



FARMERS'
M A R K E T
IN DOWNTOWN LAWRENCE

Downtown Lawrence Farmers' Market's 2010 Guidelines

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Mission: To provide a place where local growers and producers of farm products can sell directly to consumers allowing consumers the opportunity to interact directly with the producers of items purchased.

Downtown Lawrence Inc. (DLI), a merchants' association, sponsors the Downtown Lawrence Farmers Market. This sponsorship provides the market with office space, event insurance and other miscellaneous means of support.

A ten-member Board of Directors manages the market under the DLFM Bylaws. The Board is comprised of five vendors elected by the market membership and five ex-officio (non-voting) Board positions: the market coordinator, a representative of DLI and up to three members of the community. The DLFM Board assists the

Market Coordinator during the season with guideline interpretation, mediation and resolution of complaints and disputes. It approves new vendors and new craft items; secures the market site; sets rules of operation, stall fees, and budget; appoints committees; and contracts with the providers of services the Farmers Market needs to operate. The Board meets monthly. If a vendor wishes to address the Board, he/she should notify the DLFM Board Chair 48 hours before the meeting thereby allowing adequate time to be added to the Board's agenda.

The DLFM hires a Market Coordinator to register vendors, collect fees and temporarily assign the day's floaters to stalls; to manage vehicular traffic and parking; to facilitate communications among vendors, Downtown Lawrence Inc. and the community; and to be the on-site arbiter of problems and disputes.

find it here:

Vendor Categories	2
License and Certification Info	2
Admission Process	3
Reserved Stall Assignments	3
2010 Fees	4
General Market Rules	5
Individual Market Schedules	5
Vendor Code of Conduct	5
Market Discipline Policy	6
Grievance Policy	6
Market Tokens	7
Conducting Sampling	7
Safety and Cleanliness	7
Holiday Market	8

Market Days and Locations

2010

April 10- Saturday market early season begins

May 1-November 20: Regular market season

May 5-October 29: Weekday market season

Market Times

Saturday	7:00-11:00 AM	824 New Hampshire
Tuesday	4:00-6:00 PM	1020 Vermont
Thursday	4:00-6:00 PM	4931 W. 6th Street

Vendor Categories

Only vendors in the following categories are permitted to join the Downtown Lawrence Farmers Market. The market does not offer membership to resellers or non-value-added crafters. Pre-existing, full-time retail businesses are not eligible to participate in the market. A vendor may sell items produced by family or neighbors in addition to their own if these producers and products are listed on the application form or are approved in advance by the Market Coordinator in consultation with the DLFM Board.

Producers

Producers raise the produce, plants or animals that they sell at the Downtown Lawrence Farmers Market on land they own or rent in the state of Kansas. Producers may include someone who processes produce grown by the vendor into a value-added product such as jams or cider. Producers may also include someone who raises the basic ingredient(s) of a product, but who must send it out for fundamental processing before creating the value-added product. Such vendors might include those producers selling emu oils, wool roving or frozen/smoked meat, etc. All appropriate permits and licenses shall be displayed whenever a producer is selling at the market.

Processors

Processors are persons or entities offering food products (such as baked goods, jams, cheeses, meat products, etc.) that have added value to their product through some sort of "hands-on" processing. Processors must meet all federal, state, county and local health requirements. All appropriate permits and licenses shall be displayed whenever a processor is selling at the market. Processed food products should use ingredients from Kansas farms as much as possible, and the DLFM Board will give stall preference to processors using ingredients from Kansas.

Value-Added Crafters

Crafters are persons or entities that craft with their own hands the products they offer for sale at the Downtown Lawrence Farmers Market. To qualify as a value-added crafter, a majority of the craft components must be raised or collected and processed by the vendor. Examples include wool from a vendor's sheep sold as yarn or weavings; soap created from the vendor's goats' milk, and dried flower arrangements or wreathes from on-farm materials. Crafters must create their craft products in Kansas. Crafts approved prior to 2003 have been grandfathered into the market and are exempt from current regulations.

