



Meridian Township Farmers' Market 2019 Rules and Vendor Agreement

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By submitting its application to participate in the Meridian Township Farmers' Market (or "Market"), the undersigned Vendor hereby agrees and binds itself to comply with the following Rules and Conditions of participation:

OPERATION

1. The Market will be open to the public from 8 am to 2 pm on Saturdays (May-October)

The Market will be open to the public from 8 am to 2 pm on Wednesdays, (July-October) and from 10 AM to 2 PM on Wednesday, November **27th** the "Day Before Thanksgiving" market. The market is located at 5151 Marsh Rd., Okemos, MI 48864.

2. The Farmers Market is operated and managed through the Meridian Township Parks & Recreation Department with a Market Manager. All vendors agree to abide by the rules of Meridian Township.

HOLD HARMLESS/INDEMNITY AGREEMENT

3. Vendor understands and agrees that the Township is not responsible for product liability or paying sales taxes or other taxes or liabilities owed by Vendor. Vendor hereby agrees to indemnify and hold harmless Meridian Charter Township and its agents employees and insurers from and against all liability, claims, demands, losses, damages, levies and causes of action or suits of any nature whatsoever, arising out of or related to any activities by Vendor or its agents, employees and representatives at the Meridian Township Farmers' Market. The Township is not responsible for any loss or damage of Vendor's property or products. Vendor operates at their own risk.

**The requirement to indemnify and hold Meridian Township harmless will be waived by the Township if Vendor provides the Township a copy of currently effective general liability insurance policy (a certificate of insurance is insufficient) naming Meridian Township as an additional named insured, with liability limits of at least \$500,000, naming Meridian Charter Township as an additional insured. Please attach insurance policy to application.

APPLICATIONS

4. All vendors must submit a completed application (including a detailed list of all possible products to be sold and a copy of any required licenses) and be approved prior to being permitted to sell at the Farmers Market. Additions/deletions to product list needs to be given to Market Management in writing at least 24 hours before the market where the new items would be sold.
5. Market applications are evaluated on the following criteria:
 - a. Meet the market criteria/rules
 - b. Does the product fulfill a need for the market



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- c. Space availability
- d. Does the vendor have the appropriate license(s): local, state and/or federal
- e. All applicants will be notified of their application status.
- f. Township Residents will be given higher consideration.

VENDORS

6. All new vendors since 2003 are required to grow or produce 100% of what they sell or bring to the Market. After new vendors complete their first year and have shown a commitment to the market, they may, *on a limited basis*, add Farmer Direct and Wholesale products to their application *subject to preapproval* by Market Management.
7. Effective 2007 Summer/Fall Market, all new applicants, if accepted, must participate as a "Daily Vendor" the first year and serve one-year probation before becoming eligible for "Annual Vendor" status. Acceptance as an annual vendor is based on performance as a daily vendor and availability, as only a limited number of annual vendor positions are available each year. Annual vendor applications will be reviewed following the application deadline.
8. Vendors must be present full Market hours (8 am - 2 pm) and display a convincing amount of product to sell.

PRODUCTS SOLD

9. Products eligible for sale in the Market include: fruits, vegetables, flowers (fresh or dried), plants, and homemade goods from raw materials (i.e. Baked goods), and foods. Manufactured products are prohibited, unless written approval is received from the Market Master. Produce which can't be grown in Michigan is also prohibited. Examples are citrus, mangos, bananas and pineapple. Reselling of retail purchased goods is prohibited. Definitions (Also see attached 'Signage Guidelines Form':
 - "Home Grown" – grown or self-produced by vendor.
 - "Farmer Direct" – purchased from the farmer who grew it.
 - "Home Made" – produced by vendor from raw materials.
 - "Licensed Kitchen" – produced by vendor from raw materials in a licensed kitchen.
 - "Cottage Food" - produced by vendor from raw materials in a home kitchen. The Michigan
 - "Wholesale" – purchased through a produce wholesaler or produce auction.Cottage Food Law can be found at www.michigan.gov/cottagefood.
10. Vendors may sell or distribute goods only during regular Market days.
11. Vendors are expected to have quality produce. Selling overripe, spoiled or unusable produce is not permitted.
12. Sale or distribution of non-pasteurized milk is not allowed.

