



Farmers Market Rules & Regulations 2024

Buy Fresh Buy Local – Siouxland

EQUAL OPPORTUNITY

Buy Fresh Buy Local – Siouxland, Inc. provides Equal Opportunity to all approved vendor companies and Prohibits Discrimination and Harassment of Any Kind: The Market is committed to the principle of this opportunity providing our vendors with a Market environment free of discrimination and harassment.

All decisions are based on Market business needs, rules and regulations, vendor requirements and qualifications, without regard to race, color, religion or belief, political affiliation, national, social or ethnic origin, sexual orientation, gender identity, or any other status.

Location:

The location for the Sioux City Farmers Market will be the suite parking lot for the Tyson Event Center located north of TriView Avenue at the corner of Tri View Avenue and Pearl Street.

Organizer/Manager:

Buy Fresh Buy Local – Siouxland, Inc. is the organizer/manager of the Sioux City Farmers Market and has the authority to enforce the rules and regulations. Management for BFBL includes members of the Farmers Market Board of Directors and the Market Manager.

Permit/Fee/Licenses:

- a) Buy Fresh Buy Local – Siouxland, Inc. (BFBL) will hold a blanket City of Sioux City Transient Merchant's License that will cover all vendors selling at Sioux City Farmers Market. Individual vendors are not required to purchase the City's Transient Merchant's License unless they will be vending elsewhere in the City.
- b) Vendors will be responsible for obtaining a State of Iowa Sales Tax Permit, if applicable, and filing proper reports and paying all sales tax due on taxable sales.
- c) Vendors shall be responsible to obtain all licenses for time/temperature-controlled food products. Vendors who do not obtain the necessary and proper permits and licenses for selling time/temperature-controlled food products will not be able to sell those products at the Market. Violation shall result in Discipline or Removal of Vendor as defined elsewhere in these rules.
- d) All vendors of food products, whether they be food for preparation and consumption later (such as a produce vendor or winery), or food for consumption on site (such as burgers and brats for lunch) shall maintain, at their expense, Comprehensive General Liability Insurance with policy limits not less than a Combined Single Limit for Bodily Injury, Property Damage, and Personal Injury Liability of \$100,000 per occurrence and \$300,000 aggregate. A Certificate of Insurance from your insurance company/agent is required listing Buy Fresh Buy Local-Siouxland, Inc., 515 4th Street Suite A, Sioux City, IA 51101 in the Certificate Holder Box on the certificate. A copy of your insurance policy or billing statement is not acceptable. Lack of maintenance of insurance coverage constitutes a violation of these rules and the vendor shall lose their membership.
- e) All permits, licenses and fees must be submitted to Buy Fresh Buy Local-Siouxland, Inc. before a vendor will be allowed to sell at the Market.

Days/Hours:

The Market will be open between the hours of 8:00 a.m. to 1:00 p.m., local time each Wednesday and Saturday from May 4, 2024 through October 26, 2024. Vendor set up is between 6:30 a.m. and 7:30am each day and all

vendors must leave the market area by 2:00 p.m. on Market days. Vendors with trailers should arrive and be in place between 6:30 and 7:00. Vendors with trailers who arrive later than 7:00 may be moved to the west end because of difficulty in getting into their assigned space. Vendors with 1 space and without a trailer should not arrive before 7:00 am and no later than 7:30 am. For more information regarding setup, please contact the Market Manager. Vendors may not set up and/or sell products at the Sioux City Farmers Market site at any other time.

These hours may be changed upon three-day's notice from the Convention Center/Tyson Event Center that the area will be used for a City-sponsored function. The notice will be posted at the facility and notice given to BFBL. BFBL shall notify each vendor by email or regular mail of the conflicting date. Any vendor attempting to use the facility during the period reserved by the City will be asked to leave.

Association Dues:

All vendors wishing to secure a sales space at the market shall join the Sioux City Farmers Market Organization and shall pay dues based on size of space. All monies collected will be used for the operation and promotion of the Market.

