

RULES AND REGULATIONS
FOR PARTICIPATING VENDORS
OF THE
PEOPLE'S OPEN MARKET PROGRAM

CITY AND COUNTY OF HONOLULU
THE HONORABLE JEREMY HARRIS, MAYOR
DEPARTMENT OF PARKS AND RECREATION
WILLIAM D. BALFOUR, JR., DIRECTOR

FOR INFORMATION CALL:
PEOPLE'S OPEN MARKET
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RULES AND REGULATIONS
FOR THE PEOPLE'S OPEN MARKET

DEPARTMENT OF PARKS AND RECREATION
CITY AND COUNTY OF HONOLULU

Pursuant to and by virtue of the authority set forth in Chapter 13 of the Revised Charter of the City and County of Honolulu (1973), and Chapter 91, HRS, The Director of the Department of Parks and Recreation of the City and County of Honolulu, hereby adopts the following rules and regulations for the People's Open Market under the Department of Parks and Recreation.

PART I. GENERAL PROVISIONS

Purpose of the People's Open Market:

In recognition of the need to help reduce the high price that residents must pay for fresh agricultural, aquacultural products and other food items and the need to support the economic viability of agriculture in our State, the Department of Parks and Recreation has established the People's Open Market Program. This program is intended to reduce the price residents must pay for agricultural, aquacultural products and other food items and to implement the economic policy of the Administration of the City and County of Honolulu which address the need to support the development of markets for agricultural and aquacultural products, particularly those with the potential for economic growth.

The overall purposes of the program are (1) to provide the public and especially the less affluent residents, the opportunity to purchase low cost fresh agricultural and aquacultural products and other food items, (2) to support the economic viability of diversified agriculture and aquaculture in our State by providing market sites where the State's

farmers and fishermen or their representatives are encouraged to sell their surplus and/or off-grade products and (3) to provide focal points for residents to socialize.

1.1 Applicability and Scope

These regulations shall apply to the operation and management of the People's Open Market under the Department of Parks and Recreation. If any provision of these regulations or the application of such provision is held to be invalid, the remaining portions of these regulations or the application of said portions shall not be affected.

1.2 Definitions

Whenever used in these rules, unless plainly evident from the context that a different meaning is intended:

- a) "City" means the City and County of Honolulu.
- b) "Department" means the Department of Parks and Recreation, City and County of Honolulu.
- c) "Director" means the Director of the Department or his/her representative.
- d) "Open Market" means the People's Open Market conducted by the Department of Parks and Recreation.
- e) "Site" means the locations designated to operate as People's Open Market.
- f) "Vendor" means the party permitted by the City to sell goods at the People's Open Market.
- g) "Vendor Permit" means a written approval issued by the Department authorizing use of a designated City park or area within a park for People's Open Market purposes.

PART II. ORGANIZATIONAL ROLE

Department's Role:

- 2.1 Provide adequate staff to coordinate and supervise the program to insure compliance with the Open Market requirements.
- 2.2 Interpret and enforce applicable Federal, State and City government laws, rules, regulations, policies, guidelines and procedures.
- 2.3 Prepare reports as required.

Vendor's Role:

- 2.4 Provide proof of Vendor's qualifications.
- 2.5 Furnish fresh agricultural and aquacultural products and other food items as authorized by the Director and to sell them at or below prices recommended by the Director.
- 2.6 Observe, comply and perform within requirements of applicable laws, rules, regulations, guidelines and procedures established by the City, State and Federal governments.
- 2.7 Procure and keep current licenses, permits, certificates, clearances, approvals, etc., including payment of applicable fees and taxes.

PART III. PERMIT

- 3.1 The term of the permit shall be effective on the date of issue by the Department for a period of one (1) calendar month, subject to a month to month renewal unless terminated by the Director.
- 3.2 The Vendor is deemed to be an Independent Contractor and not the agent, employee, partner or joint venturer of the City.
- 3.3 In case of any doubt as to the interpretation of any term or provision herein, the interpretation given and made by the Director of Parks and Recreation shall govern and control. In addition, the Director shall have the sole power to decide and resolve matters which may come up in the future which are not covered by the permit.
- 3.4 Permits to conduct Open Market activities shall be issued only for those sites listed in the Vendor's Permit (Exhibit B).
- 3.5 Only monthly permits shall be available for issue.

