



**City of Muskegon Farmer's Market
Vendor General Rules
2011 Season**

Market Season: Starts Saturday, April 30th, every Tuesday, Thursday, and Saturday through Thanksgiving (November 24, 2011). Winter Market: Saturday only (November 26, December 3, 10, and 17, 2011).

Market Hours: 6:00 a.m. – 3:00 p.m.

Seasonal vs. Daily Stall Requirements

1. Seasonal stall renters reserve their space for the entire season. Seasonal stall renters must be in their stall(s) by 7:30 a.m. every market day. If they are not in their stall(s) by that time, their stall(s) will be considered open for the day and may be rented to a daily vendor. Seasonal stall renters, who are going to be late, must make prior arrangements with the Market Master. A seasonal renter who misses three (3) consecutive unexplained market days may lose their reserved space. Explanations must be made to the Market Master only. If a renter is knowingly late or will not be coming to market that day, please call the office at 231-722-3251. When a seasonally rented stall becomes vacant for the day, it may be reassigned to other vendors, regardless of seniority, on a rotation basis. Requests for rotation must be made in advance to the market office.
2. Because of demand for seasonal stalls is high, there is a waiting list for these stalls. The Market Master maintains this waiting list. Vendors should regularly attend market as a "daily" vendor to be placed and stay on the "waiting list". Should one or more stalls become available on the market, the Market Master uses this list to fill these stalls, normally from the top of the list. However, in the interest of the market as a whole and/or for the best "balance" of the market, the Market Master may pick a vendor who is not necessarily on the top of the list, taking into consideration:
 - A. Growing all of what is being sold.
 - B. Active participation (previous regular attendance at markets as a daily vendor).
 - C. Vendors who participate Tuesday and Thursday versus Saturday only.
 - D. Product sold, quality, appearance, and display.

3. No reservations may be made for daily stalls. Daily renters should report to the Market Master in person prior to 7:30 a.m. Daily renters must submit the appropriate paperwork on the vendors first day at market. No daily vendor will be allowed to participate if the required paperwork is not in place. The Market Master must have in her (his) possession:
 - A. Signed application, information sheet, and registration.
 - B. Proof of insurance (on the Required Acord 25 form)
 - C. Appropriate licensing

4. All seasonal stall renters are limited to two front row stalls on a seasonal basis. When vacancies occur on the front row, a seasonal renter with stalls on the back row may assume that number on the front row on a temporary basis without charge.

5. When a seasonal stall renter sells his/her farm, the stall(s) return to the City of Muskegon – unless a member of the owner’s immediate family purchases the farm.

**Assignments are on a first come first serve basis. Sign-up is at the Market office. The Market Master reserves the rights for assignments so as to take into account a balanced placement of various vendors for the good of the market as a whole. Priority goes to those who are:

1. Growing their own product
2. Producing their own edible product (e.g. baked goods, honey, etc.)

Reassignments for seasonal vendors will occur at 7:30

Community Service Organizations

1. Charitable, educational or other community service organizations must complete an application three days prior to applicable days for approval by the Market Master.
2. These organizations must comply with all market rules and will be considered vendors.
3. City-sponsored groups and events shall be assigned spaces at the discretion of the Market Master.

Daily Vendor Rental Rates

Stalls or Off-loading Areas*

\$10.00 – per stall for Tuesday and Thursday

\$20.00 – per stall for Saturday

To be paid prior to set-up

Do not block driveway or other vendors

*Off-loading areas: Must unload product and move vehicle to parking lot.

Vendor Stall Payment Schedule

Seasonal Vendors: Vendors who have permanent stalls and have the option to rent that same space year after year.

1. Checks/money orders made payable to: City of Muskegon.
2. Seasonal rents are to be paid in full or ½ by July 1st with the balance due by August 1st, or seniority will be lost. Vendors will then be considered daily renters and must come to the market office to be assigned a daily stall and will pay daily rates as well as past due amount.
3. Vendors who rent 0-3 months are to pay ½ their stall rent prior to their first day with the balance due within 30 days.
4. Seasonal vendors may request from DPW a waiver for extension of the payment deadline based on extenuating circumstances. A petition for waiver must be received within 10 days of the payment deadline.