A vendor is described as any person, business, or group who is selling a product, service, or item and/or taking money in any way, shape or form from patrons of the Market. All vendors shall pay the organization dues and all vendors shall be registered with BFBL.

- a) Without exception, no vendor shall rent a space smaller than 10 linear feet.
- b) All spaces are 10 feet wide with a 2-foot wide separation. Maximum depth of any vendor booth is 20 feet and shall generally be delineated as the depth of the parking spaces in the lot. **Vendors may not park any part of their vehicle up on the curb, grass or the sidewalk surrounding the market. The market space is defined strictly by that part of the market lot inside the curbs.**
- c) For vendors who wish to rent multiple spaces, the Market Manager shall assign the appropriate number of spaces based on the total length requested by the vendor. Multiple space length is based on the first 10 feet plus multiples of 12 feet. The length of spaces rented shall be determined by the length of the vendor's display rounded to the next largest space divider. For example, if a vendor has a 40 foot long display, the vendor shall be charged for the 46 foot length space.
- d) Vendors will be limited to renting no more than four (4) total spaces.
- e) All dues and fees for returning vendors are payable in full to **Buy Fresh Buy Local – Siouxland, Inc** by to April 1, 2024 unless you are considered a daily vendor. Applications for new vendors will be considered anytime during the market season if space is available. If a vendor joins the market on the Labor Day Weekend or later, the vendor will be charged ½ of the applicable yearly dues rate based on the size of the vendor's stand/unit. Daily vendor rates will still apply after Labor Day.
- f) Market fees are due paid in full regardless for the number of days a vendor intends on vending at the market.
- g) The vendor may not "pass along" his/her space to other vendors on the days that the registered vendor is not in attendance.
- h) Vendors using electrical service without paying are in violation of market rules.
- i) Buy Fresh Buy Local-Siouxland reserves the right to do spot checks of vendor booth and business facilities to verify that producer is in compliance with market rules.
- j) Vendors that register to sell produce/vegetables, even a small amount, must register under the Full Season Membership Rate.

Full Season Membership Schedule:

1 Space (10 linear feet) - \$550 per year 3 Spaces (34 linear feet) - \$1300 per year
2 Spaces (22 linear feet) - \$925 per year 4 Spaces (46 linear feet) - \$1675 per year

Electrical Service (110 volt, 20 amps maximum): \$200 per year for Food Trucks/Food Trailers. All Others \$100 per year.

Non-Produce or Fruit Only Vendor Daily Rate:

A daily vendor rate of \$50 per day per 10-foot space is available for non-produce vendors only including arts, crafts, food for consumption on-site and food-related commercial products. Examples of food for consumption on site include food or drink to be eaten immediately such as donuts, coffee, soda, hot dogs, tacos, etc. To qualify for fruit only daily rate sales, vendor cannot sell any other produce products within their space. If a vendor requires more than 10 feet of space, a charge of \$50 per space multiple shall be applied. For example, if a vendor requests 22 linear feet, the total charge shall be for the original 10-foot space plus one additional 10-foot space plus the 2 feet separation space for a total of 22 feet. The total charge in this example shall be \$100 per day.

Eligibility for a daily rate requires application as a vendor and notice of attendance no less than one week prior to the date requested. **Payment for each date in attendance shall be made prior to setting up that day.** The Market Manager shall review applications and has the sole authority to approve or deny the application. If approved, the Market Manager shall assign a space or spaces to the vendor.

If a vendor registers as a daily vendor initially, They may convert to a Full Season Membership rate before the end of your third day as a daily vendor and have your fees applied toward your full membership fee. The balance of the vendor fee must be paid in full upon your request to go to full season rate. If the vendor does not convert by the third day, the vendor must continue at the daily rate for the entire season.

A special Daily Rate based on a percentage of sales is available at the discretion of the Market Manager for vendors who are providing entertainment such as face painting or where the value of what is being sold is so low that the regular daily rate would not allow the vendor to participate. The percentage rate is 25% of all total sales that day, to be paid to the Market Manager at the end of the market day with certification of the sales.

