

Elver Park Farmers Market, Inc. 2017 Handbook: Policies, Procedures and Rules

Goals

Goals for the Elver Park Farmers Market

- To expand the availability of foods that are fresh, healthy, nutritious and affordable to the Madison community
- To promote the sale of locally-grown farm products
- To contribute to the vitality, health, nutritional and shared values of the Elver Park communities
- To provide an opportunity for farmers, residents and visitors to the neighborhood to interact directly with each other
- To give growers and producers of local agricultural commodities and other farm-related products direct marketing opportunities
- To enhance the quality of life in Elver Park by providing an activity that continues to foster community and social interaction

Times and Place of Operation

- Dates: Saturday Mornings June 10th – September 16th
- When: 8:00am-12:00pm
- Location: Elver Park, 1250 McKenna Blvd. Madison WI



Membership Vendor FEES

Fees will be charged to help pay for marketing and operational expenses. Fees for the 2017 season are set at:

- Vendor Membership Fee of \$25 must accompany the application
- Seasonal vendors/one stall is an additional \$100.00/season which will be paid when the application is accepted.
- Member Market daily (non-seasonal) vendors \$15.00/day
- (Applications for first market day must be submitted by Friday, May 19.
- Additional stall (if available) \$10.00/day

All fees include parking for one vehicle. Once you have been selected and your fees are paid, all fees are non-refundable if a vendor chooses to withdraw from the market.

RULES FOR THE MARKET

Vendor Rules

Eligibility

All individuals whose goods are in compliance with Market rules and guidelines who wish to participate in the Market as vendors will be required to complete an "Application for Permission to Sell" form and submit with the application all applicable licenses pertaining to food processing establishments and all other required permits. A vendor will not be allowed to participate in a market without submitting a completed application to the Market Manager.

In no event may a vendor sell on the same day as an application is submitted. Those vendors proposing to sell items which require licenses or permits must have these licenses or copies of the licenses available for inspection before these individuals will be allowed to sell items at the Market.

A vendor or qualified helper, listed on the application, must be present at each Market in order to exercise permit rights. Failure to have a vendor or qualified helper at the stand will result in the non-member vendors not being able to set up. If they have already set up, they will have to pack up and leave immediately.

One permit is issued to an individual or to a group of individuals. To be eligible to share in a permit, each qualified Helper must:

- Be listed by name on the application, and
- Have substantial participation in the actual production of the product.

MARKET OPERATIONS

The Market will be open Saturdays 8:00am until noon beginning on the second Saturday in June and concluding on the third Saturday of September. Participating sellers shall adhere to the following:

Stall Set-Up

7:30-8:00 am. All tent stalls may be set up at this time in assigned areas. Seasonal vendors will have pre-assigned stall sites for the season. Seasonal vendors must provide notification by the end of the market on the prior Saturday if they do not plan to sell at the next market. Seasonal vendors are expected to attend 90% of the market days.

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The daily vendor stall is assigned on a first-come, first-serve basis by the Market Manager. All daily vendors must submit the "Application for Permission to Sell" form and payment before being eligible for acceptance for the following week. The daily fee must be paid to the Market Manager upon acceptance and prior to set-up at the Market. The policy of first-come, first served is interpreted to allow for a fair, orderly and courteous system. Vendors must notify the Vendor Organizer or Market Manager by 12:30 p.m. on Thursday preceding the market if they must miss a market date or withdraw from the market. Any vendor who misses a market date twice without contacting the Vendor Organizer or Market Manager as per instructions above may be removed from the market. Any market fees received will not be refunded.

Vendors must provide their own table. Seasonal vendor stalls will not exceed ten feet (10') in width. Selling space is restricted to the front of the stall and must be in line with other vendors. Tables must be no more than eight feet at the widest point.

Parking

Vendor parking will be assigned by the Market Manager but will be close to the stall.

Permits

Seasonal stall permits are issued once a year at the beginning of the season. These stalls will be assigned a location for the entire season. Permits will be approved using the following criteria:

- The products to be sold reflect the market mission and goals;
- The product increases the selection and diversity of products available at the market;
- Seniority applies if the vendor continues to offer products meeting the first of the aforementioned criteria; and
- Demonstrate the ability to provide a sufficient supply of products for sale.

The Market Manager and/or Elver Park Farmers Market, Inc. representative review applications and issue stall permits. Copies of all licenses and permits required for the sale of his/her product must accompany the seasonal stall applications.

Mobile Food Establishment Policy

Mobile Food Establishments (as licensed and regulated by the WI Dept. of Public Health) wishing to sell at the Elver Park Farmers' Market must adhere by the following rules:

- All Mobile Food Establishment (MFE) vendors must have and provide copies in advance to the Market Manager of all the appropriate state licenses needed to legally vend in a mobile food establishment.
- The fee for MFE vendors at the Elver Park Farmers' Market will be \$20/week.

Note: This document may be updated and changed without notice

- There will be two spots per week for MFE vendors (at Market Managers discretion) who have scheduled a date with the Market Manager in advance. These two spaces are in addition to the two spots for existing full season vendors.
- The Market Manager will be responsible for keeping a rotating schedule of MFE vendors so that there are a different variety of options available, at the discretion of the Market Manager.
- MFE vendors will be provided a stall and access to one outlet. All other chords, power options, equipment, and sanitary and safety tools shall be provided by the vendor.
- Hot food vendors are expected to use ecologically friendly “to-go” products and to place a waste receptacle outside of their stall.

