

# Medina Farmers Market Rules and Regulations for 2022

## Consumable Goods



### OUR MISSION:

*The mission of the Medina Farmers Market is to provide a venue where local farmers, bakers and gourmet food producers can sell their high quality products directly to the customer. The Market encourages direct communication between consumers and growers, fosters social gathering and community building and promotes nutritious food choices.*

*The Market seeks to educate the consumer about the many benefits to the individual, the community, and the environment of buying locally produced food, and to enhance and enrich the community and culture of Medina County. The Market also provides and encourages local entrepreneurial opportunities and brings energy and excitement to uptown Medina.*

### GENERAL INFORMATION:

The Medina Farmers Market (MFM) is administered through Main Street Medina (MSM), by MSM Events Management LLC, in cooperation with the City of Medina, Ohio. Rules and Regulations for the Market are established by the Farmers Market Advisory Committee (FMAC) comprised of vendor representatives, citizen representatives, the City of Medina, Main Street Medina, and the Market Manager. Decisions on site at each Market will be the responsibility of the Market Manager.

### KEY DATES:

January 7 <sup>th</sup>	application & \$50 deposit due
By February 4 <sup>th</sup>	acceptance and decline emails will be sent
March 16 <sup>th</sup>	mandatory meeting in Medina for all NEW vendors
1 <sup>st</sup> week of May	mandatory meeting in Medina for ALL 2022 vendors
June 1 <sup>st</sup>	invoices emailed by Market Manager
July 1 <sup>st</sup>	invoices must be paid in full

### LOCATION, DATES and HOURS:

Location:	Broadway Street (May, June, September & October; rain plan in July & Aug) Medina Public Square (July & August) North Administration Building Parking Lot: rain location if not on either
Dates:	Every Saturday from mid-May to mid-October on dates established annually by the MFM and City of Medina.
Hours:	<b>9:00am to 1:00pm (subject to change if needed by Health Dept).</b> <b>Vendors are to remain at the Market until the ending time.</b> <b>The Market will take place rain or shine.</b>

Decisions about set up location will be made by the Market Manager in cooperation with the City of Medina Parks Department.

**FEE STRUCTION INFORMATION:** The fee structure will be determined annually upon review and approval by the FMAC.

- the \$50 deposit must accompany your original application to the market and must be received **by the published deadline** in order to be considered for the upcoming market season
- Notifications will be sent out in the first week of February.
- Vendors accepted into the market may count the deposit as a credit to their full season fee.
- Deposits will be refunded to any vendor who is not accepted.
- ALL fees must be made by either check or money order payable to MSM Events. No cash payments.
- Vendors must have their invoice paid in full annually by July 1.
- Any past due vendors will not be allowed to set up until the contract is paid in full.
- Checks returned for non-sufficient funds (NSF) will be charged a \$35.00 fee. Vendors will not be allowed to attend the market until the matter is resolved.

## **ATTENDANCE:**

### **Full time vendors**

- expected to attend at least 18 of the 23 market days
- will pay the Full Season fees (\$460)
- If a Full-time vendor will not be at the Market due to a scheduled vacation, that date needs to be noted on the application, but please note the Full-time vendor fee still applies.
- When a Full-time vendor misses their 6<sup>th</sup> market for any reason, they will then be moved to Part-time vendor status, will be re-invoiced to cover the additional \$20 per date vendor fee for the rest of the dates in the season, and may lose their permanent vendor location.

### **Part-time vendors**

- will be billed \$40 per day for each day that is **checked on their application**.
- If you cancel one of the dates you checked on your application, refunds will not be given and another date cannot be added to replace that date.
- If additional dates are added on, payment for those additional dates above and beyond the initial payment fees need to be paid each week. A check (made out to MSM Events) should be brought to that day's Market & given to the Market Manager.

Please note, with all things being equal, we will choose to accept a vendor willing to commit to Full-time dates vs. Part-time dates. This has been decided to create a consistent market for our audience, who expects to see their vendors each week in the same locations, which is important to our client base. For returning vendors, past attendance will be considered in this decision.

## **APPLICATIONS/REQUIREMENTS:**

- This is predominantly a *consumable goods* Market.
- The majority of what is sold at the Market is grown or produced by the seller, with exceptions as needed and determined by the FMAC and the Market Manager.
- MFM is an equal opportunity Market and does not discriminate on the basis of race, color, national origin, religion, sex, gender identity, sexual orientation, disability, age, family status, or military status.
- 100% of produce/fruits brought to the Market must be grown by the farmer/applicant on land that the family owns or leases.