PART IV. PENALTY FOR VIOLATION OF PERMIT

- 4.1 Failure to comply with any of the applicable laws, rules, regulations, policies, guidelines and procedures established by the City, State and Federal governments shall be considered grounds for revocation of permit.

PART V. INDEMNIFICATION

- 5.1 The Vendor shall so conduct his/her activities as not to endanger any person lawfully thereon; and shall indemnify, save and hold harmless the City and all its officers, agents and employees from any and all deaths, injuries, losses and damages to persons or property and any and all claims, demands, liabilities therefore occasioned, wholly or in part, by the acts or omissions of the Vendor, his/her agents, officers and employees.

PART VI. INSURANCE

6.1 The Vendor at his own expense shall procure the insurance listed below from insurance companies authorized to do business in Hawaii. The Vendor shall also file notice with and notify the Director of Parks and Recreation in writing of any cancellation or alteration of such policies at least thirty (30) days prior to such cancellation or alteration. All insurance policies shall be in current force and effect for the duration of the permit. Vendor shall not be permitted to participate in the Open Market in case of inadequate or lapse of coverage.

Comprehensive General Liability Insurance

This policy shall cover the Vendor with the City as added insured and shall include bodily injury and products liability coverage of not less than \$1,000,000 per occurrence and property damage coverage of \$30,000 per occurrence.

Auto Liability Insurance

This policy shall cover the vehicle that is used to transport the products or used to sell the products to include no fault and bodily injury coverage of not less than \$300,000 per occurrence and property damage coverage of not less than \$30,000 per occurrence.

PART VII. ASSUMPTION OF RISK

7.1 The Vendor assumes the risk of any loss or damage to his property left on the premises. The City, its officers, agents and employees shall not be responsible or liable for any loss or damage to the aforesaid property while on the premises regardless of how or the manner in which any such loss or damage is sustained.

PART VIII. ASSIGNMENTS

8.1 The Vendor shall not transfer the whole or any part of the Open Market permit or allow others to use their assignment or portion of their assignment for the sale of produce not belonging to the Vendor except with the approval of the Director.

PART IX. OPEN MARKET CLOSED

9.1 The People's Open Market shall be closed on all City holidays. If the holiday falls on a Sunday, the Open Market shall be closed the following day (Monday). Vendors are not allowed to sell at any Open Market site on these days.

9.2 The Open Market may be closed by the Director for inclement weather or other conditions determined reasonable by the Director.

PART X. VENDOR CATEGORY

10.1 Vendors shall be permitted to sell fresh agricultural and aquacultural products and other food items from one or more of the following categories. The Vendor shall sell the items in the categories contracted. Exception to this rule shall be with the written

approval of the Director. The Department reserves the right to determine the percentage of participating Vendors from each category in order to make the People's Open Market a viable program.

- a) Fruits and Vegetables.
- b) Eggs.
- c) Seafood.
- d) Plant and Flowers.
- e) Honey.
- f) Others as approved.

PART XI. VENDOR'S WORK SCHEDULE

11.1 The Vendor shall operate on days and sites approved by the Director. Exception to this rule shall be with the written approval of the Director. Vendor's poor attendance performance shall be grounds for replacement or dismissal (See Part XIX. Section 19.1).

PART XII. VENDORS EXCUSED FROM ASSIGNMENTS

12.1 The Vendor shall inform the Director in writing the reason(s) for any scheduled absence. The Vendor shall also include the projected date of return to the Open Market in this notification.

12.2 For short notice or emergency absence, the Vendor shall notify the People's Open Market office by phone or other means on the day of absence.

12.3 Authorized excused absence shall be granted only for the following reasons:

- a) Open Market closed by the order of the Director.
- b) Sick Leave.
- c) Funeral Leave.
- d) Vacation Leave.
- e) Non-availability of commodity items due to weather, non-production, strike, etc.
- f) Vehicle breakdown.
- g) Any other bona fide absences as approved by the Director.

