



City of  
**Avon**  
**2010 Farmers' Market  
Rules and Regulations**

**A. Joining the Market**

1. Membership in the Avon Farmers' Market is limited to producers who sell products of their own yield, typically fresh produce, meat, and eggs. Without special approval from the board, members may not sell a product they did not produce. Only members of the Avon Farmers' Market may sell produce and other agricultural products at the market. Members of the Market and those community representatives elected to the current Board have voting privileges.
2. Membership requirements are
  - a. Production site is within a thirty-mile radius.
  - b. Completion of a membership application submitted to and approved by the Board of Directors.
  - c. Agreement to abide by the rules and regulations determined by the Board of Directors.
  - d. It is strongly suggested to have liability insurance for selling at the market, but it is not required.
  - e. Payment of a nonrefundable annual membership fee prior to any selling at the Avon Farmers' Market. The stall fee and membership fee are included in the annual membership fee, which is determined annually by the Board of Directors.
  - f. The Board of Directors evaluates applications for membership to the Avon Farmers' Market and responds to the applicant. The Board has the right to make an occasional exception to membership rules on a case-by-case basis when doing so serves the Market yet remains true to the purpose.

**B. Board of Directors**

1. The Board of Directors consists of three representatives, two of them market members; one member of the community. The term of each director is three years. Directors may be re-elected.
2. Board Directors are elected at a meeting of the Market membership in November.
3. The Board elects two officers annually: Treasurer and Secretary. These officers are elected at a Board meeting immediately following the November meeting that identifies Board membership.

**C. Market Location and Operating Hours**

1. Days, hours, and location of the Avon Farmers' Market are determined annually by the Board.
2. The 2010 Avon Farmers' Market will be held from 9:00am to 12:00pm, beginning June 12<sup>th</sup> (special day), then on every 1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> Saturday. The ending date is October 16<sup>th</sup>.

**D. Preparing for Market Day**

For unique products, some exception to the following rules may be possible with the approval of the Board of Directors or as otherwise stipulated in Market rules.

1. At least one day before a market day, members notify the Market Manager of their intent to sell that day and, if intended, of their request for extra stall space. Stall allotments are 15 feet. Members requesting additional stall space will be granted it on a space-available basis. Members granted additional stall space at the Market after the first Friday in July pay additional stall fees, which shall be determined by the Board of Directors.
2. A member or a family member may sell only produce that the member grew on land he or she owns or rents. By exception, the Market Manager or Board of Directors may approve a producer's main employee as salesperson on an occasional basis if such an employee has full knowledge of the product and how it was produced.

3. Produce that may be offered for sale includes vegetables, fruits, herbs, cut or dried flowers, bulbs, and bedding plants. Other agricultural products, including meat, eggs, dairy products, and perennials may be sold if specially approved by the Board and in compliance with State guidelines.
4. Those wishing to sell prepared or processed foods at the Avon Farmers' Market must make special application to the Board of authorization to sell these. Members may sell baked goods (prepared food) if they are specially approved to do so. Members eligible to sell processed foods must make these from their own produce. Sellers of processed and/or prepared foods or of products allowed by exception follow a supplementary set of Market guidelines as well as special rules established by the State. It is not allowed to re-sale food.
5. Products for sale must be of good quality. The Avon Farmers' Market, its Board of Directors and its Market Manager, and the City of Avon are not responsible for product liability.
6. The Board will appoint, either from its own membership or from the community, a person or persons to conduct on-site farm visits when such seems appropriate.
7. A member wishing to sell a product as organic must follow the organic rules and guidelines, and if necessary, present the Board with proof of certificate as an organic grower before posting an organic label on products to be sold.
8. The Avon Farmers' Market Committee must approve all items sold at the Avon Farmers' Market. For produce sellers, 100% of the items that you offer must be produced in origin. Craft items sold must be designed and made by hand by the vendor. If you are approved as a vegetable grower you may sell crafts. No more than 25% of your space may be craft items. If you are unsure about any of these guidelines please contact the Farmers Market Manager.
9. All vendors at the Avon Farmers' Market will be expected to abide by all of the rules and regulations stated within this document. These rules have been approved by the Downtown Avon Farmers' Market Committee, and are to ensure the health and safety of all who attend the market. Any vendor who violates these rules will receive one written warning. Any further violation will result in that vendor suspending or forfeiting their annual pass. There will be no refund of any unused portion of the pass.

#### **E. Limits and Guidelines for Crafts**

1. Crafters may sell up to 25% of vegetables, fresh flowers, baked goods, etc.
2. 100% of the crafts being sold must be homemade/handmade by the vendor.

#### **F. Setting up on Market Day**

1. Upon arrival, the Market Manager will notify members of their assigned market space. The assigned market space will remain the same for the entire duration of the season, except in the case where the market space is deemed unusable for whichever reasons, which must be agreed upon by the Board of Directors at the time. In the situation the market space is deemed unusable, the member will be assigned a new market space, which will remain the same for the remainder of the season. No member may sell outside of his or her designated market space.
2. Members who are selling must be on site and set up in their space prior to the Market's opening time.
3. After arrival on site, members may not sell, bag, or lay away items prior to the opening of the Market except to/for other sellers.
4. Members are responsible for providing their own tables, scales, change, bags, produce labels, trash container, and any canopy for sun or rain shelter. A scale is unnecessary when no produce is being sold by weight.

