

Black Mountain Tailgate Market Statement of Purpose and Rules

1. The Black Mountain Tailgate Market (BMTM) is a North Carolina nonprofit organization made up of local people working together to provide locally grown produce to our community, to promote sustainable agriculture, to encourage and support the development of value-added products from locally grown produce, to honor and support local creative and artistic talent, to share and enjoy each other's company, to create an atmosphere of community where people may socialize while shopping, and to have fun while interacting with our community.
2. The BMTM is held Saturday mornings, 9:00 AM to 12:00 noon. Our location for 2013 is: Off First Street behind the First Baptist Church of Black Mountain, 130 Montreat Rd. Each member agrees to help monitor traffic to minimize potential traffic problems and to prevent shoppers from parking in neighboring driveways and on or in adjoining roads. Each member has an assigned location for the season and agrees to be prepared to start selling at 9:00 AM, and not sooner (unless an exception is made). The BMTM commences in the spring on a date agreed upon by the Board of Directors, usually the first Saturday in May, and continues until the end of October (may change based on weather).
3. Traffic in Market Area: Vendors may not drive into the market area.
4. For members who commit to being present at least 16 weeks during the season (new members must attend 3/5's of the remaining season), the annual membership fee is \$130, for a 100 sq. ft. space. **Dues must be paid before the start of the first market day.** Vendors who do not meet the minimum attendance will be considered an Occasional Vendor. The Occasional Vendor fee is \$20 for each market attended. Occasional Vendors must be approved each time they participate, must bring only what they have been approved to bring, must also meet the other requirements for members, with the exception of attendance and dues, and will be assigned a location on an availability basis. Vendors are responsible for charging and reporting required NC sales tax on applicable items. Vendors are responsible for maintaining liability insurance coverage. Fees will be waived for children 13 or younger, as we encourage intergenerational participation. For ages 14-17, the fee is \$5 for a card table, a 10'x10' space is the regular vendor fee. Space consideration will be made for the hosting entity. The Board of Directors shall make the recommendation for annual fees, based on budgetary needs, to be approved by the membership at the annual meeting.
5. **Membership: A "voting member" is defined as:**
Having paid current year dues in full by the annual meeting.

A member in "good standing" is defined as having attended 16 markets, paid in full, attended annual meeting.
6. After the third Saturday of the market, any vendor wishing to cease vending will forfeit their dues paid.
7. New members must be an occasional vendor before becoming a full time vendor. Occasional vendor fees do not apply to the full time vendor fee.
8. **BMTM participants must locally grow the produce, herbs, or plants they are selling, or personally make, bake, prepare, or hand craft the items they are selling, and have all necessary certifications for their products.** Rare exceptions may be made with a 2/3rd majority vote by the membership. Before a new member is accepted, a member of the BMTM (or Market Manager) will visit the applicant in order to ensure that these requirements are met. All participants agree that an integral part of the market is a mutual respect for each other and agree to work together to develop a spirit of community and cooperation. As such, all participants agree to be aware of what others are selling and agree and understand that part of a successful market is variety, constancy, appropriate pricing, supporting one another, and community spirit.

9. Full time members agree to participate in the operation of the BMTM to include voting on issues, attending scheduled meetings, volunteering to do needed jobs, serving on committees and being willing to take a turn serving on the Board of Directors. **Attendance at the annual meeting is required to be a member in good standing.**
10. Board Meetings
 - a) Members may attend Board meetings with 7-calendar day notice. Members may not vote but participate in discussion and propose ideas.
 - b) Members may request agenda items to be included for Board meetings with 7-calendar day notice, regardless of their attendance at said meeting.
11. BMTM Finances
 - a) Board approval is required for unbudgeted expenses over \$250.
 - b) Membership approval is required for unbudgeted expenses over \$500. Approval of the annual budget by the membership constitutes approval for all individual expense listed.
12. The Board of Directors has the authority to:
 - a) Hire and terminate the Market Manager.
 - b) Refuse to accept new participants at any time and for any reason, without disclosure of the reason to applicant. Likewise, the Board of Directors, by unanimous agreement, may expel an existing participant if participant is not adhering to the rules or is deemed disruptive, with participant forfeiting all fees paid.
 - c) Make product and vendor selection, along with the Market Manager, for the good of the BMTM.
 - d) Propose and execute the annual budget.
 - e) Manage the finances of the BMTM.
13. All participants agree to be responsible for their own spaces at the market. Each vendor must keep their wares inside their assigned space. Vendors may be assessed extra fees based on space used outside their assigned area. Vendors will be responsible for cleaning up their site after each event. All participants agree to be responsible for any liability issues that may arise as a result of any action or inaction of the individual participant.
14. The BMTM is a member of the Mountain Tailgate Market Association (MTMA), and, as such, we participate in advertising, promotion, and activities along with other local tailgate markets. All participants in the BMTM agree to comply with the rules of membership set out by the MTMA.
15. No smoking or spitting tobacco in the vendor area.
16. Animal handlers are responsible for damages done by the animal at the market (including relieving themselves on booths, signs, or other articles). Animal handlers will clean up after their animal (no exception). All animals will be on a leash or other means of control by their handler. Any animal running loose will be the responsibility of its owner and handler and maybe subject to capture by animal control or local authority. Aggressive animals and handler(s) will be asked to leave the market area. Police will be called if necessary.
17. Any person(s) showing aggressive behavior, as deemed by the Market Manager and/or any member of the Board of Directors, will be asked to leave the market. Police will be called if necessary.
18. **Tents, tables and other paraphernalia used by a market vendor will be properly secured and the result of accident or damage caused by an unsecured tent, table, or other paraphernalia will be the responsibility of the vendor.**
19. Electrical conductors used by any vendor will be of an appropriate design for the amount of electrical resistance caused by the electrical apparatus. Each connection made by the vendor will be made and secured in such a manner as not to cause an electrical shock hazard to anyone.
20. Any vendor utilizing an open flame will have an appropriate fire extinguisher on hand and know how to use the extinguisher.
21. Other rules may be posted as deemed necessary.

For further information, contact a BMTM Board of Directors member or Joan Engelhardt, Market Manager at manager@blackmountaintailgatemarket.org. (Rev. by BMTM BOD, 2/13)