

# ANGELICA FARMERS' MARKET

## Rules and Regulations

### *Market Mission*

As a member of the Farmers' Market Federation of NY, the Angelica Farmers' Market is committed to rejuvenate and preserve our rural lifestyle by providing a premium marketing outlet for local farmers and artisans. This outlet will provide a local, fresh food source to promote health and nutrition to our customers, and will enhance the quality of life in the Angelica area by providing a community activity that fosters social gathering and interaction.

### *Participants*

- The Market is successful thanks to the cooperation of customers, vendors, musicians, the Market Manager and the Board of Directors.
- The Board of Directors establishes the rules and regulations governing Market operations. Explicit enumeration of the Board's duties is described in their bylaws.
- The Market Manager is responsible for the orderly and efficient conduct of the market, for implementing the rules and regulations, and represents the management during market days.
- Both the Market Manager and the Board of Directors shall be responsive to questions and suggestions from all other participants.

### *Seasons & Times of Operation*

- 1) The Market will operate at the Park Circle in Angelica, New York, during the summer on Saturdays from 10:00 am to 2:00 pm, June through September. Some festivals and special events may have longer hours of operation. Market operation is as listed unless otherwise specified/declared by the Board. Revision 3/16/23, 11/15/2023
- 2) Vendors may begin operation at 9 am if so desired and if approved by the Market Manager. Vendors may arrive up to 1 hour prior to their opening for set up, must remain set up until Market closing or until sold out, or unless prior permission by the market manager is given, and must have their market sites dismantled, picked up and cleaned within a reasonable time after market closure.
- 3) The Market is a "rain or shine" event. Extreme weather events may necessitate cancellation of the Market. Tornados, high winds, heavy thunderstorms or standing water in a large part of Park Circle may be causes for cancellation. Revision 3/16/23
- 4) The Angelica Farmers' Market may optionally sponsor unique indoor events in addition to the regular summer season. Revision 3/16/23

### *Who May Sell at the Market*

- 1) The use of the market is restricted to those who are bona-fide farmers, artisans, producers of homemade products, or other vendors approved by the Board of Directors, including the Market Manager. Revision 6/5/17, 4/01/2020, 1/27/22
- 2) In order to support the market's mission of providing an outlet for local growers, it is required that a minimum of 50% of the products offered for sale be produced by the vendor. An additional 50% may be brought in provided that it is locally produced (100 mile radius), and approved by the Board of Directors. Signage will clearly state where the produce was grown or purchased. The 50% rule may be waived due to storm effects or other acts of God. Revision 4/11/12, 6/5/17, 04/01/2020
- 3) Vendors selling prepared food (i.e. baked goods, hot or cold ready-to-eat items, etc.) may sell at the Market if the final product is prepared locally by the vendor. Ingredients used do not need to be produced locally. Revision 3/15/07,6/5/17, 1/27/22
- 4) Only approved members of the Angelica Farmers' Market association who have completed and signed a Vendor Application will be allowed to sell at the market. Applications will be accepted based on market needs and is the sole decision of the Board of Directors. Applications not accepted will be held and reviewed when a market opening occurs. Vendor applications must be completed and approved annually with the Board of Directors. Revision 6/5/17, 04/01/2020

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- 5) Primarily for non-farm participants, the Board reserves the right to limit the number of vendors offering very similar products to a maximum of two such vendors. Each additional application will be considered carefully. Exceptions could be allowed if the Board believes the participating parties contribute unique products so each vendor can be successful. Revision 3/16/23
- 6) Any vendor may be subject to a criminal background check at any time for the safety of our vendors and patrons. Revision 3/16/23

### *What May be Sold at the Market*

- 1) Products which can be sold include, but are not limited to: fresh picked fruits, vegetables, herbs, flowers, plants, meat, cheese, eggs, honey, jams, jellies, preserves, maple syrup, baked goods, wine, and their value added by-products. Lotions, soaps and ointments are welcome. Jewelry, clothing, other fabric items, woodcrafts, metalwork, artwork and other handmade decorative items may be sold. Artisan products and products not specifically listed in these rules & regulations must be pre-approved by the Board of Directors. Revision on 6/5/17, 04/01/2020
- 2) All applicable regulations must be adhered to when selling at the market. This includes; NYS Certificate of Authority, NYS Nursery License, compliance with the requirements of the NYS Health Department, Department of Agriculture & Market, County Dept. of Weights & Measures, NYS Winery License, and all pre-packaged items such as baked goods, must be labeled in accordance with NYS labeling requirement. A copy of said Licenses must be provided to the Board or Market Manager prior to the market season. Revision 6/5/17
- 3) Vendors selling "organic" produce must adhere to the NOFA-NY criteria. Certified organic certificates and/or specific growing practices must be displayed. \*Note: If you are using organic methods and your yearly sales are less than \$5,000.00, you may label your produce organic without certification by the NOFA-NY. Revision 5/9/14
- 4) Only products listed on the crop plan in a vendor's application may be sold at the market. Any additions must be approved by the Board or Market Manager prior to market day. Revision 6/5/17
- 5) All growers and vendors, full-season and week-to-week, must agree to an optional Farm or Site Visit. The Board of Directors, the Market Manager, or representative(s), may visit farms, or production facilities, to ensure that the market rules are being adhered to. Farm or Site Visits will generally be conducted by August 1<sup>st</sup>. Revision 6/5/17, 04/01/2020, 1/27/22
- 6) All vendors, full-season and week-to-week, are encouraged to provide pictures of their farms or production facilities to the Market Manager. Farm pictures can be hand delivered or emailed to [angelicanymarket@gmail.com](mailto:angelicanymarket@gmail.com). The Market will assist farms with no photographic capabilities. The Market will use the photos for advertising and marketing of the vendor and market in general. Revision 3/9/10, 6/ 5/1 7

