

# Athens Farmers Market Operating Policies for 2018

## 1. Membership

**A.** Vendor requirements are governed by Article VI of the 2018 Articles of Governance. Completed Applications for vending will be processed in a timely fashion by the Board of Directors. Additional information about the applicant and products may be required before an application can be fully considered.

**B.** No person will be allowed to sell products until their Application has been accepted and approved by the Board of Directors. An Application is not completed until fees are paid as defined in the Application form(s). The Athens Farmers Market, reserves the right to prohibit anyone from selling at the market. The Board of Directors with or without cause may revoke privileges. Upon revocation of privileges, fees paid will be refunded after deduction of the weekly rate. For Full members, the deduction shall be based on the number of Saturdays, which have transpired since the application was approved. For Associate Members, the deduction shall be based on the number of Saturdays to which the vendor subscribed which have not occurred (on the calendar) prior to revocation.

**C.** All farms and certified kitchens are subject to inspection by members of the Board to ensure compliance with product guidelines.

## 2. Vendor Fees and Market Stall Occupancy

**A. Vendor Fees for Growers, Meat, Egg and Dairy and Food Purveyors** – For 2018, a \$685 fee is required for a Full Vendor Membership applicant. A Full Plus Vendor Membership will be available in 2018 for the combined Saturday market and the designated afternoon, Athens Farmers Market “Downtown” market. The combined fee for the Saturday and Downtown markets is \$1185. These fees allow the vendor to sell at the market(s) for the entire season in a space assigned by the Market Manager. A Downtown Vendor Membership will be available in 2018 for only the designated afternoon Downtown market for a fee of \$500.

A fee of \$30 per Saturday is required for Associate Membership. This fee allows the vendor to sell at the market on Saturdays that are mutually agreeable to the vendor and the Board of Directors.

**B. Vendor Fees for Craftsperson/Artisan** - For 2018 the fee for a Full Vendor Membership for Craftsperson/artisan is \$685. This fee allows the vendor to sell at the market on Saturdays that are mutually agreeable to the vendor and the Board of Directors. No Full Plus Vendor Memberships will be allotted for Craftsperson/Artisans; however, vendors may be invited to Downtown only markets as a Downtown Market Vendor for a fee of \$500 or, as specified by the Board of Directors, for individual market dates for the single market fee of \$30. A fee of \$30 per Saturday market is required for Associate Members.

**C. Payment of Fees** - If fees are not paid in full by the final payment due date as described on the Application form, the vendor will NOT be allowed to set up the following week, or any subsequent markets, until balance is settled.

**D. Downtown Market Only Vendors:** Beginning in 2018, separate Memberships may be permitted for the Athens Farmers Market Downtown market only on a case-by-case basis or for specific seasonal events.

**No vendor fees will be charged for Non-Profit Organizations.**

**E. Continuance of Occupancy** - Vendors who had annual spaces the previous year will be required to file a new Application for the current year. An approved Application from a prior season does not guarantee approval in the subsequent year. Fees must be paid as defined in the Application forms.

**F. Space Assignments** – The Market Manager shall make all space assignments for each market day. The Market Manager may require a vendor to move from one space to another at any time for any stated reason.

**G. Additional Spaces** - No additional Full Vendor Membership space will be available after the application process has closed for the 2018 season except for special cases to be considered by the Board on a case-by-case basis. If a current vendor desires one additional space for a specified Saturday market, the fee is \$30, pending availability. Requests should be made through the market manager and presented to the Board for approval.

**H. Subleasing** - No vendor shall sublease, sell or permit anyone to use his or her space.

**I. Saturday Vendor Arrival** – Approved vendors with annual spaces must arrive at the market no later than 7:30 a.m. Saturday, or must have informed the Market Manager by 9 p.m. the night before that they will not attend. Vendors who arrive after 7:30 may not be allowed to set up, if the Market Manager determines that this will disrupt the timely opening of the market.

Vendors with spaces located outside the fenced Pavilion court area are asked to arrive at 7:30 a.m. or soon after. If any of these vendors arrive after 7:45 am, they may not be permitted to set up if the Market Manager determines that this will disrupt the timely opening of the market.

Vendors who do not notify the market manager the night before the market that they will not attend or do not attend without good cause more than twice will not be allowed to attend the subsequent market date. If this sanction is required more than once the vendor's membership may be revoked at the discretion of the Board.

**J. Unoccupied Spaces** - At 7:15 a.m., reserved spaces that will be unoccupied for the day will be available for trade (of vendor space) by the Market Manager to qualified or daily vendors.

### 3. What Can Be Sold

**A. Raw Agricultural Products** - This category includes fruits, vegetables, grains, herbs, mushrooms, cut flowers and live bedding and potted plants including trees, ornamental shrubs and flowers. The seller must grow from seed, spore, plugs, cuttings, bulbs, bareroots, and bedding or potted plants. No resale of pre-finished plants is allowed. Wild foraged mushrooms may be offered for sale only by vendors certified as described in the Athens Farmers Market 2018 Bylaws: Section 3.