PART XIII. PRICE INFORMATION

The selling prices shall reflect the purpose of the Open Market which is to provide low cost food items to the citizens in the community. Participating vendors shall comply with the prices as recommended by the Director.

13.1 The Director's recommended prices shall be from information published by the State of Hawaii, Department of Agriculture, Market News Service Branch "Honolulu Wholesale Market Report" and a survey of current prices taken from community oriented markets. Prices listed in the "Honolulu Wholesale Report" are based on Hawaii Grade "A" and U.S. No. I quality. Vendors are required to price products on grade terms.

13.2 Vendor shall obtain current price information from the People's Open Market staff and shall retain this information for their reference until a new set is issued. It is Vendor's responsibility to maintain current price information and to make them available for customer reference. Vendors or consumers may also call the People's Open Market office for current recommended price information.

13.3 Should there be no "Honolulu Wholesale Market Report" due to printing machine breakdown, strike, etc., the Director's recommended price information shall be from information taken from a survey of community oriented markets.

13.4 The Director shall use his/her judgment in recommending prices taking into consideration such factors as the excise tax, shortage of items, the markup in retail stores, etc.

13.5 State Excise Tax shall be included in the Open Market price and reporting and payment of the excise tax to the State Government shall be the responsibility of the Vendor.

PART XIV. VENDOR

14.1 Only one vendor vehicle per permit shall be allowed into the Open Market site. No delivery vehicle shall be allowed into the Open Market site.

14.2 The Vendors of the first scheduled Open Market of the day shall arrive no later than 20 minutes before the scheduled starting time. Vendors not assigned to the first scheduled Open Market shall arrive at their first assigned Open Market no later than 30 minutes before that scheduled starting time. The exceptions to this rule being the Kaumualii at Kalihi Street Open Market and the Waipahu Open Market. Vendors assigned to the Kaumualii at Kalihi Street Open Market and the Waipahu Open Market as their first Open Market of the day shall arrive no later than three quarters (3/4) hour before starting time.

14.3 The Vendor shall park vehicle as directed by the Department's representative.

14.4 Vendor shall complete beginning inventory sheet and adjust prices as necessary before setting up display table. Price and Food Stamp signs must be displayed in a prominent location with an unobstructed view for consumers.

14.5 Vendor shall be permitted to set up table(s) or display after all vehicles are in place or only with the approval of the Department representative. The size of tables(s) or display shall be with the approval of the Department representative. The limitation on the size of the table(s) or display shall be determined by the site, number of vendors, etc.

14.6 The Vendor shall be prohibited from selling at the Open Market sites other than those sites specified except with the written approval of the Director.

14.7 The sale of products other than those specified in Vendor's permit may be allowed only with the prior approval of the Director.

14.8 The Vendor shall wait for the starting signal (air horn) before commencing with sales. NO SALES TRANSACTION shall be permitted before the starting signal. All items shall be sold on a "first come, first served" basis. No reserving or pre-sale of items shall be allowed. The exception to this rule is at the City Hall Parking Lot Deck Open Market where Vendors may sell upon his/her arrival.

14.9 The Vendor shall be accountable for all sales.

14.10 The Vendor shall be responsible for the following reports to be submitted to the Department representative before he/she is permitted to leave Vendor's last market of the day:

- a) Accurate daily inventory reports.
- b) Tabulation of food stamps collected at each market site.
- c) Submit other reports as requested by the Director.

14.11 The Vendor shall render services without discrimination as to race, sex, creed or religion.

14.12 The Vendor shall attend markets in order of assignments; e.g., if Vendor is assigned to market "A," "B," "C" he/she shall attend in order "A," "B," and "C." The Vendor shall give equal treatment to all assigned markets making available all items contracted at every market. Changes in market assignments must be with the written approval of the Director.

14.13 Citation issued for permit violation could result in suspension or revocation of permit. (See Part XIX.)

14.14 The Vendor shall clean assigned area and dispose of waste in own receptacle before leaving each Open Market site. Trash cans and bins located in the park shall not be used by the Open Market Vendor.

