

Estacada Growers Market: 2009 Operating Rules

1. **Market Board**

The Estacada Growers Market is governed by a Board of Directors. Daily management of the market, vendors, entertainment schedules, fundraisers, special events and other market activities are carried out by the Market Manager.

2. **Market Time and Season**

The Estacada Growers Market will be open each Saturday from 10am – 3pm, May through October for the 2009 season.

At this time, a second market date is being considered. Additional information will be made available as plans are finalized.

3. **Market Contact**

Estacada Growers Market contact information:

Market Manager : Debra Bufton
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4. **Mission Statement**

The Estacada Growers Market serves as a marketplace to provide fresh, local food and unique arts & crafts in support of community, local agriculture and small businesses.

5. **General**

Daily governance of the market shall be the sole responsibility and at the discretion of the Market Manager or Acting Market Manager. The market reserves the right to limit the number of spaces assigned to a vendor, to prohibit anyone from selling or any product from being sold, and to inspect all vendor facilities.

The Market Manager assigns spaces and is responsible for overall functioning of the market, collecting fees and enforcing rules. Complaints and /or questions should be referred to the Market Manager.

6. **Registration & Space Fees**

All vendors are required to submit a signed registration form prior to setting up a booth space.

2009 fees (fees are based on one 10x10 booth space):

- ___ Annual membership fee: \$35
- ___ Full season: \$220 (paid in advance, 4 free weeks!)
- ___ Weekly (members): \$10 per market day
- ___ Weekly (non-members): \$20 per market day
- ___ Nonprofit or community service (no sales): no fee, space available

7. Space Assignments & Rules

Market members shall have priority in space assignments. Members paying the full season fee up-front shall be assigned a space for the season and that space shall be reserved for them throughout the season. Members paying weekly shall be required to check in with the Market Manager for space assignment. Unless pre-paid for the season, vendors are not guaranteed the same space from week to week. Assignments shall be made on a first-come, first-served basis.

Non-members will be allowed on a space available basis and are assigned space on a first-come, first-served basis. Not-for-profit or community service organizations wishing to do outreach or public education at the market will be allowed free-of-charge on a space available basis. Organizations wishing to perform sales or fundraisers will be subject to space rental rates, at the Market Manager's discretion.

- Vendors must check in with the **Manager** for space assignments before unloading or setting up. Space assignments will be available for members starting at 8:45 am. And for non-members starting at 9:15 am.
- Vendors arriving past market start time of 10:00 am forfeit their right to a space for that week. The Market Manager may make exceptions at her/his discretion.
- Spaces are 10 x 10. If the lot is not full, expansion of booth size will be permitted without an increase in fee as long as space permits. Space expansion **MUST** be pre-arranged with the Market Manager. The Market Manager reserves the right to charge an additional space fee when warranted.
- A vendor will be considered a member when they have completed their vendor application, paid their membership fee, and been accepted into membership by the Market Manager. At the start of the season, a member paying weekly will pay the \$35 member fee at initial application. Non-members wishing to convert to membership may do so at any time during the market season, but such designation shall not be retroactive.
- Unless pre-paid for the season, booth fees are due at the start of market on the day the space is used.
- Vendors are responsible for maintaining their space in a safe/clean manner. Displays should be arranged to minimize trip and fall hazards and with attention to public safety. The wind can be very dangerous; **secure your booth and display**. Vendors failing to adequately secure (stake down at all 4 corners OR weigh down at all 4 corners) may be subject to a fine of up to \$100.
- Playing of radios or cd's within the market shall not be allowed unless directed and approved by the Market Manager.

8. Vendors

- All vendors must be aware of and comply with local, state, and national rules and regulations regarding their product(s).
- All vendors subject to licensing must **post all applicable licenses, permits, and certifications at each market**. Vendors claiming "certified organic" must show and post proof of certification.

