



# **POLICY HANDBOOK 2020**

## **MARKET DAY**

- The Market will be open from 8:00 AM to 12:00 PM each Saturday from the first Saturday in May, until the last Saturday in October.
- The parking lot at Kelly Murphy Park will close to vehicle traffic from 7:30 AM. Traffic barriers will be in place and a Market Volunteer will monitor access.
- Setup must be complete by 8:00 AM.
- For Public Safety we ask that Vendors' vehicles not move during market hours.
- Vendors must supply their own tables, chairs, display items, extension cords, and shelters, and are responsible for creating a safe environment. All shelters and display items must have adequate weight for the weather conditions.
- Vendors are responsible for keeping their booth space and surrounding area clean and tidy at all times, and for clearing up any litter from around their booth at the end of each market.
- Vendors set their own prices, but are strongly encouraged to remain competitive with other vendors. Produce/product is not to be given away except in small samples, nor is it to be sold at substantially lower prices than other vendors.
- Market Manager has the authority to suspend daily regulations for special events or inclement weather.
- Scooters, skateboards, bikes or other recreational modes of transportation are not allowed in the Market area unless being walked by their owner.
- Market management will ensure trash cans and restrooms are in place for each market.
- Vendors are asked not to leave cash boxes or other valuables within reach of customers.

## **VENDOR CATEGORIES**

### **1. Farm Vendor**

Sell products they have grown, as well as value added products made from items they produced. Supplementing is permitted.

### **2. Artist/Crafter**

Sell only products they have handcrafted

### **3. Retail Food**

Sell food products manufactured in a licensed facility

### **4. Alcoholic Beverage**

Sell wine manufactured locally in accordance with state laws.

### **5. Busker**

Perform for tips

## VENDORS (GENERAL RULES)

- All Vendors must become members of the Bonner Springs Farmers' Market Association, which manages the Bonner Springs Farmers' Market.
- Vendors must have a signed Vendor Agreement on file with the Association before selling at the Market.
- Vendors applying for space in the market must have a Kansas State Sales Tax number prior to participating as a Market Vendor.
- The collection and submission of sales tax is the responsibility of each vendor selling produce or products in the market.
- A Department of Revenue representative may visit the market at any time during the market season and ask to see the sales tax certificate that each vendor is required to display during hours of operation.
- The Bonner Springs Farmers' Market is NOT responsible for any vendor's failure to collect and submit sales tax to the Kansas Department of Revenue and any resulting penalties or fines.
- **All Vendors must clearly advertise, "Tax included," or "Plus tax."**
- **All prices must be posted and legible.**
- Vendors must clearly display what forms of payment they accept.
- Vendors are not to enter into any price-fixing.
- No vendor shall use "false pack" methods, meaning the topping or facing of containers with the best products exposed and poor products concealed.
- Vendors are responsible for educating their staff about Market regulations.
- No use of tobacco products or profane language.
- Selling techniques should be in good taste. Distracting or deterring customers from approaching another vendor's booth is not allowed.
- All produce and products offered for sale must be displayed in a neat, clean and attractive manner.
- Vehicles used to transport items for sale should be reasonably clean. Dirt, mud, clutter and offensive aromas detract from the market.
- If a generator is used, it must not be a nuisance to other vendors or the Market patrons.
- The Manager must know in advance, which reserved vendors will attend in order to keep spaces full. Please ensure the Market Manager or a representative receives notice of cancellation by 6:00 PM Friday.
- The Bonner Springs Farmers' Market will have liability insurance to cover the hours of the Market for general site liabilities, but will not accept responsibility for the negligence of individual vendors or their products.
- Vendors must have proof of insurance for any vehicle that is to enter the Market area. This proof is kept on file with the Market Association.
- All vendors must comply with all city, county, state and federal laws, statutes, ordinances, regulations and rules relating to the Bonner Springs Farmers' Market, vendor products and the vendor's business conducted in the Market. Failure to abide by ordinances, laws and regulations may be basis for suspension or expulsion.