Space:

Each vendor must complete a Vendor Registration Form, sign the Rules & Regulations Form, submit all necessary permits/licenses and pay yearly dues before the Market Manager will assign a vendor space and the same space location is not guaranteed every week. **Every vendor is responsible to contact the Market Manager regarding any change in scheduled selling days at the Market only via text message or phone call. Deadline for notification for not attending on a scheduled day or coming when not scheduled is 5 p.m. the day before the Market.** Exceptions are made only for emergencies. Each vendor's space will be assigned by a combination of factors including, but not limited to, the need for electricity, vendor size, best mix of products, access and arrival time. All vendors utilizing electricity shall be located on the north side or the southeast corner of the market vendor area.

Sales Area:

Sales outside the designated area are prohibited. Each vendor shall have a sign with their business name. Sign shall be considered a banner or rigid sign and a minimum of 24 inches by 36 inches and displayed within the space assigned. Products need to have prices clearly displayed. All vendor signs must be placed within the vendor's space. Unless the vendor's vehicle is an integral part of the vendor's display, vendor vehicles shall be parked in the parking lot south of Tri-View Avenue. **No signs may be placed outside of the vendor's designated space.**

Clean-up: Each vendor must clean up daily his immediate area and collect all trash or other debris blown from his area to the surrounding public or private property.

- a) Failure to clean up the area may jeopardize the Market's use of the site and will not be tolerated.
- b) Failure to clean the space will result in a fine equal to the stall fee on the Market day.

Merchandise: The only products that can be sold at the Sioux City Farmers Market are:

- a) Honey packaged by the vendor.
- b) Meat produced by the vendor and packed at State or federally approved facilities and with all necessary permits obtained by the Siouxland District Health.
- c) Eggs produced by the vendor and sold according to State or Federal regulations.
- d) Fresh fruits and vegetables grown by the vendor within a 100 mile radius of the Market.
- e) Flowers, trees and other similar types of vegetation grown by the vendor.
- f) Baked goods that are not time/temperature controlled food products made by the vendor unless the vendor has purchased a license to sell time/temperature-controlled food products at a farmers market from Siouxland District Health.
- g) Crafts made by the vendor.
- h) Art work crafted by the vendor.
- i) Vendors of food for consumption on the market site. Examples include donuts, coffee, hot dogs, tacos, funnel cakes, etc. All vendors of food for consumption are subject to permits, regulations, and inspection by the Siouxland District Health.
- j) Non-time/temperature-controlled food products: must be shelf-stable, sold for consumption off premise and does not require refrigeration. (Examples: jams, jellies, dried noodles or pasta)
- k) Wine or beer made by the vendor, subject to Iowa Liquor Laws.
- l) Food-related commercial products. Applications by vendors selling food related products such as food preparation utensils and equipment; specialized cookbooks; or spices, oils, and herbs that are not grown, produced or packaged by the vendor will be considered under this category. Each application will be considered on a case-by-case basis depending on the type and quality of the products sold and their relevance to the goals of the market. The Market Manager reserves the right to limit the number of vendors in this category. Food-related commercial products are limited to one 10-foot space per business and shall pay a premium price of \$800 per season membership. Vendors of commercial products under this category will be required to provide no less than four (4) product demonstrations daily depicting how their product is used. These demonstrations shall be spaced adequately apart (e.g. hourly) and must feature how the product can be utilized to prepare food available at the Market. A majority of products used in demonstration shall be purchased from other market vendors.
- m) Any other merchandise approved by Market Staff that is made, grown or crafted by the vendor.

Merchandise sold at the Farmers Market must meet all local, state and federal health guidelines and vendors shall follow all applicable state and federal laws. Products purchased from other vendors or businesses may not be resold at the market. If you are selling product by weight, you must have an NTEP or Class 3 Certified Scale.

The Market Manager retains the right to limit the number of vendors and products in any category and to limit the number of vendors eligible for the market as a whole.

