

2010 Boyne City Farmer's Market Rules

Mission Statement

The Boyne City Farmers Market Committee seeks to enhance the quality of life in the Boyne area by:

- Providing a quality market and entrepreneurial opportunities for a variety of locally grown and made farm products and commodities directly to the consumer.
- Encouraging direct communication between local farmers and consumers.
- Providing a community center within downtown Boyne City that fosters social gathering, interaction and entrepreneurship.

Market Location and Schedule

The Boyne City Farmers Market is located in Veteran's Park and is held every Wednesday and Saturday from May 1st to October 31st from 8 a.m. to 12 p.m. ***There may be two or three times during the season that the market will need to move to an alternate location due to a conflict with previously scheduled events in Veteran's Park.***

Producer Definition

Only producers will be allowed to be vendors at the market. A producer is a person offering for sale articles for human consumption such as fruit, vegetables, edible grains, nuts, berries, honey, maple sugars, syrups, and breads, and non-edible articles such as plants, cut flowers, and handicrafts.

All items sold by a vendor must have been raised, prepared, gathered, or produced by the producer within a (30) thirty mile radius of Boyne City and within Charlevoix, Antrim, Emmet, Cheboygan, or Otsego counties. The vendor may not bring in products he/she has not raised, prepared, or produced, or has bought from someone else for resale at the Boyne City Farmers Market. If this rule is violated and substantiated, the participant will be asked to leave and forfeit any fee paid.

The Boyne City Farmers Market Committee may allow, in its sole discretion, **Seasonal** market vendors to sell synergistic products. **Daily vendors are not allowed to sell synergistic products.** Synergistic is defined as a product, which is not necessarily grown or produced by the vendor. Synergistic products are permitted as long as they are not competing with a similar locally produced product, and are consistent with the type **and seasonality** of product grown in northern Michigan. The Market Manager determines eligibility of synergistic products.

TO QUALIFY TO SELL A SYNERGISTIC PRODUCT AT THE MARKET, A SEASONAL VENDOR MUST:

- LIST THE PRODUCT(S) ON THEIR VENDOR APPLICATION;
- DISPLAY A SIGN IN A PROMINENT LOCATION THAT IS EASILY VIEWED BY CUSTOMERS STATING WHERE THE PRODUCT WAS GROWN. SIGNS WILL BE PROVIDED BY THE FARMERS MARKET.

In the case of handicrafts, the product must be substantially made/crafted by hand. The criteria used to determine if a product is handcrafted include: a) the starting materials must be significantly altered or enhanced by the craftsperson, and b) the handcrafted components must functionally and/or aesthetically dominate any non-handcrafted (commercial) components. A detailed description and photos of the handicrafts to be sold must be submitted with the vendor's application. All crafts will be juried and selected based on these criteria.

The Boyne City Farmers Market Committee may allow, in its sole discretion, producers outside of the (30) thirty-mile radius or other northern Michigan counties to participate in the market if the committee feels the

producer's products will fill a void and/or niche in the market that has not otherwise been filled by any current vendors and if the producer's products are supportive of the goals of the Boyne City Farmers Market. In the case a producer from outside of this area that has not been previously approved by the committee shows up at the market, the Market Manager can use his/her discretion to allow the producer into the market for that (1) one day ONLY. In order for the producer to continue selling at the market, the producer must receive permission from the committee.

Vendor Space Rental Fee & Application Process

All vendors are required to submit an annual application to the Market Manager in order to be considered for space rental. Applications can be sent to the Boyne City Farmers Market address on the form or given to the Market Manager prior to the start of selling at the market. Along with the application, all vendors must submit a copy(s) of all applicable licenses and permits pertaining to products that will be sold at the market. Applications will NOT be processed until all required documents have been submitted. An invoice will be sent to the vendors with their space assignments upon approval of their application.

Vendor spaces are rented on a per-foot basis with a 10-foot minimum. Spaces can be shared by more than one vendor at the Market Manager's discretion. Vendors may rent 10, 15 or 20 feet.

Seasonal fees for the 2010 season are:

<i>10 foot space -</i>	<i>100</i>
<i>15 foot space -</i>	<i>150</i>
<i>20 foot space -</i>	<i>210</i>

The daily fee for the 2010 season is

<i>10 foot space -</i>	<i>\$20</i>
<i>15 foot space -</i>	<i>\$30</i>
<i>20 foot space -</i>	<i>\$40</i>

If a seasonal vendor wishes to move from their designated space to another space for a single day, the vendor must pay a \$5/day relocation fee. The Market Manager has the right to waive this fee on a collective basis if there is low demand for space at the market. There will most likely be a relocation fee mid-June through mid-September. Relocation must be approved by the Market Manager.

Space Assignments for Seasonal and Daily Vendors

Upon processing the vendor's application, the Market Manager will assign all vendors their space. In order for a returning vendor to keep their space from the previous year or request a different space, vendors will need to return their applications to the Boyne City Main Street program by 5:00 pm, **March 14, 2010**. Priority will be given to those vendors selling edible products and/or plant products. After **March 14**, the Market Manager will reassign the spaces. The Market Manager will make all efforts to accommodate specific space requests within the limits of the market configuration and space available. In general, produce and craft vendors will be grouped separately. Past market attendance, market history and product profile will all be considered when assigning market space. All requests will be considered. All may not be able to be fulfilled.

In order to claim their weekly reserved spot, a seasonal vendor needs to be present by 7:30 a.m. unless previously arranged with the Market Manager. After 7:30 a.m., the space will be rented out to daily vendors. If a seasonal vendor does not attend the market three weeks in a row and fails to contact the Market Manager during that time, their space will be forfeited.

