



# 2011 Farmington Farmers & Artisans Market Rules and Regulations

Revised: February 2011

The Farmington Farmers & Artisans Market (the Market) has been created to establish a seasonal open-air market in the heart of Downtown Farmington, at the Walter E. Sundquist Pavilion. The objectives of the Market are: (a) to provide an informal, social gathering place in an open-air public space for the utilization and enjoyment of the citizens of Farmington and surrounding communities; (b) to enhance and promote the downtown business district; (c) to give the community access to a wide variety of fresh, local, in-season farm products and high quality handmade crafts; (d) to provide a centralized location for producers to market directly to the public; (e) to foster cultural enrichment by encouraging participation from local artists/artisans displaying original art works; (f) to provide entertainment and education through live demonstrations and community interest programs, including farm works, gardening and landscaping, music, dance and photography.

## 1. 2011 Schedule of Market

Saturdays, May 7 thru November 19, 2011 (29 market days)  
9:00 a.m. . 2:00 p.m.

Opening Day . May 7

Market relocates for these event dates .

June 4 for Art on the Grand (Growers Only Market)

July 16 for Downtown Farmington Founders Festival (Growers Only Market)

September 24 for Harvest Moon Celebration

## 2. Location of Market

The Market is located at the Walter E. Sundquist Pavilion and George F. Riley Park on Grand River, one block east of Farmington Road at Grove Street. The address is 33113 Grand River.

## 3. Check-In Requirements

Vendors who need to off-load with their vehicle in the market area must arrive to the market no later than 7:30 a.m. Vendors who do not need to drive into the market area are to arrive no later than 8:00 a.m. or by arrangement with the Market Manager. Late arrivals will risk loss of access for vehicles for off-load.

Vendors are to be set up by 8:30 a.m. for market opening at 9:00 a.m. Vendors who will be late should notify the Market Manager as soon as possible. Due to safety concerns, vehicles MUST be removed from the market area by 8:30 a.m. At 8:30 a.m., unclaimed and unoccupied spaces will be made available for use by other vendors.

#### 4. Products to be Sold

Since the Market's endeavor is to add to, enhance and promote the entire downtown shopping district, existing merchants in the district are encouraged to take advantage of their proximity to it and tie-in their own marketing efforts with market activities and promotions.

Locally owned and operated businesses within the DDA district but with merchandise or services outside the scope of the market may occupy the DDA-reserved space at no charge on a rotating basis to promote the business and its location but may not offer merchandise for sale, at the discretion of the Market Manager, the DDA Executive Director, and/or the DDA Board. Businesses may use the space to display menus, flyers and limited promotional signage, hand out discount coupons or samples, describe services, etc. Businesses wishing to hand out promotional literature, coupons or product samples without occupying a space must have prior approval of the Market Manager, and are restricted to designated areas on the market's periphery. Ambulatory salespersons are prohibited from participating in the Market.

The Market Manager, in conference with the Events Planner and/or Events Committee will determine, on an annual basis, the overall size of the market in terms of number of seasonal and daily vendors. Based on this number, the Market Manager will select all vendors with a priority towards Produce, Plants/Flowers, Food items, Arts, and Crafts, *in that order*, with an emphasis on those that are Michigan-made and/or locally-owned.

The selection process will take into consideration the needs of the community, objectives of the market, quality, display and originality while minimizing product duplication. Formal applications will be sent to approved vendors. While prior participation in the Market does not guarantee future acceptance, prior successful participation will be considered. The Market Manager will notify you in writing confirming your status.

To encourage Michigan economic growth and state pride, the Market will favor vendors that produce items in Michigan. These items will be approved at the discretion of the Market Manager. Furthermore, the Market is not an outlet for resale or wholesale produce or merchandise.

**Produce** - Vendors are allowed to supplement their products with other locally grown products as long as the vendor grows at least 75% by value of the overall product that they offer for sale at our market. Farm inspections may be conducted on a random, but no more than a bi-annual basis in order to verify vendor compliance. An inspection fee of \$100.00 will be assessed.

Concerns regarding adherence to this policy will be addressed by the Market Manager directly to the vendor, and further information regarding the source and growing method of the product offered will be required.

**Plants/Flowers** - Flower vendors are allowed to bring to the market plants purchased from a wholesaler. Priority will be given to those vendors that raise their own plants.

**Food Items** . Vendor produced baked goods, eggs, honey, jellies, jams, cider, sauces and other prepared foods. Vendors must have the appropriate licenses and must

comply with state and local health regulations regarding storage, sampling and display to sell food items.

