

## 2023 Middlebury Farmers' Market

### Membership Agreement and Operating Guidelines

Outdoor Market: VFW Parking Lot, 530 Exchange Street  
Saturdays, May 6 - October 28, 2023  
Hours 9:00am- 12:30pm

Indoor Market: VFW  
Saturdays January 7 – April 29, 2023  
Saturdays November 4 - December 30, 2023  
Saturdays January 6 – April 27, 2024  
Hours 9:00am-12:30pm

#### *Market qualifications and restrictions:*

1. The Middlebury Farmers' Market (MFM) is primarily an Agricultural Market. The MFM has a goal of 70% or greater percentage Agricultural vendors who have admission priority. Products sold must be those produced solely by the vendor and grown or prepared in Middlebury or surrounding areas. Products which may be sold at the Market include:
  - A. Vegetables, fruit, cheese, meat, flowers, herbs, plants, home baked goods, home prepared hot and cold foods, maple syrup, eggs, honey, cider, jams and jellies, wine, and beverages.
  - B. Plant material purchased must be cared for by the vendor for a minimum of 6 weeks.
  - C. Crafts, Ag. Grillers and Hot foods are subject to additional guidelines and must be juried.
  
2. Middlebury Farmers' Market welcomes home-based businesses. A home-based business is defined as a business whose product is made and sold by the producer directly to the customer without owning, renting or leasing a permanent storefront. Farm stands and home-based retail shops are allowed. Moveable storefronts, such as food carts, are allowed. Any current vendor who opens a commercial storefront can continue to sell at the Market for the remainder of the season and the following season.
  
3. All returning and new Applications must meet the MFM guidelines and rules. The Membership Administrator and the Membership Committee will review all applications to uphold the integrity of our market. Vendors accepted after the start of the Market must wait one week before selling at the Market.

4. All returning MFM members must submit an application and annual membership dues by March 31, 2023. Any new MFM application and any returning member application received after March 31, 2023 will be assigned spots as space permits. Dues, prepaid coupons, and all table fees are non-refundable.
5. Each vendor is responsible for ensuring that their products conform to applicable Vermont state regulations and State regulations for Farmers Markets. All scales must be capable of being approved for Legal Trade. Vendors must have any and all appropriate licenses and permits available as required by state law. For more information contact the Vermont Department of Agriculture at 802-828-2430.
6. The Membership Committee will design a site plan. Site Assignments will be based on the previous year's "spot" and consideration is given to market seniority to fill vacancies. The VFW outdoor site is limited in space and all vendors may not be assigned a permanent space. Spaces may not include adjacent parking.
7. Vendors not assigned permanent spaces may vend as day vendors when space permits. When the Markets are full, a waiting list will be kept. Upon acceptance to the market, the Annual dues must be paid. The one-week waiting period will be waived.
8. The Market does not allow the selling of live animals.
9. Middlebury Farmers Market is a non-smoking environment.
10. The Executive Board and the Jury Committees reserve the right to visit any vendor's place of business.
11. Non Profit organizations will only be allowed to distribute information. No sales, donations, or raffles will take place. The space will be limited to once per organization per market season and only as space permits. If there is any doubt about the Non-Profit status, market staff has the authority to ask for proof.
12. Employees, interns, and family will be allowed to sell for the Vendor. It is the vendors' responsibility to inform their employees, interns or family of the rules and guidelines of Middlebury Farmers Market.

*MFM Association policies:*

13. All checks made out to the Treasurer must be signed by an authorized Officer other than the treasurer and a copy of the check will be made.
14. The Treasurer must have Board approval for expenditures not approved in the budget. The approval must be in writing.

15. The Executive Board will review the Treasurer's books quarterly.

16. Grants and Donations Opportunities Procedure for all Members: If you discover an opportunity that you think could benefit our market the following procedure is required: a) Talk with the president, if s/he agrees, b) prepare a proposal for the MFM Board of Directors and a date will be scheduled for you to present your proposal, c) criteria and funder expectations must be included, the BOD will vote to accept or reject, and the proceedings will be recorded in the BOD meeting minutes, d) a letter will be sent to the MFM secretary to be preserved in the records, e) formal written acceptance from the donor or funder will be sent to the MFM treasurer at the MFM address. S/he signs all checks and is the technical custodian of all funds.