Products Allowed For Sale in Market

This market is for the sale of flowers, fruits, vegetables and related food items. Samples of food products given to the public must be handled as outlined by the State. This is not a flea market. Antiques and/or rummage items cannot be sold. Fine art, photography, and craft items may be allowed as room permits and must be made by the seller. The vendor may sell genuine homemade crafts that have been made in his/her home. Some retail products are allowed only as a supplement to his/her homemade/grown product and only in a limited amount and must have prior approval from the Market Master.

Producers vs. Dealers Types of Vendors Defined

Producer: One who produces over 80% of the products they offer for sale.

Grower/producers are allowed up to 20% total seasonal volume that is not of their own production. Any percentage over this amount classifies you as a grower/buyer, requiring a Michigan Department of Agriculture License, i.e. nursery, retail, and warehouse. In the event there is a doubt to whether a vendor is actually producing 80% or more of the products he/she is selling at market, the Market Master may require that a letter be submitted on behalf of the vendor from his County Agent verifying that he/she is producing the products he/she is selling. Market Management reserves the right to visit any Farm or Business at any time to verify that you are the producer of the product you are selling.

In addition, a vendor could be asked to produce receipts for his/her seeds, plants, or land rental. The 20%, which the producer does not raise, must be labeled by signage such as: i.e. (grown by _____ OR – not grown on our farm but is Michigan grown).

Dealer: One who buys his product and re-sells on the market.

1. The Farmer's Market is primarily a producer's market; however, 10% of total stalls may be rented to dealers and normally only on a seasonal basis. The Market Manager reserves the right to limit daily renters to producers only on any given market day.
2. All out of state and foreign-import produce will be labeled as to its origin by signage, i.e. grown by _____ or –not grown on our farm but is Michigan grown.
3. All products offered for sale must be listed on your vendor information sheet. You may add to that list at any time, however, it must be approved by market management. Please remember that we are a FRESH market. Canned goods, plastic flowers, and candy are not allowed.
4. All produce offered for sale will be open to inspection by market management and Michigan Department of Agriculture food inspectors.

Vendor Stall Location/Dimensions in Market

1. Stall renters may not move to another space without permission of the Market Master, and no stalls may be sub-leased.
2. Vendors must stay within, not on, their assigned stall lines. A minimum of 3 feet wide pathway or aisle should be maintained in designated areas and no obstacles may be placed in pathways or aisles or frontage that could cause a pedestrian to fall. The front shelf is for customer use. If used for display, space must be reserved for customers' packages, a minimum of 14" per 10' stall. In the event 2 stalls are rented one 14" space in between is acceptable **as well as** 14" each side. No product for sale is to be presented under the tables or shelf.
3. Covering (tents) of stall or stalls shall be with the dimensions of the stall, which is 10 feet by 20 feet. Although loading from the rear of the stall is permitted, the actual sales space is under the pavilion. Please take into consideration fellow vendor's cash box and flow of traffic when loading. All self-erected coverings must be anchored by heavy weights or safely secured to insure the stability of said structure in windy conditions. Vendors must provide their own tables if outside of the pavilions. In the event an extension cord is used, vendors must secure it so as to not cause an unsafe condition for pedestrians. All boxes and crates will be kept orderly. Product not for sale shall not be displayed.

Vendor Compliance with Federal, State & local Government / Market Master Inspections

1. Vendors shall not misrepresent the quantity, quality, type or origin of food or products in any way.
2. Vendors must comply with licensing and identification, weights, measures, and handling standards imposed by Federal, State and local governments.
3. The Market Master has the right to inspect any products offered for sale at any time. Misrepresentation of items sold may be cause for dismissal from the Market.
4. Vendors claiming to grow organic products must post their organic certification and provide a copy to the Market Manager.

