

Downtown Waterville Farmers' Market Association

Market Rules

[Adopted April 2007, revised Jan. 2008, Jan. 2009, Jan. 2010, Mar. 2010, Mar 2011, Jan 2012,
Jan 2013, Jan 2014, Mar. 2015, Mar 2017, Mar 2020, Mar. 2023.]

1. LOCATION AND TIME:

- a. The Downtown Waterville Farmers' Market (DWFM) is located in the South parking lot at Head of the Falls park.
- b. The Market is officially open every Thursday from 2:00 PM to 6:00 PM (or dusk, whichever comes first) from the first Thursday in May or last Thursday in April through the third Thursday in November. Dates may be adjusted at the annual meeting by vote.
- c. The market will be held rain or shine.
- d. Dates, times and locations may vary from year to year as decided by the membership.

1.5. WINTER FARMERS' MARKET

- a. **DAYS AND HOURS:** The Winter Farmers' Market will be held from 2:00 PM-5:00 PM (or as otherwise decided by the Winter Market members) at the Chase Forum (or as otherwise decided by the Winter Market members) on the 1st through 3rd Thursdays of December. Markets in January, February, March, and April will be scheduled at the discretion of the members attending winter market.
- b. **RULES:** Unless otherwise stated in this section, all rules of the DWFM must be held to.
- c. **APPLICATION:** DWFM members wishing to attend the Winter Farmers' Market must indicate this on their application and be approved to do so. If space allows, current member applications may be amended to include winter market participation by November 1st.
- d. **STALLS:** Each member is allowed one or two 6 foot tables (supplied) for their setup. Members may occupy extra space when it is available at the discretion of the market manager.
- e. **DUES:** Winter market daily fees will be the same as the summer daily fees.
- f. **WINTER MARKET GUEST VENDORS:** Acceptance into the Winter Market pertains to the winter season only and does not provide membership in the Market, though Winter Market Guest Vendors are welcome and encouraged to pursue membership in DWFM by submitting an application.

2. MARKET SPONSOR

- a. **Sponsor.** The DWFM will use as its fiscal sponsor the Mid Maine Chamber of Commerce (MMCC).
- b. **Liaison.** MMCC will serve as the liaison between the market and the City of Waterville to coordinate space arrangements, parking restrictions, and other logistical details.
- c. **Insurance.** MMCC will provide General Liability Insurance to the DWFM. Individual vendors may wish to carry their own insurance in addition to the coverage provided by MMCC, but it will not be required.
- d. **Promotion.** MMCC will contract for advertising and other services as approved by the membership.
- e. **DWFM Account.** MMCC will establish a separate budget account for all funds collected from the DWFM and will expend these resources only with the approval of the DWFM membership.

3. MEMBERSHIP:

- a. **Votes.** The voting membership shall consist of one representative from each participating vendor. One vote per membership is allowed.
- b. **Approval.** All new members are subject to the approval of the current voting membership or a committee appointed by the membership. The deadline for new member applications is March 1.
- c. **Eligibility.** Application for membership is open to all Maine farmers; local meat, poultry and dairy producers; local fishermen or distributors of Maine seafood products; producers of fiber products; producers of value-added items such as baked goods and preserves; craftspeople, service providers, etc. Handicrafts vendors plus service providers may not represent more than 20% of total market vendors.
- d. **New applications** will be reviewed during the Spring New Applicants meeting. The mandatory meeting for new applicants is part of the application process and new applicants must attend for their application to be considered. Applications may be accepted when there is sufficient space to allow an additional vendor and with the stipulation that certain products on the application are excluded from acceptance and may not be brought to market.
- e. **Provisional.** New members will be provisional for at least their first year, without voting rights and subject to a vote on their acceptance into the market as full market members at a future Annual Meeting. Each Annual Meeting will consider all outstanding provisional members for full membership. Provisional members must be voted in or out at the end of their second year.
- f. **Late applications.** Late applications will be considered only if they would fill a Market Void.
- g. **Returning Member Deadline.** All continuing members will complete applications annually. The re-application deadline for members will be the Annual Meeting.
- h. **Majority.** Simple majority votes carry the motion.
- i. **Guest vendors** may be admitted to the Winter Market only, as non - voting members.
1. **Deadline.** Application deadline for guest vendors is Nov 1 if there is room available
 2. **Acceptance.** A Guest vendor applicant meeting will take place before Thanksgiving to meet guest vendor applicants and vote on acceptance of guest vendors.
 3. **Dues.** Guest vendors will pay winter market dues as set by 1.5.e
 4. **Rules.** All rules apply to a guest vendor with the exception of rules laid out in 3.i (this section).
 5. **One Third.** Guest vendors may not make up more than 33% of the total vendors at the winter market.

