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**Manor Farmers’ Market Rules and Regulations**  
**for Market Operations in 2010**

A project of the East Rural Community Center, a 501(c)(3)  
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**Introduction**

The Manor Farmers’ Market (the “Market” and/or “MFM”) is a Texas Department of Agriculture a certified farmers’ market that will operate weekly year round. The Market will operate in accordance with all city, county, state and federal laws, for the benefit of farmers and customers alike. The mission of the Market is to provide Manor and the surrounding Central Texas region with locally grown foods and farm products in a direct farm-to-consumer marketing venue that will serve diverse populations, preserve and promote regional agriculture and improve our quality of life. It is a project of the East Rural Community Center (“ERCC”), a non-profit 501(c)(3) [www.manorfarmersmarket.org]. The mission of MFM is to create a food secure community by improving access to local, healthy, affordable food for children and adults in Central Texas. Further goals that the Market strives to achieve are increased education about and support of regional agriculture. MFM believes that small family farms are essential to the local, sustainable agricultural economy, and is committed to making economic and educational connections between urban residents and local farmers. The predominant product emphasis will be on the farm products from the region, but the Market will also host some craft vendors and producers of ready-to-eat and value-added products to support local, small crafters, artisans, and food-based entrepreneurs to increase local economic vitality.

The purpose of these rules is to govern the operation, administration and management of any farmers’ market under the control of MFM. In issuing rules, we hope to ensure the smooth operation of the Market.

**Definitions**

Approved product: a product that has been approved by the Farmers Market Advisory Council (new vendor) or Market Manager (if an existing vendor-same area of product).

Agent: a representative of a farmer who is working on contract with the farmer to sell for the farmer at the Market.

Board of Directors: the board of directors of the MFM.

Craft Vendor: a person who creates a hand-made craft to sell at the Market.

Day Vendor: a Vendor who has been approved at the Market to sell, but who does not wish to hold a reserved space at the Market.

FMAC – the Farmers Market Advisory Council of the Manor Farmers Market.

Local Product: any product grown or produced within 150 miles of downtown Manor.

Market Manager: the MFM staff member, who supervises the operations of the Market.

Producer: the grower of any raw agricultural product or the person who produces any dried, frozen, value-added, ready-to-eat, or craft product.

Provisional Vendor: A vendor approved by the FMAC to sell at the Market during a limited season or under specific circumstances.

Reserved Vendor: a vendor who pays an advance deposit to reserve a specified number of spaces or stalls at the Market.

**Value-added Product:** an item made from a raw agricultural product to which some value has been added through preparing, cooking, blending, packaging, or other method. Such item may be edible, like jalapeno jelly, or inedible, like a wreath from dried okra pods.

**Value-Added Vendor:** a vendor who produces food and other products that are derived from agricultural products.

**Vendor:** a seller at the Market.

## **Admission of Products and Sellers**

### **Applying to the Market:**

Potential Vendors must receive a copy of the Market Rules and Regulations and an Application from Market staff and, after reviewing the rules packet, must submit the completed, signed application and required support materials to Market staff. All applications are then submitted to the Farmers' Market Advisory Council (FMAC) Vendor Representatives for review during the regular monthly meeting (first Saturday of each month). The FMAC Vendor Representatives review applications for compliance with market rules and external regulations, and determine the appropriateness of the applicant's products based on the ongoing need for market growth, ability of vendor to consistently participate in the Market, perceived or expressed customer demand, and current supply of identical or similar products. Applications will be approved or disapproved with 2/3rds vote of the FMAC Vendor Representatives who are present at the meeting. The FMAC Vendor Representatives may approve or deny individual products on an application, in which case, the vendor may only sell the approved products. Applicants will be notified of the FMAC decision on the next working day. Upon approval, new vendors may start selling at the market the following week. The approved vendor *must start within 60 days of the approval of their application*, or they will be disqualified to enter the market and they must reapply.

