

BIG LAKE FARMERS MARKET RULES AND REGULATIONS POLICY

The Big Lake Farmers Market ("Market") is operated by the City of Big Lake ("City"). This Market and all who participate in it, are subject to all applicable federal, state, county and city statutes, rules, regulations, ordinances, and orders. These rules and regulations may be amended from time to time by ordinances adopted by the City Council.

I. DEFINITIONS

1. Vendor: A person or entity that sells homemade or homegrown products or prepared food at the Market.
2. Service Providers: Service Providers include individuals and groups that engage in information and program sharing while offering free activities that benefit Market patrons such as children's crafts, live music, chair massages, live painting, theatre performances, cooking demonstrations, and distribution of preapproved food samples.
 - a. Service Providers will be given a regular vendor booth area on a first come - first served basis application process with priority given to Community Organizations that enhance patrons' experience at the Market. With the exception of musicians selling merchandise, Service Providers are not allowed to sell from their booths unless they receive prior approval from the Market Manager.

II. VENDOR QUALIFICATIONS

1. Participation in the Market is at the discretion of the City of Big Lake. No Vendor will acquire any property or other right to continue to participate in the Market. The City may disallow continued participation of any Vendor in the Market.
2. Priority will be given to vendors selling homemade and homegrown items within Minnesota. The following goods are accepted at the Big Lake Farmers Market but are not limited to:
 1. Vendor grown fresh fruits, vegetables, and mushrooms
 2. Vendor grown herbs and spices
 3. Vendor grown bedding plants, hanging and potted plants, cut flowers, dried flowers and plants
 4. Vendor made baked goods
 5. Vendor produced farmstead products such as cheese, meats, fish, poultry, eggs, baked goods, honey, maple syrup, and preserves, if prepared and packaged in accordance with rules established by the Minnesota Department of Agriculture
 6. Vendor made hot and ready food items
 7. Vendor made (handmade) art and craft items (items purchased for resale are not allowed)
3. Taxes: Any required sales tax collections and remittances are the sole responsibility of the vendor.
4. All items must be prepared, displayed and stored in accordance with the Minnesota Department of Agriculture, Minnesota Department of Health, and Sherburne County Community Health Department guidelines. This is the sole responsibility of the vendor.
5. All producers of processed items (cheese, meats, jams, jellies, syrups, baked goods, etc.) are required to adhere to all state and local laws pertaining to the production and selling of such goods.

6. Processed food items should be sold with a valid processing license or comply with the Minnesota labeling law requirements.
7. Farmers/growers that are not certified organic can advertise or sell products as “chemical free” if they practice chemical free farming.
8. If processed items are prepared in a non-commercial kitchen, vendors must display a sign in their booth at all times notifying the public which items are prepared in a non-commercial kitchen.
9. Additional Permits & Licenses: All permits and licenses required by the City of Big Lake, Sherburne County, State of Minnesota, and the Federal Government are the sole responsibility of the vendors. Copies of required licensing needs to be provided to the Market Manager before any sales are made at the Big Lake Farmers Market.
10. Insurance: The City of Big Lake recommends that all vendors carry their own general liability and product liability insurance, as the City of Big Lake does not provide this coverage. The City of Big Lake is not liable for any injury, theft, or damage to either the buyer or Vendor, or their property, arising out of or pertaining to preparation for or participation in the Big Lake Farmers Market, whether such injury, theft, or damage occurred prior, during, or after the Farmers Market. Vendor further agrees to indemnify and hold the City of Big Lake harmless for and against any claims for such injury, theft, or damage.

III. ADMISSIBLE VENDORS & PRODUCTS

1. All vendors must adhere to the City of Big Lake’s policies for Lakeside Park and City Hall.
2. Vendors must review the current season’s Token Memo and agree to accept all tokens that are offered through the Big Lake Farmers Market Token Program.
3. Vendor Stalls
 1. Summer Season: Vendor stalls are approximately 12’x28’. If a larger or smaller stall is required, Vendors must check with the Market Manager prior to the Market. If electricity is needed, Vendors must check with the Market Manager for availability before the first Market date. Event tents must be in proper working condition and have at least 20 pound weights secured to each corner.
4. Market Hours: The Summer Market hours are 3 p.m. to 7 p.m. every Wednesday from June to August and 3 p.m. to 6 p.m. every Wednesday in September. The Winter Market hours are 10 a.m. to 1 p.m. every third Saturday of the month from November to April. The Market is open rain or shine.
 1. Vendors or their representatives must be on site at least ½ hour prior to the Market opening. If a Vendor cannot be on site and set up by the time Market is open, Manager notification is required.
 2. Vendors or their representatives must notify the Market Manager at least two days before the Market if they are not going to attend. In case of an emergency, notification on Market day is required.
 3. If repeated lateness or absence continues, the Vendor may be disqualified permanently from further participation at the Market.
5. Inclement Weather: City staff will notify Vendors at least three hours prior to the Market opening time the day of the Market if there is cancellation due to inclement weather. The Market will open rain or shine, but if there is a threat for dangerous weather, the Market