14.15 The Vendor shall not leave an Open Market site until the market is closed and authorization to leave is given by the Department representative. Vendor must vacate market site no later than 20 minutes after the close of any market.

14.16 The Vendor may request assistance to clear traffic when leaving the market site.

14.17 The Vendor shall furnish and maintain a price board made of a permanent material, which shall consist of a white background made of melamine or similar material that can be used with erasable inks, minimum size being 24 inches by 36 inches.

a) Price board shall have Vendor's name and number in bold print (minimum of 2 inches) across the top of the board and painted with a waterproof paint. All other information shall be printed legibly with letters not less than one inch in height.

b) Price board shall be placed in view of customers not lower than four feet off the ground.

c) Information on the price board shall include the following:

- 1) Product sold.
- 2) Price per pound, piece, package or bunch.
- 3) Bunched or packaged items must have minimum weight indicated.
- 4) Grade, if applicable.

d) Pricing Information.

1) All items displayed for sale must be listed on the price board.

2) Display items not listed on the price board shall be removed and shall not be sold.

3) The Vendor is responsible to sell his/her product(s) at prices pursuant to Part XIII.

4) "Food Stamp Acceptance" sign shall be displayed or "Food Stamp Accepted Here" shall be clearly printed on the price list board.

5) No other signs shall be displayed in the Open Market without the written approval of the Director.

14.18 The Vendor shall be responsible for keeping licenses, permits, certificates, approvals, clearances, insurances, etc., in current force and effect including payment of all applicable fees and taxes and shall not be permitted to participate in the Open Market if not in current force and effect.

14.19 The Vendor shall be responsible to conform with all City, State and Federal government rules and regulations, ordinances and laws affecting his/her participation in the People's Open Market.

14.20 Scales shall be inspected annually by the State Department of Agriculture, Measurement Standards Division. All scales shall be positioned sideways to be visible to both Vendor and customer. Upon request, one-face scales shall be turned to face the customer. Inspection of the scale is the responsibility of the Vendor.

- a) Supports. All portable scales used on table tops shall be properly positioned, leveled and firmly supported to prevent inaccurate readings.
- b) Suspension of Hanging Scale. A hanging scale shall be freely suspended from a fixed support when in use.
- c) Wet Commodities. Fish and other wet commodities shall be weighed only on scales that have cans or platform that will drain properly.
- d) Balance Condition. The zero load adjustment of a scale shall be maintained so that with no load on the load receiving elements, the scale shall indicate or record a zero balance condition.
- e) Scale Modification. No modification of any scale shall be made except when the modification has been approved by a competent engineering authority, preferably that of the engineering department of the manufacturer of the scale and by the weights and measures authority having jurisdiction over the scale.

14.21 All Vendors shall abide by the rules and regulations in regard to health and sanitation as set forth by the State of Hawaii Department of Health and by the City and County of Honolulu People's Open Market. Some of these include:

- a) All food handlers, paid or unpaid, shall have a chest x-ray or tuberculin skin tests taken every three years and show proof of this requirement.
- b) All food shall be kept at least four (4) inches off the ground.
- c) Styrofoam coolers shall not be used for any type of food storage.
- d) No "cut" vegetables or fruits shall be sold except those approved by the Director and proper facilities approved by the Department of Health and the City shall be used to cut these items. (See Part XIV, Sec. 14.22).
- e) No smoking of cigarettes, cigars, etc., shall be permitted while handling food.
- f) No sampling shall be allowed.

g) All potentially hazardous food (shellfish, fish, etc.) shall be maintained at 45 degrees Fahrenheit or below at all times and protected from contamination (flies, etc.).

1) All food-in this category shall be prepackaged except fresh fish which must be sold in whole.

2) Fresh fish shall be chilled in drained ice or refrigerator. The container for drained ice shall be made of a non-porous material and be approved by the Department of Health and the City.

3) Live shellfish and clean whole eggs without broken shells may be exempted from "g-1" and "g-2", however, they must be kept cool (approximately 60 degrees Fahrenheit) and out of the sunlight.

h) All packaged or bottled food approved by the Director shall be stored and/or prepackaged in a facility approved by the Department of Health and the City.