### **Who May Sell:**

1. Farmers, Ranchers, Fishers, 2. Value Added Producers, 3. Ready-to-eat Producers and Bakers, 4. Artists and Craftspeople, 5. Service Providers, 6. Gardeners corners, 7. Nonprofits, 8. Provisional Vendor Farmers. Producers of agricultural products whose applications are approved by Vendor Representatives of the Farmers' Market Advisory Council and whose farms have been inspected by representatives of the Market may sell

at the Market. An initial inspection to verify production claims may take place prior to the review of the application by the Market management and FMAC Vendor Representatives (if available). If not, the inspection will be scheduled within 60 days of the first date that the farmer sells at the Market. If the initial inspection does not occur prior to or within 60 days of that first date, the farmer may continue selling at the Market pending completion of the initial inspection. However, if the initial inspection does not take place within 60 days and it is determined by Market representatives that this is due to any action or inaction by the farmer, then the farmer may not continue to sell at the market until the completion of the initial inspection. A farmer may not continue to sell at the Market if the FMAC Vendor Representatives do not accept the farmer's application following the initial inspection.

Farmers may be represented at the Market by their employees, Agents or Family, provided that the Farmer submits to the Market Manager an "Employee/Agent Authorization Form" in the form attached at least one week before the date that any employee, Agent or Family member represents a Farmer at the Market.

For a Farmer to become a vendor at the Market, you must:

- Grow your own Local Product that you sell;
- Live within a 150 mile radius of downtown Manor;
- Fill out and sign a vendor application at least one week before you plan to begin selling at the Market;
- Sign a Participation Agreement of the Market Rules agreeing to all terms;
- Hold all required permits, licenses, and insurance policies necessary for your business operation and provide copies to the Market Manager;
- Provide proof of farm product liability insurance, or, sign an Indemnity Agreement;
- Allow representatives of the market to inspect your farm;
- Submit an annual fee of \$20.00.

**All necessary paperwork (application, licenses, etc.) must be on file before a vendor can sell at the Market, with exceptions at the Market Manager's discretion.**

### **NO RESELLING IS ALLOWED AT THE MARKET.**

Partnerships. Partnerships between farmers may become Vendors provided they are verified by: 1) a lease agreement showing an approved Vendor has control of growing ground and is in effect investing in the production of the produce and 2) farm inspection of the leased land. Growers who produce products separately and merely market them together are not allowed. Legally incorporated producer cooperatives may be allowed. In serious situations where illness, costs, distances, or other unforeseeable barriers prohibit a farmer from participating in the market with the product that he/she produces, partnerships of two neighbor farmers selling distinct products under one tent will be reviewed case-by-case for possible inclusion into the market as a partnership.

Value-added vendors and Craft vendors. A farmer may be a Value-Added Vendor of his/her own Value-Added Product made in accordance with the rules. In addition, a Value-Added Vendor may be an individual who does not grow the ingredients, but who procures and processes ingredients in accordance with all health and safety ordinances/law and who is approved by the Market management.

To become a Value-Added Vendor or a Craft Vendor at the Market, you must:

- Use Local Products and/or Texas products when available and when it is not a hardship for the production of the product (preference is given to these products);
- Produce your own product (whether value-added, ready-to-eat or a craft) within 150 miles from downtown Manor;
- Live within a 150 mile radius of downtown Manor;
- Fill out and sign a vendor application at least one week before you plan to begin selling at the Market;

- Sign a Participation Agreement, stating that you agree to all terms of the Market Rules;
- Allow Market Representatives to inspect your business;
- Hold all required permits, licenses, and insurance policies necessary for your business operation and provide copies to the Market Manager; and
- Submit an annual fee of \$ 20.00.

Food Vendors, Commercial Sellers/Services and Restaurants/Bakeries. While the emphasis of the Market is on farm products, prepared food products sold by food Vendors, restaurants/bakeries and crafts sold by Craft Vendors add variety and appeal to the Market and will be permitted at market on a limited basis at the discretion of the Market Manager.

The producer-only policy that applies for farmers applies also to these vendors and sellers, to maintain the producer-to-customer direct connection. These products must be sold by the seller, Family members, and employees or Agents. These products must be made by the seller.

Limited service providers will also be added at the discretion of the Market Manager for creating diversity at the Market, e.g. one massage practitioner.

Provisional Vendor. Market staff may accept applications from potential vendors for special events or activities hosted at the Market, such as Holiday Seasons or Environmental Awareness Day. Applications from potential provisional vendors will be submitted to the FMAC Vendor Representatives for review and approval. All details of provisional vendor participation, including dates of participation, products offered, applicable fees, and other details will be outlined in Provisional Vendor Agreements specifically drafted for each event or season.