### *Guidelines for Selling at the Market*

The Angelica Farmers' Market is interested in promoting and maintaining a premium market for the benefit of both vendors and customers.

- 1) The Angelica Farmers' Market carries liability insurance that provides protection to the market, the property owner and the market sponsors in the event of a lawsuit. It is **required** that vendors selling food, produce, food ingredients, lotions, soaps and ointments also provide their own general and product liability insurance of \$1 million per occurrence and \$2 million aggregate limit. Craft and artisan vendors whose products are not consumed or applied to customers' bodies are not required to carry insurance. However, all vendors are encouraged to carry insurance for their own protection. Revision 3/16/23
- 2) For those vendors seeking coverage, here is a resource we have found that farmers market vendors across the country are using [www.campbellriskmanagement.com](http://www.campbellriskmanagement.com). Failure to carry insurance if required may void coverage of the vendor and market in event of a claim. When you obtain your insurance policy, you are required to list the Angelica Farmers' Market as an

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- additional insured and give a copy of your insurance certificate to the Board or Market Manager before setting up or selling products at the Market. Revision 3/27/07, 4/11/12, 6/5/17, 4/17/18
- 3) Each vendor will have a clearly visible sign at least 8 ½ x 11" with letters at least 1" high stating the vendor's name and address. All produce and products for sale must be priced clearly and displayed in a manner that does not confuse or mislead the customer. We encourage any signage that promotes your membership in Farmers' Market organizations such as Farmers' Market Federation of NY, Pride of NY, etc. Revision 6/5/17
    - a. In keeping with NY Department of Agriculture & Markets, Division of Food Safety & Inspection regulations, each vendor who sells produce or other raw edibles, must display the provenance of the foods. Revision 03/15/19, 1/27/22
  - 4) Each vendor will be responsible for all equipment and supplies for the setup of the site. The market does have some tents and tables that can be borrowed by vendors with advance notice. Each vendor is responsible for the cleanup of their site - "carry it in - carry it out". The trash receptacles placed in the Park Circle are not large enough to accommodate vendor refuse. Please do not use them for this purpose. Revision 2/28/09
  - 5) No form of discrimination is permitted at the market.
  - 6) Vendors are expected to treat others, as they would like to be treated. This includes customers and other vendors.
    - a. no soliciting by political, religious, or other special cause groups or individuals is permitted at the market. Revision 1/27/22
  - 7) All products offered for sale must be of good quality and condition. The Market Manager reserves the right to direct that inferior goods be removed from display.
  - 8) Product pricing is the sole responsibility of the vendor as long as you do not cheapen the tone of the Market overall. NO "dumping" (offering inferior quality at low prices) or "undercutting" (selling at prices drastically lower than market value) will be tolerated. Revision 6/5/17
  - 9) Vendors who bring livestock to the market for demonstration purposes must adhere to the following:
    - a. the animals will be kept leashed or penned;
    - b. a tarp will be placed under the animal and/or pen;
    - c. the vendor will take responsibility for all clean-up of the animal;
    - d. the vendor will be required to have their own hand washing station set up.Revision 4/23/07
  - 10) All vendors must display point of origin signs for their own produce/products and for produce/products purchased for resale. Produce/products grown and/or made by the vendor will take display and sale priority over produce/products purchased for resale if there is duplication. For example: Farmer A and Farmer B both bring tomatoes to the Market. Farmer A grew her tomatoes. Farmer B purchased her tomatoes at auction. The Market Manager may ask Farmer B to withhold her auction tomatoes from display and sale until all or most of Farmer A's home grown produce is sold. Revision 3/16/23

Vendors purchasing for resale must know the origin of the products, i.e., if purchasing from an auction house, the auction house is NOT considered the point of origin; the vendor must know where the auction house purchased it. This rule is meant to uphold the 50/50 requirement, support our local growers/producers, and truthfully inform our customers. Revision 1/8/08,4/11/12,6/5/17

- 11) Canopies, Umbrellas and Weight - All vendors who wish to erect canopies (including umbrellas) at the market site are required to have their canopies sufficiently and safely anchored to the ground from the time their canopy is put up to the time it is taken down. For standard canopies, approximately 25 pounds of weight is necessary for each leg. Any vendor who fails to properly anchor his or her canopy will not be allowed to sell at the Market on that day, unless the vendor chooses to take down and stow their canopy and sell without it. The Market Manager may decide that all canopies, umbrellas or other display items need to be removed or disassembled on windy

