

DOWNTOWN FARMERS' MARKET
OF MANHATTAN, INC.

STANDING RULES

Adopted March 12, 2002	Revised April 29, 2006	Revised November 15, 2010
Revised March 9, 2004	Revised November 21, 2006	Revised March 15, 2011
Revised March 8, 2005	Revised March 20, 2007	Revised November 15, 2011
Revised March 14, 2006	Revised March 18, 2009	Revised November 19, 2013
Revised November 18, 2014	Revised March 17, 2015	Revised November 17, 2015
Revised March 9, 2016		Revised March 8, 2018

The format for the Standing Rules directly correlates with the Article and Section of the By-laws.

Article II – Object

- A. Market Operation: Market will begin in mid-April and end on the last market day of October for Saturday. Wednesday will end on the last market day of September. Membership will determine the following years start date at the spring meeting.
- B. Market Hours are:
 - 1. Saturday: 8:00 a.m. – 1:00 p.m.
 - 2. Wednesday: 4:00 p.m. – 7:00 p.m.
 - 3. Monday: 4:00 p.m. – 7:00 p.m.
- C. Market business year shall end the last day of December.

Article III

Section 1 – Eligibility of Membership (*all items under this heading are minor infractions*)

- A. Sanitation & Health Requirements
 - 1. No edible produce will be displayed directly on the ground.
 - 2. Vendors are responsible for maintaining and leaving their sales area in a neat, clean and orderly condition. All refuse must be removed from area. This also includes areas around booth as marked on map.
 - 3. Vehicles used in transportation of products for the Farmer’s Market shall be free of animal or human waste if not transporting animals to market.
 - 4. Products shall be free of chemical contamination before arriving at market. (Following chemical label directions)
 - 5. All use of tobacco is prohibited while vending at Farmer’s Market.
 - 6. Any vendor labeling their products as “organic” must be in compliance with the State Board of Agriculture in terms of organic production.
 - 7. All products must be in compliance with the Riley County Health Department.
 - 8. All items sold that are not grown within the state of Kansas must be **individually** and **clearly** labeled Not Locally Grown or Product Shipped In by product.
 - 9. 75% of items on a vendors display/table must be homegrown, handmade or homemade unless they have prior approval of the board of directors.
- B. Any new business entity must attend at least 80% of the previous Market season before being allowed to operate an “off the farm” retail store and continue membership in the Farmers’ Market.

Section 2 – Membership

Business Entity registration of Secondary Representatives with the Market Manager will allow those representatives to serve as market operatives and/or business administrators. To be a member, a business entity must pay the membership fee and show at market during the current market season at least 4 times, but the order of occurrence of these two events does not matter. Proxy voting for members will be allowed. The proxy must state the name of the Primary Business Entity Registrant, the name of the Business Entity, any voting conditions the proxy grantor may desire, the date and place the proxy shall be voted, and be signed and dated by the Primary Business Entity Registrant. The Primary Business Entity Registrant shall be the only eligible person to grant a proxy for voting at any market function. A member of market shall be allowed to hold only one proxy vote per market function. No person shall vote as a Secondary Business Entity Representative without a valid proxy from the Primary Business Entity Registrant that they represent. **(MINOR INFRACTION)**

- A. Vendors and Employees must not verbally or physically abuse a customer or other vendor.
- B. **(Intermediate or Major infraction depending upon circumstances)**
- C. Only the Primary Business Representative shall register their business with the Secretary/ Treasurer. **(Minor Infraction)**
- D. All vendor complaints must be directly addressed to a member of the Market Management Committee. **(Minor Infraction)**
- E. A vendor shall not refer to another vendor or another vendor’s products in a derogatory manner. **(Minor Infraction)**

- F. If a member of Farmers' Market has their membership removed by a vote of the membership, it will require a 2/3 majority vote of the membership to reinstate the membership eligibility of that member. (*Minor Infraction*)

Section 3 – Stall Fees & Set Up (*all items under this heading are minor infractions*)

