

North Iowa Farmers Market
2018 Market Rules and Regulations
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www.NorthIowaFarmersMarket.com
niowafarmersmarket@gmail.com

Market Mission Statement: The North Iowa Farmers Market creates an environment that promotes the sale of locally produced food and artisanal goods.

Governance & Jurors: The North Iowa Farmers Market (NIFM) is governed by a Board of Directors (Board). During market season, the Board generally meets the 1st and 3rd Thursday at noon in the 3rd floor conference room in City Hall (10 First St. NW, Mason City). These meetings are open and any vendor may attend. The meeting agenda will be posted on the NIFM website 24 hrs. in advance of the meeting. The Board will accept and jury vendor applications and products for appropriateness based upon market rules and the approved vendor profile. The Board is responsible for ensuring that the market rules are complied with and for granting a vendor variance to those rules on a case by case basis. Members of the Board may visit your farm or place of production to ensure market rule compliance. By submitting an application to vend at the NIFM, potential vendors acknowledge they have received and understand, and agree to follow all of the policies and procedures set forth by the Board and are responsible for adhering to all state, local and federal laws. The NIFM reserves the right to remove any vendor at any time for failure to comply with the 2018 Market Rules and Regulations. Disregarding any guidelines established in this document or any state, local or federal laws may result in action being taken.

Vendor Product Profile: The Board is intent upon pursuing growth and expansion of our market. The vendor product profile is intended to identify those products that we would like to see sold at the market. The Board may limit products for sale at the market when too many of one type of product are available from the existing approved vendors. (Example: The market may be able to support 5 vendors with sweet corn but not 15 vendors.)

Providing locally produced foods and hand-made crafts to the public: This market prizes the hard work of vendors to produce and sell the items they grow, raise or make locally. Local means that the item was grown, raised or made within 100 miles of Mason City, Iowa. It is the market's intent to maximize locally produced items for sale at the market. The market Board will jury the sale of all items available in the market and decide which products uphold our mission statement and thus may be sold. Vendors are encouraged to approach the Board with any product questions, seek confirmation for products that are within the vendor product profile and mission statement, or seek a variance for products that may seem questionable or outside the vendor product profile.

Wholesale products (produce grown by others or products purchased for resale, etc.) are not allowed, unless otherwise noted.

Inclement Weather Policy: On days when the weather is variable, the Board/Market Manager may implement the Inclement Weather Policy (currently being developed). On these days, the market will be held in the basement of the First Congregational Church (directly across the street from the market location).

Days of Operation: The NIFM will operate every Tuesday and Friday of the season. The first market of the season will be held on the 3rd Friday of May. The final market of the season will be held on the last market day of October (Tuesday or Friday).

Hours of Operation and Set Up Time: The market will operate from 4:00 pm to 6:30 pm. No sales can be made before 4:00 pm or after 6:30 pm. Vendors may sell to any customer who is in line prior to 6:30 pm. Vendors may sell to each other between 3:30 pm and 4 pm. In conjunction with downtown special events, the Market may be open occasionally until 7:00 pm on select Friday evenings. All vendors should be set-up for each market by 3:45 pm on the day of the market. Vendor stalls do not allow space for a vehicle. Vendors must move their vehicle out of the market area promptly after unloading and before setting up their booth and products. No vendor vehicle may encroach into another vendor's stall. Vendors who arrive after 3:45 pm may be prohibited from setting up, or may be placed in the overflow area on the east side of the parking lot. No vehicles are allowed in market area from 3:45 pm to 6:30 pm. Exceptions to this rule require prior approval by the Board and will be made on a case by case basis considering safety, aesthetic, and operation of the market.

Location: The market is located in the City parking lot at the southeast corner of Delaware Ave. and 1st Street NE (across the street from and south of First Congregational Church).

Pre-Order sales: The market encourages vendors to take sales by order or distribute Community Supported Agriculture (CSA) shares as a convenience to their customers. Orders and CSA sales ensure customers will get what they want without the worry of short supply. Promotion of order or CSA sales is up to each individual vendor. Vendors shall instruct customers that orders are to be picked up during market hours. Having orders picked up prior to 4 pm is not allowed.

Application Review: An ad hoc committee made up of members of the Board will review each vendor application. Each vendor's product offering will be reviewed for multiple criteria: point of origin, product type, mix of product offering, hand-crafted original design, added value, similarity of product offering to other approved vendors, as well as any other criteria deemed important by the Selection Committee at time of application review. The Board reserves the right to approve, refuse, & limit products to be sold at the market.

Stall Assignments: Stall assignments will be made after applications to vend are approved. Vendors will be asked for their preferred location, but the Board and Market Manager cannot guarantee that this preference will be met. Assignments will be made to ensure that the market is attractive, vibrant and accessible. Full time vendors will be assigned stalls for the full market season and are expected to set up in their pre-assigned stalls spaces. Occasional vendors set up at the space assigned to them the day of the market. Vendor stall assignments and the amount of stall space is subject to change at the Market Manager's discretion.

