

2016 HOLLAND FARMERS MARKET RULES & REGULATIONS

1. Market Dates & Times:

A. The Market will be open every Wednesday and Saturday from May 18, 2016 to December 10, 2016. Official Market hours are 8:00 a.m. to 3:00 p.m. However, seasonal vendors may set up and sell before 8:00 am if they desire.

2. Seasonal vs. Daily Vendor Stall Requirements:

- A. Seasonal stall renters reserve their space for the entire season with the option of renewing their space(s) each year. Seasonal stall renters must be in their assigned place by 7:00 a.m. every Market day. If they are not in place by that time, their stall will be considered open for the day and may be rented to a daily vendor. Seasonal stall renters who are going to be late must make prior arrangements with the Market Master; prior to 6:45 a.m. the day of market. If a seasonal stall space is left vacant for an entire season, that space will be considered vacant and available, unless prior arrangements are made with the Market Master and full seasonal payment has been made, reduced seasonal payment may be considered based upon the reason space(s) are left vacant.
- B. Because the demand for seasonal stalls is high, there is a waiting list maintained by the Market Master for these stalls. Vendors should regularly attend Market as a daily vendor in order to be placed on this waiting list. Should one or more vacant seasonal stall(s) become available this waiting list will be used. The Market Master also maintains a waiting list for daily vendors, which is used for new vendors wishing to enter the market as room allows. When a daily vendor is moved to a seasonal stall(s), a vendor from the daily waiting list will be called to fill the vacant stall(s). In the interest of the Market as a whole and/or for the best "balance" at the Market, the Market Master may pick a vendor who is not necessarily on the top of the list. The Market Master will also take the following into consideration:
- a.) Growing/making all of what is being sold,
 - b.) Active participation (regular attendance at Market as a daily vendor),
 - c.) Staying for the entire hours of operation (8:00 am to 3:00 pm)
 - d.) Product quality, appearance, and display.
 - e.) Previous violation(s) of the Holland Farmers Market Rules & Regulations
- C. In the event that one or more stalls become available and a seasonal vendor would like to move to that available stall(s), vendors with seniority will have priority. If there are two or more vendors with the same seniority, a drawing will be held. If a corner stall becomes available, the Market Master will take into consideration the advice of the Farmers Market Subcommittee on how to best fill that corner stall.
- D. No reservations may be made for daily stall(s). Daily renters should report to the Market Master in person at 6:45 a.m. on the first day they are at Market. Daily stall placement will be made by direct assignment or placement by the Market Master, but no daily vendor will be allowed to participate in the market if the required paperwork is not previously in place. The Market Master must have in his/her possession:
- a.) complete and signed applications.
 - b.) proof of insurance (on the required Acord 25 form), and
 - c.) proof of growing what is sold and any other pertinent licensing required for the product(s) being sold.
- E. The Market Master reserves the right to assign spaces by taking into account a balanced placement of various vendors for the good of the Market as a whole.
- F. In the event of a seasonal vendor selling their farm or business to a party outside of the immediate family, (son, daughter) that space (s) will revert back to the City of Holland and "open" to the next eligible person on the seasonal waiting list from the current daily vendors. If a member of the immediate family takes over the

farm, the first year in that space (s) will be on a trial basis, barring no violations of the Rules & Regulations, those stalls will become their permanent space(s).

3. Vendor Stall Rates: *(Checks made payable to City of Holland)*

A. Daily Vendors: *An additional \$5.00 per market will be added if electric is used.*

Daily Vendors	* Off-Loading Area
\$21.00 per Wednesday Stall	\$16.00 per Wednesday Stall
\$31.00 per Saturday Stall	\$26.00 per Saturday Stall

**Must unload product and move vehicle to parking lot.*

Fees are paid during the sign in, space assignment each morning of market.

B. Seasonal Vendors: *(Have the same permanent space(s) and the option to rent that space(s) each year.)* *An additional \$5.00 per market will be added if electric is used*

Canopied Stall	Non-Canopied Stall
\$435.00 per Stall, Per Season	\$375.00 per Stall, Per Season
\$555.00 per Corner Stall, Per Season	\$495.00 per Corner Stall, Per Season

Payment schedule is as follows for seasonal stalls:

- \$40.00 deposit per stall is due with initial registration.
- \$80.00 per stall is due the first day you participate at the Market.
- Balance of fees per stall is due by August 31, 2016

(Checks made payable to City of Holland)

