

RED WING AREA FARMERS' MARKET ASSOCIATION
A Minnesota Non-Profit Corporation

Operational Guidelines and Rules

Our Mission is to provide a convenient and socially enriching place where the community can purchase the freshest, locally grown produce available directly from farmers and producers who represent traditions and skills that we value as part of our way of life.

The Red Wing Area Farmers' Market Association (RWAMFA) supports and promotes the Market in the greater Red Wing area serving Minnesota and Wisconsin customers. It is incorporated as a non-profit organization in the State of Minnesota. Vendors participating in this Market are members of the Association and abide by standards for high quality of products that are locally grown and produced. Members have voting rights within the Association, are invited to attend all Association meetings, and are kept informed of all Association business and Farmers' Market activities.

The City of Red Wing has entered into a management agreement with the RWAFFMA to manage the Farmers' Market, collect fees, and ensure compliance with the City Code requirements, effective 06-26-07.

Location:

The RWAFFM operates seven days a week.

- **Week Day Market**, Sunday through Friday, is located on 4th Street directly in front of City Hall. Hours -8:00 a.m. to 4:00 p.m. or until sold out. Vendors may operate at this location from Spring through Fall.
- **Saturday Market** is located on Levee Street at the Train Depot and operates from 8:00 a.m. to 1:00 p.m. The Grand Opening of the Market occurs the first Saturday in June and continues to the last Saturday of October.
- **Satellite Market**, located on public or private property.

Who May Sell at the RWAFFM:

A vendor must meet the following qualifications:

- Be defined as a person or agent who sells market goods to the public.
- Be a member of the RWAFFMA.
- Have submitted the required application and have been approved by the Board for participation in the Market.
- Have paid the required fees.
- Raise or produce their products on property they own or lease within a 60-mile radius of Red Wing, Minnesota.
- Agree to abide by the RWAFFMA guidelines and rules.

Note: Exceptions to these qualifications for the purpose of maintaining and promoting diversity and variety in the market must receive approval of the RWAFFMA Board.

Application and Fees:

Permit application and payment of fees for the right to sell products at the Market sites in Red Wing constitute an agreement by vendors to abide by the RWAFFMA Operational Guidelines and Rules. Daily permits can be purchased at the Red Wing City Hall, 315 West 4th Street, Monday through Friday, 8:00 a.m. to 4:30 p.m.

- Annual permit fee is \$500 and provides access to the Market seven days a week throughout the season and guarantees a vendor stall.
- Annual Saturday Only permit fee is \$160 and provides access to the Market on Saturday only from June through October and guarantees a vendor stall.
- Daily fee is \$10 for stall at the Market if available.
- Fees for permits must be paid in advance to have access to a vendor stall.
- Vendors are responsible for payment of State sales tax and must abide by all federal, State and local ordinances.

Market Goods:

The following items are approved for sale:

- Vendor grown fresh fruits and vegetables.
- Vendor grown herbs and spices.
- Vendor produced farmstead products such as cheese, meats, fish, poultry, eggs, baked goods, honey, maple syrup and preserves, if prepared and labeled in accordance with rules established by the MN Department of Agriculture.
- Vendor grown bedding plants, hanging and potted plants, dried flowers, and cut flowers and plants.
- Arts, crafts, and other locally produced hand-made products by the vendor.
- Baked goods and processed food must be labeled with information about ingredients.
- Processed items must be sold with a valid processing license or comply with Minnesota labeling law requirements.
- All items must be prepared, displayed, sampled and stored in accordance with Minnesota Department of Agriculture, Minnesota Department of Health and Goodhue County Health and Human Services Department guidelines.
- Produce sold as “certified organic” must have originated from a Certified Organic Farm.
- Farmers/growers that are not certified organic growers, but use organic practices according to State regulations or National Organic Standards or practice pesticide free farming, may advertise or sell produce labeled accordingly.
- All items may be sold by bulk, bundle, or individual item. Items sold by weight units of measure require a State Certified Scale.
- Vendors may sell any items approved of by the Board or shown in their market application.

Stall Assignment:

- Permits entitle vendors to one stall space. A permit shall be nontransferable between Vendors and shall be non-refundable. Copy of permit must be visible in the vehicle or stall at all times.
- Vendor stalls for the Saturday Market at the Train Depot are assigned at the beginning of the market season. Vendors purchasing full-season Saturday permits will be assigned to a specific stall, Vendors paying week-by-week are assigned as available. To maintain a cohesive market the Market Manager reserves the right to move vendors as needed.
- Vendor stalls for the Week-day Market at the City Hall may be selected on a first come, first served basis.
- New vendors are allowed to reserve a stall for three occasions on a one-time basis without being a member of the Association. Thereafter, membership is required to participate in the Market.
- Vendor may purchase a second stall if space is available by contacting the Market Manager.