- The Market Manager may prohibit any person from renting booth space, request removal of products that fall outside the policies of the Market, and may require persons to leave the Market in the event that they fail to abide by the policies of the Market or direction of the Market Manager.
- The Vendor has the right to appeal to the Board by written submission within 30 days of the prohibition, request, or expulsion. Such appeals are heard at the next scheduled meeting of the Board.
- The Board has the right to withdraw the membership of a Vendor who fails to abide by the policies. Membership fees are not refunded in these cases. The Vendor in question may appeal the decision by a written submission to the Board within 60 days of notification of the withdrawal of their membership.
- The Market Manager and the Board reserve the right to regulate the type and nature of products offered for sale and display, in order to maintain the diversity and quality of the Market.

## **VENDOR FEES**

- **Membership Dues: \$20**

(All Vendors must be Members of the Market Association)

- **Vendor Fees: Seasonal**

(Includes Saturday and Thursday Markets)

### **12' X 15' Space**

Prior to April 1<sup>st</sup> - \$150

After April 1<sup>st</sup> - \$175

### **20' X 25' Space w/Electricity**

Prior to April 1<sup>st</sup> - \$175

After April 1<sup>st</sup> - \$200

(Seasonal Vendors will have reserved spaces and take priority over Weekly Vendors on days the Market configuration must change.)

- **Vendor Fees: Weekly**

(Due upon arrival at market)

12' X 15' Space - \$15

20' X 25' Space - \$20

- Refunds for prepaid space are considered on a case-by-case basis and must be applied for in writing to the Board. The date of receipt of the request by the Board will be considered the start date of the request. Retroactive funds will not be refunded.

## FARM CATEGORY

Farm products are described as: any fresh fruit, vegetables, mushrooms, nuts, shell eggs, honey or other bee products, flowers, nursery stock and other horticultural commodities, livestock food products, including meat, milk, cheese and other dairy products, food products and aquaculture taken from the waters of the local area, product from any tree, vine, plant or flowers. Value-added items not listed on vendor applications must have prior approval by Farmers' Market management.

- All Vendors are responsible for being knowledgeable about and in compliance with the Kansas Department of Agriculture and the Kansas Department of Health and Education rules and regulations that govern the preparation, maintenance, temperature, and labeling of their products.
- Vendors selling meat, dairy products and eggs must follow KDA and USDA licensing and preparation requirements including:
  - Vendors selling meat and/or poultry must register with the Kansas Department of Agriculture, Division of Inspections. All products must be USDA or State of Kansas inspected, passed and labeled.
  - Vendors selling milk, cheese, and other dairy products must have a KDA Dairy Processing Plant license.
  - Vendors selling eggs must clean their eggs prior to selling and keep them stored at 45°F or colder.
- All agricultural and related products must be produced locally. For the purposes of this Market, local is considered within 200 miles of the Bonner Springs Farmers' Market.
- Supplemented items must still come from within the local area.
- By selling at the Market, Vendors agree to inspections by the Market Manager or a designated representative. Vendors may be inspected without prior notice. New Vendors will be subject to an inspection before being allowed to sell at the Market.
- All Vendors must comply with all local and state licensing requirements for their products and businesses.
- Products for sale must at a minimum meet the Kansas Department of Agriculture's Food Safety and Labeling Requirements. The current edition of these regulations can be found at: <http://www.bookstore.ksre.ksu.edu/pubs/MF3138.pdf>
- It is the responsibility of the Vendor to know and Understand the requirements for their products and businesses and ensure their employees understand them as well.
- Samples are permitted as long as the Vendor follows the KDA guidelines. The Market encourages preparing samples before arriving at the Market.
- Vendors using a scale to sell items by weight must have a licensed service company test their scales once annually.
- The Market Board will maintain copies of sales tax numbers, and required licenses for each Vendor.
- Producers who do not have an adequate amount of product to sell at the Market are encouraged to share a space with another grower, provided they have been approved to sell at the Market.
- The farm name and location where each supplemented product was harvested or processed is required to be posted. This information must be in plain sight, easy to read, and accompany each item each market day.

- Market Manager reserves the right to request receipts for all locally grown supplements.
- Supplemented produce and value added items sold must be no more than 25% of the vendors' daily display per booth and must be grown and harvested within 200 miles of the Bonner Springs Farmers' Market. If there is a question, the Market Manager will make the decision on whether or not the Vendor is in compliance.