C. Food Vendors: *(In food court area. Includes water, electric, and garbage disposal.)*

Wednesday	Saturday
\$40.00 per Space	\$50.00 per Space

4. Products Allowed for Sale at Market:

A. The Market is for the sale of (Michigan) home grown quality fresh fruits, vegetables, related food items, plants, and flowers. Products produced under Michigan's Cottage Law will not be sold at the Holland Farmers Market. Home-baked items or home-prepared foods cannot be sold unless they are prepared in a State certified/licensed kitchen under a business name. This is not a flea market. Antiques, arts and crafts, and/or rummage items cannot be sold with the exception of:

1. Yard and garden craft items may be allowed as room permits. They must be made by the seller, the product may be made from manufactured materials provided that most of the product's value results from the crafting of the vendor or vendor's family and must have prior approval from the Market Master.
2. Soaps, lotions, candles. etc. if main ingredients in the product are produced by the owner/seller (i.e. soaps made from goats milk or honey) may be allowed **only** if room permits, priority will be given to homegrown/ homemade edible products. Prior approval from the Market Master is required.

B. Market spaces shall not be used by non- profit organizations, individuals and or businesses to promote their agendas.

C. The Market Master has the right to request the removal of unwholesome products.

D. Samples of food products given to the public must be handled as outlined by the State.

5. Producers vs. Dealers (Types of Vendors):

A. Producers are vendors who produce over 80% of the products they offer for sale. In the event that there is doubt as to whether a vendor is actually producing 80% or more of the products they are selling, the Market Master may require that: a) a letter be submitted on behalf of the vendor from his county agent verifying that they are producing the products they are selling and/or b) an on-site

inspection of the farm by the Market Master or Committee Member take place. In addition, a vendor may be asked to produce receipts for his seeds, plants, or land rental. The 20% that the producer does not raise must be entirely Michigan-grown produce and labeled by signage reading: "Grown by: _____" or "Not grown on our farm, but Michigan grown." Vendors must list on their application all products they will be selling under appropriate categories (grown/produced and not grown/produced by them.).

Failure to do so may result in not being permitted to sell that particular product (s).

Different varieties of the same type do not need to be all listed separately (i.e.) Mac apples, Ida Red apples, Fuji apples- just apples is sufficient as with other products that have various varieties if you grow all that your selling. Products purchased for re-selling (within your 20%) MUST all be listed.

- B. Dealer/trader** is a vendor that buys their produce/product (more than 80%) and re-sells it at the Market. Such dealers are required to provide a current copy of the required license from the State to the Market Master. This is primarily a producer's market. Thus, only one (1) dealer is permitted and usually on a seasonal basis. The Market Master reserves the right to limit daily vendors to producers only on any given Market day. Dealer will be required to display signage at all times while at Market stating "Authorized Farmers Market Dealer."
- C. Specialty Products:**
Coffee beans, if beans are roasted in a local Michigan approved and licensed facility and packaged according to the state regulations.

6. Vendor Stall Location/Dimensions:

- A.** Stall renters may not move to another space without the permission of the Market Master, and no stalls may be sub-leased. Seasonal vendors are limited to two (2) stalls at any one time, **with the exception of corner stalls, 3 stalls may be issued to one vendor who holds these locations. Current vendors holding 3 stalls within the market will be allowed to keep said stalls until they cease to participate in the market. Those stalls will then revert to the 2 only per vendor.**
- B.** Seasonal vendors wishing to rent adjacent vacant stalls for the day must get permission from the Market Master and pay the standing daily fee for rental of the extra stall.
- C.** Vendors must stay within their assigned stall lines. A minimum three-foot (3') wide pathway or aisle shall be maintained in designated areas and no obstacles may be placed in pathways, aisle, or frontage that could cause a pedestrian to fall. Covering (tents) of stall(s) shall be anchored by heavy weights or safely secured to insure the stability of said structure in windy conditions. Vendors must provide their own tables. In the event that an extension cord(s) are used, cords must be secured by the vendor so as to not cause an unsafe condition for pedestrians (taped down or covered). Tables must be set up in a uniform line, no signs, product, etc. placed in the main isle of customer traffic flow without permission from the Market Master.

7. Compliance with Federal, State, and Local Government Standards:

- A.** Vendors must comply with licensing and identification, weights, measures, and handling standards imposed by Federal, State, and Local governments. If you are selling product by the pound, a scale must be present to make sure the customer is getting a pound. Misrepresentation can result in a violation (See Section 10) and is a mark against your character as a vendor and reflects on the Market as a whole.
- B.** The Market Master has the right to inspect any products offered for sale at any time. Misrepresentation of items sold will result in a violation. (See Section 10.)
- C.** "Sampling" of products must be in compliance with the rules set forth by the Michigan Department of Agriculture. (The Market Master will furnish a copy of these rules.)
- D.** Vendors claiming to grow organic products must post their organic certification and provide a copy to the Market Master. Misrepresentation of items sold will result in a violation. (See Section 10.)
- E.** Each vendor is responsible for obtaining the proper Federal, State, and Local government licensing and providing the information outlined on the vendor application. Misrepresentation will result in a violation. (See Section 10.)

