed value determined under section 19 (13) for that year and 110% of the assessed value for the preceding year.

(10) If an obvious error or omission occurred in the preparation of the assessed value in the preceding year, the assessed value under subsection (9) must be determined as though the error or omission had not occurred.



Provincial Sales Tax (PST) Bulletin

Bulletin PST 101

Issued: March 2013
Revised: February 26, 2016

Farmers

Provincial Sales Tax Act

Latest Revision: The revision bar (|) identifies changes to the previous version of this bulletin dated February 2016. For a summary of the changes, see Latest Revision at the end of this document.

This bulletin explains how the PST applies to farmers.

Table of Contents

Qualifying Farmers	1
Exempt Farm Equipment and Other Goods.....	2
Claiming Exemptions	3
Refunds for Qualifying Farmers	4
Taxable Farm Equipment	4
Electricity, Heat, Natural Gas and Fuel Oil	5
Motor Fuel and Propane	6
Change in Use	6
Other Exemptions	7
Appendix 1 – Specifically Listed Exempt Farm Equipment and Other Goods	10
Appendix 2 – Examples of Taxable Items.....	19

Qualifying Farmers

You are a **qualifying farmer** if you are an owner or lessee of land classified as a farm under the *Assessment Act* of BC.

You may also be a qualifying farmer if you meet any of the following criteria:

- **Beekeepers, or Mushroom, Egg, Hog, Poultry, Rabbit or Fur Farmers**
 - You are an owner (as defined under the *Assessment Act*) or lessee of land who uses less than 0.8 hectares of that land for beekeeping, growing mushrooms, producing eggs, or for hog, poultry, rabbit or fur farming, and
 - You earned at least \$2,500 in gross income from those activities in the previous calendar year.

- **First Nations Farmers**

- You are a First Nations individual who uses First Nations land for a qualifying agricultural use (e.g. raising livestock), as defined under the *Assessment Act*, and
- You earned at least \$2,500 in gross income from the qualifying agricultural use of the land in the previous calendar year.

Please note: First Nations individuals are also exempt from PST on purchases of general goods (i.e. goods that are not specifically listed farm equipment) if the purchase takes place on First Nations land. For more information, see **Bulletin PST 314, *Exemptions for First Nations***.

- **Out-of-Province Farmers**

- You use land located outside of BC for a qualifying agricultural use, as defined under the *Assessment Act*, and
 - if the area of the land is less than 0.8 hectares, you earned at least \$10,000 in gross income from the qualifying agricultural use of the land in the previous calendar year,
 - if the area of the land is 0.8 hectares or more but not more than 4 hectares, you earned at least \$2,500 in gross income from the qualifying agricultural use of the land in the previous calendar year, or
 - if the area of the land is more than 4 hectares, you earned gross income from the qualifying agricultural use of the land in the previous calendar year of at least the total of \$2,500 plus 5% of the assessed value of the area of land in excess of 4 hectares, for the purpose of real property taxation, in the jurisdiction in which the land is located.
- Out-of-province farmers that meet the criteria outlined in the sections above—Beekeepers, or Mushroom, Egg, Hog, Poultry, Rabbit or Fur Farmers, or First Nations Farmers—are also qualifying farmers.

Aquaculturists

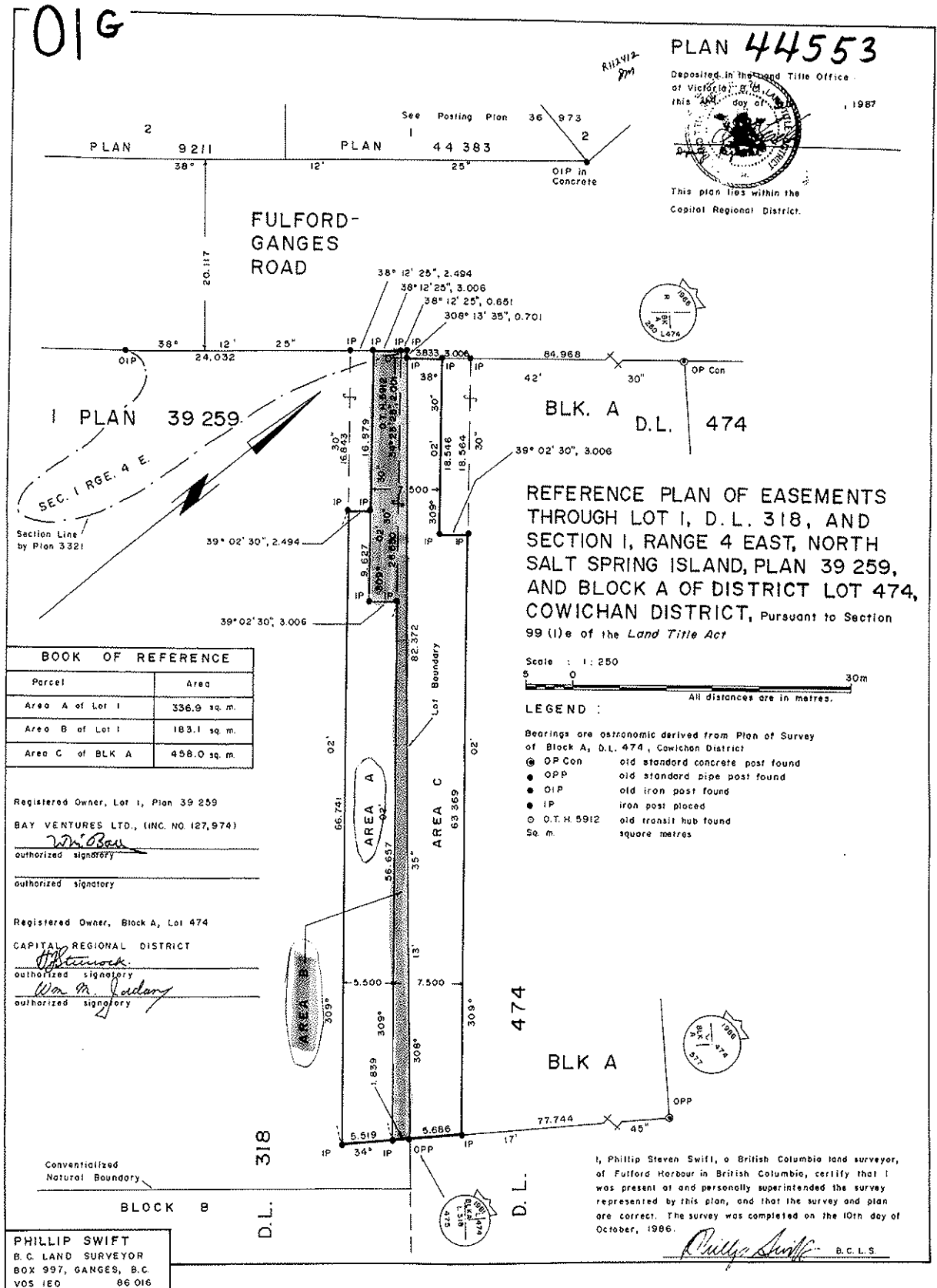
Qualifying aquaculturists are also qualifying farmers if they meet the criteria of a qualifying farmer as outlined above.

