



# WESTSIDE FARMER'S MARKET

## RULES AND REGULATIONS



### 1. Operational Rules

#### 1.1 Membership and dues

All vendors must sign a Vendor Agreement and pay the seasonal or weekly fee to participate.

#### 1.2 Space/Booth Fees

Daily and/or seasonal space fees will be assessed at a fixed rate and determined annually. Income generated from space fees will be used for advertising, entertainment, and other expenses associated with the function of the market.

#### 1.3 Space Assignments & Appearance

The market manager assigns spaces to vendors. Vendors with their assignments may occupy their spaces upon arrival. **Reserved spaces not occupied 30 minutes prior to opening may be reassigned to another vendor.**

Selling spaces will be equivalent to one parking stall (10' x 10'); these selling spaces may only be setup within the designated market area. Additional spaces may be requested upon availability.

All product and signage must be placed inside of the assigned space. The space should be arranged so that customers are able to shop without invading another vendor's space.

Vendors are responsible for keeping their space clean and attractive during the market hours and must clean up their space after the market closes, including sweeping up any debris and removing trash.

**Vendors must park behind City Hall.** There will be no driving through the market selling area 30 minutes before selling begins.

#### 1.4 Seniority

Members who had annual spaces the previous year will have the option to renew the same space for the next season. Members holding seasonal space must notify the market manager of their intent to retain their space by the date of the last date of this seasons market, or the space will be forfeited. Fees must be paid no later than two weeks prior to the beginning of the season.

### 1.5 Attendance

All anchor vendors must pay the anchor fee even if they do not intend to occupy the stall for the entire season.

If a vendor cannot attend the market any given day he/she must contact the market manager three days in advance. If there is an emergency the morning of market, contact the market manager at 225-238-7616 to let them know. After three "no show & no call" incidents, the vendor loses the selected space for the remainder of the season and will be located in a space chosen by the market manager for each subsequent day they come to market.

### 1.6 Public Policies

For reasons of personal safety and food safety, only leashed animals are permitted. Bicycles are prohibited from being ridden in the market area. Bicycles may be walked through the market.

There will be a designated smoking area. No firearms, weapons, or drugs will be allowed in the market. Anyone disturbing the peace will be asked to leave.

The market manager reserves the right to ask a vendor to turn music down or off if it becomes a disturbance to other vendors and shoppers.

No loud or disturbing noises should be made or action taken on the grounds which will interfere with the comfort or convenience of the other vendors or the public.

The running of gas or diesel vehicles is not permitted during selling hours at the market.

### 1.7 Grievance Policy

Any grievances regarding another vendor should be directed to the market manager in writing, clearly outlining grievance details. The market manager will handle the issue with the vendor in question. If the market manager fails to settle the grievance, it shall be directed to the board for discussion and vote.

### 1.8 Market Manager

The board of directors may employ or appoint a market manager, whose duties shall be collecting daily fees; assigning market stalls, supervising the market and other duties as assigned by the board of directors. The manager will be the final authority on the day of market – all decisions may be appealed to the board for later consideration.

The market manager shall report to the board of directors and give at least two weeks notice before leaving the position.

## 1.9 Outside organizations

Outside organizations wishing to appear at the market during selling hours to fundraise, entertain, educate and/or volunteer should meet the approval of the board prior to the selling day. If a group is interested in selling food, the item must comply with current market guidelines.

## 1.10 Vendor Conduct

Vendors at the market shall at all times conduct themselves in a pleasant and courteous manner. Vendors shall avoid using unduly loud, vulgar, profane or otherwise disagreeable language. They shall further avoid being in an intoxicated condition. They shall avoid belligerent action or actions that lead to or promote disputes, disagreements or altercations with other vendors, prospective customers, visitors or any other persons on the market premises.

