



## 2014 Rules of the Market

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I. PURPOSE: The Camas Farmer's Market (the Market) is a non-profit corporation, exempt from taxation under 501(c)(3) of the Internal Revenue Code. The Camas Farmer's Market operates in partnership with the City of Camas, but is a separate legal entity governed by an independent Board of Directors. Rules of the Market (Rules) govern the activities of the Market.

### II. MARKET HOURS AND DATES:

**A.** MARKET SEASON: The 2014 season will start **June 4** and end **October 1**.

**B.** MARKET HOURS: The Market will be open to the public on Wednesdays, from **3:00 p.m.** until **7:00 p.m.**

**C.** MARKET LOCATION: The site of the Camas Farmers Market will be in Historic Downtown Camas at 4<sup>th</sup> Avenue between the cross streets of Everett and Franklin. Everett and Franklin streets will remain open to traffic.

### III. PUTTING THE FARMER BACK INTO FARMERS' MARKET

#### **A.** PRODUCTS SOLD AT THE CAMAS FARMERS' MARKET

1) The goal of the Market is to provide an opportunity for farmers to direct sell their farm products and to provide fresh, local food to consumers.

2) Permits to sell and stall assignments will be made based on the Market's need to balance available produce with a diverse selection for consumers. No Vendor shall sell any commercial, imported or secondhand items. *Franchises are not allowed.*

3) The Market and vendors will adhere to the membership requirements of the Washington State Farmers Market Association (WSFMA). The Market will adhere to the WSFMA Vendor categories and definitions found below.

#### **B.** VENDOR APPLICATIONS:

- 1)** Application: Prospective Vendors must submit a yearly application with paid application fee by April 15, 2014. Applications must include participation dates as well as all types of products being brought to Market and must be completely filled out. Applications submitted by Vendors after the due date will be considered in the order in which they are received.
- 2)** The Market reserves the right to make the final approval of all applications and products to be sold by Vendors and to impose any additional conditions it reasonably believes are needed to ensure availability of space; to meet product mix requirements; to meet requirements imposed on it by outside governing or regulatory entities. Priority will be given to value added products that are the result of agricultural operations.
- 3)** Only approved Vendors can sell at the Market.
- 4)** The Market may determine in its best judgment that category limits are appropriate in the future to prevent a material adverse effect on the Market, its members or the public. Material adverse effect may include such factors as the effect of oversupply on price or any product, an imbalance in the nature, type or selection of Vendors, or other factors that the Board reasonably believes will harm the Market.
- 5)** On occasion, to attract particular types of products not otherwise available in sufficient quantities at the Market, the Market may allow resale of produce not grown by the Vendor. Resale produce must be clearly marked as such and approved in advance by the Market Manager.

**C. VENDOR CATEGORIES:**

- 1)** Farmers: One who raises the produce, plants or animals, which they sell at the Market on land they own or lease/rent in the state of Washington, or surrounding counties. This is meant to exclude those who might work on or manage a corporately owned farm and have permission to dispose of surplus product. It may include someone who processes produce grown on their own property into a value added product such as jams, cider, salsa, or alcoholic beverages\*. It may also include farmers who raise the basic ingredient(s) of a product, but who must send it out for fundamental processing before creating the value added product. Such Vendors might include those farmers selling mint oils, emu oils, smoked meat or fish, etc. (\*Alcoholic beverages must be made entirely from ingredients grown by the producer, except for certain additives required for processing, but which cannot be produced by the grower, not amounting to more than 5% of the total volume of the beverage.)
- 2)** Processors: One who sells processed foods they have personally prepared on their own or leased/rented property. Processors are persons or entities offering fresh food products (such as meats, seafood, ciders, baked goods, jams, etc.) that have added value to their product through some sort of "hands-on" processing (e.g., hand filleted fish, smoked or butcher meats, handmade candies, etc.). All processors must meet all federal, state, county and local health requirements. All appropriate permits and licenses shall be displayed whenever a processor is selling at a WSFMA member market. Processors must produce their products in Washington\* or in surrounding counties. Processed food products should use ingredients from Washington\* farms or waters as much as possible, and WSFMA member markets should give stall preference to processors using ingredients from Washington farms or waters. Alcoholic beverages must be made entirely from ingredients grown

in Washington, or from grapes grown in a recognized Washington appellation, except for certain additives required for processing, but which cannot be produced in the state of Washington, not amounting to more than 5% of the total volume of the beverage. (\*In the case of Seafood Vendors, product must originate from the greater Pacific Northwest, which includes Washington, Oregon, Alaska and British Columbia.)

