

Western Wake Farmers' Market, Inc. Market Rules

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The Western Wake Farmers Market, Inc. ("the Market" or WWFM Inc.) will be open year round, Saturday's beginning at 8:00 AM and ending at 12:00 PM (April through November), Saturday's beginning at 10:00 AM and ending at 12:00 PM (December through March), and Tuesday's beginning at 3:30 PM and ending at 6:30 PM (May through September).

Vendors (those to sell or vend products at the Market) at the Western Wake Farmers' Market agree to abide by these Market Rules. These Market Rules are subject to change and it is the obligation of each Vendor to ensure compliance with the Market Rules as amended.

In accordance with the Vendor Agreement signed by all approved vendors, any violation of these Market Rules shall constitute a breach of the Vendor Agreement and shall be cause for the termination of that agreement in accordance with its terms.

1. Eligible Vendors and Products

Vendors in the Market operated by WWFM Inc. shall sell or vend products produced by the vendor. Vendors must reside and produce the items they sell within a one hundred twenty-five (125) mile radius of the Market.

Products, which can be sold, include:

- a. Any vegetable grown by the Vendor from seeds, sets, or seedlings.
- b. Any fruits, nuts or berries grown by the Vendor from trees, bushes, or vines on the Vendor's property (owned or leased).
- c. Any plant grown by the Vendor from seed, seedlings, transplants or cuttings.
- d. Bulbs propagated by the Vendor.
- e. Honey produced by the Vendor's bees.
- f. Seafood may be sold at the market by an approved seafood dealer. All Seafood sold at the Market must have been purchased by the dealer from North Carolina-based fishermen.
- g. Eggs produced from the Vendor's hens.
- h. Cheese or milk products made from the Vendor's animals and produced on the Vendor's property.
- i. Cut or dried flowers grown by the Vendor.
- j. Firewood cut by the Vendor from the Vendor's property.
- k. Preserves, pickles, relishes, jams and jellies made by the Vendor.
- l. Straw baled by the Vendor.

- m. Baked goods made by the Vendor at the Vendor's property.
- n. Meats from animals raised by the Vendor.
- o. Packaged Foods (foods prepared, pre-packaged and labeled prior to market). Vendors must meet appropriate Health Department regulations (temperature control, air contact, etc.) pertaining to the sale and transport of any packaged food product.
- p. Ready to Eat Foods (i.e. mobile food unit in which foods that are handled, prepared and packaged). Vendors must meet appropriate Health Department regulations pertaining to the preparation and sale of ready to eat foods and provide proof of certification during the Vendor Application process.
- q. Beverages that may be sold include coffee, herbal teas, meade, all natural lemonade (no artificial ingredients), water and other beverages sold in paper cups. Vendor must produce the above products; no store-bought products will be permitted. Prior to vending, all beverages (ingredients and methods) must be approved by WWFM Inc.
- r. Soaps and herbal care body products hand produced by the Vendor.
- s. Farm related crafts (bird feeders, dried flowers, photos, etc) approved by WWFM Inc.

Products, which cannot be sold, include:

- a. Low acid canned foods (such as green beans, corn, carrots, etc.).
- b. Canned tomato products.
- c. Decorative pumpkins (edible pie pumpkins and pumpkin squash are permitted).
- d. Raw milk.

Except as specifically provided above, no products may be sold at the Market without the consent of WWFM Inc. WWFM Inc. at its sole discretion can ask Vendors to remove items not approved for sale given that they do not meet terms in this agreement.

2. Vendor Requirements

Vendors are also required to meet the following stipulations (WWFM Inc. assumes no responsibility regarding Vendors and their certifications):

It is the Vendor's sole responsibility (and not WWFM Inc.) to insure that they abide by all applicable federal, state and local laws, including, without limitation, all applicable health regulations, as well as the N.C. Department of Agriculture's general guidelines regarding products exhibited for sale at farmers' markets and curb markets. All Health Department regulations (temperature control, air contact, etc.) pertaining to the sale and transport of any fresh foods (raw meat, dairy, baked goods, etc.) sold at the Market must be observed. To the extent any Vendor is selling any product that requires the Vendor to obtain and maintain any license or certification, the Vendor shall have and maintain such license or certification and shall provide a copy of all appropriate licenses or certifications with the Vendor Application.

Additionally,

- a. All Vendors must grow their own produce. *No reselling is permitted.*
- b. WWFM Inc. reserves the right to inspect and re-inspect any vendor's farm/business location to verify a product's origin, but WWFM Inc. has no obligation to do so.

- c. No water or ice that comes into contact with meat or fish may be deposited or allowed to drain onto the Market premises.
- d. Any Vendor using the term “organic” must meet the requirements of the National Organic Program and provide a copy of the Vendor’s certification with the Vendor Application.
- e. No live animals may be physically sold or given away at the Market.
- f. If a Vendor uses scales at the Market, the Vendor must have them approved by the NCDA (North Carolina Department of Agriculture).
- g. CRAFTS: Crafts must be hand produced on Vendor’s property and be approved by the Market Manager as furthering WWFM Inc.’s Mission, as set forth in Section 6. Whenever possible, craft items should be environmentally friendly and/or promote sustainable living.

