

# **Member Rules and Regulations**

## **St. Joseph Farmers Market**

### **A. Joining the Market**

- 1.** Those eligible for membership in the St. Joseph Farmers Market (SJFM) are growers who sell products of their own yield, and vendors who sell products they produce from purchased ingredients. Vendor memberships are limited to 20% of the total membership. Without special approval from the Board, members may not sell a product they did not produce. Only members of the SJFM may sell produce and other agricultural products at the Market. Members of the Market and those community representatives elected to the current Board of Directors have voting privileges.
- 2.** Membership requirements are:
  - a.** Production site within a thirty mile radius of the market site.
  - b.** Completion of a membership application submitted to and approved by the Board of Directors. Preference is given to returning members. When reviewing new applicants, preference is given to growers who use organic or sustainable practices which is encouraged for all members. Use of genetically modified seeds is strongly discouraged and must be disclosed to the consumer.
  - c.** Proof of insurance liability for selling off the farm.
  - d.** Payment of a nonrefundable yearly membership fee prior to any selling at the market as well as a subsequent stall fee paid each market day. Fees are determined annually by the Board.
- 3.** The Board of Directors will review and approve all vendor applications before a vendor can participate in the Market. Space at the Market and the items a vendor offers will be factors in determining approval as well as history with the Market, attendance and past performance, and balance of market offerings. The Board has the right to make an occasional exception to membership rules on a case-by-case basis when doing so serves the Market yet remains true to the Mission Statement.

### **B. Board of Directors**

- 1.** The Board of Directors consists of nine representatives: six of them Market members; three members of the community. The term of each director is three years. Terms are staggered, with a goal of electing three new directors each year. Whenever possible, the Board is balanced for gender. Directors may be re-elected.
- 2.** Board Directors are elected at the annual fall meeting by nominations from the membership. Community representatives are appointed.
- 3.** The Boards elects four officers annually: chair, vice-chair, secretary, and treasurer.

### **C. Market Location and Operating Hours**

Days, hours, and location of the Market are determined annually by the Board.

### **D. Preparing for Market Day**

For unique products, some exception to the following rules may be possible with the approval of the Board of Directors or as otherwise stipulated in Market rules.

- 1.** Members must notify the Market Manager at least one day prior to the first day they plan to attend for the season. Thereafter, they should notify the Market Manager if

they plan NOT to attend no later than 11a.m. on market day. A stall allotment is twelve feet. Members requesting additional stall space will be granted it on a space-available basis. Members granted additional stall space at the Market after the first Friday in July pay an additional stall fee of \$5 for an additional 6' per market day.

2. A member or an immediate family member may sell only produce which the member grew on land she/he owns or rents. Employees or representatives must also have full product knowledge and their names must be listed on the member's application.
3. Produce which may be offered for sale includes vegetables, fruits, herbs, cut or dried flowers, bulbs and bedding plants. Other agricultural products may be sold including meat, eggs, dairy products, honey, syrup, oil, and perennials and must be in compliance with State guidelines. Members may not sell crafts or live animals. If a member seeks to sell a value-added product that is not food but is made from his or her own agricultural resources, that applicant is also eligible for review and approval by the Board.
4. Members may sell prepared or processed foods if they are made from their own produce. Members may sell baked goods (a prepared food). Sellers of processed and/or prepared foods or of products allowed by exception follow a supplementary set of Market guidelines as well as special rules established by the State. A sign must be displayed stating *This product was prepared in a home kitchen that is not licensed*. Products allowed by exception require an identifying sign: *This product was not produced by me. It comes from (identify source)*
5. Products for sale must be of good quality. The St. Joseph Farmers Market, its Board of Directors and its Market Manager, and the City of St. Joseph are not responsible for product liability.
6. The Board will appoint, either from its own membership or from the community, a person or persons to conduct on-site visits when such seem appropriate.
7. A member wishing to sell a product as organic must present the Board with proof of certification as an organic grower before posting an organic label on products to be sold.
8. Each member will post a fact sheet at his/her stall listing general information and growing/production methods.