Non-profit groups. Non-profit organizations who have current 501(c)(3) designation with a clearly stated educational mission related to environment, health, agriculture, nutrition, human services, or other purpose that assist in promoting the goals of the Market and MFM, may participate at the discretion of the Market Manager. Nonprofits must submit a completed application to Market staff and, upon approval from the Market Manager, may participate free of charge. Nonprofits may distribute information about

their organization, program, or events, may solicit mailing lists additions, and may raise funds through solicitations or through merchandise or ticket sales, the price of which will not exceed \$5 per piece. The \$5 limit may be raised at the discretion of the Market Manager for special events. No aggressive fundraising is allowed. The Market Manager has authority over nonprofit application review and will coordinate the attendance of nonprofits.

Gardeners' corner: Four stalls will be available in the selling area for home gardeners and community gardeners to sell in a cooperative manner. The Market Manager will coordinate the appearance of gardeners every week. Each vendor will be assigned his/her own stall, with the exception of community gardens. Once the sales exceed \$100 for any gardener at this space for at least two weeks (do not have to be consecutive), the vendor then must become a Day Vendor in the Market.

### **Producers outside of the 150-mile range from the market:**

In the instance where an agricultural product, or a rare specialty product, is produced outside of the 150-mile range of Manor Farmers' Market's defined boundary for vendors, there will be waivers of the 150-mile eligibility. A particular product will be considered if it is not in competition with what is currently being provided at the market from those vendors within the 150-mile range. The product needs to be grown, raised, produced, captured or harvested within the state of Texas.

The potential vendors in this category still need to fulfill the other criteria of growing or producing what they sell, completing the application, submitting all required licenses and other documents for doing business, allowing inspection and paying appropriate fees. The applicants will still need to be approved by the FMAC.

Educational and promotional materials: Any approved Vendor at the Market and the MFM may sell books/booklets/other printed material that they have authored so long as such materials meet the Market Manager's approval for an educational material. MFM may sell books by other authors in an effort to educate the public and raise funds. Chefs and other special event speakers may sell books that they have authored after Market Manager approval. Farmers may sell promotional materials such as t-shirts, aprons, hats, etc. only if the merchandise is promoting the farm. MFM may sell related Market merchandise.

**Insured/Indemnity Agreement** - As a condition of selling, all Vendors are required to either a) name MFM as an additional insured on their general product liability policy or b) sign the attached Indemnity Agreement. By applying to sell at the Market, the seller is agreeing to this condition.

### **Products.**

#### Agricultural Products:

Fresh, raw, or unprocessed horticultural products **may not be grown on or harvested from plants that have been genetically engineered or are based on genetically modified organisms.**

Products allowed for sale may include:

Any vegetable grown by the seller from seeds, sets, or seedlings.

Any fruits, nuts or berries grown by the seller from trees, bushes, or vines on the seller's farm.

Any plant grown by the seller from seed, seedling, transplant or cutting.

Bulbs propagated by the seller.

Nuts harvested from the seller's trees (shelled or unshelled).

Sprouted seeds and grains.

Mushrooms produced and cultivated by the seller.

Eggs produced by the seller's poultry and under humane animal husbandry practices.

Fish or meat from animals raised on the vendor's premises and under humane animal husbandry practices.

Honey produced by the seller's bees.

Fresh cut flowers grown by the seller.

Firewood cut by the seller.

Meat, fish, dairy and eggs—Farmers are allowed to sell meat, fish, dairy products, and eggs at the Market that they have raised/grown themselves on their farm in the prescribed geographic area of 150 miles from downtown

Manor. Farmers raising poultry, fowl, sheep, cattle and fish must have Sel owned and raised the animals for at least 45 days. It is up to the discretion of the Market Manager to accept the products into the Market after a farm visit and verification of ownership. The Market requires photocopies of all relevant permits from city, county, state and / or federal permitting agencies. Vendors of these products must be in compliance with the regulations of the State of Texas and the City of Manor and Travis County. A current copy of the product liability insurance is also required when applicable.

Wild-harvested fish or seafood sold fresh or frozen that is captured, stored, transported, and marketed in compliance with all applicable local, state, and federal laws.