Prepared-Food Vendors

Prepared-food vendors offer freshly made foods, available for sale and immediate consumption on site at the Downtown Lawrence Farmers Market. Prepared food vendors shall possess and maintain all required state, county and local permits. All appropriate permits and licenses shall be displayed whenever a prepared-food vendor is selling at the market. Prepared-food vendors should use ingredients produced in Kansas as much as possible. When selecting prepared food vendors, DLFM Board is encouraged to provide a good variety of healthy foods and to give preference to vendors using ingredients produced in Kansas.

Licenses and Permits

Vendors selling eggs, meat, nursery products, seeds, wine, processed or prepared foods are required by the state to have special licenses or permits. It is the responsibility of the vendor to have all licenses and permits before selling at the market. If necessary, vendors must provide their own product liability insurance.

Kansas Retail Sales Tax Certificate

All vendors must obtain a sales tax number before being accepted into the market. A new vendor must submit a copy of the certificate with application. Kansas Department of Revenue
915 SW Harrison
Topeka, KS 66625-9000
785.368.8222
www.ksrevenue.org/business.htm

Egg License

If you have more than 50 hens, you need to obtain this license. See KSDA below.

Live Plant Dealers' License

If you plan to sell plants or seeds you will need to obtain this license. If your total plant sales are less than \$10,000, you will not have to pay the \$50 fee. See KSDA below.

Scales

If you will be selling items by weight, you will need to use a certified scale approved by USDA Weights and Measures.

Wholesale Meat Dealer

If you wish to sell meat you need to obtain this license. See KSDA below.

Kansas Department of Agriculture

109 SW 9th St.
Topeka, KS 66612
785.296.3556
<http://www.ksda.gov/>

Ready to Eat Foods

Food items exclusive of baked goods, jams and jelly require special licensing through the Kansas Department of Health and the Environment
1000 SW Jackson St., Suite 330
Topeka, KS 66612
785.296.5600
<http://www.ksda.gov/>

Admission of a Vendor

DLFM is strictly a producer-only market. A vendor must directly produce the majority of items offered on land the vendor owns, leases or share-crops. A vendor may not purchase from wholesalers to resell at the Downtown Lawrence Farmers Market. All products must be grown or produced in Kansas, within 50 miles of Lawrence. All properties used in the production of items for sale must be available for inspection by the Market Coordinator or the DLFM Board. These properties include those used by the vendor and all other producers listed on the vendor's application.

Producers

The following agricultural items may be sold:

- Fresh products including fruits, vegetables, herbs, edible grains, nuts, plants and flowers
- Eggs that meet the requirements set by the Kansas Department of Agriculture.
- Frozen meats or poultry if the following additional guidelines are followed:
 - Vendor must be registered with the Kansas Department of Agriculture, Division of Inspections
 - All products must be USDA or State of Kansas inspected, passed and labeled as such
 - Products must be kept solidly frozen, 0 degrees F or below in freezers or coolers
 - No livestock may be sold or given away including domestic animals.

Processors

The following products may be sold:

- Non-hazardous processed foods including dried fruits, dried vegetables, honey, baked goods, jams and jellies can currently be sold without special licensing
- Potentially-hazardous foods such as cheeses, dips, salsa may be sold if vendor has required Department of Agriculture Licenses

Value-Added Crafters

All crafts must be approved by the DLFM Board. Currently the market focuses on agriculturally based value-added crafts. For example, if a knitted scarf were to be approved most likely the vendor raises sheep, spins the roving into yarn and then knits the item. If you believe your craft might be eligible, contact the Market Coordinator or submit your application with photos or samples. Crafts are reviewed at the next scheduled DLFM Board Meeting.