All vendors must complete and sign a vendor agreement with the market and pay appropriate fee prior to selling. The market reserves the right to prohibit anyone from selling at the market and to cancel the privileges of any member who in the opinion of the board of directors has violated the rules governing the market. Participant or member has the right to respond in writing to the board, to include an explanation of how the violations in question will be remedied. The market board reserves the right to make a final decision on the response. Fees will not be refunded. Participants or members wishing to return to the market following expulsion must apply to the board of directors for re-admittance and pay appropriate fee(s) prior to selling

## 1.11 Insurance

The market only carries liability insurance for the market area. Each vendor is responsible for carrying his/her own product liability insurance if desired.

## 2. Regulatory Rules

### 2.1 Sales Tax

Each vendor is responsible for his or her own sales tax license and sales tax payments.

### 2.2 Weights & Measures

If products are sold by weight a SD certified scale must be used. The use of non-certified scales is prohibited.

## 3. Product Rules

### 3.1 Product Approval & Claims

All vendors must abide by applicable federal, state and local regulations regarding each product they sell.

Vendors must be willing to allow inspections of their operation by a market representative in order to ensure compliance of the rules of the market.

### 3.2 Defining Permissible Products

The following products may be sold at the market: vegetables, herbs, fruit, jams, jellies, honey, cider, baked goods, hay, straw, Christmas trees, ornamental produce, bedding plants, potted plants, cut or dried flowers, fruit or plant arrangements, eggs, retail-ready frozen meats, wool, fleece, personal care products, artwork, and artisan goods. **Products not mentioned above must receive board approval before sale.**

### 3.3 Product Source Restriction

The sale of products not grown or produced by the seller, the reselling of goods, or the sale of goods that have been bartered or traded are only permitted if there is currently not a vendor providing them. These items will be voted on the discretion of the board.

### 3.4 Reselling Restriction

The market is restricted to those actively engaged in the production of accepted products, whether on a full or part-time basis. All items displayed must be produced by the vendor, members of his or her family or by his or her employees. Any item not produced by the vendor must be approved for sale by the board of directors on an individual, weekly basis.

### 3.5 Pricing

**Vendors should strive to price products at their fair market value and avoid heavily undercutting other vendors.**

**3.6 Vendors should avoid duplication of other vendors products.**

## LSA-R.S 3:3673

Producer selling direct to consumer not subject to permit fees, license tax or fee, or inspection fees; inspection; time for sale

Any trucker, farmer, or producer of fruits, vegetables, grains, or meats in this state, or any employee of such farmer or producer, may sell the produce or products in any quantities direct to any consumer in this state, whether roadside, at a farmers market, or other direct means, and no state, parochial, or municipal authority shall require the payment of any permit fee, license tax or fee, or inspection fee of any kind or character whatsoever. Any such person may sell the produce, whether raw or processed, and shall not be required to pay an occupational license tax. Any state, parochial, or municipal authority having the power, or charged with the duty, may at its own expense inspect the produce or products above mentioned, the inspection to be made at such time and in such manner as may least inconvenience the producer. Within the limit of any municipality having ordinances regulating the hours within which the produce or products above mentioned may be sold, the trucker, farmer, or producer, or any employee of such farmer

or producer, shall sell the produce or products only between the hours of eight o'clock a.m. and six o'clock p.m.

Acts 2002, 1st Ex. Sess., No. 116, §1, eff. April 23, 2002; Acts 2009, No. 24, §8E, eff. June 12, 2009.

I, \_\_\_\_\_, have read and agree to abide by the rules and regulations of Westside Farmers Market.

**Applicant Statement:** I agree that I have read, fully understand and will abide by all Rules and Regulations of the Westside Farmers' Market. I also agree not to hold Westside Farmers' Market, the City of Plaquemine, municipality of Iberville Parish or its representatives or employees responsible for any damages from participating in the Westside Farmers' Market, either to myself or my products, as indicated by the Hold Harmless clause. I agree to pay my rent timely and to obtain any licenses or permits required by law.

\_\_\_\_\_  
Sign

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

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Official Use

Approved by \_\_\_\_\_

Payment Amount \_\_\_\_\_ Type: cash check credit card other

Space Number \_\_\_\_\_