Flowers and nursery products—Farmers are permitted to sell plants and trees, fresh and dried flowers, herbs and decorative vegetation grown or legally gathered by themselves within 150 miles of downtown Manor. Nursery and cut flowers require a state nursery license from the Department of Agriculture. All vendors selling flowers and nursery products must also carry a tax identification number for sales tax purposes.

Purchased nursery stock must be repotted and grown for a minimum of two weeks before being sold. The potted products must be fully rooted in order to be sold. At the Market Manager’s discretion, the pots will be inspected for acceptance or rejection.

Value-Added Products Permitted:

Dried herbs, spices, beans, grains, fruits, nuts and vegetables grown by the seller and processed by the seller in compliance with all health regulations.

Shelled nuts from seller’s trees, including those, which have been salted, roasted, or flavored.

Dried flower arrangements and wreaths. The arrangements and wreaths are produced solely by the seller.

Jams, preserves, vinegars, salsas, pestos, oils and flavored oils.

Tofu products that are produced in the 150-mile area but do not have predominantly local product ingredients.

Select baked goods that are baked by the seller.

Herbal products including salves, lotions, soaps, teas, etc.

Other products consistent with the intent of the MFM program to give regional producers direct access to customers.

When possible, it is encouraged that the producer make these products with locally grown, or Texas ingredients. Preference will be given to products that contain local ingredients. Products should have as much local and Texas grown and produced ingredients in them as possible. If an ingredient in the product is grown or produced in Texas and is generally available, then that Texas ingredient shall be used in the product if it is not a hardship for the producer to procure such a product.

All value-added foods must be approved before being sold at the Market. Producers must demonstrate compliance with the value-added food rules in order to have a product approved. A producer shall not be allowed to sell a product at the Market until he/she has demonstrated compliance with all applicable governmental permitting and insurance regulations. If a product is not approved the reason for the non-approval shall be given in a written rejection notice. The Market management may reject a product if it feels the product does not fit within the mission and goals of the Market. A person who is aggrieved by a decision of the Market Manager may appeal the decision to the Board of Directors.

Ready-to-Eat Products. Ready-to-eat products will be selected by the Market Manager taking into account the number of similar products already at the Market, the eligibility status of the concessionaire in on-going programs of MFM, and the ability of the producer to supply the product to the consumers.

All Vendors of ready-to-eat products must show proof of current and required licenses, permits, and liability insurance policies and have a copy on file with the Market. They must also keep copies of all required licenses, permits and insurance papers available at the Market for inspection by government officials.

All menus must be clearly marked as to price and type. Vendors of ready-to-eat products may not sell food not originally listed on the application without prior approval of the Market Manager.

All city, county and state health regulations must be followed. Prepared food vendors must provide adequate facilities to keep hot and cold foods at prescribed temperatures as per city of Manor and Travis County Health Department requirements.

Crafts. Crafters and producers of crafts must comply with the following rules:

All crafts offered for sale must be handmade. Any craft or artwork sold must be the work of the vendor. All crafts and artwork must be the original work of no more than two (2) individuals.

All crafts must be examined and approved by the FMAC before they are admitted for sale at the Market.

Producers must demonstrate compliance with the craft rules in order to have a product approved. All decisions made by the FMAC shall be in writing. If a product is not approved the reason for the non-approval shall be given in the rejection notice. The FMAC may reject a product if it feels the product does not fit within the mission and goals of the Market. A person who is aggrieved by a decision of the FMAC may appeal the decision to the Board of Directors.

New Products by Existing Vendors: Current market vendors who wish to introduce a new product that is not listed on the originally approved application must notify Market staff in writing of the new product with a complete description prior to offering the product for sale. The Market Manager has authority to approve new products within the same product category as the vendor currently offers (i.e. a new flavor of salsa by a salsa vendor). Products outside the vendor's current category or product line (i.e. fudge by a salsa maker) must receive approval from the FMAC before it can be offered for sale at the Market. The FMAC will review the new product according to the same criteria and timeline as stated above for new vendor applications.

Animals. No live animals may be sold or given away at the Market.