Quality of Product:

All fruits, vegetables, berries, baked goods, food for consumption and flowers should be fresh and of good quality. If products are not deemed of good enough quality to sell at the Market as determined by the Market Manager, the Market Manager may restrict the sale of such products for that day.

Competitive Locations: Vendors may not set up and sell their products in Sioux City Metro locations other than the Sioux City Farmers Market that are in direct competition with the Farmers Market during Farmers Market hours on Market Days. Metro locations include: Sioux City IA, Sergeant Bluff IA, North Sioux City (Dakota Dunes) SD, South Sioux City NE, and Dakota City NE. The exception is for products that have been able to be placed within a commercial retail establishment through agreement with the retail business.

Non-Vendor Exhibitors:

From time to time, non-vendor exhibitors may be allowed to display at the market. Non-Vendor Exhibitors shall only exhibit, promote or display free non-commercial food or nutrition related information. Examples of Non-Vendor Exhibitors are the WIC Program Staff, Department of Health, University Extension Programs, Food and Nutrition Programs, etc.

Non-Vendor Exhibitors may not sell or exchange money for any service, product or information provided at the Market. Non-Vendor Exhibitors shall apply to Market Staff for permission to display at the Market no less than 1 week prior to the date that the exhibitor would like to set up. Any Non-Vendor Exhibitor who fails to obtain permission from the Market Manager prior to setting up at the Market shall be asked to leave immediately. Any Non-Vendor Exhibitor who refuses to leave shall be considered trespassing and charges may be filed.

Sponsors, whether food related or not, may set up a booth (tent & table required) to provide information about their company, but may not sell products.

Because Buy Fresh Buy Local – Siouxland is a 501(c)(3) non-profit organization, and the Market is a series of events planned and executed by the organization. BFBL-S reserves the right to prohibit other non-profit organizations and political organizations/candidates from utilizing the Market facilities or events to conduct fund raising activities or promotional purposes.

WIC/SFMNP/CVV Vendors:

All vendors who are participating in the WIC and SFMNP programs shall comply with all regulations pertaining to those programs. Participating in the Sioux City Farmers Market does not exempt the vendor for all responsibilities relating to that program.

No Smoking/Vaping: The Sioux City Farmers Market is a smoke/vape-free location. Because the Market is located on the grounds of a public building, Iowa law prohibits smoking/vaping. Vendors or patrons must step to the public sidewalk south of the market area or onto the grass area to the north to smoke. Vendors must leave their booth and the Market site to smoke. Vendors who violate this rule will lose their privilege to sell at the Market.

Vendor Conduct:

- a) Vendors will in no way cause detriment to other vendors and are expected to always conduct themselves professionally, behaving courteously toward Market staff, customers, other vendors, and stakeholders.
- b) Vendors are not permitted to disparage other vendors or products.
- c) Product dumping is not allowed. Predatory pricing or pricing products far below the cost to produce them will not be allowed. Competition is good for everyone, but undercutting potential sales for other vendors could destroy the Market's viability. Please take the time to find out your production costs and set your prices at a fair market value. Upon request, Management is available to help you navigate your organization's production costs and product pricing.
- d) Sioux City Farmers Market does not tolerate targeting, discrimination, intimidation, or harassment of any kind.
- e) No politics or political campaigning is permitted. All signs, clothing, stickers, symbols, etc. that could be deemed to be political or advancing one's ideology is prohibited. This zero-tolerance rule applies to vendors, products, and guest organizations.

The flag of the United States of America is not political. It is the symbol of "We the People" and represents all Americans. The promotion of American liberty, independence, or freedom in general, are characteristics unique to the United States of America and are not viewed as political.

- f) Any activity considered to be damaging to the Market's family friendly atmosphere can result in that person or persons immediate elimination from the Market.

- g) Vendors are responsible for the actions of their representatives, employees, agents, and family members.
- h) Complaints about other vendors will only be considered if a Vendor Concern Form is filled out and submitted to the Market Manager within one week of the market during which the alleged concern occurred. All complaints will be investigated in complete confidence and appropriate action taken without revealing the identity of the complaining person.

