

WINNSBORO FARMERS MARKET VENDOR RULES/REGULATIONS

Revised 01/31/2018

Market Location: Market Street between Elm and Broadway
Market Date & Time: Saturdays, April – October
8 am through Noon (rain or shine)

ORDINANCE NO.

Vendor Registration and Fees

All vendors must submit a completed and signed application along with appropriate registration fee. Families may register as a single vendor. All vendors under the age of 14 must be accompanied by an adult. The full season registration fee is \$50. Early bird special registration by the first Saturday in March is \$35. Vendors wishing to participate for a single Saturday may do so for a daily fee of \$5. The Farmers' Market Board reserves the right to waive registration fees for special circumstances. No other fees will be assessed.

Health Permits and Fees are waived by the City of Winnsboro to registered Farmers' Market Vendors. Applicable permits, certifications, inspections and fees remain the responsibility of the individual vendor as applicable.

The Winnsboro Farmers' Market Board reserves the right to refuse participation to any applicant.

Vendors must submit a list of items to be sold for approval by the Market Manager and Farmers' Market Board. Items not included on the original application must be approved by the Manager before being offered for sale.

Vendor Selling Spaces

Selling spaces are assigned on a first-come, first-served basis, with the exception of wineries that must follow TABC regulations.

110 Volt, 15 Amp electricity is available at the base of each light post. 110/220 Volt, 50 Amp electrical power is available in limited spaces by prior arrangement. All electrical equipment must be able to operate on Ground Fault Circuit Interrupter (GFCI) circuits.

Vendors may set up no earlier than 7:00 am and no later than 7:45 am and be ready to do business when the Market opens at 8:00 am. Vendors with extra needs may request an earlier arrival time. Vendors arriving before 7:00 am will be allowed to enter Market Street as soon as the basic market set-up is complete, and may be asked to assist with this setup. Vendors waiting to enter Market Street must stage their vehicles so as not to block traffic or cause a hazardous situation.

Vendors arriving after 7:45 am may not be allowed entrance based on pedestrian traffic.

Selling spaces are 10'x10' and vendors must supply their own tent, tables, chairs, and other supplies they require.

Vendor's tables, tent/canopy, product and signage must be contained within their 10' x 10' selling space unless otherwise approved by the Market Manager. Designated aisles and entrances must not be obstructed.

Vendors must display their name and/or farm name, city or location, and their growing practices in a visible sign at the front of their booth/space.

Vendors who expect to leave the Market before noon should make arrangements with the Manager before setting up. Vehicular movement will be limited to ensure the safety of customers and other vendors.

To reduce congestion on Market Street during setup, vendors are required to drive their vehicle to their assigned spot and park as far to the side of the street as possible. Vendors should unload all of their tents, tables, and merchandise on or near the curb in their assigned spot, and move their vehicle to an appropriate parking spot BEFORE beginning setup. Likewise, when leaving the market, vendors should pack their tents, tables, and products BEFORE bringing their vehicle onto Market Street. Vendors should avoid staging packed materials on the roadway. While loading and unloading, every effort should be made to position vehicles to allow other vendors to pass and avoid "traffic jams" or causing vehicles to stop on Broadway.

Unless extended for special events, ending time for the Market is 12:00pm (Noon) and all vendors should plan accordingly to pack their tables, tents, displays, and products to facilitate a prompt departure.

Vendors are to have all of their items removed from Market Street by 12:30pm. No vehicles should be parked outside of marked street parking spaces.

Permitted Items

Vendors may sell only items grown or produced themselves or by other registered Winnsboro Farmers' Market vendors. No reselling of purchased produce or products is allowed. All items must be grown or produced in Wood County or the adjoining counties (Camp, Franklin, Hopkins, Rains, Smith, Upshur, Van Zandt) or within a 50 mile radius from Winnsboro in counties that do not adjoin Wood County.

Produce and food items that cannot practically be grown or produced within the above area due to climate or other environmental factors, but are produced in other parts of Texas or in Gulf waters, may be admitted upon review by the board. The requirement that the vendor be the grower or producer remains in force.

The Farmers' Market Board reserves the right to perform field inspections to verify the source of all items offered for sale.

Producers may sell farm, garden and food products including but not limited to: vegetables, fruits, nuts, flowers, plants, eggs, meat, dairy, jams, jellies, pickles, honey, and baked goods. All food products must be substantially homemade from scratch and of high quality. Jams, jellies, pickles, or dried fruits and dried vegetables must be grown by the vendor or contain their own grown produce or produce grown by another Market vendor with disclosure of produce source to consumer.