**B. Value-added Agricultural Products** - This category includes products made of raw agricultural products grown by the seller that have been processed or any whose sale a government agency regulates. Examples are jams, jellies, sauces, oils, vinegars, baked goods, molasses, cider and picked-out nuts. The value-added product must contain significant material grown or produced by the seller. Exceptions include goods that cannot be grown locally such as coffee or tea. Sellers must abide by all applicable federal, state and local health regulations. In addition, they must adhere to federal guidelines on all labels. The Board may request product(s) be provided for inspection.

**C. Meat and Other Animal Products** - This category includes meats, poultry, milk, cheese, eggs, farm-raised fish, honey, wool, leather, and other products derived from animals. Vendors must abide by all applicable federal, state and local regulations and inspection regimes. In addition, they must adhere to federal or state guidelines on all labels. No live animals may be sold at the market.

**D. Non-agricultural Products** - This category includes farm, garden, or food related crafts and value-added agricultural products made without raw agricultural products grown by the member. Examples include: baked goods, juried arts and crafts, handmade soap, handcrafted furniture, other garden related products, pottery and similar items. The vendor selling them must have created these items. These products are admitted at the discretion of the Board.

**E. Arts and Crafts** - Arts and Crafts must be handcrafted by the vendor, be original and exhibit a high level of quality and design. Products not allowed include those made from kit assembly and direct resale of commercially available products. Reformulating or repackaging of commercially prepared products or bases must demonstrate significant added value. Additional description of requirements for Arts and Crafts products is found in **Paragraph 5 of the AFM 2018 Bylaws**.

**F. Prepared Foods** – Prepared Foods may be sold from approved commercial kitchens certified by the ACC Health Department or the Georgia Department of Agriculture. Prepared Food Purveyors should attempt to utilize natural or organic ingredients from local sources as described in **Paragraph 6 of the AFM 2018 Bylaws**.

**G. Non-Profit Organizations** - At the discretion of the Board, Non-Profit Organizations may sell only promotional materials that do not compete with a paying vendor's products.

**H. Displays and Samples** - Food products can be cut, opened and displayed at the market if properly wrapped. Displays and samples cannot be sold. Samples may be given to customers in accordance with all applicable Health Department regulations.

### 4. Pricing

**A. Pricing** - Each vendor may set his or her own prices. Prices should be set in keeping with customer satisfaction and consideration of other market vendors.

**B. Grievances** - Any grievance regarding the actions or prices of the other vendors should not be directed to the vendor in question. The initial grievance should be reported to the Market Manager who will bring it to the attention of the Board of Directors. The Board will determine if a special meeting needs to be called to settle a grievance.

**C.** Each vendor is encouraged to provide scales of demonstrative accuracy, display racks or tables, sacks or bags, money for change and to post prices in full view of the consuming public with lettering and signs being limited to the assigned vendor space.

## **5. Electronic Benefits Transfer (EBT) System**

The AFM will operate an EBT system for selling food products to any holder of a Supplemental Nutrition Assistance Program (SNAP) debit card and for an additional service for the use of Credit/Debit cards for any purchases made at the market. The system utilizes a wireless card scanner for the transfer of funds from a users card into an AFM checking account in exchange for wooden tokens valued at \$1 each.

“Green” stamped \$1 wooden tokens will be provided for the SNAP transactions with matching dollar for dollar token donations from Wholesome Wave, Georgia. The wireless card scanner will be available, also, for credit and/or debit cards for the purchase of “blue” stamped \$1 wooden tokens (minimum of \$10 per transaction with no matching dollars). At the end of each market, authorized AFM vendors will be reimbursed by check from the AFM account for all tokens collected at the market.

The green tokens may be spent only at the AFM and only for the purchase of food as defined by the USDA SNAP guidelines. Violation of these guidelines including providing cash change from the purchase is not allowed and is considered fraud under Federal law.

## **6. Market Operations**

**A. 2018 Market Schedule** - The Athens Farmers Market will be open each **Saturday (except November 24, the Saturday after Thanksgiving) from March 24, 2018, through December 22, 2018, from 8AM until 12 Noon**, at Bishop Park in Athens, Georgia. The Athens Farmers Market, Downtown, will be open for sales every Wednesday, from **April 11, 2018, through November 21, 2018, from 4PM until 7PM**, in the courtyard of the Creature Comforts Brewery, Hancock St., Athens, GA. Additional dates TBD may be added to the Downtown AFM in November 2018. **In case of severe weather, the market opening time may be delayed or cancelled.**

**B. Tents and Foul Weather Markets** - All vendors assigned to a parameter space of the Pavilion layout may set up a tent (10'X10' white EZ-up or equivalent) on any Saturday morning designated as a **Foul Weather Market** or to provide shade if assigned to a space on the east side of the pavilion. The Market Manager will notify the market vendors no later than Friday, 6:00 PM of a Foul Weather Market. Rear tent curtains are recommended for Foul Weather Markets and for shade.