- Growers must be willing to allow a visit to their property by the Market Manager with reasonable notice and be willing to provide information showing proof that the products being sold at the Market were grown/made by them on the property.
- Vendors/producers must grow or make their products within a 35-mile radius of Medina County.
- No out of state or items bought at auction are allowed. Failure to adhere to this rule is grounds for immediate dismissal from the Market.
- Exceptions to this rule may be made at the discretion of the FMAC or Market Manager.
- *Approval of selling privileges is limited to a specified period and never exceeds one market season.*
- *Each vendor is reviewed annually by the FMAC prior to each market season. Renewal is not guaranteed.*
- *Decisions on applications are made by the end of January prior to the new market season and vendors are notified by the end of the 1<sup>st</sup> week of February.*
- Upon acceptance into the market all vendors shall provide Emergency Contact information before the market opening day. We may also have some follow up information we may require that the Market Manager can use for future promotions, advertising, etc.

*MFM does NOT offer exclusive rights to any one vendor to sell any one product. Market customers generally benefit from having choices. However, if MFM believes that the number of vendors selling those same or similar products is excessive, duplicate products may be denied entry. **Please note on your acceptance email the items that you were approved to sell at the Market, from the list you provided on your application.***

**PERMITS:** The Medina County Health Department will be present at each market to make sure all vendors are following the rules, have the correct permits, etc. ensuring everything sold at the market is up to code and safe. Vendors should come prepared to produce all necessary permits to sell their products. The Market Manager will follow up with any vendors that have been reported by the Health Department. It is up to the vendor to work with the Health Department to get everything done to get in line with the Health Department before returning to the Market.

- Vendors are responsible for all licensing and permits required by law to sell or promote their products. **This includes, but is not limited to, initiating communication with the Medina County Health Department, Ohio Department of Agriculture and the Fire Marshall, to ensure you will have all the permits, licenses, equipment & information you will need to begin selling on May 14<sup>th</sup>.**
- Vendors must submit copies of all inspection forms, licenses and other necessary documentation with their applications.
- Products must be labeled, when required, in accordance with the Ohio Department of Agriculture guidelines.
- Products labeled organic must be certified by an accredited organization according to the rules of the National Organic Program. Advertising products as organic must be accompanied by written evidence of organic certification.

**ACCEPTANCE AND SPACE ASSIGNMENTS:** The MFM aims to balance the needs of the Market, customers (for variety & selection), and vendors, without overloading the Market with any type of product. The intent is to have vendors selling locally-grown fruits and vegetables in season, along with cottage foods, health/nutrition items and gourmet foods.

- The MFM is limited in the number of vendor spaces that it can occupy each week. The precise number will be determined by the Market Manager with input from the FMAC and the City of Medina Parks Department, based on the space provided on the Broadway Street set-up.
- Each vendor will be allotted a 10'x10' space.
- All vendor's product, personnel, equipment and customers need to be within the 10'x10' space.
- Vendors are required to set up their table 3 feet from the edge of the sidewalk when on the grass, unless otherwise instructed by the Market Manager.
- Vendors who need more than one space may apply for a second space.
- Full-time returning vendors will have priority on space assignments.
- In the event that a returning or full-time vendor needs to be moved to an alternate space within the market due to site issues, they must do so. Appeal of the decision will be held outside of market hours. All spaces are assigned by the Market Manager and decisions are final.
- Vendors who routinely (more than three times without notifying the Market Manager 24 hours in advance) are absent from the Market may be moved to a different space depending on the setup/layout needs of the Market as determined by the Manager.
- Full-time vendors are expected to be present each week. Reasonable notification (1 week ahead of time) of absence will be accepted.
- Any food vendor with a large, portable heating or cooking device, using flammable liquids, or open flame will be assigned a vendor space on a hard/concrete surface and not in the grass area of the park.

#### **ARRIVAL/SET UP - Set up time is 7:00am-8:15am**

- Vendors must arrive no later than 45 minutes before the designated Market start time and be completely set up and ready to sell by the designated market start time. Latecomers may be denied admission or moved to a different location at the Manager's discretion. Notifying the Manager of lateness no later than 7:00am the day of the market will help to secure your space.
- When setting up on Broadway Street vendors may pull onto the street to unload their equipment and products and then must move off the street.
- No one will be allowed to pull onto the street after 8:15am. No Exceptions.
- If a vendor is not able to unload their car before 8:15, they will need to walk their products & supplies to their space.
- At both locations, once vendors have unloaded, they must move their vehicles to park away from the Market to allow parking for customers of the Market and surrounding businesses. Vendors are asked to park in the free parking lot behind the Medina County Administration Building at 144 N. Broadway Street.
- Vendors are responsible for informing their employees of the set-up, tear down and parking (and all other) rules of the Market. If the employees do not follow the rules & regs, the owners will be held accountable for their actions.