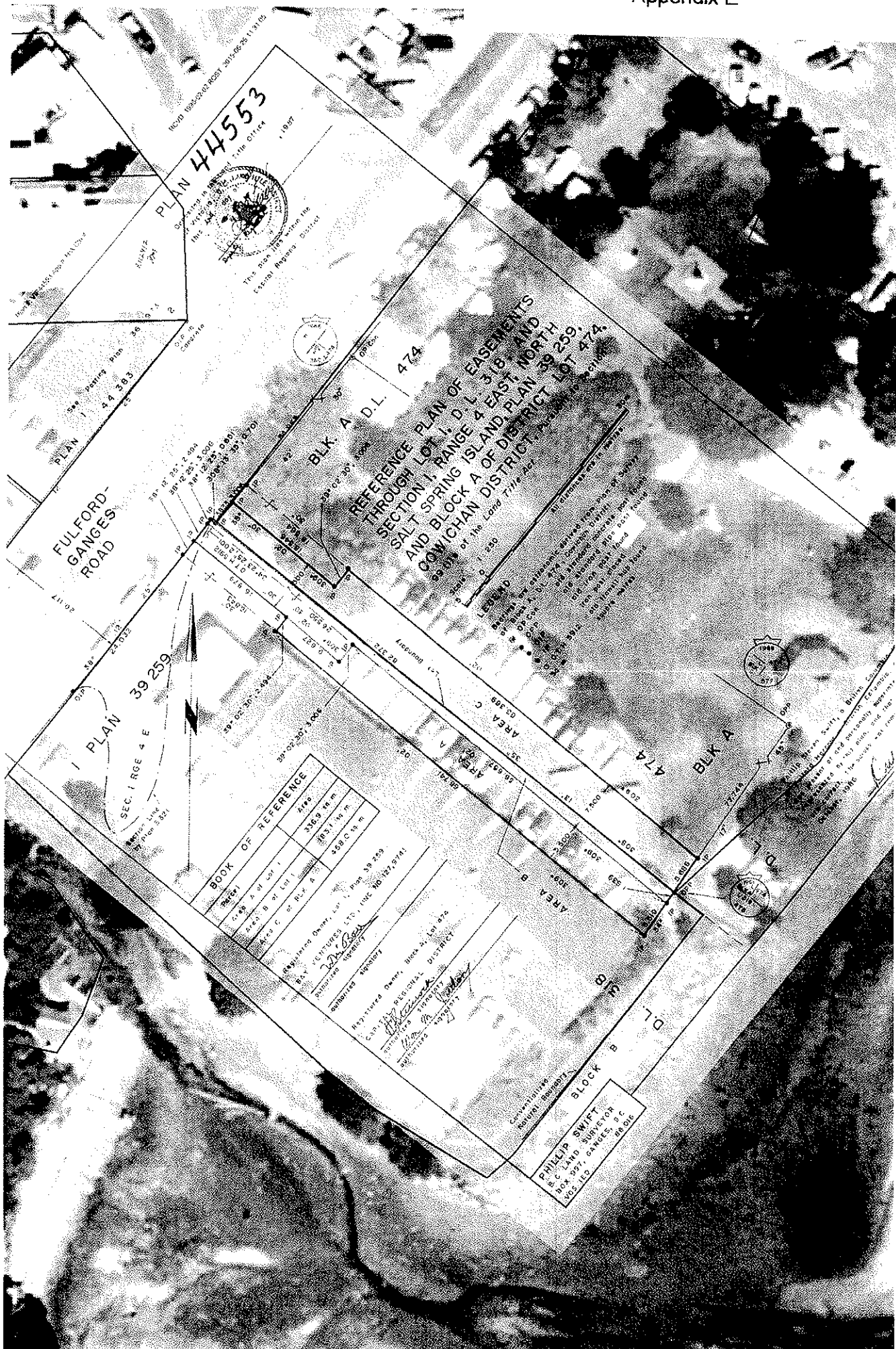
For information on who is a qualifying aquaculturist and exemptions that are available to qualifying aquaculturists, see **Bulletin PST 103, *Aquaculturists***.

Status: Filed

Plan #: VIP44553 App #: N/A Cuf #:

RCVD: 1998-02-02 RGST: 2015-06-25 11:31:05

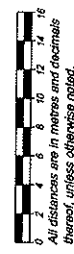




REFERENCE PLAN OF EASEMENT OVER PART OF BLOCK A OF DISTRICT LOT 474, COWICHAN DISTRICT.

Pursuant to Section 99(1)(e) of the Land Title Act.

BCGS MAP SHEET 92B.083



The intended plot size of this plan is 560mm in width by 432mm in height (C Size) when plotted at a scale of 1:250.

Grid bearings are derived from single frequency GNSS observations and are referenced to the central meridian of UTM Zone 10. To obtain astronomic bearings to the meridian through GNSS control point 10, subtract 0°22'51".

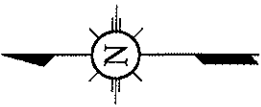
This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.999619. The average combined factor has been determined based on an ellipsoidal elevation of -10 metres.

The UTM coordinates and estimated network horizontal positional accuracy are derived from single frequency GNSS observations to Canadian Active Control point 'SC04'.

LEGEND

- denotes standard iron post found (Type 5)
- SC denotes active iron post placed (Type 5)
- ⑩ denotes GNSS control station
- ⑩ denotes GNSS control station number
- denotes iron
- r denotes radius
- m² denotes square metres
- UMP denotes unmarked measuring point
- NF denotes not found

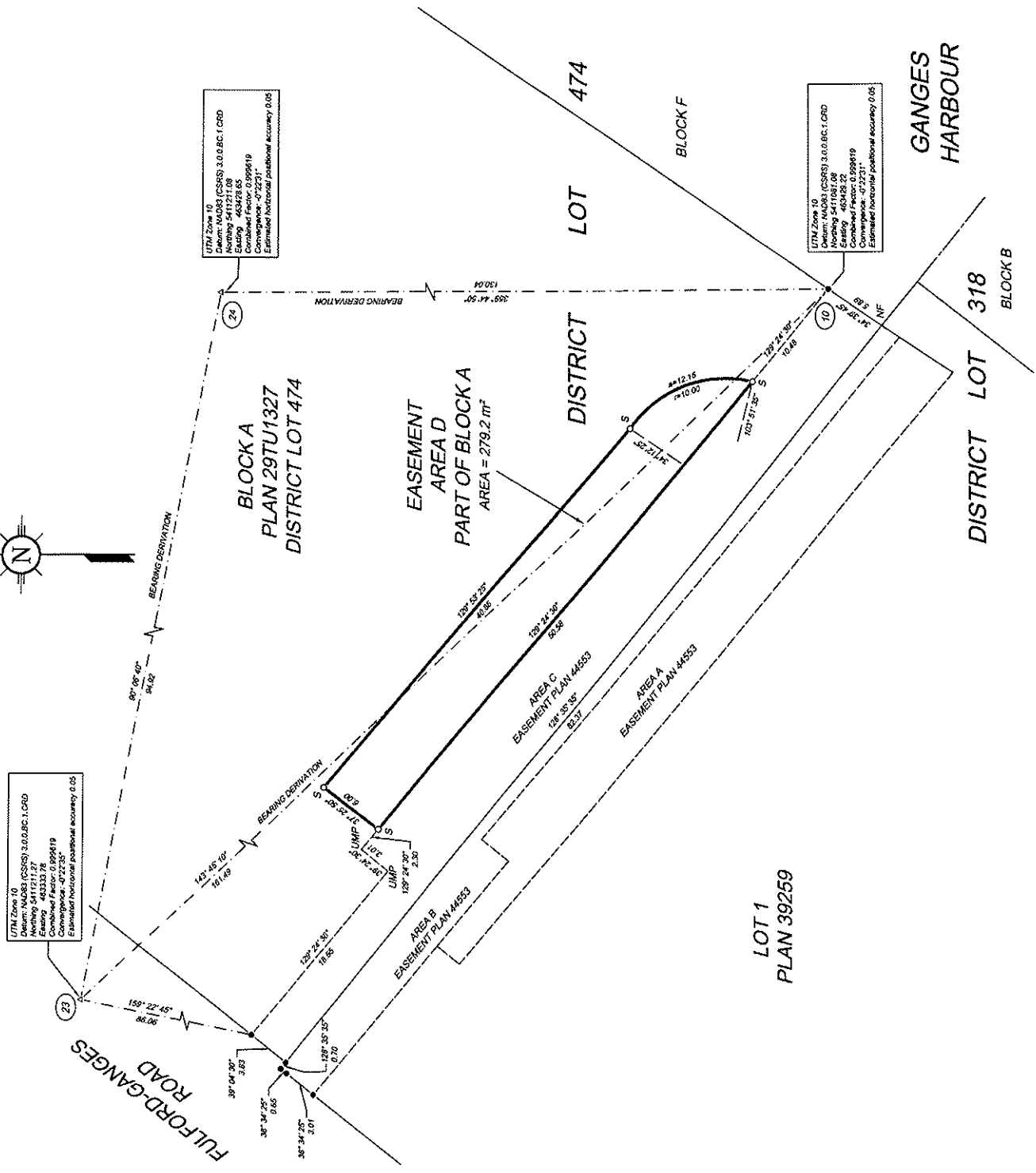
PLAN EPP53680



UTM Zone 10
Datum: NAD83 (CSRS) 3.0,0.8C,1.CSD
Northing: 5411211.27
Easting: 483333.78
Combined Factor: 0.999619
Convergence: -0°22'51"
Estimated horizontal positional accuracy: 0.05

