

March 2010

## New Hope Farmers' Market Rules and Regulations

### **PURPOSE**

The New Hope Farmers' Market provides opportunities to farmers in the region to sell what they produce directly to Borough residents. The Market helps support family farms, preserves farm land and open space, increases commerce in the region, increases interaction between residents and farmers, and enriches the quality of urban life. New Hope Farmers' Market hopes to expand marketing opportunities for local farmers, encourage marketing opportunities for local farmers, encourage sustainable agriculture, increase public access to fresh locally and sustainably grown healthy farm products and support local food security.

### **FARMER AND VENDOR ELIGIBILITY**

All farmers and vendors must be from the region, which is defined as Pennsylvania and New Jersey. All farmers and vendors must complete and submit to the Market Manager a signed copy of this application form and a certificate of insurance. Vendors must have Market Manager approval before coming to the Market.

The sale or trading of items typically offered at flea markets is prohibited. No re-sale items are permitted. No crafts are permitted.

### **MARKET HOURS**

The New Hope Borough Farmers' Market operates from May 6, 2010 through November 18, 2010, Thursday afternoons only, from 3:30 pm to 7 pm.

Farmers and other vendors must arrive at the Market site early enough to set up and be ready to sell when the Market opens at 3:30 pm. When school is in session, the vendors must be careful not to interfere with school traffic while setting up. School lets out at 2:30 pm, and buses and students begin leaving the parking lot soon after. Buses leave the school grounds by 3:40 pm.

### **ATTENDANCE**

Vendors must let the Market Manager know before Market Day if they cannot attend the Market or if something comes up at the last minute that prevents them from attending.

### **MARKET FEES**

Each farmer/vendor must pay a Market fee to the Market Manager of \$20 per Market day. The half season rate is \$238.00; the full season rate is \$420.00. For half and full season rates, one-half is payable no later than May 6<sup>th</sup>; the balance is payable no later than July 16<sup>th</sup>. Half and full season rates are refundable at any time during the Market season, less a \$20.00 fee for each Market week already attended by a vendor.

### **WHO MAY SELL AND PRODUCTS THAT MAY BE SOLD**

The New Hope Farmers' Market is a producer-only market. Farmers, farmer's family members and employees familiar with the farm's practices and products being sold may sell. Farmers

may only sell crops or other farm products that they grow and produce themselves, with exceptions as listed below. Baked goods, prepared foods, and crafts produced by the vendor that use local and sustainably produced products may be sold. Priority will be given to: organic farmers and farmers growing without pesticides, herbicides, and synthetic fertilizers; farms selling pastured animal products; farms closest to the market; and farms filling gaps in the market.

**Exceptions:**

1. Farmers may sell items cooperatively (taking turns) for other farms in the region whose applications have also been accepted for the market. Farmers selling must be familiar with the growing practices of all products they are selling and must clearly indicate by signage the name(s) of the farm(s) producing the product.
2. A farmer may sell a locally produced farm product from another local farm. The farmer selling must clearly indicate by signage the products grown by his or her farm and the farm from which other products are grown and must clearly separate these two categories in the farmer's display. Products from other farms may not consist of more than 1/3 of the farmers' display.
3. Vendors selling vendor-produced baked goods and/or prepared foods will be accepted with priority given to vendors selling foods made with organic, sustainably grown ingredients from local farms and filling a niche desired by customers.
4. Periodically special events may be scheduled during which other non-food vendor exceptions may be made.

**SIGNS AND POSTED PRICES**

Farmers and vendors must display signs giving their names or that of their farm, town, and state. Farmers must have signs listing the prices of every item offered for sale. All required signs must be in place before sales begin at 3:30 pm.

**ORGANIC CERTIFICATION & OTHER CERTIFICATIONS**

Farmers and vendors offering Certified Organically Grown or Certified Naturally Grown products must display a sign giving their organic farm certification and listing the certifying organization. Farmers and vendors must clearly separate and label organic and non-organic produce offered for sale in the same display. Vendors are encouraged to let customers know how produce and fruit are raised.

**SPACE**

The New Hope Farmers' Market will assign spaces at the market. Farmers cannot lease or lend market stalls. Farmers' displays must not limit the view or access of customers to other stalls. Each space is 12 ft. x 12 ft. There is no extra charge for widths up to 20 ft., but it must be requested. Individual canopies are required, preferably white, which makes them very visible from the road.