**3)** Resellers: One who buys produce from farmers in Washington State and counties that border Washington, trucks it to a WSFMA member farmers market, and resells it directly to the consumer. The reseller is expected to be the only stop between the grower and the consumer. They are not expected to deal with shippers, warehouseers or jobbers. They must not sell any produce not grown in Washington and its surrounding counties. They may sell any produce they grow themselves on their own property (see: Farmers). Resellers are sellers of crops that cannot be grown reliably, or offered for sale in sufficient quantity, by farmers selling at a given WSFMA member market, as determined by the individual WSFMA member market's governing body. Resellers must have crops pre-approved by market governing body before delivering the crops to market for sale. Approved resold crops must be specifically limited, so as not to compete with the crops of farmers within the geographic Vendor boundaries of the WSFMA member market, as defined by the market's policies and by-laws. Resellers must label their products as being resold\*, and information must be available for the consumer as to which farms produced those products. (\*other terms synonymous with "resold" may be substituted.)

**4)** Concessionaires: Prepared Food Vendors offer freshly made foods, available for sale and immediate consumption on-site at WSFMA member markets. Prepared Food Vendors shall possess and maintain all required state, county and local permits. Prepared Food Vendors should use ingredients produced in Washington as much as possible. When selecting Prepared Food Vendors, WSFMA member markets are encouraged to provide a good variety of healthy foods, and to give preference to Vendors using ingredients produced in Washington.

#### **D.** VENDOR REQUIREMENTS

**1)** Vendor Residence and Place of Production Requirements: All Vendors must reside and produce in the state of Washington, or surrounding Oregon counties.

**2)** The Market reserves the right to make exceptions to the above residence and place of production requirements to give precedence to those applicants whose product or presentation is of exceptional and consistent quality and is of particular value in enriching the general mix of products at the Market.

#### **E.** PRODUCT REQUIREMENTS

**1)** Only handmade, homemade or homegrown products, produced or harvested by the Vendor, can be sold at the Market.

**2)** Market reserves the right to prohibit anyone from selling or any product from being sold and is not responsible for loss or property damage.

**F.** VENDOR AND PRODUCT DIVERSITY: In order to maintain a sustainable Market for the Vendors and the public, the Market will strive for the following mix of categories:

- 1) Farmers
- 2) Processors - jams, jellies, vinegar and other food
- 3) Processors - bread, pastries and other baked goods
- 4) Concessionaires - freshly prepared foods
- 5) Community / Non-profit Groups – community / non-profit groups are limited to the weekly volunteer group.
- 6) Crafters will not be allowed. Crafters are encouraged to contact other Farmer's Market in the region.

#### **G.** VENDOR LICENSING AND INSURANCE

- 1) Each Vendor is responsible for obtaining and maintaining all current relevant city, county, state and federal permits and licenses (may include food handler's and health permits, sellers permit from the State Board of Equalization, a tax ID#, and others when applicable). Please consult the City of Camas, Clark County, WSDOL or WSDA web sites. License numbers and/or copies of current licenses and permits must be provided by the Vendor on the market application.
- 2) UBI Numbers: The Washington State Department of Revenue requires the market to verify that its vendors are registered to do business in the state of Washington. Unless a Vendor is exempt by law, he or she must supply the Market with a Washington UBI number at the time of application. Applications submitted by Concessionaires or Processors without a UBI number will not be considered.
- 3) Concessionaires: Prior to selling at the Market, all Concessionaires must show appropriate Health Department certification to the Market Manager. Concessionaires must display copies of their licenses in their booths in public view during Market hours. All Concessionaire trailers must comply with Clark County Health Department regulations.
- 4) Vendors selling Nursery Items: Vegetable starts, bedding and landscape plants and flowers (live or cut) must be propagated by the Vendor from seed, cuttings, bulbs, plugs or plant divisions.
- 5) Vendors offering samples: Vendors wishing to offer samples must contact the Market Manager and submit an application to the Clark County Health Department.
- 6) Liability Insurance: All Vendors are strongly encouraged to obtain general liability insurance. Concessionaires are required to have Product Liability insurance and General Liability Insurance and furnish a copy of Certificate of Insurance to Camas Farmers Market at least one week prior to vending at the market. Food Processors are strongly encouraged to have liability insurance.