14.22 All Vendors requiring an approved facility for their use shall obtain from the State of Hawaii, Department of Health, Sanitation Branch, a Food and Food Service Permit.

14.23 All Vendors selling food at the Open Market shall obtain authorization from the USDA Food and Nutrition Service to accept food stamps. Vendor shall comply with food stamp regulations.

PART XV. APPLICATION

15.1 Vendor application forms are available at the Department of Parks and Recreation, People's Open Market Unit, City and County of Honolulu, 1527 Keeaumoku Street, Honolulu, Hawaii 96822, Monday through Friday, except for legal holidays, during the hours of 8:00 a.m. and 4:00 p.m. Applications will also be available at all Satellite City Halls, Monday through Friday, except for legal holidays, during the hours of 7:45 a.m. and 4:30 p.m.

15.2 Applications to become a Vendor shall be submitted by the prospective Vendor to the Department of Parks and Recreation and shall be filed by the Department as follows:

a) Chronologically in a major Vendor category. (See Part X for Vendor Category.)

15.3 Vendor selection's criteria for an opening will be as follows:

a) All eligible participating applicants will be considered first subject to:

1) Their ability and capability to perform.

- 2) Their good standing as a Vendor.
- 3) Their category and types of products being sold remaining the same.

The Director shall have the right to reject an application of a participating Vendor for another permit based on the Vendor's standing and the Vendor's ability and capability to perform.

b) Ten (10) eligible applicants for the open category according to the chronological list in the open category shall be interviewed. Consideration for selection may be given to:

1) Farmers, fishermen or those directly involved in production of the items he/she is offering for sale.

2) Applicants whose items are derived from purchasing from others may be considered next.

c) The Director may select a community related farming/fishing pr or a farmer/fisherman with innovative methods of production.

d) The lists shall be kept by the Department and any openings shall be selected from this list according to category openings.

15.4 Criteria for market assignments are as follows:

- a) The demand of the type of product by consumers.
- b) Physical layout and size of Open Market site.
- c) Average number of consumers.
- d) Make up of neighborhood.
- e) Ability of vendor to perform.

The Director shall have the right to select Vendors to a site and to the make up of a site in regards to the variety offered at a site using the above criteria.

PART XVI. SUBMITTALS OR REQUESTS FOR INFORMATION

16.1 Such inquiry shall be made in person or in writing to the Director of Parks and Recreation, Honolulu Municipal Building, 650 South King Street, Honolulu, Hawaii 96813.

PART XVII. PETITION FOR ADOPTION, AMENDMENT OR REPEAL OF RULES

17.1 Petition

Any interested person may petition the Department requesting the adoption, amendment or repeal of any rule of the Department.

17.2 Submission

The petition shall be submitted in 10 copies to the Director, Department of Parks and Recreation, City and County of Honolulu. It shall include:

- a) A statement of the nature of the petitioner's interest.
- b) A draft of the proposed rule or amendment or a designation of the provision sought to be revised.
- c) An explicit statement of the reasons in support of the rule, amendment or repeal.

17.3 Disposition of Petition

The Department, within 30 days after the submission of the petition, can either deny the petition in writing, stating its reasons for such denials or initiate proceedings in accordance with Section 91-3 of the Hawaii Revised Statutes, for the adoption, amendment or repeal of the rule, as the case may be.

PART XVIII. DECLARATORY RULING BY DEPARTMENT

18.1 Petition

Any interested person may petition the Department for a declaratory order as to the applicability of any statute or ordinance relative to the Department or of any rule or order of the Department.

18.2 Submission of Petition

The petition shall be submitted in duplicate to the Director, Department of Parks and Recreation, City and County of Honolulu, and shall contain:

- a) The name, address and telephone number of the petitioner.
- b) A statement of the nature of the petitioner's interest, including reasons for the submission of the petition.
- c) A designation of the specific provision, rule or order in question.
- d) A complete Statement of facts.
- e) A statement of the position or contention of the petitioner.

f) A memorandum of authorities, containing a full discussion of the reasons, including any legal authorities, in support of such position.

