



Vendor Policies

2012 Season

June 14 - September 13, 2012

Thursdays, 3:00 - 7:00 p.m.

Market location: 430 Third Street
Farmington, MN 55024

Market Goods

- Items must be approved by the Market Coordinator who has the discretion to decide if the item fits into the local farmers' market theme of the event.
- Items must be home grown or home produced by the vendor.
- No resale products are permitted.
- All prepackaged products must be prepared in accordance with the rules established by the Minnesota Department of Health and the Minnesota Department of Agriculture and produced by the vendor.
- Market categories accepted by the Downtown Farmington Farmers' Market event are listed below. The decision whether or not to accept an item or vendor is at the sole discretion of the Market Coordinator based on the following criteria: booth availability, types of products, price points of products to be sold, whether the item fits into the vision of the market or any other reason as determined by the Market Coordinator.

Product Categories

- Fresh fruits & vegetables
 - Frozen farm raised meats, eggs
 - Honey, maple syrup
 - Bedding, perennials, annuals, hanging and potted plants
 - Baked goods
 - Candy and confections
 - Herbs, spices & sauces, nuts, popcorn, kettle corn, jams, jellies, salsa
 - Fresh cut flowers
- Products not listed above must receive advance approval from the Market Coordinator before sale.
 - Vendors may not sell any items not approved or shown on their market application. Market staff has the right to ask a vendor to remove products.
 - All items must be prepared, displayed and stored in accordance with the Minnesota Department of Health, Minnesota Department of Agriculture and Dakota County Community Health Department Guidelines and Minnesota State Statutes 28A and 157 when applicable.
 - Pickles and other canned vegetables, excluding salsa are not allowed. Salsa products must meet the standards for PH levels and must be approved by the Market Coordinator.
 - All producers of processed items, (breads, candy, confections, jams, jellies, etc.) are required to adhere to labeling law requirements. Labels must contain product identity,

complete list of ingredients, especially allergens, name and address of maker. Placecards must be in place stating: “These products/canned goods are homemade and are **NOT** subject to state inspection”.

- When applicable, vendors must comply with Minnesota State Statutes 28A and 157 and the exemptions therein.
- Produce sold as organic must have originated from an organically grown certified farm, and include documentation along with the application unless qualified for exemption per the USDA National Organic Program requirements.
- Farmers/growers that are not certified organic can advertise or sell products as “chemically free” if they practice chemical free farming.
- All items may be sold by bulk, bundle or individual item. Items sold by weight units of measure require a Minnesota State Certified Scale.
- Market Coordinator reserves the right to inspect booth, farm and production areas.

General Market Policies

- The market will begin promptly at 3:00 p.m. No sales are allowed prior to 3:00 p.m.
- **Any vendor who is going to be absent on a market day must notify the Market Coordinator by noon on the market day. Three failures to notify the Market Coordinator of an absence will result in suspension without a refund.**
- Vendors are not allowed to have pets or animals in the market area, with the exception of service animals.
- Consuming alcoholic beverages and smoking are not allowed in the market areas.
- All vendors must keep their area neat and clean while selling and make sure that the area is clean before leaving.
- All vendors must present themselves appropriately (dress, cleanliness, etc.). Shirts and shoes must be worn at all times.
- The Market will be held rain or shine. However, in case of severe weather, vendors will be notified of market closure.
- Price, terms of sale, etc. are solely between buyer and seller.
- All sellers agree to abide by fair business practices.
- Any required sales tax collections and remittance are the sole responsibility of the sellers.
- Any vendor, whom the market staff feels is not complying with the market rules, may be asked to leave. The vendor in turn may petition the Market Coordinator to be readmitted.
- Seller assumes full liability for the products they market or sell and hereby agree to hold the City of Farmington, and its Economic Development Authority harmless against any claim of injury or damage by any buyer, seller, or other persons resulting from the use, consumption, disposition, display or market of seller’s products.
- The City of Farmington, and its Economic Development Authority shall not be liable for any injury, theft or damage to either buyers or sellers arising out of/or pertaining to preparation or participation in the market whether such injury, theft or damage occurred prior, during or after the market. Vendor further agrees to indemnify and hold the City of Farmington, its Economic Development Authority, its officials, employees and contractors, harmless for and against any claims for such injury, theft or damage.
- Vendors agree to comply with all applicable federal, state and local laws and regulations related to the sale of their products at the Market.
- Vendors are responsible for themselves, their agents, guests, and employees who are present at the Market site.

- The City, through its Market Coordinator and Market staff, reserves the right to have a vendor, its guests, agents and employees removed from the Market premises for failing to comply with market rules. A vendor who has been removed from the Market site, may petition the Market Coordinator to be readmitted through a written request stating the basis for the petition. A significant or continuous violation of market rules shall be a basis for removal of the Vendor for the remainder of the market dates for the relevant year without reimbursement of prepaid fees.
- Appeals or requests to modify market policies will be made to the Market Coordinator who will forward the requests to the City of Farmington Economic Development Authority for their consideration.