#### **H.** Food Stamp & Credit/Debit Service Program

- 1) CFM has a credit/debit/EBT (food stamp) tokens program. For consistency in the program and clarity for the market customer, the Board requires that all vendors participate in the program by accepting credit/debit and EBT tokens as payment.

**2)** Fees: The fee to vendors for participation in this program is 3% of all credit/debit sales per booth (there is no fee for EBT sales).

**3)** Tokens: The market will sell tokens to customers (\$1 tokens for EBT customers and \$5 tokens for credit/debit customers). The customers will use these tokens to purchase your products. At the end of the day, vendors will count the tokens and place them in an envelope provided by the market manager. At the beginning of the next market, the market manager will return the envelope and a check for the previous markets' tokens. Tokens cannot be used in payment of booth fees. NOTE: End-of-the-Year requirements – Tokens must be returned by the last day of the Market to be redeemed in the current year. Tokens returned after the last day of the Market will be held until the start of the next year and will be redeemed then.

**4)** Food Stamp Benefits (EBT)

a) CAN be used to buy: Fruits, vegetables, eggs, meats, fish, poultry, dairy products, seeds and plants intended for growing food.

b) CANNOT be used to buy: Non-food items, Ready to eat foods or hot foods.

**5)** Vendors may NOT set a minimum purchase requirement. NO cash can be given as change for EBT tokens. Change can be given for credit/debit tokens.

#### IV. MARKET FACILITIES

##### A. STALL ASSIGNMENTS

**1)** Stall assignments will be made trying to balance the needs of the Market (supplying customers with a complete, competitive selection of produce available in season) with the needs of farmers.

**2)** It is the intent of the Market to give first priority to returning Vendors and Vendors that commit to attend a majority of the Market days in a season.

**3)** In the event of a dispute over stall assignments that cannot be resolved using seniority records and the guidelines listed above, the Market will resolve the conflict based on the best interest of the overall Market.

##### B. STALL FEES:

**1)** The annual application fee is \$20, which shall apply to the Vendor's **first** Stall fee. Applications are available at [www.camafarmersmarket.org](http://www.camafarmersmarket.org).

**2)** Stall fees apply to each 10 x 10 stall for each Market day.

a) Farm Products = stall fees are \$20.

b) Farm Product Double Stall = stall fees are \$30

c) Processed Products = stall fees are \$30.

d) Concessionaires = stall fees are \$30.

e) Any vendor requiring electricity shall pay an additional \$5 per Market day.

**3)** Advance Payment Discount.

a) Vendors that pay for the entire season in full prior to or at the first day of market shall be entitled to a 20% discount.

b) Vendors that pay for a minimum of 10 weeks in full prior to or at the first day of they attend the market shall be entitled to a 10% discount.

**4)** All Vendors are required to provide the Market Manager their gross sales figures and their stall fees for that Market day after the Market closes and before take down begins.

**5)** All stall sheets must be completely filled out. Having accurate sales figures helps us manage the market. Failure to accurately report all sales will result in immediate expulsion from the Market with no return rights. Vendors may be required to produce load lists at the start of the Market date and to balance total sales against those lists.

**6)** Failure to comply with fee payment on market day will result in a \$15.00 fine in addition to the regular daily stall fees.

**7)** Vendors will not be allowed to set up until all fees and past obligations have been cleared or risk expulsion from the Market. Stall fees are non-refundable.

**8)** Checks returned for Insufficient Funds shall be subject to a \$35 charge.

**C.** Electricity: All electrical equipment must be pre-approved by the Market Manager. Vendors requiring electrical power are responsible for providing their own outdoor extension cords and mats to cover any portion of the cord that lies in any area utilized by market customers. The Market cannot guarantee electricity to its Vendors. **All cords must be 14 Gauge, not longer than 50'. No more than two cords per vendor please.**

D. PARKING: CFM may provide parking free of charge Vendors.. Vendors are asked to please use this resource and save on street public parking for customers.