Prepared Foods

Prepared foods are ready-to-eat items and must be kept hot or cold to maintain safety. Often these foods are cooked on site. These ready-to-eat foods are regulated by the Kansas Department of Health and the Environment, Food Safety and Consumer Protection Division. Prepared foods at market require a licensed mobile unit which is a significant investment. There is high demand for prepared foods at all three markets, but the licensing process can be lengthy. A vendor will need to have appropriate licenses before being permitted to sell at market.

Assignment of Reserved Stalls

Saturday Market

Holders of 2009 Reserved Stalls have until March 12, 2010 to return complete applications to retain the same stalls for 2010. After this date, the DLFM Board reviews applications of all vendors seeking a 2010 Reserved Stall. Assignments are at the reasonable discretion of the DLFM Board of Directors. Wherever possible, the Board will use the following criteria to determine placements:

- Producer's history of market participation, volunteering and committees
- Length of the vendor's production season and number of market days per week the vendor plans to participate
- Whether the current number of sellers of a vendor's product is adequately meeting consumer demand. The board strives for a product ratio of 6 produce/food vendors to each artisan/craft vendor.
- Producer's history of compliance with state, local and market Rules and Regulations

Please examine the 2010 Application for a menu of Reserved Stall options.

Weekday Markets

The Tuesday Market will be held at 1020 Vermont. The Thursday Market will be at the Wakarusa Crossroads at 4931 W. 6th Street. Stalls will be assigned based upon similar criteria as the Saturday market.

Floating

Vendors without Reserved Stalls are labeled Floaters. Floaters may receive a temporary stall assignment depending on the vacancy of Reserved Stalls. Please read the appropriate section for the market days you will attend to learn more.

2010 Membership and Advertising Fees

Membership

To sell at the market each business must become a member of the Downtown Lawrence Farmers Market. The annual Membership Fee is \$30. Each membership receives one vote at DLFM General Membership Meetings. Members who are applying for the first time to the Downtown Lawrence farmers Market must pay a non-refundable one-time inspection fee of \$25. All first time vendors must have a farm/production facility visit by the coordinator or other board-approved representative prior to selling at the market.

Advertising Fee

Advertising Fees are pooled into the Advertising and Promotions Budget to purchase signs, banners, media ads, the market's e-newsletter service and promotional materials such as fliers. An Advertising Fee of \$30 is charged for each stall on a seasonal basis. *The Advertising Fee is determined by the day on which you have the most stalls.* For example, if you request one stall for the Tuesday market, and two stalls for Saturdays, you submit an Advertising Fee of \$60 with your application. Corner Stalls are designated at 1.5 with an assessed Advertising Fee of \$45.

2010 Stall Fees

Vendors have two stall fee options when joining the market.

The first is a *Season Pass*, which allows a member to attend all markets on the weekly market day of the vendor's choice.

The second option is the *Daily Rate*, which permits a vendor to pay only for the markets attended.

Two businesses or farms may share one stall. Each business submits an application and pays for its own membership. The businesses share the cost of stall and advertising fees.

Season Pass

The chart below lists the rates for each market day. *If you select the Season Pass option for more than one market, you may discount your total Stall Fees by 5%.* The discount applies *only* to Stall Fees; Membership and Advertising Fees remain the same. If a vendor did not have a Reserved Stall in 2009, payment for a Season Pass does *not* guarantee a Reserved Stall for 2010 (see page 3 for more information).

Market Day	Option 1: Season Pass 1 st Stall	Corner Stall	Additional Stalls	Option 2: Daily Rate 1 stall/add stall
Saturday	\$180	\$280	\$215	\$22/\$27
Tuesday or Thursday	\$55	---	\$55	\$9/\$9

Daily Rate

A vendor may elect to pay for only those markets attended. The Daily Rates are listed above in the far right column. The vendor must submit the Membership and Advertising Fees with the application. If a vendor selects the Daily Rate option, those fees *cannot* be applied toward a Season Pass. If more than eight markets are attended, the Season Pass is a more economical choice.