Only the Market Manager can assign spaces. Daily vendors must check in before setting up. A seasonal vendor cannot designate who gets their space if they are not present, nor can they sublet their space.

Eligible Items for Sale at the Market

The farmers market will cater to high quality homemade and homegrown products. The following list of eligible items for sale may be expanded at the discretion of the Farmers Market Manager:

- fruits, vegetables, field crops, herbs, nuts, berries, sprouts, and grains
- plants, flowers (fresh or dried)
- honey, maple syrup
- baked and canned goods
- eggs & meat products, dairy
- handicrafts

Displaying overripe, spoiled or unusable products is not permitted. No garage sale, rummage sale, antiques, or “flea market” items are allowed. No live animals are allowed to be sold.

All items for sale must be visibly labeled with prices and in accordance with state regulations. Vendors selling eggs, meat, or other perishable products must keep the products at an appropriate temperature in accordance with state regulations.

All vendors are required to comply fully with the Michigan Department of Agriculture and Health Department Food Handling & Sanitation Rules and Regulations along with all federal, state, and local law and will hold the market harmless regarding the same.

Vendor Information

- **ALL VENDORS MUST SUPPLY MAT, PLYWOOD, OR OTHER SURFACE ON THE ENTIRE LENGTH OF THEIR SPACE TO PROTECT THE GRASS.**
- Each vendor must provide his/her own equipment, supplies and materials, such as their own tables, chairs and boards from which to sell their products. All vendors must supply sacks or other containers for product sales. Vendors must supply their own sun and weather protection.
- Parking behind tables is limited to one vehicle or one vehicle with trailer.
- Each vendor will be responsible for his/her own area and for the clean-up at closing. All refuse must be taken with the vendor or disposed of in a waste receptacle.
- Vendors should provide a clean personal appearance to reflect positively on the Market. All trucks and other equipment used for transportation and display shall be kept clean at all times.
- No smoking will be allowed by vendors in the park, or within 30 feet of the park, during Farmers Market hours.
- Vendors are not allowed to bring dogs or other pets to the market.
- Children under the age of 16 can not sell products without adult supervision.
- Products are to be displayed within the boundaries of the vendor’s space. No stakes in the ground.

Service Organizations

A few spaces will be reserved for Boyne City not-for-profit service organizations. Permission to participate will be granted by the Market Manager. The service organizations must submit a written application to the Market Manager prior to being allowed at the market.

Enforcement of Rules

The Market Manager has full authority to enforce all rules. All problems and conflicts should be directed to the Market Manager.

The Market Manager has the right to deny a vendor the privilege of selling at the market. Reasons may include lack of license, misrepresentation of products, non-payment of fees, poor quality of products, leaving area littered, or disorderly conduct. The vendor can appeal the Market Manager decision by following the market grievance procedure. A copy is available from the market manager.

The vendor agrees to indemnify, defend and hold harmless the Boyne City Farmer's Market, Boyne City Main Street, City of Boyne City, and Market Manager from and against any and all claims, losses, liability, costs or expenses (including reasonable attorney fees) arising out of bodily injury of any person or persons, including death, or property damage, relating to the use of Boyne City's property for the purpose of selling items at the Boyne City Farmer's Market during its seasonal operational schedule.

Rules are subject to changes as seen fit by the Market Manager and Farmer's Market committee, and approval by the Main Street Board.

For more information or for questions, please call the Boyne City Main Street office at (231) 582-9009.

Market Grievance Procedure and Inspection Policy

As members of the Boyne City Farmers' Market, you have voluntarily joined together to create a market to sell local food and products and agreed to abide by certain rules. There may be a time, however, when a vendor feels the rules are not being followed. For those situations, the Boyne City Farmers Market Executive Committee has created a grievance process.

If a vendor believes that the behavior of a fellow vendor is detrimental to the common goal of maintaining a vibrant, welcoming marketplace that is hospitable to both vendors and shoppers, he / she may present a grievance.

Grievance Procedure

- Approach and discuss your concerns with your fellow vendor, always maintaining a positive attitude.
- If you cannot approach and discuss your concerns with the vendor whose behavior you question, discuss your concerns with the Market Manager.
- If the Market Manager, you and the vendor whose behavior you question cannot work out a solution acceptable to all, the Market Manager can call for Mediation involving all parties. The mediation will be facilitated by a committee of three individuals appointed by the Farmers' Market Executive Committee.
- Minor complaints concerning rule infringement (not usually requiring a Grievance Form such as space violations, time violations and uncovered foods) may be resolved on the spot by the Market Manager. Major complaints concerning rule infringement (involving out-of season produce, out-of-area produce or wholesale produce) must be submitted on the Grievance Form (available from the Market Manager).
- Fill out the Grievance Form and return it to the Market Manager.
- Pay a \$25 deposit for the Market Manager and/or Executive Committee Members to conduct a farm visit. If the challenge is unfounded, then the vendor who challenged will lose the \$25. If the challenge is found to be true, then the \$25 will be refunded and the vendor in violation will be fined \$50 and suspended from the market for two weeks for the first offense. If a vendor commits a second violation they will be permanently removed from the market.

Complainants will be identified to the vendor receiving the complaint, and complainants will accompany the Market Manager and committee members if a farm visit is deemed necessary.

The production site must be available for inspection within five days following the receipt of the complaint. If the farmers' market committee cannot be satisfied by vendor compliance, it may have the vendor removed permanently from the market.

A complaint may be filed with the City of Boyne City to force the removal of any offending vendor by the police.