VERNON FARMERS' MARKET 2016 RULES AND REGULATIONS April 21 – October 31

Vernon Farmers' Market P.O. BOX 405. VERNON, BC V1T 6M3 www.vernonfarmersmarket.ca 250-351-5188



The day to day conduct, operation and control of the Vernon Farmers' Market (herein and after called "**the Market**" and/or "**VFM**") shall be governed in accordance with the following Rules and Regulations.

Please note that the location of the Vernon Farmers' Market (Kal Tire Place, 3445-43rd Avenue, Vernon, BC V1T 8P5) herein and after will be regarded as "**the Market Site**." See map of 'the Market Site.' on page #5. Market Site subject to change without notice.

For the purpose of these VFM Rules and Regulations, any person who qualifies for, and signs, the VFM application, agrees to abide by the VFM Rules and Regulations, and occupies stall space(s) at the Market, will be called a "**Vendor**."

GLOSSARY OF TERMS

Board of Directors – comprised of a President, Treasurer and five board members, all of whom are members of the Market, and also vendors of diverse products at the Market. Elected positions, on the Board of Directors, result in a two-year term. The election takes place at the Annual General Meeting (AGM).

Market Manager / Market Assistant – hired or contracted employees of the VFM that are paid to oversee the daily operations of the Market. The Manager and Assistant have the authority to make decisions for the well being of the Market, and implement all VFM Rules and Regulations.

Seasonal Vendor – any person wishing to set up at the VFM, and pays the seasonal rate, specified on the application form. Seasonal vendors may qualify to become a Designated Stall Holder, if they meet a certain level of attendance. They must agree to abide by all VFM Rules and Regulations.

Daily Vendor – any person wishing to set up and sell at the VFM, and pays the Daily rate, specified on the application form. They must agree to abide by all VFM Rules and Regulations. Daily vendors do not qualify to be a Designated Stall Holder.

Family - defined as an immediate family member, and includes: father, mother, husband, wife, son, daughter, brother and sister

Designated Parking Plan – the plan laid out by the Market Manager and Board of Directors for the Market Site. This allows qualifying seasonal vendors to obtain a permanent space for the Market season. This allows for an organized and efficient market.

Designated Stall Holder – those vendors' who qualify for a permanent/designated space within the Market. Determined by years of attendance and yearly attendance at the VFM – See section #7 for more info.

Undesignated Stall Holder – those vendors who have not yet qualified for a permanent space due to fewer years of attendance, or fewer Market day attendances. These vendors will occupy various spaces throughout the Market, assigned to them by the Manager(s).

SECTION 1 - VENDOR ELIGIBILITY AND STALL SPACE

- 1.0 All stalls are approximately 10 ft of frontage, by 25 27 ft deep.
- 1.1 There will be a limit of 3 stalls per vendor and 3 stalls per family
- 1.2 Stall(s) shall be allocated in accordance with the Designed Parking Plan. Unassigned stall spaces will be filled at the discretion of the Market Manager keeping product placement in mind. Booking arrangements should be made at least or earlier before 5:00pm the evening prior to any given Market day. Drop-in vendors are required to wait for stall placement until they have read and agreed to follow the VFM Rules and Regulations
- 1.3 All vendors must reside within the North Okanagan Regional District (R.D.N.O.) boundary, embracing as far South as the Northern boundary of Kelowna city limits, as far West as Falkland and as far East as Fauquier. Members in "Good Standing" of the Kelowna Farmers' and Crafters' Market or the Armstrong Farmers' Market may also be eligible for membership if there are stall spaces available. (Good Standing will be based on the previous years attendance of one (or more) of the previously mentioned markets.)
- 1.4 The market shall take place between the hours of 8 am and 1 pm, Mondays and Thursdays each week. Each season, the markets will commence on the third Thursday in April, and will conclude on the last Monday or Thursday in October (unless otherwise decided at the AGM).
- 1.5 Unless otherwise pre-arranged with The Market Manager, all stall holders must be in their stall(s) by 7:00am. For safety reasons, NO VENDOR will be permitted to remove their vehicle, or display, from the Market prior to 1:00 pm without the prior knowledge and permission of the Market Manager or Assistant. Exceptions may be made to vendors, who have previously received approval from the Market Manager.
- 1.6 A child aged 14-16 may be employed at the Market only with the written consent of the child's parent or guardian and the expressed permission of the Board Of Directors. Permission will be granted for a probationary period and can be rescinded at any time. The child must behave in a mature and professional manner at all times.