### *Market Fees, Currency and Reporting:*

17. Daily table fees will be collected by market staff along with the Vendor Sales slip. Both the fee and sales slips must be available at the opening of each market (Outdoor market, 9:00am; Indoor market 9:00am)

18. All vendors are required to report gross daily sales from the previous market. Vendor names will be written on the sales slip and all vendor sales are confidential. Our liability insurance is based on our gross sales and all slips must be completely filled out. Day vendors or vendors selling at their last Market day must report sales on day of vending at close of Market.

19. Farm to Family coupons, EBT/DEBIT tokens, and any other reimbursements must be turned in to the Treasurer in the manila envelope with the provided form. Farm to Family coupons must be separated by color and banded together. Information is available at the EBT/DEBIT station at the Market.

20. All vendors must accept the \$5 tokens. The \$1 tokens have restrictions.

21. Vendors may accept electronic transactions at their stands, but should offer the customer a receipt. These sales must be included in the daily total.

### *Arrival, Set up and Departure:*

22. Start time and closing

For Outdoor markets:

- Market staff are on site at 7:30am.
- Vendors arrive and start setting up between 8 and 8:30. Early arrivals may access and set up their spots before 8am with market staff permission.

- Before 8:30, vendors may access their spots by way of the center alley. For the safety of all vendors the center alley closes to vehicle traffic promptly at 8:30. Vehicles must be out of the alley by then.
- By 8:30 all vendors must be at their market site. A formal warning will be given to late arrivers and they may be turned away at the discretion of market staff.
- At 9:00 Vendors should be set up and ready for business. Market staff will signal the start of the market. Absolutely no customer sales may be made prior to 9am at the Outdoor Market.
- Vendors must stay until the end of market (12:30pm), unless previous arrangements are made with market staff. This is for the safety and quality appearance of the Market.
- To honor our contract with the VFW, Vendors will depart the site by 1:30 pm.

#### For Indoor Markets

- Doors open at 8:00am.
- Set up by 9:00am.
- Market ends at 12:30pm
- Depart by 1:30

These rules are in place to ensure the safety and enjoyment of our market participants, as well as conforming to our contractual agreements with our hosts.

#### 23. Missing a market:

- When completing the membership application you are asked to identify dates you plan to be vending. We use this info each week in advance to anticipate the space needs. The dates you list are your reservation and your attendance is assumed. It is the hope that most vendors will choose all markets and have occasional notified absences. The market manager may accept unreserved vendors with the proper advance notice, as space allows.
- Vendors who have a reserved space for that week must notify market staff by 6pm Thursday if they are not attending on Saturday. Early notification is necessary to ensure adequate prep time for Day vendors to fill the spot. Vendors should reach market staff by phone or email. Day vendors will be notified of space availability Thursday evening. In the event that advanced notice of absence is not given to the market staff, a one-day space fee will be charged, and must be paid prior to vending again.
- Market staff will enforce the market regulations. A decision may be appealed to the Board after the market but the decision at the time stands for that event.
- The following violations will be addressed and a penalty applied as follows:
  - 1) No show                      table fee due before vending again
  - 2) Late arrival                      may be turned away-table fee still due
  - 3) Early depart                      \$25 fine due before vending again
  - 4) No tent weights                      may vend without a tent, formal warning

Three warnings in a membership year may result in being dropped as a member, by a decision of the Board.

- Even on inclement weather days at the Outdoor Market, fair weather vendors MUST contact market staff by 6pm Friday if they will not be attending.

*Site coordination:*

24. Market staff will enforce the Market rules and guidelines. If a conflict arises at the Market the President's decision is final until a quorum of Board members can resolve the issue. Vendors may file a written complaint with any Board member.