Other Products. The Market Manager maintains wait lists for the Market. The manager selects certified producers from the wait list to fill openings by considering ability to provide needed agricultural products, market history and seniority, length of time on the wait list, and proximity of growing grounds to the Market location.

### Inspections:

All farmers must agree to and assist in the inspection of their farms by representatives of the Market at any time and multiple times if necessary.

Failure to comply with inspection procedures may result in suspension from the Market.

An inspection fee of \$25 will be charged to farms that are inspected if violation of Market Rules is found.

All farmers agree to comply with the Inspection Procedures.

### **Market Operations**

#### **MAIN MARKET (Wednesday)**

**Market Season:** Each Wednesday, year around.

**Market Hours:** 4:00 p.m. to 7:00 p.m. year around. Vendors may arrive as early as 3:00 p.m., and must have vehicles out of the street by 3:45 p.m.

**Market Location:** 104 East Rector Street, Manor, Texas, at Jennie Lane Park.

**OTHER MARKETS** (and/or FARMSTANDS that are established by the MFM)

Vendors will be notified of these markets, seasons, times, etc. by separate correspondence. The rules and regulations of the Main Market still apply.

#### **Duration of Market Vendor Admission:**

- Admission is on a year-by-year basis, with the year starting on January 1 of each market year.
- There will be an annual re-evaluation of every market participant.
- Market participants will be notified of invitation or exclusion for the next succeeding year. However, the Market Management may give

earlier notification to any market participant if it is decided at any earlier date that this participant will not be invited to return.

### **Opening Bell.**

All vendors must wait for the opening bell to commence sales to the public. Sellers may begin selling prior to the official opening hour, at the Market Manager's discretion. No producer/vendor may set aside or pre-bag products for customers prior to market opening.

*Exceptions.* Vendors may:

prepare Community Supported Agriculture shares for pick up at the Market;

set aside a restaurant or commercial order for pick up at the Market;

sell products to another producer or the producers' employees 15 minutes prior to the opening.

pre-bag a set amount of produce, e.g. 1 pound bags of tomatoes, but not assign the bags to any particular person prior to the bell; and

sell to people using wheelchairs, walkers or other means of facilitating their travel through the Market fifteen minutes before the bell.

### **Stalls.**

To become a Reserved Vendor, approved applicants must pay \$55 quarterly in order to secure a reserved location at the Market that will not change during that quarter. New applicants wishing to attend the Market in a reserved area must contact the Market Manger to reserve a space, if one is available. Special consideration will be given to growers of short season, specialty crops to place them in the reserved area (regardless of the time when they begin to come to the Market). The \$55 is not prorated if the vendor is a shorter-season producer.

Day vendors must have an application on file in order to attend the market. Day vendors must check in with the Market Manager at least one hour prior to opening and wait until a space is assigned in the day vending areas. Day vendors who have come previously will be given seniority and the first placements.

Reserved Vendors may request more than one stall space (up to three) based on reported average sales per week.

Equal or <\$400 = 1 stall

\$401 to \$1500 = 2 stall spaces

\$1500 and up = 3 stall spaces

If a vendor does not make an average of \$401 to \$1500 in sales, then that vendor may not request or be given two or more stall spaces.

A Vendor must occupy a reserved space by the second week of the quarter or lose the right to reserve that space for the remainder of the quarter unless he/she notifies the manager before the opening of the market of intent to begin selling at a later date because of seasonality of produce. All exceptions are to be made at the Manager's discretion.

### **Vendors.**

#### Fees.

**All Vendors--**\$20 annual vendor fee, due with vendor application to be paid prior to selling at the market.

**Reserved Vendors--**\$55 per quarter reservation fee due prior to selling at the market.

**Day vendors-** 5% of total sales stall fee each market day stall is occupied. No reservation fees will apply.

Fees must be paid at the end of Market day by check, cash, or by Market-produced vouchers or "Market Bucks". **All Market-produced vouchers or "Market Bucks" are only valid and redeemable through the final Market day of the year in which they were issued.** Sellers are required to reimburse the Market for all applicable bank fees for returned checks.

### **Fees Breakdown for 2010:**

Application fee is \$20; Fee per day is 5% of market day total sales for day vendors and \$55 per quarter for reserved vendors. Reserved vendors who attend 100% of the market days per quarter get the very last week free. Day vendors who attend 100% of the market days per quarter will receive the last week free.

