

# Gouverneur Farmers Market Rules & Regulations

Approved by The Advisory Team on February 13, 2023

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## Section 1: General

1.1 The Gouverneur Farmers Market will be referred to as the “Market” in this document. The Market will be held in the Village Park (across the Public Library in Gouverneur, NY) on Thursdays 9:00 AM – 2:00 PM, rain or shine, during the growing season (begins in June and ends in October).

1.2 The Gouverneur Chamber of Commerce (the Chamber) and GardenShare represents the Market as “the Advisory Team” through a collaborative partnership. The Advisory Team establishes rules and regulations in the best interest of the Market.

1.3 Approved rules and regulations are interpreted and enforced by the Market Manager, with oversight from the Advisory Team, as needed.

1.4 The Advisory Team will annually determine the opening and closing day of the Market and the deadline for applications.

1.5 Applications are considered for acceptance to the Market on a first-come basis and the Advisory Team reserves the right to reject any application that does not meet the Market’s needs or requirements. The Market will consist of regular/full season Vendors and guest vendors (“Day Vendors”).

1.6 Vendor site fees collected will be used for operation and promotion of the Market as determined by the Advisory Team. The Advisory Team will establish Vendor fees annually.

1.7 Memberships through the Gouverneur Chamber of Commerce are permitted to hold a site at the Market as long as they sell/promote items that are in the best interest and suitable for the Market. Chamber Membership Vendors are to abide by market rules and regulations and submit a market application.

## **Section 2: Types of Vendors**

### 2.1 The use of the Market is restricted to the following types of vendors:

#### **Food Vendors**

- Produce (Vegetables, Fruit & Cut Herbs)
- Meat, Egg & Milk
- Bakers
- Value-Added Food Products/Processed Foods (including Wineries, Cideries & Breweries)
- Food Trucks

#### **Plant Vendors**

- Potted & Bedding Plants
- Cut Flowers

#### **Handmade Craft Vendors**

#### **Day Vendors**

#### **Nonprofit Vendors**

2.2 Food and Plant Vendors will make up a minimum of 50% of the total market. The initial number of Craft Vendors accepted into the Market, will be based on the number of Food and Plant Vendors the previous year.

2.3 Vendors operating within St. Lawrence County are the priority of the Market. Vendors from outside of the County may be accepted if there are no St. Lawrence County vendors offering a competitive product.

## **Section 3: Vendor Rules**

### 3.1 General Vendor Rules:

3.1.1 Only vendors that have been approved and have paid for the season (or day) are permitted to sell at the Market.

3.1.2 Vendors must sell their own, original products that are grown or made by their own hand, with the exception of purchased fruit.

3.1.3 All vendors must have all the necessary permits, licenses, certifications and pass any inspections necessary for the products intended to sell on file with the Market Manager (see Farmers Market Federation of NY's Permits/Licenses/Certifications document).

3.1.4 All vendors are responsible for following any requirements of New York State's Department of Health, NYS Department and Agriculture and Markets, and all other applicable legal entities.

3.1.5 Inspections to assure conformity with the Market Rules and Regulations will be conducted at the discretion of the Market Manager or the Advisory Team. Inspection criteria will be based on the information provided in the vendor's market application.

3.1.6 Any new items vendors wish to sell that are not included in their initial application must be approved by the Market Manager prior to being brought to the Market. The Market Manager will make the initial decision regarding any items in question. That decision may be passed along to the Advisory Team, who will have the final say on approval or disapproval of items for sale at the Market.

### 3.2 Specific Produce Vendor Rules:

*The Gouverneur Farmers Market is an approved market participating in the Farmers Market Nutrition Program (FMNP). In order to provide healthy produce to community members, the Market will abide by FMNP rules and procedures.*

3.2.1 50% of the volume of vegetables (including tomatoes) and cut herbs brought to the Market per day, must be 100% homegrown by the vendor submitting the application.

3.2.2 All produce vendors must complete the Farmers Market Nutrition Program (FMNP) Farmer Participation Agreement (FMC-6) and Crop Plan (FMC-12) detailing all items intended to be sold at the Market. This is part of the annual Vendor Application. Any changes, including additional crop throughout the year, must be communicated in advance to the Market Manager.

3.2.3 Purchased Fruit: Homegrown fruit is prioritized, but purchased fruit is permitted, so long as it was purchased in New York State and does not make up more than 50% (by volume) of the products for sale by the vendor. Purchased fruit (including where it will be purchased from) must be included on the Crop Plan (FMC-12).

3.2.4 All purchased fruit brought to market must be clearly marked with the grower's name and location where the fruit was grown. These labels must be placed directly on or next to the item on the display.

