

Pakatakan Farmers' Market Round Barn of Halcottsville Rules and Regulations

Updated Feb 2021

Mission Statement: The mission of the Pakatakan Farmers Market is to promote the agriculture, horticulture and creative products of the region by providing a location for local vendors to meet and sell their products and exchange information.

A. General Operations

1. Market Location, Time and Dates

Round Barn of Halcottsville, 46676 NY-30, Halcottsville, NY 12438, Town of Middletown, Delaware County

Regular Season, Saturday, May 15 thru October 9, 2021, hours 9am - 1 pm

Extended Season, Saturday, October 16 - November 27, hours 10am - 1pm

2. Contact

Phone: 845-586-3326

General E-mail: roundbarnmarket@gmail.com

Market Manager: georgifairlie@hotmail.com

Website: Roundbarnmarket.org

- 3. Vendor membership** is limited to people within **100 miles of the market**. All Vendors agree to and sign the PFM Vendor Compliance and Indemnity Agreement.
- 4. Rental Fees:** All fees are set in advance by the Board. Daily rental fees must be paid each market day to the Market Manager. A Vendor paying in full for the whole season will be entitled to a 10% discount on booth fees if payment is received by the April Annual Member Meeting. A Vendor paying weekly booth fees, will be guaranteed their particular space in the market.
- 5. Insurance:** All Vendors are required to provide proof of no less than \$500,000. general liability insurance (premise and product) and to name Pakatakan Farmers' Market as an additional insured.
- 6. Market Manager:** The Market Manger is responsible for the orderly and efficient conduct of the market and for implementing the rules and regulations. All requests, comments, and complaints should be submitted to the Market Manager in writing to be ruled on by the Board. The Market Manager has the right to inspect all Vendor's operations to verify production.
- 7. Emergency:** In the event of a fire or medical emergency, call 911. The Market Manager will have a first aid kit available for the treatment of minor injuries. Fire extinguishers are located at both front and rear entrances to the Barn. Please report any accidents or injuries to the Market Manager. All Vendors are urged to handle all accidents and injuries with utmost care and thoughtfulness.
- 8. Violation of these Rules and Regulations** are grounds for loss of membership.
- 9. PFM Rules and Regs** applies to all vendors, their workers, agents, guests, volunteers, family or anyone assisting a vendor.

B. CODE of CONDUCT

1. Practice patience and understanding to customers, other Vendors, and Market Manager.
2. Demonstrate sensitivity to people of all ages, ethnicities and diversities.
3. Treat customers with courtesy, respect and honesty.
4. Assist other vendors whenever possible.
5. Treat other vendors and their property with respect and understanding.
6. Notify Market Manager immediately of any unsafe conditions or grievances.
7. Resolve conflicts in an unobtrusive manner.
8. Do not use or condone profanity or vulgarity towards any other person, either by actions or in any language.
9. No vendor may be under the influence of any drugs or alcohol while participating at the market; or use prescription or over-the-counter drugs that impair their ability to operate their booth in a safe manner.
10. The Market Manager has the right to remove any vendor whose conduct is disruptive or harmful to the integrity of the market customers and other vendors. Disruptive or harmful behavior may be described as but is not limited to: An act of assault, harassment or intimidation; including angry yelling, hawking, use of abusive language, fighting, discriminatory or hate-crime behavior, acting in an unprofessional manner, negatively affecting the market atmosphere or reputation.
11. Please cooperate with other PFM Vendor's, the PFM Market Manager and PFM Market Board to maintain the unique atmosphere and appeal of our market.

C. PRODUCTS: Vendors may only sell PFM Board approved products listed on their Vendor Registration Form. The following is a list of previously approved products sold at the Market: vegetables, fruit, plants, herbs, nursery stock, eggs, meat and fish, butter, fleece, wool, jams and jellies, wax, Christmas trees, grains, soil, flowers and leaves, firewood, feathers, cheese, yogurt, cider, honey, baked goods, confectionery, prepared foods, compost, animal and bird feed, crafts. Any additional products not listed on a Vendor Registration Form must have Board approval prior to sale. Vendors can request approval for new products in written form to the Market Manager for subsequent Board review. A minimum of 60% of products being sold at the Market are to be agricultural products. A limited number of duplicated products will be allowed at the discretion of the Board.