*Day Vendors stall fees charged for the days that they attend, their space at market is NOT the same each time they come.*

**Reserved Vendors reserved same space for season and pay reserve amount up front.**

**Gross Sales Reports** — All Vendors must give the Market Manager their best estimates of gross sales at the time that the manager makes the rounds to collect fees. The data will be collected in an anonymous tabulation sheet. Submission of this information is required by the Market for accurate reporting of total aggregate sales to various funding sources (no individual names will be used in any reports).

**Pricing** — Vendors will determine the prices of their own products. Retail price lists will be provided for vendors' information. It is encouraged that vendors post their prices.

**No Reselling** — Farmers may only sell produce and animal products that they have grown or raised. No reselling of products grown or produced by others is permitted. Other vendors may only sell products that they have produced themselves.

**Honest Product Representation** — All producers must represent their products in an honest manner, whether written or verbal.

**Quality Control** — All produce will be subject to inspection by the Market Manager prior to selling. Sellers will be asked to give refunds to customers that are dissatisfied with products they have purchased. Sellers will be asked to remove certain products from their displays if deemed inappropriate by the Market Manager.

**Organic Labeling** — All items sold as organic must meet the requirements of the National Organic Program. Sellers of organic items must have a copy of their certification on file with the Market Manager as well as with them when selling at the Market. Only certified organic growers may display signs using the word certified organic.

Other producers that are not certified organic are welcome to inform consumers about their growing practices beyond what is required on the Market farmer signs.

**Scales** — All agricultural products sold by weight shall be weighed by an approved, tested and sealed scale. The weighing device must be positioned so that the weight is visible to the customer.

**Prepackaging** — All closed consumer containers shall be labeled with the following: quantity or weight of the contents, the name and address of the producer and a list of all the ingredients, with the highest proportion ingredients listed first in descending order.

**Signs** — Each farmer is required to always post the farmer sign that has been produced for him or her by the Market. This educational sign will include: a photo (if possible), a brief history and biography on the farm and a description of the growing practices of the farm. The formats of the signs will be standard and will have the capability to be hung or taped up at the vendor's stall.

**Safety around selling area** — Tables and products must not encroach upon customer aisles. A pre-determined fire lane must be maintained. Product space must occur from assigned space only, not in the customer aisle. Vehicles must be kept within assigned parking spaces. Tents, signs and posts must be adequately tied and weighted down. The vendor must meet all requirements of the city health authorities.

**Professional manner** -- All vendors must conduct themselves in a courteous and professional manner as they sell at the Market. Vendors must treat customer, staff and volunteers of MFM and fellow vendors with respect.

**Noise** — No radios or stereos are allowed to be operated during market hour, other than music provided by Market staff through the PA. No loud, aggressive promotion is allowed.

**WIC Coupons** — All produce vendors are authorized but not required to accept coupons from the WIC Farmers' Market Nutrition Program (FMNP) of USDA. Coupons may only be used to purchase fresh fruits and vegetables. The Market will promote and encourage use of WIC FMNP coupons. WIC permit signs must be posted at the stalls. *For further information, please see the WIC program guidelines at the Market office.*

**FOOD STAMPS** — All produce vendors, meats, cheeses, breads and some prepared food vendors are authorized but not required to accept wooden tokens for the LONE STAR food stamp program. The wooden tokens may only be used for eligible products. The Market will promote and encourage use of the LONE STAR card. LONE STAR vendor signs must be posted at the stalls. *For further information, please see the LONE STAR program guidelines at the Market office. (\*\*This program is not currently active at the MFM\*\*)*

**Entertainment** — The Market will feature live music during market hours. The music will be acoustic, at times accompanied with a low-volume PA system. Any complaints regarding musical entertainment should be directed to the Market Manager.

**Smoking** — No smoking is allowed at the Market.

**Alcohol and drugs** — No consumption of alcoholic beverages or drugs are allowed onsite during market hours.

**Pets** — Leashed dogs are allowed at the market. Seeing-eye dogs or living assistance dogs are also allowed.

**Reservations and cancellations** — Customers expect consistency in what products are offered at the Market, as do other vendors. All vendors have a responsibility to participate fully in the market. For that reason, all reserved and day vendors are expected to attend each market. Vendors must notify Market staff no later than 4:00 PM the day prior to the Market day if they are not attending. Unless otherwise notified, failure to be on the lot by 3:00 p.m. may result in the reassignment of your space to another Vendor. Reserved Vendors who *do call* by 4 p.m. the previous day will not be charged any fee nor levied any penalty.