All homemade, baked, or canned items must be in compliance with the Texas Cottage Food Law (SB 81 of 2011 and "Texas Baker's Bill", HB 970 of 2013) including adhering to packaging and labeling requirements, and obtaining a Texas Food Handler's Card. Sale of "potentially hazardous foods" as defined by the Texas Health and Safety Code, Title 6, Chapter 437, is not allowed at the Winnsboro Farmers' Market.

Small **agricultural** animals (e. g. chickens, rabbits, ducks, etc.) may be sold at the Farmers' Market by approval of the Market Manager. The selling of or giving away dogs and cats is prohibited unless representatives or employees of an established animal rescue/shelter organization seeks and is granted special permission to participate in a designated market day.

All arts and crafts must be handmade from raw agricultural materials by the vendor. Vendors who sold items during the 2013 season that do not meet this standard may continue to sell those items so long as they maintain full-season registration each year. However, if the vendor fails to register, they will lose this exemption. All new craft items offered for sale must meet current standards. Vendors selling exclusively craft items are limited to 20% of total vendor registration. (See "Second Saturday Craft Day" Rules and Regulations for complete information regarding sales of craft items.)

The Farmers' Market Board and Management reserve the right to sell promotional items or food/beverage concession items for the convenience of vendors and customers with proceeds from all sales to be used for market expenses.

Customer complaints about the quality of a vendor's product may result in termination of selling privileges.

Vendor Responsibilities

Each vendor will be responsible for obtaining a Sales Tax Number if required by the State of Texas and shall be responsible for collecting and paying any sales tax that may be assessed on his or her products. The vendor shall be responsible for filing any and all returns required by the State of Texas with respect to sales tax collection.

It is the responsibility of each vendor to abide by all city, county, state and federal regulations which govern the production, harvest, preparation, preservation, labeling and/or safety of products offered for sale at the Market. Vendors are liable for their own products. The City of

Winnsboro, Farmers' Market Board, and/or the Farmers' Market Manager shall not be held liable for the products offered by vendors. Product and liability insurance are the responsibility of the producer.

Vendors shall maintain a courteous and professional manner at the Market.

Vendor shall not solicit business by "hawking" or walking up and down the market and offering samples, carrying signs, or calling out their wares outside of their booth. Vendors are limited to selling in their designated 10 x 10 space.

All Vendors must leave their selling space clean and remove all trash or unsold product including paper, produce, wrappers, "zip ties", etc.

Vendors are responsible for their children and guests at all times.

All animals must be leashed, caged, or in hand.

Vendors are responsible for the merchandise, security and liability of their selling space and persons. Vendors shall indemnify and hold harmless The City of Winnsboro, The Farmers' Market Board, Farmers' Market Volunteers and the Farmers' Market Manager for any and all loss or damages that may occur through their participation with the Winnsboro Farmers' Market.

Vendors must park in the Depot parking lot East of Franklin Street, on the South side of the Depot, on Franklin Street between Broadway and Elm, or in the First National Bank lot. Please avoid parking on Main or Elm streets and in front of merchant's stores. Vendors with state-issued handicapped parking placards or license plates may park in designated handicapped parking places.

A vendor's signed application to participate in the Market is their agreement to abide by the rules and regulations set forth in this document and the Market Manager's instructions. Repeated violations of this agreement may subject a vendor to revocation of selling privileges.

Management

The City of Winnsboro has the right to change the rules as deemed necessary or discontinue its use as approved.

The Farmers' Market Manager or his/her designated agent shall have supervision and control of the activities of the Market and the designated Market area, and as such has full responsibility for enforcing all rules and regulations as set forth herein.

Grievances

Should a Vendor or community participant feel their rights at the Winnsboro Farmers' Market have been violated in some way or feel that another vendor or someone else has acted outside of their authority or in a way that harms the Winnsboro Farmers' Market as a whole, the following steps should be taken:

1. The grievance or concern should be put in writing and include a clear and specific description of the problem and the name(s) of the person involved, a description of the ways in which the person has attempted to resolve the matter (if appropriate), and at least two courses of action that would satisfy the writer (if appropriate). These should include but not limited to:
 - a. Mediation between involved parties.
 - b. Determine that the issue does not warrant formal steps to resolve it and should be handled through other channels.
2. Copies of this correspondence should be sent to the Farmers Market Board and to all persons involved in the grievance or concern. This must be a signed correspondence.

The City Administrator has final authority in deciding the outcome of the grievance.

Official mailing address for Winnsboro Farmers' Market Board or Manager:

Winnsboro City Hall
501 S. Main Street
Winnsboro, TX 75494
Attn: Farmers' Market

Official mailing address for Winnsboro City Administrator:

City Administrator
Winnsboro City Hall
501 S. Main Street
Winnsboro, TX 75494