

DISCOVER DOWNTOWN LA GRANGE
LA GRANGE FARMERS' MARKET & ARTISANS
MARKET RULES AND REGULATIONS

2009

***MISSION STATEMENT:** To provide opportunities for farmers, local purveyors, and artisans to sell their produce/goods directly to consumers while supporting the vibrancy and history of downtown La Grange as a commerce destination. This ongoing activity increases and expands the economic strength/viability of local growers and small business within our county while also contributing positively to the health and wealth of our residents.*

1. The La Grange Farmers' Market & Artisans (LFMA) is created and operated under the authority of Discover Downtown La Grange (DDL). The purpose of La Grange Farmers' Market & Artisans (LFMA) is to provide freshly grown produce, quality food products, and hand crafted goods to the public. Because the primary function of the market is food based, the market will limit the number of artisan only vendors to no more than **25%** of the number of total vendors for any one year. Grower/producer artisan vendors and intermittent artisan only vendors shall not count towards the 25% artisan only vendor percentage.
2. The LFMA will have either a Market Manager or LFMA Committee member to make decisions on the day to day operations of the market.
3. Read these market rules and regulations carefully before signing your application. Keep a copy for your records - these market rules and regulations are a part of your agreement with La Grange Farmers' Market & Artisans (hereinafter "LFMA"). Failure to observe these market rules and regulations may result in suspension or termination of your LFMA participation. If you have questions regarding these market rules and regulations contact any LFMA Committee member. The market rules and regulations set out below shall be a part of the agreement between the vendor and LFMA and by signing the application the vendor agrees to be bound by them.
4. The term "vendor" or "member" means anyone growing/producing within a 60 mile radius of La Grange, KY. Children under the age of 16 may participate in the market but only if supervised by a parent or other adult. "Allowable goods" include flowers, dried flowers, vine wreaths, gourds, body care products and beeswax candles (for which all materials must be found, grown or produced on the vendor's farm or land). Other allowable goods include vegetables, fruit, honey (in accordance with Sell Honey at Kentucky Farmers Markets 2008-2009 Kentucky Farmers' Market Manual), meat (must be processed in a USDA - inspected facility and bear the mark of USDA inspection), dairy (all dairy products must be manufactured under a "commercial" permit), eggs (according to Small Producer's Guidelines for Handling and Selling Eggs 2008-2009 Kentucky Farmers' Market Manual) and poultry (must be processed in a

USDA - inspected facility and bear the mark of USDA inspection) grown, produced or raised by the vendor, or processed, baked and canned goods produced by the vendor. Home-processed meat and poultry and/or custom-processed meat and poultry, including wild game, may not be marketed or sold at LFMA according to the 2008-2009 Kentucky Farmers' Market Manual.

5. Persons who shall be allowed to market goods include farmers and growers who raise their own produce, eggs, meats/poultry, and vendors who are approved to sell processed, baked or canned goods (as defined by HB391 located in the 2008-2009 Kentucky Farmers' Market Manual), and approved artisans. All produce or products must be grown or produced by the individual. No commercial produce is allowed. No items from the Louisville Produce Terminal, or any other wholesale outlets, are allowed. No brokers or re-sellers are permitted as members of LFMA. The market will provide an outlet for the sale of fresh picked produce, related agricultural, horticultural and craft products that have been grown, harvested, produced or made by the member. A high standard of quality and freshness is expected. The Market Manager or LFMA Committee has the right to prohibit the sale of any unacceptable item.

6. Participation in LFMA requires the submission of an application, reading the DDL, LFMA Market Rules and Regulations 2009, reading the 2008-2009 Kentucky Farmers' Market Manual, payment of fees, and selection by the LFMA Committee. Vendor selection shall be determined by the LFMA Committee. Any 2008 vendor shall be automatically approved. Any new vendor shall be voted upon by the Committee. Upon selection, vendors will receive a letter of confirmation from DDL/LFMA.