- A. Attendance at market shall be defined as selling or showing a product at market, during market hours. A member who reserves a stall space and is present at market is required to pay a stall fee for the total space reserved, unless occupied by another vendor. The member may use the space as they wish. However, they must use their reserved space to sell at market. If the member notifies the Market Management Committee (henceforth committee) they will not be present, they give up reservation rights, attendance credit, and are not required to pay stall fee for that market meeting. A member with reserved stall space may purchase up to 80% attendance credit for stall re-reservation, based on their current reserved space. This purchase credits a member for stall space re-reservation only, pursuant to By-Law, Article III, Section 3, Paragraph C, Sub-paragraph 1. Once purchase occurs, the member gives up all current reservation rights to that space, and the committee may use it as open market space. Notification requirements are set forth in Paragraph E below.
- B. All vendors shall pay a \$10.00 fee to obtain space to sell at Saturday Market. Members may choose to pay by the spring meeting of the current year a \$150.00 fee per stall space for their stall space. No portion of the yearly stall fee shall be refundable except at the discretion of the board of directors. Space shall be divided into ten (10) foot "stalls" and vendors may pay for up to, but not more than four (4) "stalls." Reserved stall space available after the annual spring meeting shall be offered to members on a seniority basis, based upon date of membership, as applied by By-Lay rule Article III, Section 3, Paragraph C. Available space shall be recorded by the Market Manager and a current map shall be maintained during the market season.
- C. Inclement Weather days may be determined by Market Management Committee based on degree of inclement weather and sales of vendors present.
- D. If a day is deemed to be an inclement weather day stall fees will be adjusted by Market Management Committee
- E. Notification: A member with a reserved stall space shall notify the Committee by 9 P.M. Friday before Saturday market and 9 P.M. Tuesday before Wednesday market, if they will not attend market. Members must insure that the notification is given to a Management Committee Member and those committee members must insure the Market Manager or the designated substitute is informed. If the committee is not notified and the member fails to be at market before 7:30 A.M. Saturday, that member shall pay stall fees for the entire reserved space and will give up all reserved rights for that space for that day. If the Committee is not notified and the member fails to be at market before 3:30 PM Wednesday, the member will lose their reserved space for that day and the remaining members will adjust to fill in the vacated space. The committee may wave the fee payable if it deems that the member could not give notice or attend due to circumstances beyond the member's control, but may still use the reserved space to accommodate other businesses.
- F. Stalls
1. Booths must be within space allowed.
 2. Booth and customers must not infringe upon another vendor's space.
 3. Vehicles and products will not be allowed in a designated walk way.
 4. Vehicles of vendors and employees must be parked within the stall or be parked outside of the parking lot used for Farmer's Market.
 5. Stalls must be set up to make sales to the lot.
 6. Noise levels must not infringe on customers or other vendors.
 7. There is to be no political or religious propaganda or solicitation at the Farmers' Market judged at the Board's discretion.
 8. Vendors are responsible for their own property and any damage or injury their property may cause at the market.
 9. No driving is allowed in the market walkways during market hours. If there is an emergency and you must leave you must contact the market manager or other board member prior to moving your vehicle in a walkway.
- G. All members and associate members who attend market shall pay a market attendance fee. That fee shall be equal to the charge for a single stall, or more, if multi-stall spaces are used; and the attendance fee shall be payable to the committee the day of attendance.
- H. The layout for the Wednesday market shall be according to the layout map designating present available space dated March 9, 2004. All reserve frontage space at Wednesday market shall be filled from North and West to prevent open spaces in the market frontage.
- I. The Board of Directors may approve the operation of Downtown Farmers' Markets outside the normal time frame of April through October, such as Winter Markets. Every effort should be made for these markets to be self-supporting (i.e., expenses should not exceed revenues, and both should be kept separate from regular accounts by the treasurer). The member (facilitator) arranging for facilities has the responsibility for setting market hours, stall fees, stall spaces, advertising, etc so that anticipated expenses do not exceed anticipated revenues. However, the facilitator may spend up to an additional \$200 on advertising to help insure the success of the event(s).

J. The Board of Directors may sign contracts over the amount of \$500.00

Section 4 – Disciplinary Procedures

A. Process of Dealing with an Infraction:

1. Market Management Committee members may observe an infraction directly and take necessary action as stated within the By-laws and Standing Rules.
2. A vendor may bring an infraction to a Market Management Committee member's attention if during market.
3. A vendor may bring an infraction to the attention of the Market Management Committee in writing within 7 days of an occurrence. After that deadline the infraction is considered a moot point.
4. Any member having a complaint will be required to bring that complaint in writing and include a \$50 deposit. This deposit will be refunded if the complaint is deemed valid by the appropriate authority. The deposit will not be refunded if the complaint is deemed invalid.

B. Degrees of Infractions and Discipline Deemed Appropriate:

1. Minor: A request to rectify the situation from the Market Management Committee
2. Intermediate: Market Management Committee may request the vendor dismantle their sales area and vacate the premises for the remainder of the current market day.
3. Major: Market Management Committee may request the vendor to not return for the remainder of the market season.

C. Repeat Infractions (of same rule) raise the degree. Three minor infractions rise to an Intermediate and one intermediate infraction rises to a major.

D. Wednesday market infractions do not count towards Saturday market infractions in regards to repeat infractions.

Article VII --- Committees

Section 1

- A. The advertising committee chairperson shall be elected by the membership at the spring meeting. The President shall fill any vacancies. The advertising budget for the Advertising Committee is to be determined at the Spring Meeting.
- B. As guidance to the Advertising Committee, an advertisement shall be placed in the Manhattan Mercury each Tuesday for the Wednesday market and each Friday for the Saturday market. Placement of this ad is at the direction of the newspaper, but it should be noted that ads closer to the front of the newspaper tend to have more notice.
- C. The Market Manager serves under the direction of the Market Management Committee and his/her duties will be determined by the Market Management Committee and submitted to the DFMMI membership for approval at a future meeting. The market manager must be approved annually by the membership.