Manager can decide to cancel. If Vendors do not have email, they must request another form of contact.

6. Refunds: Pro-rated refunds will be provided only to those vendors who discontinue their Market attendance prior to the season's halfway mark.
7. All persons in the selling area are required to wear shirts and shoes at all times.
8. No smoking is allowed within the confines of the Market.
9. No animals are allowed in the Market, with the exception of service animals and police dogs.
10. Vendors and their representatives, Service Providers, and Volunteers must conduct themselves in a safe and courteous manner. Any language or behavior considered to be deleterious to the normal operation of the Market will be grounds for expulsion from the Market. Consumption of alcoholic beverages, illegal drugs, and other behavior modifying substances is forbidden.
 1. Unless prior approval is obtained by the Market Manager, no amplified music can be played from radios or other similar devices (i.e. portable speakers, mobile phones, compact disc players, etc.) that can be heard outside of Vendor's selling space.
11. The following activities are prohibited within the Market:
 1. Circulating any written materials, including, but not limited to, brochures, pamphlets, petitions, photos, advertisements, initiatives, flyers, and handbills, unless conducted from an authorized selling space.
 2. Unauthorized solicitation - For purposes of this prohibition, "unauthorized solicitation" means solicitation that is unrelated to the Market, is not conducted from an authorized selling space, or both. These prohibitions do not preclude any person or organization from conducting these activities during Market hours on sidewalks or other public property adjacent to the Market. Violation of these prohibitions will result in expulsion from the Market for the remainder of that Market day.
 3. Commercial photography or videotaping, unless prior approval from Market Manager has been obtained.
12. The City may make changes, additions, and/or deletions to the Rules and Regulations, as needed.
13. The City will establish, implement and enforce all procedures, rules and regulations pertaining to the operation of the Market in a fair, nondiscriminatory, and equitable manner.
14. All Vendors and their representatives must sign an acknowledgement of receipt of the Big Lake Farmers Market Rules and Regulations.

IV. VENDOR APPLICATION, ADMISSION & APPROVAL

1. Application: Every prospective Vendor must complete an application to sell. All items intended for sale must be listed on the application and only those items approved for sale will be allowed to be sold. The application must be submitted to and approved in writing by the Market Manager prior to the Vendor being able to sell at the Market. Vendors already selling at the Market that wish to add new products to their approved list must first secure approval by the Market Manager prior to offering their goods for sale.

2. Admission: All Vendor and Service Provider applications will be assessed on a case-by-case basis. Admission of Vendors and their products along with Service Providers to the Market will be at the discretion of the Market Manager. In exercising their discretion, the Market Manager will use the following assessment criteria:
 1. Whether the Vendor is certified as organic;
 2. The level of the Vendor's knowledge about its products and practices, in order to enhance the customer experience;
 3. The price, quality and freshness of the Vendor's product(s);
 4. The overall mix of products offered by all Market Vendors and consumer demand;
 5. The number of available spaces and other limitations of the Market;
 6. The environmentally-friendly measures undertaken by the Vendor, such as use of reusable packaging;
 7. The aesthetics and attractiveness of the Vendor's overall market setup;
 8. The Vendor's positive or negative history of compliance with all applicable federal, state, county and city statutes, rules, regulations, and ordinances;
 9. The weekly attendance of the Vendor. The Vendor's ability to directly participate in the market in lieu of sending an employee or other representative; and
 10. Any other factor(s) deemed relevant by the Market Manager in the exercise of their discretion.
3. Change of Ownership: There is no assignment of a selling space in the Market in the event a participating Vendor's business is sold. Change of business ownership requires submission of a new application to the Market Manager, which will be processed as a new admission. The transfer or change of ownership does not grant or guarantee the new owner the same admission of current stall space assignment as the previous owner.

Adopted by the Big Lake City Council on _____.