1. **Brokered:** Agricultural products which a Vendor does not grow or produce may be sold at the Market with Board approval. Brokered products must be clearly labeled at the Market indicating name and location of farmer or producer.
2. **Crafts:** All crafts must be of high quality workmanship, designed and executed by the craftsperson(s) within 100 miles of the Market. Commercial duplication, printing, and/or items assembled from kits do not qualify. Basic patterns may be used. Manufactured materials and products may be incorporated into the craftwork, such as: jewelry findings, furniture hardware and basic notions, provided the skill of the craftsperson or the hand work sufficiently transforms

the item to turn it into the unique work of the craftsperson. Copies of another's work or design will not be acceptable. A craftsperson's product should reflect considerable skill and talent.

Approval of all craftsperson's is contingent on Board approval of samples.

3. Food Preparation and Cooking: Anyone preparing food at the market or selling a food for consumption at the market must have prior approval by the Board. All prepared, take-out, food must comply with local, state, and federal regulations. Licenses must be procured in accordance with the laws and all necessary safety equipment must be installed in compliance with these laws. Open flame for cooking will be permitted on the grounds with prior written approval of the Board. Anyone cooking with an open flame must provide a properly maintained fire extinguisher. No cooking is allowed in the barn.

4. FMNP: All vendors who participate in the WIC NY State Farmers' Market Nutrition Program must certify that at least 50% of the produce they bring to market has been grown by them on their own land or on land that they rent for such purposes.

F. SELLING:

- 1. Displays:** All vendors are responsible for bringing their own tables, display racks, backdrops, etc. Outdoor vendors are responsible for bringing their own tents or canopies. All tents and canopies must be constructed of tubular metal and be well anchored and secured. The canopy for a single booth can be no larger than 10 feet x 10 feet X 10 feet. Exceptions for type of display and products for sale, may be made at the discretion of the Market Manager. Customers should easily be able to access products on display. Displays should be constructed in such a way that they do not pose a hazard to customers or neighboring vendors. All displays, tables and counters must be clean, neat, attractive and kept properly maintained at all times.
- 2. Employees:** All employees of any Vendor at the Market are bound by the rules and regulations of the market and by all local, state and federal laws. Vendors are responsible for all employees at the Market to read the Market rules; therefore, any disciplinary action will be taken through the responsible Vendor.
- 3. False Advertising:** Its is unlawful to misrepresent and make false claims on any products sold at the Market.
- 4. Licenses and Certificates:** We require you provide copies of any paperwork or licenses you need to produce and sell your products. Some examples: NY State sales tax registration, home processing inspection report, organic certificate, food processing license or food establishment permit, nursery license, commercial boat license, food fish license and species permits, aquaculture permits, farm winery and wine tasting license, milk & dairy licenses, 5A slaughterhouse license. Note that NYS Agriculture and Markets requires you to have a 20c license for any cutting or processing at the market stall.
- 5. Measurements:** Vendors selling by weight must have scales approved and calibrated by the Delaware County Department of Weights and Measures and scales must be kept in accurate condition throughout their use in the market. Anyone found giving incorrect weights to the public will be asked to leave the premises.
- 6. Noise:** Continual hawking of one's wares or other extraneous noise will not be allowed. Please

be considerate of customers and fellow vendors. No PA systems or music system will be allowed.

7. Public: It is the policy of this Market to treat the public with courtesy, respect and honesty.

Anyone found cheating or being discourteous to the public will be asked to leave the Market.

8. Vendor Equipment: All vendors will keep their equipment in good repair and in excellent operating condition at all times. Maintenance and insurance of vendor equipment is the responsibility of the individual vendor. The PFM will not be responsible for any equipment, fixtures or products kept in the market storage facility. It will be the Market Manager's responsibility to secure the storage facility between market days.

E. RESERVED BOOTH SPACE: Each vendor will be required to sign a Vendor Compliance and Indemnity Agreement. The Market Manager assigns reserved spaces at the beginning of the season.