4. ATTENDANCE:

- a. **Leaving.** Members are expected to stay until close of market on each market day unless they are sold out or receive special exception from the market manager.
- b. **Arrival.** Members should not arrive earlier than necessary for them to be ready for business at opening time (2 pm).
- c. **Meetings.** Members are encouraged to attend all pre-season business meetings, which will be held in January and March.
- d. **Participation.** Members are encouraged to participate in all Market activities.
- e. **No-Show Rule.** If a member does not attend at least three markets during the season, they will be considered as a new applicant the following year.
- f. Members are not allowed to make any sales before the official opening time of the market.

5. DUES:

a. **Amount.** Dues include an annual fee of \$40, due by the Annual Meeting in January of the current market year, plus a \$5 daily fee for each summer market day attended, payable to the Market Manager on each market day. Winter Market dues are defined in Rule 1.5.d.

b. **Payment.** Checks should be made payable to "Downtown Waterville Farmers' Market" and mailed with applications to the address on the bottom of the application form or submitted to the Treasurer at the annual meeting.

c. **Annual Dues** for members are nonrefundable even if the member does not attend market. Dues for applicants are refunded if that applicant was not accepted.

d. **Late payment.** Returning members who are late paying their annual dues shall have their annual dues doubled that year.

6. STALLS:

a. **Spaces.** The number of available spaces will be determined annually by the membership.

b. **Product Diversity.** No more than 50% of spaces will consist of one type of product.

c. **Assignment of Spaces.** The market manager will assign spaces to vendors prior to the start of market season.

d. **One Vehicle.** Members are limited to one vehicle/booth per market.

e. **Displays.** Members are expected to maintain a neat and tasteful display. Each member is required to clean up his/her space at the end of the market day. Trash is carry-in, carry-out.

f. **No Dogs.** No vendor will bring his/her dog to Market.

g. **Tent Weights.** All canopies at market must be anchored securely and firmly at each of its legs with at least 25 lbs of weight. No weights or tie-downs shall present a hazard to shoppers, to be determined by the market manager.

7. PRODUCTS:

a. **Producers only.** All products, which include but are not limited to: vegetables, seedlings, herbs, preserves, fresh-cut and dried flowers, meats, poultry, seafood, dairy products, crafts, etc., sold at the DWFM must be grown or made by the vendor.

b. **New Items.** Vendors wishing to bring new items must so state on their annual applications for review by the membership. Those wishing to introduce new products after the beginning of the season must notify vendors offering similar products and obtain membership approval.

c. **Farm visits** may be made as needed to ensure a member's production of what is being offered for sale. The market will pay \$0.50/mile for gas for Farm Checks. If a member is also a member of another Farmers' Market and has already been inspected, then that inspection will also be acceptable by the Downtown Waterville Farmers' Market.

d. **Farm Visitations.** If farm visits occur, they will be done by a designated person approved by the membership. Said designated person should be familiar with the Downtown Waterville Farmers' Market rules and with the products offered by the membership.

8. APPLICABLE STATE LICENSES & REGULATIONS:

a. **Labeling.** Knowledge of and compliance with all state regulations regarding the production, labeling, display and sale of all products at the Downtown Waterville Farmers' Market is the responsibility of the individual vendor.

b. **Licenses.** All members need to include their necessary licenses with their applications.

9. PRESENTATION:

a. **Appearance.** Vendors should present themselves in an appropriate manner and dress.

b. **Sobriety.** There will be no alcohol consumption or any smoking on the Market premises by any member.

c. **Cooperation.** There will be no unsportsmanlike conduct and no hawking of products.

d. **Farm Name.** Vendors must display farm or business names and addresses in a prominent manner each market day.

e. **Item Pricing.** Vendors will provide some means of posting prices of all products offered for sale.

f. **Payments.** Vendors who accept WIC or CC payments are encouraged to clearly display this information in their stand.

10. NON-COMPLIANCE:

a. When two or more vendors on any market day believe that the selling practices of another vendor are detrimental to the Market, they may ask the Market Manager to address the issue with the vendor.

b. If the situation cannot be resolved by the Market Manager, a special meeting of the membership shall be called. A majority of those present at that special meeting may require that the detrimental practices be changed to conform to membership standards. Failure to do so may be cause for immediate dismissal if so voted by a majority of all market members.

As revised and approved by the DWFMM General Meeting.