Stall Size: Market stalls measure approximately 12 ft. wide by 20 ft. deep, with a limit of three stalls (36 ft.) per vendor.

Stall Fees: Seasonal fees for full time vendors are due upon approval of the vendor's application. Payments can be made by cash or check. A check is preferred. Vendors may not sell, sub-let, or rent stall space to any other individual.

- Full season vendors: \$135 per stall. The fee includes Tuesdays and/or Fridays for the full season.
- Occasional vendors: A five-time pass may be purchased for \$65 per stall. At the end of the fifth market the vendor may purchase a full season stall for an additional \$70.
- One-time vendors: \$15 per stall. All vendors must complete a vendor application
- Electricity: A limited number of electricity connections will be available for an additional fee of \$25/year.

Anchoring Equipment: Vendors must use weights to secure tents, awnings, or umbrellas. Tents can be hazardous during windy condition. Since the market is in a public parking lot, no items such as stakes or anchors may be driven into the ground. Tents cannot be tied to sign poles, power poles or other fixed objects.

Vendor Identification: Each vendor must display a sign clearly identifying their farm or business by name and location. All signage and posting must be placed within the vending stall. Signage cannot be placed on light poles, sign posts, sidewalks or patron walking areas. Signs must be 8" x 10" or larger and must be legible. Signs must be in place by 4 pm and must be clearly displayed until the end of each market day.

Posting price and product information: Vendors must clearly label the name, origin and price of each item. This information can be posted either on a sign at or near the product or on a large sign Board that includes the names and prices of multiple products. Each item must be priced by weight or unit. All product descriptions must be accurate, truthful and in compliance with the law. Price and product information must be in place by the start of the market and cannot be removed until either the time a particular product is no longer sold by the vendor or the end of the market day.

Staffing: Vendors are responsible for making sure that all persons working in their stall are familiar with and adhere to all market rules, regulations and guidelines. Vendors may allow employees and relatives to sell for them at the market. These people should be added to the vendor application when it is filled out. Please notify the market manager of changes.

At least one responsible person 18 years old, or older, must be present in the stall at all times, unless otherwise approved by the Board or the Market Manager. Youth under 18 years of age may be approved by the Board or Market Manager on a case-by-case basis to operate a stall. An onsite adult responsible party must be identified and agree to provide oversight of the youth vendor. The on-site adult can be another vendor at the market. This insures that an adult is available to assist with problems or acute situations (e.g. weather). Please contact the Board or Market Manager for a form to approve a youth vendor.

The Board reminds vendors that the relationship with customers is an important feature of the market. Producers are encouraged to be at their booth.

Subletting and transferring stall space: Vendors may not sublet space. Vendor approval is not transferrable to third parties.

Stall tear down: Vendor tear down may not begin before 6:30 pm unless approved by the Market Manager or the Board. Vendors may not enter the market area to load their vehicle until their booth and products are completely torn down and ready to be loaded. For safety reasons the parking lot is barricaded until 7:00 pm. Any barricades moved by you while exiting must be replaced by you. Vendors who are seen leaving the market area without replacing barricades will be considered in violation of this rule.

Smoking: Smoking is prohibited during the market in the market area. This applies to vendors and customer and anywhere in and around the market area.

Insurance: Vendors must provide proof that they have general liability and product liability insurance to cover a minimum of \$500,000 in losses stemming from their participation in the North Iowa Farmer's Market. Vendors do not need to provide proof of insurance when submitting their application. However, it will be required prior to final acceptance. Vendors who have not provided proof of insurance will not be allowed to sell at the market.

Electricity: A limited number of stalls will have electricity capabilities for a fee of \$25 per year. For vendors in spaces without electricity and that require electric outlets, a generator is required. Generators producing over 60 decibels of sound will not be permitted to be used during the market. The Market Manager may also request a vendor modify their operation, relocate within the market, or vacate the market premises for a generator noise violation. First consideration for electricity will go to those vendors providing prepared food or frozen meat. All vendors using electricity must provide extension cords and mats to cover cords that lie in areas used by customers or other vendors.

Permits, Licenses and Taxes: Each vendor is responsible for obtaining all necessary permits and licenses, as well as paying all applicable sales taxes and fees, as required by local, state and federal laws.

Products: All products must fall within one of these product categories:

- **Local Grown Farm Products:** All farm products including fresh fruits, fresh vegetables, nuts, meat, poultry and eggs sold at the North Iowa Farmers Market must be grown within 100 miles of Mason City, Iowa. All products sold must come from each vendor's own farm or farms. Products are not allowed to be purchased from other farms. If a product comes from another farm, the other farm must be part of a joint business venture such as a cooperative. "Carrying" is the sale of farm products not grown by the vendor and not available from any other vendor in the market. Carrying will be allowed in limited circumstances and only with the approval of the Board.
- **Fresh Floral:** Fresh and dried flowers, seeds and potted plants, etc. Fresh floral creations must be created by the vendor.
- **Value Added Items:** Honeys, mustards, salsas, jams, cheese, etc. made or grown by the vendor.

