



## 2017 RULES AND REGULATIONS

### MISSION

The Downtown Pittsfield Farmers Market is a producer-only market. We aim to make fresh, locally grown food accessible to our community and support our local economy by providing farmers and food producers a venue to sell direct to consumers. SNAP is proudly accepted.

The Market is a program of Alchemy Initiative.

### GOALS:

- Bring locally grown and produced food and farm products (100-mile radius) to the community.
- Create a vibrant, diverse, and inclusive community hub- a destination... a place where fresh local food and handcrafts can be purchased and sold, live local music, dance and performance can be enjoyed, and people have access to creative activities and classes.
- Nurture the relationship between consumers and producers.
- Bring together visitors and residents of all economic backgrounds.
- Help strengthen and revitalize downtown Pittsfield.

### MARKET DATES, HOURS AND LOCATION:

#### SUMMER SEASON

- Every Saturday, rain or shine, 9am to 1pm. May 13th through October 14th.
- The Common. First Street, Pittsfield, MA.

#### WINTER SEASON

- Second Saturday of each month, 9am to 1pm. November through April.
- TBD.

### BOOTH FEES AND SIZES:

- Booths are approximately 10' x 10'. Vendors must provide their own set-up (tents, tables, etc).
- Vendors can apply for full season (\$500), half season (\$300) or daily (\$35).
- Reduced rates for returning vendors: a full season (\$450), half season (\$250).
- Full winter season (\$180) or daily (\$35).

### APPLICATION PROCESS AND DEADLINES:

Applications are reviewed and approved by the Market Committee. Discussion and votes will not be made public or discussed via phone, email, or in person. The Downtown Pittsfield Farmers Market reserves the right to refuse a vendor's application and may terminate a vendor's membership at any time. Current year vendors have priority for the next season, provided they are in good standing, but are not guaranteed a spot. New vendors will be admitted on a space available with priority given to new vendors whose offerings will broaden the market scope and offerings.

- Rolling application.
- Payment deadline: One week in advance of first market day.

## **MARKET DAYS**

1. Spaces will be assigned each year by the Market Committee and may be based on factors such as seniority, regular attendance, high sales, and time of arrival. No guarantees can be made for vendors who arrive past 8:30am, so late arrivals may be turned away.
2. Vendors must inform the Market Manager if they will not be attending the Market on Friday night prior to market day. This helps the Market Manager place vendors on market day. Failure to notify the Market Manager will result in a fine as outlined in *Compliance with (and Violations of) Market Standards*.
3. All vehicles brought into the Market for unloading of goods must be removed by 8:45am and vendors must be set up by 9am. Failure to adhere to these times will result in a fine as outlined in *Compliance with (and Violations of) Market Standards*.
4. There shall be no vehicle moving through the Market during the hours of operation.
5. An early departure from the Market must be approved in advance by the Market Manager. You will not be able to drive your vehicle through the Market and will have to leave early by carrying your products and equipment to your vehicle. Failure to comply will result in a fine as outlined in *Compliance with (and Violations of) Market Standards*.
6. Vendors must receive permission from the Market Manager to park vehicles or trailers in the Common.
7. Vendors are responsible for their own display, tables, umbrellas, tents, and money. Each vendor is responsible for cleanliness of his space during the Market and clean-up after. All trash must be removed from the market site and cannot be placed in the public or privately maintained trash receptacles on the premises or nearby.
8. All vendors are required to weight their tents. This is for the safety of vendors and customers, as the wind can come up at any time and blow tents, which could cause damage or someone to be hurt.
9. If there is an accident or injury, notify the Market Manager immediately. Do not hesitate to call 911 in the event of an emergency.
10. Prices must be posted for all products displayed for sale. Each vendor must set his own prices. Price fixing is illegal.
11. All products must clearly be labeled in compliance with Federal, State, and local regulations and requirements.
12. Vendors, their employees, and associates shall dress and act in a professional manner with customers, vendors, and staff.
13. The Market Manager has the right to require a vendor to change his/her display if it is deemed to present a safety risk or otherwise does not comply with Market rules. Vendors must keep their displays up until the end of the Market.
14. Vendors may name a qualified agent (family member, employee, or designated person) to handle sales at the Market. The agent must be fully educated and knowledgeable about the products, how it is used, grown or produced, and be able to communicate clearly to customers.

## **VENDOR RESPONSIBILITIES**

The Market Committee has set forth the following guidelines for vendors.

- A. We are a local and producer-only market. Items sold at the Market must be locally grown, raised or produced by the vendor. (Note: The Committee defines local as within 100 miles of Pittsfield.) The Committee reserves the right at its sole discretion, to grant an exception for local items for which we have been unable to procure the actual grower/producer, and for which we feel the market as a whole would be enhanced. Further, community service or educational organizations whose mission is compatible with DPFM may also qualify for inclusion in the Market. Vendors seeking an exception to the producer-only rule (to sell products not wholly grown/produced by them) must gain written permission from the Market Manager prior. Failure to notify the Market Manager will result in a fine as outlined in *Compliance with (and Violations of) Market Standards*.
- B. All vendors will represent themselves in a professional manner when interacting with customers and other vendors. Offensive remarks and inappropriate behavior will not be

tolerated. Hawking (defined as calling attention to your stand or products in a loud or offensive manner) is prohibited.