Application Process

- The City of Farmington Market Coordinator will review all applications. Space availability and items for sale will be factors in determining approval and applications are considered on a first come first served basis.
- All unaccepted or incomplete applications will be returned with the full registration fee.
- Accepted applicants will be notified upon receipt of their paperwork.
- **If you are accepted, you are expected to be present for the entire Market season (all 14 weeks) unless you are a daily vendor. No refunds are allowed.**
- Vendors are limited to local farmers or home businesses with locally produced food products.
- Local is defined as located within a 60 mile radius of the City of Farmington municipal boundary. Exceptions would be considered on a case by case basis if determined to be unique products unavailable within the 60 mile radius.
- Vendors that do not meet the criteria include: food businesses with trailer type concession stands, and vendors that are not consistent with the local farmers' market feel of the event or include products with tobacco, alcohol, or items deemed by the Market Coordinator as not consistent with the Market theme.
- During the selection process, the City of Farmington and Farmington EDA will not discriminate on the basis of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, disability, age, marital status, or status with regard to public assistance.

Insurance

- Each vendor must have at least \$300,000 of general liability insurance **or** product liability insurance as a rider on their Farm/Home insurance policy including listing the City of Farmington, and its Economic Development Authority as additional insured's.
- A certificate of said insurance and the appropriate riders must accompany the application.

Permits

- All permits and licenses required by Dakota County or the State of Minnesota are the sole responsibility of the vendors.
- All vendors who are required to have such permits/licenses must submit copies with market registration.

Booth Space

- A market permit will be issued for each vendor and must be visible in the stall at all times.
- Booth space is available to those approved by the Market Coordinator.
- **Booth space is not transferable, meaning vendors may not trade booth spaces or use another vendor's space in their absence.**
- Booth size may vary but will be roughly a 10 x 10 area for sales. There will be room to park one vehicle for product storage directly behind your booth if needed. If your vehicle is not needed for product storage or you are not selling directly from your vehicle, please park off site. Vendor parking is available in the parking lot behind City Hall.
- Vendors are responsible to provide all tables, canopies, and other items needed for their display.
- Tents and canopies must be weighted, NOT staked.
- Booth space will be assigned by the market staff for the entire season.
- Market staff has the authority to move and reassign vendor spots to enhance or facilitate market operations.
- All displays must be neat, tasteful and appropriate for all ages in the opinion of the Market Coordinator.
- Electricity is available for vendors with freezers/refrigeration needs or as negotiated with the Market Coordinator. There is a \$30 electrical fee and availability will be determined by market staff. The need for electricity will determine your location in the market relative to electrical access.

Signs

- All market vendors must have signs displaying their name or farm name and the town where they are located.
- Signs must be put up each week prior to the time sales begin and must be removed at the close of the Market day.

Set up/Tear down

- All vendor set up must be completed between 2:00 - 2:45 p.m. on market days.
- Market staff will be on site at 1:45 p.m. Vendors must wait for market staff to be on site before they may enter their space in order to be informed of booth space changes, special needs, etc. each market day.
- Market vendors must be ready to start selling at 3:00 p.m. on the market day.
- **Vendors may not begin to tear down their booths before the entire market officially concludes. All vendors must remain until the market officially closes at 7:00 p.m. unless excused due to inclement weather or as determined by the Market Coordinator.**
- Vendors may not move vehicles in the market shopping area between 2:45 p.m. and 7:05 p.m. for the safety of visitors.

- Vendors are responsible for removal of all materials including paper bags, boxes, or debris resulting from the market by 7:45 p.m. All trash must be disposed of properly and the booth area swept.

Weather

- Weather is out of the control of the event organizers and therefore the Market Coordinator or designated City of Farmington staff person will make the determination regarding cancellation of the outdoor market due to inclement weather by 1:00 p.m. on the market day. The determination will be made based upon the best information and weather reports available at 1:00 p.m. on the market day. Inclement weather is defined as one or more of the following: lightning, thunder, hail, extreme heat, flooded or water logged market area or as determined by the Market Coordinator.
- Vendors will be contacted by email or cell phone/phone number provided by the vendor at 1:00 p.m. each market day if cancellation has been decided.

ADA Requirements

- Vendor agrees to comply with the Americans with Disabilities Act (ADA) including applicable provisions for Title II – Public Services and in accordance with 28 C.F.R. Part 35 Subpart B – Section 35.130 of the U.S. Dept. of Justice Regulations, Section 504 of the Rehabilitation Act of 1973, and not discriminate on the basis of disability in the admission or access to, or treatment of employment in its services, programs, or activities. The Vendor agrees to hold harmless and indemnify the City from costs, including but not limited to damages, attorney’s fees and staff time, in any action or proceeding brought alleging a violation of ADA and/or Section 504 caused by the Vendor. Upon request, accommodation will be provided to allow individuals with disabilities to participate in all services, programs and activities.

For questions please contact

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