**SUPPLIES AND EQUIPMENT**

Farmers and vendors must supply their own scales, bags, tables, shade structures, and other items needed to operate their stands.

**MEASURES**

All scales used at the Market must comply with all requirements of the Bucks County Department of Weights and Measures.

## **SITE SANITATION AND APPEARANCE**

The farmers and vendors must return the Market site to its pre-market condition by removing all trash, debris, equipment, signs and vehicles by the close of each Market day.

## **HEALTH AND SANITATION REQUIREMENTS**

Farmers and vendors must comply with Bucks County Health Department rules and regulations for preparing, handling and storing food at the Farmers' Market. Farmers and vendors must comply with state and county laws concerning preparation and labeling of baked, processed, and perishable foods.

## **SUPPLIES AND EQUIPMENT**

Vendors must supply their own bags, tables, and other items needed to operate their stands. If selling by weight rather than volume, scales must be licensed and inspected. Food sold by weight must identify the net weight of the contents.

## **SITE SANITATION AND APPEARANCE**

Vendors must clean their sales and truck areas at the end of the market, **remove all product residue and refuse** from the market site, and pack out empty boxes. Farmers must keep their stall areas clean and attractive, i.e., clean table coverings, boxes and other containers placed underneath tables, and stalls kept free of product residuals and other litter. Vendors must avoid making ruts in the sod and repair any ruts made. Failure to do so may result in fines or denial of permission to sell.

## **PUBLIC SAFETY**

Vendors should exercise caution in parking vehicles and when unloading, reloading, and leaving. Vendors should check their selling areas to be sure the tables, boxes, power cords, the vehicle or its contents, or any other item brought to the market presents no hazard to pedestrians, motorists, or vehicles. Canopies must be adequately secured at all times to prevent accidents.

## **INSURANCE REQUIREMENTS**

Each farmer or vendor shall obtain General Liability (including products liability and premises liability), Automobile Liability, and Workers Compensation insurance coverage. Each and every such policy shall expressly provide that coverage includes General Liability insurance with a minimum single limit for personal injury of \$100,000.00 for any occurrence and of \$100,000.00 for property damage for any one occurrence; Automobile Liability limit of \$100,000.00 per occurrence or more (including hired & non-owned) (bodily injury and property damage); and Worker's Compensation insurance, as applicable, in limits prescribed by Pennsylvania law. Each farmer or vendor shall list New Hope Borough and the New Hope Solebury School District as "additional insureds" (except for Workers Compensation insurance coverage), shall provide waiver of subrogation rights, and shall provide for no less than thirty (30) days notice to the Borough and the New Hope Solebury School District of any cancellation or adverse change to any such policy.

Farmers and vendors shall each furnish a certificate of insurance and all applicable endorsements evidencing the insurance required under these rules and regulations to the Market Manager on or before their first day at the Market. Failure to obtain such insurance coverage or failure to furnish the certificate of insurance required shall constitute a breach of the Market Rules and Regulations by a farmer or vendor.

### **PERMITS and TAXES**

Vendors are responsible for all licenses required to sell their farm products, such as scale permits and permits to cook and sell prepared foods. Farmers are responsible for collecting and paying sales tax on items requiring payment of sales tax.

### **FARMERS' MARKET NUTRITION PROGRAM & WIC**

Produce farmers are encouraged to obtain authorization from the Pennsylvania Department of Agriculture to accept Farmers' Market Nutrition Program (FMNP) & Women, Infant & Children (WIC) vouchers. Call 800-468-2433 for details for FNMP & WIC.

### **INSPECTIONS**

The Market Manager reserves the right to visit any farm or vendor with advance notice to inspect agricultural operations and the production, processing, handling or storage of crops or products sold at the Market.

### **MANAGEMENT AND APPLICATION OF RULES**

The Market Manager is responsible for the operation and management of the New Hope Farmers' Market. The Market Manager and his or her designees are authorized to make all administrative and operational decisions at the Market site including assignment of spaces, enforcement of the Market Rules and Regulations, and collection of Market fees and sales reports. Violations of the Market Rules and Regulations may result in reassignment of Market position or loss of permission to sell at the Market.

### **USE OF MARKET SITE**

The use of the premises at the New Hope Solebury High School for the New Hope Farmers' Market shall be limited to the duration and special conditions of the School District's Facilities Use Permit.