## **ART / CRAFT VENDORS**

Artist/Crafter products are defined as products both handmade and sold by the application holder. Artist/Crafter applications are approved on the basis of: originality, quality, creativity, and available space.

- Due to heavy representation, some Artist/Crafter sub-categories may be temporarily closed at any time at the discretion of the Board of Directors.
- Upcycled products are permitted but must be extensively embroidered, dyed, printed, painted, or reworked by the vendor. The affixing of commercially made items, such as ribbons, beads, appliques, or simply adding paint to a product is not acceptable.
- All ingredients must be listed or available for bath and body products. Site inspections required by Farmers' Market management prior to approval.
- Additional items not listed on vendor applications must have prior approval by Farmers' Market management.
- Starting products must be significantly produced and/or altered to qualify for an individual booth space.
- All products must be of original, unique work or design, and be of acceptable quality standards. Products must meet basic expectations of product life, function, and safety. The Market Manager and The Board reserve the right to limit the sale of any product.
- Items NOT permitted for sale include:
  - Pre-manufactured, mass produced, or imported merchandise
  - Multi level marketing products
  - Books of any kind or book signings unless sponsored by the Bonner Springs City Library or Friends of the Bonner Springs Library Organization.
  - Items assembled from kits
  - Iron-on transfers
  - Personal Services
  - Items inappropriate for a family oriented market environment
  - Resale items

## **RETAIL FOOD VENDOR**

Retail Food products are defined as ready to eat, value-added products prepared or manufactured in a commercial plant, licensed facility, or on the vendor's property depending on KDA requirements. This includes baked goods, jams and jellies, canned goods, spices, mixes, or other food products significantly altered from their original form.

- All processed food must be prepared within 200 miles of the Bonner Springs Farmers' Market.
- All vendors must display a copy of their required licenses at their stall.
- All food related items must be displayed or stored at least 6 inches above the ground.
- All food labels must meet with local and state regulations.
- Vendor must provide the market with a letter from the owner of the rented licensed facility or a copy of their rental agreement if required for processing, included with application and on request.
- Additional items not listed on vendor applications must have prior approval by Farmers' Market management.

## **ALCOHOLIC BEVERAGE VENDORS**

Alcoholic beverage products are defined as locally produced wine, produced on a farm winery as defined by the State of Kansas.

- A copy of the vendor's permits must be on file with the City Market.
- All alcoholic beverages must be prepared in a licensed premise.
- Product must be sold in the original package that is manufactured at the vendor's licensed premise and may not be poured on Market premises.
- All labels must meet with state and city regulations.
- Vendor must display a copy of their license/permits when selling at the Market.
- Additional items not listed on vendor applications must have prior approval by Board of Directors.

## **COMMUNITY GROUPS and ORGANIZATIONS**

- Spaces will be reserved for education/community tables at each Market. These are for nonprofit organizations, including government, which in some way contribute to the environmental, social, or cultural health of the community. Attendance at each Market must be pre-booked. Priority may be given to groups who have not yet had a table at the Market in the current season.
- While the Market welcomes a diversity of nonprofit organizations, it will not permit the promotion of specific political causes, including the signing of petitions or letters of support. The purpose of the Market is to build community.
- Groups promoting one political party, religion, or perspective are not considered education/ community groups. Local politicians are welcome to set up a community table at the Market, representing their constituencies, but not a political party to which they may belong.
- The Board will have discretion to decide which nonprofit / education groups may participate in the Market and to what extent. Appeal may be made to the Board in writing within 30 days of the party in question's receipt of the decision by the Market Manager. Such appeals will be held at the next scheduled meeting of the Board.

## **BUSKERS**

The busker category provides entertainment for Market customers through music, dance, magic, juggling, or performing arts.

- Buskers must be registered and approved prior to performing at the Market.
- Entertainment must be appropriate for a family friendly environment.
- Knives, swords, torches, flames, axes, saws, or other objects that can cause bodily harm to any person are prohibited without proof of insurance.
- Buskers receiving multiple complaints from vendors, tenants, and/or customers will be asked to leave the property.
- Buskers causing a nuisance, obstructing pedestrian or vehicle traffic, will be asked to leave the property.