General Market Guidelines:

- Vendors must arrive prior to market opening, be set up and ready for sales promptly at opening time, 8:00am. Vendors must not take down their canopy to close or leave the market earlier than closing time of 1:00pm unless sold out and after having notified on-site Market Manager. If a situation arises and a vendor cannot make it to the Market he/she must call the Market Manager at least an hour before opening time.
- Weekday market vendors selling from the street in front of the City Hall must sell products from their vehicles
- All permits and licenses required by the City of Red Wing, Goodhue County, the State of Minnesota or the Federal Government are the sole responsibility of the vendors.
- Vendors are required to have adequate insurance to operate such vehicles as are needed to vend at the Red Wing Area Farmers’ Market and adequate insurance to do business in the State of Minnesota and, upon request, to furnish the City of Red Wing with proof of such insurance.
- Tables shall be allowed on the sidewalk adjacent to the motor vehicle from which the market goods are being sold, but shall not exceed the width of the parking stall space, and must maintain a minimum of 40 inches clearance from all obstacles for pedestrians. No tables shall be allowed in the street. Food items must be kept at least six inches above the ground.
- **Tents or canopies, if anchored, may not be staked.** Stakes are not allowed as they may rupture underground hoses in the irrigation system of the City Hall lawn or the Depot lawn. Damage to the irrigation feed lines will result in a \$200 fine. All tents must be weighted down on all four legs with a minimum of 20 pounds per leg.
- No music or noise shall be permitted that can be heard within 30 feet of the vendor’s vehicle.
- No pets or other live animals shall be allowed in the vendor area.
- Vendors must display legibly marked prices of all goods for sale.
- All goods for sale must be in sound condition. All edible goods must be safe for human consumption. The vendor is solely responsible for any damage resulting from the sale of unsound or unsafe goods. If complaints about food

quality are received by Market staff or Board members, the vendor will be asked to remedy the complaint. Failure to do so may result in loss of vendor privilege to sell the item at the Farmers' Market.

- Vendors shall prominently display information to identify the name of the business or operation including the name of the owner and the location of the business.
- Vendors must wear shoes, shirts and dress appropriately for vending in public. All vendors shall clean up around their vehicles when they have completed their sales for each day. All trash must be disposed of properly and all stall areas must be swept of debris.
- The Market Manager or designee is responsible for overseeing the activities of the Market and enforcing the Market Rules when necessary..

Violations of above Farmers' Market rules:

First offense – Verbal warning from the Market Manager or RWAFMA Board member

Second Offense – Written notice from the RWAFMA Board

Third Offense – Loss of selling privileges for the remainder of the Market season.

An alleged violation may be reported by completing a “RWAFMA Market Rule Violation Form” available from the Market Manager or any Board member.

The RWAFMA Board will be the arbiter of disputes.

Revocation: The City Clerk may, in writing, revoke any permit issued under Subdivision 6.38 Farmers Market city code, or refuse to grant or renew said permit of any vendor in violation of this Subdivision, of any other City code provision, or of any regulations adopted by the City.

Covenant not to sue:

The Vendor may not institute any action or suit at law or equity against the RWAFMA, the RWAFMA Board of Directors, any RWAFMA employee or agents; the City of Red Wing, the City's employees or agents. A Vendor will not aid in the institution or prosecution of any claim for damages, costs, loss of services, expenses, or compensation for or on account of any damages, loss, or injury to person(s) or property as a result of operation this Contract. This section shall survive any termination of the Contract.

Indemnification:

The Vendor agrees to fully indemnify the RWAFMA, the RWAFMA Board of Directors, any RWAFMA employee or agents; the City of Red Wing, the City's employees or agents and any adjacent property owner from any and all liability, loss, or damage(s) which may be incurred as a result of any and all claims, demands, costs, judgments or expenses, including attorney fees, arising from the vendor's participation in the Red Wing Area Farmers' Market. This Section shall survive the termination of the contract

Events and Promotions:

The RWAFMA may conduct promotions and events at the Farmers' Market to attract additional customers to the Market and to add to the atmosphere of the Market. Vendors agree to cooperate with the RWAFMA and/or its designees in conducting such events and promotions.

Adopted by the RWAFMA and approved by the City of Red Wing

Kathy Seymour Johnson, Red Wing City Clerk

Date