18.3 Rejection of Petition

Any petition which does not conform to the foregoing requirements shall be rejected by the Department.

18.4 Refusal to Issue Declaratory Ruling

The Department shall for good cause refuse to issue a declaratory ruling without limiting the generosity of the foregoing, where:

a) The question is speculative or purely hypothetical and does not involve existing fact or facts which can reasonably be expected to exist in the near future.

b) The petitioner's interest is not of the type which would give him/her standing to maintain an action if he/she is to seek judicial relief.

c) The issue of the declaratory ruling may adversely affect the interest of the City, the Department or any of their officers or employees in any litigation which is pending or may reasonably be expected to arise.

d) The matter is not within the jurisdiction of the Department.

18.5 Referral to Other Agencies

Where question of laws are involved, the Department may refer the matter to the Corporation Counsel . The Department may also obtain the assistance of other agencies, where necessary or desirable.

18.6 Notification of Petitioner

Upon the disposition of petition, the petitioner shall be promptly informed thereof by the Department.

18.7 Status of Orders

Orders disposing of petitions shall have the same status as other Department orders. Orders shall be applicable only to the fact situation alleged in the petition or set forth in the order, and shall not be applicable to different fact situations.

18.8 Rules Governing Hearings

a) Informal Discussion

A person seeking relief from any provision of the People's Open Market Rules and Regulations shall discuss the matter informally with the Director of the Department of Parks and Recreation or an authorized representative.

b) Formal Application

If the matter is not disposed of thereby, such person may apply to the Department for relief by completing the appropriate "Application for Relief" form available at the Department of Parks and Recreation.

c) Public Hearing

Notice of such hearing, in conformance with Section 91-3, Hawaii Revised Statutes, shall be published at least twenty (20) days prior to such hearing in a newspaper of general circulation in the City and County of Honolulu. At the hearing, opportunity shall be afforded all persons to present evidence and argument on all issues involved.

PART XIX. CITATIONS

19.1 Citations shall be based on a "point system"; ten (10) points accumulated during the last twelve (12) months of participation shall result in suspension or revocation of permit.

a) Two (2) point violations:

- Late arrival.
- Failure to display price board sign in proper location.
- Failure to display price board sign.
- Failure to display Food Stamp sign.
- Incomplete and/or inaccurate information of price board.
- Failure to keep produce four inches above ground.
- Incomplete and/or inaccurate inventory sheets.
- Failure to complete beginning inventory sheets before market starts.
- Failure to submit inventory sheet(s) at the end of Vendor's last market.
- Failure to clean vendor's assigned area.
- Reserving or pre-sale of items.

b) Five (5) point violations:

- No show.
- Leaving market site without permission.
- Failure to vacate market site 20 minutes after close of last scheduled market.
- Disposing of trash in City trash bins.
- Failure to comply with Department representative's directions.
- Short-weighing customers.
- Cutting fruits and vegetables on site.
- Scales not inspected (no current seal of approval).
- Selling unauthorized products and items not in their category.
- Failure to follow Vendor's work schedule.

c) Ten (10) point violations:

Over-charging customers (selling above vendor's listed price).
Selling above recommended price list.
Failure to be in good standing with Federal, State and City agencies (Non-payment of taxes, etc.).
Failure to keep in current force and effect licenses, insurance, permits, etc.
Failure to notify Director of changes which would preclude Vendor's participation in the Open Market.
Failure to comply with vehicle safety and licensing certifications.
Misrepresentation of products.
Permitting others to sell their own goods at the Vendor's stall.
Any other unlawful behavior, unsafe act or behavior unbecoming of the participating Vendor.

19.2 Suspensions shall be for a period of not less than one (1) week. The Director shall have the right to suspend the Vendor for any length of time up to thirty days or revoke the Vendor's Permit upon his/her accumulating ten (10) points.

19.3 Violations for selling above the prices recommended by the Director:

- a) Vendors will be given only one warning citation.
- b) Upon receipt of second citation, Vendor's permit shall be terminated.