**Original Art Work-** Examples are jewelry, ceramics, oils, watercolors, photography, metal-smithing, iron works and mixed media. These are to be offered for sale by the artist/producer of said goods or their designated representative.

**Crafts/Other** . Handmade craft items produced by the vendor include but are not limited to: dried flowers, wreaths, baskets, garden décor, woodwork, soaps, and clothing. Reselling is prohibited.

5. **2011 Fee Structure**

**Full Season**

**Pavilion**

10qx 10q(1 booth maximum) \$800

**Grounds**

One 10qx10q \$725

Two 10qx 10q \$870

Three 10qx10q \$1015

**Parking Lot**

Three 10qx 10q \$750

Four 10qx 10q \$1000

**Daily Rate**

\$30.00

6. **Space Allocation Requirements**

Market management has prioritized the types of vendors that are desired at the market. Since space is limited, greater space has been allocated for produce and plant/flower vendors, and 10qx 10qspaces for artisans, crafts, other products and nonprofit organizations. A vendor map will be available at check-in.

More space may be allocated to a vendor on a daily basis at the discretion of the Market Manager.

Vehicles will not be permitted onsite during market hours without permission of the Market Manager. This space allocation includes any vehicle or truck required on-site.

7. **Application for the Market**

Official applications to the market will be sent to approved vendors. All interested vendors must submit an application to participate in the Market. **If you wish to secure a seasonal space, your application must be received by the Farmington Downtown Development Authority no later than March 25, 2011.** After March 25, 2011, spaces will be filled at the discretion of the Market Manager.

If you are accepted as a full season vendor, you will have a reserved, non-specific space. Daily vendors will be assigned space as is available. Request for specific locations will be considered and will be assigned at the discretion of the Market Manager.

If you are accepted as a full seasonal vendor you will be billed and your payment is due within 30 days of the invoice date. Payments received later than 30 days from the invoice date are subject to a late penalty. Approved daily vendors are required to pay the \$30.00 daily rate for a 10qx 10qspace at the time of check-in on market days.

## **8. Use of Pesticides and Organic Products**

Many customers are interested in the use of pesticides and the availability of organic products at the Market. Any question on products will be directed to the specific farmers concerning their agricultural practices. We fully expect vendors to truthfully represent their products and operations.

The Market encourages the certification of organic products by the United States Department of Agriculture Organic Certification Program. Vendors who practice organic agriculture, but are not certified, cannot market their goods as organic. If a vendor is certified, we request a current copy of certification. We do encourage vendors to communicate their agricultural practices with customers and explain the level, types and reasons for their pesticide use. The Market in no way guarantees, warrants, or stipulates that any merchandise offered at the market either for sale or sample is organic.

## **9. Civic Organizations Participation**

Nonprofit, charitable organizations are welcome at the Market, and must fill out an application and be approved by the Market Manager. Organizations setting up information and donation-only tables will be allowed to set up free of charge. The Market is a public space, not a public forum. Organizations espousing controversial and/or incendiary messages (i.e. political or religious groups) are not allowed.

Organizations selling a product in order to raise funds will be charged the Daily Rate rental fee of \$30 for a 10qx 10q. Determination as to acceptability to participate in the Market will be made by the Market Manager.

## **10. Rights Reserved by the Market Manager**

- a) The Market Manager reserves the right to reject a vendor application if, in the Market Manager's judgment, the goods and merchandise are not compatible with the overall concept of the market or are inappropriate.
- b) The Market Manager reserves the right to immediately deny a vendor the privilege of selling at the market. Reasons may include misrepresentation of products, poor quality of products or produce, non-payment of fees, disorderly conduct or failure to follow the Market Manager's direction.

- c) The Market Manager shall have the authority to oversee and enforce the market rules and has the right to refuse a vendor's participation at any time for any reason.
- d) The Market Manager may also exercise Due Process for suspension in accordance with the following criteria: a) adequate verbal notification to the specific vendor by the Market Manager; b) written notification to specific vendor provided by the Market Manager and copy to the Events Planner, DDA Executive Director and the DDA Board; c) written notification of suspension from the Market Manager based on noncompliance by the vendor to adhere to verbal and written direction; d) date scheduled to provide vendor the opportunity to address allegations with the Events Planner, DDA Executive Director and/or DDA Board for reinstatement. Decisions for appropriate discipline or notification of permanent suspension will be at the discretion of the Market Manager, Events Planner, DDA Executive Director, and/or the DDA Board.
- e) Fees are nonrefundable and will be enforced whether or not the vendor shows. This includes any early closing of the market due to inclement weather or any other unforeseen emergency situation.

