

## 2009 Flagstaff Community Markets Rules and Regulations

### I. Mission

*The Flagstaff Community Market (FCM) is a regional farmers market that operates for growers and producers of agricultural and related products. The primary purpose of the Market is to support small and medium sized independent growers and producers by providing citizens with a local alternative to corporate and globalized food production. It is our intent to connect growers and consumers and encourage people, both urban and rural, in growing more of their own food. A secondary purpose is to provide an outlet for small-scale producers of value added food products, local artisans, and community and sustainable agricultural groups. Additionally, it is the purpose of the Community Market to provide a community gathering space for residents and visitors of Flagstaff to mix in a relaxed, educational, and fun environment.*

### II. Market Guidelines

- A. FCM will determine market location, dates, and hours.
- B. Membership and vending fees are set by Flagstaff Community Markets (FCM). Stall fees are based on 10% of gross sales totaled by the vendor at the close of each market plus a flat registration fee. Each vendor will report sales to manager at the close of each market day. Please see Vendor Registration for fee schedule. Reserved spaces are available, allowing for a vehicle and are assigned by FCM Manager. If you choose not to have a reserved space, all space is on a first come first serve basis with no guarantee that you will be able to have a vehicle at your booth. FCM will allow a limited number of spaces for Flagstaff local artisans. Artisans may not reserve a space at the Market.
- C. FCM reserves the right to randomly audit vendor sales and Flagstaff Community Markets and/or its Manager have the right to suspend or revoke a vendor's right to sell at any point.  
FCM believes that a successful market is a diverse market and gives consideration to not overloading the market with non-agricultural goods or products that are duplicated by other growers.
- D. No resale of any peripheral items such as bottled water, soda, or other items is permitted at any booth, however; FCM reserves the right to permit sales of these or other items at FCM's booth.

### III. Vendor Guidelines

- A. The following MUST be received and approved prior to vending
  1. Completed and signed vendor registration and proof of all relevant licenses and health department certifications.
  2. Copy of liability insurance or signed indemnity agreement.
  3. Payment of all seasonal membership and reserved booth fees.
  4. Signed copy of the FCM Rules and Regulations.
- C. Vendors must allow a representative of the Flagstaff Community Market to inspect farms and facilities to ensure vendors adhere to Rules and Regulations.

**Vendors who do not provide all insurance, licensing, tax ID numbers, and all fees and signed documents and adhere to canopy requirements prior to the market will NOT be allowed to set up.**

#### **IV. Vendor Selection**

- A. All vendor applications will be reviewed and accepted or rejected by FCM.
- B. Appeals to vendor selection decisions should be addressed to the Market Manager in writing.
- C. All applicants must include membership fees with their application. If applications are rejected, fees will be refunded. The Manager has the right to accept or reject any applicant at any time. FCM and its Manager have the ability and right to make decisions to remove a vendor based on what is in the best overall interests of creating a harmonious and successful farmers' market. Some of the criteria for acceptance are based on the following guidelines
  1. Agricultural
    - a. Farmers who grow, cultivate, and harvest their produce, herbs, flowers, and nursery crops for sale at the market. Included in this category are also beekeepers, eggs, dairy, and meat producers and farmers who process their own raw product into "value-added" items.
    - b. Agricultural producers from northern Arizona are given priority. Regional producers may be admitted as space is available and vendors fit into market mix, as designated by the Manager.
    - c. **NO RESELLING OF ANY PRODUCE IS PERMITTED AND FAILURE TO COMPLY WITH THIS PROVISION IS GROUNDS FOR IMMEDIATE REMOVAL FROM THE MARKET.**
  2. Value Added/Processed food:
    - a. Vendors offering fresh food products they have processed themselves into products for sale. **NO OFFSITE PROCESSING or SUB-CONTRACTED PROCESSING IS ALLOWED.** These are ready-to-eat or prepackaged items.
    - b. The market encourages use of Arizona-grown ingredients in all value added products and it is expected that prepared foods contain products from local growers. The Market reserves the right to limit similar value added products which are sold.
    - c. Priority will be given to vendors using and documenting local and regional ingredients.
    - d. All food vendors must meet any applicable local, state, and federal regulations. **If you sell prepared foods, you MUST have and display a Health Department License and City Sales Tax number. There are NO exceptions to this rule! If you do not have these displayed, you will NOT be permitted to sell.**
  3. Local Artisan

- a. Local artisans are persons who craft with their own hands the products they offer for sale at the market and reside in Coconino County.
  - b. Decisions on which non food products will be allowed into the market are based on history with the market and compatibility with the agricultural mission of the market. Artisans may not be permitted to vend out of their vehicles and placement will be determined by Market Manager.
  - c. If you sell any handmade product, you **MUST have a sales tax license and display this at your booth. There are NO exceptions granted.**
4. Community
- a. Community organizations offering services and information will be admitted based on space availability and compatibility with the mission of the market.
  - b. Community vendors are not permitted to sell any products, unless it is for fundraising purposes and is approved by the market manager.
  - c. These vendors will be required to submit an application and proof of insurance or a signed indemnity agreement and will be required to pay booth fees.