- 1. Attendance:** Each Vendor agrees to operate his/her booth every market day for the entire season. Any Vendor who does not operate their booth for two consecutive market days can be asked to withdraw from the Market, with no refund. It is the Vendor's responsibility to notify the Market Manager by 8:00am on any market day he/she cannot be in attendance. Notification does not forfeit payment responsibility. Emergency absences will be reviewed by the Market Manager on a case by case basis and use her discretion to permit exemption from attendance requirements.
- 2. Booths:** The basic booth space is approximately 10 x 10 feet for outdoor booths and approximately 80 square feet for indoor booths. Dividers between booths or display elements between booths can be no higher than four (4) feet. All booth spaces have specific boundary lines and all vendors must stay within these boundaries. Spreading out beyond boundary lines may result in additional booth fees for the Vendor, said booth fees determined by the Board. If additional space is required the request must be in writing to the board. Additional tents cannot be added without prior approval. All booths should be neat and attractively set up. The Market reserves the right to utilize the space for the day.
- 3. Booth Identification:** All booths must be clearly identified with name of business. Signs should be no higher than two (2) feet and no longer than eight (8) feet and must be placed within the confines of the booth. All signs should be neat and attractive. The Market Manager reserves that right to request alterations. No flashing signs, flashing lights or sound equipment are allowed.
- 4. Cleaning:** Vendor's garbage is to be discarded into the dumpsters next to the barn, not trash cans. All vendors are responsible for keeping their areas clean during the market day and for leaving their booth area clean at the end of the market day. Do not trim in the aisles and all trimming must be done behind your stand or outside away from public areas.
- 5. Hours of Use:** Official Market hours are set by the Board and are currently 9 AM to 1 PM every Saturday mid May thru end of November. The sale of any goods outside these hours is strictly forbidden. All vendors must set up and be in operation by the opening hour, and must stay set up till closing. If a Vendor should sell out of goods early, they are required to be in attendance till

closing unless arrangements have been made in advance with the Market Manager. The Market opens for set-up at 7AM and closes at 3PM.

- 6. Lighting and Electricity:** Market Manager is responsible for basic lighting in the Barn. A Vendors' additional lighting needs must be indicated on their Vendor Registration Form and be subject to Market Managers approval before plugging in. There are electrical receptacles available for use in the Barn and limited electrical outlets outdoors. Vendors requiring electrical outlets for their booth must make the request in writing on their Vendor Registration Form. ALL spotlights, heat lamps, and heat tapes must have Market Manager approval before plugging in. A \$15. fee will be charged for vendors electricity depending on use and \$100. Fee for food vendors.
 - 7. Parking, Loading and Unloading:** All vendors and employees must park in the vendor parking area. All vendors are requested to load and unload as quickly as possible, and to move their vehicles away from the entrances and selling area as soon as loading and unloading is completed. Vehicles must be parked by 8:45. Late arrivals must park and unload from the customer parking lot.
 - 8. Refunds:** A full season vendor who has paid in advance and wishes to withdraw from the market will receive a refund of 75% of the total rental fees if notice is given within two weeks of the first market day of the season, 50% after three weeks, and 20% after the first six weeks. Refunds are not paid to vendors in violation of rules and regulations.
 - 9. Right of Refusal:** A vendor who fulfills their contract has the right of first refusal on the same space for the next year unless the Market Manager decides to rearrange the spaces for the benefit of the market operation.
 - 10. Security Deposit:** A non-refundable security deposit equal to two weeks rent is required of all vendors who are paying weekly booth fees. This deposit will be applied as payment for the last two weeks rent. If the vendor does not meet the full commitment outline in the Rules and Regs, the security deposit will be forfeited.
 - 11. Sharing Space:** Vendors may share a reserved space provided that each individual has submitted a Vendor Registration Form and registration fee. All individuals have insurance and each individual business has required permits. All registration fees and rental fees for shared spaces must be received in full prior to the April annual meeting.
- F. Violations:** Anyone found violating any of the rules and regulations of The Pakatakan Farmers' Market will be: 1. Verbally warned of the first offense. 2. Given a written warning of the second or continued offense. 3. Asked to leave the market. No prepayment of fees will be refunded. All such information will be kept in the vendor's file. Any vendor feeling that he/she has good reason to appeal may file a written request that will be placed on the agenda of the next PFM Board Meeting.