### 3.3 Specific Meat, Egg, and Milk Vendor Rules: Reference section 3.1.

### 3.4 Specific Baker Rules:

3.4.1 All vendors bringing baked goods must have a Home Processor Exemption (20-C Exemption) on file with the Market Manager and follow all New York State Agriculture & Markets regulations for selling homemade goods.

### 3.5 Specific Value-Added Food Products/Processed Food Vendor Rules:

3.5.1 Ingredients may be purchased, provided that the final product is of your own creation. Priority is given to products that are made using St. Lawrence County grown ingredients. Reference section 3.4.

### 3.6 Specific Food Truck Rules:

3.6.1 Food Trucks may set up no earlier than 9:30 AM to begin selling at 10:00 AM.

3.6.2 To encourage the use of local agricultural products, Food Trucks that use St. Lawrence County products and advertise such will be given priority over those that do not. Those that use Gouverneur Farmers Market vendor products and advertise Market products, will receive the highest priority.

3.6.3 The Market Manager will assign Food Truck sites taking the following into consideration: noise, exhaust, generator type, electricity needs, parking space needs, and customer experience.

### 3.7 Specific Plant Vendor Rules:

3.7.1 Bedding plants, houseplants, cut flowers, and floral arrangements may only be sold at the Market if they were grown or harvested by the vendor.

3.7.2 Bedding plants and houseplant vendors must follow all NYS Division of Plant Industry regulations and requirements, and have a valid Nursery License and valid NYS Sales Tax information on file with the Market Manager.

### 3.8 Specific Craft Vendor Rules:

3.8.1 All crafts sold at the Market must be of high quality and be designed by and/or created by the vendor. No reselling is allowed.

3.8.2 Commercial duplications may only be sold if they have been designed/drawn/taken photographed/created by the vendor. Exceptions will be made for brand merchandise with logos or designs created exclusively for the vendor.

3.8.3 Manufactured items may be incorporated into the vendor's craftwork, such as jewelry findings, furniture hardware, and basic notions provided the final product is handmade and reflects the skills of the craft person.

3.8.4 Any new craft items that are not included in the market application, must be approved by the Market Manager prior to being brought to the market. The Market Manager will make the initial decision regarding any craft items in question. That decision may be passed along to the Advisory Team who will have the final say on approval or disapproval of items for sale at the market.

3.8.5 All craft vendors must have valid NYS Sales Tax information on file with the Market Manager.

### 3.9 Specific Day Vendor Rules:

3.9.1 The Market may accept vendors on a day-to-day basis, as space permits. These vendors must submit a Day Vendor application at least one week prior to the first market date they wish to attend. Applications must be approved by the Market Manager and all necessary licensing and permitting must be submitted before attending the Market.

3.9.2 Day Vendors who have been approved to set up at the Market, must report to the Market Manager *before* setting up each day to pay the daily fee and get their site assignment for the day. Check-in and setup may begin no earlier than 9:30 AM.

3.9.3 The Market Manager will place Day Vendors wherever space permits and in the best interest of the market for that day. The same site is not guaranteed for each market.

3.9.4 Any Day Vendor may apply to become a full year vendor at any time. Any fees paid as a Day Vendor will offset the cost of the annual fee.

3.9.5 Day Vendors will be permitted to participate in Market Incentive Programs if the appropriate paperwork is submitted.

### 3.10 Specific Nonprofit Vendor Rules:

3.10.1 Local not-for-profit, non-political organizations may also arrange to use a space on a day-to-day basis for educational displays, as space is available. There is no fee to set up, but donations to GardenShare are welcome.

3.10.2 Interested not-for-profit, non-political organizations must submit a Non-Profit Organization application at least one week prior to the first market they would like to

attend. Applications must be approved by the Market Manager before they may begin attending the Market.

3.10.3 Organizations who have been approved to set up at the Market, must report to the Market Manager *before* setting up each day to get their site assignment for the day. Check-in and setup may begin no earlier than 9:30 AM.

## **Section 4: Vendor Expectations**

*In order to keep the Market running in an orderly and productive manner, vendors are required to abide by the following expectations, act courteously to their fellow market vendors and customers, and maintain good communication with the Market Manager.*

### 4.1 Site Assignments:

*The priority for assigning vendor sites is for the overall good of the Market and to be in the best interest of the vendors and customers attending for the day. One of our top priorities is to make the Market look full and vibrant every day with minimal empty spaces and minimal shuffling/changing of vendor sites from week to week by the Market Manager.*

*Additional factors considered when assigning vendor sites for the season will include: the holder of the site from previous seasons, attendance, communication with the Market Manager, compliance with Market rules and regulations, necessary site accommodations, membership status, product availability, and presentation.*

4.1.1 Vendors with assigned sites who are not in attendance by 9:00 AM *and* who have not communicated with the Market Manager about a late arrival may have their site reassigned to another vendor for the day. These reassignments will be made in the best interest of the Market.