- C. All vendors will maintain a clean, attractive display in their booths. Smoking is prohibited.
- D. Vendors are independent entities and are each liable for all applicable licenses and insurance. All vendors must have a Certificate of General Liability Insurance with a minimum coverage amount of \$1,000,000 listing "Alchemy Initiative" and "The City of Pittsfield" as an additional insured. If you are considering the winter market, the location (once determined) should be listed as well.
- E. All food vendors must have a Pittsfield Board of Health Farmers Market Permit. Prepared Food Vendors must also have a Serv-Safe certification, Allergen Awareness certification and a copy of your permit or license from your city or town Board of Health. All vendors using the term 'organic' must be certified organic legally. Vendors utilizing propane tanks or grilling must have a permit with the Plumbing & Gas Inspector and Fire Department. Farm- wineries must be approved and certified through the Massachusetts Department of Agriculture and Pittsfield's Licensing Board.
- F. All processed and value-added food items require standard labeling including vendor's name, ingredients listed in order of volume (most to least), and net weight or volume of goods in sealed packages in accordance with the Office of Food Inspection, Department of Agriculture and Markets.
- G. The Downtown Pittsfield Farmers Market is non-partisan. Please refrain from any political matters while at the Market.

## **COMPLIANCE WITH (AND VIOLATIONS OF) MARKET STANDARDS**

In a situation where:

- Vendor fails to attend Market without informing Market Manager in advance (*Market Days*, item 2)
- Vendor arrives late in violation of Rules and Regulations (*Market Days*, item 3)
- Vendor leaves early in violation of Rules and Regulations (*Market Days*, item 3)
- Vendor sells products not wholly grown/produced by themselves, without advance written permission from the Market Manager. (*Vendor Responsibilities*, item A)

The consequences are as follows:

1. First offense: written warning
2. Second offense (for same offense): \$10 fine, vendor may only return after fine is paid
3. Third offense (for same offense): \$20 fine, vendor may only return after fine is paid
4. Fourth offense (for same offense): \$50 fine, vendor may only return after fine is paid
5. Fifth offense (for same offense): removal from the market for the remainder of the season. No refunds will be given to violators.
6. All other compliance violations will be dealt with by the Market Committee via the Market Manager. After giving the vendor the opportunity to be heard, the determination will be made whether there has been a violation and what action should be taken. The Downtown Pittsfield Farmers Market has the right to limit or revoke any vendor's application without refund and membership to the Market. If market rules are not followed, the vendor can be asked to leave the Market. No refunds will be given to vendors who are asked to leave.

*The Market Committee reserves the right to amend these Rules & Regulations as may be appropriate and necessary in the interest of farmers or vendors, consumers, and the general public.*



## VENDOR CHECKLIST

### INSURANCE:

- ✓ All vendors must provide a copy of their Certificate of General Liability Insurance with a minimum coverage amount of \$1,000,000 listing "Alchemy Initiative," "City of Pittsfield" and for winter market vendors, "The Boys and Girls Club of Pittsfield" as an additional insured.

### SALES TAX:

- ✓ All vendors are responsible for attaining a sales tax certificate, if applicable.

### PERMITS:

Vendors selling any kind of consumable:

- ✓ Must have a Pittsfield Board of Health Farmers Market Permit. Vendors must apply directly through the Pittsfield Board of Health. Deadline for permit is 14 days prior to vendor's first market date.

Prepared Food Vendors must have the following on file with the Pittsfield Board of Health:

- ✓ Serv-Safe certification.
- ✓ Allergen Awareness certification.
- ✓ A copy of your permit or license from your city or town Board of Health.

Vendors utilizing propane tanks or grilling:

- ✓ Must have a permit from the Pittsfield Plumbing & Gas Inspector and Fire Department.

Farm- wineries:

- ✓ Must be approved and certified through the Massachusetts Department of Agriculture with the Application for Certification of an Agricultural Event for the Sale of Wine.
- ✓ After the application has been approved by MDAR, the farm-winery must make an application with Pittsfield's Licensing Board.

### BOOTH SET-UP:

- ✓ Vendors are responsible for their own booth set-up (tents, tables, displays, signage, etc).

### PAYMENT:

- ✓ Booth fee is due in full one week before your first sales day at the Market.

### COMMUNITY BENEFITS:

- ✓ Vendors can become certified with the State to accept WIC and Senior Coupons. \*ONLY certified vendors are allowed to accept these coupons. Please let us know if you would like help in this process.
- ✓ The Market is licensed to accept SNAP benefits. We will provide you with a simple training so that the process is effective and efficient.

### SIGN AND DATE BELOW:

By signing below, you acknowledge receipt of the 2016 Rules and Regulations, and agree to the terms outlined therein. Please keep a copy of the Rules and Regulations and return your signed Checklist upon payment.

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(Vendor signature)

(Business Name)

(Date)