19.4 Upon receiving the revocation notice, Vendor may appeal to the Director in writing within seven (7) days of the notice. Vendor shall be on suspension while the appeal is in progress.

ADOPTED THIS 4th DAY OF October, 19 85, IN HONOLULU, HAWAII.

/s/ Tom Nekota
TOM T. NEKOTA, Director
Department of Parks and Recreation

APPROVED AS TO FORM AND LEGALITY:

/s/ Maria C. Aviante-Tanaka
Deputy Corporation Counsel

APPROVED this 4th day of

October, 19 85.

/s/ Frank F. Fasi

FRANK F. FASI, Mayor
City and County of Honolulu

CERTIFICATION

I, Tom T. Nekota, in my capacity as Director of the Department of Parks and Recreation of the City and County of Honolulu, do hereby certify that the foregoing is a full, true and correct copy of the Rules and Regulations of the Department of Parks and Recreation governing the operations of the People's Open Market, which were adopted on October 4, 19 85, following a public hearing, including a statement of the substance of the proposed Rules and Regulations, was published in the Honolulu Star Bulletin and Honolulu Advertiser on September 12, 19 85.

/s/ Tom Nekota
TOM T. NEKOTA, Director
Department of Parks and

Recreation

City and County of Honolulu

Received this 7th day of

October, 19 85.

/s/ Raymond K. Pua
RAYMOND K. PUA, City Clerk

PEOPLE'S OPEN MARKET
VENDOR PERMIT NO. _____

This Permit is issued this _____ day of _____, by
the CITY AND COUNTY OF HONOLULU
to _____,
whose mailing address is _____, Hawaii,
_____, dba

_____,
hereinafter called the "Vendor", for the category or categories at the site or sites as shown
in the attached Exhibit B.

The City hereby permits the said Vendor to operate in the People's Open Market, CITY
AND COUNTY OF HONOLULU, Hawaii, in accordance with this Permit and Rules and
Regulations of the People's Open Market, and Exhibit A attached hereto and incorporated
by reference and made a part hereof. That the term of this Permit shall be for a period of
one calendar month and subject to a month to month renewal unless terminated for one of
the following reasons:

- 1) If the People's Open Market program is terminated.
- 2) If the Vendor requests in writing to "Cancel the Permit".
- 3) If upon Vendor's breach of the Rules and Regulations of the People's Open Market as provided herein.
- 4) If there is a change in the Vendor's category or circumstances which would justify the Vendor's reapplication based on those changed facts.

The Revocation notice shall be issued in writing by the Director, Department of Parks and Recreation.

RECREATION
HONOLULU

DEPARTMENT OF PARKS AND
CITY AND COUNTY OF

By _____

Department of Parks and Recreation

Vendor Signature

EXHIBIT A

I have received the following documents:

<u>Title of Document</u>	<u>EDITION</u>
<u>People's Open Market Vendor Permit</u> _____	
<u>Rules and Regulations</u> _____	
<u>Exhibit A</u> _____	
<u>Exhibit B</u> _____	
_____	_____
_____	_____

Vendor

Date

Witnessed by:

Representative of
People's Open Market

EXHIBIT B

**PEOPLE'S OPEN MARKET
ATTACHMENT TO VENDOR PERMIT**

IN ACCORDANCE WITH THE VENDOR PERMIT DATED _____,
19 ____.

VENDOR _____ NO. _____ WILL BE
ASSIGNED THE FOLLOWING:

CATEGORY

_____ #1 Fruits and Vegetables

_____ #2 Eggs

_____ #3 Seafood

_____ #4 Plants and Flowers

_____ #5 Honey

_____ #6 Other as Approved

Types of Products:

SITES

MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY |
SATURDAY

Manoa ____ Waiau ____ Palolo ____ Waimanalo ____ Aiea
____ Banyan ____

Makiki ____ Waipahu ____ McCully ____ Kailua ____ Ewa
Beach____ Kaumualii ____

M. Waldron ____ Wahiawa ____ Q.Kapiolani ____ Kaneohe ____ Pokai Bay ____
Kam IV ____

HMB ____ Mililani ____
Salt Lake ____

Hawaii Kai ____

Vendor

Date