- F. Reusing boxes and or bags is not recommended. If those boxes or bags are contaminated, your product may be blamed if someone gets sick. If reusing boxes or bags that have a name of previous user (farm or business) this is to be crossed out and your name or farm name printed on the container.

8. Required Liability Insurance:

- A. Vendors are required to carry liability insurance. The City of Holland will set the coverage limits. The current liability insurance coverage required is \$500,000. All seasonal and daily vendors must provide current proof of liability insurance with their registration/application papers before they can operate a stall. Proof of liability insurance should be on an Accord 25 General Liability Certificate form and name the City of Holland as additional insured. Your insurance agent should be able to provide you with the form.

9. Market Regulations:

- A. All vendors must display a sign with their name and address clearly visible to the public. This sign should be appealing to the eye, in good clean condition, and in keeping with the character of the Market. ***(Three Strikes Rule: 1st warning will be given on first day at Market without signage. If signage must be purchased, a new sign must be on site by second week at Market or otherwise the 2nd Three Strikes Rule violation will be issued.)***

- B. The City of Holland does not intend to set vendor prices. However, vendors should keep in mind that this is a retail, and not a wholesale, Market. Please establish a fair retail price. Vendors will not regularly practice distress pricing. Keeping prices within a 10% range is acceptable.

- C. Vendors are required to leave their assigned space clean and swept. A dumpster(s) is provided for your Market waste. **No spoiled produce, boxes, plant containers, pop cans, etc., should be placed in trashcans which are provided for customer use only.** Waste must be put in the dumpster(s) provided or taken back home.

- D. Vendors who have water access are responsible for their key and must ensure that the water is properly turned off and the door to the water faucet is locked before leaving the market for the day. Any malfunctioning water faucet should be reported to the Market Master. Water access is located at every other column under the canopy.

- E. Each vendor's stall must be under the on-site supervision of a responsible person sixteen (16) years of age or older. Children should not be permitted to roam or wander unsupervised.

- F. In accordance with the Michigan Department of Agriculture Regulation No.556 for "open air municipal and in the Market with the exception of guide and service dogs. Vendor's pets are not allowed at Market. (This is a City Policy and not a City Ordinance. Therefore it is not enforceable by the Holland Police Department.)

- G. No aggressive, invasive product such as Purple Loosestrife (*Lythrum salicaria*) shall be sold at the Market, as it is a threat to our ecological system.

- H. All vendor staff must park in designated areas, farthest away from the Market. This allows customers to park closer to the Market. The Market Master will inform you of these areas. Vendors' vehicles are limited to the number of stall(s) the vendor rents (i.e. one stall = one vehicle.)

- I. No alcoholic beverage or controlled substance in any form shall be consumed and/or used on the Market premises.

- J. No "hawking" of products shall be allowed.

- K. The Market encourages a "smoke free" environment. Smoking is not allowed in your immediate stall area. If you must smoke, moving to your vehicle is recommended, using consideration so as not to offend your vendor neighbors or customers. All "butts" must be cleaned up by the smoker.

10. Three (3) Strikes Rule:

- A. Vendors who violate the rules and regulations outlined in this information packet and/or fail to comply with vendor application and/or any additional rules set forth during the Market season (notified in

writing) will be dealt with under the Three (3) Strikes Rule. Violations may deal with multiple rules or the same rule. Three violations total will result in the vendor being removed from the Market for the season and may result in permanent removal from the Holland Farmers Market if deemed necessary by the Market Master, who will take into consideration the advice of the Farmers Market Subcommittee.

B. Violation records will be maintained by the Market Master.

C. 1st Violation – Will be verbal, but recorded by the Market Master

2nd Violation – Will be in written citation

3rd Violation – Will result in dismissal from the Holland Farmers Market for the season.

11. Hold Harmless Agreement

I agree to indemnify and hold harmless the City of Holland, its officials, employees, and agents from and against any and all claims, actions, damages, liabilities and expenses, for personal injury or death and/or property damages arising out of or in any way related to vendor's operations at the Market. I also give my permission for any photos/videos taken during market hours to be used for future market promotional materials.

Failure to comply with these rules and regulations may be cause for temporary or permanent dismissal from the Holland Farmers Market.

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