4.1.2 Site assignments may be changed as issues arise. A vendor's site may be reassigned due to failure to meet vendor expectations or as a possible resolution for complaints or conflicts. This will not be done without warning.

### 4.2 Parking:

4.2.1 No vendor may park in the spaces directly in front of the Market, with the exception for loading and unloading (these spaces are intended for accessible customer parking). Vendors will be directed to park in one of the nearest public lots or nearby streets. If your vehicle requires special accommodation, it must be communicated on the market application.

4.2.2 Vendors who arrive after 9:00 AM, are to unload then immediately move their vehicle to one of the designated areas prior to setting up their site.

#### 4.3 Market Day Schedule:

4.3.1 All Vendors should be set-up and ready for customers by 9:00 AM. Set-up may begin at 8:00 AM. If you need special arrangements, please include in your application or reach out to the Market Manager throughout the season.

4.3.2 The Market is open until 2:00 PM. If a vendor must leave early for any reason, they are to let the Market Manager know prior to breaking down their site. In the event of inclement weather, the Market Manager may make the call to end the Market early.

4.3.3 If a vendor will be late (after 9:00 AM) or unable to attend a market day, they are to notify the Market Manager in advance, no later than noon the day prior. This will allow time to promote and assign sites appropriately for the following day. If the Manager is not notified and the vendor has not begun set-up by 9:30 AM, the space may be reassigned to another vendor.

#### 4.4 Vendor Site Responsibilities:

4.4.1 Each vendor will be responsible for all the equipment and supplies for the set-up of their own site (i.e. table, scale, bags, signs, etc.). If a booth requires an electrical hook up, the vendor is responsible for providing their own extension cords. All cords must be in good working condition and not cause a tripping hazard.

4.4.2 Each vendor must display a sign providing the name and town of the vendor, farm or business to ensure customers are able to tell where products have been grown or produced.

4.4.3 Each vendor shall make their space and products as attractive as possible. Only quality products may be offered for sale. Poor quality products are damaging to both the vendor and the Market. Displays must be arranged so that they do not block walkways or endanger the safety of the customers.

4.4.4 Each vendor must keep their space free from refuse during Market hours and pay attention to situations that may endanger the safety of others. Empty containers and equipment shall be kept in an orderly manner and confined to the vendor's own site. Each vendor will clean their space after each Market day.

4.4.5 Vendors shall exhibit courtesy and cooperation to other vendors and other persons at the Market, particularly the customers.

4.4.6 Smoking, including the use of e-cigarettes and vapes, cannabis and tobacco products, is not permitted in vendor sites or nearby vending areas.

4.4.7 An adult (over 21) must supervise vendors under the age of 16.

4.4.8 Pets must remain under control and be a positive addition to the Market. Owners are responsible to pick up after their pets and maintain their site as it was found.

4.4.9 12' frontage vendor sites are available. Vendors are to refrain from site creeping, or having any products/containers beyond the limits of their site frontage.

## **Section 5: Market Incentive Programs**

5.1 The Market supports a variety of incentive programs and requests that vendors accept currencies (for qualified products) to make shopping easier and more accessible for customers. The Market Manager can convert SNAP, Debit, and Credit card transactions into tokens, to be used like cash at all vendor booths. Program currencies include, but are not limited to, Gift (Debit & Credit) tokens, SNAP/EBT tokens and coupons, Double Up Food Bucks tokens, GardenShare's Bonus Bucks tokens, Farmer's Market Nutrition Program (WIC and Senior FMNP) Checks, Fresh Connect Checks and others.

5.2 All vendors must complete the required paperwork for any program that applies to products intended to be sold at the Market. A reference guide detailing incentive programs will be provided for approved vendors.

## **Section 6: Enforcement & Complaints**

6.1 The Market Manager will make the initial decision regarding any complaint received on a case by case basis and will resolve conflicts to best uphold the Market's Rules and Regulations. Any escalating complaint will be brought to the Advisory Team as needed.

6.2 A Complaint & Rules Violation Procedure and Appeals Process Document will be provided to approved vendors during their onboarding process or as requested throughout the season.

6.3 If there is an issue that you would like to bring to the Advisory Team directly, you may contact the Executive Director at GardenShare or the Gouverneur Chamber of Commerce.