

MIDLAND AREA FARMERS MARKET 2018 RULES & REGULATIONS

The Midland Area Farmers Market is dedicated to providing high-quality fresh, locally grown and/or produced foods, plants, flowers as well as other agri-business related products. We are committed to connecting residents and visitors with local farmers and producers while also providing an easy, enjoyable shopping experience.

*Please note: all first-time vendors must fill out a **Market Application** before selling at the market. These can be obtained from the Midland Area Chamber of Commerce website at www.macc.org/midland-area-farmers-market.html or by contacting Market staff. You may reach the Market Master at 989-948-0071 or the Market Manager at 989-839-9901. Thank you.*

1) **OPERATION DATES AND TIMES:**

- a) The Market will be open Wednesdays from 11 a.m. to 6 p.m. and Saturdays from 7 a.m. to 1 p.m. beginning Saturday, May 5, 2018 through Saturday, October 27, 2018. The Market will be open Saturdays from 9 a.m. to 12 noon beginning Saturday, November 3, 2018 through Saturday, November 17, 2018. **Any vendor** who has not arrived at the market by 10:15 a.m. on Wednesday or 6:15 a.m. on Saturday (8:15 a.m. for November) and has not notified (via text message or phone call) the Market Master (989-948-0071) that they will be arriving late, forfeit their assigned space. The Market Master has authority to utilize their assigned stall as needed.
- b) **A vendor who misses three consecutive unexplained market days may lose their reserved space without refund. This applies to ALL vendors.**
- c) We make every effort to maintain regular attending daily vendors in a similar stall/area, however, it cannot be guaranteed.
- d) Vendors are required to stay for the entire scheduled market hours unless they are completely sold out of product and/or receive approval from the Market Master to leave.
- e) In the case of inclement weather, the Market Master, with consultation with the Market Manager, will make the determination to close the market early. Individual vendors have final say if they stay or leave, however, the Midland Area Chamber of Commerce will not be liable for any damage caused as a result of a vendor staying through dangerous weather.

2) **ITEMS TO BE SOLD:**

- a) The Market is intended to offer fresh produce, meat, eggs, flowers and plants, honey and maple syrup products, fresh/dried pasta and baked goods to area residents. The primary focus is on agri-business and consumable products. A consumable product other than what is listed is at the discretion of the market manager. **Selling of crafts or artisan products is prohibited unless;** 1) the craft relates to the vendor's main eligible product(s) and 2) the display and sale of the related craft is less than half of the vendor's total display and sales. Special exceptions may be made by the Farmers Market staff, on a juried basis, to enhance the shopping experience on low vendor days.
- b) Nursery Stock Dealer, Plant Dealer, Nursery Grower, Plant grower or Small-scale Grower: According to The Insect Pest and Plant Disease Act (Act 189 of 1931 & Imd. Eff Sept. 30, 2007), you must obtain a Nursery/Plant Dealer & Grower License from the Michigan Dept. of Agriculture. Known invasive species are not allowed to be sold at the Market.
- c) Labeling of goods sold under the Michigan Cottage Food Law must adhere to the State of Michigan guidelines (see www.michigan.gov/cottagefood).
- d) No uninspected poultry, livestock, domestic animals, wild game or other related items may be sold or given away. The sale of any other foodstuffs or other products is prohibited without the prior permission of the Farmers Market Staff.
- e) There will be no washing of fruits or vegetables at any time within the Farmers Market.
- f) Any vendor selling food designed to be consumed on the Farmers Market property must follow local health department rules, regulations and licensing.

3) **SIGNAGE:**

- a) Each vendor must use a sign that clearly identifies your farm/business name and location (City, Township, etc) on your assigned stall. These should be clean, legible and clearly displayed and no smaller than 8' .5" x 11'. The shoppers want to know where your product is from, if it is Certified Organic, etc., identify anything special about your product. It is to your benefit to be upfront and honest. The term 'organic' may only be used by farms who are Certified Organic, in accordance with the USDA National Organic Program. Vendors must display their certificate at the Market.
- b) We do not set vendor prices. Please establish a fair retail price for your product.