Payment Options

To be considered for a 2010 Reserved Stall, a member must submit a completed application and make a payment based on one of the options below on or before *MARCH 12, 2010*.

Option 1: Submit total Membership, Advertising and Stall Fees by March 12th.

Option 2: Submit full Membership and Advertising Fees and 50% of Stall Fees by March 12th then submit remaining 50% of Stall Fees by June 1st.

Requests for refunds must be received in writing before the first day of market, April 10th.

Membership Application, Advertising and Stall Fees are not pro-rated when joining the market mid-season.

General Market Rules

The following rules apply to each of the three weekly markets:

1. Vendors are asked to set up at least 30 minutes prior to market opening.
 2. Any Reserved Stall not occupied 45 minutes before the bell can be reassigned to a Floater.
 3. 15 minutes before the opening bell, the Market Coordinator will close all entrances.
 4. Once a barricade is across an entrance, no vehicle may enter market without Coordinator authorization.
 5. If a vendor moves a barricade and enters the market without authorization, the vendor receives a strike and a \$50 fine (see Market Discipline section page 6).
 6. From the time the barricades are set out to the time the Coordinator removes the barricades, no vehicles are to operate within the market; ignoring this rule will result in a strike and a \$50 fine.
 7. To allow for uninterrupted set-up times for all vendors, no sales will be allowed before the Market Coordinator rings the bell.
 8. No vendor may exceed assigned stall space; all tables, products and vehicles must be contained within stall boundaries; stalls are approximately 10' wide by 25' deep.
 9. All tents and other displays must be adequately weighted for the weather conditions.
 10. The Coordinator may begin market up to 30 minutes early due to inclement weather.
 11. The Coordinator may authorize early departure in cases of threatening weather.
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Market Schedules

Saturday Market

- 5:00 AM Vendors may begin setting up
Market Coordinator arrives on site
Floaters may begin checking in for temporary stall assignments
- 6:15 AM Vendors with Reserved Stalls must be in place
Any unoccupied Reserved Stall will be made available to remaining Floaters
- 6:45 AM Market entrances are barricaded
Late arriving vendors will need to carry products into market
- 7:00 AM Opening bell- sales may begin
- 11:00 AM Closing bell
Barricades are removed and vendors may move vehicles

Tuesday and Thursday Markets

- 3:00 PM Market Coordinator arrives on site
Vendors may begin setting up
Floaters may begin checking in for stall assignments
- 3:30 PM Vendors with Reserved Stalls must be in place
Any unoccupied Reserved Stall will be made available to remaining Floaters
- 3:45 PM Market entrances are barricaded
Late arriving vendors will need to carry products into market
- 4:00 PM Opening bell- sales may begin
- 6:00 PM Closing bell
Barricades are removed and vendors may move vehicles

Vendor Code of Conduct

Vendors are expected to behave courteously to customers, other vendors, and market staff and to conduct themselves professionally at all times. Vendors are expected to follow all federal, state and local laws. Vendors are not to publicly disparage other vendors, products or markets. It is the market's intent to serve the public and create a friendly atmosphere that will benefit both the vendors and customers. Behavior by vendors or their family members that is disruptive, abusive, or threatening towards other members, the public or the market coordinator is not allowed.

Vendors are required to provide a clean, sanitary and visually appealing environment. This includes clean dress and appearance of vendors and related personnel.

Please be aware that activities within your booth may have an impact on other market members. Both sound producing activities and odors should be kept to a level that does not bother other market members.

Vendors shall not smoke in their stalls during market hours. Smokers are responsible for disposing of their cigarette butts in an appropriate manner. Please do not litter.

Vendors are responsible for their children and guests at all times. Please do not allow your children to run freely through the market and disrupt other vendors or market customers.

No hawking. The market's definition of hawking is as follows: Calling aloud to passers-by who have not yet expressed an interest in a vendor's goods; advertising, demonstrating, selling or attempting to sell goods outside of assigned stall space without obtaining permission from the market coordinator.

