



City of Muskegon Farmer's Market Vendor General Procedures 2009 Season

Market Season: Starts 1st Saturday in May (May 2, 2009), every Tuesday, Thursday and Saturday through Thanksgiving (November 26, 2009). Winter Market: Saturday only (November 28, December 5, 12, & 19, 2009).

Market hours: 6:00 a.m. - 3:00 p.m.

Seasonal vs. Daily Vendor Stall Requirements

1. Seasonal stall renters reserve their space for the entire season. Seasonal stall renters must be in their place by 7:30 a.m., every market day. If they are not in place by that time, their stall 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.*** When a seasonally rented booth 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 the 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 vacant 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" on 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 verses Saturday only.
- D. Product sold, quality, appearance & 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. on **the first day they are at market.** No daily vendor will be allowed to participate if the required paper work is not in place. The Market Master must have in her (his) possession:

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- A. Signed application
- B. Proof of insurance (on the required Acord 25 form)
- C. Appropriate licensing

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.

Daily Vendor Rental Rates

Stalls or Off-loading Areas*

\$10.00 – per stall for Tues/Thurs

\$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 spaces and have the option to rent that same space year after year.

Checks made payable to: City of Muskegon

Seasonal rents are to be paid all or 1/2 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 office to be assigned a daily stall and pay daily rates as well as past due amount.

Products Allowed For Sale in Market

This market is for the sale of flowers, fruits, vegetables and related food items. Home baked items or home prepared foods cannot be sold unless they are prepared in a State Certified kitchen. 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, & 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 produce 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.

In the event that there is 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; and or an on-sight inspection of the farm by the Market Master.

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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 entirely Michigan grown produce and 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.

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 Master reserves the right to limit daily renters to producers only on any given market day.

All out of state and foreign-import produce will be labeled as to its origin.

All producer/buyer (20% seasonal volume not of their production) requires a Michigan Department of Agriculture Food establishment license.

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 their assigned stall lines. A minimum of 3' wide pathway or isle should be maintained in designated areas and no obstacles may be placed in pathway or isle or frontage that could cause a pedestrian to fall. Covering (tents) of stall or stalls shall be within the dimensions of the stall, which is 10' x 20'. 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 & 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. 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 must comply with licensing and identification, weights, measures and handling standards imposed by Federal, State and local governments.
2. 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.

Required Liability Insurance

Vendors selling processed food items are required to carry liability insurance. The City of Muskegon will set the coverage limits. **Current liability insurance coverage required is \$500,000.00.** 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/Parking

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. 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.
3. Vendors are required to leave their assigned space 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 trash cans provided for customer use.**
4. Each vendor's stall must be under the "on-site" supervision of a responsible person 16 years of age or older.
5. In accordance with the Michigan Department of Agriculture Regulation No. 556 for "open air municipal and farmers markets", the **sale of animals will not be allowed** at market. Vendor's pets are not allowed at market as is no animals in the market area. Certified disability dogs are allowed. Market Master must have certification on file.
6. No product such as Purple Loosestrife, (Lythrum Salicaria) or any other aggressive invading plants that is a threat to our ecological system should be sold at market.
7. Parking: All employees must park in designated areas. The Market Master will inform you of the areas.
8. **Smoking is not permitted** in the stall area or the market building (this includes the bathrooms)

Complete rules are available at the Market Office.

Failure To Comply With The Rules & Regulations May Be Cause For Dismissal 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 food service license must be obtained. These Temporary Licenses are good for 1 – 14 days.

Exceptions to this requirement are:

- **State Licensed STFU vendors** (No local licensing needed, except during Tulip Time. (They must still notify the local health department that they will be serving food at this location.)
- **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 foodservice facility, and served by the staff of the licensed facility. No onsite preparation is allowed without a Temporary License.
- **Service Only** of packaged, non-potentially hazardous foods. (Canned or bottled pop, bagged chips, pre-bagged popcorn, wrapped candy, etc...)

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.