UTM Zone 10
Datum: NAD83 (CSRS) 3.0,0.8C,1.CSD
Northing: 5411211.28
Easting: 483333.78
Combined Factor: 0.999619
Convergence: -0°22'51"
Estimated horizontal positional accuracy: 0.05

UTM Zone 10
Datum: NAD83 (CSRS) 3.0,0.8C,1.CSD
Northing: 5411211.28
Easting: 483333.78
Combined Factor: 0.999619
Convergence: -0°22'51"
Estimated horizontal positional accuracy: 0.05



Polaris Land Surveying Inc.
2411 Furlong-Croft Rd.,
Sail Spang Island, BC, V8K 2K7
File: 0556-GUEL-PL-S0001
Drawing: 0556-EA1.DWG
Date: 2015-07-14

This plan lies within the Capital Regional District.
The field survey represented by this plan was completed on the 15th day of July, 2015.
Brent Allen Taylor, BCLS 642



Making a difference...together

SALT SPRING ISLAND PARKS AND RECREATION COMMISSION
Meeting on **Wednesday, August 31, 2016 at 6:00 PM**

Agenda Item 7

Correspondence/Information Summary

Date	Communication	Subject	From	Item #
August 25, 2016	Email	Definition of Farmers	Derek Burgess	7.1
August 26, 2016	Email	50% attendance of Market Season	Cerika Voce	7.2
August 16, 2016	Email	Farmer priority; definition enforcement	Wendy Squirrel	7.3
August 17, 2016	Email	Ban Plastic Food Containers	Mariah MacDonald	7.4
August 25, 2016	Email	Farmer priority; absent points	Tamar Griggs	7.5
August 16, 2016	Email	Market Concerns (7 issues)	Len Wilton	7.6
August 25, 2016	Letter	Partnerships; definition of farmers	Toby Fouks	7.7
August 26, 2016	Letter	Space allocation	Alex Lyons	7.8
August 26, 2016	Email	Suggestions for placement	Dreia	7.9
August 26, 2016	Email	Enforce 'make it bake it grow it' and partnerships; reform policy on farmer qualifications	Gillian Gandossi	8.0

From: Derek&Linda Burgess
Sent: Thursday, August 25, 2016 10:35 PM
To: Dan Ovington; SSI Parc
Cc: MarketinthePark
Subject: 31 August MAG mtg.
Attachments: IMG_6479.JPG

Hi Dan,

First I want to express my appreciation for all those who work so hard to make the SSI Market in the Park such a diverse and vibrant place each Saturday during the season. And I want to thank Rob Pingle for all his hard work as Coordinator.

My Name is Derek Burgess, this is my second year as a craft vendor at the Saturday Market (I make Arbutus spoons/utensils) and as of Aug. 20th I have 48 points. I am currently number 10 on the "waitlist" for the boardwalk for Aug. 27th which means there is a good chance I won't get in until sometime later in the afternoon.

My complaint/concern which I hope will get addressed at the upcoming MAG mtg. is regarding those bypassing the point system and coming in as farmers when clearly they are violating the guidelines. Last Saturday due to the hot weather numerous vendors chose to stay away making it possible for me to actually get placement in the market (amongst the farmers). Across from me (see attached photo) was a "farmer" selling pictures, essential oils?, soap, etc. and a few bowls of vegetables. Clearly these people (taking 10') are not farmers following the 90/10 rule. My understanding is that this is not an isolated case.

Woodworking and growing food are passions of mine. I currently have about 1 1/2 acres of our 6 acres under cultivation. We have about 90 fruit bearing trees that are all about 10 yrs. old and all bearing fruit, 170' of trellised Tayberries, 60' of blueberries, 450' of grape vines, 10,000 sq. ft. of vegetable garden, etc. Could I set up a 10' booth as a farmer, sell apple maple pinwheel cookies, a large display rack of Arbutus spoons, and a few bowls of fruits/vegetables, call myself a farmer and get a prime location in the Market each and every Saturday?

Sincerely,

Derek Burgess



Virus-free. www.avast.com

From: Cerika Voce
Sent: Friday, August 26, 2016 2:22 PM
To: SSI Parc
Subject: Written submission for the Mag meeting August 31st 2016 from Cerika Voce

Written submission for the Mag meeting August 31st 2016

From: Cérika Voce
Bohemian Arts, vendor at the market

Hi everyone,

Written submission for the Mag meeting August 31st 2016

From: Cérika Voce
Bohemian Arts, vendor at the market

Hi everyone...

I have been a really hard decision to take when it was time to choose a seasonal spot this year.... For the last 5 years, I am mostly located in the front row, changing spots every week. As last year, the only spot available for me was in front of a rose bush, which is a hardly 6 foot. My set-up, that I have been working with for the past 6 years, requires 7 foot unless it is a corner. After consulting with Rob, it seemed that it would be pretty much the same situation than last year where I was mainly placed up front filling the spaces of non coming vendors. So even though I hesitated, I decided to stay a day vendor.

But then after placement of the seasonal spots was done, things did change so much...

- new farmers took over the spots of 6 old seasonal crafts vendors... meaning also that there will be 6 spots less than last year
- Since all the spots are now seasonal, the only ones that are still available are the low traffic one:
Sanitab, 3Hour departure, in front of the bank and in the path between the 2 rows of gasoline Alley.

So, because of this unexpected situation, instead of being #5 on the day Vendors' list, I ended up to be # 8 or 9.

Actually, since mid-june, after 8 years of doing the market and all my points, I have rarely been able to get an up front spot and 3H00 departure was my location for the summer. As the market is my only income, this has affected my situation.

And I am not the only one.

Here is the list of day vendors with more than 200 points who have experienced the same situation:

Terri Warbly
Ania
Allison
Sarah Down
Christina
Denys
Arielle
Cérika
Kathryn
Rainbow

Here are some of the other reasons of why the markets has been so crowded this year:

1) The old seasonal vendors need to attend 50% of the season instead of 50% per month. Result: the hot season is filled.

Rob wrote one week: " it has been a drastic change this year... only 6% not showing up compare to the usual 10%, meaning 5 - 6 spots are not available. "

This means also that we are slowly seeing two markets:

- the low season (Spring and Fall) with many of the new vendors and
- the hot season (summer) with mostly the old vendors.

The more static the market will become, the less interesting it will be for the returning tourists.

They like to see the people they bought from but enjoy as well discovering new work.

For the first time, people with 5 years at the market had no spot to set up in the morning.

This could affect the reputation of the market .

I suggest that 50% per month for the old seasonal vendors should be re-enforced.

2) the new seasonal vendors need to be there all the time in order to keep their seniority.

Result: This has created a very stressful and competitive vibe at the market.

I suggest that the 4 points absences allowed before 2015 should be back.

3) The farmers need to attend 50% of the season. This means that even if they have no crops for sale, they need to be there ?

Prior to 2015, some farmers , Chorus Frog Farm for example were coming only in spring to sell their seedlings.

I suggest that farmers do not need to attend 50% of the season.

4) Value added products vendors should be on the seniority list as they were when I started the market in 2009.

In 8 years, this is the first time I have seen people crying because of their placement or because no more spots were available.

I deeply feel that the market was more fair before the changes made in the beginning of 2015.

