

Montrose Farmers' Market

PO Box 621, Montrose, CO 81402

Rules and Regulations Revised and Adopted July 12, 2016

The Market Manager of the Montrose Farmers' Market, with the full support of the Board of Directors, shall enforce these Rules and Regulations. The Board of Directors will interpret these regulations according to what is in the best interest of the market.

OVERVIEW

These rules and regulations may be revised or amended by the Board of Directors from time to time, with or without notice to vendors.

In addition to following these Rules and Regulations, all vendors agree to abide by all city, county, state, and federal laws and regulations, and the By-Laws of the Montrose Farmers' Market.

The Montrose Farmers' Market Board of Directors reserves the right to deny the acceptance of any application, for any reason, and reserves the right to revoke membership for any reason.

Section 1: Product Type Definitions

- a. Agricultural Products
 - i. Agricultural Products are raw food or fiber products grown on the Western Slope of Colorado. "Western Slope" is defined as any county that is located, at least in part, to the west of the continental divide. All Agricultural Products must be grown by the vendor on the Western Slope of Colorado.
- b. Value-Added Products
 - i. A Value-Added Product is a food or craft item that features a qualifying Agricultural Product or Products. These products support and enable agriculture on the Western Slope. Examples of Value-Added Products include soap made from Western Slope goat milk and jam made from Western Slope fruit. Similar items that do not use locally-produced items fall under the Prepared Food or Artisan categories. Preference will be given to Value-Added Products that are produced using Agricultural Products represented at the Montrose Farmers' Market. All Value-Added Products must be created by the vendor on the Western Slope of Colorado.
- c. Prepared Food Products
 - i. Prepared Foods are processed edible items that are easily transported home for later consumption. Examples of Prepared Food Products include breads, candy, and pies that do not feature ingredients from Western Slope agricultural producers. All Prepared Food Products must be created by the vendor on the Western Slope of Colorado. There will be no resale of Prepared Food Products.
- d. Artisan Products
 - i. Artisan Products are non-food items that do not fall under the Agricultural or Value-Added categories -- that is, their components are not the product of Western Slope agriculture. Artisan Products must be created by the vendor on the Western Slope of Colorado. Items should be of high quality and will be juried by the Board. There will be no resale of Artisan Products.
- e. Non-Profit, Informational, and Fundraising Activity
 - i. As space allows, non-vendor booths may be available for approved applicants.

Youth organizations must have adult supervision at all times. Political activity must be clearly identified with party, candidate, or issue, and participants must confine their activity to the booth space. Fundraising activity must be in support of a legitimate organization. Non-profit informational booths and fundraising booths may have their daily fee waived or reduced.

Section 2: Vendor Requirements

- a. All Agricultural products must be grown by the vendor on the Western Slope of Colorado. All Artisan and Value-Added products must be produced by the vendor on the Western Slope of Colorado. "Western Slope" is defined as any county that is located, at least in part, to the west of the continental divide.
- b. There will be no re-selling of products at market. However, vendors may submit a written letter to the board asking for permission to re-sell Agricultural or Value-Added products grown or prepared by another party on the Western Slope, and an exception may be granted by board approval only. Requests to resell products outside of the Agricultural or Value-Added categories will not be considered. A Colorado Resale License from the Colorado Department of Agriculture is required for vendor displaying items for resale. This license must be displayed at all times during business hours, per state law, and a copy must be included in the vendor application. Any product displayed for resale must be identified with a sign marking the location, and name of the farm from which it comes.
- c. All vendors are subject to inspection by the Montrose Farmers' Market Board or appointed entity on their behalf.
- d. Only those products listed in the vendor's application will be allowed for sale. Vendors wishing to sell a new product must notify the MFM Market Manager one week in advance of proposed sale. The MFM Board must approve new products.
- e. Vendors selling primarily Agricultural and Value-Added products may not make up less than 70% of vendors.
- f. Any vendor using the term "organic" must have an organic producer and/or handler/processor license from an approved certifying agency. It must be displayed at all times during business hours. You must also include a copy with your membership application.
- g. All products and produce must be of top quality, and will be reviewed by the Market Manager. Second-quality produce must be clearly labeled as such.
- h. All vendors must fill out and submit a sales tax and fee envelope at the end of each market day. All collected sales tax, daily fees, and penalty fees will be submitted to the Market Manager in this envelope. The Montrose Farmers' Market will submit the collected sales tax to the City and County of Montrose. Vendors are responsible for recording their own sales and tax totals for income tax purposes. It is not MFM's responsibility to keep records for you.

Section 3: Insurance

The MFM requires every food vendor to carry their own product liability insurance. Vendors must provide proof of insurance with their application. The MFM strongly recommends vendors also carry general liability insurance. Liability for all products rests solely with the vendor producing and selling them. Liability for vendors' actions rests solely with the vendor. MFM insurance only covers MFM property. It does not cover individual vendors.