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days. Vendors must comply with this or any other safety concern as determined by the Market Manager. If there is an accident resulting from a vendor's booth, the Market reserves the right to charge the vendor the amount of the insurance deductible. Revision 2/28/09

- 12) All produce and meat scales must be certified by the NYS Dept. of Weights & Measures. Proof of certification must be displayed. Revision 2/28/09, 6/5/17
- 13) All vendors agree to save, hold harmless, and indemnify the Angelica Farmers' Market, Angelica Farmers' Market Board of Directors, Town of Angelica, Village of Angelica, members, employees from any and all liability or responsibility pertaining to any damages to person or property on the site leased from said Market, when such damages, or liability, arise out of any acts of vendor, vendor products, or of vendor employees or associates, located at said site. Revision 1/8/08,6/5/17,4/14/18, 04/01/2020

### *Fees & Stall Assignment*

Fees will be used for insurance, operating expenses and advertising & marketing of the market.

- 1) Vendor Fees:
  - a. Full Season Vendor: \$150.00. This includes membership fee, all regular market days, and Lavender Festival. Revision 11/15/2023
  - b. Week-to-Week Vendor: \$15 per regular summer market day. Payment for three weeks is required upon starting your first week. Revision 5/9/14, 4/14/18, 11/15/2023
  - c. Week-to-Week Youth Vendor: \$5 per regular market day. Students up through high school seniors qualify as youth vendors. Produce / products sold by the youth vendor must be grown or made by the child. Adults may advise and mentor the child but adults may not do the work. Revision 5/14/2024
  - d. Prepared Food/Hot Food Vendors (that are not Full Season) \$20.00 per regular market day and \$30.00 per Festival day. Revision 3/19/10
  - e. Winter Vendor: \$20 per winter market day. Revision 4/14/18, 3/16/23
  - f. Pricing is PER stall (10x10 or 12x12); a vendor may use more than one stall, but must pay the full fee for all stalls used. Revision 1/27/22
  - g.. A \$25 discount on a full season membership is offered to vendors who produce (raise or grow) 100% of their products. Revision 4/11/12,6/5/17
- 2) Payment is due to the Market Manager by 1 pm that day. Revision 1/27/22
- 3) Vendors representing not-for-profit organizations or other worthy community organizations may be asked to submit their organization's documentation, and the Market reserves the right to contact the organization. Examples of worthy community organizations may include youth groups such as school clubs, youth athletic organizations, the Boy Scouts, our local library, police and fire personnel, Allegany County departments such as the Health Department and the Angelica Booster Citizens, etc. These groups are welcome in the Angelica Farmers' Market without paying any fee. Revision 3/16/23
- 4) If the vendor is paying on an annual basis, they will be assigned a permanent spot for the duration of the season and every effort will be made to keep them in that same spot each week. Week-to-week vendors will be placed weekly as room allows on a first come, first served basis.
- 5) Sellers should notify the Market Manager in advance when they know of planned absences from the Market. The Market Manager has the right to re-rent stall space to a daily renter if a seasonal seller will be absent on any market day.
- 6) For safety reasons, any vendor arriving after opening may be asked to set up in a stall on the periphery of the market.
- 7) No sub-letting of stall space is permitted.
- 8) Rents are not reimbursable, either in whole or in part.

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### *Exceptional Events*

#### 1) Accidents and Irregular incidents

The Market Manager will make arrangements to help vendors and customers who need special assistance during the operating hours of the Farmers' Market. The Manager will gather information about the situation and record the details on the Manager's reporting form.

#### 2) Crisis Management

Dangerous exceptional events, both natural and man-made, will be addressed by the Market Manager and on-site Board members. The Grange Building will be used as shelter if necessary. First responders will be contacted via 911 without delay when needed. 11/15/2023

### *Grievance Procedures*

- 1) All complaints must be addressed in writing to the Market Manager and market's Board of Directors. To eliminate frivolous complaints, a \$50 deposit as a show of good faith must accompany all complaints. The Market Manager and Board of Directors will investigate the complaint. If the complaint is found legitimate, the vendor will be reimbursed the \$50. If the complaint is found frivolous or blatantly false, the vendor forfeits the \$50 to the market's operating funds. Revision 6/5/17, 04/01/2020, 1/27/22
- 2) The Market Manager will notify sellers of any rules violations and notify the market's Board of Directors of the violations. The Board of Directors will review those violations and determine consequences appropriate to the offenses, including warnings, fines, and termination of the vendors' rights to sell at the market. The vendor may answer to such decision by giving written notice and appearing at the next meeting of the Board of Directors. All fines must be paid in full by the market day, until fine is paid, market-selling privileges will be suspended. Revision 6/5/17, 1/27/22
- 3) Vendor complaints against management can be made in writing to the Market Manager and Board of Directors and by appearing at the next meeting of the Board of Directors to address the grievance. Revision 1/27/22

### *Rules & Regulations Revision History*

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