

Norwich Farmers Market, Inc.
Market Rules

1. Eligibility of vendors.

The By-Laws of the Corporation assign to the Board of Directors the responsibility for judging all applications for membership in the Norwich Farmers Market. There exists a general agreement among the members as to certain basic principles: that products should be locally grown or made, produced by the vendors or their immediate representatives, and conformable to the long-standing traditions of the Norwich Farmers Market. To determine whether applicants meet these criteria, the following questions will be addressed:

- (a) Are the products grown or made locally?
- (b) What is the geographical scope of the operation's marketing?
- (c) Are the products home- or shop-made?
- (d) What is the volume of production?
- (e) How many employees are involved?
- (f) What pre-prepared ingredients or materials are used?
- (g) Do the products have a homespun quality?
- (h) Will the products benefit the Market as a whole?

No one question will serve to determine eligibility: rather, the Directors will consider the overall tendency of the answers in arriving at their final decision.

2. Market season and hours of opening.

(a) The market season begins on the first Saturday in May and runs through the last Saturday in October. For the purpose of market administration, the market season is divided into quarters as follows: The first and fourth quarters are each six weeks. The second and third quarters are each seven weeks, except in years with more than or less than 26 weeks during the market season, in which case the fourth quarter will be seven weeks or the third quarter six weeks respectively.

(b) The market is open from 9:00 a.m. until 1:00 p.m. No selling is allowed before 9:00 a.m.

3. Eligibility of products.

(a) Only local products (i.e., grown or produced in Windsor Co. and Orange Co., VT, and Grafton Co. and Sullivan Co., NH by residents of those counties) may be sold.

(b) Products must be of high quality and may include produce (agricultural, animal and horticultural), prepared foods, and crafts. All products are subject to the approval of the Board of Directors. New vendors will be given a probationary period for their first two (2) scheduled market dates. If found to be in violation of market rules and standards, vendors will be asked to leave the market. No refunds will be given.

(c) All plants must have been grown by the vendor for at least six weeks prior to being brought to market.

(d) Each vendor must sign a Product Liability Waiver annually.

4. Conditions of sale.

(a) Products must be sold by the grower or producer themselves, or by an employee thereof.

(b) Vendors selling by weight must provide their own certifiable scales.

(c) Each vendor is responsible for any licensing or certification required for products sold.

(d) Collection of Vermont sales tax, if any, is the responsibility of the vendor.

5. Allocation of space.

(a) Space shall be allocated annually by the Board of Directors, in consultation with the Market Manager, and under the following general guidelines:

(i) In allocating space, the Directors will maintain the number of vendors as far as possible in the ratio of agricultural products 60%, prepared foods 20%, and crafts 20%. This ratio will be calculated using the actual number of vendors and not linear feet occupied.

(ii) Along with notification of the time and place of the annual spring meeting, all vendors will be sent a request by the Board of Directors to indicate their preference as to space occupied and time of occupancy for the upcoming market season. Vendors will be notified at this time of any spaces known by the Board to be vacant as the result of vendors' decision not to return to the market.

(iii) Every reserved vendor shall have the right of first refusal over the space s/he occupied during the previous year, and for the specific time period s/he occupied the space. Notification of intent to exercise this right must be received at least one month prior to the annual meeting (i.e. by the application deadline).

(iv) After due effort has been made by the Board to contact vendors who have not returned their applications, all spaces not reserved prior to the annual meeting will be treated as vacant with respect to the upcoming season and may be reassigned by the Board of Directors according to the following procedure: All vendors will be notified of available vacancies prior to the annual meeting or as soon as possible thereafter, and vendors will be invited to apply for these vacant spaces. Spaces will then be allocated by the Board of Directors—in keeping with the ratio set forth in §5.a.i above—according to these priorities: (1) abutting vendors; (2) reserved vendors as of the previous year; (3) unreserved vendors. Competing requests by vendors of equal priority will be settled by lot at the annual meeting or as soon as possible thereafter, and all vendors will be informed of space assignments for the upcoming season in a timely fashion.

(b) Reserved vendors must pay for their space quarterly regardless of attendance. The market must be paid directly (no subletting). Bills for quarterly rent will be issued no later than the first market Saturday of each quarter. Payments are due no later than the third market Saturday of the quarter; vendors who have not paid on or before the third market Saturday of the quarter will not be allowed to set up on the following (fourth) market Saturday.

(c) Unreserved vendors who schedule spaces in advance must prepay the day's rent at the time of scheduling

the space.

(d) Vendors who already have reserved space have the option of renting available space that adjoins their existing space. If the other adjacent reserved vendor also wants to rent this space, allocation of the space will be decided by lot.