**D.** FINES:

**1)** Failure to Attend: If a Vendor does not arrive by 2:15 p.m. on the day of the market, OR fails to notify the Market Manager by 9 p.m. on the Tuesday prior to the market day that he will not attend a scheduled Market, the following fines apply:

a) 1st occurrence - warning, no fine

b) 2nd occurrence – Equivalent Stall Fee

c) 3rd occurrence - Equivalent Stall Fee and referral to the Board

V. VENDOR RESPONSIBILITIES:

**A.** Vendor Etiquette: Vendors will be neat, suitably dressed, and deal with the public and fellow Vendors in a courteous and appropriate manner.

**B.** Tables, Awnings, Tents, Tent Weights And Umbrellas:

**1)** All Tables, awnings, tents, tent weights and umbrellas are the responsibility of the Vendor. The Market does not provide these items.

2) All Vendors who wish to erect canopies (including umbrellas) on the Market site during the normal period of operations, including during set up and break down, are required to have their canopies anchored to the ground from the time their canopy is put up to the time it is taken down, in accordance with the rules of the WSFMA. **An anchor shall consist of a weight equal to or greater than 25 lbs at each of the 4 corners of a canopy and securely tied to it. [A good resource for canopy weights is canopiesbyfred.com.]**

3) **Canopies without weights must be removed.**

4) **In the event of an accident caused by a poorly anchored canopy, the vendor shall be responsible to pay CFM's insurance deductible of \$1,000.**

**C.** Signs: Each booth space must display a sign identifying the farm or business by name and location. Produce and other market products should be clearly marked with price.

**D.** Market Day

1) Booth fees are payable in advance. If there is an unexcused absence the fee will be kept by Market.

2) A vendor arriving after an unexcused absence must pay for two days: the current Market Day and for the next scheduled Market Day.

3) Arrival Procedure: Market hours will be from 3:00 p.m. to 7:30 p.m. Arrival and setup time will be 1:30 p.m. to 2:45 p.m. All Vendors will be ready for business by 3:00 p.m.

4) For safety reasons, no vehicular traffic is permitted on the site after 2:30 p.m. or before 7:15 p.m. Early takedown and departure before closing time will not be allowed, except at the discretion of the Market Manager, and only when doing so can be done in a safe manner.

5) All Vendors must begin breaking down at 7:00 p.m. and vacate the site by 8:30 p.m.

**E.** Maintenance of Space: Vendors are responsible for keeping their space attractive and free of trash during the market hours. Vendors are responsible for removing all trash and debris at the close of business. Vendors may not dispose in Market trash bins any trash not generated at the Market.

**F.** Site Management: During market hours, the Market Manager will collect fees, direct set-up, and decide any immediate issues affecting the overall market.

**G.** Smoking and Alcoholic Beverages: Vendors may not smoke on the Market premises. Vendors may not be under the influence of alcohol or drugs during Market hours, nor have any alcohol or drugs on the Market premises.

VI. FARM INSPECTIONS: All farms are subject to inspection by the Market to ensure compliance with product guidelines.

VII. SELLING OF ANIMALS: No live animals may be sold or given away at the Market. Animals may be marketed and offered for sale; however, all transactions must occur at the seller's domain.

VIII. ENFORCEMENT AND DISPUTES:

The Market Manager or designee, who has ultimate on-site authority, enforces all rules of the Market. Complaints or problems should be directed to the Market Manager in a manner that is not disruptive to the Market. Before action is taken, Vendors may be asked to put complaints in writing. If a Vendor does not abide by the rules of Market, the Market Manager or his / her designee may take action deemed appropriate, including assessing fines or barring the Vendor from selling at the Market for that day and any future market days. A Vendor may appeal any decision of the Market Manager concerning violation of these rules. An appeal must be presented in writing to the Camas Farmers Market Board. A decision by the Board shall constitute a final decision of any appeal. The Market reserves the right to make exception to these rules at its discretion.

A Vendor may appeal any decision of the Market Manager within two weeks of the Market Manager's actions. An appeal must be presented in writing to the Board at the Market mailing address. A Vendor may also file a formal complaint with the Board in writing to the Market mailing address.

IX. NON-DISCRIMINATION POLICY: The Market opposes discrimination of any kind and expects each member or Vendor to take appropriate steps to avoid and prevent all types of harassment or discrimination, including that based on race, color, creed, sex, religion, sexual orientation, age, or nationality.