4) **WHOLESALE SELLERS:**

- a) If you are wholesaling/reselling products, you must indicate as such with a sign. If you are primarily a wholesaler, then a sign will be provided to identify you as such. If you are a mix of both then all wholesale products must be identified with proper signage. **Anyone found to be passing off wholesale products as their own homegrown product will be dismissed from the market without refund.**
- b) Wholesale vendors will be limited to less than 10% of the market. Wholesalers are advised to consider items that are first and foremost, grown in Michigan and secondly, grown in the United States. It is preferable to include items that are not competing with in-season Michigan produce already being sold at Market.

5) VENDOR REQUIREMENTS:

- a) All vendors must fill out and submit an application and have formal acceptance prior to being permitted to sell at the market.
- b) **Vendors MUST submit a CERTIFICATE OF LIABILITY INSURANCE to the Chamber prior to vending at the market. The certificate holder needs to list the Midland Area Chamber of Commerce 300 Rodd St., Ste. 101 Midland, MI 48640. All vendors must carry NO LESS THAN \$500,000 in commercial general liability for the 2018 season. See sample certificate for all requirements.**
- c) Vendors must comply with **all** federal, state and city licensing, labeling, storage and sanitary regulations. Vendors and their employees are responsible for knowing and adhering to these rules. It is also the vendors' responsibility to have the proper license(s) should local, state or federal inspectors be present.
- d) Vendors may not have animals at or around their stall area. No giving away or selling pets. Your stall will be revoked without refund if you are found in violation.
- e) It is the responsibility of each vendor to follow all local, state and federal laws/regulations.
- f) Vendors will not call out (hawking) to encourage customers to come to their booth or follow customers around to get a sale.
- g) Vendors will refrain from commenting on other market vendors and their products. Any questions about other vendors should be directed to the Farmers Market Master.

6) VENDOR SPACES:

- a) Each market space is approximately 8'x26'. Vehicles will only be allowed to park within the confines of your stall rental. No vehicles will be allowed to park in the center circle during the busy season, except by special permission from the Market Master. The center stalls are approximately 10'x24'.
- b) Extra employees for your stall **MUST** park away from the market, either behind the Courthouse or in the lot near Riverside. We will have additional vehicles towed that are illegally parked.
- c) **Daily stall rental rate:** Daily vendor rental is \$25 per market day; Wholesale and Food Truck daily vendor rental is \$35 per market day.
- d) Vendors may locate vending stalls on the outside circle in numbered areas only, unless otherwise specifically authorized by the Market Master. Areas adjacent to the restrooms must be kept clear of vending.
- e) Vendors shall not install any device for the purpose of attaching tarps, weather protection or similar items. The City has installed such devices, and may install additional devices solely at its discretion.
- f) Vendors are to place their table so that they remain within their designated area(s) and line up evenly with properly placed tables in neighboring vending stalls. The Market Master has the authority to make any adjustments/changes necessary to keep tables within the designated areas and in line with neighboring stalls/tables.
- g) All walkways must be clear and no products or boxes may be placed to impede flow of customer traffic.
- h) No more than two annual stalls per farm/vendor/business will be permitted. No more than three stalls per Market day per farm/vendor/business will be permitted.

7) REFUSE:

- a) Each vendor must clean up the debris around his or her stall at the end of each Market day and dispose of trash, **breaking down all boxes** before putting them in the dumpster. This is especially important come peak produce time. Please be sure to communicate this to ALL people who will assist you as a vendor.
- b) There is a compost disposal area for food items **ONLY**, located next to the dumpster.
- c) Failure to comply with the refuse clean-up rules will result in the violating vendor being billed a minimum **\$50.00 clean-up fee** for someone else doing it for you.

8) PARKING:

- a) Vendors may park trucks, trailers, or other vehicles **ONLY** in their designated rented market stall(s).
- b) For vendors' stalls within the inner circle of the open-air market structure: Vehicles are allowed to be parked within the inner circle area – only within your designated stall parking area unless asked by the market master to be moved due to space constraints. However, a vehicle which is leaking fluids shall not be permitted to park within any Market stall. Violators may be fined and/or not be permitted to park in that space again until proof of the vehicle's repair has been provided to the Market Master.
- c) Vendors shall not drive or park a vehicle that will block the restroom entrances.
- d) No vehicles are permitted to drive on the red brick area (the "patio") next to the Market.
- e) No extra staff/family vehicles are permitted to be parked parallel to the road on the outer edge of the circle.