7. All vendors of produce, in event samples are given, and all vendors of baked goods, nursery plants, eggs, cheeses, meat and processed foods shall comply with any city, county, state and federal rules for inspection and handling, shall obtain all necessary permits and certificates, and show proof of same by providing copy to the LFMA with application. LFMA will require permits and/or certificates to be displayed on market days. Vendors selling processed food must be permitted through the Kentucky Department for Public Health - Food Safety Branch and have a current Home-based processing or Home-based Microprocessor permit. A copy of the permit must be provided to the LFMA Committee to be retained on file.

8. The market shall operate every Saturday at 100 West Main Street, La Grange KY 40031 on the Oldham County Courthouse lawn between May 15 and October 31 of each year. Hours shall be from 8:00 a.m. to 1:00 p.m. The LFMA has been granted the use of a specific portion of the lawn, and only members shall be allowed to set up and sell within this designated area. Vendors are welcome to set up both before and after the aforementioned dates of operation.

9. Vendors may supplement produce from their farm by no more than 50% with produce from neighboring farms. The farms must be within the 60 mile radius of La Grange. If you choose to supplement, you are responsible for the product as if it were your own.

10. Application process and fees:

All vendors shall be required to submit a signed application, no later than March 21, and mail or deliver their fees, copies of permits and certificates at that time. Fee schedule is as follows: \$50.00 per season. Returning vendors will be given priority in locations over other vendors. Decisions as to location of vendor space will be made on the basis of seniority as well as the number of weeks the vendor will be selling. Those vendors who schedule participation for the entire season will receive priority for spaces. All decisions as to location will be made by the Market Manager and/or LFMA Committee. Charitable organizations must submit an application as a Vendor, but can request a waiver of fees. Application approval and fee waiver will be based on LFMA market needs.

11. Fees are due by the Annual Kick Off Meeting March 21, 2009. Failure to pay by the deadline will mean the applicant will lose priority in space allocation.

12. The LFMA is sponsored by Discover Downtown La Grange, and the responsibility for development of rules and regulations is delegated to the LFMA Committee. In turn, The LFMA Committee or the Market Manager, who is an employee of Discover Downtown La Grange, is responsible for day to day enforcement of compliance with the rules and regulations. The duties of the Market Manager/LFMA Committee are set out separately, and may be modified from time to time by the Committee as the need arises, but generally, the Market Manager/LFMA Committee will ensure all vendors are in the correct location, have their permits/certificates, prices, and identification prominently displayed, and are not engaged in activities prohibited by these rules and regulations. The Market Manager/LFMA Committee will issue any warnings or sanctions, and will handle disputes between vendor/vendor and vendor/customer.

13. LFMA requires the following documentation (if applicable) from its members: Pre-Packaged Retail Sales Permit from the local health department, Home-based processing permit, Home-based Microprocessor permit and copies of recipes supported by the permit, Sampling certificate and organic certification (third party certification according to USDA standards by a recognized organic certifying agency). All permits and certificates must be prominently displayed at your stand during market hours of operation. You are responsible for your own Sales and Use Tax Permit issued through the Commonwealth of Kentucky Department of Revenue.

14. The following rules apply to the operations of the market:

a. Selling time shall be from 8:00 a.m. to 1:00 p.m.

b. Vendors to remain in designated space unless Market Manager and/or LFMA Committee approve change.