#### **G. Selling on Market Day**

1. Each member determines the price of his or her produce. The Board of Directors recommend the following:
  - a. Members use local retail product prices as guides. Value-added products may merit higher prices.
  - b. Members avoid high prices since these are likely to reduce consumer interest.
  - c. Members avoid low prices (dumping) since these will cause ill will among members and endanger the continued existence of the Market.
2. Each member is responsible for any licenses, permits, health regulation, and sales tax obligations rising from the sale of his or her product.
  - a. From Article XIII, Sec. 7, of the *Constitution of the State of Minnesota*:

- i. **“No license required to peddle.** Any person may sell or peddle the products of the farm or garden occupied and cultivated by him without obtaining a license therefore.” The State, however, limits what kinds of and, sometimes, how much product may be sold. Contact the State agency for further information.
3. Members must remain on their assigned market space when selling products. Sales will be made in an orderly, businesslike manner.
4. Members are responsible for maintaining the quality of their Market space during the Market. This includes the following:
  - a. Setting up and maintaining a safe, orderly display area.
  - b. Supplying a trash container of adequate size at their Market space.
  - c. Keeping their assigned space clean and free from offensive odors.
5. Each member is responsible for the security of his or her money and other valuables.
6. To sell by weight, vendors at the Avon Farmers’ Market must have a certified scale that has been inspected and approved by the State of Minnesota. Un-inspected scales will not be permitted.
  - a. Information about types of scales to use and certification of scales can be obtained from the Minnesota Department of Public Services, Weights and Measures Division, 2277 Highway 36, St. Paul, MN 55113-3800. Phone: 651-639-4010 or 651-639-4015.
7. NO selling before the posted times!!

#### **H. Finishing the Market Day**

1. At the end of selling hours, members must remove everything from their assigned spaces.
2. Members are not allowed to remove their stands prior to the end of selling hours.
3. Each member is responsible for proper disposal of his or her trash. Any unsold products may not be thrown in the park receptacles. Please make sure that the park is clean at the close of the market, failure to do so may be grounds for termination of membership.

#### **I. Additional Guidelines**

1. No live animals may be sold at the Farmers’ Market. No pets are allowed at the Farmers’ Market, with only one exception: A sight-impaired person may bring a guide dog to aid in moving through the Market.
2. Proper attire is expected during market hours (including shirt and shoes).
3. Stall space will be assigned by Market staff for the entire season.
4. No grills allowed at any market site without prior approval of the Market Manager.
5. No smoking is allowed during the operation hours of the Avon Farmers’ Market. If you wish to smoke you must step outside of the designated areas marked off for the market.
6. Please be courteous to your fellow vendors, shoppers and the Farmers Market Manager. Obscene language, shouting, or harassment is not permitted. In order to ensure that the experience is enjoyable for all, we ask that all vendors abide by this rule.

#### **J. Bills, Workshops, and Operational Guidelines**

1. Pickle Bill
  - a. For a fact sheet summary, go to [http://www.mda.state.mn.us/food/business/factsheets/picklebill.htm#\\_ftnref1](http://www.mda.state.mn.us/food/business/factsheets/picklebill.htm#_ftnref1)
2. Workshops
  - a. The “Pickle Bill” set safety requirements for the sale of home-processed and home-canned foods at farmers markets and community events. Only acid or acidified foods such as pickles, vegetables and fruits meet the requirements of this legislation.
  - b. As of 2009, it will be required to have a proof of attendance at a pickle bill class.

3. Guidelines for home-processed or home-canned
  - a. Home-processed or home-canned food items with an equilibrium ph of 4.6 or greater cannot be sold. Some examples of low acid foods include beans, beets, carrots, etc. A reference list may be found at <http://vm.cfsan.fda.gov/-comm/lacf-phs.ptml>
4. Operational Guidelines
  - a. For Minnesota Operational Guidelines for vendors at the Farmers' Market, please refer to the website [http://www2.mda.state.mn.us/webapp/mngrown/mngrown\\_results.jsp](http://www2.mda.state.mn.us/webapp/mngrown/mngrown_results.jsp)
  - b. For more information, please contact:

Minnesota Department of Agriculture  
Dairy & Food Inspection Division  
625 Robert St. N.  
St. Paul, MN 55155-2538  
Telephone: 651/201-6027

#### **K. Violation of Rules and Regulations**

1. Disregard for the rules and regulations of the Avon Farmers' Market may result in immediate expulsion from the Market site by the Market Manager. Such expulsion terminates membership for the rest of the year.
2. Membership fees will not be returned if a member is expelled.
3. Anyone expelled may make written appeal to the Market's Board of Directors.

#### **L. Amending the Rules and Regulations**

1. These rules and regulations may be amended by an affirmative vote of two-thirds of the Board of Directors. Members will be notified of such amendments in a timely manner.

For policies and rules governing the Board of Directors, its officers, meetings, fiscal management, etc., see the Bylaws for Avon Farmers' Market.