SECTION 2 – APPROVED PRODUCTS

2.0 Only approved products that are handcrafted, baked, grown, raised, caught, or wild-harvested by the vendor can be sold, displayed or advertised at the VFM.

~Handcrafted items must have no less than 50% handcrafted content.

~Co-packing (cooperative packaging) arrangements are not considered producer-only, and therefore are not allowed. Co- Packing is any item(s) that have been sent off to be changed or altered that do not have at least 50% of the work, to that Item done, by the vendor.

- 2.1 Quality products such as vine-ripened, fresh produce, high quality baked and prepared foods, as well as professional level hand crafted items are expected.
- 2.2 A Vendor's products may be sold by an employee of the vendor. It is the responsibility of the vendor to ensure that any employee is specifically knowledgeable of the vendor's product and business practices and has read, understands and agrees to comply with these Rules of Operation.
- 2.3 All products for sale need to meet the laws, regulations and rules as specified by Federal, Provincial and Municipal bodies, local health authorities, VFM and the certifying body the vendor belongs to. It is the responsibility of the vendor to understand and comply with said regulations. More information is available upon request from the Market Manager. It is also up to the vendor to know, and comply, with the provincial and federal sales tax requirements, and have documentation available to the VFM Board of Directors upon request.
- 2.4 Resale of purchased goods or selling by an agent or representative of a product is strictly prohibited except for products sold by the VFM for fundraising purposes, and for approved products sold by concession vendors.
- 2.5 Promotional items should be defined as those items given away with purchase, and must be branded with the vendor's name/logo, etc... They cannot be items sold to re-coop costs, or make a profit (considered a cost of doing business). Items such as buttons, stickers and bags would be acceptable but would require the Market Manager's approval, prior to debut at the Market.
- 2.6 Items that are meant to enhance the use/purpose of the vendor's product are not considered packaging, and should not be included for sale. The exception is if the item meant to enhance the use/purpose is made by the vendor. Packaging should be items that hold, wrap or protect the product only.
- 2.7 Vendors shall have all prices clearly exhibited, and where possible, mark each item for sale.
- 2.8 Where vendors are selling products by weight, they must have scales that have been certified in accordance with the provisions of the "Weights and Measures Act" of Canada.
- 2.9 Only VFM vendors who are "Approved Certified Organic" may advertise and sell their produce using the word "Organic."
- 2.10 Only those products authorized by these VFM Rules and Regulations, or by the VFM Board of Directors, may be sold at the Market. The discretion as to the suitability of a product for sale, during the course of a Market, belongs to the Market Manager and/or the VFM Board of Directors. Where a quorum of Directors is not present, a majority decision as to the suitability of a product shall be binding, if at least three (3) VFM Directors are present (Where a decision as to the suitability of a product for sale has been made by three (3) VFM Directors, that decision may be appealed by either the selling vendor, or another vendor, to the full VFM Board of Directors, at their next meeting.)
- 2.11 Persons operating or conducting a store front operation shall not be permitted to sell at the Market. This excludes farm gate sales and home based sales.
- 2.13 Hand-crafted items must adhere to the 50% rule (Section 2, Rule 2.0). A vendor must show artistic effort in their product(s) in order to be considered hand-crafted. Combining two purchased elements, does not meet the hand-crafted requirement. For example, stringing a purchased pendant on a chain or cord is not acceptable. Craft Vendors must fill out and sign the Declaration of Authenticity, which is included with the VFM Application.
 - Vendors failing to adhere to the 50% rule will be subject to penalty. See Section 4 Product Challenges.
 - Any questionable item(s) will be reviewed by the Manager and/or Assistant , as to the items acceptability for sale at the VFM.
 - If a vendor has an inquiry regarding any of their item(s) offered for sale at the VFM, they should review the item(s) with the Market Manager or Market Assistant.
- 2.14 Persons operating a franchise business shall not be permitted to sell at the VFM. A franchise operator is defined as a person acting as an agent / vendor for another company's product and / or brand.