FEES

13. **Annual Fees:**
Spring Market (Saturdays): May 4 through June 29 - \$100 per space. (9 market days)



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Summer/Fall Market (Saturdays and Wednesday): July 3 through October 30 - \$250 per space. (35 market days)

Summer/Fall (Wednesday only): July 3 through October 30 - \$100 per space. (18 market days)

14. To secure a permanent space, vendors must pay the annual fee before vending at the market. Failure to pay the seasonal fee prior to the start of the season will result in the loss of the assigned permanent vending space. **All Checks need to be made payable to: MERIDIAN TOWNSHIP.**
15. **Daily Fees:** Saturdays / \$30 – Wednesdays / \$15. The daily rate will be assessed on all vendors not paying an annual rental fee (regardless of whether they sell any product or not). Daily tables will be assigned on a first come, first served basis, starting at 7 am by the Market Manager.
16. **No Call/No Show Fee:** Vendors who are absent, without notification prior to 7:30am on market days, will receive one warning (written or verbal) and any subsequent absences without prior notification will be required to pay a \$30 fee prior to returning to market and will be charged \$30 for each additional absence during the current season. If the vendor has more than three absences at the end of the current season they will not be invited to participate in future markets.
17. First-year daily vendors, who have demonstrated their commitment to the Market, will qualify for a financial cap of \$125 for Spring Market; \$125 for Wednesday-only Market; and \$275 for Saturday/Wednesday Summer/Fall Market.

LICENSES

18. Vendors are also required to comply with all Michigan Department of Agriculture Rules and Regulations. Contact them with questions at 517.373.1060 (food) or 517.373.1087 (plants). A copy of licenses must accompany the vendor application form for items such as perennial plants, baked goods, maple syrup and any processed foods. A sales tax license is required for those selling non-food items. A sales tax license may be obtained by contacting www.michigan.gov/treasury/0,1607,7-121-1750-2113-5992--,00.html or 517.373.3200.

Follow the MDA Guidelines for Providing Safe Food Samples,

http://www.michigan.gov/documents/mda/MDA_FdSmpngFarmMkts5-09_279110_7.pdf

DISPLAY

19. Vendors are required to label the origin of their products (utilizing the definitions identified in rule #9) and the attached 'Signage Guidelines Form' (page 7), in a location that can be clearly seen at the point of purchase with signs provided by market management by the time the market opens. Misrepresentation of product origin is prohibited.



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SPACE(S)

20. In order to claim their space, an annual vendor needs to be present by 7 am. The space will be re-assigned on a first come basis after that time. Only the Market Manager can assign space. No vendor can designate who gets their space if they are not present, nor can they sublet their space. Annual vendors are asked to contact the Market Manager on days they will not be attending the Market.
21. Each vendor must sweep/clean their space at the end of each day (using their own cleaning supplies) and keep it neat during the period that the Market is open.
22. Each space is 10ftX10ft. The maximum spaces that a vendor may have are two. Each space is marked and vendors must setup and stay within their area and not infringe on adjacent vendors or interfere with customer traffic. All tents must be anchored by heavy weights to ensure safety during windy conditions. **Products may only be displayed and sold from the assigned 10ftX10ft space(s).**
23. Space will be determined by a point system with those having the most points having first priority and annual vendors having priority over daily vendors. Once a person has a spot on an annual basis, they have first priority for that spot for the coming year*. If two vendors have the same number of points, then the vendor who has attended the greatest number of times shall have priority. Points are determined as follows:
 - a. 1 point for attending Spring Market 5 or more times.
 - b. 2 points for attending Saturday Market 12 or more times
 - c. 3 points for attending Wednesday Market 9 or more times (for the 2019 season).

All points and attendance records accrued under the previous system will be maintained. Points will be kept for one year then dropped if a person doesn't come to the Market after the one year period.