(e) A reserved vendor may share his/her space with one other vendor, provided no reserved space is available to the unreserved vendor. The unreserved vendor shall be charged the usual weekly rate for unreserved space, payable directly to the Norwich Farmers Market. Such space sharing arrangements must be approved by the Market Manager before the beginning of the quarter in which they are to take effect.

(f) A reserved vendor may make an arrangement with another vendor for the occupancy of space when the reserved vendor is not in occupancy, provided such arrangement is approved by the Market Manager before the beginning of the quarter in which it is to take effect. In the absence of such an arrangement, any reserved vendor may inform the Manager of his/her preferences concerning what vendor should be eligible to occupy her/his space when s/he is not in occupancy, and the Manager shall give due weight to such preferences in allocating that space.

(g) If a reserved vendor has not arrived at the market by 9:30 a.m. and has not called to advise the market manager of his/her arrival time, his/her space may be assigned to an unreserved vendor. Should the reserved vendor arrive after 9:30, every effort will be made to find the reserved vendor a space for the day. However, the unreserved vendor will not be asked to relocate.

(h) A reserved vendor who misses market without notifying the market manager three times in one season will be penalized with the loss of his/her space for one quarter. The vendor will have to pay for the space for the quarter but will not be permitted to attend market.

6. Regulation of structures.

(a) Stall space in the outer circle is rented on the basis of front line footage and reserved status. The annual schedule of dues and fees is an addendum to these market rules.

(b) Stall space in the inner circle is rented on the basis of square plots ten feet on each side. No permanent structures are allowed on the inner circle.

(c) If a reserved vendor reduces stall space, it must be done so that a rentable space (at least 6 ft.) is left.

(d) All structures (temporary as well as permanent) must be open at the sides, with only horizontal surfaces in place (i.e., shelves but not walls). Roofs are to be tarpaulin or lattice; all tarps must be removed at the close of market each week.

(e) Structures should be set back two feet from the front line; No part of any display can extend beyond the vendor's allotted area into the customer walking areas.

(f) All booths, stands, and displays, whether temporary or permanent, are subject to the approval of the Board of Directors. Permanent structures, which may be erected only in the outer circle, are deemed to be owned by the vendors who built them; these vendor/owners are responsible for maintaining their structures in a safe condition while they are in occupancy. During quarters when the vendor/owner is not in occupancy (see Market Rule 5[f]), the occupying vendor will be responsible for maintaining the structure in a safe condition.

At such time as a vendor/owner notifies the Board of Directors of an intention to leave the market permanently, s/he must also announce whether s/he intends to (i) remove his/her structure, or (ii) transfer ownership of the structure to a successor vendor as approved by the Board of Directors.

Should the owner/vendor fail to take either course of action within a reasonable time, ownership of the structure will revert to the Norwich Farmers Market. NFM will then attempt to locate a successor vendor willing to assume ownership of the structure. If none can be found, NFM will demolish the structure. In no case will NFM continue to own or maintain a booth or stand beyond the time required for transfer of ownership or demolition.

7. General market regulations.

(a) Outer circle vendors may park next to their booths. Inner circle vendors may drive onto the green to unload, then must move their vehicles to the back of the parking lot by 8 am. Alternately, inner circle vendors may park behind the fence of the first parking area to unload, then must move their vehicles to the back of the main parking area by 8:45 a.m. Parking or unloading on gravel walkways or driveways is not permitted. Inner circle vendors may not park in outside vendor spaces to unload unless they have made a prior arrangement with an outer circle vendor. People backing up vehicles on the green must use a 'spotter' to watch for pedestrians, both before and after market. Prime parking spaces may not be used by vendors and/or their employees.

(b) Each vendor must keep his/her stall space and surrounding area clean. Vendors who sell prepared food to be eaten at the market must provide outside their booths visible, easily accessible, and sizable trash receptacles which are available to all market customers. Trash collected by vendors must be removed and disposed of offsite. Barrels provided by the Norwich Farmers Market are for customer use only.

(c) No dogs are allowed at the market.

(d) Alcoholic beverages are not permitted at the market.

8. Holiday Market Rules.

(a) Deadline for vendors to notify the Market Manager/Board of Directors to reserve a space for the Holiday Market shall be one month prior to the annual (spring) meeting, as part of the regular season vendor application. Priority will be given to vendors who attended the previous year's holiday market. If spaces remain after the application deadline, the spaces will be allocated by the Market Manager/Board of Directors on a first come basis with no priority to reserved vendors.

(b) A fee for the space will be billed at the same time as the fourth quarter bill.

Revised by vote of the Board of Directors on October 11, 2005.