General Premise Requirements:

- a. Vendors may have access to their space(s) beginning one hour before the Market begins and must vacate and clean the premises by no later than 30 minutes after the Market ends.
- b. Except as expressly permitted by the Market Manager, all Vendors must be in their assigned space(s) by 7:45 AM on Saturdays (April through November), 9:45 AM on Saturdays (December through March) and 3:15 PM on Tuesdays (May through September) at the Market.
- c. Spaces will be assigned by the Market Manager before the Market begins.
- d. Notice of Saturday market absence must be made to the Market Manager by 5:00 PM the Friday before the missed market and notice of Tuesday market absence must be made by 5:00 PM the Monday before the missed market.
- e. For safety reasons, on Market days, late arrival after opening time or early take-down and departure before closing time will not be allowed. Vendors will not be allowed to move vehicles at the close of market until approximately 12:10 PM (Saturdays) and 6:40 PM (Tuesdays). This allows for our customers to exit in a safe environment and time for vendors to dismantle their booths. Exceptions may be made in case of emergency at the discretion of Market Manager.
- f. Market Signage Guidelines:
 - i. Prices must be clearly posted for all items sold. Vendors determine their own prices, but it is recommended that prices reflect accurate and fair value.
 - ii. Only certified organic growers may use the term “organic” in their advertising at the Market.
- g. Vendors are required to set up their display each day they offer goods for sale at the Market. They are to be present and selling at their space(s) during the time their goods are offered for sale.
- h. Vendors may assign persons to assist them in selling his/her products if the representative is knowledgeable of the products and either a family member or employee of the Vendor.
- i. Vendors may not share their space with others without the expressed written consent of WWFM Inc.
- j. Any cooperative selling arrangements between Vendors (one Vendor selling another Vendor’s products for him/her in the event that Vendor cannot be present) must be preapproved in writing by the Market Manager and/or WWFM Inc.
- k. Community Supported Agriculture (“CSA”): CSA’s will be allowed only with approval from the Market Manager. All CSA Vendors must also be an approved Vendor at the Market; no CSA pick-up only is allowed. All CSA items must be produced or grown by the Vendor. If sufficient product is not available, you may purchase that product from another Vendor at the Market to fill boxes. All CSA items must be boxed separately.

- l. Each vendor is responsible for collecting his/her own sales taxes, where it is applicable. Farmers are exempt from sales taxes. Value added producers are required to collect sales taxes and submit to appropriate City or Town.
- m. Vendors wishing to offer a new category of product to the market beyond what was approved during the application process must have that product approved by the Market Manager prior to bringing it to the Market.
- n. Vendor selling eligible food products are required to participate in the Leaflight program and accept EBT (SNAP) tokens. Vendors are not required to accept WWFM tokens.
- o. Each Vendor must have a Vendor Agreement on file with WWFM Inc. and have fees paid up to date.

Other Requirements:

- a. All Vendors must dress appropriately, including shoes and shirts and keep their hair tied back if serving food.
- b. No firearms. No alcoholic beverages. No drugs. Smoking is not permitted within 25 yards of the Market area.
- c. No live animals are allowed in the Market space unless they are service animals for people with disabilities.
- d. All edible goods must be safe for human consumption.
- e. The Market Manager is authorized to require a Vendor to immediately remove any low quality merchandise, as determined by the Market Manager in its sole discretion, from the Market.
- f. Vendors are required to maintain their space(s) in a clean, safe, and sanitary manner, including protecting the pavement from oil or fuel drips from any part of the Vendor's vehicle. This includes hauling away any trash or garbage that is generated in or around the booth and sweeping up any product debris left on the ground.
- g. If Vendor is using cups, toothpicks, etc. for sampling purposes, they must supply their booth with a small trash can or attach a small garbage bag to their booth for their customers.
- h. Vendors must bring their own brooms and dust pans if necessary for clean up.
- i. Vendors will park in spaces designated by the Market Manager before the Market begins.
- j. No marketing outside the designated spaces is permitted.
- k. It is expected that every Vendor assist the Market and participate in any and all fundraising efforts held by the Market.
- l. Vendors wishing to use the Western Wake Farmers' Market logo must adhere to the following procedure: Apply in writing to the WWFM Board of Directors, explaining how and where the logo will be used. The Board of Directors will approve or disapprove, and respond in writing.
- m. All Vendors are required to carry liability insurance. Preferably listing WWFM Inc. as an additional insured, but not mandatory. Vendors must provide a copy of any liability insurance with the Vendor Application.