RULES APPLICABLE TO ALL VENDORS AND PRODUCTS

- 1) The Elver Park Farmers’ Market may add additional rules or modify these as needed.
- 2) All sellers must abide by, and all products must comply with, all applicable federal, state, and local regulations governing health, packaging, labeling, taxes, scales, weights and measures, etc. For more information contact the Department of Commerce's Business Development Assistance Center at 1-800-435-7287.
- 3) Items must be either grown and gathered or produced or processed in Wisconsin by the vendor (if outside Wisconsin, please contact the Market Manager for approval). All processed products must be properly labeled in accordance with the State and Federal labeling laws. All containers must comply with State laws.
- 4) The Market Manager will attempt to keep a variety of products at the market, and to balance the types of products that are being sold. This may result in someone lower on the waiting list being invited to the market to ensure product variability.
- 5) Vendor booths are to be well maintained. Each vendor is responsible for cleaning up his or her own booth area and disposing of organic matter. General trash can be placed in containers provided and will be picked up by the City
- 6) We reserve the right to select or refuse any vendors.
- 7) All authorized vendors participating in the market shall be individually and severally responsible to the ELVER PARK FARMERS’ MARKET, INC. for any loss, personal injury, deaths, and/or any other damage that may occur as a result of the vendor’s negligence or that of its servants, agents, and employees, and all vendors hereby agree to indemnify and save the ELVER PARK FARMERS’ MARKET, INC. harmless from any loss, cost, damages, and other expenses, including attorneys’ fees, suffered or incurred by the ELVER PARK FARMERS’ MARKET by reasons of the vendors’ negligence or that of its servants, agents and employees; provided that the vendors shall not be responsible nor required to indemnify the ELVER PARK FARMERS’ MARKET, INC. for negligence of the ELVER PARK FARMERS’ MARKET, INC., its servants, agents or employees. No insurance is provided by the ELVER PARK FARMERS’ MARKET, INC. or its

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partners/employees/board/members to participants in the ELVER PARK FARMERS' MARKET, INC.. Sellers are responsible for their own personal and business liability insurance. The ELVER PARK FARMERS' MARKET, INC. requires vendors to obtain private liability insurance and provide the ELVER PARK FARMERS' MARKET, INC. with a copy of that insurance policy. ELVER PARK FARMERS MARKET, INC needs to be listed as an additional insurer on the vendor policy. The ELVER PARK FARMERS' MARKET, INC. does not carry liability insurance coverage for individual vendors.

****Note:** The market requires all vendors to have their own insurance, and ELVER PARK FARMERS MARKET, INC to listed as an additional insurer.

8) Failure to meet any of these rules may result in your being asked to leave and not allowed back this season.

Elver Park Farmers' Market Music Policy

Music Policy

- One act/group/entertainer will be allowed each week at the market.
- The Market Committee may solicit specific acts for special events.
- Performance dates must be scheduled with the Market Manager in advance.
- Performers are expected to play for a minimum of two hours but are encouraged to be present for the entire 4 hours of the market.
- The performers will be allowed to put out a container to collect donations.
- The Market Manager will include performers who scheduled in advance on all media releases.
- Performers will be given access to one power outlet. All other equipment must be provided by the entertainer.
- The Market Manager reserves the right to alter the sound levels as they see fit.
- Submitting an application does not guarantee a place at the Market, selection of acts is dependent on approval by the Steering Committee (or Market Manager if committee is not formed).

MARKET POLICIES

Potentially Hazardous Foods

Potentially hazardous foods are so defined by the Madison Department of Health: "Potentially hazardous food means any food which consists wholly or in part of milk, milk products, eggs, meat, poultry, fish, shellfish, edible crustacean or other ingredients, and which is capable of supporting rapid and progressive growth of pathogenic, infectious or toxigenic microorganisms." It is the responsibility of the vendor to abide by the Madison Department of Health guidelines concerning the vending of such products.

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If any vendor is deemed to be in violation of health codes pertaining to such products, the following measure will be taken by the Market Manager:

The vendor of such a product will be immediately removed from the Market for that day. The proper regulatory agency will be notified as soon as possible.

Smoking

Vendors and Market attendees are prohibited from smoking in the market area.

Noise/Fumes

No loud or disturbing noises shall be made or action taken on the grounds which will interfere with the rights, comforts or convenience of other vendors or the public. No vendor shall play, or allow to be played any radio or other sound instrument at a sound level which may annoy or disturb other vendors. The running of any gasoline or diesel motors or engines, including all vehicles, is not permitted unless approved by the market manager ahead of time.

Vendor Conduct

Vendors shall conduct themselves in a manner that is courteous to other vendors, Market personnel and the public. Behavior, which is threatening, abusive or harassing shall constitute a violation of the Elver Park Farmers Market Policies, Procedures and Rules and is grounds for immediate termination of Market membership at the sole discretion of the Market Manager. No refund will be given.

Inspections

Representatives of the Elver Park Farmers Market shall have the right to conduct an inspection of the production areas of those products sold by a vendor in the Market. The vendor will be given 48 hours notification prior to an inspection. An inspection may include ownership information and any other information relevant to determining product legitimacy. Failure to allow such an inspection shall constitute a violation of Elver Park Farmers Market Policies, Procedures and Rules and be grounds for immediate termination of Market membership at the sole discretion of the Market Manager.

Non-Profit Groups

From time to time, Elver Park Farmers Market will allow non-profits or government groups to have booths at the market. The market manager and Elver Park Farmers Market holds the right to allow or not allow any group

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Hold Harmless

The vendor, in consideration of participation in the Elver Farmers Market and/or Elver Farmers Market, Inc., agrees to hold the Elver Park Farmers Market and/or Elver Park Farmers Market, Inc., the City of Madison, and their agents, officers, directors and employees harmless from and against any and all claims, causes of action, demands, debts, damages, judgments, cost or expenses (including attorney fees), or other losses of any nature or kind arising from, relating to, or in any manner connected with Elver Park Farmers Market activities.