

## **Arnold Farmers Market – Rules and Regulations**

### **Farmers Market Rules and Regulations 2020**

#### **CITY OF ARNOLD, MISSOURI**

These rules and regulations, adopted by the Arnold, Missouri City Council on February 2, 2012, serve to establish policies and procedures by which both vendors and the market administrators shall operate, as well as to create a code of standards under which a fair, quality market experience may be ensured.

Vendors choosing to operate at the Arnold Farmers Market agree, by acceptance of an assigned booth at the market, to abide by these Rules and Regulations.

These Rules and Regulations may be amended at any time with reasonable notice.

### **FARMERS MARKET REGULATIONS**

#### **I. DEFINITIONS**

1. **Farmers Market:** The Farmers Market will be a weekly City-operated market in Arnold City Park at 2400 Bradley Beach Road, Arnold, Missouri. This location is subject to change as needed for the proper operation of the Market. Specific market boundaries shall be defined by the Market Manager based upon the number of vendors present and logistical considerations. In no case, however, will the Market occupy sidewalk or street right-of-way.
2. **Market Manager:** The person appointed by the City to administer the Market and to enforce the rules in accordance with a job description developed by the City. Examples of the Market Manager's authority include, but are not limited to, the following:
  - A. Determining eligibility of vendors;
  - B. Assigning display and selling areas to vendors;
  - C. Collecting rent from vendors;
  - D. Directing the removal of ineligible products;
  - E. Directing vendors to comply with health and sanitation rules as well as these Rules and Regulations;
  - F. Revoking vendor permits as necessary; and
  - G. Receiving vendor appeals of rules and regulations. All vendor appeals shall be in writing and be given to the acting Market Manager on duty. An appeal response shall be given within one week.
3. **Farm or Domestic Products:** Included are products grown or produced on farms, in homes, or in gardens. These products are further defined as follows:
  - A. **Produce:** These items include, but are not limited to, vegetables, fruit, whole grains, eggs, plants, plant cuttings, flowers, seeds, nuts, fresh herbs, and fresh inspected meats from approved sources. Note: meats must be inspected and stamped by the United States Department of Agriculture or the Missouri Department of Agriculture; no custom exempt meats will be allowed.
  - B. **Prepared Foods:** Foods processed in any way by the vendor and approved to be sold by the Jefferson County Health Department. These items include, but are not limited to, baked goods, jams, jellies, honey, nut brittles, packaged whole nut meats, hard candies, divinities, sugar-coated nuts, dried unpackaged herbs and spices, and cheeses.
  - C. **Non-Food Consumable Items:** Consumable products crafted in the home. Products may be made from manufactured ingredients provided that most of the product's final value results from crafting of the vendor or the vendor's family. These items include, but are not limited to, candles, scented oils, potpourris,

## **Arnold Farmers Market – Rules and Regulations**

soaps, perfumes, and lotions. In addition, the Market Manager may at his/her discretion allow products deemed suitable/ desirable, for a farmers market.

- D. Hand-Made Crafts/Art: Items crafted by the vendor/artist or their organization or group. Products may be made from manufactured materials provided that most of the product's final value results from the crafting of the vendor/artist, the vendor/artist's family, or the vendor/artist's organization or group. These items include, but are not limited to, jewelry, leather goods, framed art, carved or sculpted art, and sewn and/or knitted items.
4. Vendors: Persons/entities/organizations who have paid stall rent, who have agreed to comply with these Rules and Regulations, and who have agreed to sell only "Farm or Domestic Products," defined in section I, subsection 3 above. Vendors sell products grown or produced by themselves or members of their households or staff at their own farms, homes, or gardens. In addition, farm products not grown by the farmer or vendor may be sold by approved farmers who are in fact producers themselves. In the case of hand-made crafts or art, organizations may act as vendors.

### **II. HOURS OF OPERATION**

The Arnold Farmers Market will operate each Saturday morning from the first Saturday in May through the third Saturday in October. Each day the market is in operation, vendor setup will be allowed between the hours of 7 a.m. and 8 a.m. The market will be open to the general public from 8 a.m. to 12 p.m., and vendor cleanup will occur between 12 p.m. and 1 p.m. Times and dates are subject to change due to severe weather or other unforeseen circumstances, or market conditions as determined by the Market Manager. The Market season will not be extended due to inclement weather or flooding.