## V. Stall Guidelines

- A. Products being sold are grown or produced by the grower/producer or his/ her employees and/or agents and these employees must be listed on the registration form.
- B. A vendor or his/her employees can sell other growers'/producers' products provided all of the following criteria are met:
  1. The other grower/producer is a current member of the Market and adheres to vendor guidelines and fee structures.
  2. Products are grown or produced locally or regionally.
  3. Products being sold were not purchased at wholesale markets for resale.
  4. All vendors selling another Market member's produce must be authorized and receive permission by the Market Manager.
- C. Necessary documents, i.e. health permits, proof of insurance, tax license, etc., will be available and displayed at all times and copies will be on file with the market manager. These must be submitted with the application and no selling will be permitted without displaying Tax License and Health Department Certificate.
- D. All scales must bear a current seal from the Dept. of Weights and Measures.
- E. Vendors will sell at designated stall space and maintain their stall space in clean, sanitary and safe condition.
- F. Signs will be accurate and truthful.
- G. Vendors who market their products as "Organic" must have proof of certification on display or must show that they meet the National Organic Program requirements for exempt producers.
- H. Music played must not be disruptive to neighboring stalls or overall market.
- I. Selling will not start before market manager announces start of the market.
- J. Pre-market sales, post-market sales, and early breakdown are only allowed with permission of the market manager. Wholesale or bulk sales of products to restaurants that occur at the market are to be counted into gross sales figures and included in the

10% of sales figures.

- K. Vendors must pay their sales percentage due to the Market on market day.
- L. Vendors and management are expected to maintain high standards of honesty and respect towards one another and customers and conduct themselves in a courteous and helpful manner. Rudeness, prejudice, intolerance towards others, and dishonesty are grounds for removal from the market.

## **VI. Market Safety**

- A. Vendors should begin set-up no earlier than an hour and a half before the market starts. If you do not have a reserved space, you must check in with the Market Manager.
- B. The Manager may allow vehicles to park at stalls provided adequate overall market space is available and vendor arrives at least 30 minutes prior to market opening time. Reserved spaces will NOT BE HELD if vendor shows up less than 20 minutes before start of Market. ONLY vendors with reserved spaces are guaranteed to be able to have their vehicles at their stall.
- C. Late arrival participation will be contingent on space availability and vendors will park outside designated market boundaries and carry products to stall space.
- D. Vendors will not move their vehicles without first notifying the Market Manager and only as it is safe and not disruptive to overall market.
- E. Vendors have responsibility for the safety and behavior of their children and animals. All pets must be leashed.
- F. **ALL CANOPYS MUST BE SECURED WITH CONCRETE OR SIMILAR MATERIAL WEIGHTS. IF A CANOPY IS SET UP IN AN UNSAFE MANNER, IT WILL BE REMOVED. THE CITY OF FLAGSTAFF AND FCM HAVE ESTABLISHED MINIMUM CANOPY WEIGHT REQUIREMENTS OF 10LBS PER LEG WHICH MUST BE HUNG FROM THE CANOPY STRUCTURE (not placed on ground over leg). FAILURE TO FOLLOW THESE GUIDELINES WILL RESULT IN REMOVAL OF CANOPY. IF VENDORS DO NOT HAVE CORRECT WEIGHTS, FCM WILL RENT YOU WEIGHTS AT \$5 EACH, IF AVAILABLE. TYING OFF CANOPYS TO ANOTHER VENDOR'S CANOPY IS NOT ACCEPTABLE. CANOPYS MAY NOT HAVE STAKES OR OTHER ANCHORS PLACED IN THE GROUND. THE CITY OF FLAGSTAFF WILL BE CONDUCTING CANOPY INSPECTIONS THIS SEASON.**

## **VII. Insurance**

- A. FCM provides general liability coverage for the Market.
- B. Vendors and non-profit groups must provide product liability insurance with a copy to FCM and list FCM as an additional insured or a signed waiver releasing Flagstaff Community Markets and property owners from any and all liability and legal responsibility.

## **VIII. Market Violations**

- A. Any vendor violating the above stated rules and regulations of the Flagstaff

Community Markets or the regulations of Coconino County Health Department or other local, state, or federal agencies may be automatically suspended and/or expelled from the market.

- B. The market manager/owner has discretion to make any on-site decisions regarding violations.
- C. Vendors may be issued a written or verbal warning for market violations. Subsequent violations will receive written notification to meet with the FCM manager to resolve conflict and may result in expulsion from the Market.
- D. Any serious violation will be reported to the proper authorities.
- E. Vendor has the right to appeal the violation to the FCM owner. Vendors will submit any conflicts, suspected conflicts, and/or concerns regarding the overall market or individual vendors in writing to the FCM owner.

Agreed to the \_\_\_\_ day of \_\_\_\_\_, 2009

By \_\_\_\_\_

Printed Name \_\_\_\_\_