The seniority list was respected which was really not the case in 2016.

I truly hope that some good changes will be made in order to re-establish this situation.

Thanks for reading and maybe someone could read this point of view at the meeting.

May all of you be guided in your decisions. Some people' lives depends on them.

Best regards

Cérika Voce

From: Ken and Wendy Squirrell
Sent: Tuesday, August 16, 2016 3:41 PM
To: Dan Ovington
Subject: Fwd: Saturday market

Dear Dan

Here is my letter which I had sent previously to you expressing my concerns about the Saturday market. I would like to add that the apparent lack of policing and enforcing the "make it, bake it or grow it" concerns me greatly.

There seems to be no consequences when a vendor does not follow the rules.

Perhaps it is time that all vendors need to be reviewed to ensure they are complying.

Thank you for your consideration.

Wendy Squirrell

----- Forwarded message -----

From: Ken and Wendy Squirrell
Date: Saturday, 21 May 2016
Subject: Saturday market
To: dovington@crd.bc.ca

I would like to address the priority given to farmers when the seasonal placements are allocated in February each year for the Saltspring Island Saturday market.

The system for new vendors has been frustrating but at least one had the feeling that if you attended regularly over several years you would gradually get a better space to sell your product.

This year several farmers who had never waited for a space were allocated one. One new farmer who was accepted selling a value added product certainly does not appear to qualify as their product does not meet the 50% criteria of this category. This rule does not seem to be policed once they have been accepted.

Because of this policy I am beginning my 4th season at the market facing once again the wait for a spot. This is likely to be in an obscure place in the market where my sales are severely compromised. I am able to attest to this as the odd occasion when another vendor is absent my sales are generally double those from the rest of the season. It is generally 10 30 am before I am set up as I do not find where I am to be until 9 am. This year I am actually faced with the possibility that I will not even get a spot in the peak Saturdays of the season. After 3 years of religiously attending despite the weather and low sales in April and October this is unacceptable.

Many young vendors who are the future of the market are discouraged and I have heard one vendor suggesting she will have to leave the island. This is a very disturbing development as the market competes with many around the province. The only way for Saltspring to hold its allure is to have new products for customers to make the effort to come over to visit regularly. The ferries are becoming more expensive and Saltspring Island must offer a reason for them to come.

They do not come over to buy more farm produce of which there is more than enough for sale at this time.

The farmers are also able to sell at the market on Tuesdays which is not open to crafts people.

Furthermore the Sundays which were to be an appeasement to allow vendors to sell in a more prominent spot have now been cancelled.

Several years ago there was a survey where vendors, customers and local businesses all agreed that an expansion was desirable. This was not acted upon and it appears never will be which makes it even more critical that the a points system is set up for all vendors where new farmers are more than welcome to join the rest of us waiting each Saturday for a place.

The market is a wonderful opportunity for those of us fortunate to be able to qualify to sell our products but we must be encouraged to continue and allow for “fresh blood” to be seen so the market appears vibrant and there is a reason for customers to continue coming.

Sincerely

Wendy Squirrell,

Potter

From: saltspring
Sent: Wednesday, August 17, 2016 11:50 AM
To: Dan Ovington; MarketinthePark
Subject: FW: Market Recommendation: Plastic Waste

From: Fuzed Art [i]
Sent: Wednesday, August 17, 2016 11:48 AM
To: SSI Parc <ssiparc@crd.bc.ca>
Cc: Rob Pingle >
Subject: Market Recommendation: Plastic Waste

To whom it may concern,

I'd like to recommend that the Salt Spring Saturday Market adopt a policy to address the environmental dangers that plastic consumer waste is causing at the market. The large amount of plastic garbage, generated by some of the food vendors, is dangerous for our local birds and marine life. It also ends up in landfill.

Presently, I understand that there are no recycling bins for plastic at the Saturday Market and customers throw their plastic containers into overflowing garbage cans or leave them lying around. Providing recycling bins would provide a minimum bandaid solution. Banning plastic containers from the Market, however, is ultimately where all progressive and environmentally conscious markets are headed towards. Salt Spring Island and it's Market are perceived by the rest of the Canada, and the rest of the world, as a leading environmentally green model. As such, our market should set the best example of due diligence to protect nature.

Being one of the most popular markets in BC, with a reputation of having ecologically sustainable practices and products, it is time for us to step up and raise our standards to what customers expect of us. We also have a responsibility to encourage customers to reduce food related waste. Everyone has to shoulder the responsibility of ensuring the Market is sustainable. Without policy and enforcement, however, human nature has repeatedly proven that greed prevails. The Market is no exception.

Moreover, if we continue to ignore our serious plastic garbage problem in the market, our reputation as a sustainable market will be in itself unsustainable, and our GREEN business brand will suffer. We need to be an environmentally responsible market that matches our GREEN brand. Customers expect us to be stewards of the environment. They buy from us because they believe in us and our vision for a sustainable lifestyle. So, it makes good business sense to offer what customers are expecting.

Also, as Salt Spring is the first community in Canada to have a zero waste grocery store, the bar has already been raised and we have to decide whether we want to meet that standard or fall behind. The town food trucks are also making some effort to reduce plastic take away waste. And, I believe there are other local businesses who are addressing consumer waste concerns.

So, I appeal to the board to seriously consider banning the use of plastic food containers in the market. Biodegradable packaging, like corn cups, is only a fraction more expensive and is a great selling point and educational tool. Knowing that plastic cups, straws and cutlery are harming our wildlife can we afford to allow them in the market anymore?

Thank you for your time and consideration. I appreciate that there will be a lot on the meeting agenda on August 31st, so time to address this recommendation may be short. But, is there really anything more important than protecting our local environment? After all, our children and their descendants will inherit all the problems we create, or ignore, as well as the secondary and tertiary dangers generated by the original problem, and so on. Let's find practical solutions now. They are well within reach. And, our children are relying on us to protect their world and future.

Sincerely,

Mariah MacDonald

saltspring

From: Tamar Griggs <
Sent: Thursday, August 25, 2016 2:51 PM
To: Dan Ovington; SSI Parc
Subject: Written Submission for MAG Meeting August 31

Hi Dan and Parc,

Please submit my letter that I wrote on June 17, 2016 with my comments about the Saturday Market. I would like to add that the issues we raise during this meeting are resolved before next season.

I also would like to alter my comments re. farmers, and specify that farmers who grow their own produce and sell perishable crops can continue getting spots in the Market, but there appears to be quite a few "farmers" who are buying produce to sell and/or make "value-added" items that far exceed the 10% allowed. I request that they should not be "Grandfathered" into their current spots next year, and that they should have to succumb to the point system like the rest of us. I also request that any new "Farmer" entering the Saturday Market is thoroughly investigated to make sure their "Farm" is legitimate.

Perhaps there should be a "Cap" on the number of Farmers in the Market, to keep it vibrant with Crafts and Farm produce.

Sincerely Yours,
 Tamar Griggs

Tamar Griggs <

to Dan, MarketinthePark



Dan Ovington, CRD

June 17, 2016

Dear Dan,

I have been a market vendor for the past 3 years and am finding it increasingly challenging to move up in the point system to get a good spot.

Due to Farmers getting unlimited free spots without having to go through the "point system", I am bumped lower than I was last year on the list for the Boardwalk. I believe 6 new farmers have come into the Market and

they are allowed to take spots the Craft Vendors who have been working the system for several years would have been allotted. This is frustrating and discouraging.

I understand from Rob Pingle, that the entire Gasoline Alley can become farmers.

People don't come to our famous Saturday Market to buy kale or tomatoes. They come for the ambiance, for the good food and farm produce, and mostly for the varied crafts people are creating. If the Saturday Market loses the vibrant crafts, I doubt the tourists would flock to it on the weekends.

I fully understand the importance of farming on our island, and support our local farmers. The farmers have the Tuesday Market, from which we craft vendors are excluded. New farmers could enter the Tuesday Market. If they wish to be part of the Saturday Market, they could be required to go on the "point" system like the craft vendors. This would be far more "fair" than the current system which makes it increasingly more difficult to participate in the Market, and really discouraging for people just beginning.