Vendors without reserved spaces must abide by the same rules as all other sellers. The Market Management assigns spaces for the Day Vendors. If you have not paid for a reserved space, you may be moved around to different spaces each market day you attend. Day Vendors must check in with the Market Manager upon arrival at least one hour prior to the Market's scheduled opening and await a stall assignment space. Day Vendors who have sold at the Market previously will be given seniority and assignments will be made for them first.

**Early Departure** — MFM discourages early departure from the Market. If a Vendor absolutely needs to leave he/she is required to notify the Market Manager and a decision will be made at that time if a safe departure is feasible. If leaving, the Vendor must be escorted from the Market by the Manager or other staff.

**Departure** — All Vendors must vacate the street and park vending areas of the Market by 8:00 p.m. on Wednesday.

**Cleanliness and Cleanup** — All food must be stored at least 6 inches off the ground. Every stall selling ready to eat or prepared food shall have a clean trash box in front of their stalls for public use. All Vendors are required to clean up their own produce refuse, packaging material, and any debris in their stall and selling area in a timely manner. During the Market hours, Vendors must continuously monitor the debris around their selling area and pick up any trash and keep their area clean. All trash picked up by the Vendors must be taken off-premises. Do not use the park's or the Market's trash cans.

**Weather** — Vendors should be prepared for all types of weather including cover for rain or sun and weights for winds. No refunds or decrease in reserved fees already paid will be given because of inclement weather or lack of business due to the weather.

**Non Compliance, Penalties and Appeals**

Violations of market rules will result in the following: disciplinary action by the Market Manager:

Violation	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
No show <i>without calling</i> to cancel – Reserved vendors	Verbal Warning	Written Warning	Written Warning + \$20 fine	\$20 fine + skip 1 market	\$50 fine + skip 2 markets
Selling products that are not pre-approved by management	Verbal Warning	Written Warning	Written Warning + \$25 fine	\$25 fine + skip 1 market	
Failure to tie down and secure shades	Verbal	Written	\$20 fine	\$25 fine	\$25 fine + skip 1

and shelters	Warning	Warning			market
<b>Violation</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>	<b>5th Offense</b>
Required permits and/or certifications not displayed	Verbal Warning	Written Warning	\$5 fine	\$10 fine	\$10 fine
Failure to clean stall space, leaving garbage	Verbal Warning	Written Warning	\$15 fine	\$25 fine	\$35 fine
Non-compliance with local health dept. regulations	Verbal Warning	Written Warning	\$15 fine	\$25 fine	\$35 fine
Arriving late or leaving prior to approved departure time	Verbal Warning	Written Warning	\$15 fine	\$15 fine	\$25 fine
Any other violation of the Market Rules	Written Warning	\$15 fine	\$25 fine		
<b>Reselling at the Market</b>	Written notice – The Market will send written notice to any Farmer that is under investigation for reselling. Farmers under investigation may continue to sell at the Market. Representatives of the Market may inspect the farm of any Farmer under investigation. If the Market Manager determines that any Farmer has violated the restriction against reselling at the Market, the Market Manager in its sole discretion may (i) impose a fine of \$25 against such Farmer and (ii) expel such Farmer from the Market. If the Market receives written notice from any vendor complaining that another vendor is reselling, the Market shall initiate an investigation into such complaint.				

Fines that are levied must be paid prior to re-entering the Market for selling.

**Appeals** — Any Vendor aggrieved by the Market Manager’s decision may appeal for review by the Farmers’ Market Advisory Council. Should the aggrieved vendor wish to appeal the FMAC’s decision, they then must appeal to the Board of Directors. An oral request for review must be followed up

immediately by a written request. The Board of Directors may refuse or agree to review, and may uphold, modify, or vacate a Manager’s decision. They must respond to the seller within two weeks of their intent to review or not review and they must make a decision in writing within six (6) weeks of the appeal. The decision shall be final.