SECTION 3 - VENDOR CONDUCT

- 3.0 The Market is a place of business, and a public forum. Polite professional behavior, as well as fair and honest business practices, is expected.
- 3.1 Complaints about other vendors, their products, pricing issues or the operation of the Market, are to be given, in writing, to the Market Manager. Public airing of these concerns, at the Market, is not permitted; nor is abusive behavior or language.

Vendors experiencing any difficulty with customers, health officials, Market volunteers, or another vendor, should refer the matter promptly to the Market Manager.

- 3.2 Neither smoking, nor alcohol consumption, (Liquor sampling not included) are allowed by vendors in the Market Site.
- 3.3 Pets are not allowed to be brought by vendors to the Market.
- 3.4 **Hawking of products is NOT permitted**. Hawking is selling ones wares in an aggressive manner. For example, calling out to a shopper as they pass one's stall, or standing outside one's stall to attract shoppers.
- 3.5 **Harassment is NOT allowed.** The VFM is committed to providing and maintaining collegial working environment that is free from harassment, where all individuals are treated with respect and dignity. Every employee, volunteer and vendor has the fundamental right to work, shop and sell in an environment free of harassment, therefore it is expected that all contact between co-workers, the public and others, be respectful, professional and courteous at all times.

SECTION 4 – PRODUCT CHALLENGES

- 4.0 Product challenges may be made for suspected misrepresentation of product by a vendor. Vendors can submit a written product challenge form when they believe another vendor is misrepresenting his/her product. This form is available from the Market Manager. Due to the sensitive nature of this form, it must be returned directly and promptly to the Market Manager.
- 4.1 A product challenge must be signed by the person bringing the challenge, and should be supported by physical or verbal evidence of the suspected violation. The product challenge must be made on the day of or within the week the violation is observed; challenges alleging wrong doings on past occasions will not be accepted.
- 4.2 The vendor receiving the product challenge MUST respond to the challenge in writing. Failure to admit to, or deny, a challenge may result in a determination that the challenge is valid.
- 4.3 A committee consisting of the Market Manager, and 2 or more members of the VFM Board of Directors, will conduct a visit to the vendor's place of operation, in a timely manner, to make a determination on the product challenge.
- 4.4 If the vendor is found in violation, the vendor may be suspended or removed from the Market, at the discretion of the VFM Directors.

NOTE: Please ensure the basis of your challenge is factual, rather than a misunderstanding. Any claim, factual or otherwise, made publicly could be subject to charges of slander or harassment. Protect yourself while protecting the integrity of the Market. Do NOT air these concerns publicly. Submitted challenge forms <u>will</u> be taken seriously by the VFM.

4.5 Rules Regarding Reselling

Should a vendor/customer have a suspicion that a product is not made, baked or grown by the vendor, and is being offered for sale by a vendor of the VFM, it is recommended that they purchase the item in question (for which they may be reimbursed for by the VFM) and present it to the Market Manager along with a formal written complaint against the vendor.

- If a vendor is suspected of not making, baking or growing the item in question, they will be subject to an inspection (by an appointed committee) of their workplace facility, business place, farm, orchard, etc... without notice or warning from the VFM.
 After completing an onsite inspection of the facilities of the vendor in question, the committee will present their findings to the
- Market Manager, Market Assistant and VFM President, at which time a verdict will be made.

First Offense: If a vendor is found to be in violation of not making, baking or growing a product/item for sale, they are to immediately remove that item from their sales area/display. The product/item in violation can no longer be advertised for sale by the vendor. If the situation so warrants, a suspension may be imposed as per authorization by the VFM Board of Directors. The severity of the situation/violation will determine the length of the suspension.