I also strongly advise getting the 4 absentee purchases re-instated. Other market vendors are frustrated with our losing these points. Without them, it creates a lot of stress and tension. We simply cannot afford to lose ONE POINT, not even for a family gathering, a wedding or funeral. I for one, don't make enough to hire someone to set up my booth and run it for a day. The absentee points created some flexibility in the Market set up, where people below you could pop up into a better space for one day.

I hope you give serious consideration to my concerns and ideas.

I look forward to hearing from you.

Sincerely Yours,

Tamar Griggs, Photographer

--



Salt Spring Island, BC V8K 2T9

Submission to PARC for MAG Meeting on August 31, 2016

I will start by including a letter I sent to Mr Wayne McIntyre on June 23 of this year which summarizes the major issue that caused a lot of vendor unrest this spring.

June 23, 2016

Dear Mr McIntyre

I am writing to you today to bring to your attention a very important issue that has come up at the SSI Market in the Park, in hopes that you will be able to help me out in getting it resolved with the CRD staff who run the Market. In a nutshell, a CRD Bylaw from 1986 relating to the operation of the Market has been wrongfully interpreted and applied for all these years since, and some major changes need to take place to bring equality to the market. Please let me explain further.

First I want to say that my wife has been an active vendor at the Market for 7 of the last 8 years. For the first 5 years she made and sold beautiful wire wrap jewelry. Then some problems arose with her back and we had to take a year off for health reasons. We returned last market season with photographs that she takes, prints and mounts herself. My role is simply to provide assistance with the set-up and take-down of the display, and with sales through the day.

As I am sure you are aware, the Market is very important to the economy of SSI and is the primary reason the island fills with visitors on Saturdays during the spring, summer and fall. I am sure you are also aware that there are vendors at the Market selling all kinds of different hand made or home grown products. Basically there are two types of vendors, those who make their products, the "Artisans", and those who grow their products, the "Farmers".

I should also add that the Farmers in the Market play an important role in adding to the Market. In no way am I implying that they do not, or are not welcome.

The issue has always been that the Farmers enjoy special privileges that the Artisans do not. The biggest benefit they enjoy is that they get top priority in entering the Market as brand new vendors, and can have any spot they want in the "Gasoline Alley" portion as long as it is not already occupied by another Farmer. New Artisan vendors can only enter the Market IF there is space for them. Artisan vendors must work on a 'points' system. They get one point for each Saturday they are in the Market, and are assigned a spot each Saturday morning based on how many points they have. The Artisan vendor with the most points gets to choose their spot first, based on the spots available, then the Artisan vendor with the next most points chooses their spot, and so on. But, as I said, the Farmers don't work on this point system. If they want to enter the Market, they are guaranteed a spot in Gasoline Alley, and can choose whatever spot that does not already have a Farmer in it. In July and August each summer, many Artisans do not get into the Market simply because there is no space for them.

As the Artisans accumulate points over several years, they can go from being a Day Vendor to being a Seasonal Vendor. This means that they have earned the right to have the same spot each week. They don't have to wait to see what spot is available for them.

Now for the big problem that came up this spring. There were 7 or 8 new Farmers allowed to enter the Market this spring, and all were assigned spots in Gasoline Alley. Any spot they wanted, as long as there was not another Farmer there already. They chose spots that had previously been occupied by Seasonal Artisan vendors, long term vendors that have contributed immensely to the Market for many years and have been instrumental in giving the Market the international reputation that it enjoys today. My wife and I met with CRD staff on May 18 this spring to discuss our concerns. To show how out of date this policy is, my wife asked does the visitor from Italy go home and say, look at this beautiful piece of lettuce I got at this great little market in Canada. I don't think so. The Artisans, responsible for the reputation of the SSI Market, are being treated as second class citizens.

The CRD staff did not have to displace the Seasonal Artisans to accommodate the new Farmers.. There were plenty of spots available other than the spots that were being occupied by the Seasonal Artisans, but that did not matter. What the Farmers wanted, the Farmers got.

So, my wife and I started to question WHY. Why do Farmers enjoy these benefits that no one else does? We wrote letters and emails to Mr Dan Ovington asking this question. We tried to appeal to his sense of fairness and equality. After all, this is 2016, and our new federal govt just won the election with this as one of their campaign promises. Everywhere people just want to be treated as equals, with no one better than anyone else.

We were told, yes we agree with you and wish we could help you, but we can't. There is a CRD Bylaw from 1986 that states that in the Gasoline Alley portion of the Market, Farmers are to be given priority placement. End of discussion.

Then we decided that we needed to see this Bylaw for ourselves. We reviewed it carefully. It is CRD Bylaw No. 3795 from 1986. And, yes, we found that Section 13(7) does state that for vendors in Easement Areas A and B priority is to be given to Farmers. But that didn't answer all the questions, because we had no map showing these easement areas. Finally after a couple more requests, we were provided with the map relating to this Section of the Bylaw and highlighting Easement Areas A and B. Now, I reviewed many legal survey maps during my 35 year career with the Alberta Forest Service. I know how to read them. After studying the map for only a few minutes, I could see that Easement Areas A and B do not cover ALL of the Gasoline Alley parking lot. They cover only that small portion of the parking lot directly in front of the shopping mall that is owned by the mall owner. In other words, the parking spaces directly in front of the stores. The rest of the parking lot is owned by the CRD, and there is nothing in the Bylaw that indicates that Farmers get priority in that portion. It was the eureka moment for me. CRD staff had been misinterpreting the map and bylaws for the past 30 years. The Artisans had been suffering all along simply because CRD staff involved in managing the Market did not know how to read a map.

So the next WHY question, Why would this Section 13(7) be in the bylaws. I can only assume that the mall owner at the time did not want people vending from in front of his shops selling imported stuff similar to what his shop owners were selling. At the time, the Make it, Bake it, Grow it requirement did not exist and people could sell whatever they wanted. I guess the CRD managed the entire parking lot for the Market, and the mall owner wanted only Farmers on his property. Today, the CRD staff have nothing to do with who vends from these spots.

So I immediately informed Mr Ovington of this revelation and hoped that there could be a quick resolution to this matter. At the very least immediately offer the seven Seasonal vendors, who had been unjustly displaced this spring, their spots back that they had occupied for so long. In one case, our friend Karen, who makes beautiful hand dyed, hand spun and hand woven rugs from local wool, had been in the same spot for 24 years. But was told she would have to vacate because a NEW farmer wanted HER spot. There was no opportunity for appeal or anything. Does anything about that sound fair to you?

Unfortunately, Mr Ovington does not appear to be very sympathetic to the Artisans of the market, and seems to want to drag things out for the rest of the Market season before he has to do anything. He had a meeting with his staff on June 10 to review what I had discovered, and now has another meeting with his staff on July 8 to review what they discussed on June 10, then says he would have to meet with the Market Advisory Group after that, then would have to meet with the PARC Board after that, and then who knows what after that. So by the time all these meetings (to review previous meetings) take place, fall has arrived and the Market season is done.

To those of us displaced by new Farmers this season, that is simply not acceptable in light of what I have discovered. It would be very simple to move us back to the spots that we had before and move the new Farmers into the spots that we were assigned for this year. No Farmer would have to be removed from the Market, simply moved. Why is that too much to ask? We had all chosen the spots we were in because of their location within the Market, and had thought, being considered Seasonal, that we did not have to worry about being displaced. Man, were we all shocked with what took place.

It is only reasonable now, with this new revelation that will dramatically change the way the Market operates, that finally some respect be shown to the Artisans and do what we ask right away. Then, CRD staff and others can meet 'to their hearts content' to decide what needs to happen for next season. But for now, let's get on with it and make things right, so that the Artisans can stop feeling like second class citizens, and in 2016 a small bit of fairness and equality can finally become part of the SSI Market in the Park, with the rest in 2017.

I would be happy to meet with you to review this if you wish.