#### **DEPARTURE:**

- Vendors cannot start to breakdown before the market end time even if they have sold out.
- Vendors must follow the weekly instructions on tear-down policies.
- Before retrieving your vehicle your ENTIRE set up must be torn down and put on the grass areas (if on Broadway) NOT on the street if on the curb side of the street.

- After 1:10pm you can go get your vehicle and then park your car IN your open parking spot (where your tent was) then load up your vehicle.
- Vendor vehicles will NOT be allowed on the street until your tent and all your products/equipment are ready to load.

As a rule of thumb, no vendor's vehicle should come onto the street until you are ready to load everything up. If you have multiple people involved (workers, tear down people, etc.) please communicate so that your timing works out to meet these rules & regs. Please come up with a plan ahead of time.

**TENT, EQUIPMENT, SIGNAGE:** Each vendor will provide the necessary tent, tables and signage for their space. Signs need to state the items & prices must be posted.

- All vendors must provide their own tables, chairs, tent & equipment for their display.
- A professional 6' or 8' sign identifying the vendor farm/business must be visible.
- Signs must all be hung on the vendors tents.
- No stakes, poles, signs or products can be put in the ground on the Square.
- Spaces should be kept clean with no produce on the ground.
- All tents MUST be properly weighted with 25 pounds per tent pole.
- Tents must be fire-rated. The Medina County Fire Marshall checks all the tents at the start of each Market to make sure everyone is up to code. Upon inspection, any vendor that doesn't have the weights properly tied to their tent poles may be required to take it down and must provide weights by the next Market.
- Those vendors cooking hot foods under the tent need tents that are fire-proof and approved by the Fire Marshall. They will need to make sure their tents are correct prior to the 1<sup>st</sup> Market day.
- The Market Manager will follow up with any vendor who was in violation of the Fire Marshall's code or Health Department regulations, and it is up to the vendor to make the necessary changes before the next Market commences.
- Your product/customer shopping space is relegated to the front or back of your tent space – NOT on the sides. This is to respect your fellow vendors. The space on the sides of your tent is not meant to be used for customers to move around.

## **ACCOUNTABILITY**

- Vendors who choose not to move their vehicles away from the customer parking areas will get one verbal warning and be required to move their vehicles immediately. If the vehicle(s) is not moved, a \$50 fine will be assessed to be paid before the next Market. A second violation will result in both a \$50 fine and the vendor will not be allowed to set up the week following. Violations beyond two will result in termination from the Market without refund of fees.
- If any set-up or tear-down guidelines (in this document or laid out in weekly correspondence) are not followed, the vendor will be given one verbal warning. If the vendor has to be reminded or warned about the infraction a 2<sup>nd</sup> time, a \$50 fine will be assessed to be paid before the next Market. A final violation will result in both a \$50 fine and the vendor will not be allowed to set up the week following. Violations beyond 3 warnings will result in termination from the Market without refund of fees.
- Vendors are expected to leave their tents up until the end of the Market time even if they have sold out of product. There are no exceptions to this rule without prior permission of the Market Manager. Vendors may put a sold-out sign on their table and leave their booth but may not remove tent/table until the end of the Market.

- At the end of the Market, spaces must be clean and completely free of debris. Garbage cans in the park may not be used by vendors. There is a dumpster located at the corner of Liberty and Broadway Streets for vendor use. Any garbage not taken with the vendor must be placed in the dumpster. Failure to clean up after the Market will result in a \$25 fine and could lead to removal from the Market space.
- Notifying the Manager of being late no later than 7:00am the day of the market will help to secure your space.
- All tents MUST be properly weighted with 25 pounds per tent pole.
- Questionable product integrity, parking violations, unacceptable rude behavior (verbal or written), sexual harassment of other vendors or customers are subject to immediate dismissal at the discretion of the Manager.
- Vendors who routinely (more than three times without notifying the Market Manager 24 hours in advance) are absent from the Market may be moved to a different space depending on the setup/layout needs of the Market as determined by the Manager. Full-time vendors are expected to be present each week. Reasonable notification of absence will be accepted.