Required Liability Insurance

Vendors selling processed food items and/or produce are required to carry liability insurance. Home baked items or home-prepared foods cannot be sold. Product must be prepared in a State Certified kitchen. The City of Muskegon will set the coverage limits. Current liability insurance coverage requires is \$500,000.00, naming The City of Muskegon Farmers Market as additionally insured. Daily vendors selling processed food products must present proof of liability insurance before they can operate a selling space. Proof of liability insurance should be on an Acord Form 25, General Liability Certificate.

Market Regulations

Signage/Pricing/Trash/Site Cleanup/Employees/Pets/Products/Pricing

1. All vendors must display a sign with name and address clearly visible to the public. This sign should be appealing to the eye, in keeping with the character of the market and in good clean condition. Your name on the truck does not count.
2. Tables (and shelves) are to be covered/ protected from product.
3. The City of Muskegon or the Market Master does not intend to set vendor prices. Please establish a fair retail price. Vendors will not regularly practice distress pricing. Keeping prices within a 10% range would be acceptable.
4. Vendors are required to leave their assigned stalls including parking spaces, clean and swept. A dumpster is provided for your waste (within reason); any cardboard boxes must be broken down and placed in the dumpster as flat as possible. Do not use the trashcans provided for customer use. If City of Muskegon personnel clean

the area, the renter / **vendor** will be billed, and could have their position on the market jeopardized.

5. Each vendor's stall must be under the "on-site" supervision of a responsible person 16 years of age or older.
6. In accordance with the Michigan Department of Agriculture Regulation No. 556 for "open air municipal and farmer's markets", the sale of animals will not be allowed at market. No animals are allowed in the market area. Certified disability dogs are allowed. Market Master must have certification on file.
7. The Muskegon Farmers Market does not permit the sale of flea market items or antiques on the Tuesday, Thursday or Saturday market days. (with the exception of Tuesdays from Memorial Day through Labor Day.)
8. No product, such as Purple Loosestrife (*Lythrum Salicaria*) or any other aggressive invading plants that are a threat to our ecological system will be sold at market.
9. Parking: All employees must park in designated areas. The Market Master will inform you of such areas.
10. Smoking is not permitted within 25' of entrances, windows or ventilation of the market building or food vendors. Smoking is not allowed in the stall area.
11. No soliciting or distribution of literature is permitted on market property.
12. Vendors shall not engage in disruptive conduct. Any disagreements between vendors are to be handled in a respectful and professional manner away from stalls and customers.
13. Failure to comply with the Rules and Regulations may be cause for dismissal from the market.

Seniority procedures are available upon request.

The directions of the Market Master or agent must be compiled with in all matters pertaining to the operations of the market. Complaints or appeals concerning the actions of the Market Manager or agent may be made in writing to the City of Muskegon Department of Public Works.

All pre-existing market rules are null and void. Any infraction of the rules, herein, will subject sellers to eviction from the market.

Preparation and Service of Food – Muskegon Farmers Market

The Foodservice Law of 2000 (Act 92, P.A. 2000) requires that all events where food is provided for the public be licensed. When a vendor wishes to sell food products on specific dates, then a temporary license must be obtained. The Temporary Licenses are good for 1 – 14 days.

Exceptions to this requirement are:

- State Licensed STFU vendors
- State Licensed MOBILE vendors may not stay on premise continually as they must return to a licensed commissary nightly.
- Catering Events where food is prepared in a licensed food service facility, and served by the staff of the licensed facility. No onsite preparation is allowed without a Temporary License.

Note: All seasonal Farmer’s Market approved vendors must have a current STFU or Mobile License.

Frequently Asked Questions

How do I get a Temporary Food License? Contact Muskegon County Health Department or your local county health department for applications and educational information. Applications are subject to review and approval in accordance with Michigan State Law. Please note that each foodservice operation is different and may have different equipment requirements.

What if I don’t charge for the food? Anyone who is providing food to the public must obtain a temporary food service license as required by Michigan Law.

What if I want repetitive licenses? If you have a temporary event (1 – 4 times a year) you may obtain a temporary food service license. If you have a permanent or semi-permanent event (more than 4 times a year) you must obtain a Fixed Foodservice License, and STFU license or a Mobile License.