Len Wilton

Unfortunately, Mr McIntyre did not seem interested in doing anything. I got a very short response back from him asking me if I had submitted these comments as feedback to the Centennial Park upgrade proposals (the three options put forward). I responded by saying that this issue with how the Market is running has nothing to do, in my opinion, with how the Park will look in the future. I then sent a copy of this letter to Karla Campbell, and basically received back a 'no comment'.

I will now address each issue that has been included in the petition that several artisan vendors were instrumental in putting together and was recently submitted to PARC for consideration, with, I might add, over 100 vendor signatures.

Issue 1. Market Openness and transparency

For the past 2 or 3 years, vendors have had no idea what changes to policy might take place at the Market until we show up on the first day of the season. One example, no one knew anything about the removal of the 4 absentee points we used to be able to buy until the first day of the market. It seems that for this time period, decisions were being made by the PARC staff (which includes the Market Coordinator) in isolation from the vendors, thinking they knew exactly what was best for all vendors. It is critical that all vendors have some input into all decisions at the market that result in a change of policy. The vendors today, as it has always been in the past, are the most important component of the Saturday Market, yet we don't seem to have much in the way of input to decisions that affect us all.

Issue 2. Market Advisory Group

Again, for the last 2 or 3 years, the MAG has not been utilized as it is supposed to be and all we are asking is that they once again be an active component in the market. They are an 'advisory' group, and our primary voice to PARC and how the Market runs and how our issues are dealt with. Yet in talking with several of the current members, the last few times that this group has actually been called to a meeting by PARC, they did not feel they were there to give advise on anything. The decisions had already been made by the Market Coordinator and PARC staff in private meetings amongst themselves, then pulled the MAG together to simply get 'endorsement' of these decisions.

I see the same thing happening again with the gross misinterpretation of Easement Areas A and B that I discovered and told PARC about, which I will talk about later in detail. The first two meetings that PARC called to deal with this this spring were private meetings with PARC staff, and no vendors, and I suspect decisions have already been made. And not until now is the MAG involved. Mr Ovington has already stated in an email to me that, yes, Areas A and B are no longer managed by PARC, however Farmer priority in the Market would not change. I will simply state that if PARC is not prepared to compromise on this at all, then vendor frustrations, and thus, stress for the Market Coordinator will never get better.

The MAG should also be involved in the approval process of all new vendors entering the Market. Currently, new applicants are required to submit their proposal to PARC over the winter. But only the PARC staff review these proposals. There should be a MAG meeting over the winter to review all these applicants to ensure that we, the vendors, feel they fit within the

guidelines. This would ensure that there is no possibility that someone could claim that the new vendor was not properly vetted before being allowed into the Market. And it may have prevented some of the issues this year with one particular vendor allowed in as a 'Farmer'.

Issue 3 Absentee Points

A couple weeks ago, the Market Coordinator 'floated' the following proposal (via Facebook) to the group of vendors who were putting together this petition:

Thinking about the system we have now I'm wondering if we should just give all seasonals the points for the year and have then pay for all the markets even the ones they miss. Keep the part where they have to attend 50% of the markets but ditch the absent points idea because you got all your points when you paid for the seasonal permit. Day vendors cannot get absent points because if they choose not to vend when a spot is available that's not our problem.

I do not agree with this proposal at all. The only time any vendor should get a point is when they are in the market(except if allowed to pay for a max of 4 absent days). And the only time any vendor should have to pay for a market spot is when they are in the market (unless they are paying for one of the 4 absent days). Otherwise, PARC is getting double pay for that spot because the chances are pretty good that there will be someone there to occupy the spot anyway.

All we are asking is that we keep the system as it is, but allow everyone who has to collect points, to once again, be able to 'buy' a maximum of 4 days (points) so that a vendor does not fall farther down the priority list simply because they had to miss a few days because of illness, family emergencies, etc. I do not understand why PARC is so much against this. It is a simple thing, but makes such a big difference to the vendors. And remember, this is another decision that was made without any consultation with the vendors, we just showed up one spring and there it was, gone!

Finally, Day Vendors should not be treated any differently than any of the Seasonal Vendors. They are people just like all the rest of us. The comment about this not being 'our problem' makes no sense at all. I don't understand this reasoning today, and I didn't understand the reasoning for taking the 4 'pay days' away from us in the first place. It is only 4 days, why is this such a big deal to PARC? It is very important that any final decision provides for fairness and equality amongst all vendors.

Issue 4 Definition of Vendor Types

It is imperative that the Guidelines show the changes that take place each year, and together we need to come up a new term for those vendors who are paying seasonal fees, but are not guaranteed that spot beyond the one year. Right now, the term 'seasonal' is used for both the permanent vendors at the front who have their spot for life, and the 'not so permanent' but long term vendors who have a spot for the summer only. Also, it seems no vendors know exactly

what criteria is used to determine when a vendor qualifies to go from Day Vendor to the new 'seasonal'. Again, this decision was made with no input from the vendors.

Issue 5. Priority and Placement given to Farmers

When I wrote Mr McIntyre on June 23 of this year, I felt that all vendors should be treated as equals, and that no vendor should be given priority over anyone else. This would be the best way to bring fairness and equality to the market. However, now I feel that there is a way to allow some farmer priority, but avoid the possibility of farmers eventually taking over all the parking lot.

Here is my proposal. As Mr Ovington has acknowledged in an email to me, there is nothing in the Bylaw that says Farmers get priority in any of the parking lot managed by the CRD. However, we all know that having farmers in the market is important, and I believe the following proposal is a win-win for all vendors, and farmers can still have priority in a portion of the parking lot. Let's go back to 1986 when the Bylaw was passed. Farmers were given priority, as per Section 13(7), in Easement Areas A and B, which happened to be on property owned by the mall owner. If you look at the total area of the parking lot managed by the CRD at that time for the Market, that was one full row of vendors. Today there are 4 full rows of vendors. So the Farmers, at the time, were given priority on 25% of the lot. Now move ahead a few(?) years and the mall owner wants to have his own store owners vend from in front of their shops, so he opts out of the agreement and the Farmers get displaced. At this time it appears that CRD gives the Farmers priority in all the rest of the parking lot. Although I have heard from a couple long term vendors that at one time not too many years ago Farmers could only come down halfway along their row, which makes sense. But now, they seem to have the whole parking lot, so the Farmers went from having priority on 25% of the area managed by the CRD for the market in 1986, to all the rest of the parking lot, or 100% of the area managed by the CRD for the market in the parking lot. A pretty good deal for the farmers, I would say.

My proposal would see 25% (the original allotment) of the CRD owned parking lot set aside for Farmer vendors. Establish a set frontal footage for Farmers, and then let the Farmers decide if they should have more vendors with 8 foot spaces, or fewer vendors with 10 foot spaces. If not enough Farmers to fill that area, then fit in day vendors. This way, long term day vendors and the new seasonal vendors would not have to be continually stressed about whether they will even get a spot the following year. The way it is now, Farmers could fill up the whole parking lot.

Again, there is nothing legally binding that says any vendor should get priority placement over any other vendor. So if someone wanted to bother to fight a discrimination case in court, I doubt that the CRD would come out on top. But I believe my proposal is a good compromise and would be agreeable to the artisan vendors and avoid future disputes like we have seen this season.

I believe one factor in PARC's desire to maintain Farmer priority is based on revenue generation. A new Farmer immediately becomes a 'Seasonal' vendor and is required to pay the fee of \$204 for the season. A new day vendor has to wait several years to become 'seasonal', so all they pay for that time is the daily fee. If this is true, what a sad state we are in.

Issue 6. Clarification of farmer categories

I have already pointed out that Section 13(7) of the Bylaw that regulates how the Market should run has been misinterpreted in relation to Easement Areas A and B. Well, there is another part of that same section – 13(7) – that is being applied completely different from how it reads from 1986.

In 1986, the only vendors who were given priority in Easement Areas A and B were those who fell within the parameters of subsections 13(5)(a) – farm produce and products and 13(5)(c) cultivated plants.