*Annual vendors must show a commitment to the Market in order to hold their space from year to year. That commitment is demonstrated through the following criteria:

- a. Attend 5 Spring Markets to maintain a Spring Market stall assignment for the following year.
- b. Attend 12 Saturday Markets to maintain a Summer Saturday Market stall assignment for the following year.
- c. Attend 9 Wednesday Markets to maintain a Wednesday Market stall assignment for the following year.

If a vendor loses priority for a spot, he/she will still have an option for another spot assigned by the Market Manager. If a vendor comes to just the summer/fall Market and does not come to the spring Market, the spot that they have will be assigned to someone else (for the spring Market only) on a permanent basis. Their spot will be retained by them for the summer/fall Market if they attend a minimum number of times and pay by the deadline. The same criteria will apply to secure a permanent Wednesday space.



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To maintain the spot that is chosen, vendors must not miss more than 3 market days during the summer season. After 4 absences, the seasonal spot may be reassigned.

GENERAL RULES

24. Vendors found in non-compliance of market rules will receive the following discipline after one written warning:

1st Offense: Verbal warning

2nd Offense: Written warning

3rd Offense: Loss of chosen spot, one market day suspension, and \$100 fine.

Market Management reserves the right to impose any and all disciplinary steps based on the severity of the violation up to and including expulsion from the market.

25. Vendors are required to take home all trash, including produce that does not sell, (boxes, bags, etc.).
26. Vendors participating in the WIC Project Fresh Program, Senior Market Fresh Program, SNAP (MI Bridge Card), DUFEB (Double Up Food Bucks), Market Bucks are expected to be familiar with the rules and procedures of the program. Loss of fees due to vendor error is the responsibility of the vendor.
27. PARKING:
- Parking is not permitted in the customer parking areas by vendors, their family or their help between the hours of 8:30 am and 1 pm.
 - Each vendor who has a pavilion stall assignment or is on the playground side of the sidewalk will be assigned one (1) parking space around the pavilion that does not block access roads.**
 - All other vehicles must park at the Meridian Mall, grassy field, or the Nokomis parking lot
28. Dogs are not permitted at the Market by vendors or customers (exception: lead dogs).
29. Suggestions or concerns shall be presented to the Market Manager for consideration and/or action if presented in writing to the Market Manager, a written response will be returned.
30. The Meridian Township Farmers Market utilizes an advisory board consisting of four annual vendors elected by other annual vendors at the annual meeting each year, serving staggered terms of two years each. The role of the advisory board is to represent "vendors" in rule modifications and, if necessary, in grievance procedures with vendors. Interactions with advisory board members must be made outside of market hours only.
31. Any activity by any person not under contract with Market Management including busking, petitioning, campaigning or other public speaking, must take place only within the Market's free speech designated areas, and shall not occupy or interfere with the areas devoted to ongoing business of vendors. No such activity shall take place in the marketplace where vendors are present. No tables, chairs, or other fixtures may be set up in the free speech areas without the express permission of the Market Management. If a person wishes to use or occupy the areas other than the free speech designated areas for such activity, that person



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may contract for and use space designated for vendors on the same terms and subject to the same conditions as vendors.

- 32. The Meridian Township Farmers Market prides itself on providing quality products for customers. The following Code of Conduct shall at all times be followed by vendors and/or their representatives participating in the farmers' market. The primary purpose of this Code of Conduct is to ensure the safety and well-being of all participants.

As a Meridian Township Farmers Market vendor and/or their representative, I will:

- a. Demonstrate the highest standards of personal behavior and integrity at all times
- b. Conduct myself in a courteous and respectful manner and serve as a positive role model for others
- c. Treat everyone with respect
- d. Abstain from physical or verbal abuse and not tolerate it from others
- e. Comply with equal opportunity and antidiscrimination laws. Under no circumstance, attend or participate in the Meridian Township Farmers Market while under the influence of alcohol and/or controlled substance
- f. Under no circumstance, possess, sell or consume alcohol or controlled substances at the Meridian Township Farmers Market
- g. Operate vehicles and other equipment in a responsible manner
- h. Abstain from any criminal activity
- i. Respect and adhere to all rules established by the Meridian Township Farmers Market

Agreed to by vendor and Meridian Farmers' Market:

Vendor:

Print Name	Signature	Date
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Meridian Farmers' Market

Print Name	Signature	Date
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Please contact the Market Manager at 517.712.2395 or farmersmarket@meridian.mi.us for additional information.