- Bakery Goods: Breads, pies, cookies, cakes and other homemade foods made by the vendor.
- Craft/Artisan: Items that are home-crafted, personally designed, and created by the vendor. Production materials optimally come from regional sources or are fabricated by vendors themselves. The handcrafted component must dominate the commercial component. The commercial component must be transformed in a way that makes the work original and unique. Items included in this category include; crafts, artwork, inedible items such as herbal products, personal care and beauty products.
- Prepared foods: Prepared foods are ready-to-eat food such as take-away meals, drinks and snacks or food that is freshly made and available for immediate consumption on market site.

Items That Are Not Allowed: The following products and services cannot be sold at the North Iowa Farmers Market:

- Mass produced/manufactured value added food products.
- Brokered products.
- Items purchased from grocery stores, produce auctions or other growers.
- Synthetic or silk flowers and plants, unless produced by the vendor.
- Anything not made or altered by the vendor; anything the vendor is selling on consignment or have purchased wholesale; anything mass produced, assembled from commercial parts, plans and kits.
- No Corporations/Businesses such as banks, realtors, insurance, cell phone, or other service provider businesses.
- No Political or Religious Groups.
- Exceptions to these rules will be made on a case by case basis and would only be considered if it would be a product that would enhance the North Iowa Farmers Market and wouldn't be in direct competition with other vendors or their products.

Required Vendor Performance: All vendors at the NIFM are expected to contribute to the positive impression of the market.

- Vendor behavior: Profanity, yelling, heckling, and offensive behavior will not be tolerated. Attracting customers through shouting or through voice augmentation devices (such as megaphones) is not allowed. All vendors, customers, market staff, and local business representatives must be treated with respect.
- Attendance – Full time and occasional vendors should identify market dates that they will be attending. Any anticipated deviation from the market dates vendors indicate they will be attending, must be communicated to the market manager prior to noon on the market date. One time vendors need to communicate attendance with the Market Manager.

- **Dumping-** Vendors are not allowed to give produce or other items away for free (with the exception of sampling) or at below-cost pricing, thus undercutting potential sales of other vendors. The market maintains the right to remove any vendor in violation of this rule.
- **Aesthetics-** The market place and each market stall must be kept clean and tidy at all times throughout the day. Vendors must furnish tools and equipment necessary to maintain market and stall appearance. Booths must be clean and non-cluttered and have a professional appearance. The Market Manager is the final judge on market cleanliness and booth aesthetics and reserves the right to require vendors to correct aesthetic and cleanliness issues.
- **Clean-up at End of Day-** All vendors are responsible for the proper and complete clean-up of litter, produce “spoilage,” paper, balloons, pop cans, packaging materials, cartons, etc., in and around their area. Vendors must take ALL refuse items off market premises after market closes. City of Mason City, North Iowa Farmers Market, and business-provided trash receptacles in the market area may not be used by vendors, nor may vendors use those receptacles for their trash. Such trash receptacles are intended for use by customers, not vendors.

Market Manager Authority: The Market Manager has ultimate on-site authority. All rules of the market are enforced by the Market Manager and the Board. Complaints or problems should be directed to the Market Manager or the NIFM Board in a timely manner. The Market Manager reserves the right to make exceptions to market rules. If a vendor does not abide by the rules of the market or comply with federal, state and local regulations, the Market Manager may take any action deemed necessary, up to and including the suspension or expulsion of vendors from the market.

Pets/Live Animals: Vendors may not bring pets to the market, with the exception of licensed service animals. Posting of pets/animals for sale is not allowed. In addition, the sale of live animals is not allowed on market premises.

Product Sampling: The Board encourages product sampling - it is an effective market strategy. Vendors must take precautions to prevent contamination and maintain compliance with local and state regulations.

Grievances: We strive to be a professionally run Farmers Market. Any conflicts or issues arising in our market between vendors or between a vendor and member of the public may be channeled through either the Market Manager or the Board. Ultimate resolution of any grievance will be the responsibility of the Board as a whole. Vendors can contact the Board in writing or verbally. The vendor filing the grievance should provide specific information about the market rule being violated. Any grievance should be made in a timely manner. All specific reported complaints must be verifiable, or capable of farm inspection. Complaints concerning crops that have already been harvested are impossible to verify. Such complaints will be limited (at the discretion of the Board) to pre-season farm visits to verify crops grown by the vendor in question. The Board will meet at the earliest convenience to discuss the complaint and decide by vote to pursue the matter or dismiss it. Regardless, the Board will notify the party making the complaint in a timely manner. If the complaint has merit and it is grower- or farm-related, then the Board may vote to conduct a farm visit. If a farm visit is

authorized, the Board will appoint two to three Board members to conduct a site visit and report back to the Board. The Board will decide a course of action by vote, which may involve a written warning, short-term suspension, or long-term suspension.