No Call/No Show: All vendors are required to call or text the Market Manager directly no later than 5:00 p.m. on the night prior to a Market Day. Vendors shall receive one grace violation of the No Call/No Show rule. For all violations thereafter, the vendor shall lose their privileges at the Market for the remainder of the Market season.

Minimum Tent Weight Requirements:

All Vendors are required to have a minimum of 35 lbs of weight per pole on each tent that is used. If no weights are available, vendor will be required to take down their tent.

Discipline or Removal of an Approved Vendor:

Any vendor who refuses to comply with these rules and regulations: will lose the privilege of selling at the Sioux City Farmers Market, will forfeit the vendors fee paid and will be asked to leave. Failure to leave promptly will be considered trespassing and charges may be filed. A vendor may be removed or suspended from the Market or have selling privileges at the Market conditioned, modified, limited or terminated at any time. Vendors who are in violation of any federal, state, local or Market Rules and Regulations will be subject to the following:

- a) Whenever Management believes a vendor has violated any of the Market's Rules or Regulations, the vendor can expect a verbal or written warning or may be issued a Notice of Suspension.
- b) Any verbal warning may be followed by a written notice of disciplinary action as deemed necessary by Management.
- c) Management may suspend, for any period deemed appropriate, the permission of any vendor to attend the Market.
- d) Management may also refer the matter to a governmental agency with jurisdiction over the subject at issue.
- e) A vendor whose permission to sell has been suspended, or a vendor or applicant aggrieved by a decision of Management, may file a written request with BFBL requesting reconsideration of a determination made by Management. The person requesting reconsideration shall file the written request within the (10) days of the adoption of Management's determination. If no person files a timely request, Management shall not take any action pursuant to this action, pursuant to this section and Management's decision shall be considered final. If a timely request for consideration has been filed, at the next available meeting (meeting may be in the form of a conference call) Management shall consider the request for reconsideration and shall receive any oral or written testimony. Management's decision shall be final.
- f) Whenever Management determines that an immediate suspension of a vendor's privilege to sell at the Market is necessary to preserve the Market's reputation, consumer health, safety or welfare of customers, other Market vendors, staff, or the general public, Management may suspend a vendor's right to sell. Such suspension shall be effective immediately. Management may provide the vendor with a notice of suspension stating the date, time and place of a possible hearing (hearing may be in the form of a conference call) on the suspension. Thereafter, the procedures detailed above shall be followed.

SIGN AND RETURN THIS PAGE

Vendor Reporting:

All vendors agree to report total annual sales figures to the Market Manager within 30 days of the close of the Market year. These figures shall be provided with total security for the vendors in mind. Sales figures are requested to provide benchmarks and progress measures for the Market as a whole. Sales figures will not be maintained on an individual vendor basis, only for the Market as a whole. **Vendors who do not report their sales amounts for the year will not be allowed to return to the following year's Market.**

Rules and Regulations are subject to change at any time without prior notice. It is advised to review and stay informed about any update or modifications that may occur.

The contact information for Buy Fresh Buy Local – Siouxland, Inc is:

Address: 515 4th Street, Suite A, Sioux City, Iowa 51101

Email: siouxcityfarmersmarket@gmail.com

Web Site: www.siouxcityfarmersmarket.com

Market Manager:

Melissa Gritzmaker Cell: 712-333-5032

Email: manager@siouxcityfarmersmarket.com

Checks Payable: All checks shall be payable to **Buy Fresh Buy Local – Siouxland, Inc.**

I have read these Sioux City Farmers Market regulations (total 7 pages) and will comply with them.

Name of Applicant (Please Print Clearly)

Date

Signature

Please sign above and return with payment to:

Buy Fresh Buy Local – Siouxland, Inc., 214 Jackson St, P.O. Box 3317, Sioux City, Iowa 51101

by April 1, 2024 or if a daily vendor at least 2 weeks prior to your first day at the market.

It is advisable to make a copy of this for your records.

Effective Date: January 1, 2024