25. Vendors must at all times be courteous and act in a professional manner towards customers, other market members, and market staff. Rudeness, foul language and/or angry exchanges will not be permitted and will be warned.

26. Each vendor must secure their tent with sufficient weights to insure the safety of the Market and regardless of the weather. Weights must be 20lbs. per leg front and back or the back of the tent can be secured to the vehicle in 2 places plus two 20lb weights on the front of your tent. Vendors are responsible for any damage that is caused by your tent. If you arrive at the Market and have no weights you must vend without your tent.

27. No part of any display can extend beyond the vendors allotted area into the customer walking area.

28. Each vendor is responsible for keeping his or her site clean and free of debris. It is required that all vendors who generate trash must have a trash container in their space. No outdoor vendor trash is to be deposited in site trash barrels or the VFW dumpster. A trash barrel is provided for the Indoor vendors.

29. Vendor pets are not allowed.

30. Market staff will regulate noise levels of all kinds.

31. Parking at the market is limited. Please keep parking spaces close to the market open for customers. Vendors are allowed **one** adjacent space per booth. Several vending booths do not come with any parking at all. Other vehicles should be parked off site. On a rare occasion there may be a time when all vendor vehicles at the Outdoor Market may not be allowed on site. The Board will keep you informed.

32. When backing up on site after the market please designate a spotter to direct you for safety reasons.

33. We want our shoppers to have a distraction free shopping experience. Therefore, open soliciting is not allowed at the MFM. There is only soliciting that is sanctioned by the Executive Board or happens BEHIND vendor or non-profit tables. It is unacceptable to approach shoppers to solicit signatures etc, disperse information.

ALL VENDORS ARE EXPECTED TO KNOW AND FOLLOW THE GUIDELINES OF THE MIDDLEBURY FARMERS' MARKET OR WILL BE SUBJECT TO PERMANENT DISMISSAL FROM THE MARKET. IF A VENDOR IS FOUND IN VIOLATION TO NOT BE FOLLOWING THE GUIDELINES THEY MAY BE SERVED A WARNING.

The warning will be given verbally and in writing, stating which guideline has been violated, and the specifics of the violation. The warning will state the right to appeal and the potential consequences of further violations. The issuing party will sign the warning and the offending vendor will sign stating they understand the consequences of further violations and their right of appeal. If the offending vendor refuses to sign the warning then the refusal will be noted and a member of the MFM Board will be asked to witness that the warning was presented to the offending vendor. The vendor may appeal any served warning in writing within 10 days of receiving the warning. The appeal should be addressed to the Middlebury Farmers' Market Board of Directors, and sent to: **Middlebury Farmers' Market, P.O. Box 385, Middlebury, VT 05753**

The appeal should include the date and specifics of the warning and the reason for the vendors' appeal. MFM Board will decide on the appeal within 30 days of receiving the appeal. Upon receiving 3 warnings in a given season, and pending the MFM Board's decision on any appeal filed, the vendor may have their membership and the right to sell at the market revoked without a refund of any fees. This is three warnings of any kind whether it is three warnings about the same guidelines or three warnings about different guideline violations. A Middlebury Farmers' Market Board member can give the warnings.

Board of Directors 2/5/2023

President – Janis McWayne – [janis.mcwayne@gmail.com](mailto:janis.mcwayne@gmail.com)

Vice President – Paige Wener - [paige.wener@gmail.com](mailto:paige.wener@gmail.com)

Secretary – vacant

Treasurer – Sharon Kerwin – [orangecatsoaps@yahoo.com](mailto:orangecatsoaps@yahoo.com)

Membership Coordinator – Sharon Kerwin – [orangecatsoaps@yahoo.com](mailto:orangecatsoaps@yahoo.com)

Member-at-Large – Jason Reinke - [reinke.jason@gmail.com](mailto:reinke.jason@gmail.com)

Member-at-Large – Don Gale - [sgrmaker@yahoo.com](mailto:sgrmaker@yahoo.com)