3. Vendor Attendance and Fees

- a. A \$30.00 non-refundable application fee must be submitted along with the Vendor Application.
- b. Regular Vendor
 - i. A "regular" or "full-time" Vendor sells a minimum of 15 market days (Saturday and/or Tuesday) each year, designated by them as such during the Vendor Application process.
 - ii. A \$150.00 one-time non-refundable annual fee is due after acceptance to the Market, prior to the first Saturday market.

- iii. The stall fees (Saturday and Tuesday) for a full-time vendor are \$10.00 per space per day and \$25.00 for two (2) spaces per day. If payment is made up front, vendor fees are non-refundable if a market day is missed due to Vendor reasons.
- c. Specialty Vendor
 - i. A “specialty” or “seasonal” Vendor sells less than 15 market days during the year, designated by them as such during the application process. These must be farms/businesses with very specific seasonal crops, crafts or other products that are under-represented by regular vendors.
 - ii. A specialty Vendor is not required to pay the annual fee.
 - iii. The stall fees (Saturday and Tuesday) for a specialty vendor are \$25.00 per space per day.
- d. All Vendors approved to sell at the Saturday market are also eligible to sell at the Tuesday market and the Winter market. WWFM Inc., at its discretion, may approve new vendors to sell at either the Tuesday market or Winter market, without granting the right to sell at the Saturday market.
- e. In the case of inclement weather, the Market will determine by Friday at 10:00PM (the day before the market) whether or not the market will be open or closed. Stall fees will not be refunded if yearly payment was made prior to the beginning of the market season. Vendors paying stall fees weekly will not be required to pay for a market closed by WWFM, Inc.

4. Space Allocation, Equipment & Supplies

- a. Each Vendor is allotted one 10’X10’ space.
- b. Second spaces will be granted as space permits to Vendors who are in need of additional space. Second spaces will be treated as an additional stall and Vendors will be required to pay the appropriate stall fees.
- c. The Market Manager will assign spaces at the start of the season.
- d. Each Vendor is responsible for bringing, setup and takedown of his/her own white 10’x10’ canopy and table(s) to the Market. Any other style canopy is subject to approval by the Market Manager/WWFM Inc.
- e. Vendors must maintain these canopies in good condition to the satisfaction of the Market Manager.
- f. Each Vendor at Market may supply a stand, counter or tables that not to exceed the width of his or her space(s).

5. Complaints and Violations of Market Rules

Vendors are expected to treat other Vendors, customers and market management with courtesy and respect. Any complaint against any Vendor, customer, management of the market, or WWFM Inc. for any matter must be directed to the attention of the Market Manager and WWFM Inc. Board of Directors in writing. Complaint resolution of matters of this nature is the responsibility of the Market Manager and the Board of Directors. Together they shall determine, in their sole discretion, what type of investigation, if any, shall be conducted in response to written complaints; whether or not the written complaints shall be provided to the vendor against whom the complaint is directed; what type of response (written and oral) a vendor against whom a complaint is made shall be entitled to make; and, the time frame in which such a response shall be made. Anonymous complaints will not be considered.

When the WWFM Inc. determines that a Vendor has violated any provision that undermines the smooth operations of the Market, a vendor may receive penalties. Examples of violations and penalties include:

- a. Arriving late (After the opening bell rings, vendors must be at their table prepared to sell, so as to prevent disruptive actions in the Market area): First offense, vendor will be verbally warned of the violation. Second offense, vendor will be given written warned of the offense. Third offense, vendor will be asked not to participate in that day's market.
- b. Leaving early (Before the closing bell rings): First offense, vendor will be verbally warned of the violation. Second offense, vendor will be given written warned of the offense. Third offense, vendor will be asked not to participate in the next week's market.
- c. No Show (Defined as not notifying the Market Manager by 5:00 PM Friday for Saturday market and 5:00 PM Monday for Tuesday market that Vendor is not coming to the market): Charge of stall fee for market day missed. Vendor will be responsible for paying the no show fee at the next week's market. The Market allows for emergency situations on a case by case basis.

6. Mission

The Mission of the Western Wake Farmer's Market Inc. is for all people in our community to become educated about and benefit from locally grown food. Our aim is to help all walks of life, from the farmers to the local consumer to those less fortunate who might need assistance through the local food bank.

Our focus is to educate consumers about locally produced and sustainable food. We will achieve this by offering a farmer's market where consumers have direct access to locally grown produce. We will use the market day to provide a forum for consumers and their families to understand, appreciate, and learn about the interconnectedness of food and the environment.

In addition to consumers gaining direct access to the farmers who grow their food, we will promote courses and conduct demonstrations that will educate the consumer on how to make healthy food and environmental choices. We will further this education by partnering with local agricultural, environmental, and green organizations. In addition, we will also facilitate the donation of farm food to people at risk of hunger.

Per the 2012 Vendor Agreement, Vendors must abide by these Market Rules to participate. Any complaints, disputes or violations of the rules shall be submitted in writing and directed to the Market Manager or WWFM Inc., PO Box 1113, Morrisville, NC. Any action to be taken will be determined by WWFM Inc.

Last amended November 18, 2011