- c. Non-participation in accordance with the schedule represented on the vendor's application will result in a change of assigned location. Non-participation due to adverse weather conditions will not be considered a voluntary miss.
- d. Members shall notify Market Manager and/or LFMA Committee member if they will not be present for any date, by calling Cynthia Carey at 502-225-4466 by 6:00 pm the day before, so their space may be filled in for the day. So long as an attempt is made to call, there will be no permanent change of space.
- e. It is suggested that parking by vendors be away from the front of the market; except for vendors who keep inventory in a truck or other vehicle and need to periodically unload it to replenish stock during the market. Vendors shall be permitted to park in front in order to set up their booths.
- f. Samples of raw produce or other foods may only be given if all requirements of the Kentucky Department of Agriculture have been met as represented by the Samples Certificate. Sanitation (hand washing and cleaning of implements) stands shall be set up as required by the Kentucky Cabinet for Health Services, Food Safety Branch.
- g. All vendors are responsible for their signage. Each vendor shall display price, name and address, permits and/or certificates, and LFMA sign designating them as LFMA members (signs to be provided by DDL/LFMA).
- h. Food safety and food handling requirements must be maintained at all times.
- i. Pets on leashes or restraints are allowed in the market area, but any vendor may post his booth with a sign prohibiting pets from their designated area.
- j. Members are responsible for the clean-up of their individual space, and shall leave it in a clean and undamaged condition. In the event a vendor sells consumable goods, he shall keep a trash receptacle at his booth. Members will display their products neatly and attractively, with consideration for the other members and the general public.
- k. No live animals shall be sold at the market.
- l. No drugs or alcohol are allowed on the premises.
- m. All participants are required to read the 2008-2009 Kentucky Farmers' Market Manual, available at www.kyagr.com. Also available by calling the Kentucky Department of Agriculture at 502-564-4983 or by visiting www.meadowviewfarmandgarden.com website link La Grange Farmers' Market & Artisans.

- n. Operate your stand in a safe and sanitary manner. Keep sales area clear of debris.
 - o. Please be honest and courteous at all times and act in a respectful and civil manner. It is recognized that although members sell as individuals, the market is a cohesive unit and its success depends on the cooperation and joint effort of all the vendors as a whole.
 - p. All complaints are to be put in writing through the Discover Downtown La Grange, La Grange Farmers' Market & Artisans, Complaint Form 2009 available upon request or at www.meadowviewfarmandgarden.com La Grange Farmers' Market & Artisans link. Resolution will be by the Market Manager and/or LFMA Committee. Any subsequent appeal shall be made to the LFMA Committee. There shall be no disputes or "bad mouthing" vendors during market hours.
 - q. The LFMA Committee reserves the right to prohibit anyone from selling at the LFMA if guidelines are not met.
15. The following procedures apply to rule enforcement:
- a. A member will be given notice for violation of market rules and regulations 2009, pricing, health and safety issues, and open disputes.
 - b. First Offense is a verbal warning
 - c. Second Offense is a one week suspension
 - d. Third Offense is expulsion from the market for the remainder of the year
16. All applicable local, state and federal rules and regulations are incorporated into these Market Rules and Regulations 2009, and each member agrees it is their responsibility to comply with same.
17. Each member agrees to hold harmless Discover Downtown La Grange, Market Manager, and LFMA Committee members, from any damages caused by consuming the vendor's product, or damages resulting from the negligence or intentional acts of that member. This agreement covers any expenses or attorney fees incurred by the above entities in defending themselves from any such claims arising from the member's acts. LFMA reserves the right to refuse membership in the Market to anyone.
18. All members are expected to follow any local and state rules for sampling and handling.
19. Other provisions:
- a. The use of legal scales is encouraged, but is not specifically required unless complaints are received about misrepresentation of items sold by weight. In that event the member may be required to use legal scales.

- b. By LFMA opening day (and at future dates to be determined by the Market Manager and/or LFMA Committee) minimum pricing for fruit and vegetables will be set. This price shall be the minimum for the rest of the season, or until it is changed by the Market Manger and/or LFMA Committee. Members may not sell for less than the minimum but are free to sell at any price above it.
- c. Product Liability Insurance will not be required but members are strongly urged to consider it. Members are subject to a hold harmless agreement (paragraph 17).

20. By submitting a signed application to be a member of the LFMA, the vendor agrees to be bound by these Discover Downtown La Grange, La Grange Farmer' Market & Artisans, Market Rules and Regulations 2009.