### **GENERAL RULES & COMPLIANCE:**

Vendors are expected and required to behave in a way that reflects well on the Market as a whole.

- The Market Manager reserves the right to admit or reject any vendor.
- Smoking is not allowed in vendor booths or anywhere within the Market.
- Language must be appropriately family friendly.
- Any vendor who has a complaint about another Market vendor is forbidden from speaking directly to that vendor regarding the complaint.
- Vendors should not say or do anything that can be perceived as undermining another vendor's business. This includes their dealings with customers and posts on social media.
- All complaints or grievances that any vendor has regarding any aspect of the Market must be discussed with the Market Manager at an appropriate time i.e. away from customers and other vendors.
- This extends to social media activity. Any verbal or written activity that the Market Manager or FMAC considers to cast the Market in a negative manner will result in one verbal warning unless the content is so offensive as to require immediate termination.
- Vendors not willing or able to comply with Market Rules will be given the opportunity to correct the violation as follows: one verbal warning for first violation, a written warning that may be accompanied by removal from the Market for the day. If there is a third violation or several violations in a single day, the vendor can be terminated from the Market and will forfeit any fees paid.

The Market Manager is always willing to listen to and try to resolve issues and to involve the FMAC when necessary and in a private manner. It is the Manager's responsibility to implement Market policies and respond to vendor and/or customer complaints. The Market Manager has complete authority to interpret and implement policy on the Market site. The Manager also has the authority to use his/her best judgement in the absence of a specific policy, up to and including suspension from the Market, provided that such an action is not in conflict with the general mission and objective of the Market.

If a vendor wishes to appeal a decision made by the Manager and FMAC the matter will be brought to the MSM Board of Directors for review.

## **TOKEN & COUPON ACCEPTANCE AND REIMBURSEMENT:**

### **SNAP (Supplemental Nutrition Assistance Program) Wooden Tokens.**

- Customers can get \$1.00 tokens at the Farmers Market Tent using an Ohio Direction card. Products sold that are not clearly within the scope of SNAP will be determined eligible to participate in SNAP at the Farmers Market on a case-by-case basis by the Market Manager.
- When deciding whether or not you can accept SNAP tokens, please hold your products to the following criteria: (1) breads and cereals, (2) meat, poultry, and fish, (3) dairy, and (4) fresh fruits and vegetables. (Snack foods and cold-prepared foods are also acceptable.). Tokens can be used like cash at any SNAP eligible vendor (anything except hot foods or nonfood items).
- No change should be given.
- Vendors should only accept SNAP wooden tokens imprinted with Medina Square Farmers Market.
- If a vendor accepts another market's tokens, the vendor will not be reimbursed by the MFM.

**Produce Perks (PP)** are green coins that are given as a match up to \$25 when EBT tokens are purchased.

- Produce Perks coins should be redeemed for fruits and vegetables only.
- No Change is given.
- The PP match incentive program is decided upon by a federally-funded program. The details & eligibility requirements for the 2022 season may be changed before the season begins.

**Western Reserve Senior Coupons** are \$5.00 paper coupons that are mailed directly to Senior citizens by the Western Reserve Agency for the Aging.

- The only vendors who can participate in this program are those selling produce and honey, and they have attended online training program in the Spring.
- Only vendors who are registered with the program may accept these coupons.
- These are reimbursed through the Western Reserve Senior Program and not by MFM.
- The Medina Square Farmers Market does not have a part in the reimbursement process

**WIC (Women Infant & Children) Coupons:** The Ohio WIC Farmers Market Nutrition Program (FMNP) provides nutritionally at-risk women & children with \$5 coupons to be used at farmers market vendors who sell fresh fruits, vegetables and herbs.

- If you see any fresh fruits, vegetable or fresh herbs, you can accept WIC coupons.
- If we become a Market Master site, WIC customers will have to come to the market to redeem their coupons – right at the market to spend their coupons.
- The reimbursement process is similar to SNAP/PP process. Turn them in and we will reimburse you with a monthly check

At the end of each Market, put all the SNAP, PP or WIC tokens coupons you collected in your plastic envelope & turn it in at the FM Tent. A reimbursement check will be mailed at the end of each month. Unless otherwise noted on your application/contract, the check will be made payable to the vendor's business name.

**These Rules and Regulations will be reviewed annually and may be revised when necessary by the FMAC.**