DLFM Market Discipline Policy

By signing the 2010 Application, a vendor agrees to comply with all Market Guidelines. The DLFM Board may withdraw the privilege to sell at the market from any individual vendor who violates its guidelines.

The market operates under a "3 Strikes and You're Out" Discipline Policy. Guideline violations accumulate from year to year. The Market Coordinator reserves the right to give a vendor fair warning of any violations or complaints. A warning for such a violation must be made in writing with copies to DLFM Board and the vendor. If the violations exist after the agreed-upon time given to correct the problems, if there is no cooperation from the vendor, or if the vendor has three guideline violations, the Market Coordinator, after consulting with the DLFM Board may ask the vendor to discontinue vending at market. In cases of an extreme nature (such as endangering customers, verbal or physical violence, inappropriate language or behavior) the Coordinator may ask a vendor to immediately leave the market premises, and the board will determine that vendor's future at the market at the next Board meeting.

Market Grievance Procedure and Inspection Policy

First remember that we are members of a community voluntarily joined together to create a market for our various products. We have agreed to abide by certain rules. If any of us believe that rules have not been followed, we may present a grievance.

If we believe that the behavior of a fellow vendor is detrimental to our common goal of maintaining a vibrant, welcoming marketplace that is hospitable to both vendors and shoppers, we may present a grievance. In making a complaint please maintain respect for each other and for our customers.

- Approach and discuss your concerns with your fellow vendor, always maintaining a positive attitude.
- If you cannot approach and discuss your concerns with the vendor whose behavior you question, it is appropriate to discuss your concerns with the Market Coordinator.
- If the Market Coordinator, you and the vendor whose behavior you question cannot work out a solution acceptable to all, the Market Coordinator can call for a Mediator to meet with all concerned parties.

Minor complaints concerning rule infringement (not usually requiring a Grievance Form such as space violations, time violations and uncovered foods) may be resolved on the spot by the Market Coordinator or a Board member.

Major complaints concerning rule infringement (involving out-of-season produce, out-of-state produce or wholesale produce) must be submitted on the Grievance Form (available from the Market Coordinator).

- Fill out the Grievance Form and hand to the Market Coordinator or a Board Member.
- Pay a \$25 deposit for the Market Coordinator and/or Board to conduct a farm visit. If the challenge is unfounded, then the vendor that challenged will lose the \$25. If the challenge is found to be true, then the \$25 will be refunded and the vendor in violation will be fined \$50 and a strike.
- The board may do inspections if concern has arisen without paying the deposit.

Complainants will be identified to the vendor receiving the complaint, and complainants will accompany the Market Coordinator and Board members if a farm visit is deemed necessary.

The production site must be available for inspection within 48 hours following the receipt of the complaint. If the Board cannot be satisfied by vendor compliance, the Board may have the vendor removed permanently from the market.

A complaint may be filed with the City of Lawrence to force the removal of any offending vendor by the police. Downtown Lawrence Farmers Market holds the permit to hold the Farmers Market from the City. The City expects the Farmers Market to regulate the market's vendors.

Glossary

Fall General Membership Meeting: November

At this meeting, vendors elect Board members as needed, vote on bylaw changes, discuss market issues, review the current year's budget and approve the budget for the following year.

Floater

A member of the market that does not have a Reserved Stall. Floaters arrive at the market, sign in with the Market Coordinator and wait to be assigned a stall for the day. A Floater list is created each day and available stalls are assigned on a "first to arrive, first to be placed" basis. While a stall cannot be guaranteed, every effort is made to place all vendors.

Retail Sales Tax

Vendors are responsible for assessing the appropriate city, county and state sales taxes on products sold at market and reporting to the Department of Revenue. Sales tax Certificates must be posted per Kansas Law. Sales tax materials are available from the Kansas Department of Revenue.

Winter Membership Meeting: February

This meeting usually includes planning for the upcoming season, reports from committees, resolution of outstanding issues from the fall meeting and distribution of applications.