It did not include any of the other four subsections, that being **(b) prepared foods and baked goods**, **(d) craft items**, **(e) clothing**, **(f) original works of art**.

The way the guidelines read today is nothing at all like what the bylaw states from 1986.

Basically then, “Farmers” should only be selling perishable items that have not been transformed in any way – ‘produce’, and ‘products’, again in the raw state. ‘Products’ would include items like eggs, honey, wool, and meat. In other words, items that would be bought by someone to take home and prepare themselves. Vendors selling prepared foods and baked goods should be day vendors like all the other food vendors. Further, it should be an ‘all or nothing’ deal. If you want to remove judgement calls, then do not try to incorporate some kind of percentage of this or that. Get rid of all the needless, ambiguous exceptions to the rules. The job of the people deciding where a vendor should fit will become a whole lot easier and less stressful. That is the simplest way it could be done. There are already numerous REAL farmers in the market. They are very easy to pick out when you walk down the rows. And it is also just as easy to walk down the rows and see the ‘other’ Farmers, the ones taking advantage of the system and getting away with it.

No bylaws have to be changed to bring fairness and equality to the market.

There would obviously have to be some grandfathering happening for those vendors who have been “Farmers” for many years who may not qualify as Farmers still. Nothing would change for them, other than they would be considered permanent seasonal rather than a farmer, and would probably be grandfathered a 10 ft space, like some of the artisan vendors currently. Discussions will have to include how far back do we go to grandfather a vendor if they are no longer a farmer. I would say at least 5 years. Others may think farther back than that. But definitely, any new ‘Farmers’ in the past few years who are selling items of any kind or amount that do not fall within 13(5)(a) and (c) would no longer be farmers, and would have to take their spot in the morning line up and occupy only 8 ft or less.

Issue 7 – Market partnerships and transfers

In addition to the proposal about Absentee Points from the Market Coordinator a couple weeks ago, he also ‘floated’ the following proposal about partnerships.

Much like figuring out if a vendor is lying about where there product is being made figuring out if a partnership is really a partnership is very tricky. We are looking at ways to stop the sale of businesses within the market but to allow immediate family to take over businesses. So that someone like David from Salt Spring Cheese could retire but his children could keep running the business.

The way the current guidelines read, of course it is hard to determine if a real partnership exists. Right now, all it has to be is written on a piece of paper. And I would add, based on what I see each Saturday, no true partnership does exist. Currently the guidelines state that at least one partner must attend the market 50% of the time. If you want to keep this option for vendors, then simply say each partner must attend at least 50% of the market days for 5 years until the points can be fully transferred. That would solve the issue now of Partner A showing up for a day and a half and then never seeing them again. And day vendors left totally frustrated because that spot may have been the spot they have been waiting for, and working hard for, so they could become seasonal. It will make the original ‘partner’ think ahead a bit if they want to eventually retire, but the sale could still happen.

It should be pretty easy to make the change in the guidelines. Again, this is something that does not appear anywhere in the Bylaw, so PARC has added this to the guidelines at some time. It is easy to change the guidelines, they have been changed just about every year we have been involved in the market.

I would only support this idea about keeping the business in the family if it is immediate family only, and that they could not change the product(s) for a 5 year term. So if they are selling cheese, that is what it must stay for 5 years. I would never want to see someone pass their pottery business, for example, on to a family member who is going to immediately change it into, say, a mini-doughnut business. If the change is that dramatic, they should start out as a new day vendor like every other food vendor has.

Thank you for the opportunity to present my views on what needs to change in the Market to return peace and harmony, which was so much there for all but the last couple years.

Len Wilton

August 25 2016

To: PARC, Salt Spring Island, BC
Re: Saturday Market

There are two issues that concern me greatly. The first has been a concern for a number of years, and the second is more recent.

ISSUE NO 1 - The transfer of ownership of vendor space

The wording of this issue has lacked clarity, and led to unfair practices. In Section 11 it says "New partnerships, where an existing Seasonal Vendor takes on a new legal partner, must be in existence for 5 years, before the new partner can inherit the permit solely."

To me the issue is the transfer of market space, not whether a Vendor owns a business solely or not. Were the transfer of space to take place after five years, that would be fair. As it stands, the transfer of space occurs at the start of the partnership, even though the vendor now located in that space is not the sole owner. To legislate what might happen five years in the future is well and good, but there is no certainty of what will actually take place.

There are businesses that are clearly family run. In that case, it seems only fair that the business can be transferred from one family member to the other, and that member continue to be located in the space in which s/he has already been shown to be a partner.

What we are seeing is businesses changing hands, and with them, the space at the market. I would like to see this stopped. Rather than look forward five years, I would recommend that PARC look back three years, and if the partnership has been in evidence during that time as shown by all members being involved in it, then the space could be transferred.

Given how long vendors must sell at the market in order to become seasonal, it seems very unfair to me that people are able to sell their business which includes space on the say-so that it's a partnership. Not much paperwork is involved and in any case, PARC does not have the right to start looking at bank accounts. I realize that without the guarantee of space most vendors would not be able to sell a business that is largely market-oriented, but this is how outdoor markets work. It is not the same as selling a commercial enterprise for which the new owner takes over a lease.

ISSUE #2 - 'Value added farmers'. This is an new term to me. I understand that farmers sell produce or raise livestock and I also know that when a farmer brings produce to market it is time-sensitive. It has to be sold while it's fresh. As well, we need food to survive, and it's important to support the farmers who provide this for us.

However, if someone is selling a product that is not going to spoil, then I do not understand why that person is given priority placement. Moreover, if the majority of what a farmer is selling is not what is actually grown in its natural state, then I do not think that person should be categorized for market purposes as a farmer. The term 'value-added farmer' makes little sense. I believe that it's very wrong to permit someone who is selling packaged foods to have priority placement at the market over someone who has been selling products [or creations] for a longer amount of time.

Rules should be articulated clearly so that they cannot be 'bent'. People find loopholes. Sometimes they are not strictly truthful. Most of us have our own needs as our first interest. What can be seen to be true is that farmers who are bringing product to market have actual farms -- only they should qualify for priority placement. A farm does not have to be immense but it should certainly be larger than the back of someone's home. A farmer is someone who makes his/her living through farming. If someone is growing produce in order to create a value-added product then that is no longer a time-sensitive product, and such a vendor should follow the same rules as non-farmer vendors.

Everyone should be welcome but the priority placement should be done in a fair and equitable manner. Currently that is not the case.

Respectfully submitted
Toby Fouks

RECEIVED AUG 26 2016

August 26, 2016

To the Market Advisory Group,

I would like to take a moment to share my opinion about the rules under review regarding the Saturday market.

To be brief, I think craftspeople, farmers & food vendors should all be treated equally. I don't agree that farmers should be able to push out a crafts person of long-standing. A level playing field based on seniority is the only fair approach.

If PARC insists on favouring farmers then perhaps they should be allocated a set space; craftspeople also will have a set space. Thereby, a ^{new} farmer can't push out a crafts-person, or vice versa.

There will always be a shortage of space and thus a competitive nature to accessing a space at the Saturday Market. Please just don't make it a battle about who is more worthy. As a 16 years vendor I know its dedication and persistence that count.

Thank You,

Alex Lyons

Alex Lyons

SSI BC
V8K 2JS 250

Tracey Shaver

From: Dan Ovington
Sent: Friday, August 26, 2016 12:09 PM
To: Tracey Shaver
Subject: Fwd: A suggestion... Again, with some fine tuning

Another one...

Dan

Begin forwarded message:

From: MarketinthePark <MarketinthePark@crd.bc.ca>
Date: August 26, 2016 at 12:00:30 PM PDT
To: Dan Ovington <dovington@crd.bc.ca>
Subject: Fw: A suggestion... Again, with some fine tuning

Hi Dan,

Sorry this message got lost in my mailbox. I think it is something the vendor is hoping the MAG would consider. Can we add it to the correspondence?