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Signage Guidelines

One of the values of the Meridian Farmers' Market is TRANSPARENCY. We believe that our customers deserve honesty in labeling practices in order to make informed decisions.

All Vendors are required to display signage for all of their products and prices. Signage must be posted no later than 8:30am.

If all of a vendor's product falls under the same category, a large sign can be requested and supplied by the Farmers' Market Manager in place of individual signs for each product.

Please be aware that signage rules are being enforced at the Meridian Farmers' Market. The definitions are as follows:

Home Grown -grown or self-produced by vendor.

Farmer Direct -purchased from the farmer who grew it.

Home Made -produced by vendor from raw materials.

Licensed Kitchen -produced by vendor from raw materials in a licensed kitchen.

Cottage Food -produced by vendor from raw materials in a home kitchen. The Michigan.

*Cottage Food Law can be found at www.michigan.gov/cottagefood.

Organic -All Produced labeled "Organic" **MUST** be CERTIFIED ORGANIC

Vendor Identification -All vendors must have a sign identifying their establishment. Customers deserve to know who they are purchasing from.

Wholesale -purchased through a produce wholesaler or produce auction.



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Product Challenge

1. Product challenges may be made for misrepresentation of product by a vendor. Vendors can submit a written product challenge form when they believe another vendor is misrepresenting their product. Product challenge forms can be obtained from the market manager.
2. A product challenge must be signed by the person bringing the challenge and preferably be supported by the physical and verbal evidence of the offense. The product challenge must be made on the day of or within the week the violation is observed. Challenges alleging wrongdoing on past occasions will not be accepted.
3. There is a \$100 filing fee. This fee is returned to the challenger if the claim is verified.
4. The vendor receiving the product challenge must respond to the challenge in writing. Failure to admit or deny a challenge may result in a determination that the challenge is valid.
5. A market representative will conduct a farm site visit in a timely manner to make a determination on the product challenge.
6. Because of their sensitive nature, product challenge forms must be returned directly to the Market Manager.
7. If the vendor is found in violation, the vendor must pay the \$100 fee and disciplinary action will be taken according to the violation procedure.



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Product Challenge Form

Vendors can submit this challenge form when they believe another Vendor is misrepresenting their product. There is a \$100 filing fee. This fee is returned to the challenger if the claim is verified. Please submit this form directly to the market manager on the market day or within a week of the market during which the alleged violation occurred.

Name of Vendor about whose product you are challenging: _____

Specific products that you are challenging: _____

Market date and approximate time at which the product is being sold:

Please state the specifics of the violation:

Provide any evidence that supports your challenge:

Your name, business name, addresses, and phone number

<p>For Market Use Only</p> <p>Date Received _____</p> <p>By _____</p> <p>Fee Received _____ Date: _____</p>
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<p>Notes:</p>



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Signage/Rule Violation Form

TO:

DATE:

SUBJECT: Signage/Rule Violation

This serves as a confirmation of a verbal warning along with a written notice regarding failure to comply with the Meridian Farmers' Market Rules and Vendor Agreement.

Specifically, [clearly state the violation]

This is your opportunity to correct your rule violation at the Meridian Farmers' Market. Any additional instances of rule violations will result in the following 3 STRIKE enforcement policy:

1. \$100 fine
2. One week suspension of vending at the Meridian Farmer's Market
3. Loss of vending access for the remainder of the year as well as
 - a. Loss of accrued seniority
 - b. Vendor must reapply as a new vendor for the next season

Vendor - Signature is acknowledge of receipt

_____ (Print Name) _____ (Signature) _____ (Date)

Meridian Farmers' Market Staff administering warning

_____ (Print Name) _____ (Signature)