Market Tokens

Market tokens are a form of currency within the market. Shoppers obtain market tokens through the use of the Wireless Point of Sale Device (WPOS) or as type of gift certificate. Although the tokens state that they expire in December 2009, all tokens are still valid.

A successful market token program requires that shoppers are able to redeem tokens with each vendor at market. *By seeking membership in the Downtown Lawrence Farmers Market you agree to accept Market Tokens for all eligible purchases.*

The DLFM obtained the WPOS Device and market tokens through a grant from a coalition concerned with the availability of locally raised produce and meats to citizens on food assistance. Food assistance funds are redeemable only through the Kansas Vision Card, a debit-like card. In addition to the Vision Card, the WPOS Device is capable of processing debit cards. Non-Vision Card transactions are subject to a \$1 service fee paid by the shopper. This service fee subsidizes the costs associated with the WPOS Device. The DLFM Board has approved the use of the WPOS Device for the 2010 season. The program will be reviewed annually to determine its usefulness to the market.

Market Tokens are available in two denominations. **The \$1 tokens are used by those on food assistance and are therefore subject to federal regulations and eligible products requirements. Debit, cash and gift certificate shoppers use the \$5 tokens. There are no restrictions on \$5 tokens. Vendors will receive a Token Info Sheet with their Stall Cards in March.**

Offering Samples at Market

Kansas Department of Health and the Environment permits the distribution of samples at Kansas Farmers Markets given:

- Sampling occurs fewer than seven times in a calendar year.
- Potentially hazardous foods are not used.
- Sample is provided at no cost and is offered to demonstrate its characteristics.
- Hand Washing Station is present.
- Three-Compartment Sanitizing Station is present.
- Sanitary procedures are followed.
- Proper food storage temperatures are maintained.
- Appropriate tools for dispensing samples are used and adequate trash receptacles are available.

Please see the Kansas Rural Center's Farmers Market Rules and Regulations publication for additional information: <http://www.kansasruralcenter.org/publications/RRRFM.pdf>

Cleanliness and Safety at Market

The Kansas Department of Health and Environment and the Kansas Department of Agriculture will look at farmers market operations only if there is a complaint or illness reported to the local health department. Violations will be cited against the individual vendor, not the market. Cleanliness and safety affect the ability of all of us to participate and profit and enjoy the market.

- Vendors are expected to keep their stall areas neat and clean.
- Produce is to be kept a minimum of 12" above the ground.
- Produce should be clean and kept cool (use misting or ice).
- Produce to be discarded should be placed in the city dumpsters in the alley.
- Vehicles used to transport produce to market should be reasonably clean.



Important Dates

March 12: Applications for 2010 Reserved Stall holders must be received by Market Coordinator by 5 PM. Applications received after this deadline will not be considered for Reserved Stalls, unless there are still vacancies.

Market Season

April 10: Saturday market pre-season begins

May 1: Regular market season begins with full opening of Saturday market

May 4: First weekday market

October 28: Last weekday market

November 20: Last day of regular market season

HOLIDAY FARMERS MARKET

The Holiday Farmers Market is organized by a committee of market vendors and has an independent self-supporting budget.

Vendors wanting to participate in the Holiday Market must have sold a minimum of six times at the seasonal Farmers Market.

The Market is held the second Saturday of December; the location for 2010 is to be determined.

Applications and **complete** Holiday Market Guidelines are available beginning in September and are due the first Saturday in October.

All products must be homegrown or homemade. Products do not

have to be approved by the Downtown Lawrence Farmers Market Board. Products allowed for the Holiday Market will not necessarily be approved for the seasonal market.

Stall fees for the Holiday Market are determined by the Holiday Market Committee and approved by the DLFM Board. No refunds are provided.

DLFM 2010

Downtown Lawrence Farmers Market
PO Box 44-2151
LAWRENCE KS 66044