All vendors not under the large tent at the Downtown market are required to set up a 10'X10' tent in their assigned space.

If the Market Manager feels the tent is not in display quality the vendor will have one week to fix the problems. If not up to display quality a vendor may be turned away until proper conditions have been reached (at approval of the market manager). **Tents must always be safely secured from unexpected weather events with a minimum of 20 lb weights securely attached to each leg.**

**C. Protective Footing for all Display Gear** – For the Saturday AFM, all tents, tables and other display gear must have footing attached or placed to separate the gear from and to protect the surface of the Pavilion court surface. The type of this footing is at the discretion of the vendor but the Market Manager may make a final judgment as to the required utility (protection of the Pavilion surface) of any footing material(s). When setting up for a Saturday market care should be taken to avoid damage of the Pavilion court surface.

**D. Stall Appearance** - It is the responsibility of individual vendors to maintain a clean and healthful condition within their assigned area and to leave that area free of debris. Products should be displayed in an attractive manner. Vendors should have a clearly visible sign designating the name of their farm/business.

**E. Vendor Product Disclosure** - The AFM requires vendors to truthfully represent their products and operations. Because type of product and cultural practices are important to our customers, when applicable, vendors must attach signage to their tents specifying that not all products qualify as “Certified Organic” or “Certified Naturally Grown” by listing all non-qualified ingredients. **The required signage format with instructions for content and display are posted with the 2018 Vendor Application**

**Forms on the AFM website Membership page.** Copies with the required information must be submitted with all Food Purveyor and Meat, Egg and Dairy Vendors' Applications. The market encourages vendors to engage their customers in discussions about their operations and products.

**F. Parking** – During operating hours on Saturday mornings, AFM Vendors must park all vehicles in the gravel lot adjacent to Sunset Drive on the eastern border of Bishop Park. During the AFM Downtown market on Wednesdays, vendors should park at their own discretion and wherever it is legal.

**G. Behavior** - Inappropriate language or behavior, profanity, or other harassment or abuse by a vendor or participant toward another vendor or participant, employee, or customer of the market is grounds for immediate and permanent expulsion from the market.

**H. Pets** - No pets are permitted in the Saturday market space on the Pavilion court at Bishop Park except service animals.

## **7. Market Manager**

The AFM will employ a Market Manager, whose duty shall be fully defined in the "Market Manager Job Description" and include managing the EBT system, collecting daily fees, assigning market spaces, supervising the market and other duties assigned by the Board. The Manager will be responsible to the Board and report any violations of rules to the Board. The Manager will be final authority on the day of Market. Objections to decisions or actions by the Market Manager may be appealed to the Board for later consideration.

## **8. Violation(s) of Vendor Rules**

**A. Vendors may sell only their own products** as per the By-Laws and Operating Policies of the AFM. The resale of any products that are not grown or produced by the vendor in the area as defined in the By Laws is forbidden. Violators of this rule may be expelled from the market without refund of any fees. Vendors wishing to return to the market following expulsion must apply to the Board of Directors for re-admittance.

**B.** The market management reserves the right to inspect any vendor's farm by appointment. This may include random inspections. The primary purpose of a farm inspection will be to determine whether the vendor is producing all that he or she is selling at the market and is following natural and sustainable standards. Upon notification, the vendor must make all production areas available within three (3) days.

Refusal to allow inspection is grounds for indefinite suspension. A decision regarding the inspection must be rendered six (6) days from completion of inspection.

**C.** The Market Manager has on-site authority to enforce all Rules and any contractual or legal obligations AFM has entered into. This may include, but is not limited to, requirements for site lease established by the Unified Government of Athens-Clarke County, requirements for membership, site insurance established by Georgia State Farmers' Market Association, and any other requirements established by federal, state and local regulatory agencies. During Market hours or within one hour of market opening and closing, the Market Manager may convene an ad-hoc Rules Committee [consisting of a minimum of three Board Members] to interpret Market Rules in relation to a specific situation.

**D.** The AFM reserves the right to cancel the privileges of any member who in the opinion of the Board of Directors has violated the rules governing the market. Fees will not be refunded.

## **9. Taxes**

The AFM and its Board of Directors are not responsible for product liability or the paying of sales taxes for individual vendors. This responsibility lies with the individual market vendors.

## **10. Non-Discrimination Clause**

The AFM will not discriminate against anyone because of race, color, creed, national origin, sex, age, disability, or sexual orientation.