### **E. Setting Up on Market Day**

1. Upon arrival, members will be assigned a market space by the Market Manager.
2. Members who are selling must be on site and set up in their space prior to the Market's opening time.
3. After arrival on site, members may not sell, bag, or lay away items prior to the opening of the Market except to/for other sellers.
4. Members are responsible for providing their own tables, scales\*, change, bags, produce labels, trash container, and any canopy or sun and rain shelter.

\*A scale is unnecessary when no produce is being sold by weight. If produce is to be sold by weight, see Appendix 1 below for information about scale certification.

### **F. Selling on Market Day**

1. Each member determines the price of his/her produce. The Board of Directors recommends that

- a.** Members use local retail product prices as guides. Value-added products may merit higher prices.
  - b.** Members avoid high prices since these are likely to reduce consumer interest.
  - c.** Members avoid low prices (dumping) since these cause ill will among members, endanger the continued existence of the market, and diminish the value of the products offered in the consumers' eye.
- 2.** Each member is responsible for any licenses (see Appendix 2), permits, health regulations, and sales tax obligations rising from the sales of his/her product.
- 3.** All items must be prepared, labeled, displayed, and stored in accordance with Minnesota Department of Agriculture, Minnesota Department of Health and Stearns County Health Department guidelines.
- 4.** Members must remain on their assigned Market space when selling produce. Sales will be made in an orderly, businesslike manner. "Hawking" and pushy sales tactics are not allowed.
- 5.** Solicitation unrelated to the sale of market goods is prohibited.
- 6.** Members are responsible for maintaining the quality of their Market space during the Market. This includes:
  - a.** Setting up and maintaining a safe, orderly display area.
  - b.** Supplying a trash container of adequate size at their Market space.
  - c.** Keeping their assigned space clean and free from offensive odors.
- 7.** Each member is responsible for the security of his or her money and other valuables.
  
- 8.** Pets are not allowed at the Market. Exceptions:
  - a.** A certified service dog is allowed to aid handicapped people in shopping at the market.
  - b.** For approved educational purposes, live animals may be present in the selling area as long as they are contained and at a reasonable distance from food being sold.
- 9.** Alcohol and drugs (unless used with prescription) are prohibited at the market. Vendors must be drug-free and sober upon arriving at the Market. Violation of this policy is grounds for suspension from the market or immediate revocation of vendor access, at the discretion of the Market Manager.
- 10.** Smoking is prohibited at the Market, including in a vendor vehicle or stall.

## **G. Finishing the Market Day**

- 1.** At the end of selling hours, members must remove everything from their assigned spaces.
- 2.** Each member is responsible for proper disposal of her or his trash.

## **H. Violation of Rules and Regulations**

- 1.** Disregard for the rules and regulations of the SJFM may result in immediate expulsion from the Market site by the Market Manager or Board of Directors. Such expulsion terminates membership for the rest of the year.

2. Membership fees will not be returned if a member is expelled.
3. Anyone expelled may make written appeal to the Market's Board of Directors.

### **I. Amending the Rules and Regulations**

These rules and regulations may be amended by an affirmative vote of two-thirds of the Board of Directors. Members will be notified of such amendments in a timely manner.

For policies and rules governing the Board of Directors, its officers, meetings, fiscal management, etc. see the Bylaws for St. Joseph Farmers Market.

### **Appendix 1**

Members offering produce for sale by weight must use a certified scale. Information about types of scales to use and certification of scales can be obtained from the Minnesota Department of Public Services, Weights and Measures Division, 2277 Highway 36, St. Paul, MN 55113-3800. Phone: 651-639-4010 or 651-639-4015.

### **Appendix 2** (from Article XIII, Sec. 7, of the *Constitution of the State of Minnesota*):

**“No license required to peddle.** Any person may sell or peddle the products of the farm or garden occupied and cultivated by him without obtaining a license therefore.” The State, however, limits what kinds of and, sometimes, how much product may be sold. Contact the appropriate State agency for further information.

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