Yours truly,
Rob Pingle

Salt Spring Market in the Park Coordinator
Ph: 250-537-6292

From: Elfin Works Jewelry <
Sent: Wednesday, August 17, 2016 10:53 AM
To: MarketinthePark
Subject: A suggestion... Again, with some fine tuning

Hi Rob

Even though I am not at the market this year I continue to read the weekly news letters you send vendors and the market facebook page, plus I hear things through the community.

It sounds like it has been a tough year for you.

The first thing I wanted to say is even though I have not always agreed with your take on things, generally speaking I think you do an excellent job negotiating so many competing and often unanticipated unique conflicts each week. No one is going to be able to do your job in a way that makes everyone happy, all the time. I am sorry if you have been getting unfairly blamed for some of the problems....

The root of many of the problems seems to be that there is more people wanting to be vendors than there is vending spaces and with a Market Advisory Group meeting coming up, I am thinking it may be a good time to once again bring up a section of Market rules that seem to unnecessarily create a scarcity of vending spaces and which also may create unnecessary stress on long time senior vendors.

As I have mentioned before, I think it would benefit the Market if in some circumstances (or maybe any and all circumstances) the 50 percent attendance requirement for vendors with seasonal permits could be supplemented with another option for seasonal vendors who do not want to attend a full 50 percent of the season.

If it was structured in the way I am about to suggest, I believe it would not create any problems, but it would create many benefits. (I realize this may need some fine tuning but I think the general framework I am suggesting is sound)

#1 Seasonal vendors willing to commit to using their space at least 50 percent of the Market season would pay for their permit in Feb. and continue to enjoy the perk of being able to choose which Markets they want to attend a few days before each Market. Same as now.

#2 Seasonal Vendors who want to continue to use the same spot but who do not want to attend at least 1/2 of the markets could share their spot with a Secondary Seasonal Vendor. In this situation they would become the Primary or Original Season Vendor for that spot.

#2 Original Primary Seasonal vendors wishing to use their spot less than 50% of the season would have to specify exactly which days they will be attending when they pay for or apply for their permit in Feb. with the understanding that

a) The Primary Vendor will be required to pay the full seasonal permit fee even if they only want to attend as little as 2 markets, or as many as 50%.

b) The Markets the Primary Vendor decides to attend must be an even mix of off season (April and October) and on season Markets (May-Sept)

c) In becoming a Primary Seasonal Vendor, the Market Vendor who holds a seasonal permit would permanently loose their right to use of that spot for more than 50 percent of a Market season. If, in the future they want to attend more than 50 percent of the Markets, their seniority would be converted to points and they would join the Day Vendors in the right to choose a new spot, and the right to apply for a seasonal vending permit..

c) The Secondary Seasonal Vendor would be able to purchase a seasonal permit for the same spot, possibly for a slightly reduced fee, with the understanding this will be minus the Market days the Original Primary Seasonal Vendor specifies they want to continue to use when they purchase their permit in Feb/ March.

c) The Secondary Vendor with the seasonal permit to use the shared spot will then have the same annual rights to the spot as the Primary Seasonal Vendor minus up to 50 percent of the Market days (an even mix of on and off season) which may be claimed in advance by Original Primary Seasonal Vendor when they buy their permit each year.

I believe this change would be a win win because

#1 It will create more vending space and offer the degree of security and predictability that comes with a seasonal permit to more vendors

#2 It will increase the money PARC can collect for seasonal permits

#3 It will create more diversity in the Market

#4 Once it is set up I see no reason it would not run as smoothly as the current one seasonal vending permit per spot rules.

#5 The current regulations inadvertently penalize artists who cannot sell their business, and small scale skilled crafts people who do not make enough an hour to hire assistants.

#6 I have been told by a number of Day Vendors that all they have to do is attend 1 market a year and they get to keep all their accumulated points and their seniority. Having been a vendor before PARC got involved, and having never been a Day Vendor I do not know if this is correct? But if it is, it seems really unfair to force long time and possibly elderly vendors with seasonal permits to leave and remove all their seniority, and the businesses they have built in a specific spot, if they can no longer attend 50 percent of the market season, when only requiring new vendors attend 1 Market a year to keep their points and accumulated seniority. I don't think this is intentional, just something that was overlooked when the rules were drawn up by PARC. But it seems the current regulations are harder on the vendors with the most seniority who have invested the most time in developing the Market into the thriving tourist destination it is today. Which seems unfair, arbitrary and even a bit nasty. (?)

I understand creating rules to allow this option add another layer of complexity to the rules governing the market, but I don't see how it can be any more complex than creating the rules that allowed some vendors to sell their businesses.

Is there some problem with this suggestion I am not seeing?

As I see it, these changes would benefit the many people wanting a vending space at the market and not just the primary vendor.

Personally, I am still not sure what I will be doing after this year. So far this year I continue to work more than full time, just selling online, and I this year, I have already made more money selling online through Etsy, than I did selling through Etsy all of last year. It is looking like I will probably earn about the same selling through just Etsy this year, as I was able to earn last year, selling through both the Market and Etsy. And as I am selling in US dollars online and am not losing time doing the Market, my hourly wages and general quality of life is much improved...

I am using the bit of extra time to learn to do casting, which may allow me to produce more in less time, but it is a whole new skill set, and I am nowhere near good enough at this to think it is going to substantially add to my income/ productivity in the near future.

if you want to see what I am up to, and a lot of work in progress shots, check out my instagram (the <load more> at the bottom of the page will show the stages of wax carving and casting process)

https://www.instagram.com/elfin_works/

However, getting back to the marketing aspect- (I much prefer creating!!!) I am scared to burn my bridges and put all my eggs in one basket, and as making jewelry is my only source of income and making jewelry is my only marketable skill, I might like to continue to have the option to use my spot at the market for up to 1/2 the market season, and, at this time, even if I have all the online business can keep up with, it would probably be worth it to me to do 2 - 4 Markets a year, just to retain this option.

I would like PARC to be able to accommodate vendors of labor intensive products, who are in my situation.

However I think the changes I am suggesting would benefit a lot of people, not just me, or vendors in the same situation...

Anyways...

I am much much much happier being their not so much... ☺

My emails are like my work, often overly detailed and time consuming..

Thanks for taking the time to read this...

Dreia

saltspring

From: Gillian
Sent: Friday, August 26, 2016 4:02 PM
To: SSI Parc; Dan Ovington
Subject: MAG meeting

Bellow is my contribution for the August 31 MAG meeting minutes. If I could read it as a statement I would be obliged. I did not leave myself enough time to fill out the form before the 26th deadline.:

Thank you for calling a MAG meeting to address the issues at hand.

Currently, there are very limited opportunities for new vendors at the market. Vendors with 4 and 5 solid years of attendance are getting undesirable placement, or wait listed. New vendors are discouraged by the lack of opportunity to participate at all. There is however, a way to enter the market, it is through achieving "farm status". This is well known, and is a loop hole. Food vendors are achieving farm status, claiming that their products meet the requirements. However, after the initial review and acceptance there is no follow-up, to ensure that this really is the case. They are not growing and selling fresh fruit, vegetables and flowers. They are making preserved products out of materials that they claim to have grown. This is much easier than the art of farming for market. They should not be given automatic placement.

This year the day vendors experienced a Regression, with six new "farmers" coming in ahead of us. We are artisans, we are interesting, our products are interesting, we are valuable contributors to the art and culture of the island.
 Please support us.

Personally, sitting with 144 points accumulated, As I write this letter, I am 4 deep on the boardwalk next week, if I am lucky I will be "tucked out of the way"

Please create more equal opportunity by:

- Enforcing the "make it bake it grow it" by doing reviews of product production.
- enforce the rules around transference of market spots when vendors sell their businesses as stated in the 2016 market vendor guidelines.
- Reforming the policy surrounding farm status qualifications.

Farmers should be full-time. All season long, with a variety of FRESH seasonal products.

Part-time farmers, and value added food preservers should be on the point system.

Thank you for your efforts at maintaining a diverse market with equal opportunity for all.

Yours truly,
 Gillian