- All products for sale at a vendor's booth must be principally grown, produced, wild-harvested or made by the vendor within the Portland metropolitan area. In some instances, it may be authorized for one vendor to sell another vendor's goods (vacation coverage, etc.), please check with the Market Manager for approval. Re-sale products are not allowed.
- Vendors are expected to behave in a courteous and professional manner. Vendors shall not act in a discriminatory manner against any other vendor or customer.
- Vendors are responsible for removing their own garbage and cleaning up around their space at the close of market. Permanently installed trash receptacles around the lot are not for vendor use.
- Vendors must provide their own tables, scales, containers, change, pricing, bags, signage, trash receptacles and any other item required for their booth.
- Vendors must provide for their own licensing and permits (including any associated fees) and product liability insurance. The Market **does not** provide individual product liability insurance.
- Vendors may not smoke on the market grounds.
- All vendors should be familiar, and are expected to comply with, the Farmers Markets Guidelines: Minimum requirements for food safety, Oregon Department of Agriculture, March 2003. The Market Manager shall keep a current copy at the market or you may find it at www.oda.state.or.us.
- Vendors are responsible for the safety and security of their booth and its contents. The market is not responsible for thefts or loss of goods of individual vendors.
- Booths must be occupied principally by the grower or artisan of the product being sold. Occasional respite or vacation coverage MAY be allowed by prior arrangement with the Market Manager.
- Vendors are expected to have a physical product for sale at the market. Subscription or commission sales are allowed, but cannot be the sole product of a vendor/booth.
- Your participation in the Estacada Farmers Market is at the discretion of the Market Manager. Any vendor asked to leave any individual market or the season shall NOT be entitled to any refund of fees paid.
- Vendors are expected to adhere to the rules and procedures of the Estacada Farmers Market as stated. Concerns or complaints about vendors, customers or staff should be directed to the Market Manager in person or in writing.

9. Market Products

Products presented for sale must be principally grown, crafted, or produced by the booth vendor.

a) Produce

- Produce being sold by weight must be weighed using a certified scale. Vendors must post (or have available for viewing at any time) their scale certificate.
- Vendors should monitor their own product quality. The Market Manager reserves the right to remove a product for quality reasons.
- Wild-crafted fungi or other products shall be gathered in a responsible, sustainable manner.

- All food items must be displayed and/ or stored above ground, on the truck or on the tables to keep them out of the way of children and dogs.

b) Arts & Crafts

- Art & Craft items must be hand-crafted.
- Art/craft items are subject to jury by the Market Manager.

c) Prepared Foods

- Food Items/ Prepared Foods must be prepared in a licensed kitchen.
- Food Items/Prepared foods may be subject to jury prior to sale.
- If using heating or cooking device, vendor must have a working fire extinguisher at their booth and available for use.
- Only approved foodstuffs shall be sold in the market.
- No Styrofoam containers are allowed.
- All food items must be displayed and/ or stored above ground, on the truck or on the tables to keep them out of the way of children and dogs.
- All gray water, ice, etc., must be poured into city sewer systems, gutters, or storm drains: **Not In The Landscape!**

d) Live Animals

- Vendors who wish to sell or demonstrate live animals must provide adequate shade, water and clean-up. Animals shall be treated humanely at all times.
- Animals must be leashed or otherwise contained in a humane manner, and must be well-behaved. This applies to personal pets as well.
- Animals must be kept at least 20 feet away from food products.
- If animals will be touched by the public, vendor must provide a sanitary washing station.
- Under no circumstances shall an animal be butchered or otherwise killed on the market site.

e) Nursery Stock/Products

- Nursery products and plants shall be principally propagated by the vendor from plugs, seeds, cuttings, bulbs, or plant divisions.
- Plants appearing on Oregon's noxious plant listings shall not be sold. See <http://www.oregon.gov/ODA/PLANT/WEEDS/statelist2.shtml> for more information.
- Vendors who sell nursery products and plants are required by the state of Oregon to obtain a nursery license if annual sales exceed \$250.00. More information is available from the ODA-Plant Division.

10. Vehicles/Parking

- a. Under no circumstances are vendors to park or temporarily rest their vehicle within the Thriftway parking lot.
- Street side parking within one block is for customers only. It may be used for loading and unloading with all vehicles moved by 9:45 am.

- Vendor vehicles are allowed on the lot site for loading and unloading. Vehicles must be removed from the lot by 9:45 am at start of market and not re-enter the lot site before 3:15 pm at end of market.
- Vendor vehicles should be moved 1-2 blocks away in order to provide plentiful parking for customers.
- Exceptions to this policy may be made at the Market Managers discretion due to permanent or temporary disability of a vendor.

11. Product Pricing

- Vendor prices must be clearly marked or posted and meet ODA rules and requirements for weight and packaging.
- Collusion and deceptive pricing practices are prohibited.
- Vendors are not allowed to pressure, harass or bully other vendors regarding product pricing.

12. Product Exclusivity

- The market does not guarantee any vendor the exclusive right to sell any one product.
- The market may determine that a particular product is adequately represented and decide to reject further applications from vendors in that product category.

13. Other

- No petitions or political campaigning of any kind in the market.
- On the weekend of the Estacada Summer Celebration, the market will be restricted to members only.