### **III. VENDOR AND PRODUCT ELIGIBILITY AND ASSIGNMENT PRIORITY**

Only "Farm or Domestic Products" as defined above in section I may be sold at the Arnold Farmers Market.

1. Fishery products, shellfish, shell stock and prepared foods (other than those specifically allowed by both the State of Missouri and the Jefferson County Health Department) are not eligible products for the Farmers Market for reasons of public health. All questions regarding eligibility for reasons of health shall be resolved by the Jefferson County Health Department.
2. All vendors must comply with any and all applicable federal, state, county, and city statutes, codes, rules, and regulations in the selling of items. Refusal to comply may result in ejection from the Farmers Market.
3. Eligibility to be a Vendor shall be determined by the Market Manager.
4. Location of the Vendor's production facilities shall be taken into account in determination of eligibility.
5. Maximum Allowances of Certain Vendor Categories - Certain vendor categories will be subject to maximum allowances in the number or percent of vendor spaces available as determined by the City of Arnold Market Manager. When the names of these vendors come to the top of the waiting list, they will be allocated a space at the Market only if the allowance for that vendor type has not already been reached. The following maximum allowances are established:
  - A. The total number of vendors in the Non-Food Consumable Items category shall be at the discretion of the City of Arnold Market Manager.
    - 1.) The total number of vendors in the Hand-Made Crafts/Art category shall be at the discretion of the City of Arnold Market Manager.

## **Arnold Farmers Market – Rules and Regulations**

- 2.) The total number of vendors selling Jewelry items shall be at the discretion of the City of Arnold Market Manager.
  - 3.) The total number of vendors selling Art items shall be at the discretion of the City of Arnold Market Manager.
  - 4.) Vendor Category will be determined by the majority of the types of items being sold by the vendor.
6. Vendor Space Assignments: The Market Manager shall make vendor space assignments in a manner best assuring safety, proper management, and sound operation of the Market. Space considerations will be given in the following order, with highest priority in each category given to the vendor with the longest record of continuous seasonal history as a rent-paying, compliant vendor:
- A. Producer Vendors selling Produce and Food Items
  - B. Producer Vendors selling Non-Food Consumable Items
  - C. Producer Vendors selling Hand-Made Crafts/Art
  - D. Community Outreach Vendors
7. Vendor spaces shall be further allocated based upon these determining factors:
- A. Position on the waiting list.
  - B. Maximum number of vendors desired by vendor category.
8. Priority of Vendor Category: Vendors will be selected by order of Vendor Category as listed above with secondary consideration given to position on the waiting list.
9. The Waiting List: If no room is immediately available for an otherwise eligible vendor, and the vendor would like to be added to the waiting list, the vendor must submit a Vendor's License Application to the Market Manager. The position on the waiting list is determined by the date the Market Manager receives these documents.
10. Vendor Space is defined as one 10' x 10' covered(ceiling only) structure provided by the City of Arnold. Tables and chairs shall be provided by the Vendors. Vendors may use as many tables as may fit under their assigned vendor space while still maintaining an attractive space and not impeding traffic flow. Vendor space covered structures will vary according to assigned area. Some vendor spaces may be available that include a built-in table that will be available based on Market assignment by City of Arnold Market Manager.

### **IV. DISPLAY OF PRODUCTS**

1. Prices of all products must be clearly marked.
2. All packaged or canned food must include the name of the preparer, the contents, and the address of the place of manufacture. Jams, jellies, honey, home-baked goods, and other processed items being sold under the exemptions allowed by the State of Missouri and the Jefferson County Health Department must comply with the labeling regulations provided by those agencies. Vendor name, address, and phone number must be provided on such prepared items. In addition, signs must be posted that indicate if the product was manufactured in a kitchen not subject to inspection by the Jefferson County Health Department. The market may at its discretion post signs throughout the market indicating such.
3. No selling area will be permitted to use any fuel burning or electric devices to heat products without the express consent of the City of Arnold.