Second Offense: Should the same item/product in question be found back on the vendor's display or sales area, or be advertised for sale, or if another item is found to not be made, baked or grown by the vendor, then the vendor in violation will be requested to leave the VFM area immediately, and will be suspended indefinitely and will lose the privilege of their designated stall.

Third Offense: After the authorized return from a reselling suspension, if that vendor is caught selling any item which they do not make, bake or grow they will be permanently expelled from the VFM.

- a. Before a vendor is authorized to return to the VFM as a vendor, they will be required to pay a 'Reinstatement Fee' to be determined by the Board of Directors
- b. A record of the vendor in violation will be kept, and all violations and penalties will be carried forward into subsequent years.
- c. Should a vendor who is suspected of a product violation dispute the complaint against them or verdict decided by the Board of Directors, they are required to request a special Board Meeting where they can present evidence in their defense.

SECTION 5 - GENERAL CONDUCT

- 5.0 All vendors occupying stall space are absolutely responsible for keeping their stall space(s) and surrounding area clean and tidy, as well as cleaning up any and all litter upon departure. Do not use the VFM garbage cans for culled produce or personal garbage.
- 5.1 A vendor's signature on a current VFM Application Form is a binding contract between that vendor and the VFM Society and signifies that you have received and read a copy of the Rules and Regulations of the Vernon Farmers' Market, and you acknowledge and understand them and agree to abide by them. As such, the VFM Board of Directors, in their absolute discretion and with or without recourse to other legal enforcement, may

prohibit any person from renting stall space, and may require person(s) to leave the market site in the event the said person fails to, or refuses to, abide by the VFM Rules and Regulations, or fails to abide by decisions made by the VFM Board of Directors.

5.2 The VFM Market Manager's decision(s) will prevail on the day of any dispute. If a vendor wishes to disagree with the Manager's decision, a letter from the vendor must be given to the VFM Board of Directors, and will be dealt with at the next Directors' Meeting.

SECTION 6 - NON-COMPLIANCE REGARDING THE VFM RULES AND REGULATIONS

6.0 The VFM has established Rules and Regulations to ensure that the Market meets the objectives of all the stake holders (consumers, vendors and the society). The VFM Board of Directors, its management and its designated agents, will implement and enforce all Rules and Regulations pertaining to the operation of the VFM, under its control, in a fair and equitable manner. The VFM Board of Directors reserves the right to suspend a vendor's participation in the VFM after a specified number of recorded violations of Rules and Regulations. Suspension is seen as a last resort.

Non-compliance is handled as follows:

First Offense \rightarrow Verbal or written warning (at the discretion of the Market Manager) **Second Offense** \rightarrow Written warning and possibly the loss of right to set up and sell at the next scheduled VFM **Third Offense** \rightarrow Loss of right to set up and sell at the VFM for the remainder of the season. **Fourth Offense** \rightarrow Loss of right to set up and sell at the VFM... **FOREVER**.

SECTION 7 – STALL ASSIGNMENT GUIDELINES

A request for a designated stall must be in written form. Vendors seeking a designated stall(s) must complete the mandatory 2 year waiting period.

The Directors and the Market Manager follow these guidelines to determine designated stalls..

- 1. Attendance (minimum 20 markets to qualify)
- 2. Two years in good standing with the Vernon Farmers' Market
- 3. Product limitations (example: peaches next to peaches)

SPECIAL NOTE: Due to our shifted location because of the Arena expansion, designated stall spaces will be carefully reviewed and all attempts will be made to place vendors in a similar configuration as past years.

DESIGNATED STALL HOLDERS:

Your responsibilities as a designated stall holder include the following:

- 1. Vendors are to obtain the correct phone number or e-mail address of the Market Manager, and phone or e-mail if they are not able to attend with as much advance notice as possible, and at least **prior to 5:00pm** of the previous day.
- 2. Vendors that cannot attend due to an unforeseen issue the morning of Market day should phone or e-mail prior to 6:30am.
- 3. Any vendor who fails to give notice more than three times (for absentee notice to the Market Manager) will have his/her designated stall space(s) taken away, and will no longer qualify for designated parking. <u>THIS WILL BE STRICTLY</u> <u>ENFORCED!!!!</u>
- 4. The Market Manager, Assistant and the VFM Board of Directors shall have the absolute discretion to vary the limits imposed herein, if the circumstances so warrant.