Section 4: Licenses

All vendors are responsible for the necessary licenses and permits required for the sale of their product(s). Copies of these documents must be included as part of their application.

Section 5: Health Regulations

- a. All vendors must follow the County of Montrose, Colorado and the State of Colorado's current Health Code Regulations. It is the responsibility of the vendor to ensure compliance.
- b. All Agricultural, Value-Added, Prepared Food, Ready-to-Eat and Beverage vendors are responsible for the appropriate inspections by the applicable licensing authorities and must have the approved certification, permits and licenses. These documents must be included as part of their application.
- c. All food samples must be offered in accordance with Montrose County Health and Human Services guidelines for sampling.

Section 6: Vendor Booths

- a. Vendor booth spaces are 10 feet wide by 10 feet deep. An additional fee will be assessed to vendors who require additional space.
- b. Weighting of each vendor tent or canopy is required using weights attached to each corner of the tent or canopy. Weighting of an umbrella is required using a weight at the base.
- c. Every vendor is required to post, at all times during business hours, a legible sign which includes: business name, owner, address, and phone number. The minimum size for this sign is 8.5 x 11 inches.
- d. Summer Market will open promptly at 8:30 am. Winter Market will open promptly at 10:00 am. Summer and Winter Market will close promptly at 1:00 pm. Vendors are not to break down booths prior to 1:00 pm.

Section 7: Vendor Responsibilities

- a. Vendors are required to notify the On-Site Manager if they will not be attending the Saturday Market. Notification is to take place no later than the Thursday evening prior to the market. Vendors who miss more than 2 consecutive markets may be assigned to a new booth space upon their return, regardless of notification.
- b. Vendors are required to submit their weekly envelope to the On-Site Manager prior to teardown each week.
- c. All vendors are responsible for the upkeep of the market area located near or in their booth area. Upon leaving the site, vendor's booth area must be as clean, or cleaner, than they found it at the beginning of the day.

Section 8: Comments and Concerns

- a. All consumer comments should be directed to the On-Site Manager. On-Site Manager will bring comments to the Board of Directors for discussion.
- b. All vendor suggestions, complaints and comments can be presented to a member of the Board, in writing, and must be signed by the vendor with their name, address and telephone number. All said suggestions, complaints and comments will be considered by the Board of Directors at the next scheduled Board meeting. Any anonymous concerns may be mailed to the PO Box, and will be considered by the Board of Directors at the next scheduled Board Meeting.
- c. The contact address for the market is PO Box 621, Montrose, CO 81402

Section 9: Vendor Suspension

- a. Any vendor may be suspended from selling by action of the Market Manager and/or the Board of Directors for failure to comply with the Rules and Regulations or By-Laws of the Montrose Farmers' Market. No fees paid to the market will be refunded to the suspended vendor.
- b. Montrose Farmers' Market vendors are expected to behave in a professional and courteous manner at all times. Maligning and derogatory language directed at other vendors and/or their products will not be tolerated. If a vendor has a legitimate concern, they should immediately contact the On-Site Manager. If the On-Site Manager is not available, the vendor should then contact a member of the Board.

Section 10: SNAP Program

- a. The Montrose Farmers' Market will participate in the food stamp program called SNAP.
- b. Vendors who sell food stamp eligible items must participate in the SNAP program through the Montrose Farmers' Market must be willing to accept the food stamp coupon presented by the customer.
- c. Items sold through the SNAP program are not subject to sales tax. No change may be given for SNAP coupons.
- d. All SNAP coupons received by the vendor will be turned in weekly, on the day the coupon is received, no later than 1:00 pm to the Market Manager. Vendor will be reimbursed in cash for said coupons at that time.
- e. All SNAP coupons must be validated by the Montrose Farmers' Market Manager before use. It is the responsibility of the vendor accepting the SNAP coupon to check for the MFM stamp. Invalid SNAP coupons and SNAP coupons disbursed from other markets are not eligible for reimbursement by the Montrose Farmers' Market.

Section 11: Montrose Farmers' Market Bucks

- a. Market Bucks are a certificate used to purchase items from any vendor at the market. The Market Buck is designed to help promote market awareness, market attendance and market promotion.
- b. All Market Bucks received by the vendor will be turned in weekly, on the day the coupon is received, no later than 1:00 pm to the Market Manager. Vendor will be reimbursed in cash for said Bucks at that time.
- c. All Market Bucks must be validated by the Market Manager before use. It is the responsibility of the vendor accepting the Bucks to check for the MFM stamp. Unvalidated Market Bucks will not be reimbursed by the market.
- d. All Market Bucks must be redeemed within the current market year. Expired Market Bucks will not be reimbursed by the market.
- e. All Market Bucks are to be treated as cash.