## **11. Vendor Responsibilities**

- a) All tents onsite must have appropriate weights on tent legs for safety purposes.
- b) Vendors are responsible for their own sales taxes, licenses, permits and fees required for operation and will abide by all local, state and federal laws.
- c) Food shall be clean, wholesome and safe for human consumption and shall be handled, stored, transported and offered for sale in a sanitary manner.
- d) Food products can be cut or opened for displays at the market if properly wrapped, but cannot be sold. Free samples may be given to customers in accordance with state and local regulations. Disposable utensils (i.e., napkins, toothpicks) will be provided and disposed of by the vendor. The Market Manager must approve all sampling procedures.
- e) Each vendor is responsible for keeping his or her own space clean, attractive and contained within his or her designated area. Failure to maintain space upkeep and cleanliness may result in disciplinary action. Upon closing of the market, spaces are to be cleaned and swept by the vendor. Vendors are responsible for bringing their own equipment/utensils for clean-up. Trash is to be hauled away from the market site by the vendors in containers of their own supply. On-site receptacles shall not be used for vendor disposal.
- f) Vendors must supply their own sales equipment, tables, chairs, display racks, display signs, bags for customers and money for change. Use of electrical outlets requires Market Manager approval.
- g) Vendors are required to display a license or permit, price list or individual price identification, and signage, of sufficient size, with the vendor's name and location of their farm/business.
- h) Vendors are restricted from attracting attention to items for sale by outcries in a loud or annoying, rude or offending manner.
- i) Each vendor may set his or her own prices. Prices should be set in keeping with customer satisfaction and consideration of other market vendors. Undercutting of prices is not permitted.

- j) Each vendor is encouraged to provide scales of demonstrative accuracy and price and sell products in an easily understandable manner: by weight or by the bushel, quart, pint or individual piece. Inaccurate or deceptive measurement practices will not be tolerated.
  
- k) Vendors will occupy and attend assigned space for the market's entirety. The expectation of the public is that the market ends at 2:00 p.m. Only the Market Manager or a representative can close the market at any time other than that which is scheduled. Vendors are to end sales at 2:15 p.m. and must vacate the market area by 3:30 p.m. Departure not approved by the Market Manager may result in disciplinary action, as outlined in section 10.c. Limited pack-up activity will be allowed on-site, but each vendor will maintain a display and availability until 2:00 pm.
- l) Market management strongly feels that maintaining a full market helps to build the foundation for success. Commensurately, it is also important for each of the selected vendors at the Farmington Farmers & Artisans Market to be aware that together ALL vendors contribute greatly to the customer base consequently helping to maintain the vibrancy, atmosphere and vitality of the market. To that end, consistent attendance by scheduled vendors is crucial. If the occasion arises that a vendor will not be able to attend on their scheduled day(s), a 5-day notice (for non-emergencies) is required to allow adequate time for the Market Manager to schedule a replacement. In the cases of an emergency however, contact should be made with the Market Manager as quickly as possible. A fee in the amount of the daily rate (\$30 for the 2011 season) for each non-excused absence will be assessed. Accumulating three (3) non-excused absences during the market season may result in a loss of reserved space at the market. Note: The Market Manager maintains a weekly calendar for the entire market season that provides the basis for weekly space mapping and attendance. Vendors are strongly encouraged to review the Market Calendar with the Market Manager. Any discrepancy regarding vendor scheduling will be resolved in favor of the Market Calendar.
- m) The Market encourages a team philosophy and a cooperative spirit. Vendors will refrain from criticizing or challenging other vendors' products, displays and pricing. Any questions regarding another vendor's participation must be directed solely to the Market Manager. Failure to comply will lead to suspension and/or dismissal.
- n) Vendors, and their employees or representatives, will be required to park vehicles in designated areas only. Vendors will supply the DDA with the make, model and license number of all vehicles, commercial or personal, that transport product or personnel to or from the market. It is the vendor's responsibility to ensure that employees park their vehicles in approved areas and the vendor will be held responsible for non-compliance.
- o) Smoking on the Market premises is prohibited.

## **12. DDA and City of Farmington Responsibilities**

- a) If the decision is made to change a market rule, current participating vendors will be given a seven-day notice prior to the new rules taking effect.

- b) The Market is not responsible for product liability or the paying of sales taxes by individual vendors. The Market is not held responsible in any way for any loss of vendor property by theft, vandalism, weather or anything outside of the control of the market administrators. Vendors agree to indemnify and hold harmless the City of Farmington and the Farmington Downtown Development Authority and assignees from and against all liability, claims, demands, losses, damages, levies and causes of action or suits of any nature whatsoever, arising out of or related to activities at the Market.