UN-DESIGNATED STALLS:

- 1. Undesignated stall space allotment is done at the discretion of the Market Manager. Pre-booking with as much notice as possible is strongly suggested, preferably **prior to 5:00pm** of the evening before any given Market day.
- 2. Drop in vendors stall space allotment is done at the discretion of the Market Manager. Drop in vendors waiting in queue for stall placement are expected to conduct themselves in a courteous manner. Abusive behavior directed at anyone will not be tolerated, and will affect your eligibility for stall space.

OTHER IMPORTANT INFORMATION

- <u>Processed Foods</u>: All vendors selling processed food(s) must include proper documentation from Interior Health, and a copy of their "Food Safe Certificate" .Please ask for a complete list of Food Guidelines from the Market Manager. All vendors selling processed food(s) must have labels attached including name, contact and ingredients. All food sampling must be done according to Interior Health guidelines and will be enforced.
- Insurance: The VFM has limited liability insurance coverage. This does NOT cover incidences that are directly related to a
 vendor's product or actions. We suggest and encourage that all vendors carry their own insurance in addition to the coverage
 provided by the market. BCAFM has a vendor insurance plan available.
- http://www.bcfarmersmarket.org/vendors/vendor-insurance-program
- <u>Power:</u> Only a proven battery source or a good quality generator with a noise factor of 65 decibels or less will be accepted as an alternate power source.

IMPORTANT CONTACT INFORMATION

VFM Manager: Ingrid Baron Ph: 250-351-5188 Email: info@vernonfarmersmarket.ca For early 'Market Morning' contact → PLEASE PHONE OR E-MAIL the contacts above.

VFM Vendor Assistant: Gail Craig Ph: 778-475-3679 Email: gailcraig2000@yahoo.com

VFM Board of Directors 2016:

VFM President:	Jamie Seminutin	250-549-7290	regenaseminutin@gmail.com
VFM Secretary / Treasurer:	Janet Loewen	250-503-7789	pennygirl4@hotmail.com
VFM Director:	Shauna Gavigan	250-547-2400	thefarmacy@outlook.com
VFM Director:	Olivier Petit	250-550-6891	info@crepe-bistro.ca
VFM Director:	Brian Zelaney	250-549-2436	<u>bzelaney@shaw.ca</u>
VFM Director:	Garry Mugridge	250-540-3125	glmugridge@telus.net
VFM Director:	Olive Dent	250-549-3952	tomandolive@shaw.ca

VENDOR COSTS AND FEES

All vendors must be a **member** of the Vernon Farmers Market Association.

Seasonal Vendors: \$300.00 +15.00 GST = 315.00 per stall (includes membership fee)

SPECIAL NOTE #1: Previously designated stall holders must return this application with payment by April 12 2016

SPECIAL NOTE #2: New seasonal vendors will have the opportunity to purchase, in full, the seasonal stall fee up to and including their third visit to the VFM. If the \$315.00 payment is not completed within 3 markets the vendor will pay daily vendor fees for the remainder of the season with a cap at \$400.00

SPECIAL NOTE #3: The seasonal stall rate will be available until June 15. After this date vendors will pay the daily rate with a cap at \$400.00.

- **Daily Vendors:** \$59.05 + 2.95 = 62.00 per stall – **initial fee** (includes membership fee)
 - \$33.34 + 1.66 = 35.00 per stall, each additional day thereafter
- **Corner Stalls:**
- 62.86 + 3.14 = 66.00 per season (subject to availability)
- **Power Usage:** 62.86 + 3.14 = 66.00 per season (subject to availability)



GST #865286959RT0001

** PLEASE KEEP THESE "VFM RULES AND REGULATIONS" FOR FUTURE REFERENCE **



March 8, 2016

Hello Fellow Marketers!

My name is Jamie Seminutin from Good "N" Plenty Produce. I am your 2016 market president, and look forward to an enjoyable market season with all of you.