9) MISCELLANEOUS:

- a) Vendors are expected to act in a professional and courteous manner - this includes with other vendors as well as customers. No abusive language or profanity will be allowed. Acting in a manner which demonstrates a deliberate attempt to cause poor morale will not be tolerated.
- b) Solicitations are not permitted on Market walkways or on Farmers Market property unless authorized by the Chamber or the Market Master. No political activity is permitted.
- c) Bicycles are not permitted within the market vending area. Bike racks are located near the market for the customer's convenience.
- d) Pets or live animals are **prohibited** at the Market – for safety and sanitary reasons. The only exception will be service animals. They should be marked appropriately.
- e) The market accepts debit/credit/bridge cards using a token system. The tokens can be spent at participating vendor stalls just like cash. Vendors may participate in acceptance of the tokens or not. If you participate then you will be reimbursed monthly, by check, for tokens turned in. Double Up Food Bucks (DUFEB) tokens will also be accepted this year. Vendors will need to sign an agreement consenting to accept both DUFEB and SNAP benefits.
- f) If you accept the wrong tokens in error, you will not be reimbursed for them. Please make sure all of your employees know the rules about what the token rules are.
- g) If an emergency happens near your stall, please immediately call the market master at 989-948-0071 or 911 if that person cannot be found immediately. Please let the paramedics work with the injured person and don't make a judgement call about their condition.
- h) No smoking within 25' of the Market proper.

10) FOOD TRUCKS:

- a) We have a limited power supply for food trucks, so each vendor is limited to one plug space on our power access, unless given special permission by the Market Master.
- b) If your truck requires more power than we have, a **SILENT GENERATOR** is required.
- c) Food truck sizes are limited to roughly 10' x 26', if your food truck is larger than this, you may be charged for additional spaces.
- d) We attempt to provide a variety of food truck food options. It is in your best interest to try to be as unique as possible, rather than offer the same fare as another food truck.

11) ENFORCEMENT OF RULES:

- a) A vendor will not be allowed back in the Market until any/all applicable fees are paid in full (stall rentals, clean-up fees, etc.).
- b) Anyone not complying with these rules may be suspended from the Market. The length of time will be determined by the Farmers Market committee, based upon the offense.
- c) Repeated violations of rules will be brought to the attention of the Farmers Market committee who have authority to take action. This may include a fine or permanent suspension from the Market or both.
- d) The Midland Area Chamber of Commerce assumes no liability for injuries or damage incurred by vendors or shoppers arising out of the conduct of Market vendors. Participating vendors are required to carry liability insurance to cover themselves during the market, see item 5) b).
- e) The Market Master will have full charge of enforcing all Market regulations.
- f) Any disputes must be presented in writing to the Market Manager by utilizing a grievance form which can be provided by the Market Master. Responses will be returned within two weeks of the receipt date.
- g) Failure to follow policies, regulations, rules and decisions of the Midland Area Farmers Market, the Market Master, and/or the Market Manager, will result in immediate and permanent removal from the Market with no refund.
- h) The Farmers Market staff reserves the right to amend these rules and regulations at any time, and all vendors will be notified in writing within 7 days.

If you have any questions, please call the Chamber office at (989) 839-9901.

**Midland Area Chamber of Commerce – Farmers Market
300 Rodd Street, Suite 101, Midland, MI 48640**

Pre-Registration for Renting a Daily Stall

We will give you the opportunity to pre-register for a daily spot by calling in the day prior. There still will be some spots available on the day of market.

1. The phones will be open from 12 p.m. to 3:00 p.m. every Tuesday and Friday before market day.
2. **Leave a message on the Market phone at [989-948-0071](tel:989-948-0071)** with your intentions for market day. How many stalls, preferred location, special needs, etc... Please note, you may not get a stall in your preferred location and the Market Master has the final say in how the market is set up. **You must leave your name and phone number EVERY TIME, it may not always be the Market Master picking up the messages.**
4. The Market Master will then assign stalls and contact you by the end of the day on Tuesday or Friday. If you would prefer the Market Master text you back, please indicate that in your message.