### **V. RESPONSIBILITIES OF VENDORS**

## **Arnold Farmers Market – Rules and Regulations**

1. Comply with these Rules and Regulations as well as all other federal, state, and/or local regulations, codes, and statutes that govern the growing, preparation, and sale of products, including obtaining necessary permits and licenses.
2. Cooperate with the Market Manager regarding the assignment of space, use of property, use of parking spaces, and any and all other policies and procedures in effect.
3. Maintain a clean vending area, dispose of all refuse and trash at the direction of the Market Manager, and take utmost care not to deface or damage property.
4. Pay the rent to the Market Manager in a timely manner in advance of selling goods.
5. Vendors are responsible for the safety of the products being sold, and shall hold the City of Arnold harmless from any liability whatsoever that results from their activities at the Market grounds.
6. Payment of Taxes. All vendors are responsible for collecting, reporting, and remitting all applicable state and local taxes.
7. Completion of Vendor Application, compliance with all rules listed under the Rules and Regulations Handout, completion of Hold Harmless Agreement with the City of Arnold, completion of Background Affidavit as required by the City of Arnold and the Arnold Farmers Market.

### **VI. SUGGESTIONS/APPEALS OF VENDORS**

Vendors may appeal the interpretations of these regulations or the decisions of the Market Manager by submitting a written appeal to the Market Manager or their assignee. The appeal will be considered within a reasonable time to allow consultation on interpretation. A verbal or written response will be returned to the appealing vendor.

1. Any vendor taking issue with another vendor's selling practices may submit in writing a complaint to the Market Manager or their assignee. Those complaints will be handled in a timely manner not to exceed 1 week provided the Jefferson County Health Department Representative is available during that week. Time consideration will be given to the Market Manager to contact the Jefferson County Health Department to determine the proper ruling regarding a complaint.
2. Arnold Farmers Market expects all vendors to act in a courteous manner towards all other vendors, farmer's market personnel, and the general public.

### **VII. DISCIPLINARY ACTION**

1. In an emergency and in the interest of maintaining health and order, the Market Manager or his or her assignee, may have a vendor or customer removed from the Market. In exercising this authority, the Market Manager may ask the assistance of the Arnold Police Department and will notify the City Administrator or his/her representative as soon as possible.
2. In the event that a vendor violates the rules of the Market, disregards the oral/verbal warnings of the Market Manager or his or her assignee, and/or refuses to take steps to come into compliance, the vendor may be suspended for a length of time based upon the severity of the offense.

### **VIII. RENT**

## **Arnold Farmers Market – Rules and Regulations**

1. Rental rates will be determined each season and are printed on the Arnold Farmers Market Vendor Application. Any increases or rate adjustments will be approved by the Arnold City Council.
2. Weekly rent is due by the Thursday before Saturday Morning market opening.
3. Monthly rent is due no later than the first day of the month for each month of the Market season (May 1 through October 22).
4. Vendors may not sublet or "loan" their assigned space to another person, regardless of whether that person is already a Market Vendor. Vendors may share a space at the discretion of the City of Arnold Market Manager or their assignee.
5. Any rent paid is forfeited if the vendor's license is terminated due to any reason. No refunds shall be given for any reason. In addition, if a space is reserved for a vendor and the vendor does not call to cancel prior to the Thursday before, no credit will be given for an additional date. Rain does not cancel the Market. Every effort should be made by all vendors to attend reserved dates. Remember that we are primarily a FARMERS Market and they still have produce to sell, even if it is raining.

### **IX. VENDOR ATTENDANCE**

1. It is expected that vendors attend most of the Saturday Market dates. If a vendor expects to be unable to report to the market, he/she is expected to notify the Market Manager as soon as possible to allow for rearrangement of space. In no instance shall a booth be held open for a vendor who is not there by 8 a.m. and who has not contacted the Market Manager that said vendor will be late that day. This includes Seasonal Vendors who should notify the Market Manager with any delays or inability to attend.
2. Vendors must agree to adequately staff their space and be open for business for the entire market day. The only regular exception to this rule would be if a vendor has completely exhausted his/her inventory of items for sale. In an case, vendors must notify Market Manager or their assignee prior to departure from the Market if they leave prior to Noon.
3. Vendors are expected to be open and ready for business by 8:00 a.m. when the market is open to the general public. No public selling may take place before the market is open to the general public.

### **X. VENDOR APPLICATIONS**

1. All persons who desire to sell items at the Market will submit a completed Farmers Market Vendor Application ("Vendor Application") on a form provided by the Market, including a basic listing of anticipated sale products.
2. All vendors selling Prepared Food Items must include with his/her application documents proving compliance with all applicable state and local statutes, codes, rules, and regulations. This would included licenses such as egg licenses, etc.

### **XI. STATEMENT OF NONDISCRIMINATION**

The City of Arnold and Arnold Farmers Market do not discriminate on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristics protected by law.