Just so you know a little bit about me, in 2003 I graduated from Okanagan University College with a Bachelors of Business Administration. Shortly after this I attained my Real Estate Licensing and also managed a fitness centre for a number of years. I have worked with my in-laws since 1998 and full time at the markets since 2008.

I realize that this season may have a few challenges with a new ice rink being constructed in our previous market sites. I am confident however, that with a bit of patience and understanding and if we all work together, we can continue having one of the top markets in the province with the changes that need to occur.

I would like to take this time to thank Ingrid Baron our market manager for a successful 2015 season, and look forward to another great year for 2016!

Jamie Seminutin VFM President

VERNON FARMERS' MARKET VENDOR APPLICATION FORM 2016 ~ <u>www.vernonfarmersmarket.ca</u> ~ ** PLEASE WRITE LEGIBLY!**							For Office Use Only			
Your Name:										
Business Name:										
Mailing Address:										
Postal Code:										
Residential Address:										
Address(s) of Leased Locations: <u>NI</u>	<u>EW: M</u>	lust include	copy(s) c	of lease ag	reeme	ent(s)				
Phone Number:	Phone Number: Fax Number:									
E-Mail Address (IMPORTANT) :										
APPROVED SEASON VENDOR *	@	\$315.00	X	_	=]	
CORNER	@	\$66.00	Х	1	=				4	
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				TOTAL						
<u>GST #865286959R</u>	тооо	1 Includea	l in fees	. See pag	ye #5	i for (GSTb	oreakd	<u>own</u>	
* Paying the season fee does not	t auto	matically	make yo	ou a "desi	gnate	ed" st	all hol	der.		
Which months do you plan to sell at	the V	ernon Farm	ners' Mar	ket?						
Do you plan an attending, Monday	Yes	s No_		Thursda	ay Ye	es	N	lo		
Approximate Start Date:	ce of a	SPECIFIC s	Approxim start date	nate End D es and end	ate:_ d dat	es if o	other t	han lis	ted above	
Year Started Attending the VFM:			Sales Ta	ix Number	(if ap	plicat	ole):			
<u>Take the time to help the Board everyone h</u>									<u>we try to make</u>	
Do you sell perishables that cannot	be in	the sun?								
Are you applying for a designated st										
I have received and read a copy o acknowledge and understand the					e Ver	non f	arme	rs' Marl	ket, and I	

** Upon signing this VFM application, I agree that, if I am in violation of the VFM Rules and Regulations, and my membership is suspended or revoked, I must leave the market site, and will not be allowed to return as a vendor, until such a time that the Board of Directors and/or the Market Manager, reinstates my "Vendor Status" in order to continue vending. **

This application must be completed properly, be accompanied by your payment and be reviewed by the Board of Directors before you will be allowed to sell at the Vernon Farmers' Market.

For Designated Stall Holders: this application, with fee payment, MUST be returned by **APRIL12th, 2016** to ensure your spot at the market. Do not forget to allow time for mailing, as this deadline MUST be strictly enforced! If your application <u>cannot</u> be accepted, your cheque will be returned.

Please make all cheques payable to: Vernon Farmers' Market DATED April 12th. 2016

*We have a NO tolerance NSF cheque policy. Any cheque returned NSF will be subject to a \$25 fee

Declaration of Authenticity of Production:

MUST be returned as part of your VFM application!

What & How do you MAKE, BAKE OR GROW your product? (Please be specific)

- Please provide a detailed list of all product(s) to be sold in your stall,
- Please give a detailed description of how item(s) are made. Eg. What steps or process is used to transform
 a "raw" product into a handcrafted item? Additional supporting documents may be requested for your
 acceptance to the VFM. Failure to do so will result in you having to remove the product from your stall.
- Throughout the season, if you are intending to add item(s) to this list, they must be submitted and approved by the Market Manager.

MAP (if residence is RURAL, include all locations – as well as leased locations)

Farm or Business name_____

Signature_____

PLEASE MAKE A COPY OF THIS APPLICATION FOR YOU RECORDS.