**Governance of the Market**

**Board:**

The Board of Directors governs the Market, with an operational working Farmers’ Market Advisory Council conducting certain ‘affairs’ as determined by the Manor Farmers’ Market Association by-laws. By-laws available upon request.

**Market Manager:**

The Market Manager shall administer the Market and oversee its operating rules and regulations. The Market Manager must be a staff member of the MFM.

- The Market Manager, with monthly meetings of the Farmers’ Market Advisory Council, selects farmers and other vendors for admittance into the Market. The Market Manager assigns farmers and other vendors in their spaces, and schedules musical groups and children’s activities. The Market Manager facilitates each value-added, craft or non-profit group through the FMAC committee process and follows up with assigning the approved Vendor(s).
- The Market Manager serves as staff to the FMAC.
- The Market Manager maintains order at the Market.
- The Market Manager and staff, with volunteers, will set up the weekly market signs and other necessary equipment.
- The Market Manager ensures the smooth placement of reserved and day vendors in their assigned stall areas.
- The Market Manager ensures that all safety, health and other regulatory codes and regulations are abided by.

- The Market Manager and staff coordinate the efforts of the volunteers and supporters of the Market who participate in market educational and entertainment activities including the chef's demonstrations, the information booth, market tours, children's activities, music, and programming during off-market hours.
- The Market Manager, with area farmer peers when available, will visit, inspect and certify farms.
- The Market Manager will maintain current and accurate records of each Vendor.
- The Market Manager will coordinate with respective health, agriculture, safety and other governmental representatives any methods by which Vendors can be informed of current and newly changing regulations that affect the selling of their products.
- The Market Manager will promote and market the Market through paid and free media outlets and medium including public service announcements, media sponsorships and media relations, merchandising and special events.
- The Market Manager will work in partnerships and create cooperative cross-promotion and support with city, county and state entities, local business, educational and civic groups, neighborhood associations, foundations, and the general public.
- The Market Manager will coordinate educational workshops and training sessions for vendors of the Market, particularly small business beginning vendors.
- The Market Manager and staff will collect the fees and sales data from the vendors weekly and create financial reports and deposits with the MFM financial staff.
- The Market Manager is responsible to interpret, implement and enforce all rules and regulations pertaining to the running of the Market in a fair and equitable manner.
- The Market Manager has the authority to issue warnings and take appropriate action against participating sellers who violate these rules and other applicable regulations and laws. The Market Manager has the

power to immediately suspend or remove any vendor for any health, safety, and liability risks caused by any single violation.

- The Market Manager may deny the admittance of any vendor if he/she determines that this would be in the best interest of the Market.
- The Market Manager may expel any vendor from the Market if the Market Manager determines that this would be in the best interest of the Market.

### **Amendments.**

The Market Rules may only be amended with the approval of a majority of the Board of Directors, after the submission of proposed Market Rules changes by the Farmers' Market Advisory Council (FMAC).

### **What is the Farmers' Market Advisory Council (FMAC)?**

It is an *advisory* committee that is made up of farmers, ranchers, and other market vendors plus a customer representative, a Manor Farmers' Market customer as a liaison, a Manor East Rural Community Center Board Member as a liaison and one Manor City employee as a liaison. The liaisons will attend the annual meeting. The FMAC is responsible for reviewing new vendor applications and applications for new products by current vendors. The FMAC will also make recommendations to the board of directors of Manor Farmers' Market Board on market rules and regulations, operations procedures, and on policy. Manor Farmers' Market, including the Manor Farmers' Market Manager, will assist in facilitating the FMAC meetings.

### **How many members are there in FMAC? 10**

3 farmers, 2 meat/poultry/dairy, 2 other vendors with representatives from the following categories: Baker, Value Added (like jellies, pestos, salsa, chocolate), Prepared Ready to Eat Foods, or Artisan;

There is also 1 consumer rep, 1 board liaison and 1 city liaison to attend the annual meeting.

The association supports, helps coordinate, and promotes local Manor Farmers' Market(s). The primary purpose of the Association is ensure that area farmer members can conduct direct retail sales in a professional manner for their farm and the market, and to regulate that the market is free of competition from resellers. The Association will strive to educate consumers about seasonality, nutrition, taste and quality of farm products.